

AS AMENDED THROUGH AUGUST 18, 2022

The Champaign County Department of Planning and Zoning administers the following land use regulations:

Zoning Ordinance

Subdivision Regulations

Special Flood Hazard Areas Ordinance

Storm Water Management and Erosion Control Ordinance

Nuisance Ordinance

To purchase copies of any of these ordinances contact:

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CHAMPAIGN COUNTY ZONING ORDINANCE

RESOLUTION NO. 971

RESOLUTION FOR CREATION OF A ZONING ORDINANCE FOR CHAMPAIGN COUNTY

WHEREAS the Champaign County Board of Supervisors has previously authorized the Champaign County Zoning Commission to prepare a report on County Zoning; and

WHEREAS the said Zoning Commission has prepared the required report, held the public hearings and presented a final draft of a Zoning Report to the County Board;

NOW, THEREFORE, BE IT RESOLVED that the Champaign County Board hereby authorizes the creation of a Zoning Ordinance for the County of Champaign; and

BE IT FURTHER RESOLVED that the following provisions, as set forth in this resolution, including Section 1 through 15 inclusive, shall be hereafter known as the Zoning Ordinance of Champaign County, Illinois.

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SECTION 1: TITLE AND PERIOD OF EFFECTIVENESS

1.0 Title and Period of Effectiveness

This ordinance shall be known as “The Zoning Ordinance of the County of Champaign, Illinois.”
It shall remain in full force and effect after October 10, 1973, unless repealed.

SECTION 2: PURPOSE

2.0 Purpose

The zoning regulations and standards herein adopted and established have been made for the purpose of:

- (a) securing adequate light, pure air, and safety from fire and other dangers;
- (b) conserving the value of land, BUILDINGS, and STRUCTURES throughout the COUNTY;
- (c) lessening and avoiding congestion in the public STREETS;
- (d) lessening and avoiding hazards to persons and damage to PROPERTY resulting from the accumulation of runoff of storm or flood waters;
- (e) promoting the public health, safety, comfort, morals, and general welfare;
- (f) regulating and limiting the height and bulk of BUILDINGS and STRUCTURES hereafter to be erected;
- (g) establishing, regulating, and limiting the BUILDING or SETBACK lines on or along any STREET, trafficway, drive or parkway;
- (h) regulating and limiting the intensity of the USE of LOT AREAS, and regulating and determining the area of OPEN SPACES within and surrounding BUILDINGS and STRUCTURES;
- (i) classifying, regulating, and restricting the location of trades and industries and the location of BUILDINGS, STRUCTURES, and land designed for specified industrial, residential, and other land USES;
- (j) dividing the entire COUNTY into DISTRICTS of such number, shape, area, and such different classes according to the USE of land, BUILDINGS, and STRUCTURES, intensity of the USE of LOT AREA, area of OPEN SPACES, and other classification as may be deemed best suited to carry out the purpose of the ordinance;
- (k) fixing regulations and standards to which BUILDINGS, STRUCTURES, or USES therein shall conform;
- (l) prohibiting USES, BUILDINGS, or STRUCTURES incompatible with the character of such DISTRICTS;

SECTION 2.0 PURPOSE - CONTINUED

- (m) preventing additions to and alteration or remodeling to existing BUILDINGS, STRUCTURES, or USES in such a way as to avoid the restrictions and limitations lawfully imposed under this ordinance;
- (n) protecting the most productive AGRICULTURAL lands from haphazard and unplanned intrusions of urban USES;
- (o) protecting natural features such as forested areas and watercourses;
- (p) encouraging the compact development of urban areas to minimize the cost of development of public utilities and public transportation facilities;
- (q) encouraging the preservation of AGRICULTURAL belts surrounding urban areas, to retain the AGRICULTURAL nature of the COUNTY, and the individual character of existing communities; and
- (r) provide for the safe and efficient development of renewable energy sources in those parts of the COUNTY that are most suited to their development.

SECTION 3: DEFINITIONS

Unless otherwise expressly stated, the following words shall, for the purpose of this ordinance have the meaning herein indicated. Any pertinent word or term not part of this listing, but vital to the interpretation of this ordinance, shall have its usual definition.

For the purpose of easy reference, all words or terms which are capitalized are defined herein.

The present tense includes the future tense.

The masculine gender includes the feminine and the neuter.

The singular number includes the plural, the vice versa.

The word “shall” is always mandatory; the word “may” is always permissive.

The word “person” includes a partnership, association, firm, trust, club, company, or corporation as well as the individual.

The word “used” or “occupied” or “located” as applied to any land, BUILDING, USE, STRUCTURE, or PREMISES shall be construed to include the words “intended, arranged, or designed to be used or occupied or located.”

The word “LOT” shall include the words “plot” and “parcel.”

The word “COUNTY” shall mean the COUNTY of Champaign, Illinois.

The word “BOARD” shall mean the Zoning Board of Appeals of the COUNTY.

The words “PLAN COMMISSION” shall mean the Champaign County Regional Planning Commission.

The word “ENGINEER” shall mean the Champaign COUNTY Superintendent of Highways.

The words “GOVERNING BODY” shall mean the COUNTY Board of Champaign County, Illinois.

ACCESS: The way MOTOR VEHICLES move between a STREET or ALLEY and the principal USE or STRUCTURE on a LOT abutting such STREET or ALLEY.

ACCESS STRIP: That part of a FLAG LOT which provides the principal ACCESS to the LOT, and has FRONTAGE upon a STREET.

SECTION 3.0 DEFINITIONS - CONTINUED

ACCESSORY BUILDING: A BUILDING on the same LOT with the MAIN or PRINCIPAL STRUCTURE, or the main or principal USE, either detached from or attached to the MAIN or PRINCIPAL STRUCTURE, and subordinate to and used for purposes customarily incidental to the MAIN or PRINCIPAL STRUCTURE, or the main or principal USE.

ACCESSORY STRUCTURE: A STRUCTURE on the same LOT within the MAIN or PRINCIPAL STRUCTURE, or the main or principal USE, either detached from or attached to the MAIN or PRINCIPAL STRUCTURE, subordinate to and USED for purposes customarily incidental to the MAIN or PRINCIPAL STRUCTURE or the main or principal USE.

ACCESSORY USE: A USE on the same LOT customarily incidental and subordinate to the main or principal USE or MAIN or PRINCIPAL STRUCTURE.

ADULT-USE CANNABIS CRAFT GROWER: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, dry, cure and package cannabis and perform other necessary activities to make cannabis available for sale at a dispensing organization or use at a processing organization, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS CULTIVATION CENTER: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, process, transport and perform necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishments, per the Cannabis Regulation and Tax Act (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS DISPENSING ORGANIZATION: A facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation to acquire cannabis from licensed cannabis business establishments for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies to purchasers or to qualified registered medical cannabis patients and caregivers, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT CANNABIS INFUSER ORGANIZATION OR INFUSER: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to directly incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis infused product, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

SECTION 3.0 DEFINITIONS - CONTINUED

ADULT-USE CANNABIS PROCESSING ORGANIZATION OR PROCESSOR: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS TRANSPORTING ORGANIZATION OR TRANSPORTER: An organization or business that is licensed by the Illinois Department of Agriculture to transport cannabis on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

AGRICULTURAL DRAINAGE CONTRACTOR: A contractor whose principal business is installing and/or selling agricultural drainage facilities such as grassed waterways, field terraces, underground drainage tile, tile inlets, culverts, and related drainage improvements.

AGRICULTURE: The growing, harvesting and storing of crops including legumes, hay, grain, fruit and truck or vegetable crops, floriculture, horticulture, mushroom growing, orchards, forestry, and the keeping, raising, and feeding of livestock or poultry, including dairying, poultry, swine, sheep, beef cattle, pony and horse production, fur farms, and fish and wildlife farms; farm BUILDINGS used for growing, harvesting, and preparing crop products for market, or for use on the farm; roadside stands, farm BUILDINGS for storing and protecting farm machinery and equipment from the elements, for housing livestock or poultry and for preparing livestock or poultry products for market; farm DWELLINGS occupied by farm OWNERS, operators, tenants or seasonal or year-round hired farm workers. It is intended by this definition to include within the definition of AGRICULTURE all types of agricultural operations, but to exclude therefrom industrial operations such as a grain elevator, canning, or slaughterhouse, wherein agricultural products produced primarily by others are stored or processed. Agricultural purposes include, without limitation, the growing, developing, processing, conditioning, or selling of hybrid seed corn, seed beans, seed oats, or other farm seeds.

AIRCRAFT: Any contrivance now known or hereafter invented, used, or designed for navigation of or flight in the air.

AIRPORT: Any area described or defined as an airport under the *Illinois Aviation Safety Rules (92 Ill. Admin. Code Part 14)*, and which meets the criteria of any one of the following airport classifications as determined by the Illinois Department of Transportation, Division of Aeronautics: Basic Utility I, Basic Utility II, General Utility, Basic Transport, General Transport, or Air Carrier or Ultralight STOL.

ALLEY: A permanent service RIGHT-OF-WAY which affords only a secondary means of ACCESS to PROPERTY abutting such RIGHT-OF-WAY and is not intended for general traffic circulation.

SECTION 3.0 DEFINITIONS - CONTINUED

ALTER: See ALTERATION.

ALTERATION: Any change in the bearing walls, columns, beams, girders, or supporting members of a STRUCTURE, any change or rearrangement in the floor area of a BUILDING, any enlargement of a STRUCTURE whether by extending horizontally or by increasing in HEIGHT, and/or any movement of a STRUCTURE from one location or position to another.

AREA, BUILDING: The total area taken on a horizontal plane at the largest floor level of the MAIN or PRINCIPAL BUILDING and all ACCESSORY BUILDINGS on the same LOT exclusive of uncovered porches, terraces, steps, or awnings, marquees, and non-permanent CANOPIES and planters.

AREA, LOT: The total area within the LOT LINES.

ASYLUM: A BUILDING, having facilities for inpatient nursing care, where physicians and other medical professionals diagnose and treat human mental ailments.

AUTOMOBILE: A self-propelled, free-moving MOTOR VEHICLE for the conveyance of persons on a STREET and having a seating capacity for not more than ten persons.

AUTOMOBILE REPAIR, MAJOR: General repair, rebuilding or reconditioning of engines, MOTOR VEHICLES or trailers; collision services, including: body, frame, or fender straightening or repair; overall painting or paint shop, or vehicle steam-cleaning.

AUTOMOBILE REPAIR, MINOR: Replacement of parts and motor services to passenger cars and trucks not exceeding one and one-half tons capacity, excluding body repairs.

BERTH, LOADING: A stall of dimensions herein specified, adjacent to a LOADING DOCK for the maneuvering and parking of a vehicle for loading and unloading purposes.

BEST PRIME FARMLAND: Prime Farmland Soils identified in the Champaign County Land Evaluation and Site Assessment (LESA) System that under optimum management have 91% to 100% of the highest soil productivities in Champaign County, on average, as reported in the *Bulletin 811 Optimum Crop Productivity Ratings for Illinois Soils*. Best Prime Farmland consists of the following:

- a. Soils identified as Agriculture Value Groups 1, 2, 3 and/or 4 in the Champaign County LESA system;
- b. Soils that, in combination on a subject site, have an average LE of 91 or higher, as determined by the Champaign County LESA system; or
- c. Any development site that includes a significant amount (10% or more of the area proposed to be developed) of Agriculture Value Groups 1, 2, 3 and/or 4 soils as determined by the Champaign County LESA System.

SECTION 3.0 DEFINITIONS - CONTINUED

BLOCK: PROPERTY abutting on one side of a STREET and lying between the two nearest intersecting or intercepting STREETS, or between the nearest intersecting or intercepting STREET and railroad RIGHT-OF-WAY, waterway, unsubdivided area, or other definite boundary.

BOARDING HOUSE: A BUILDING containing no more than one DWELLING UNIT and more than three but not more than eight LODGING UNITS. Meals or kitchen privileges may be provided to the residents only by means of a single common kitchen.

BUFFER STRIP: An area, PROPERTY, LOT or tract of land or portion thereof, either vacant or landscaped with SCREEN PLANTING as herein specified, which shall serve as a separating space between dissimilar USES or DISTRICTS.

BUILDING: An enclosed STRUCTURE having a roof supported by columns, walls, arches, or other devices and used for the housing, shelter, or enclosure of persons, animals, and chattels.

BUILDING, ATTACHED: A BUILDING having two walls in common with other BUILDINGS.

BUILDING, DETACHED: A BUILDING having no walls in common with other BUILDINGS.

BUILDING, SEMI-DETACHED: A BUILDING having one wall in common with another BUILDING.

BUILDING, MAIN or PRINCIPAL: The BUILDING in which is conducted the main or principal USE of the LOT on which it is located.

BUILDING RESTRICTION LINE: A line usually parallel to the FRONT, side, or REAR LOT LINE set so as to provide the required YARDS for a BUILDING or STUCTURE.

BY RIGHT: A term to describe a USE permitted or allowed in the DISTRICT involved, without review by the BOARD or GOVERNING BODY, and complying with provisions of the Zoning Ordinance and with other applicable ordinances and regulations.

CAMP: A tract of land of a design or character suitable for and used for seasonal, recreational, and other similar living purposes having located on it a STRUCTURE used for any assembly of persons for what is commonly called “day camp” purposes, whether or not operated for profit and whether occupied by adults or children, either as individuals, FAMILIES, or groups, but not including a HOSPITAL, sanitarium, nursing or convalescent home, ASYLUM, SCHOOL, penal or correctional institution, or MANUFACTURED HOME PARK.

CANOPY: A non-retractable roof-like STRUCTURE of either a permanent or non-permanent nature which projects from the wall of a STRUCTURE, is supported above the surface of the ground by poles, posts, columns, beams, girders, or other similar framework attached to the ground, and overhangs or covers the public way or adjacent YARD or COURT.

SECTION 3.0 DEFINITIONS - CONTINUED

CLINIC: An ESTABLISHMENT without facilities for inpatient nursing care, where one or more physicians and other medical professionals diagnose and treat human physical and/or mental ailments.

COMPOSTING: The biological treatment process by which microorganisms decompose the organic fraction of waste, producing compost.

CONSTRUCTION: The excavation of earth to provide for a foundation, basement or cellar; and/or, the addition to or removal from a LOT or tract of land of earth or water so as to prepare said LOT or tract of land for the CONSTRUCTION of a STRUCTURE: and/or, the act of placing or affixing a component of a STRUCTURE upon the ground or upon another such component; and/or, the placing of CONSTRUCTION materials in a permanent position and fastening in a permanent manner; and /or, the demolition, elimination, and/or removal of an existing STRUCTURE in connection with such CONSTRUCTION.

COURT: An OPEN SPACE, other than a YARD, on the same LOT with a BUILDING, which is bounded on two or more sides by, but is not enclosed by, the walls of such BUILDING.

COVERAGE: The percentage of the LOT AREA covered by the BUILDING AREA.

DATA CENTER: A centralized location where computing and networking equipment is concentrated for the purpose of collecting, storing, processing, distributing or allowing access to large amounts of data.

DISCRETIONARY: A term to describe a decision requiring the exercise of judgment, deliberation or decision on the part of the BOARD and GOVERNING BODY in the process of approving or disapproving a SPECIAL USE or a rezoning request.

DISCRETIONARY DEVELOPMENT: A non-agricultural land USE that may occur provided that a SPECIAL USE permit and/or a rezoning request is granted by the BOARD and/or by the GOVERNING BODY following a DISCRETIONARY review process and additionally provided that the USE complies with provisions of the Zoning Ordinance and other applicable ordinances and regulations.

DISPLAY: The placement or arrangement of products or materials for sale or lease excluding items which are being stored while awaiting maintenance, or repair or other STORAGE.

DISTRICT: A section of the COUNTY/city/village in which zoning regulations and standards are uniform.

DOCK, LOADING: A platform-like STRUCTURE adjacent to a LOADING BERTH from which goods are loaded on and on which goods are unloaded from a vehicle parked in such LOADING BERTH.

SECTION 3.0 DEFINITIONS - CONTINUED

DUMP, REFUSE: A LOT or tract of land or part thereof used for the disposal by abandonment, burial, or other means and for whatever purposes, of garbage, trash, refuse, junk, discarded machinery, vehicles or parts thereof, or solid waste material of any kind.

DWELLING: A BUILDING or MANUFACTURED HOME designated for non-transient residential living purposes and containing one or more DWELLING UNITS and/or LODGING UNITS.

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

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

DWELLING UNIT: One or more rooms constituting all or part of a DWELLING which are used exclusively as living quarters for one FAMILY, and which contains a bathroom and kitchen.

DWELLING, SINGLE FAMILY: A DWELLING containing one DWELLING UNIT.

DWELLING, TWO-FAMILY: A DWELLING containing two DWELLING UNITS with one DWELLING UNIT arranged on the same story or in stories above the other DWELLING UNIT.

DWELLING, MULTI-FAMILY: A DWELLING containing three or more DWELLING UNITS.

DWELLING, GROUP: A group of two or more SINGLE FAMILY, TWO-FAMILY or MULTI-FAMILY DWELLINGS, whether attached, semi-detached, or detached, in whatever combination, occupying a LOT or LOTS in one OWNERSHIP.

ESTABLISHMENT: A business, retail, office, or commercial USE. When used in the singular this term shall be construed to mean a single USE, BUILDING, STRUCTURE, or PREMISES of one of the types here noted.

FAMILY: (a) an individual; or
(b) two or more persons related by blood, marriage, or adoption; or
(c) five persons not so related; or
(d) two or more persons related by blood, marriage, or adoption and not more than three persons not so related; together with his or their domestic servants and gratuitous guests maintaining common household in a DWELLING UNIT or LODGING UNIT.

FRONTAGE: That portion of a LOT abutting a STREET or ALLEY.

GARAGE, PUBLIC or COMMERCIAL: A BUILDING in which, for compensation, one or more vehicles are parked.

SECTION 3.0 DEFINITIONS - CONTINUED

GOVERNMENT BUILDING: A BUILDING owned or formally owned by a government agency and which was designed and constructed for a public purpose and located on the LOT on which it was originally constructed.

GRADE: The average of the elevations of the surface of the ground measured at all corners of a BUILDING.

HEIGHT: As applied to a story: The vertical measurement between the surface of any floor and the surface of the floor next above it, or if there is no floor above, then the vertical measurement between the surface of the floor and the ceiling next above it.

As applied to a BUILDING: The vertical measurement from GRADE to a point midway between the highest and lowest points of the roof.

As Applied to an Enclosed or Unenclosed STRUCTURE:

STRUCTURE, DETACHED: The vertical measurement from the average level of the surface of the ground immediately surrounding such STRUCTURE to the uppermost portion of such STRUCTURE.

STRUCTURE, ATTACHED: Where such STRUCTURE is attached to another STRUCTURE and is in direct contact with the surface of the ground, the vertical measurement from the average level of the surface of the ground immediately adjoining such STRUCTURE to the uppermost portion of such STRUCTURE shall be the HEIGHT. Where such STRUCTURE is attached to another STRUCTURE and is not in direct contact with the surface of the ground, the vertical measurement from the lowest portion of such STRUCTURE to the uppermost portion shall be the HEIGHT.

HELICOPTER: Any rotary wing AIRCRAFT including those helicopters registered as Special Purpose Aircraft by the Illinois Department of Transportation, Division of Aeronautics.

HELIPORT/HELISTOP: Any area described or defined as a heliport or helistop under the *Illinois Aviation Safety Rules (92 Ill. Admin. Code Part 14)* and which is further regulated under the rules for airports by the Illinois Department of Transportation, Division of Aeronautics.

HELIPORT – RESTRICTED LANDING AREA: Any area described or defined as a restricted landing area – heliport under the *Illinois Aviation Safety Rules (92 Ill. Admin. Code Part 14)* and which is further regulated under the rules for restricted landing areas by the Illinois Department of Transportation, Division of Aeronautics.

HOME OCCUPATION, NEIGHBORHOOD: Any activity conducted for gain or support by a member or members of the immediate FAMILY, residing on the premises, as an ACCESSORY USE entirely within the resident's DWELLING UNIT or ACCESSORY BUILDING not exclusively devoted to such activity.

SECTION 3.0 DEFINITIONS - CONTINUED

HOME OCCUPATION, RURAL: Any activity conducted for gain or support by a member or members of the immediate FAMILY, residing on the premises, as an ACCESSORY USE on the same LOT as the resident's DWELLING UNIT.

HOSPITAL: A BUILDING having facilities for inpatient nursing care, where physicians and other medical professionals diagnose and treat human ailments.

HOTEL: A BUILDING or group of BUILDINGS containing multiple LODGING UNITS, and associated ACCESSORY USES.

INSTITUTIONAL USE: A USE such as a HOSPITAL, nursery, sanitarium, SCHOOL, infirmary, home for the aged, jail or a BUILDING of similar occupancy where minor children, the sick, convalescing, injured, alcoholic, drug addicted, incarcerated, or similar persons, who are partially or wholly dependent upon others for care, treatment, or supervision are housed.

JUNK YARD or AUTOMOBILE SALVAGE YARD: A LOT, land, BUILDING, or STRUCTURE, or part thereof used primarily for the collecting, storage, and/or sale of scrap metal, or for the collecting, dismantling, storage, and salvaging of machinery or vehicles not in running condition and for the sale of parts therefrom.

KENNEL: A LOT or PREMISES on which six or more dogs or six or more cats (or any combination thereof) at least six months of age are kept, boarded, bred, or retained for compensation; or a LOT or PREMISES on which dogs and/or cats are raised and offered for sale, adoption, or exchange, with or without compensation.

LANDSCAPE WASTE: All accumulations of grass or shrubbery cuttings, leaves, tree limbs and trunks, and other materials accumulated as the result of the care of lawns, shrubbery, vines and trees, excluding vegetative by-products from agricultural activities onsite.

LANDSCAPE WASTE PROCESSING FACILITY: An establishment for grinding, chipping, splitting, sawing or composting landscape waste including the stockpiling, spreading, disposal or wholesale and/or retail sale of landscape waste materials processed on the site. The processing of landscape waste on the same lot on which it was generated is excluded from this definition.

LIGHT ASSEMBLY: Manufacture of finished goods from components manufactured elsewhere and not involving hazardous materials of such a type or in such quantities or concentrations as are not customary with other uses permitted as of right in the DISTRICT; and not creating noise, vibration, odor, fumes, smoke, heat, glare or electromagnetic fields discernable beyond the BUILDING or BUILDINGS in which such manufacture occurs.

LODGING UNIT: One or more rooms which are USED exclusively as long term or transient living quarters for one FAMILY and which do not contain cooking facilities.

LOT: A designated parcel, tract or area of land established by PLAT, SUBDIVISION or as otherwise permitted by law, to be used, developed or built upon as a unit.

SECTION 3.0 DEFINITIONS - CONTINUED

LOT, CORNER: A LOT located:

- (a) at the junction of and abutting two or more intersecting STREETS; or
- (b) at the junction of and abutting a STREET and the nearest shoreline or high water line of a storm or floodwater runoff channel or basin; or
- (c) at and abutting the point of abrupt change of a single STREET where the interior angle is less than 135 degrees and the radius of the STREET is less than 100 feet.

LOT DEPTH: The distance between the midpoint of the FRONT LOT LINE and the midpoint of the REAR LOT LINE or LINES.

LOT, FLAG: An interior LOT separated from STREETS by intervening LOTS except for an ACCESS STRIP which provides FRONTAGE upon a STREET.

LOT, INTERIOR: A LOT other than a CORNER LOT.

LOT LINE, FRONT: A line dividing a LOT from a STREET or easement of ACCESS. On a CORNER LOT or a LOT otherwise abutting more than one STREET or easement of ACCESS only one such LOT LINE shall be deemed the FRONT LOT LINE.

LOT LINE, REAR: Any LOT LINE which is generally opposite and parallel to the FRONT LOT LINE or to a tangent to the midpoint of the FRONT LOT LINE. In the case of a triangular or gore shaped LOT or where the LOT comes to a point opposite the FRONT LOT LINE it shall mean a line within the LOT 10 feet long and parallel to and at the maximum distance from the FRONT LOT LINE or said tangent.

LOT LINES: The lines bounding a LOT.

LOT WIDTH, AVERAGE: The LOT AREA divided by the LOT DEPTH or, alternatively, the diameter of the largest circle that will fit entirely within the LOT LINES.

MANUFACTURED HOME: A factory assembled DWELLING UNIT designed and constructed to be transported in one or more parts by truck or by towing on wheels temporarily or permanently attached to its frame. This definition shall include mobile homes and modular homes or housing units and shall exclude MOTOR VEHICLES and TRAVEL TRAILERS.

MANUFACTURED HOME PARK: A designated contiguous parcel of land planned and improved for the placement of five or more MANUFACTURED HOMES.

MANUFACTURED HOME PARK SERVICE BUILDING: A permanent STRUCTURE housing laundry, recreation, office, sanitation or other community facilities as required in MANUFACTURED HOME PARKS for use by MANUFACTURED HOME PARK occupants.

MANUFACTURED HOME SITE: A designated parcel of land in a MANUFACTURED HOME PARK intended for the placement of an individual MANUFACTURED HOME, for the exclusive use of its occupants.

SECTION 3.0 DEFINITIONS - CONTINUED

MANUFACTURED HOME STAND: That part of an individual MANUFACTURED HOME SITE which has been constructed for the placement of a MANUFACTURED HOME.

MOTOR VEHICLE: A self-propelled free-moving vehicle for the conveyance of goods or persons on a STREET.

NON-ADAPTABLE STRUCTURE: Any STRUCTURE or physical alteration to the land which requires a SPECIAL USE Permit, and which is likely to become economically unfeasible to remove or put to an alternate USE allowable in the DISTRICT (by right or by SPECIAL USE). This term shall include, but not be limited to, a WIND TURBINE TOWER and a WIND FARM TOWER.

NONCONFORMING LOT, STRUCTURE or USE: A LOT, SIGN, STRUCTURE, or USE that existed on the effective date of the adoption or amendment of this ordinance which does not conform to the regulations and standards of the DISTRICT in which it is located.

NONCONFORMING PREMISES: A NONCONFORMING LOT with a NONCONFORMING STRUCTURE located on it.

NOXIOUS WEEDS: Any of several plants designated pursuant to the Illinois Noxious Weed Law (505 ILCS 100/1 et. seq.) and that are identified in 8 Illinois Administrative Code 220.

NURSING or CONVELESCENT HOME: A BUILDING containing sleeping rooms where persons are housed or lodged and are furnished with meals and nursing care for hire.

OPEN SPACE: The unoccupied space open to the sky on the same LOT with a STRUCTURE.

OPERATIONS: Processing, assembly, fabrication, or handling of materials or products or movement of bulk materials or products not in containers or pipelines.

OVERLAY: A DISTRICT that modifies or supplements the standards and requirements of an underlying DISTRICT. Those standards and requirements of the underlying DISTRICT that are not specifically modified by the terms of the OVERLAY DISTRICT remain in full force and effect.

OWNER, OWNERSHIP: An individual, firm, association, syndicate, partnership, corporation, company, organization, trust, or any other legal entity having a proprietary interest in a USE, STRUCTURE, PREMISES, LOT or tract of land.

PARCEL: A designated tract of land entered as a separate item on the real estate tax assessment rolls for the purpose of taxation.

PARKING GARAGE or LOT: A LOT, COURT, YARD, or portion thereof used for the parking of vehicles containing one or more PARKING SPACES together with means of ACCESS to a public way.

SECTION 3.0 DEFINITIONS - CONTINUED

PARKING SPACE: A space ACCESSORY to a USE or STRUCTURE for the parking of one vehicle.

PHOTOVOLTAIC (PV): A type of solar energy system that produces electricity by the use of photovoltaic cells that generate electricity when struck by light.

PV SOLAR ARRAY: A collection of multiple photovoltaic solar panels that convert sunlight to electricity as a system primarily to be used onsite.

PV SOLAR FARM: A unified development intended to convert sunlight to electricity by photovoltaic (PV) devices for the primary purpose of wholesale sales of generated electricity. A PV SOLAR FARM is under a common ownership and operating control even though parts of the PV SOLAR FARM may be located on land leased from different owners. A PV SOLAR FARM includes all necessary components including access driveways, solar devices, electrical inverter(s), electrical transformer(s), cabling, a common switching station, maintenance and management facilities, and waterwells. PV SOLAR FARM should be understood to include COMMUNITY PV SOLAR FARM unless specified otherwise in the relevant section or paragraph.

PV SOLAR FARM, COMMUNITY: A PV SOLAR FARM of not more than 2,000 kilowatt nameplate capacity that meets the requirements of *20 ILCS 3855/1-10* for a “community renewable generation project” and provided that two COMMUNITY PV SOLAR FARMS may be co-located on the same or contiguous parcels as either: a) two 2-MW projects on one parcel, or b) one 2-MW project on each of two contiguous parcels, as authorized by the Illinois Commerce Commission in Final Order 17-0838 on April 3, 2018.

PIPELINE, GAS: Any transmission pipeline for gases including within a storage field. This definition does not apply to either service lines for local service to individual buildings or distribution lines, as defined in *49 CFR 192.3*.

PIPELINE, HAZARDOUS LIQUID: Any pipeline used for the transmission of anhydrous ammonia, petroleum, or petroleum products such as propane, butane, natural gas liquids, benzene, gasoline, jet fuel, diesel fuel, fuel oil, and kerosene.

PIPELINE IMPACT RADIUS: The distance within which the potential failure of a GAS PIPELINE or a HAZARDOUS LIQUIDS PIPELINE could have significant impact to people and property.

PLANNED UNIT DEVELOPMENT: An area for which a unitary site plan has been prepared, establishing, among other things, land USES, OPEN SPACE allocations, onsite circulation for both pedestrians and AUTOMOBILES, parking setbacks, housing densities, BUILDING spacings, land COVERAGE, landscaping relationships with adjoining areas and STREETS, BUILDING HEIGHTS, ACCESSORY USES, and architectural treatment.

PLAT: A map, plan or layout showing the SUBDIVISION of land and indicating the location and boundaries of individual LOTS.

SECTION 3.0 DEFINITIONS - CONTINUED

POOL: An artificially created POOL or tank capable of containing water for any period of time.

PREMISES: A LOT or tract of land and any STRUCTURE located thereon.

PRIVATE ACCESSWAY: A service way providing ACCESS to one or more LOTS which has not been dedicated to the public.

PRIVATE CLUB: BUILDING or facilities intended for social, educational or recreational purposes which are not open to the general public on demand and to which access is established by means of membership in the controlling organization or payment of a fee providing for use of the facilities over a period of 30 days or more.

PRIVATE WAIVER: A written statement asserting that a landowner has agreed to waive a specific WIND FARM standard condition and has knowingly agreed to accept the consequences of the waiver. A PRIVATE WAIVER must be signed by the landowner.

PROPERTY: The general term denoting, either singularly or in combination, an area, LOT, parcel, tract, plot, unit, or otherwise designated portion of land.

PUBLIC ASSEMBLY USE: A USE where more than fifty persons congregate or assemble for any purpose, including a cabaret, banquet hall, church, concert hall, dance hall, exhibition hall, lecture room, music hall, THEATER, grandstand, tents and similar outdoor and indoor USES.

PUBLIC SANITARY SEWER SYSTEM: Any system, other than an individual septic tank or tile field, that is operated by a municipality, governmental agency, or a public utility for the collection, treatment, and disposal of liquid and solid sewage wastes, other than storm waters.

PUBLIC WATER SUPPLY SYSTEM: Any system, other than an individual well, that is operated by a municipality, governmental agency, or a public utility for the purpose of furnishing potable water.

RESIDENTIAL AIRPORT: Any area described or defined as an AIRPORT under the *Illinois Aviation Safety Rules (92 Ill. Admin. Code Part 14)* and which is classified as a Residential Airport by the Illinois Department of Transportation, Division of Aeronautics.

RESIDENTIAL RECOVERY CENTER: A living facility in which occupants live as a single, cooperative housekeeping unit while receiving support and training to assist them in recovering from the effects of chemical and alcohol dependency.

RESTRICTED LANDING AREA: Any area described or defined as a Restricted Landing Area under the *Illinois Aviation Safety Rules (92 Ill. Admin. Code Part 14)* and as further regulated by the Illinois Department of Transportation, Division of Aeronautics.

SECTION 3.0 DEFINITIONS - CONTINUED

RIGHT-OF-WAY: The entire dedicated tract or strip of land that is to be used by the public for circulation and service.

RURAL SPECIALTY BUSINESS: Establishments that sell, principally at retail, agricultural products, foods or traditional handicrafts produced on the PREMISES together with ACCESSORY recreational or educational activities and which may also sell related goods produced off of the PREMISES provided that sale of such goods constitute less than 50 percent of the total gross business income, that such goods constitute less than 50 percent of the total stock in trade and that less than 50 percent of the total LOT AREA is devoted to commercial BUILDING AREA, parking or loading areas or outdoor sales DISPLAY.

SAFETY LEDGE: That portion of the bottom of a POOL that is at the perimeter of the POOL between the normal POOL waterline and the specified depth and that has a slope no greater than the maximum specified.

SANITARY LANDFILL: A method of disposing of refuse on land without creating nuisances or hazards to public health or safety, by utilizing the principles of engineering to confine the refuse to the smallest practical area, to reduce it to the smallest practical volume, and to cover it with a layer of earth at the conclusion of each day's operation, or at such more frequent intervals as may be necessary and to provide a final cover following final placement of refuse.

SCHOOL: A BUILDING or group of BUILDINGS, and all associated STRUCTURES, facilities, and grounds in and on which instruction is given.

SCREEN: A STRUCTURE or landscaping element of sufficient opaqueness or density and maintained such that it completely obscures from view throughout its height the PREMISES upon which the screen is located.

SCREEN PLANTING: A vegetative material of sufficient height and density to filter adequately from view, in adjoining DISTRICTS, STRUCTURES, and USES on the PREMISES upon which the SCREEN PLANTING is located.

SETBACK LINE: The BUILDING RESTRICTION LINE nearest the front of and across a LOT establishing the minimum distance to be provided between a line of a STRUCTURE located on said LOT and the nearest STREET RIGHT-OF-WAY line.

SEXUALLY ORIENTED BUSINESS: Any Establishment which has a significant or substantial portion of its stock-in-trade or derives a significant or substantial portion of its revenue from or devotes a significant or substantial portion of its interior business space or devotes a significant or substantial portion of its advertising to any of the following singly or in any combination:

1. a book, novelty or video store engaged in the sale or rental of any of the following:

SECTION 3.0 DEFINITIONS - CONTINUED

- a. instruments, devices or paraphernalia designed or marketed primarily for stimulating or for stimulation of human genital organs;
 - b. books, periodicals and other printed material which visually display the actual or simulated fondling or touching of exposed human genitals or female breasts or exposed human genitals in a state of sexual stimulation or arousal or sexual acts, including, but not limited to, intercourse, oral copulation, sodomy or masturbation;
 - c. photographs, films, motions, pictures, video tapes, slides, or any other media which visually display the actual or simulated fondling or touching or exposed human genitals in a state of sexual stimulation or arousal or sexual acts, including, but not limited to, intercourse, oral copulation, sodomy or masturbation.
2. a cabaret, theater, nightclub, bar, restaurant, auditorium or similar commercial establishment, whether or not alcohol is served or permitted on the premises, which regularly features or permits or promotes the viewing of persons who appear in a nude or semi-nude state, or live performances which regularly feature or are characterized by exposed human genitals or female breasts, or the actual or simulated performance or sexual acts, including, but not limited to, intercourse, oral copulation, sodomy or masturbation.
 3. a theater, arcade or other business establishment where films, motion pictures, video tapes, slides or similar photographic reproductions or other media (other than those rated R, NC-17, PG-13, PG or G by the Motion Picture Association of America) are regularly shown for compensation which visually depict the actual or simulated fondling or touching or exposed human genitals in a state of sexual stimulation or arousal, or sexual acts, including, but not limited to, intercourse, oral copulation, sodomy or masturbation.

SIDEWALK: That paved portion of the RIGHT-OF-WAY designed and intended for the movement of and use of pedestrian traffic.

SIGN: Any name, identification, description, display, illustration or device which is affixed to or represented directly or indirectly upon a BUILDING, STRUCTURE or land which is placed out-of-doors and in view of the general public and which directs attention to a product, place, activity, person, institution, or business.

SIGN, FREESTANDING: A SIGN which is completely or principally self-supported by posts or other supports independent of any BUILDING or other STRUCTURE.

SIGN, OFF-PREMISES: A SIGN which directs attention to a USE, business, commodity, service or activity not conducted, sold, or offered upon the PREMISES where the SIGN is located. Such SIGNS shall be considered a principal USE of a PROPERTY.

SIGN, ON-PREMISES: A SIGN which relates solely to a USE, business or profession conducted upon, or to a principal commodity, service, or entertainment sold, provided, or offered upon the PREMISES where the sign is located or on a LOT adjacent to the PREMISES advertised. Such SIGNS shall be ACCESSORY USES of a PROPERTY.

SECTION 3.0 DEFINITIONS - CONTINUED

SIGN, PROJECTING: A SIGN, other than a wall SIGN, which projects from and is supported by, or attached to, a wall of a BUILDING or STRUCTURE.

SIGN, WALL OR WALL MOUNTED: A SIGN displayed on or visible through a wall of a BUILDING or STRUCTURE so as to be seen primarily from the direction facing that wall of the BUILDING or STRUCTURE. A wall SIGN attached to the exterior wall of a BUILDING or STRUCTURE does not project more than 20 inches therefrom.

SMALL SCALE METAL FABRICATING SHOP: A shop devoted to fabricating metal items using tools, materials and techniques customarily found in farm shops.

SPECIAL CONDITIONS: A condition for the establishment of a SPECIAL USE.

SPECIAL USE: A USE which may be permitted in a DISTRICT pursuant to, and in compliance with, procedures specified herein. A PLANNED UNIT DEVELOPMENT shall be considered a SPECIAL USE.

STORAGE: The presence of equipment, or raw materials or finished goods (packaged or bulk) including goods to be salvaged and items awaiting maintenance or repair and excluding the parking of operable vehicles.

STREET: A thoroughfare dedicated to the public within a RIGHT-OF-WAY which affords the principal means of ACCESS to abutting PROPERTY. A STREET may be designated as an avenue, a boulevard, a drive, a highway, a lane, a parkway, a place, a road, a thoroughfare, or by other appropriate names. STREETS are identified on the Official Zoning Map according to type of USE, and generally as follows:

- (a) **MAJOR STREET:** Federal or State highways.
- (b) **COLLECTOR STREET:** COUNTY highways and urban arterial STREETS.
- (c) **MINOR STREET:** Township roads and other local roads.

STREET, PRIVATE: A service way providing ACCESS to a PROPERTY for the use of a limited number of persons or purposes and which has not been publicly dedicated.

STRUCTURE: Anything CONSTRUCTED or erected with a fixed location on the surface of the ground or affixed to something having a fixed location on the surface of the ground. Among other things, STRUCTURES including BUILDINGS, walls, fences, billboards, and SIGNS.

STRUCTURE, ATTACHED: A STRUCTURE connected to another STRUCTURE.

STRUCTURE, DETACHED: A STRUCTURE not connected to another STRUCTURE.

STRUCTURE, MAIN or PRINCIPAL: The STRUCTURE in or on which is conducted the main or principal USE of the LOT on which it is located.

SECTION 3.0 DEFINITIONS - CONTINUED

SUBDIVISION: Any division, development, or re-subdivision of any part, LOT, area or tract of land by the OWNER or agent, either by LOTS or by metes and bounds, into LOTS two or more in number, for the purpose, whether immediate or future, of conveyance, transfer, improvement, or sale, with the appurtenant STREETS, ALLEYS, and

easements, dedicated or intended to be dedicated to public use or for the use of the purchasers or OWNERS within the tract subdivided. The division of land for AGRICULTURAL purposes not involving any new STREET, ALLEY, or other means of ACCESS, shall not be deemed a SUBDIVISION for the purpose of the regulations and standards of this ordinance.

SUITED OVERALL: A discretionary review performance standard to describe the site on which a development is proposed. A site may be found to be SUITED OVERALL if the site meets these criteria:

- a. The site features or site location will not detract from the proposed use;
- b. The site will not create a risk to health, safety or property of the occupants, the neighbors or the general public;
- c. The site is not clearly inadequate in one respect even if it is acceptable in other respects;
- d. Necessary infrastructure is in place or provided by the proposed development; and
- e. Available public services are adequate to support the proposed development effectively and safely.

TEMPORARY USE: A USE which is transitory by nature and may be permitted in a DISTRICT pursuant to, and in compliance with, procedures specified herein.

THEATRE: A BUILDING or part of a BUILDING devoted to the showing of moving pictures or theatrical productions on a commercial basis.

THEATRE, OUTDOOR: An open LOT or part thereof with its appurtenant facilities devoted primarily to the showing of moving pictures of theatrical productions on a commercial basis to patrons seated in AUTOMOBILES or on outdoor seats.

TRAVEL TRAILER: A vehicle designed for recreational use and which cannot be defined as a MANUFACTURED HOME under the terms of the ordinance.

ULTRALIGHT AIRCRAFT: Any AIRCRAFT which is described or defined as an ultralight vehicle under Part 103 of the Federal Aviation Regulations.

ULTRALIGHT LANDING AREA: An area specifically designed, maintained and used only for the take-off and landing of an ULTRALIGHT AIRCRAFT.

USE: The specific purpose for which land, a STRUCTURE or PREMISES, is designed, arranged, intended, or for which it is or may be occupied or maintained. The term "permitted USE" or its equivalent shall not be deemed to include any NONCONFORMING USE.

SECTION 3.0 DEFINITIONS - CONTINUED

UTILITY, PUBLICLY REGULATED: A business or entity providing water, sanitary sewer, power and light, television cable, or similar services to the public of such a nature that it enjoys an exclusive franchise, in a specific geographic area, and is regulated by a Federal, State or local governmental regulatory agency.

VARIANCE: A deviation from the regulations or standards adopted by this ordinance which the Hearing Officer or the Zoning BOARD of Appeals are permitted to grant.

VARIANCE, ADMINISTRATIVE: A deviation from the regulations or standards of this ordinance which may be granted by the Zoning Administrator.

VERTICAL BARRIER: A vertical surface of specified height that is fixed to the ground and does not allow an object larger than 3 ¼ inches in diameter to pass through and does not provide either toe-holds or hand-holds for climbing (on at least one side) and is non-climbable (on at least one side). A VERTICAL BARRIER may include but is not limited to fencing (of suitable construction), retaining walls (of suitable construction), and enclosed BUILDINGS (when on the same PREMISES).

VETERINARY HOSPITAL: A place where animals or pets are given medical or surgical treatment by a licensed veterinarian. Use as a KENNEL shall be limited to short term boarding and shall only be incidental to a VETERINARY HOSPITAL USE.

WAREHOUSE: A BUILDING within which raw materials, goods, or equipment including vehicles, are kept and wherein no manufacturing, assembly, construction, repair, sales or other activity is performed except for the packaging of goods and materials for shipment.

WAREHOUSE, SELF-STORAGE: A BUILDING or BUILDINGS containing multiple, independently accessible spaces where raw materials, goods or equipment, or personal goods including personal vehicles, are kept and wherein no other commercial or industrial activity occurs.

WELL SUITED OVERALL: A discretionary review performance standard to describe the site on which a development is proposed. A site may be found to be WELL SUITED OVERALL if the site meets these criteria:

- a. The site is one on which the proposed development can be safely and soundly accommodated using simple engineering and common, easily maintained construction methods with no unacceptable negative effects on neighbors or the general public; and
- b. The site is reasonably well-suited in all respects and has no major defects.

WIND FARM: A unified development of WIND FARM TOWERS and all other necessary components including cabling, transformers, a common switching station, and maintenance and management facilities which are intended to produce electricity by conversion of wind energy and to deliver the electricity to the power grid. A WIND FARM is under a common ownership and operating control even though the individual WIND FARM TOWERS may be located on land that is leased from many different

SECTION 3.0 DEFINITIONS - CONTINUED

landowners. A WIND TURBINE TOWER or WIND TURBINE TOWERS that do not conform to the definitions of either a SMALL WIND TURBINE TOWER or a BIG WIND TURBINE TOWER shall by definition be considered a WIND FARM and may only be authorized as a WIND FARM.

WIND FARM TOWER: A wind turbine nacelle and rotor and the supporting tower structure that are part of a WIND FARM development and intended to produce electricity for the power grid or any WIND TURBINE TOWER that does not conform to the definitions of either a SMALL WIND TURBINE TOWER or a BIG WIND TURBINE TOWER.

WIND TOWER, TEST: A tower that is installed on a temporary basis not to exceed three years and that is intended for the sole purpose of collecting meteorological data regarding the wind.

WIND TURBINE TOWER, BIG: A wind turbine nacelle and rotor and the supporting tower structure and associated control or conversion electronics that is owned (or leased to be owned) by the owner of land on which it is located for the purpose of producing electrical energy to be used onsite by another principal use on the same property provided that any energy not used onsite may be sold to the electric power provider and which is not more than 500 feet in overall height measured to the tip of the highest blade and that is not connected to or part of a system of more than two other BIG WIND TURBINE TOWERS.

WIND TURBINE TOWER, SMALL: A wind turbine nacelle and rotor and the supporting tower structure and associated control or conversion electronics that is owned (or leased to be owned) by the owner of land on which it is located and which produces electrical energy to be used onsite by the principal use on the same property provided that any energy not used onsite may be sold to the electric power provider and which is not more than 150 feet in overall height measured to the tip of the highest blade and with a rotor diameter of not more than 75 feet.

WINDOW: An opening in an exterior wall of a BUILDING, other than a door, which provides all or part of the natural light or ventilation, or both, to an interior space.

YARD: An OPEN SPACE, other than a COURT, of uniform width or depth on the same LOT with a STRUCTURE, lying between the STRUCTURE and the nearest LOT LINE and which is unoccupied and unobstructed from the surface of the ground upward except as may be specifically provided by the regulations and standards herein.

YARD, FRONT: A YARD extending the full width of a LOT and situated between the FRONT LOT LINE and the nearest line of a PRINCIPAL STRUCTURE located on said LOT. Where a LOT is located such that its REAR and FRONT LOT LINES each but a STREET RIGHT-OF-WAY both such YARDS shall be classified as front YARDS.

YARD, REAR: A YARD extending the full width of a LOT and situated between the REAR LOT LINE and the nearest line of a PRINCIPAL STRUCTURE located on said LOT.

SECTION 3.0 DEFINITIONS - CONTINUED

YARD, SIDE: A YARD situated between a side LOT LINE and the nearest line of a PRINCIPAL STRUCTURE located on said LOT and extending from the rear line of the required FRONT YARD to the front line of the required REAR YARD.

ZONE: See DISTRICT.

ZONED MUNICIPALITY: A municipality which has adopted and administers a Zoning ordinance in accordance with the *Illinois Municipal Code* (65 ILCS 5/11-13-1 *et seq.*) as amended.

SECTION 4 GENERAL PROVISIONS

4.1 Official Zoning Map

4.1.1 Provisions for Official Zoning Map

The COUNTY is hereby divided into DISTRICTS as shown on the Official Zoning Map, which together with all explanatory matter thereon, is hereby adopted by reference and declared to be part of this ordinance.

4.1.2 Identification of Official Zoning Map

The Official Zoning Map shall be identified by the signature of the Chairman of the GOVERNING BODY, attested by the COUNTY Clerk, and shall bear the effective date of this ordinance.

4.1.3 Changes to Official Zoning Map

If, in accordance with the provisions of this ordinance and the *Illinois County Code* (55 ILCS 5/5-12001 *et seq.*) changes are made in DISTRICT boundaries or other matter portrayed on the Official Zoning Map by disannexation or by amendment, such changes shall be made by the Zoning Administrator promptly after the amending ordinance authorizing such changes has been approved by the GOVERNING BODY. The amending ordinance shall provide that such changes shall not become effective until they have been duly entered on the Official Zoning Map.

No changes of any nature shall be made on the Official Zoning Map or matter shown thereon except in conformity with the procedures set forth in this ordinance. Any such amendment upon adoption and publishing shall be added to the Official Zoning Map.

4.1.4 Authority of Official Zoning Map

Regardless of the existence of purported copies of the Official Zoning Map which may from time to time be made or published, the Official Zoning Map which shall be located in the office of the Zoning Administrator shall be the final authority as to the current zoning status of land and water areas and STRUCTURES in the COUNTY.

4.1.5 Replacement of Official Zoning Map

In the event that the Official Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes, the GOVERNING BODY may by ordinance adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. The new Official Zoning Map shall correct drafting or other errors or omissions to the prior Official Zoning Map, but no such corrections shall have the effect of amending the original zoning ordinance or any subsequent amendment thereof.

SECTION 4.1.5 REPLACEMENT OF OFFICIAL ZONING MAP - CONTINUED

The new Official Zoning Map shall be identified by the signature of the Chairman of the GOVERNING BODY, attested by the COUNTY CLERK, and shall bear the effective date of the old Official Zoning Map and the effective date of the new Official Zoning Map.

4.1.6 Rules for the Interpretation of Boundaries as shown on the Official Zoning Map

Where uncertainty exists as to the boundaries of DISTRICTS as shown on the Official Zoning Map, the following rules shall apply:

- A. Boundaries indicated as approximately following the centerlines of STREETS or ALLEYS shall be construed to follow such centerlines.
- B. Boundaries indicated as approximately following recorded LOT LINES shall be construed as following such LOT LINES.
- C. Boundaries indicated as approximately following City/Village limits shall be construed as following such City/Village limits.
- D. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
- E. Boundaries indicated as following shorelines shall be construed to follow such shorelines, and in the event of change in the shoreline shall be construed as moving with the actual shoreline; boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes or other bodies of water shall be construed to follow such centerlines.
- F. Boundaries indicated as parallel to or extensions of features indicated in subsections A through E above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.
- G. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map or in other circumstances not covered by subsections A through F above, the BOARD shall interpret the DISTRICT boundaries.

4.1.7 Disconnected Territory

All territory which may hereafter be disconnected from any incorporated area within the COUNTY shall be considered to be zoned in a manner most closely conforming to the zoning of the DISTRICT of the municipality in which the territory was located prior to disconnection unless otherwise specified in a disconnection agreement. The translation table, if one exists, of the municipal zoning ordinance shall determine which COUNTY DISTRICT most closely conforms to the prior municipal district otherwise the Zoning Administrator shall determine in which COUNTY DISTRICT the territory shall be classified.

4.2 Application of Regulations and Standards

The regulations and standards set by this ordinance within each DISTRICT shall be minimum regulations and standards and shall apply uniformly to each class, kind, or type of STRUCTURE, USE, or land except as hereinafter provided.

4.2.1 CONSTRUCTION and USE

- A. No STRUCTURE or land shall hereafter be used or occupied and no STRUCTURE or part thereof shall hereafter be CONSTRUCTED, erected, ALTERED, remodeled, extended, or moved unless in conformity with all the regulations and standards herein specified for the DISTRICT in which it shall be located.
- B. No STRUCTURE shall hereafter be CONSTRUCTED, erected, ALTERED, remodeled, extended or moved:
 - 1. To exceed the HEIGHT;
 - 2. To occupy or house a greater number of FAMILIES;
 - 3. To occupy a greater percentage of LOT AREA; or
 - 4. To exceed the housing density

than hereinafter required or in any manner contrary to the regulations and standards of the DISTRICT in which it is located.

- C. It shall be unlawful to erect or establish more than one MAIN or PRINCIPAL STRUCTURE or BUILDING per LOT or more than one PRINCIPAL USE per LOT in the AG-1, Agriculture, AG-2, Agriculture, CR, Conservation-Recreation, R-1, Single Family Residence, R-2, Single Family Residence, and R-3, Two Family Residence DISTRICTS other than in PLANNED UNIT DEVELOPMENTS except as follows:
 - 1. Mortuary or funeral home may be authorized as a Special Use Permit in the AG-2, Agriculture Zoning DISTRICT, when it is on a lot under common management with a cemetery.

SECTION 4.2.1 CONSTRUCTION AND USE – CONTINUED

2. Up to three BIG WIND TURBINE TOWERS may be authorized as a second PRINCIPAL USE on a LOT as a SPECIAL USE Permit in the AG-1 Agriculture and AG-2 Agriculture DISTRICTS.
 3. RESIDENTIAL RECOVERY CENTER may be authorized as a SPECIAL USE Permit in the AG-2, Agriculture Zoning DISTRICT in accordance with Section 5.2.
 4. PARKING LOT and related passenger waiting buildings may be authorized in the CR District only as an additional principal USE or additional principal STRUCTURE on Public Fairgrounds by SPECIAL USE Permit subject to Section 5.2.
 5. A PV SOLAR FARM may be authorized as a County Board SPECIAL USE Permit in the AG-1, Agriculture Zoning District or the AG-2, Agriculture Zoning District as a second PRINCIPAL USE on a LOT with another PRINCIPAL USE.
 6. A PV SOLAR ARRAY may be authorized as a County Board SPECIAL USE Permit in the AG-2 Agriculture Zoning District as a second PRINCIPAL USE on a LOT with another PRINCIPAL USE.
 7. A private or commercial transmission and receiving tower (including antenna) over 100 feet in height may be authorized as a SPECIAL USE Permit in the AG-1 and AG-2 Agriculture Districts as a second PRINCIPAL USE on a LOT with an Electrical Substation.
- D. Providing that all other applicable requirements of this ordinance are met, more than one MAIN or PRINCIPAL STRUCTURE or BUILDING on a LOT in the R-4, Multiple Family Residence DISTRICT to be USED for residential or institutional use shall be permitted as of right when the site plan is approved by a zoned municipality having jurisdiction over the site by virtue of the site's location in the municipality's one and one-half mile extraterritorial jurisdiction.
- E. MANUFACTURED HOME PARKS as permitted by the R-5, MANUFACTURED HOME Park DISTRICT shall meet the requirements of Section 6.2, MANUFACTURED HOME PARKS.

SECTION 4.2.1 CONSTRUCTION AND USE – CONTINUED

- F. 1. It shall be unlawful to erect or establish more than one MAIN or PRINCIPAL STRUCTURE or BUILDING per LOT or increase or expand an existing STRUCTURE or BUILDING on a LOT having more than one existing PRINCIPAL STRUCTURE or BUILDING constructed prior to the adoption of this Ordinance in the following zoning DISTRICTS except as provided in Section 4.2.1D unless a SPECIAL USE Permit has been obtained from the BOARD:

R-4, Multiple Family Residence
B-1, Rural Trade Center
B-2, Neighborhood Business
B-3, Highway Business
B-4, General Business
B-5, Central Business
I-1, Light Industry
I-2, Heavy Industry

2. Such SPECIAL USE Permit shall be issued only if the following criteria have been met:
- a. The requirements of Section 9.1.11, SPECIAL USES, shall be met.
 - b. The USES are permitted either by right or as a SPECIAL USE in the DISTRICT in which the LOT or parcel of land is located.
 - c. The regulations and standards for the DISTRICT in which the LOT is located shall be met.
 - d. A LOT may be occupied by two or more MAIN or PRINCIPAL STRUCTURES or BUILDINGS as authorized by a SPECIAL USE under this section, when adequate OPEN SPACE is provided between all STRUCTURES and BUILDINGS in accordance with the following standards:
 - i. For STRUCTURES in the Business or Industrial DISTRICTS the required minimum depth of such OPEN SPACE shall be determined by doubling the required SIDE YARD in the DISTRICT in which the LOT or parcel is located.
 - ii. The minimum depth of such OPEN SPACE, for the purpose of these standards, shall be measured at the closest point between BUILDINGS including any projecting eave, balcony, canopy, awning, or other similar projection.
 - iii. Single Family, Two-Family, Multiple Family or institutional BUILDINGS shall be located on the LOT in conformance to the provisions of Section 4.2.2C.

SECTION 4.2.1 CONSTRUCTION AND USE – CONTINUED

- G. No ACCESSORY USE shall be established prior to the establishment of the main or principal USE, and no ACCESSORY STRUCTURE shall be CONSTRUCTED, erected, ALTERED, remodeled, extended or moved prior to the establishment or CONSTRUCTION of the MAIN or PRINCIPAL STRUCTURE except those ACCESSORY USES and STRUCTURES of a temporary nature required for the establishment of the main or principal USE, or for the CONSTRUCTION of the MAIN or PRINCIPAL STRUCTURE.
- H. No STRUCTURE shall be CONSTRUCTED nor USE established upon or moved to a LOT which does not:
1. Abut and have ACCESS to a public STREET RIGHT-OF-WAY for a distance of no less than 20 feet at a point at which the LOT has the right of ACCESS to the STREET; or
 2. Abut a PRIVATE ACCESSWAY providing ACCESS to a public STREET provided that such PRIVATE ACCESSWAY:
 - a. is established by a duly approved and recorded plat of subdivision;
 - b. abuts a public STREET RIGHT-OF-WAY and provides ACCESS at a point at which it has the right of ACCESS; and
 - c. is certified, by an Illinois Licensed Professional Engineer to meet all the minimum standards for public STREETS of the applicable municipal or COUNTY subdivision regulations, as applied by the subdivision authority, including any waivers therefrom, except that such PRIVATE ACCESSWAY shall, at a minimum, conform to all of the standards required for public STREETS in the *Champaign County Subdivision Ordinance*.
- I. The principal USE on all LOTS shall have ACCESS to a STREET consisting of solid ground passable to emergency vehicles, no less than twenty feet in width, and located entirely within the LOT LINES.
- J. Nothing in this ordinance shall be deemed to require any USE permit or change in the plans, CONSTRUCTION, or designated USE of any STRUCTURE existing or upon which CONSTRUCTION was lawfully begun or for which a lawful zoning permit has been issued by a ZONED MUNICIPALITY, prior to the effective date of this ordinance, provided, however, that such USE shall be established and any such STRUCTURE shall be completed on or before October 10, 1973, or the OWNER must apply within the same period of time for a Zoning Use Permit under the provisions of this ordinance regardless of the USE.

SECTION 4.2.1 CONSTRUCTION AND USE – CONTINUED

- K. The regulations, standards, rules, requirements, provisions, and restrictions set by this ordinance shall apply to all STRUCTURES, USES, LOTS, and tracts of land created or established after the effective date of this ordinance and shall not be deemed to require any change in the STRUCTURES, USES, LOTS, and/or tracts of land lawfully existing on the effective date of this ordinance except as expressly specified hereinafter.
- L. The USES permitted in one DISTRICT shall not be permitted in any other DISTRICT unless specifically stated.
- M. Nothing in this ordinance shall be deemed to prohibit or regulate any public road or STREET improvement or any temporary STRUCTURE incidental to that CONSTRUCTION provided that the temporary STRUCTURE shall be removed at the completion of such CONSTRUCTION.
- N. Where any provisions of this ordinance conflict the more restrictive shall govern.

4.2.2 OPEN SPACES

- A. No part of a YARD, BUFFER STRIP, or other OPEN SPACE, off-street PARKING SPACE or LOADING BERTH, or LOT AREA required about or in connection with any STRUCTURE or USE for the purpose of complying with the regulations and standards of this ordinance shall be included as part of a YARD, BUFFER STRIP, or other OPEN SPACE, off-street PARKING SPACE or LOADING BERTH, or LOT AREA similarly required for any other STRUCTURE or USE except as expressly specified hereinafter.

- B. No YARDS, BUFFER STRIP, or other OPEN SPACE, off-street PARKING SPACE or LOADING BERTH, or LOT existing on the effective date of this ordinance shall be reduced in dimension or area below the requirements set forth hereinafter. YARDS, BUFFER STRIPS, or other OPEN SPACES, off-street PARKING SPACES or LOADING BERTHS, or LOTS created or established after the effective date of this ordinance shall meet at least the minimum requirements by this ordinance.

- C. LOTS in the R-4, Multiple Family Residence DISTRICT occupied by a single MULTIPLE FAMILY DWELLING, or a group of two or more MAIN BUILDINGS to be used for SINGLE FAMILY, TWO-FAMILY, MULTIPLE FAMILY DWELLINGS or for institutional purposes shall meet the following standards:
 - 1. The minimum separation distance between adjacent BUILDINGS shall be based upon the building types specified below. Where adjacent BUILDINGS are of different types, the greater separation distance shall apply:
 - a. BUILDINGS two stories or less in HEIGHT and no more than 3,000 sq. ft. in gross ground floor area: 10 feet
 - b. BUILDINGS over two stories in HEIGHT or over 3,000 sq. ft. in gross ground floor area: 20 feet

 - 2. The minimum depth of such OPEN SPACE, for the purpose of these standards, shall be measured at the closest point between any two buildings including any projecting eave, canopy, balcony, awning or other similar projection.

 - 3. BUILDINGS shall be located in conformance to the following standards:
 - a. At least three perimeter walls of each BUILDING and all exterior doors in each BUILDING shall be located within 200 feet of a STREET.
 - b. All BUILDINGS exceeding 30 feet in HEIGHT or three stories shall be located within 50 feet of a STREET.

SECTION 4.2.2 OPEN SPACES - CONTINUED

- D. No USE shall be established, CONSTRUCTION undertaken, nor fill placed in any recorded drainage or utility easement that would interfere with the function of the easement.

4.2.3 Minimum Standards for DWELLINGS

- A. All MANUFACTURED HOMES shall have wheels and hitches removed and meet the requirements of the *National Manufactured Home Construction and Safety Standards* (24 CFR Part 3280) or the *Illinois Manufactured Housing & Mobile Home Structure Rules* (77 Ill. Admin. Code, Part 880) whichever applies, except:
 - 1. MANUFACTURED HOMES in MANUFACTURED HOME PARKS;
 - 2. MANUFACTURED HOMES permitted as temporary DWELLINGS during CONSTRUCTION of a permanent DWELLING pursuant to Section 9.1.2D.4; or
 - 3. MANUFACTURED HOMES on the same lot as an institution or commercial or industrial ESTABLISHMENT and used as a DWELLING for a caretaker, watchman or guard.
- B. No MANUFACTURED HOME shall be used as a DWELLING UNIT in any TWO-FAMILY or MULTIPLE FAMILY DWELLING DISTRICT unless the MANUFACTURED HOME is expressly designed for such purpose.
- C. No certificate of compliance shall be issued for occupancy of a MANUFACTURED HOME located outside of a MANUFACTURED HOME PARK until a copy of the *Mobile Home Tiedown Installation Report*, if required by the *Illinois Mobile Home Tiedown Rules and Regulations* (77 Ill. Admin. Code, Part 870), has been submitted.
- D. No MOTOR VEHICLE, TRAVEL TRAILER or tent shall be used as a DWELLING.

4.3 Supplementary DISTRICT Regulations and Standards

4.3.1 HEIGHT

- A. HEIGHT regulations and standards shall not apply to towers, spires, belfries, chimneys, ventilators, skylights, water tanks, utility poles and power lines, silos, and other necessary mechanical appurtenances of 100 feet or less in HEIGHT provided their location shall conform where applicable to the regulations and standards of the Federal Communications Commission, the Federal Aviation Administration, and other public authorities having jurisdiction.
- B. Spires, belfries, chimneys, ventilators, skylights, water tanks, silos, and other necessary mechanical appurtenances over 100 feet in HEIGHT require a SPECIAL USE Permit.
- C. Where a tower (including antennas) over 100 feet in HEIGHT exists on the effective date of amendment to this ordinance, and it is classified as a SPECIAL USE in the DISTRICT in which it is located by said ordinance, it shall be considered to be a lawful SPECIAL USE. Any such lawful SPECIAL USE shall be allowed to reconstruct in the event of destruction or expand without obtaining a new SPECIAL USE Permit so long as it is not increased in HEIGHT greater than 10 percent of its existing HEIGHT or 25 feet whichever is greater or relocated to any other portion of the LOT or tract of land beyond 100 feet from the base of the location of the existing tower provided it meets the setback requirements of Section 6.1. Said tower shall be subject to the requirements of Section 9.1.2, Zoning Use Permit, and shall conform to the standards of the Federal Aviation Administration, Federal Communications Commission, and the Illinois Department of Transportation, Division of Aeronautics.
- D. In the event of destruction of a lawful SPECIAL USE, a temporary tower (including antenna) shall be permitted. Said temporary tower shall meet the provisions of Section 9.1.2E, Application for a Temporary Tower Permit, of this ordinance. The Zoning Administrator shall issue a Temporary Tower Permit only if the following conditions have been met:
 - 1. Temporary towers shall conform to the minimum setback requirements in the DISTRICT in which it is located.
 - 2. Temporary towers shall conform to the standards of the Federal Communications Commission, Federal Aviation Administration, and the Illinois Department of Transportation, Division of Aeronautics.

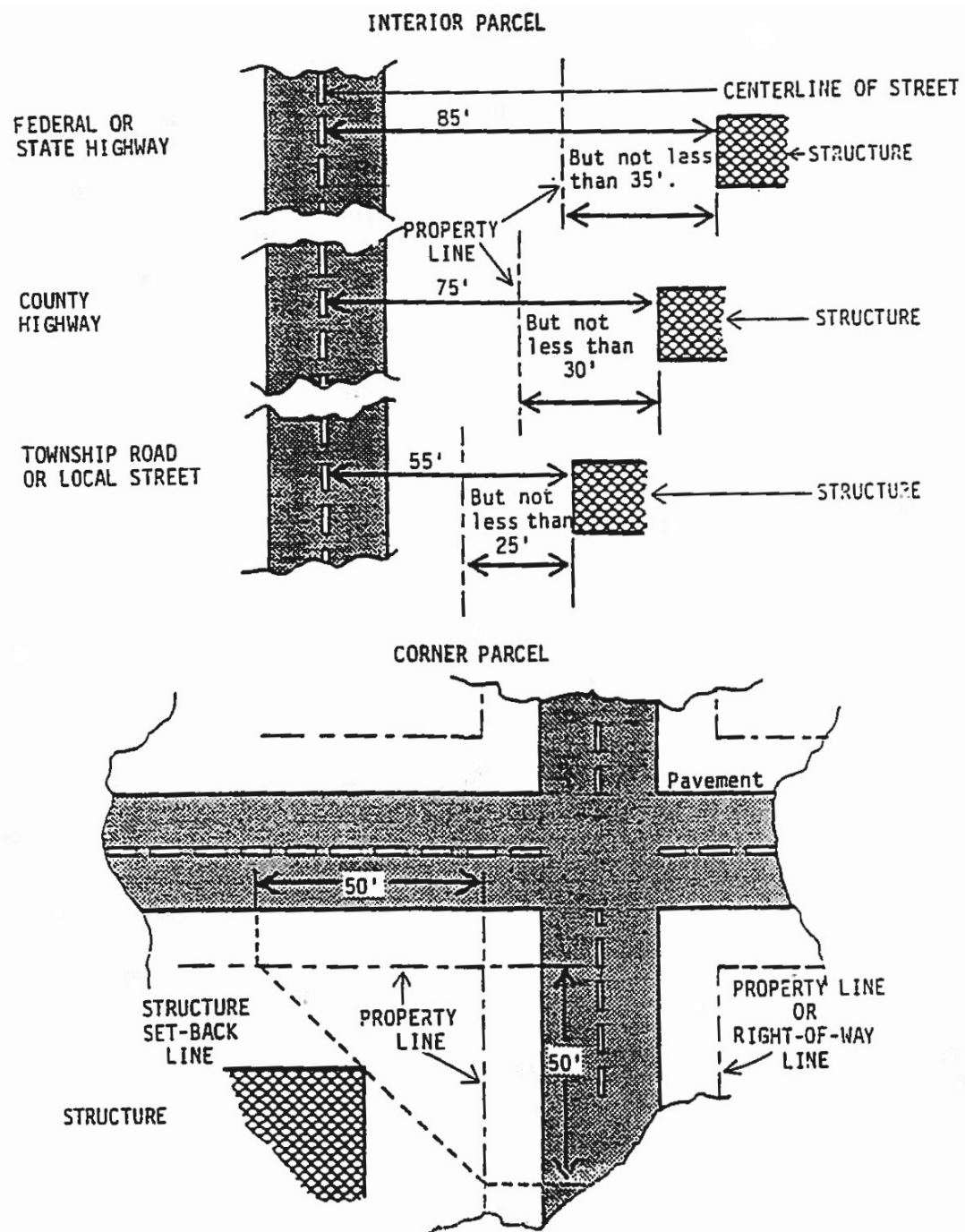
SECTION 4.3.1 HEIGHT - CONTINUED

- E. Any tower (including antenna) over 100 feet in HEIGHT shall be subject to the SPECIAL USE requirements in the DISTRICT in which it is located except for the following:
- (1) any tower that meets the requirements of Section 4.3.1C.; or
 - (2) any TEST WIND TOWER that does not exceed 200 feet in HEIGHT; or
 - (3) any WIND FARM TOWER except as HEIGHT regulations are required as a standard condition in Section 6.1.4; or
 - (4) any SMALL WIND TURBINE TOWER.

4.3.2 SETBACK LINE

All BUILDINGS and all MAIN or PRINCIPAL STRUCTURES shall be positioned in conformance with the SETBACK LINE regulations and standards specified hereinafter for the DISTRICT in which they are located.

The following drawings indicate minimum distances required.



4.3.3 YARDS

Notwithstanding any other provisions of this ordinance, the minimum YARD dimensions specified hereinafter shall not be reduced except through action by the BOARD.

The following YARD regulations and standards shall apply to all LOTS or tracts of land on which a STRUCTURE is located:

- A. YARDS shall be kept unobstructed for their entire depth except as specified hereinafter.
- B. Private driveways, service drives, easements, SIDEWALKS, uncovered patios and utility owned apparatus may be placed in any required YARD.
- C. Flag poles, arbors, trellises, fences, light poles, hydrants, and other similar small unenclosed STRUCTURES projecting above the ground may be located in any required YARD but not less than 10 feet from the centerline of any ALLEY, or PRIVATE ACCESSWAY provided, however, that in no case, except as provided in Paragraph E, shall such STRUCTURE be required to be located more than three feet from any LOT LINE abutting such ALLEY or PRIVATE ACCESSWAY.
- D. AGRICULTURE may be carried on in any YARD except as hereinafter provided.
- E. The minimum SIDE YARD on the STREET SIDE of a CORNER LOT shall be equal to the minimum FRONT YARD otherwise required in the DISTRICT.
- F. Visibility
 - 1. CORNER LOT

Nothing shall be CONSTRUCTED, erected, placed, planted, or allowed to grow in such a manner as to materially impede vision between the HEIGHT of two and one-half feet and 6 feet above the centerline grades of the intersecting STREETS in an area bounded by the STREET RIGHT-OF-WAY lines of CORNER LOTS and a straight line joining points along said STREET RIGHT-OF-WAY lines 50 feet from the nearest point of intersection.

SECTION 4.3.3 YARDS - CONTINUED

2. All LOTS

To prevent obstruction of sight lines, nothing shall be CONSTRUCTED, erected, placed, planted or allowed to grow in such a manner as to materially impede vision in the driveway visibility triangle defined as an area bounded by the FRONT or SIDE LOT LINE, each side of any driveway, and a straight line joining points on the lot line measured 15 feet from the driveway and points along the driveway measured 15 feet from the lot line. Trees within this visibility triangle shall be trimmed so that the lower foliage line is maintained at least six feet above the crown of the adjoining pavement, except trees need not be trimmed in excess of one-third of their total HEIGHT. Fences may consist of a chain link, wire mesh, or split rail type fence, or other design which does not materially impede vision in the visibility triangle.

G. Fences

1. Fences in R Zoning Districts shall meet the following requirements:

- a. Any fence must meet the requirements for visibility as defined by Section 4.3.3F. of this ordinance.
- b. Fences located in required FRONT YARDS shall meet the following additional requirements:
 - (1) A maximum of six feet in HEIGHT, not including any clearance authorized in 4.3.3G.4; and
 - (2) Any portion of a fence over four feet in HEIGHT must be at least 50% transparent.
- c. Fences located in required SIDE and REAR YARDS shall meet the following additional requirements:
 - (1) A maximum of eight feet in HEIGHT, not including any clearance authorized in 4.3.3G.4; and provided that
 - (2) Any portion of fence that is not in a defined FRONT YARD shall have the same HEIGHT limit as if in a SIDE YARD; provided that
 - (3) Any portion of any fence that is between the DWELLING and the FRONT YARD and that is over four feet in HEIGHT must be at least 50% transparent for that portion of fence that is over four feet in HEIGHT.

SECTION 4.3.3 YARDS - CONTINUED

2. Fences on residential LOTS in the AG and CR Zoning Districts shall meet the following requirements:
 - a. Any fence must meet the requirements for visibility as defined by Section 4.3.3F. of this ordinance.
 - b. On LOTS less than five acres in area in the AG Zoning Districts the following additional requirements shall apply:
 - (1) Fences located in required FRONT YARDS shall meet the following requirements:
 - (a) A maximum of six feet in HEIGHT, not including any clearance authorized in 4.3.3G.4.; and
 - (b) Any portion of a fence over four feet in HEIGHT must be at least 50% transparent when located between the DWELLING and the driveway within 25 feet of the DWELLING.
 - (2) Fences located in required SIDE and REAR YARDS shall not exceed eight feet in HEIGHT, not including any clearance authorized in 4.3.3G.4.
3. Fences in B and I Zoning Districts shall not exceed eight feet in HEIGHT not including any clearance authorized in subparagraph 4.3.3G.4., except that any barbed wire security barrier may be up to an additional two feet in HEIGHT. Fences may be located in the required front yards provided they meet the requirements of the triangle of visibility as defined by Section 4.3.3F of this ordinance.
4. The HEIGHT of fences shall be measured from the highest adjacent GRADE and may be in addition to up to three inches of clearance between the highest adjacent GRADE and the bottom of the fence. No minimum clearance is required by this Ordinance, and further, the fence HEIGHT may be increased by any portion of the allowable three inches of clearance to GRADE that is not used as clearance.

SECTION 4.3.3 YARDS - CONTINUED

H. SCREEN

1. SCREEN Standards and Types of SCREENS

- a. Type A: Decorative opaque fence, shrubs or other vegetative material or a landscaped berm planted and maintained with a minimum HEIGHT of four feet as measured from the highest adjacent grade.
 - b. Type B: An opaque fence or wall with a minimum HEIGHT of four feet as measured from the highest adjacent grade.
 - c. Type C: A landscape berm or an opaque fence or wall, or SCREEN PLANTING with a minimum HEIGHT of six feet as measured from the highest adjacent grade.
 - d. Type D: A landscaped berm, or an opaque fence or wall, or SCREEN PLANTING with a minimum HEIGHT of eight feet as measured from the highest adjacent grade.
2. Existing structures, vegetation, and/or topographic features that provide equivalent screening may be used in lieu of the screen type required elsewhere in this ordinance provided, however, that if they are ever removed or become ineffective for any reason they shall be replaced with the required type of screen.

4.3.4 LOTS

- A. All LOTS shall meet the minimum requirements of Section 5.3, Paragraph B below, and as established elsewhere in this ordinance except for outlots in platted SUBDIVISIONS provided that such outlots contain no STRUCTURES requiring permits under the terms of this ordinance.
- B. No USE shall be established nor STRUCTURE built upon any LOT which does not meet the following requirements, the provisions of Section 5.3 notwithstanding:

Minimum LOT Dimensions					
	All LOTS with a connected PUBLIC SANITARY SEWER SYSTEM (With or without a connected PUBLIC WATER SUPPLY SYSTEM)	LOTS Without a connected PUBLIC SANITARY SEWER SYSTEM			
		With a connected PUBLIC WATER SUPPLY SYSTEM		Without a connected PUBLIC WATER SUPPLY SYSTEM	
		created after October 10, 1973 but not later than September 21, 1993	created after September 21, 1993	created after October 10, 1973 but not later than September 21, 1993	created after September 21, 1993
LOT AREA ¹ for first DWELLING UNIT or other PRINCIPAL USE	Same as Section 5.3	10,000 sq. ft.	20,000 sq. ft.	20,000 sq. ft.	30,000 sq. ft.
Additional LOT AREA ¹ for each additional DWELLING UNIT or PRINCIPAL USE	Same as Section 5.3	7,000 sq. ft.	7,000 sq. ft.	7,000 sq. ft.	10,000 sq. ft.
AVERAGE LOT WIDTH	Same as Section 5.3	100 ft.	100 ft.	100 ft.	150 ft.

- 1. For purposes of this Section LOT AREA calculations shall exclude any LOT AREA occupied by lakes, ponds, or water courses or lying within an easement of access.

SECTION 4.3.4 LOTS - CONTINUED

- C. LOTS hereafter platted or created shall meet all applicable dimensional, geometric, LOT ACCESS or other requirements and shall provide for all required off-street PARKING SPACES and LOADING BERTHS, YARDS, BUFFER STRIPS, and other required OPEN SPACES.
- D. No LOT shall be altered by sale, lease, development, or SUBDIVISION so as to violate any dimensional, geometric, LOT ACCESS or other requirements or to reduce or eliminate any required off-street PARKING SPACES and LOADING BERTHS, YARDS, BUFFER STRIPS, or other required OPEN SPACES.
- E. No LOT hereafter platted or created shall be less than 80 feet in depth except in the B-5, Central Business DISTRICT.
- F. FLAG LOTS
 - 1. FLAG LOTS are permitted in the Conservation-Recreation, Agriculture and Residential Zoning DISTRICTS.
 - 2. FLAG LOTS are not permitted in the Business and Industrial DISTRICTS except within duly approved and recorded SUBDIVISIONS.
 - 3. FLAG LOTS are not permitted within existing recorded SUBDIVISIONS except by duly approved and recorded resubdivision.
 - 4. FLAG LOTS must front upon public STREETS.
 - 5. The LOT AREA for FLAG LOTS shall exclude the area of the ACCESS STRIP.
 - 6. The LOT DEPTH of FLAG LOTS shall exclude the ACCESS STRIP and be measured from the midpoint of the line closest to the STREET upon which the LOT fronts in lieu of the FRONT LOT LINE.
 - 7. YARDS in FLAG LOTS shall be equal to the minimum required in the DISTRICT provided that in no case shall the YARD abutting any LOT LINE be less than the greatest required YARD abutting that LOT LINE on an adjacent LOT.
 - 8. ACCESS STRIPS
 - a. ACCESS STRIPS shall provide actual ACCESS to the LOT.
 - b. ACCESS STRIPS shall have a minimum width of 20 feet at all points.

SECTION 4.3.4 LOTS - CONTINUED

- c. ACCESS STRIPS shall be of such dimensions and aligned so as to permit construction of a driveway no less than 10 feet wide with a minimum centerline curve radius of 50 feet.
 - d. No ACCESS STRIP may abut any other ACCESS STRIP at any point except in a duly approved and recorded SUBDIVISION.
 - G. LOTS created after June 22, 1999 in the AG-1, AG-2, and CR DISTRICTS shall conform to the requirements of Subsection 5.4.
 - H. Restrictions on LOTS and USES within any PIPELINE IMPACT RADIUS
 - 1. PIPELINE IMPACT RADIUS
 - a. The PIPELINE IMPACT RADIUS for a GAS PIPELINE is similar to the potential impact radius identified by *Title 49 of the Code of Federal Regulations Part 192.903*. Potential impact radius as defined by *49 CFR 192.903* is determined by the formula $r=0.69 * (\sqrt{p*d^2})$, where r' is the radius of a circular area in feet surrounding the point of a pipeline failure, p' is the maximum allowable operating pressure in the pipeline segment in pounds per square inch and d' is the nominal diameter of the pipeline in inches. Maximum allowable operating pressure and nominal diameter will be provided by the pipeline operator. The PIPELINE IMPACT RADIUS indicated in these regulations is not necessarily the same as the potential impact radius used by the Illinois Commerce Commission to enforce *49 CFR 192.903*. Both the PIPELINE IMPACT RADIUS and potential impact radius are approximations of the effect of any given potential failure event.
 - b. The PIPELINE IMPACT RADIUS for a HAZARDOUS LIQUID PIPELINE is 150 feet.
 - 2. Any LOT created in an RRO DISTRICT or in the R-1, R-2, R-3, R-4, or R-5 DISTRICT after November 20, 2008, shall have a minimum LOT AREA outside the PIPELINE IMPACT RADIUS equal to the minimum requirements of Section 5.3. No LOT created in an RRO DISTRICT or in the R-1, R-2, R-3, R-4, or R-5 DISTRICTS shall be located entirely within the PIPELINE IMPACT RADIUS.
 - 3. No USE, BUILDING, or STRUCTURE established or built after November 20, 2008, shall be located within a PIPELINE IMPACT RADIUS except as provided in Paragraph 4.3.4.H.4.

SECTION 4.3.4 LOTS - CONTINUED

4. Exemptions
 - a. AGRICULTURE or an ACCESSORY USE, ACCESSORY BUILDING, or ACCESSORY STRUCTURE to AGRICULTURE.
 - b. Any PIPELINE, wellhead, or USE that is an ACCESSORY USE, ACCESSORY BUILDING, or ACCESSORY STRUCTURE to a GAS PIPELINE or HAZARDOUS LIQUID PIPELINE or a wellhead.
 - c. Enlargement, repair, and replacement of conforming USES, BUILDINGS, and STRUCTURES that were lawfully established and existed on November 20, 2008.
 - d. USES, BUILDINGS, and STRUCTURES established after November 20, 2008, on conforming LOTS of record that existed on November 20, 2008.
 - e. Any outlot per paragraph 4.3.4.A. or STREET created in an RRO or residential DISTRICT.
 - f. Any portion of a LOT containing a driveway and CONSTRUCTION of a driveway on any LOT in the RRO DISTRICT or in the R-1, R-2, R-3, R-4, or R-5 DISTRICTS.
 - g. USES, BUILDINGS, and STRUCTURES on LOTS that are exempt from the requirement for the Rural Residential Overlay Zoning District and that are created after November 20, 2008.
 - h. WIND FARMS and WIND FARM TOWERS except PIPELINE IMPACT RADIUS regulations are required in Subsection 6.1.4.
 - i. PV SOLAR FARM except as PIPELINE IMPACT RADIUS regulations are required in Subsection 6.1.5.

SECTION 4.3.4 LOTS - CONTINUED

5. Notice of PIPELINE IMPACT RADIUS

- a. The ZONING ADMINISTRATOR shall provide notice of the existence of a PIPELINE IMPACT RADIUS to any land owner that submits a Zoning Use Permit Application on any of the following:
 - i. land that is located with a PIPELINE IMPACT RADIUS; or
 - ii. land that is subject to an easement for underground gas storage; or
 - iii. land within 150 feet of an easement for underground gas storage.

- b. The notice shall include the following information:
 - i. the approximate location and type of the relevant pipeline; and
 - ii. the dimension of the PIPELINE IMPACT RADIUS including the approximate location on the proposed LOT; and
 - iii. the last known point of contact for the relevant pipeline operator.

4.3.5 Private Sewage Disposal Systems

In all DISTRICTS, established by this Ordinance or by amendments that may be later adopted, any new installation of private sewage disposal systems shall be designed, constructed, operated and maintained in conformity with the *Illinois Private Sewage Disposal Code* (77 Ill. Admin. Code Part 905).

4.3.6 POOLS

- A. Except as provided in paragraph 4.3.6D., all POOLS shall be completely surrounded by:
 - 1. a VERTICAL BARRIER as provided in paragraph 4.3.6B.;
 - 2. a SAFETY LEDGE as provided in paragraph 4.3.6C; or
 - 3. a combination of VERTICAL BARRIER and SAFETY LEDGE.

SECTION 4.3.6 POOLS – CONTINUED

B. VERTICAL BARRIER

1. The VERTICAL BARRIER shall be at least four feet tall and shall be non-climbable on the side that is exterior to the POOL area and shall prevent uncontrolled access to the POOL by young children.
2. All gates or other openings in VERTICAL BARRIERS for POOLS shall meet the same physical requirements of a VERTICAL BARRIER and shall also be installed with self-closing hardware and a self-latching device that is located either on the pool side of the gate or located above the minimum height of the VERTICAL BARRIER. If, however, a single family DWELLING unit is approved for use as part of a VERTICAL BARRIER the doors and windows need not be so equipped.
3. The VERTICAL BARRIER may enclose the POOL area only or a larger area except that POOLS on LOTS containing more than one DWELLING shall be completely enclosed by a VERTICAL BARRIER or contain a SAFETY LEDGE or some combination of the two.
4. POOLS with sides that are at least four feet in HEIGHT above GRADE and that do not provide either toe-holds or hand-holds for climbing on the exterior side and that are non-climbable shall be deemed to provide the required VERTICAL BARRIER if the means of access to the POOL from GRADE, whether by stairs of permanent or removable ladder, is enclosed by a VERTICAL BARRIER meeting the requirements of this paragraph.
5. Openings in VERTICAL BARRIERS for garages, PARKING SPACES, or driveways are prohibited.

C. SAFETY LEDGE

1. The SAFETY LEDGE shall extend from the edge of the water at the normal pool elevation to a point at which the water is four feet deep.
2. The maximum slope for a SAFETY LEDGE shall be 1:6 except that greater slopes may be permitted in the top two feet of depth provided that the greater slope terminates in a horizontal area at least five feet wide.

SECTION 4.3.6 POOLS - CONTINUED

- D. POOLS not otherwise regulated by the *Illinois Swimming Pool and Bathing Beach Act* (210 ILCS 125/3.01) need not be provided with a VERTICAL BARRIER or SAFETY LEDGE in the following circumstances:
1. POOLS located in the AG-1, AG-2, CR, B and I DISTRICTS and also located more than 200 feet from a residential DISTRICT;
 2. POOLS less than 24 inches deep; or
 3. POOLS that are completely above ground and less than four feet deep.

4.3.7 Exemptions from Regulations and Standards

The following STRUCTURES and USES are exempted by this ordinance and permitted in any DISTRICT: Poles, towers, wires, cables, conduits, vaults, laterals, pipes, mains, valves, or any other similar distribution equipment of a public utility as defined in *Public Utilities Act* (220 ILCS 5/1-101 *et. seq.*); provided that the installation shall conform where applicable, to the rules and regulations of the Illinois Commerce Commission, the Federal Aviation Administration, and other public authorities having jurisdiction; and AGRICULTURE except BUILDINGS and STRUCTURES used for AGRICULTURAL purposes shall be required to conform to SETBACK LINES. In the event that land and STRUCTURES cease to be used for AGRICULTURAL purposes, then and only then shall the remaining provisions of the ordinance apply.

4.3.8 Certain USES as SPECIAL USES within Specified Distance from SPECIAL USE

No part of a BUILDING or STRUCTURE intended for regular human occupancy in a R or B DISTRICT nor a Public ASSEMBLY or INSTITUTIONAL USE not in existence or for which no Zoning Use Permit was issued on or before December 20, 1988 shall be located within the required separation distance or exclusion area as specified in the Explanatory or Special Provisions of Table 6.1.3., unless a SPECIAL USE Permit is granted per Section 9.1.11. except as specifically exempted in Table 6.1.3. from the requirements for a SPECIAL USE Permit.

4.3.9 Temporary USES

Temporary USES shall not exceed five days within any three month period for specific purposes such as, but not limited to, showing of animals and displays of their performance on both formal and informal competition, carnivals, circuses, expositions, farm shows, tractor pulls, flea markets, festivals observing cultural events and entertainment programs including music festivals, religious tent meetings, and tent theaters.

4.3.10 Storm Water Management and Erosion Control Ordinance

- A. Any USE or CONSTRUCTION for which a Zoning Use Permit is required shall also comply with the relevant requirements of the *Champaign County Storm Water Management and Erosion Control Ordinance*.

- B. The limits on maximum LOT COVERAGE contained in Section 5.3 notwithstanding, no more than 16 percent of the surface of any LOT or LOTS in common ownership on January 1, 1998 shall consist of impervious area, including paving consisting of gravel and rock and including any specific impervious area addition to adjacent public STREETS that is required to accommodate the USE or CONSTRUCTION, unless the LOT is exempt pursuant to, or complies with, the *Storm Water Management and Erosion Control Ordinance*.

SECTION 5 ZONING DISTRICTS AND MAP

5.1 General Intent of Zoning DISTRICTS

5.1.1 AG-1 Agriculture

The AG-1, Agriculture DISTRICT is intended to protect the areas of the COUNTY where soil and topographic conditions are best adapted to the pursuit of AGRICULTURAL USES and to prevent the admixture of urban and rural USES which would contribute to the premature termination of AGRICULTURE pursuits.

5.1.2 AG-2 Agriculture

The AG-2, Agriculture DISTRICT is intended to prevent scattered indiscriminate urban development and to preserve the AGRICULTURAL nature within areas which are predominately vacant and which presently do not demonstrate any significant potential for development. This DISTRICT is intended generally for application to areas within one and one-half miles of existing communities in the COUNTY.

5.1.3 CR Conservation-Recreation

The CR, Conservation-Recreation DISTRICT is intended to protect the public health by restricting development in areas subject to frequent or periodic floods and to conserve the natural and scenic areas generally along the major stream networks of the COUNTY.

5.1.4 R-1 Single Family Residence

The R-1, Single Family Residence DISTRICT is intended to provide areas for single FAMILY detached DWELLINGS, set on LOTS and is intended for application in mainly non-urban and developing areas where community facilities can be made readily available.

5.1.5 R-2 Single Family Residence

The R-2, Single Family Residence DISTRICT is intended to provide areas for SINGLE FAMILY detached DWELLINGS, set on medium sized building LOTS and is intended for application within or adjoining developed areas where community facilities exist.

5.1.6 R-3 Two Family Residence

The R-3, Two Family Residence DISTRICT is intended to provide areas for SINGLE and TWO FAMILY DWELLINGS, set on medium sized building LOTS and is intended for application within or adjoining developed areas where community facilities exist.

5.1.7 R-4 Multiple Family Residence

The R-4, Multiple Family Residence DISTRICT is intended to provide areas for SINGLE FAMILY, TWO FAMILY, and MULTIPLE FAMILY DWELLINGS set in a medium density housing environment.

5.1.8 R-5 MANUFACTURED HOME Park

The R-5, MANUFACTURED HOME Park DISTRICT is intended to accommodate MANUFACTURED HOME PARKS and their associated USES in a medium density housing environment.

5.1.9 B-1 Rural Trade Center

The B-1, Rural Trade Center DISTRICT is intended to provide areas for AGRICULTURAL related business services to rural residents.

5.1.10 B-2 Neighborhood Business

The B-2, Neighborhood Business DISTRICT is intended to provide areas for the convenience of adjacent residential areas, and to permit only such USES as are necessary to satisfy limited basic shopping needs which occur daily or frequently.

5.1.11 B-3 Highway Business

The B-3, Highway Business DISTRICT is intended to provide areas for commercial establishments which primarily serve the needs of motorists and are intended for application only adjacent to major thoroughfares in the COUNTY.

5.1.12 B-4 General Business

The B-4, General Business DISTRICT is intended to accommodate a range of commercial USES and is intended for application only adjacent to the urbanized areas of the COUNTY.

5.1.13 B-5 Central Business

The B-5, Central Business DISTRICT is intended to provide for needs of a larger consumer population than served by the Neighborhood Business DISTRICT and is located generally in the business DISTRICTS of the unzoned municipalities in the COUNTY.

5.1.14 I-1 Light Industry

The I-1, Light Industry DISTRICT is established to provide for storage and manufacturing USES not normally creating a nuisance discernible beyond its PROPERTY lines.

5.1.15 I-2 Heavy Industry




The I-2, Heavy Industry DISTRICT is established to accommodate those manufacturing USES that have moderate environmental effects and are located in areas relatively remote from residential and prime retail development.

5.1.16 RRO Rural Residential OVERLAY

The RRO, Rural Residential OVERLAY DISTRICT is intended to provide rural areas that are suitable for residential development and whose development will not significantly interfere with AGRICULTURAL pursuits in neighboring areas.

Section 5.2 Table of Authorized Principal USES

Principal USES	Zoning DISTRICTS					Zoning DISTRICTS					I-1	I-2		
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2			B-3	B-4
Residential Uses														
BOARDING HOUSE								S						
DWELLING, SINGLE FAMILY													7	
DWELLING, TWO-FAMILY			S	S	S									
DWELLING, MULTI-FAMILY														
Fraternity, Sorority, or Student Cooperative														
Dormitory														
Home for the aged			S											
NURSING HOME			S											
MANUFACTURED HOME PARK								S						
HOTEL - No more than 15 LODGING UNITS	S	S	S						S				S	
HOTEL - over 15 LODGING UNITS														
TRAVEL TRAILER Camp			S											
Residential PLANNED UNIT DEVELOPMENT		S	S	S	S	S	S	S						
MANUFACTURED HOME in MANUFACTURED HOME PARK														
SUBDIVISION(s) totaling three LOTS or less	9	9	9											
SUBDIVISION(s) totaling more than three LOTS or with new STREETS or PRIVATE ACCESSWAYS	B ¹⁰	B ¹⁰	B ¹⁰											
Resource Production and Agricultural Uses														
AGRICULTURE, including customary ACCESSORY USES														
Roadside Stand Operated by Farm Operator														
RURAL SPECIALTY BUSINESS, Minor ₈	S													
RURAL SPECIALTY BUSINESS, Major	S	S	S											
Artificial lake of 1 or more acres	S	S	S	S	S	S	S	S					S	S
Commercial greenhouse			S											
Greenhouse (not exceeding 1,000 sq. ft.)			S											
Garden Shop			S											
Plant Nursery														
Mineral Extraction, Quarrying, topsoil removal and allied activities	S	S	S											S

 = Permitted by right
  = Permitted on individual LOTS as a SPECIAL USE
  = COUNTY BOARD Special Use Permit

Champaign County, Illinois
Zoning Ordinance

SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES - CONTINUED

Principal USES	Zoning DISTRICTS									Zoning DISTRICTS					
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2
Public and Quasi-Public Facilities															
Elementary SCHOOL, Jr. High SCHOOL, or High SCHOOL	S	S	S												
Institution of an Educational, Philanthropic or Eleemosynary Nature															
Church, Temple or church related TEMPORARY USES on church PROPERTY	S	S	S												
Municipal or GOVERNMENT BUILDING	S	S	S	S	S	S									
Township Highway Maintenance Garage	S	17	17	S	S	S	S	S		17	17				
Adaptive Reuse of GOVERNMENT BUILDINGS for any USE Permitted by Right in B-1, B-2, B-2, B-3, B-4, B-5 & I-1		S	S	S	S	S	S	S	S	S	S	S	S	S	
Penal or correctional institution		S	S												
Police station or fire station	S	S	S	S	S	S									
Library, museum or gallery	S	S	S	S	S	S									
Public park or recreational facility		S	S												
Sewage disposal plant or lagoon	S	S	S												S
PARKING GARAGE															
PARKING LOT	S ²²														
Private or commercial transmission and receiving towers (including antennas) over 100' in HEIGHT		S	S								S	S	S	S	S
Water Treatment Plant			S											S	S
Radio or Television Station		S	S								S			S	S
Electrical Substation	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
Telephone Exchange	S	S	S	S	S	S	S	S							
Public Fairgrounds	S		S											S	S
HOSPITAL							S	S			S	S			
Telegraph Office															
Transportation Uses															
Railway Station															
MOTOR BUS Station			S							S					
Truck Terminal			S												
Railroad Yards and Freight Terminals			S												
AIRPORT ²			S											S	S

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Champaign County, Illinois
Zoning Ordinance

SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES - CONTINUED


Principal USES	Zoning DISTRICTS										Zoning DISTRICTS					
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2	
RESIDENTIAL AIRPORTS ²		S	S													
RESTRICTED LANDING AREAS ²		S	S											S	S	
HELIPORT/HELISTOPS ²			S											S	S	
HELIPORT-RESTRICTED LANDING AREAS ²		S	S						S		S	S		S	S	
Business Uses: Personal Services																
Barber Shop																
Beauty Shop																
Reducing Salon																
Dressmaking Shop																
Drycleaning ESTABLISHMENT																
Laundry and/or drycleaning pick-up																
Millinery shop																
Self-service laundry																
Shoe repair shop																
Tailor and pressing shop																
Diaper Service ESTABLISHMENT																
Clothing Repair and Storage																
Mortuary or Funeral Home			S ₁₆					S								
Medical and Dental CLINIC																
Business Uses: Agriculture																
Farm Chemicals and Fertilizer Sales including incidental storage and mixing of blended fertilizer		S	S													
Roadside Produce Sales Stand			S													
Farm Equipment Sales & Service																
Feed and Grain (sales only)			S													
Livestock Sales Facility and Stockyards		S	S						S							
Slaughter Houses		S	S						S					S		
Grain Storage Elevator and Bins		S	S													
ADULT USE CANNABIS DISPENSING ORGANIZATION ²³																
ADULT USE CANNABIS TRANSPORTING ORGANIZATION ²⁴			S													

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Champaign County, Illinois
Zoning Ordinance

SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES - CONTINUED

Principal USES	Zoning DISTRICTS										Zoning DISTRICTS					
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2	
ADULT USE CANNABIS INFUSER ORGANIZATION ²⁵																
ADULT USE CANNABIS PROCESSING ORGANIZATION ²⁶																
ADULT USE CANNABIS CULTIVATION CENTER ²⁷	B	B	B						B	B	B	B	B	B	B	
ADULT USE CANNABIS CRAFT GROWER ²⁸	B	B	B						B	B	B	B	B	B	B	
Agronomic Research and Training Facility		S	S													
Business Uses: Business, Private, Educational, and Financial Services																
Artist Studio			S						S				S			
Banks, Savings and Loan Associations																
Insurance and Real Estate Offices																
Business Office														4		
Professional Office																
Private Kindergarten or Day Care Facility				S	S	S	S	S								
Vocational, Trade or Business SCHOOL																
RESIDENTIAL RECOVERY CENTER			S ¹⁹													
DATA CENTER			S								S		S			
Business Uses: Food Sales and Service																
Meat and Fish Market																
Restaurant (indoor service only)									S							
Supermarket or Grocery Store																
Wholesale Produce Terminal																
Drive-In Restaurant																
Tavern or Night Club																
Bakery (less than 2,500 SF)																
Bakery (more than 2,500 SF)											S					
Dairy Store																
Delicatessen																
Confectionery Store																
Retail Liquor Store																
Locker, Cold Storage for Individual Use																

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SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES - CONTINUED

Principal USES	Zoning DISTRICTS										Zoning DISTRICTS					
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2	
Business Uses: AUTOMOBILE Sales and Services																
AUTOMOBILE, Truck, Trailer and Boat Sales room (all indoors)																
AUTOMOBILE or Trailer Sales area (open lot)																
Major AUTOMOBILE Repair (all indoors)																
Minor AUTOMOBILE Repair (all indoors)										S						
Gasoline Service Station										S						
AUTOMOBILE Washing Facility																
Automotive Accessories (new)										S						
AUTOMOBILE Salvage Yard (junkyard)																
Business Uses: Retail Trade																
Building Material Sales (excluding concrete or asphalt mixing)																
Hardware Store																
Electrical or gas appliance Sales and Service																
Department Store																
Apparel Shop																
Shoe Store																
Jewelry Store																
Stationery-Gift Shop-Art Supplies																
Florist																
Newsstand-Bookstore																
Tobacconist																
Variety-Drygoods Store																
Music Store																
Drugstore																
Photographic Studio & Equipment Sales and Service																
Furniture Store - Office Equipment Sales																
Antique Sales and Service			S													
Used Furniture Sales and Service																
Pet Store																
Bicycle Sales and Service																
Fuel Oil, ice, coal, wood (sales only)																

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Champaign County, Illinois
Zoning Ordinance

SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES - CONTINUED

Principal USES	Zoning DISTRICTS										Zoning DISTRICTS					
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2	
Monument Sales (Excludes stone cutting)																
Pawn Shop																
Sporting Good Sales & Service																
Heating, Ventilating, Air Conditioning Sales and Service																
Lawnmower Sales and Service																
Business Uses: Recreational																
Amusement Park			S									S	S	S	S	
Resort or Organized CAMP	S		S													
Bait Sales	S		S													
Billiard Room																
Bowling Alley																
Country club or golf course	S															
Country Club Clubhouse	S		S													
Dancing Academy or hall																
Lodge or private club	S		S													
Outdoor commercial recreational enterprise (except amusement park)	S		S													
Private Indoor Recreational Development			S			S	S									
Public CAMP or picnic area	S		S													
Riding Stable	S	S	S	S ³												
Seasonal hunting or fishing lodge	S		S													
Stadium or coliseum			S										S	S	S	
THEATER, indoor																
THEATER, OUTDOOR			S													
Commercial Fishing Lake	S	S	S													
Business Uses: Miscellaneous																
Aviation sales, service or storage			S													
Cemetery or Crematory		S	S													
Pet Cemetery	S	S	S													
KENNEL	S	S	S									S				
VETERINARY HOSPITAL	S	S	S							S	12	S				
Commercial Breeding Facility																
Wholesale Business																

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Zoning Ordinance

SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES - CONTINUED

Principal USES	Zoning DISTRICTS										Zoning DISTRICTS					
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2	
Warehouse											S					
Self-storage Warehouses, providing heat and utilities to individual units									S		S		S			
Self-Storage Warehouses, not providing heat and utilities to individual units			S						S		S		S			
Auction House (non-animal)																
Christmas Tree Sales Lot																
OFF-PREMISES SIGN within 660' of the edge of the RIGHT-OF-WAY of an interstate highway																
OFF-PREMISES SIGN beyond 660' of the edge of the RIGHT-OF-WAY of an interstate highway		S	S													
OFF-PREMISES SIGN along federal highways except interstate highways																
OFF-PREMISES SIGN																
SEXUALLY ORIENTED BUSINESSES ¹¹																
TEMPORARY USES																
Recycling of non-hazardous materials (all storage and processing indoors)												S				
LANDSCAPE WASTE PROCESSING FACILITIES			S												S	
Contractors Facilities (with No Outdoor STORAGE Nor Outdoor OPERATIONS)		S	S													
Contractors Facilities with Outdoor STORAGE and/or Outdoor OPERATIONS		S	S									5 S	S			
AGRICULTURAL DRAINAGE CONTRACTOR Facility with no Outdoor STORAGE and/or Outdoor OPERATIONS ²⁰	S ²¹	S	S													
AGRICULTURAL DRAINAGE CONTRACTOR Facility with Outdoor STORAGE and/or Outdoor OPERATIONS ²⁰	S ²¹	S	S									5 S	S			
Industrial Uses: Food and Kindred Products																
Meat, Fish and Poultry Preparation and Packing															S	
Animal and Marine Fats and Oils Manufacturing and Packaging															S	
Vegetable Fats and Oils Manufacturing & Packaging																
Canning and Preserving of Vegetables & Seafood																

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Champaign County, Illinois
Zoning Ordinance

SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES - CONTINUED

Principal USES	Zoning DISTRICTS										Zoning DISTRICTS					
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2	
Grain Mill Products Manufacturing and Packaging																
Dairy Products Manufacturing, Processing and Packaging																
Confectionery Products, Manufacturing & Packaging																
Beverage (Alcoholic and Non-Alcoholic) Distilling, Manufacturing, Processing, and Bottling																
Other Food Preparations Manufacturing, Processing and Packaging																
Industrial Uses: Textile and Apparel																
Wool, cotton, silk and man-made fiber manufacturing																
Manufacturing and Processing Wearing Apparel and Related Finished Products Manufacturing																
Miscellaneous Finished Products Manufacturing including Home Products, Canvas Products, Decorative Textiles, Luggage, Umbrellas, and Similar Products																
Industrial Uses: Primary Metal Manufacturing																
Steel Works, Blast Furnaces and the Rolling & Finishing of Ferrous Metals															S	
Smelting and Refining of Non-Ferrous Metals															S	
Foundries															S	
Rolling, Drawing & Extrusion of Non-Ferrous Metals															S	
Industrial Uses: Fabricated Metal Products																
Machinery (Except Electrical) Manufacturing																
Armaments Manufacturing (Non-Explosive)																
Electrical and Electronic Machinery, Equipment and Supplies Manufacturing																
SMALL SCALE METAL FABRICATING SHOP	S₁₃	S₁₃	S₁₃													
Transportation Equipment Manufacturing																

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SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES - CONTINUED

Principal USES	Zoning DISTRICTS										Zoning DISTRICTS					
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2	
Other Fabricated Metal Products, Including Containers, Tools, Hardware, Structural Metals Piping, Boilers and Furnaces, Machined Products, Metal Stamping, Wire Products and the Coating and Engraving of Metal Products																
Industrial Uses: Chemicals and Allied Products																
Plastics, Synthetic Resins, Synthetic Rubber Manufacturing															S	
Drug Manufacturing																
Soap, Detergent, Bleaching Agents and Cleaning Preparations Manufacturing															S	
Cosmetics and Toiletries Manufacturing																
Paints, Varnishes, Lacquers, Enamels, Inks, Dyes, Gum and Wood Derivatives Manufacturing															S	
Explosives and Incendiary Products Manufacturing and Storage															S	
Fertilizer Manufacturing and Bulk Storage															S	
Bone Distillation and Glue Manufacturing															S	
Radioactive Materials Manufacturing and Refining															S	
Corrosive Acids, Chlorine, Caustic Soda, and Potash Manufacturing and Bulk Storage															S	
Insecticide, Fungicide, Herbicide and Poisons Manufacturing and Bulk Storage															S	
Industrial Uses: Electric Power Generating Facilities																
Coal/Oil Steam Turbine															S	
Natural Gas Steam Turbine															S	
Gas Turbine Peaker		S	S											S	S	
BIG WIND TURBINE TOWER ¹⁸ (1-3 BIG WIND TURBINE TOWERS)		S ¹⁸	S ¹⁸											S ¹⁸	S ¹⁸	
WIND FARM		B														
PV SOLAR ARRAY ²⁹			B						B	B	B	B	B	B	B	
PV SOLAR FARM		B	B													
Industrial Uses: Petroleum and Rubber Products																
Petroleum Refining															S	

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SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES - CONTINUED

Principal USES	Zoning DISTRICTS										Zoning DISTRICTS					
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2	
Paving and Roofing Materials Manufacturing															S	
Rubber Products Manufacturing, Including the Reclamation of Rubber															S	
Linoleum and other Hard Surface Floor Coverings Manufacturing															S	
Gasoline and Volatile Oils Storage up to and Including 80,000 gallon capacity in the Aggregate ⁶									S		S			S		
Gasoline and Volatile Oils Storage of greater than 80,000 gallons but no more than 175,000 gallon capacity in the Aggregate ⁶									S					S		
Gasoline and Volatile Oils Storage Facilities exceeding 175,000 gallon capacity of volatile liquid in the Aggregate ⁶															S	
Fuel Ethanol Manufacturing ^{14,15}															S	
Liquefied Petroleum Gases Storage ⁶									S		S			S	S	
Industrial Uses: Stone, Glass and Clay Products																
Glass Products Manufacturing																
Hydraulic Cement Manufacturing																
Structural Clay Products Manufacturing																
Pottery and Related Products Manufacturing																
Concrete, Gypsum and Plaster Manufacturing																
Cut Stone and Stone Products Manufacturing																
Abrasives, Asbestos and Miscellaneous Non-Metallic Products Manufacturing																
Industrial Uses: Professional, Scientific and Controlling Devices																
Engineering, Laboratory, Scientific and Research Instruments, Manufacturing																
Mechanical Measuring and Controlling Instruments Manufacturing																
Optical Instruments and Lenses Manufacturing																
Surgical, Medical, Dental and Mortuary Instruments and Supplies Manufacturing																
Photographic Equipment and Supplies Manufacturing																

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Champaign County, Illinois
Zoning Ordinance

SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES - CONTINUED




Principal USES	Zoning DISTRICTS										Zoning DISTRICTS					
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2	
Watches, Clocks and Clockwork Operated Devices Manufacturing																
Industrial Uses: Printing, Publishing and Related Industries																
Printing and Publishing Plants for Newspapers, Periodicals, Books, Stationery, and Commercial Printing																
Bookbinding																
Motion Picture Production Studio																
Industrial Uses: Lumber and Wood Products																
Wood Fabricating Shop and Related Activities			S													
Sawmills and Planing Mills, and related activities		S	S													
Household and Office Furniture Manufacturing																
Paper and Pulp Manufacturing																
Building Paper, Paper Containers, and Similar Products Manufacturing																
Industrial Uses: Research, Development and Prototype Manufacturing Industries																
Theoretical and Applied Research Development and Prototype Light Manufacturing of the following: Drugs, Chemicals, Food products, Rubber and Petroleum Products, Light Weight Fabricated Metal Products, Electronic and Electrical Products, Physical and Aerospace Sciences, Wood and Wood Products, Non-Electrical Machinery, Textiles, Glass and Ceramic Products																
Non-Profit or Governmental Educational and Research Agencies																
Industrial Uses: Miscellaneous Manufacturing and Industries																
Jewelry, Costume Jewelry, Novelties, Silverware and Plated Ware Manufacturing and Processing																
LIGHT ASSEMBLY											S					
Musical Instruments and Allied Products Manufacturing																
Office and Artists Materials Manufacturing (Except Paints, Inks, Dyes and Similar Products)																
SIGNS and Advertising Display Manufacturing																
Pre-Existing Industrial Uses (Existing Prior to October 10, 1973)		S	S													

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SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES - CONTINUED




Footnotes

1. In case a proposed principal USE is not specifically included in Section 5.2, Table of Authorized Principal USES, or elsewhere in the *Champaign County Zoning Ordinance*, the Zoning Administrator shall interpret in what DISTRICT the USE is permitted by comparing the proposed USE to the most similar USE listed in the ordinance.
2. All AIRCRAFT must land at a facility permitted under the terms of this ordinance and certified by the Illinois Division of Aeronautics. Provided, however, that nothing in this ordinance shall be construed to prohibit the landing of aircraft due to aircraft or medical emergency; landing due to other bona fide emergency at the direct order of police, fire or emergency officers; landing of agricultural aircraft pursuant to the *Illinois Highway Code* (605 ILCS 5/9-129); or landing of aircraft qualifying as Special Purpose aircraft under the *Illinois Aviation Safety Rules*, (92 IL Admin. Code, Part 14, Section 14.880).
3. Provided that the Riding Stable is located in a recorded subdivision or Planned Unit Development and is included as a part of the overall scheme of development which centers around the riding and keeping of horses, and where no less than seventy-five percent of the horses boarded are owned by residents of the subdivision or PUD, in which the riding stable is located.
4. Only when located in a unified industrial development and where occupying LOTS comprising no more than 25 percent of the total LOT AREA of the development.
5. Outdoor STORAGE as an ACCESSORY USE is allowed by right when all outdoor STORAGE is located in the REAR YARD and is completely screened by a Type D SCREEN meeting the provisions of Section 7.6.3.
6. These USES shall conform to the Zoning Restrictions of the DISTRICT in addition to conforming to State Regulations set forth in the *Illinois Gasoline Storage Act* (430 ILCS 15/0.01 *et seq.*) and set forth in the *Illinois Rules for the Storage, Transportation, Sale and Use of Liquefied Petroleum Gas* (41 IL Admin. Code, Part 200).
7. Permitted only in STRUCTURES existing prior to October 10, 1973 together with later additions not exceeding one-third of the floor area of the structure as it existed on that date, provided that if such structure used for SINGLE FAMILY DWELLING purposes is destroyed by fire, accident, or act of God, it shall not be reconstructed or repaired to occupy a larger or different BUILDING AREA on the LOT.
8. A Minor RURAL SPECIALTY BUSINESS must meet all of the following requirements otherwise it shall constitute a Major RURAL SPECIALTY BUSINESS:
 - A. The total area of the site occupied by any part of the business not otherwise qualifying as AGRICULTURE shall not exceed one acre;
 - B. The total sales DISPLAY area shall not exceed 2,000 sq. ft., no more than half of which may be indoors;
 - C. No business may include a food service establishment except food stores as defined by Section 5.4.6 of the *Champaign County Health Ordinance*;
 - D. Businesses located in the CR, AG-1, or AG-2 Districts shall not ACCESS STREETS located within a recorded SUBDIVISION;
 - E. Alcoholic beverages not produced on the PREMISES shall not be sold; and
 - F. No outdoor entertainment requiring the use of sound amplification equipment shall be permitted unless a Temporary Use Permit and Entertainment and Recreation License shall have been obtained.

 = Permitted by right  = Permitted on individual LOTS as a SPECIAL USE  = COUNTY BOARD Special Use Permit




SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES - CONTINUED

9. No more than three LOTS in total (in any number of subdivisions involving LOTS that are less than 35 acres in area) are allowed to be platted per parcel except as provided in Section 5.4.2.
10. No SUBDIVISION shall be created unless a Rural Residential OVERLAY DISTRICT has been created and a Rural Residential Development County BOARD Special Use Permit has been authorized, except as provided in Section 5.4.3.
11. SEXUALLY ORIENTED BUSINESSES shall not be permitted on lots located within 1,000 feet of:
 - A. another SEXUALLY ORIENTED BUSINESS;
 - B. a school, park, church or library; or
 - C. any residential zoning DISTRICT.
12. A VETERINARY HOSPITAL is permitted by right only if it meets all of the following requirements; otherwise it shall be permitted only with a SPECIAL USE Permit:
 - A. The VETERINARY HOSPITAL must be entirely enclosed and have no outdoor exercise areas or animal runs.
 - B. The VETERINARY HOSPITAL must not permit animals to be kept either temporarily or permanently outside the HOSPITAL BUILDINGS.
 - C. No animal shall be boarded except as incidental to providing veterinary care.
13. Permitted by SPECIAL USE Permit only if located in buildings constructed prior to January 1, 1988.
14. Only ethanol production facilities utilizing the dry mill process shall be permitted.
15. Fuel ethanol plants shall be required to install thermal oxidizers or other similar technology to remove the volatile organic compounds (VOCs) to reduce odors.
16. Mortuary or Funeral Home is only allowed in the AG-2, Agriculture Zoning DISTRICT as a second principal use on the same LOT as a cemetery and the LOT must be under common management.
17. Township Highway Maintenance Garage is authorized by-right only if:
 - A. The use is not located within 150 feet of an existing dwelling; and
 - B. The use is located outside the one and one-half mile extraterritorial jurisdiction of a municipality that has adopted a comprehensive plan; and
 - C. The use complies with all standard conditions that apply to all SPECIAL USE Permits (See Section 6.1.2).
18. A BIG WIND TURBINE TOWER must be located on the same property as another principal use for the purpose of producing electrical energy that shall be used onsite by that other principal use provided that any energy not used onsite may be sold to the electric power provider.
19. RESIDENTIAL RECOVERY CENTER is only allowed as a SPECIAL USE in the AG-2, Agriculture, DISTRICT when:
 - (a) Located within one and one-half miles of a home-rule municipality with an adopted comprehensive plan; and
 - (b) Operated by and located on the same property as a church or temple.

 = Permitted by right  = Permitted on individual LOTS as a SPECIAL USE  = COUNTY BOARD Special Use Permit




SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES - CONTINUED

20. On average, as much as 50% of the dollar volume of business at an AGRICULTURAL DRAINAGE CONTRACTOR Facility may be retail sales of agricultural drainage products.
21. Only applicable to any AGRICULTURAL DRAINAGE CONTRACTOR Facility that was in existence (but not authorized) on April 18, 2013.
22. PARKING LOT and related passenger waiting buildings may be authorized in the CR District only as an additional principal USE or additional principal STRUCTURE on Public Fairgrounds by SPECIAL USE Permit subject to the standard conditions in Section 6.1.3. provided that the Public Fairgrounds were an established use at the subject location on October 10, 1973, and provided that a Public Fair must continue to be held at the Public Fairgrounds or the Special Use Permit shall become void and subject to the standard conditions in Section 6.1.3.
23. ADULT-USE CANNABIS DISPENSING ORGANIZATION to be allowed by-right in the B-4, General Business, Zoning District within the one and one-half mile extraterritorial jurisdiction of a home rule municipality of 20,000 or more population, subject to the following requirements:
- (1) Shall not be located within 1,500 feet of any existing ADULT-USE CANNABIS DISPENSING ORGANIZATION or any existing medical cannabis dispensing organization.
 - (2) If located within the one and one-half mile extraterritorial jurisdiction of a home rule municipality that has minimum separation requirements between a dispensing organization to a public or private elementary or secondary school, the use shall comply with the same municipal separation requirements.
 - (3) May share a PREMISES with an ADULT-USE CANNABIS CRAFT GROWER in the B-4, General Business, Zoning District without a SPECIAL USE Permit.
 - (4) Consumption of cannabis is allowed at the ADULT-USE CANNABIS DISPENSING ORGANIZATION if located within the one and one-half mile extraterritorial jurisdiction of a home rule municipality that also allows consumption of cannabis at an ADULT-USE CANNABIS DISPENSING ORGANIZATION.
 - (5) Shall be in compliance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/1-1 *et seq.*, (Public Act 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder and a copy of the State-approved license shall be filed with the Zoning Administrator prior to receiving a Zoning Compliance Certificate.
24. ADULT-USE CANNABIS TRANSPORTING ORGANIZATION to be allowed by-right in the B-3, Highway Business Zoning District, B-4, General Business Zoning District, I-1, Light Industry Zoning District, and I-2, Heavy Industry Zoning District, within the one and one-half mile extraterritorial jurisdiction of a home rule municipality of 20,000 or more population; or as a SPECIAL USE Permit in the AG-2, Agriculture Zoning District within the one and one-half mile extraterritorial jurisdiction of a home rule municipality of 20,000 or more population; or as a HOME OCCUPATION in any zoning district within the one and one-half mile extraterritorial jurisdiction of a home rule municipality of 20,000 or more population subject to the relevant requirements of Section 7.1.1 or 7.1.2, subject to the following requirements:
- (1) Shall not be located less than one and one-half miles from a home rule municipality.
 - (2) Shall not be located less than one and one-half miles from a home rule municipality with a population less than 20,000.
 - (3) Shall not be located less than one and one-half miles from any residential zoning district that is located outside of the one and one-half mile extraterritorial jurisdiction of a home rule municipality with a population of 20,000 or more.
 - (4) Shall be in compliance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/1-1 *et seq.*, (Public Act 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder and a copy of the State-approved license shall be filed with the Zoning Administrator prior to receiving a Zoning Compliance Certificate.

 = Permitted by right  = Permitted on individual LOTS as a SPECIAL USE  = COUNTY BOARD Special Use Permit




SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES - CONTINUED

25. ADULT-USE CANNABIS INFUSER ORGANIZATION to be allowed by-right in the I-2, Heavy Industry, Zoning District that is located within the one and one-half mile extraterritorial jurisdiction of a home rule municipality of 20,000 or more population, subject to the following requirements:
- (1) May share a PREMISES with an ADULT-USE CANNABIS CRAFT GROWER in the I-2, Heavy Industry, Zoning District without a SPECIAL USE Permit.
 - (2) Shall be in compliance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/1-1 *et seq*, (Public Act 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder and a copy of the State approved license shall be filed with the Zoning Administrator prior to receiving a Zoning Compliance Certificate.
26. ADULT-USE CANNABIS PROCESSING ORGANIZATION to be allowed by-right in the I-2, Heavy Industry, Zoning District that is located within the one and one-half mile extraterritorial jurisdiction of a home rule municipality of 20,000 or more population, subject to the following requirements:
- (1) May share a PREMISES with an ADULT-USE CANNABIS CRAFT GROWER in the I-2, Heavy Industry, Zoning District without a SPECIAL USE Permit.
 - (2) Shall be in compliance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/1-1 *et seq*, (Public Act 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder and a copy of the State-approved license shall be filed with the Zoning Administrator prior to receiving a Zoning Compliance Certificate.
27. ADULT-USE CANNABIS CULTIVATION CENTER to be allowed by-right or by County Board approved SPECIAL USE Permit if located 300 feet or less from an existing residence or an existing residentially zoned lot, in all non-residential zoning districts, subject to the following requirements:
- (1) Shall not be located less than one and one-half miles from a non-home rule municipality.
 - (2) Shall not be located less than one and one-half miles from a home rule municipality with a population less than 20,000.
 - (3) Shall not be located less and one and one-half miles from any residential zoning district that is located outside of the one and one-half mile extraterritorial jurisdiction of a home rule municipality with a population of 20,000 or more.
 - (4) If located within the one and one-half miles extraterritorial jurisdiction of a home rule municipality with a population of 20,000 or more and that that has requirements for odors to be mitigated by installing air scrubbing and/or exhaust filtration or by some other means approved by the Zoning Administrator, the use shall comply with those same municipal odor mitigation requirements.
 - (5) An ADULT-USE CANNABIS CULTIVATION CENTER may also be an ADULT-USE CANNABIS TRANSPORTING ORGANIZATION for cannabis grown and/or processed at the ADULT-USE CANNABIS CULTIVATION CENTER.
 - (6) An ADULT-USE CANNABIS CULTIVATION CENTER may also be an ADULT-USE CANNABIS PROCESSING ORGANIZATION and/or an ADULT-USE CANNABIS INFUSER ORGANIZATION for cannabis that is grown at the ADULT-USE CANNABIS CULTIVATION CENTER.
 - (7) The ADULT-USE CANNABIS CULTIVATION CENTER shall control nighttime lighting to ensure that little to no light escapes into the nighttime sky from were the cannabis is grown. The nighttime light controls shall be explained in the SPECIAL USE Permit and/or Zoning Use Permit Application.
 - (8) Shall be in compliance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/1-1 *et seq*, (Public Act 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder and a copy of the State-approved license shall be filed with the Zoning Administrator prior to receiving a Zoning Compliance Certificate.

 = Permitted by right  = Permitted on individual LOTS as a SPECIAL USE  = COUNTY BOARD Special Use Permit

SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES - CONTINUED

28. ADULT-USE CANNABIS CRAFT GROWER to be allowed by-right or by County Board approved SPECIAL USE Permit if located 300 feet or less from an existing residence or an existing residentially zoned lot, in all non-residential zoning districts, subject to the following requirements:
- (1) Shall not be located within 1,500 feet of any ADULT-USE CANNABIS CULTIVATION CENTER or other ADULT-USE CANNABIS CRAFT GROWER.
 - (2) Shall not be located less than one and one-half miles from a non-home rule municipality.
 - (3) Shall not be located less than one and one-half miles from a home rule municipality with a population less than 20,000.
 - (4) Shall not be located less than one and one-half miles from any residential zoning district that is located outside of the one and one-half mile extraterritorial jurisdiction of a home rule municipality with a population of 20,000 or more.
 - (5) If located within the one and one-half mile extraterritorial jurisdiction of a home rule municipality with a population of 20,000 or more and that has requirements for odors to be mitigated by installing air scrubbing and/or exhaust air filtration or by some other means approved by the Zoning Administrator, the use shall comply with those same municipal odor mitigation requirements.
 - (6) An ADULT-USE CANNABIS CRAFT GROWER may also be an ADULT-USE CANNABIS TRANSPORTATION ORGANIZATION for cannabis grown and or processed by the ADULT-USE CANNABIS CRAFT GROWER.
 - (7) An ADULT-USE CANNABIS CRAFT GROWER may also be an ADULT-USE CANNABIS PROCESSING ORGANIZATION and/or an ADULT-USE CANNABIS INFUSER ORGANIZATION for cannabis that is grown at the ADULT-USE CANNABIS CRAFT GROWER.
 - (8) May share a PREMISES with an ADULT-USE CANNABIS DISPENSING ORGANIZATION in the B-4, General Business, Zoning District without a SPECIAL USE Permit.
 - (9) The ADULT-USE CANNABIS CRAFT GROWER shall control nighttime lighting to ensure that little to no light escapes into the nighttime sky from where the cannabis is grown. The nighttime light controls shall be explained in the SPECIAL USE Permit and/or Zoning Use Permit Application.
 - (10) Shall be in compliance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/1-1 *et seq*, (Public Act 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder and a copy of the State-approved license shall be filed with the Zoning Administrator prior to receiving a Zoning Compliance Certificate.
29. A PV SOLAR ARRAY with one megawatt or more is permitted by a COUNTY BOARD Special Use Permit, subject to the requirements of Sections 6.1.1 and 6.1.5 of the Zoning Ordinance and shall also be a second PRINCIPAL USE requiring a Special Use Permit per Section 4.2.1 F. A PV SOLAR ARRAY with less than one megawatt is permitted under the terms of Section 7.9 ACCESSORY PV SOLAR ARRAY.

 = Permitted by right  = Permitted on individual LOTS as a SPECIAL USE  = COUNTY BOARD Special Use Permit

Section 5.3 Schedule of Area, Height and Placement Regulations by District

Zoning DISTRICTS	Minimum LOT Size ¹²		Maximum HEIGHT ^{4,11}		Required YARDS (feet)					Maximum LOT COVERAGE	Special Provisions
	Area (square feet)	Average Width (feet)	Feet	Stories	Front Setback from STREET Centerline ³			SIDE ⁷	REAR ⁶		
					STREET Classification						
					MAJOR	COLLECTOR	MINOR				
AG-1 AGRICULTURE	1 Acre	200	50	NR ¹⁰	85	75	55	15	25	20%	(5), (13), (14), (15)
AG-2 AGRICULTURE	20,000	100	50	NR ¹⁰	85	75	55	10	20	25%	(5), (13), (15)
CR Conservation-Recreation	1 Acre	200	35	2 1/2	85	75	55	15	25	20%	(5), (13)
R-1 Single FAMILY Residence	9,000	80	35	2 1/2	85	75	55	10	20	30%	(5), (8)
R-2 Single FAMILY Residence	6,500	65	35	2 1/2	85	75	55	10	20	30%	(5), (8)
R-3 Two FAMILY Residence	6,500 for 1st d.u. ¹ 2,500 per additional d.u.	65	35	2 1/2	85	75	55	5	20	30%	(5)
R-4 Multiple FAMILY Residence	6,500 for 1st d.u. ¹ 2,000 per additional d.u.	65	50	NR ¹⁰	85	75	55	5	15	40%	(5), (9)
R-5 MANUFACTURED HOME PARK	SEE SPECIAL STANDARDS SECTION 6.2										
B-1 Rural Trade Center	6,500	65	NR ¹⁰	NR ¹⁰	85	75	55	10	20	50%	
B-2 Neighborhood Business	6,500	65	35	2 1/2	85	75	55	10	20	35%	(2)
B-3 Highway Business	6,500	65	40	3	85	75	55	5	20	40%	(2)
B-4 General Business	6,500	65	35	2 1/2	85	75	55	10	20	40%	(2)
B-5 Central Business	NR ¹⁰	NR ¹⁰	35	2 1/2	0	0	0	0	0	100%	(2)
I-1 Light Industry	10,000	100	75	NR ¹⁰	85	75	55	10	20	50%	(2)
I-2 Heavy Industry	20,000	150	150	NR ¹⁰	85	75	55	20	30	65%	(2)

SECTION 5.3 SCHEDULE OF AREA, HEIGHT & PLACEMENT REGULATIONS BY DISTRICT – CONTINUED

Footnotes

1. d.u. = DWELLING UNIT
2. A BUILDING on any LOT in this DISTRICT abutting or adjacent to any residential DISTRICT shall maintain the same side and REAR YARD as required in the adjacent residential DISTRICT if greater than that normally required in this DISTRICT.
3. In no case shall the FRONT YARD, measured from the nearest RIGHT-OF-WAY line, be less than 35' from a MAJOR STREET, 30' from a COLLECTOR STREET, or 25' from a MINOR STREET. Where 25% or more of the LOTS within a BLOCK abutting STREETS other than federal or state highways, where occupied by MAIN or PRINCIPAL STRUCTURES prior to the effective date of this ordinance, the average of the SETBACK LINES of such STRUCTURES shall be the minimum SETBACK LINE of the remaining vacant LOTS within such BLOCK except where the public health, safety, comfort, morals, or welfare are endangered.
4. The maximum HEIGHT of a residential ACCESSORY BUILDING shall be 15 feet on LOTS less than one acre in area and 24 feet on LOTS one acre or more in area.
5. For LOTS platted prior to October 10, 1973, see Section 8, Articles 8.1.1 through 8.1.4. For LOTS platted after October 10, 1973, see Section 4.3.4.
6. Required REAR YARD where LOTS are of irregular shape: In the case of an irregularly shaped LOT (not rectangular) the required minimum depth of a REAR YARD shall not be less than the required minimum SIDE YARD, as required by this Section 5.3; and in the aggregate, the square footage of the REAR YARD must equal that required for a rectangular LOT of minimum zoning DISTRICT dimensions.
7. SIDE YARD where lines are not parallel: Where a side wall of a BUILDING is not parallel with the side LOT LINE, or where a SIDE YARD is irregular, the average SIDE YARD width may be considered the required minimum width, provided that the SIDE YARD at any point shall not be narrower than five feet nor less than one-half the minimum width as required by this Section 5.3, whichever is greater.
8. Within the one and one-half mile extraterritorial jurisdiction of a zoned home rule municipality the minimum SIDE YARD shall equal the SIDE YARD of the comparable municipal zoning district in effect on January 1, 2004 as established by the translation table of the municipal ordinance. If the municipal ordinance does not contain a translation table the Zoning Administrator shall designate the most comparable district. In no case, however, shall the minimum SIDE YARD exceed 10 feet. Where a LOT falls within the one and one-half mile extraterritorial jurisdiction of more than one home rule municipality the applicable SIDE YARD shall be that of the closest such municipality unless the LOT falls within the extraterritorial jurisdiction of a home rule municipality to which the LOT is subject to annexation pursuant to an annexation agreement or intergovernmental agreement establishing annexation area boundaries in which case such annexing municipality's SIDE YARD requirements shall apply.
9. The minimum SIDE YARD adjacent to BUILDINGS over two stories in height over 3,000 square feet in gross ground floor area shall be 10 feet.
10. NR = No Requirement
11. In no case, however, shall a BUILDING or STRUCTURE be erected or vegetation be maintained that would create an obstruction in an approach slope or transition slope for an existing AIRPORT, RESIDENTIAL AIRPORT, HELIPORT, RESTRICTED LANDING AREA or HELIPORT-RESTRICTED LANDING AREA permitted under the terms of this ordinance unless a SPECIAL USE Permit is granted per Section 9.1.5.D.4.
12. The provisions of this Section notwithstanding, all LOTS shall comply with the provisions of Section 4.3.4.

SECTION 5.3 SCHEDULE OF AREA, HEIGHT & PLACEMENT REGULATIONS BY DISTRICT – CONTINUED

13. The following maximum LOT AREA requirements apply in the CR, AG-1 and AG-2 DISTRICTS:
- A) LOTS that meet all of the following criteria may not exceed a maximum LOT AREA of three acres:
 - 1) The LOT is RRO-exempt;
 - 2) The LOT is made up of soils that are BEST PRIME FARMLAND; and
 - 3) The LOT is created from a tract that had a LOT AREA greater than or equal to 12 acres as of January 1, 1998.
 - B) LOTS that meet both of the following criteria may not exceed an average maximum LOT AREA of two acres:
 - 1) The LOT is located within a Rural Residential OVERLAY DISTRICT; and
 - 2) The LOT is made up of soils that are BEST PRIME FARMLAND.
 - C) The following LOTS are exempt from the three-acre maximum LOT AREA requirement indicated in Paragraph A:
 - 1) A 'Remainder Area Lot.' A 'Remainder Area Lot' is that portion of a tract which existed as of January 1, 1998 and that is located outside of the boundaries of a RRO-exempt LOT less than 35 acres in LOT AREA. No CONSTRUCTION or USE that requires a Zoning Use Permit shall be permitted on a 'Remainder Area Lot.'
 - 2) Any LOT greater than or equal to 35 acres in LOT AREA.
14. LOTS in a WIND FARM County BOARD SPECIAL USE Permit and intended for WIND FARM TOWERS, substations, and WIND FARM maintenance and management facilities are exempt from the requirements of Section 5.3 except as such regulations are required by Subsection 6.1.4.
15. LOTS in a PV SOLAR FARM County Board SPECIAL USE Permit and intended for PV SOLAR FARM, related substations, and PV SOLAR FARM maintenance and management facilities are exempt from the requirements of Section 5.3 except as such regulations are required by Subsection 6.1.5.

5.4 Rural Residential OVERLAY Zoning DISTRICT

5.4.1 Acts Prohibited

No BUILDING shall be constructed upon a LOT in the AG-1, AG-2, or CR DISTRICT that was not created in conformance with this Section.

5.4.2 Exemptions

- A. The following may be permitted in the CR, AG-1 and AG-2 DISTRICTS without the creation of a Rural Residential OVERLAY DISTRICT:
- 1. The creation of any number of LOTS greater than 35 acres in area.
 - 2. The creation of the first three LOTS less than 35 acres in area created out of any parcel of land existing in the same dimensions and configurations as on January 1, 1998, provided, however that any such parcel that is greater than or equal to 25 acres in area and less than 50 acres may be divided into four LOTS.
 - 3. No LOT that is 5 acres or less in area may be further divided.

SECTION 5.4.2 EXEMPTIONS - CONTINUED

4. The creation of any number of LOTS contained in a SUBDIVISION having received preliminary plat approval prior to June 22, 1999 for which preliminary plat approval remains in effect.

5.4.3 Establishment of the Rural Residential OVERLAY Zoning DISTRICT

- A. The establishment of the Rural Residential OVERLAY Zoning DISTRICT is an amendment to the *Champaign County Zoning Ordinance* and shall be implemented in accord with the provisions of Subsection 9.2 as modified herein.
- B. The adoption of Rural Residential OVERLAY Zoning shall augment the provisions of the underlying DISTRICT but shall not alter any requirement otherwise applicable to the tract of land except as provided by this section including as follows:
 1. A County BOARD SPECIAL USE approval for a rural residential development that comprises a Rural Residential OVERLAY Zoning DISTRICT shall be required and shall be implemented in accordance with the provisions of Subsection 9.1.11 and the requirements of Subsection 6.1.2.
 2. The public hearing for the map amendment to the Rural Residential OVERLAY Zoning DISTRICT and the public hearing for the County BOARD SPECIAL USE for a rural residential development shall occur concurrently.
- C. BOARD Findings
 1. The BOARD shall make the following findings before forwarding a recommendation to the GOVERNING BODY with respect to a map amendment case to create a Rural Residential OVERLAY DISTRICT:
 - a. That the proposed site is or is not suitable for the development of the specified maximum number of residences; and
 - b. That the proposed residential development will or will not be compatible with surrounding AGRICULTURE.
 2. In making findings, the BOARD shall consider the following factors:
 - a. The adequacy and safety of roads providing access to the site and infrastructure (e.g., drainage systems, culverts, bridges) to support the proposed development;
 - b. Effects on nearby farmland and farm operations;

**SECTION 5.4.3 ESTABLISHMENT of the RURAL RESIDENTIAL OVERLAY ZONING DISTRICT -
CONTINUED**

- c. Effects of nearby farm operations on the proposed residential development;
 - d. The LESA score of the subject site;
 - e. Effects on drainage both upstream and downstream including road drainage facilities;
 - f. The suitability of the site for onsite subsurface soil absorption or surface discharge wastewater systems;
 - g. The availability of water supply to this site;
 - h. The availability of public services (i.e., police protection, fire protection, and emergency ambulance service) to support the proposed development;
 - i. The flood hazard status of the site;
 - j. The amount of disturbance to wetlands, historic or archeological sites, natural or scenic areas or wildlife habitat;
 - k. The presence of nearby natural or man-made hazards; and
 - l. The amount of land to be converted from agricultural USES versus the number of DWELLING UNITS to be accommodated.
3. The BOARD may also make recommendations for specific conditions that should be imposed upon the adoption of any Rural Residential OVERLAY DISTRICT.

D. APPLICANTS Rights and Limitations upon Approval

1. Approval of a Rural Residential OVERLAY DISTRICT is specific to the maximum number of LOTS shown on the plan submitted for that approval and the tract of land designated on the application and allows the creation of LOTS subject to the appropriate SUBDIVISION regulations and any conditions which may be imposed.
2. Approval of a Rural Residential OVERLAY DISTRICT application shall not be deemed to be an approval of an Area General Plan.
3. Approval of a Rural Residential OVERLAY DISTRICT application shall not obligate the COUNTY or a municipality having jurisdiction to approve a Preliminary Plat for SUBDIVISION.

**SECTION 5.4.3 ESTABLISHMENT of the RURAL RESIDENTIAL OVERLAY ZONING DISTRICT -
CONTINUED**

4. Rural Residential OVERLAY DISTRICT designation shall expire after two years if no Preliminary Plat is submitted to the relevant subdivision authority for approval. Upon application for Preliminary Plat approval to the relevant subdivision authority the Rural Residential OVERLAY designation may be renewed by the BOARD for a period of no more than two years. Such renewal may be granted upon written request of the owner, in the form of an Appeal as provided in Section 9.1.8, if the BOARD determines that there have been no significant changes in conditions since the Rural Residential OVERLAY designation that would materially change the Rural Residential OVERLAY approval.
- E. The Rural Residential OVERLAY DISTRICT is prohibited from being established within a WIND FARM County BOARD SPECIAL USE Permit.
- F. The Rural Residential OVERLAY DISTRICT is prohibited from being established within a PV SOLAR FARM County Board SPECIAL USE Permit.

5.4.4 Average Maximum LOT AREA Requirement

LOTS within a Rural Residential OVERLAY DISTRICT that are made up of soils that are BEST PRIME FARMLAND must not exceed an average maximum LOT AREA of two acres.

5.4.5 Submittals Required upon Application

Applications for Rural Residential OVERLAY DISTRICT shall include but not necessarily be limited to the following:

- A. A schematic plan of the proposed SUBDIVISION that conforms to the requirements for an Area General Plan pursuant to Subsection 6.1.2 of the *Champaign County Subdivision Regulations* with the following exceptions:
 1. The schematic plan may be prepared at a scale of no smaller than one inch equals 200 feet and at proper accuracy.
 2. The schematic plan shall indicate the locations of the highest and lowest elevations on the proposed site as interpolated from the relevant United States Geological Survey 7.5 minute Topographic Quadrangle Map or, alternatively, the developer may provide actual topographic information identified by an Illinois Licensed Surveyor.
 3. At least four copies of the schematic plan shall be submitted with at least one copy being no larger than 11 inches by 17 inches;

5.4.5 SUBMITTALS REQUIRED UPON APPLICATION - CONTINUED

- B. An Open Title Commitment or a Title Policy prepared not more than 12 months previous;
- C. Champaign County Soil and Water Conservation District report;
- D. A copy of the Agency Action Report from the Endangered Species Program of the Illinois Department of Natural Resources;
- E. A copy of the agency response from the Illinois State Historic Preservation Agency if any part of the land proposed for rezoning is located within a high Probability Area as defined in 20 ILCS 3420/3;
- F. If the proposed site is not served by public water supply and is located within the limited groundwater availability area on a map prepared by the Zoning Administrator, a letter from the Illinois State Water Survey shall be required that assesses the likelihood of successfully finishing onsite water well(s) sufficient to serve the proposed LOTS;
- G. A written explanation by an Illinois Professional Engineer of the proposed surface drainage system describing, in general, the average ground slope (maximum vertical relief divided by the maximum straight line horizontal distance) of the proposed site or the actual ground slope, any ponding of stormwater that occurs on the site, and the outlet condition of the proposed site. Such explanation shall explicitly address the impacts and mitigation of discharges from the proposed development from on-site wastewater disposal systems, sump pumps and similar sources. It shall also explain how excess stormwater will be conveyed through and from the site to a point downstream at which it enters a stream or designated drainage ditch (not just a typical road ditch). The explanation shall delineate the course of such drainage in sufficient detail to permit identification of the downstream properties over which the drainage passes and shall explain the impacts on those downstream properties.
- H. Submittals required for the County BOARD SPECIAL USE permit application.

SECTION 6 STANDARDS FOR SPECIFIC SPECIAL USES

6.1 Standards for SPECIAL USES

The standards listed in this Subsection which exceed the applicable DISTRICT standards in Section 5.3, in either amount or kind, and which are not specifically required under another COUNTY ordinance, state regulation, federal regulation, or other authoritative body having jurisdiction, to the extent that they exceed the standards of the DISTRICT, in either amount or kind, shall be considered standard conditions which the BOARD or GOVERNING BODY is authorized to waive upon application as provided in Section 9.1.11 on an individual basis.

6.1.1 Standard Conditions that May Apply to Specific SPECIAL USES

- A. Decommissioning and Site Reclamation Plan for NON-ADAPTABLE STRUCTURES
 - 1. In the course of BOARD review of a SPECIAL USE request, the BOARD may find that a proposed STRUCTURE is a NON-ADAPTABLE STRUCTURE. Any WIND FARM and any PV SOLAR FARM shall be a NON-ADAPTABLE STRUCTURE. The Applicant for the SPECIAL USE request for a NON-ADAPTABLE STRUCTURE shall submit a decommissioning and site reclamation plan to the BOARD for the subject site.
 - 2. The decommissioning and site reclamation plan shall be binding upon all successors of title, lessees, to any operator and/or owner of a NON-ADAPTABLE STRUCTURE, and to all parties to the decommissioning and site reclamation plan. Prior to the issuance of a SPECIAL USE Permit for such NON-ADAPTABLE STRUCTURES, the landowner or applicant shall also record a covenant incorporating the provisions of the decommissioning and site reclamation plan on the deed subject to the LOT, requiring that the reclamation work be performed and that a letter of credit be provided for financial assurance.
 - 3. Separate cost estimates for Section 6.1.1A.4.a., 6.1.1A.4.b., and 6.1.1A.4.c. shall be provided by an Illinois Licensed Professional Engineer.
 - a. Cost estimates provided shall be subject to approval of the BOARD.
 - b. Except as provided in Section 6.1.4P., and Section 6.1.5Q., the salvage value of the components of the NON-ADAPTABLE STRUCTURE shall not be credited to the cost estimates.

6.1.1 STANDARDS AND REQUIREMENTS - CONTINUED

4. The decommissioning and site reclamation plan shall provide for:
 - a. removal of above-ground portion of any STRUCTURE on the subject site; site grading; and, interim soil erosion control;
 - b. below-ground restoration, including final grading and surface treatment;
 - c. any environmental remediation required by State or Federal law;
 - d. provision and maintenance of a letter of credit, as set forth in Section 6.1.1A.5.

5. No Zoning Use permit for such SPECIAL USE will be issued until the applicant provides the COUNTY with an irrevocable letter of credit to be drawn upon a federally insured financial institution within 200 miles of Urbana, Illinois, or reasonable anticipated travel costs shall be added to the amount of the letter of credit.
 - a. Unless specified elsewhere in this Ordinance, the irrevocable letter of credit shall be in the amount of one hundred fifty percent (150%) of an independent engineer's cost estimate to complete the work described in Section 6.1.1A.4.a., Section 6.1.1A.4.b., and Section 6.1.1A.4.c.
 - b. The provisions of this subparagraph notwithstanding, a different amount may be required as a special condition.
 - c. The letter of credit, or a successor letter of credit pursuant to Section 6.1.1A.6. or 6.1.1A.14., shall remain in effect and shall be made available to the COUNTY for a term specified as a standard condition elsewhere in this Ordinance, an indefinite term, or for a different term that may be required as a special condition.

6. One hundred eighty (180) days prior to the expiration date of an irrevocable letter of credit submitted pursuant to this Section, the Zoning Administrator shall notify the landowner or applicant in writing and request information about the landowner or applicant's intent to renew the letter of credit or remove the NON-ADAPTABLE STRUCTURE. The landowner or applicant shall have thirty (30) days to respond in writing to this request. If the landowner or applicant's intention is to remove the NON-ADAPTABLE STRUCTURE, the landowner or applicant will have a total of ninety (90) days from the date of response to remove it in accordance with Section 6.1.1A.4.a. At the end of ninety (90) days, the Zoning Administrator shall have a period of sixty (60) days to either:
 - a. confirm that the bank has renewed the letter of credit; or

6.1.1 STANDARDS AND REQUIREMENTS - CONTINUED

- b. inspect the subject property for compliance with Section 6.1.1A.4.a.;
 - c. draw on the letter of credit and commence the bid process to have a contractor remove the NON-ADAPTABLE STRUCTURE pursuant to Section 6.1.1A.4.a.
7. The Zoning Administrator may find a NON-ADAPTABLE STRUCTURE abandoned in place. Factors to be considered in making this finding include, but are not limited to:
- a. the nature and frequency of use as set forth in the application for SPECIAL USE;
 - b. the current nature and frequency of use;
 - c. whether the NON-ADAPTABLE STRUCTURE has become a public nuisance, or otherwise poses a risk of harm to the public health or safety;
 - d. whether the NON-ADAPTABLE STRUCTURE has been maintained in a manner which allows it to be used for its intended purpose, with no greater effects on surrounding properties and the public as a whole than was originally intended.
 - e. A court of law, an arbitrator, mediator, or any State or Federal agency charged with enforcing State or Federal law has made a finding that either said NON-ADAPTABLE STRUCTURE or the structures supporting said NON-ADAPTABLE STRUCTURE and/or any related site grading and soil erosion controls or lack of same, constitutes a public nuisance or otherwise violates State or Federal law, or any State or Federal agency charged with enforcing State or Federal law has made a final determination either imposing an administrative sanction on any person associated with the NON-ADAPTABLE STRUCTURE relating to its use or denying the NON-ADAPTABLE STRUCTURE a permit necessary for its lawful operation.

6.1.1 STANDARDS AND REQUIREMENTS - CONTINUED

8. Once the Zoning Administrator has made a finding that a NON-ADAPTABLE STRUCTURE is abandoned in place, the Zoning Administrator shall issue notice to the land owner at the owner's last known address, lessees, any operator and/or owner of a NON-ADAPTABLE STRUCTURE, and to all parties to the decommissioning and site reclamation plan, that the COUNTY will draw on the performance guarantee within thirty (30) days unless the owner appeals the Zoning Administrator's finding, pursuant to Section 9.1.8 or enters into a written agreement with the COUNTY to remove such NON-ADAPTABLE STRUCTURE in accordance with Section 6.1.1A.4. within ninety (90) days and removes the NON-ADAPTABLE STRUCTURE accordingly.
9. The Zoning Administrator may draw on the funds to have said NON-ADAPTABLE STRUCTURE removed as per Section 6.1.1A.4. of the decommissioning and site reclamation plan when any of the following occur:
 - a. no response is received from the land owner within thirty (30) days from initial notification by the Zoning Administrator;
 - b. the land owner does not enter, or breaches any term of a written agreement with the COUNTY to remove said NON-ADAPTABLE STRUCTURE as provided in Section 6.1.1A.8.;
 - c. any breach or performance failure of any provision of the decommissioning and site reclamation plan;
 - d. the owner of record has filed a bankruptcy petition, or compromised the COUNTY's interest in the letter of credit in any way not specifically allowed by the decommissioning and site reclamation plan;
 - e. a court of law has made a finding that a NON-ADAPTABLE STRUCTURE constitutes a public nuisance;
 - f. the owner of record has failed to replace an expiring letter of credit within the deadlines set forth in Section 6.1.1A.6.; or
 - g. any other conditions to which the COUNTY and the land owner mutually agree, as set forth in the decommissioning and site reclamation plan.
10. Once the letter of credit has been drawn upon, and the site has been restored to its original condition, as certified by the Zoning Administrator, the covenant entered into pursuant to Section 6.1.1A.2. shall expire, and the COUNTY shall act to remove said covenant from the record of the property at the Recorder of Deeds within forty-five (45) days.

6.1.1 STANDARDS AND REQUIREMENTS - CONTINUED

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

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

12. No dispute as to the necessity or reasonableness of any costs of performing the site reclamation work identified in Section 6.1.1A.11. shall impair the ability of Champaign County to draw on the Financial Assurance.
13. In accordance with the provisions of the Illinois Mechanics Lien Act, *770 ILCS 60/1 and 60/7*, the Applicant or successors in interest agree that any contractor retained by Champaign County to perform the decommissioning and site reclamation work in Section 6.1.1A.11, shall have a lien upon the project to the full extent of all costs performing the decommissioning and site reclamation work identified in Section 6.1.1A.11., and that such lien shall be superior to any claim or lien of any other creditor, incumbrancer or purchaser.
14. Upon transfer of any property subject to a letter of credit pursuant to this Section, the new owner or applicant of record shall submit a new irrevocable letter of credit of same or greater value to the Zoning Administrator, prior to legal transfer of title, and shall submit a new decommissioning and site reclamation plan, pursuant to Section 6.1.1A.4., and, for WIND FARMS, Section 6.1.4P., and for PV SOLAR FARMS, 6.1.5Q. Once the new owner or applicant of record has done so, the letter of credit posted by the previous owner or applicant shall be released, and the previous owner shall be released from any further obligations under the decommissioning and site reclamation plan.

6.1.1 STANDARDS AND REQUIREMENTS - CONTINUED

15. The Applicant shall provide evidence of any new, additional, or substitute financial assurance to the Zoning Administrator throughout the operating lifetime of the NON-ADAPTABLE STRUCTURE.
16. Should the decommissioning and site reclamation plan, or any part of it, be deemed invalid by a court of competent jurisdiction, the associated SPECIAL USE Permit shall be deemed void.

6.1.2 Standard Conditions for All SPECIAL USES

- A. All SPECIAL USE Permits with exterior lighting shall be required to minimize glare on the adjacent properties and roadways by the following means:
 1. All exterior light fixtures shall be full-cutoff type lighting fixtures and shall be located and installed so as to minimize glare and light trespass. Full-cutoff means that the lighting fixture emits no light above the horizontal plane.
 2. No lamp shall be greater than 250 watts and the BOARD may require smaller lamps when necessary.
 3. Locations and numbers of fixtures shall be indicated on the site plan (including floor plans and building elevations) approved by the BOARD.
 4. The BOARD may also require conditions regarding the hours of operation and other conditions for outdoor recreational uses and other large outdoor lighting installations.
 5. The Zoning Administrator shall not approve a Zoning Use Permit without the manufacturer's documentation of the full-cutoff feature for all light fixtures.

6.1.3 Schedule of Standard Conditions for Specific Types of SPECIAL USES

The numbers in parentheses within Table 6.1.3 indicate Footnotes at the conclusion of Table 6.1.3. The abbreviation NR indicates there is No Requirement or standard unless required due to unique circumstances on an individual basis.

SPECIAL USES or USE Categories	Minimum Fencing Required ⁶	Minimum LOT Size		Maximum HEIGHT		Required YARDS (feet)					Explanatory or Special Provisions
		AREA (Acres)	Width (feet)	Feet	Stories	Front Setback from STREET Centerline ²			SIDE	REAR	
						MAJOR	COLLECTOR	MINOR			
Adaptive reuse of GOVERNMENT BUILDINGS	NR	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	*See below
* Outdoor storage of materials, machinery, or heavy equipment is prohibited. The outdoor overnight storage of vehicles in the R-1, Single Family Residence, R-2, Single Family Residence, R-3, Two Family Residence, and R-4, Multiple Family Residence Zoning DISTRICTS is prohibited.											
ADULT USE CANNABIS TRANSPORTING ORGANIZATION	NR	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	
ADULT USE CANNABIS CULTIVATION CENTER	NR	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	
ADULT USE CANNABIS CRAFT GROWER	NR	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	
AGRICULTURAL DRAINAGE CONTRACTOR Facility with Outdoor STORAGE and/or OPERATIONS; or with no Outdoor STORAGE and/or Outdoor OPERATIONS	NR	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	*See below
<ol style="list-style-type: none"> 1. In all DISTRICTS other than the B-5 DISTRICT, outdoor STORAGE and/or outdoor OPERATIONS are allowed as an ACCESSORY USE subject to subsection 7.6. 2. In the B-5 DISTRICT, outdoor STORAGE and/or outdoor OPERATIONS are allowed as an ACCESSORY USE provided as follows: <ol style="list-style-type: none"> A. No outdoor STORAGE and/or outdoor OPERATIONS shall be visible from any second floor DWELLING UNIT. B. Outdoor STORAGE and/or outdoor OPERATIONS may be located at the property line but shall be screened by a Type D SCREEN consistent with Section 4.3.3.H.1. 3. In the CR DISTRICT, any expansion shall minimize the disturbance of existing areas that provide habitat for native and game species, or mitigate the impacts of unavoidable disturbance to such areas by enhancing other habitat. 											
AIRPORTS	NR	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	*See below
* Must meet the requirements of the Federal Aviation Administration and Illinois Department of Transportation, Division of Aeronautics. The runway safety areas as established in Figure 7-1 of the Federal Aviation Administration Advisory Circular Number 150/5300-4B, shall be entirely located on the LOT covered by the SPECIAL USE. The runway shall be situated so that no building designed for human occupancy which is located in an R or B DISTRICT, nor any PUBLIC ASSEMBLY or INSTITUTIONAL USE shall encroach in the primary surface or Runway Clear zone as described in Appendix 6 of the Federal Aviation Administration Advisory Circular Number 150/5300-4B.											
All SPECIAL USES in the "Industrial Uses Chemical and Allied Products" Category	6' wire mesh	10	(1)	(1)	(1)	350	350	350	300	300	*See below
* Not permitted closer than 2,000' from any R or B DISTRICT or any residential, INSTITUTIONAL or PUBLIC ASSEMBLY USE.											

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**SECTION 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES OF SPECIAL USES -
CONTINUED**

SPECIAL USES or USE Categories	Minimum Fencing Required ⁶	Minimum LOT Size		Maximum HEIGHT		Required YARDS (feet)					Explanatory or Special Provisions
		AREA (Acres)	Width (feet)	Feet	Stories	Front Setback from STREET Centerline ²			SIDE	REAR	
						MAJOR	COLLECTOR	MINOR			
All SPECIAL USES in the "Industrial Uses Food and Kindred Products" Category	6' wire mesh	(1)	(1)	(1)	(1)	100	100	100	50	50	*See below
	* Not permitted closer than 300' from any R or B DISTRICT or any residential, INSTITUTIONAL or PUBLIC ASSEMBLY USE.										
All SPECIAL USES in the "Industrial Uses Primary Metals Manufacturing" Category	6' wire mesh	2	(1)	(1)	(1)	150	150	150	100	100	*See below
	* Not permitted closer than 500' from any R or B DISTRICT or any residential, INSTITUTIONAL or PUBLIC ASSEMBLY USE.										
All SPECIAL USES in the "Industrial Uses: Petroleum and Rubber Products" Category	6' wire	10	(1)	(1)	(1)	350	350	350	300	300	*See below
	* Not permitted closer than 2,000' from any R or B DISTRICT or any residential, INSTITUTIONAL or PUBLIC ASSEMBLY USE.										
Amusement Park	NR	10	(1)	(1)	(1)	100	100	100	50	50	*See below
	* Not permitted closer than 500' from any R DISTRICT or residential or INSTITUTIONAL USE.										
Artificial Lake of 1 or more acres	NR	1	(1)	NR	NR	(1)	(1)	(1)	(1)	(1)	
Cemetery or Crematory	NR	10	(1)	(1)	(1)	100	100	100	50	50	*See below
	* Crematory not permitted within 100' of any R DISTRICT or residential USE.										
Commercial Greenhouse or Garden Shop	NR	1/2	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	
Contractors Facilities with or without Outdoor STORAGE and/or Outdoor OPERATIONS	NR	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	*See below
	<ol style="list-style-type: none"> 1. In all DISTRICTS other than the B-5 DISTRICT, outdoor STORAGE and/or outdoor OPERATIONS are allowed as an ACCESSORY USE subject to subsection 7.6. 2. In the B-5 DISTRICT, outdoor STORAGE and/or OPERATIONS are allowed as an ACCESSORY USE provided as follows: <ol style="list-style-type: none"> A. No outdoor STORAGE and/or outdoor OPERATIONS shall be visible from any second floor DWELLING UNIT. B. Outdoor STORAGE and/or outdoor OPERATIONS may be located at the property line but shall be screened by a Type D SCREEN consistent with 4.3.3.H.1. 										

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**SECTION 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES OF SPECIAL USES -
CONTINUED**

SPECIAL USES or USE Categories	Minimum Fencing Required ⁶	Minimum LOT Size		Maximum HEIGHT		Required YARDS (feet)					Explanatory or Special Provisions
		AREA (Acres)	Width (feet)	Feet	Stories	Front Setback from STREET Centerline ²			SIDE	REAR	
						MAJOR	COLLECTOR	MINOR			
	NR	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	*See below
DATA CENTER											<ol style="list-style-type: none"> 1. The location of the DATA CENTER must be approved in writing by the relevant Fire Protection District. 2. The petitioner shall provide the P&Z Department with a written explanation of security features for the DATA CENTER. 3. DATA CENTERS constructed with PV SOLAR ARRAYS shall be located adjacent to the solar inverter and as far as possible from property lines and adjacent DWELLINGS consistent with good engineering practice. 4. Noise levels from any DATA CENTER shall be in compliance with the applicable Illinois Pollution Control Board (IPCB) regulations (35 Illinois Administrative Code, Subtitle H: Noise, Parts 900, 901, 910). <ol style="list-style-type: none"> A. Any applicant located within 1,500 feet of a DWELLING shall submit a noise analysis by a qualified professional that demonstrates compliance with the IPCB noise regulations similar to the requirements of Section 6.1.5l.(3). The analysis shall include manufacturer's sound power level characteristics and other relevant data regarding noise characteristics of proposed DATA CENTER equipment. B. Enforcement shall follow protocols established in Section 6.1.5 l.(4) of the Zoning Ordinance.
Electrical Substation	6' wire mesh	(1)	(1)	(1)	(1)	(1)	(1)	(1)	20	20	
Fairground	6' wire mesh	20	(1)	(1)	(1)	100	100	100	50	50	*See below
											<p>Site design, land management, and storm water management designs and practices shall provide effective site drainage; shall meet or exceed state and federal water quality standards; shall protect downstream drainage patterns; shall provide for stream flows that support healthy aquatic ecosystems; shall minimize impacts on adjacent properties and cause no more than minimal disturbance to the stream corridor environment; and, shall wherever possible, preserve existing habitat, enhance degraded habitat, and restore habitat.</p>
Fertilizer manufacturing and bulk storage	NR	5	(1)	(1)	(1)	100	100	100	100	100	
Fuel Ethanol Manufacturing	NR	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	*See below

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**SECTION 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES OF SPECIAL USES -
CONTINUED**

SPECIAL USES or USE Categories	Minimum Fencing Required ⁶	Minimum LOT Size		Maximum HEIGHT		Required YARDS (feet)			Explanatory or Special Provisions
		AREA (Acres)	Width (feet)	Feet	Stories	Front Setback from STREET Centerline ²			
						STREET Classification			
MAJOR	COLLECTOR	MINOR							
	<p>*1. The petitioner is required to provide a water study on the potential impacts of any proposed ethanol production facility on the Mahomet Aquifer, or other groundwater source if applicable, in terms of adverse impacts to the aquifer; rate of draw down, including analysis of draw down rate and the effect on shallow wells; capacity analysis; and seasonality impacts. The water study shall be based on the following:</p> <p>A. A review of relevant well records, hydrogeologic reports, and other pertinent correspondence; and</p> <p>B. Determination of existing ground water levels in neighboring wells provided that access is permitted by the well owner; and</p> <p>C. Exploratory test hole drilling and geophysical exploration as required including possible geophysical logging of test holes; and</p> <p>D. If adequate aquifer hydraulic property information is not otherwise available, test data shall be provided from a test well, monitoring well, and other observation wells, or other appropriate existing wells, sufficient to serve as the basis for estimating a distance – draw down relationship; and</p> <p>E. An estimated distance – draw down relationship shall also be included in the water study. Such water study shall be performed by either an Illinois Licensed Geologist or an Illinois Professional Engineer. No SPECIAL USE Permit for an ethanol facility shall be approved unless said water study determines no significant adverse impact with mitigation measures on the Mahomet Aquifer or other groundwater source. The County reserves the right to have the report reviewed by a similarly competent Illinois Licensed Geologist or an Illinois Professional Engineer.</p> <p>2. When a Fuel Ethanol Manufacturing plant is not proposed to be connected to a connected public sanitary system sufficient information shall be provided in the SPECIAL USE Permit application to prove that an adequate drainage outlet is available for all anticipated discharges to surface waters.</p> <p>3. The petitioner is required to provide a Traffic Impact Analysis (TIA) performed by a professional engineer licensed in Illinois who is prequalified for traffic studies by IDOT and approved by the County and that the petitioner be required to make the necessary improvements identified by the TIA.</p> <p>4. The petitioner is required to file with the County Zoning Administrator for the following:</p> <p>A. Emergency Action Plan which meets OSHA standards with written approval from the responding service providers.</p> <p>B. Sewer Connection Permit from the sanitary district and any required Connection Permit from IEPA if the manufacturing facility discharges into a municipal sanitary sewer.</p> <p>C. Certificate of Compliance or Letter of Approval as a result of the application under the Clean Air Act.</p> <p>D. Air Permit issued by IEPA.</p> <p>5. The petitioner shall provide a letter from a Registered Illinois Professional Engineer indicating that based on the proposed design the factory is not expected to violate the Illinois Noise Statute. Post construction, the petitioner shall place on file a letter from a Registered Illinois Professional Engineer indicating that while operating the plant does not violate the Illinois Noise Statute.</p> <p>6. Required YARDS are the same as the applicable zoning DISTRICT unless authorized by VARIANCE.</p>								
Gasoline and Volatile Oils Storage in the B-1 and B-3 DISTRICTS	NR	1/2	(1)	(1)	(1)	Additional Setback, screening and buffering may be required as deemed necessary by the BOARD to protect adjacent and surrounding PROPERTY.			*See below
<p>* Gasoline and Volatile Oils Storage Facilities shall not be permitted closer than 500 feet from any R DISTRICT or any residential, INSTITUTIONAL, or PUBLIC ASSEMBLY USE. State Permit showing conformance to the <i>Illinois Gasoline Storage Act</i> (430 ILCS 15/0.01et.seq.) shall be presented to the Zoning Administrator prior to issuance of a COUNTY Zoning Use Permit.</p>									
Gasoline and Volatile Oils Storage in the I-1 and I-2 Zoning DISTRICTS	NR	5	AREA, HEIGHT and Placement regulations exceeding those of the DISTRICT may be applied so as to make the storage facility compatible with neighboring USES. Additional setbacks, screening and buffering may be required as deemed necessary by the BOARD to protect adjacent and surrounding PROPERTY.						*See below
<p>* A State Permit showing conformance to the <i>Illinois Gasoline Storage Act</i> (430 ILCS 15/0.01et.seq.) shall be presented to the Zoning Administrator prior to issuance of a COUNTY Zoning Use Permit. Gasoline and Volatile Oils Storage Facilities established after February 21, 1978, shall not be permitted closer than 500' from any R or B DISTRICT or any residential, INSTITUTIONAL or PUBLIC ASSEMBLY USE. For Gasoline and Volatile Oils Storage Facilities established prior to February 21, 1978, the BOARD shall determine the permitted distance from any R or B DISTRICT or any residential, INSTITUTIONAL or PUBLIC ASSEMBLY USE as deemed necessary to protect adjacent and surrounding PROPERTY.</p>									

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**SECTION 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES OF SPECIAL USES -
CONTINUED**

SPECIAL USES or USE Categories	Minimum Fencing Required ⁶	Minimum LOT Size		Maximum HEIGHT		Required YARDS (feet)					Explanatory or Special Provisions
		AREA (Acres)	Width (feet)	Feet	Stories	Front Setback from STREET Centerline ²			SIDE	REAR	
						MAJOR	COLLECTOR	MINOR			
HELIPORT or HELIPORT/ RESTRICTED LANDING AREA	NR	1	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	*See below
<p>*1. Must meet the requirements for "Approach and Departure Protection Areas" of Paragraph 25 of the Federal Aviation Administration Circular Number 150/5390-2 and requirements of the Illinois Department of Transportation, Division of Aeronautics. HELIPORTS atop BUILDINGS are exempt from the minimum area standard.</p> <p>2. The following standard conditions apply only to a HELIPORT-RESTRICTED LANDING AREA:</p> <p>A. The minimum separation to the nearest CR DISTRICT shall be a rectangular area encompassing 800 linear feet measured outward from the side edge of the Final Approach and Takeoff Area in the approach/takeoff path, and 500 linear feet measured outward from the side edge of the Final Approach and Takeoff Area.</p> <p>B. No part of a Final Approach and Take Off (FATO) Area may be closer than 1, 320 feet from the nearest dwelling under different ownership than the HELIPORT-RESTRICTED LANDING AREA.</p> <p>C. No part of a Final Approach and Take Off (FATO) Area may be closer than 280 feet from the nearest property under different ownership than the HELIPORT-RESTRICTED LANDING AREA.</p> <p>D. The requirement of Section 4.3.8 notwithstanding, any DWELLING or LOT established after a HELIPORT-RESTRICTED LANDING AREA is established is not required to comply with Standard Conditions 2.B or 2.C. for a HELIPORT-RESTRICTED LANDING AREA and no Special Use Permit shall be required.</p>											
HOTELS with 15 or fewer LODGING UNITS	NR	(1)*	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	**See below
<p>* If served by PUBLIC SANITARY SEWER SYSTEM: (1); If not served by a PUBLIC SANITARY SEWER SYSTEM: first DWELLING or LODGING UNIT: 30,000 sq. ft., each additional LODGING UNIT: 10,000 sq. ft.</p> <p>** HOTELS shall not be permitted by SPECIAL USE Permit in areas subject to duly adopted municipal comprehensive plans if, as of the date of the SPECIAL USE Permit is filed, they are located: 1) in any area designated for residential or industrial use in such municipal comprehensive plan; 2) within one half mile of any area designated for residential use in such comprehensive plan except for LOTS designated for commercial use or LOTS adjacent and contiguous to areas designated for commercial use and fronting on a STREET designated as an arterial STREET in the municipal comprehensive plan; nor 3) more than one mile from an interstate highway interchange measured from the intersection of the centerlines of the interstate highway and the intersecting STREET.</p> <p>Onsite sanitary waste disposal systems, if used, shall be designed by an Illinois Licensed Professional Engineer and approval shall be obtained for the specific design proposed from the Illinois Department of Public Health prior to approval of the SPECIAL USE Permit.</p> <p>One ACCESSORY restaurant may be permitted. Unless otherwise permitted as of right in the DISTRICT, such restaurant: 1) shall provide sit-down service only and shall not offer take-out, drive-in, or curbside service; 2) may have a dining area (including all indoor and outdoor areas) not exceeding 1,000 sq. ft. in area not containing more than 50 seats and in no case shall the dining area exceed 100 sq. ft. or four seats for each LODGING UNIT contained in the HOTEL; and 3) shall not serve any alcohol except wine and beer with meals.</p> <p>Retail sales may be permitted as an ACCESSORY USE provided that, unless otherwise permitted as of right in the DISTRICT, such ACCESSORY retail sales USE shall occupy no more than 50 sq. ft. per LODGING UNIT.</p>											
Industrial Pre-existing USES ⁵ prior to October 10, 1973	*See below	3	(1)	(1)	(1)	(1)	(1)	(1)	20	30	*See below
* Fencing requirements to be determined by the BOARD.											

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**SECTION 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES OF SPECIAL USES -
CONTINUED**

SPECIAL USES or USE Categories	Minimum Fencing Required ⁶	Minimum LOT Size		Maximum HEIGHT		Required YARDS (feet)					Explanatory or Special Provisions
		AREA (Acres)	Width (feet)	Feet	Stories	Front Setback from STREET Centerline ²			SIDE	REAR	
						MAJOR	COLLECTOR	MINOR			
KENNEL	NR	1	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	*See below
	<p>* Enclosed KENNELS shall not permit animals to be kept either temporarily or permanently outside the KENNEL. One SINGLE FAMILY DWELLING may be permitted on the site provided it is for occupancy by the OWNER or employee of the KENNEL.</p> <p>* KENNELS where animals are kept temporarily or permanently outside of the KENNEL shall adhere to the following requirements:</p> <ol style="list-style-type: none"> 1) Provide a 6' wire mesh fence to encompass outdoor animal exercise and/or training area. 2) Any outdoor animal exercise and/or training area shall be 200' from any adjacent residential STRUCTURE and/or USE and shall have a noise buffer of evergreen shrubs or trees a minimum of four feet in HEIGHT installed separating the exercise and/or training area from any adjacent residential STRUCTURE and/or USE. Measurements shall be made from LOT LINE of an adjacent residential STRUCTURE and/or USE. 3) Maintain a SIDE YARD setback and a REAR YARD setback of 200 feet. 										
LANDSCAPE WASTE PROCESSING FACILITIES	NR	5	(1)	(1)	(1)	(1)	(1)	(1)	20	30	*See below
	<p>* The operation of a LANDSCAPE WASTE DISPOSAL FACILITY shall not be allowed unless all permits required by the Illinois Environmental Protection Agency have been obtained, and copies of the state permits and state permit applications are submitted.</p> <p>The location of any portion of the site where composting of the landscape waste is taking place shall be:</p> <ol style="list-style-type: none"> 1) located a minimum of 500 feet from any existing residence or residential DISTRICT; 2) located a minimum of 200 feet from any potable water supply well; 3) operated to control runoff from the site and collect and manage any leachate that is generated on the site. <p>The location of the portion of any site where composting of the landscape waste is taking place and any area where landscape waste is stored or stockpiled shall be located outside the boundary of the 100-year floodplain or floodproofed pursuant to the requirements of Ordinance No. 209, <i>An Ordinance Regulating Development in Special Flood Hazard Areas</i> as amended.</p> <p>The operation of the facility shall include appropriate dust, odor and noise control measures.</p>										
Liquefied Petroleum Gases Storage in the B-1 and B-3 DISTRICTS	NR	1/2	(1)	(1)	(1)	Additional Setback, screening and buffering may be required as deemed necessary by the Zoning BOARD of Appeals to protect adjacent and surrounding PROPERTY.				*See below	
	<p>* A State Permit showing conformance to the <i>Illinois Rules for the Storage, Transportation and Use of Liquefied Petroleum Gases</i> (41 IL Admin Code, Part 200) shall be presented to the Zoning Administrator prior to issuance of a COUNTY Zoning Use Permit.</p>										
Liquefied Petroleum Gases Storage in the I-1 and I-2 DISTRICTS	NR	5	AREA, HEIGHT, and Placement regulations exceeding those of the DISTRICT may be applied so as to make the storage facility compatible with neighboring USES. Additional setbacks, screening and buffering may be required as deemed necessary by the BOARD to protect adjacent and surrounding PROPERTY								*See below
	<p>* A State Permit showing conformance to the <i>Illinois Rules for Storage, Transportation and Use of Liquefied Petroleum Gases</i> (41 IL Admin Code, Part 200) shall be presented to the Zoning Administrator prior to issuance of a COUNTY Zoning Use Permit.</p>										

*Champaign County, Illinois
Zoning Ordinance*

**SECTION 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES OF SPECIAL USES -
CONTINUED**

SPECIAL USES or USE Categories	Minimum Fencing Required ⁶	Minimum LOT Size		Maximum HEIGHT		Required YARDS (feet)					Explanatory or Special Provisions
		AREA (Acres)	Width (feet)	Feet	Stories	Front Setback from STREET Centerline ²			SIDE	REAR	
						MAJOR	COLLECTOR	MINOR			
Livestock Sales Facility and Stockyards	6' wire mesh	3	(1)	(1)	(1)	150	150	150	100	100	*See below
	* Not permitted closer than 500' from any R or B DISTRICT, or any residential, INSTITUTIONAL or PUBLIC ASSEMBLY USE.										
Major RURAL SPECIALTY BUSINESSES	NR	5 acres	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	*See below
	<ul style="list-style-type: none"> * 1. The total BUILDING AREA devoted to sales DISPLAY or recreational commercial USE shall not exceed 5,000 sq. ft. * 2. Outdoor entertainment requiring the use of sound amplification equipment shall be permitted not more often than 5 consecutive or non-consecutive days in any 3-month period and only if a Recreation & Entertainment License shall have been obtained as provided in the Champaign COUNTY Ordinance No. 55, <i>Regulation of Business Offering Entertainment and/or Recreation</i>. * 3. The site shall not be located within 500 feet of a residential zoning DISTRICT. * 4. Businesses located in the CR, AG-1, AG-2 DISTRICTS shall not ACCESS STREETS located within a recorded SUBDIVISION. * 5. Alcoholic beverages not produced on the PREMISES shall not be sold. 										
Mineral Extraction, quarrying, topsoil removal and allied products	6' wire mesh	2	(1)	(1)	(1)	150	150	150	100	100	
Mortuary or Funeral Home	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	*See below
	* In the AG-2, Agriculture DISTRICT, if the subject property is not connected to a connected PUBLIC SANITARY SEWER SYSTEM the application for a SPECIAL USE Permit shall include a letter from the Champaign County Health Department certifying that based on a review of information submitted by the petitioner the proposed onsite wastewater treatment and disposal system would meet the requirements of the Champaign County Health Ordinance.										
OFF-PREMISES Advertising SIGN	See Special Provisions – Section 7.3.5										
Outdoor Commercial Recreational Enterprise	NR	1	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	*See below
	* Not permitted within 200' of any R DISTRICT or residential or INSTITUTIONAL USE.										
OUTDOOR THEATER	8' solid	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	

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**SECTION 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES OF SPECIAL USES -
CONTINUED**

SPECIAL USES or USE Categories	Minimum Fencing Required ⁶	Minimum LOT Size		Maximum HEIGHT		Required YARDS (feet)					Explanatory or Special Provisions
		AREA (Acres)	Width (feet)	Feet	Stories	Front Setback from STREET Centerline ²			SIDE	REAR	
						MAJOR	COLLECTOR	MINOR			
PARKING LOT and related passenger waiting buildings as an additional principal USE or additional principal STRUCTURE on a Public Fairgrounds in the CR District	NR	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	*See below
<p>At a Public Fairgrounds that was an established USE at the subject location on October 10, 1973, all or part of the parking area(s) may be used for parking not otherwise related to the Fairground and the non-Fairground parking may be limited to parking for a single other non-Fairground USE or to multiple other non-Fairground USES and may include the construction and use of related passenger waiting buildings, so long as authorized as part of the Special Use Permit and subject to the following:</p> <p>a. Traffic impacts shall be considered.</p> <p>b. A Public Fair must continue to be held at the Public Fairgrounds or the Special Use Permit shall become void.</p>											
Penal or Correctional Institution	NR	(1)	(1)	(1)	(1)	350	350	350	300	300	*See below
* Not permitted within 500' of any R DISTRICT or residential or PUBLIC ASSEMBLY USE.											
Pet Cemetery	NR	1	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	*See below
<p>* Burial plots shall be located a minimum of 100 feet from any existing well used as a potable water supply.</p> <p>* Burial plots shall be located a minimum of 200 feet from a stream.</p> <p>* The petitioner shall make financial provisions for long term maintenance and/or future reclamation of pet cemetery property. The petitioner shall submit details of financial arrangements as part of SPECIAL USE Permit.</p>											
Private or Commercial transmission and receiving towers (including antennas) over 100 feet in HEIGHT	6' wire mesh	1	(1)	(1)	(1)	100	100	100	50	50	*See below
* Towers shall conform to the standards of the Federal Aviation Administration, Federal Communication Commission, and the Illinois Department of Transportation, Division of Aeronautics.											
Public or Commercial SANITARY LANDFILL	8' wire mesh	40	(1)	(1)	(1)	(3)	(3)	(3)	(3)	(3)	*See below
* Not permitted closer than 500' from any R or B DISTRICT or any residential, INSTITUTIONAL or PUBLIC ASSEMBLY USE. LANDFILL operations or BUILDINGS shall not be closer than 500 feet from any R or B DISTRICT (at the time of approval). Also see footnote 3 below.											
Public or Commercial Sewage Lagoon ⁴	8' solid	40	NR	NR	NR	250	250	250	200	200	*See below
* Not permitted closer than 500 feet from any R or B DISTRICT or any residential, INSTITUTIONAL or PUBLIC ASSEMBLY USE.											
Public CAMP or Picnic Area	NR	5	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	
Public HOSPITAL	NR	5	(1)	(1)	(1)	(1)	(1)	(1)	40	40	

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**SECTION 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES OF SPECIAL USES -
CONTINUED**

SPECIAL USES or USE Categories	Minimum Fencing Required ⁶	Minimum LOT Size		Maximum HEIGHT		Required YARDS (feet)					Explanatory or Special Provisions
		AREA (Acres)	Width (feet)	Feet	Stories	Front Setback from STREET Centerline ²			SIDE	REAR	
						MAJOR	COLLECTOR	MINOR			
PV SOLAR ARRAY	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	*See below
	1. The following requirements are in lieu of the requirements of Section 6.1.5B.(3): A. The utility interconnection application must be applied for with the relevant utility and documentation provided at the time of Special Use Permit application. B. Documentation must be provided that the utility has accepted the application for the PV SOLAR ARRAY prior to issuance of the Zoning Compliance Certificate.										
Railroad Yards and Freight Terminals	6' wire mesh	5	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	*See below
	* Not permitted closer than 200' from any R DISTRICT or residential USE.										
RESIDENTIAL AIRPORTS	NR	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	*See below
	* Same as requirements for airports, except that at a minimum, the SPECIAL USE shall also encompass the following areas: runway and a runway safety area centered on the runway centerline 120 feet wide and extending 240 feet beyond each end of the runway; which shall be under one ownership and/or unified control; and all service areas; taxi-ways; easements; intervening STREETS and LOTS containing residences having USE privileges at the runway.										
RESIDENTIAL PLANNED UNIT DEVELOPMENT	See SPECIAL USE requirements – Section 6.3										
RESIDENTIAL RECOVERY CENTER	NR	*See below	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	*See below
	* 1. The proposed RESIDENTIAL RECOVERY CENTER must be located as follows: a. The subject property must be served by public transportation; and b. The associated church or temple must occupy a building which predominately existed on October 10, 1973. 2. The maximum number of residents allowed at one time shall be the smaller of the following numbers: a. 10% of the maximum occupancy of the main worship area of the associated church or temple; or b. 30. 3. The minimum required lot AREA shall be: a. 20,000 square feet if served by a connected PUBLIC SANITARY SEWER SYSTEM; or b. 30,000 square feet plus 7,000 square feet per resident if not served by a connected PUBLIC SANITARY SEWER SYSTEM. 4. The proposed RESIDENTIAL RECOVERY CENTER shall be operated as follows: a. A responsible and qualified staff person must be onsite to provide supervision 24 hours per day, seven days per week; and b. All onsite food service shall be compliant with the <i>Champaign County Health Ordinance</i> ; and c. The RESIDENTIAL RECOVERY CENTER must be operated in conformance with the Alcoholism and Other Drug Abuse and Dependency Act (20 ILCS 301/) including any required license. 5. No person may occupy a RESIDENTIAL RECOVERY CENTER until a qualified inspector (as defined in 20 ILCS 3105/10.09-1) files a certification that the building complies with the 2006 edition of the International Building Code.										
Resort or Organized CAMP	NR	5	(1)	(1)	(1)	100	100	100	50	50	
RESTRICTED LANDING AREA	NR	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	*See below

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**SECTION 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES OF SPECIAL USES -
CONTINUED**

SPECIAL USES or USE Categories	Minimum Fencing Required ⁶	Minimum LOT Size		Maximum HEIGHT		Required YARDS (feet)					Explanatory or Special Provisions	
		AREA (Acres)	Width (feet)	Feet	Stories	Front Setback from STREET Centerline ²			SIDE	REAR		
						MAJOR	COLLECTOR	MINOR				
												<ol style="list-style-type: none"> *1. Must meet the requirements of the Federal Aviation Administration and Illinois Department of Transportation, Division of Aeronautics. 2. The RESTRICTED LANDING AREA shall provide for a runway plus a runway safety area both located entirely on the LOT. The runway safety area is an area centered 120 feet wide and extending 240 feet beyond each end of the runway. 3. No part of a BUILDING or STRUCTURE intended for regular human occupancy located within a R or B DISTRICT nor any PUBLIC ASSEMBLY or INSTITUTIONAL USE may be located: 1) within the Primary Surface, an area 250 feet wide centered on the runway centerline and extending 200 feet beyond each end of the runway; or 2) the Runway Clear Zones, trapezoidal areas centered on the extended runway centerline at each end of the primary surface 250 feet wide at the end of the primary surface and 450 feet wide at a point 1,000 feet from the Primary Surface. 4. After a RESTRICTED LANDING AREA is established, the requirements in Section 4.3.8 and Footnote 11 in Section 5.3 shall apply. 5. The minimum separation to the nearest CR DISTRICT shall be a rectangular area encompassing 1,500 linear feet measured outward from the end of the runway and 500 linear feet measured outward from the side edge of the runway extended by 1,500 feet. 6. No part of the runway may be closer than 1,320 feet from the nearest DWELLING under different ownership than the RESTRICTED LANDING AREA. 7. No part of the runway may be closer than 280 feet from the nearest PROPERTY under different ownership than the RESTRICTED LANDING AREA. 8. The requirement of Section 4.3.8 notwithstanding, any BUILDING or STRUCTURE or USE of LOT established after a RESTRICTED LANDING AREA is established is not required to comply with Standard Conditions 6 or 7 for a RESTRICTED LANDING AREA and no Special Use Permit shall be required provided there is compliance with Standard Condition 3 for a RESTRICTED LANDING AREA.
Riding Stable	*See below	1	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	**See below	<p>* 5'0" high; posts equivalent to 4"x4" timber located 8'0" apart with rails equivalent to 2"x6" timber or wire stock panels 8'0" apart with three rails.</p> <p>** Not permitted within 100' of any R DISTRICT or residential or INSTITUTIONAL USE.</p>
Sewage Disposal Plant ⁴	8' solid	4	(1)	(1)	(1)	150	150	150	100	100	*See below	* Not permitted closer than 500' from any R or B DISTRICT or any residential, INSTITUTIONAL or PUBLIC ASSEMBLY USE.
Slaughterhouse	NR	3	(1)	(1)	(1)	100	100	100	50	50	*See below	* Not permitted closer than 500' from any R or B DISTRICT, or any residential or PUBLIC ASSEMBLY USE.
SMALL SCALE METAL FABRICATING SHOPS	NR	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	*See below	* Subject to limitations applicable to RURAL HOME OCCUPATIONS.
Spires, belfries, chimneys, ventilators, skylights, water tanks, silos, and other necessary mechanical appurtenances over 100 feet in HEIGHT	NR	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	*See below	* Spires, belfries, chimneys, ventilators, skylights, water tanks, silos, and other necessary mechanical appurtenances shall conform to the standards of the Federal Aviation Administration and the Illinois Department of Transportation, Division of Aeronautics.

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**SECTION 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES OF SPECIAL USES -
CONTINUED**

SPECIAL USES or USE Categories	Minimum Fencing Required ⁶	Minimum LOT Size		Maximum HEIGHT		Required YARDS (feet)					Explanatory or Special Provisions
		AREA (Acres)	Width (feet)	Feet	Stories	Front Setback from STREET Centerline ²			SIDE	REAR	
						STREET Classification MAJOR	COLLECTOR	MINOR			
Stadium or Coliseum	NR	10	(1)	(1)	(1)	100	100	100	50	50	
Temporary Real Estate Sales or Rental Office, Model Home or Apartment	NR	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	Permits must be renewed annually.
TRAVEL TRAILER CAMP	NR	5	(1)	(1)	(1)	100	100	100	50	50	
Truck Terminal	6' wire mesh	1/2	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	*See below
* Not permitted closer than 200' from any R DISTRICT or residential USE.											
VETERINARY HOSPITAL	NR	1	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	*See Below
<p>* Enclosed VETERINARY HOSPITALS shall not permit animals to be kept either temporarily or permanently outside the HOSPITAL BUILDINGS. One SINGLE FAMILY DWELLING may be permitted on the site provided it is for occupancy by the OWNER or employee of the VETERINARY HOSPITAL.</p> <p>* VETERINARY HOSPITALS where animals are kept temporarily or permanently outside of the KENNEL shall adhere to the following requirements:</p> <ol style="list-style-type: none"> 1) Provide a 6' wire mesh fence to encompass outdoor animal exercise and/or training areas. 2) Any outdoor animal exercise, training and/or animal waste disposal facility area shall be no less than 200' from any adjacent residential or business DISTRICT. 											
Water Treatment Plant	6' wire mesh	5	(1)	(1)	(1)	100	100	100	50	50	
WIND TURBINE TOWER, BIG	NR	(1)	(1)	See par. 6.1.4 D.6.		See par. 6.1.4 C.5.			See par. 6.1.4 C.6.		*See below
<p>*1. No BIG WIND TURBINE TOWER shall be located on the following areas:</p> <ol style="list-style-type: none"> A. Less than one-and-one-half miles from an incorporated municipality that has a zoning ordinance. B. In any area leased for underground gas storage or under easement for same, unless the lease or easement requires that gas injection wells and other above-ground appurtenances be located in conformance with paragraph 6.1.4 C.9. C. Less than one mile from the CR, Conservation Recreation Zoning DISTRICT. <p>2. The SPECIAL USE Permit for a BIG WIND TURBINE TOWER shall include all land area within 1,320 feet of a public STREET RIGHT-OF-WAY that is also within 1,000 feet from the base of each BIG WIND TURBINE TOWER except that in the case of BIG WIND TURBINE TOWER in compliance with the minimum STREET separation required by paragraph 6.1.4 C.5. in which case land on the other side of the public STREET RIGHT-OF-WAY does not have to be included in the SPECIAL USE Permit.</p> <p>3. The requirements of paragraphs 6.1.4 C. through 6.1.4 S. with the exception of paragraphs 6.1.5 E., L., and Q., shall apply.</p> <p>4. For purposes of applying paragraphs 6.1.4 C. through 6.1.4 S. to a BIG WIND TURBINE TOWER, PARTICIPATING DWELLING or PARTICIPATING PRINCIPAL USE shall mean a DWELLING or PRINCIPAL USE that is on the same land and under the same ownership as the BIG WIND TURBINE TOWER and NON-PARTICIPATING DWELLING or NON-PARTICIPATING PRINCIPAL USE shall mean a DWELLING or PRINCIPAL USE that is not on the same land as the BIG WIND TURBINE TOWER and in under different ownership than the BIG WIND TURBINE TOWER.</p>											

**SECTION 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES OF SPECIAL USES -
CONTINUED**

Footnotes

1. Standard same as applicable zoning DISTRICT.
2. In no case, however, shall the FRONT YARD, measured from the nearest RIGHT-OF-WAY line, be less than 35' from a MAJOR STREET, 30' from a COLLECTOR STREET, or 25' from a MINOR STREET. Where 25% or more of the LOTS within a BLOCK, such LOTS abutting STREETS other than federal or state highways where occupied by MAIN or PRINCIPAL STRUCTURES prior to the effective date of this ordinance, the average of the SETBACK LINES of such STRUCTURES shall be the minimum SETBACK LINE of the remaining vacant LOTS within such BLOCK except where the public health, safety, comfort, morals, or welfare are endangered.
3. Other standards shall be in accordance with the "State of Illinois Environmental Protection Agency Solid Waste Rules and Regulations," effective July 27, 1973.
4. Applications for sewage disposal facilities shall include plans for such facilities prepared by a registered professional engineer. All plans shall include assurance that the proposed facilities will not be subject to flooding, will not contaminate ground water resources, and any other assurances that may be required by the BOARD. All sewage disposal facilities shall be constructed in accordance with the rules and regulations of the State of Illinois and this ordinance.
5. Industrial Pre-existing USES must make application to obtain SPECIAL USE status.
6. The specific location and area to be enclosed by required fencing shall be determined by the BOARD.

6.1.4 WIND FARM County BOARD SPECIAL USE Permit

A WIND FARM County BOARD SPECIAL USE Permit may only be authorized in the AG-1, Agriculture Zoning DISTRICT subject to the following conditions:

- A. General Standard Conditions
 1. The area of the WIND FARM County Board SPECIAL USE Permit must include the following minimum areas:
 - a. All land that is a distance equal to 1.10 times the total WIND FARM TOWER height (measured to the tip of the highest rotor blade) from the base of that WIND FARM TOWER.
 - b. All land that will be exposed to a noise level greater than that authorized to Class A land under paragraph 6.1.4I.
 - c. 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.
 - d. All necessary WIND FARM ACCESSORY STRUCTURES including electrical distribution lines, transformers, common switching stations, and substations not under the ownership of a PUBLICLY REGULATED UTILITY. For purposes of determining the minimum area of the SPECIAL USE Permit, underground cable installations shall be provided a minimum 40 feet wide area.
 - e. All land that is within 1.50 times the total WIND FARM TOWER height (measured to the tip of the highest rotor blade) from the base of each WIND FARM TOWER except any such land that is more than 1,320 feet from any existing public STREET right of way.
 - f. All land area within 1,320 feet of a public STREET RIGHT OF WAY that is also within 1,000 feet from the base of each WIND FARM TOWER except that in the case of WIND FARM TOWERS in compliance with the minimum STREET separation required by paragraph 6.1.4C5. in which case land on the other side of the public STREET right of way does not have to be included in the SPECIAL USE Permit.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

2. The WIND FARM County Board SPECIAL USE Permit shall not be located in the following areas:
 - a. Less than one-and-one-half miles from an incorporated municipality that has a zoning ordinance.
 - b. Less than one mile from the CR, Conservation-Recreation Zoning DISTRICT.
 - c. In any area leased for underground gas storage or under easement for same, unless the lease or easement requires that gas injection wells and other above-ground appurtenances be located in conformance with paragraph 6.1.4C9.
 3. 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.
 4. 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 6.1.4R.
- B. Minimum Lot Standards
1. There are no minimum LOT AREA, AVERAGE LOT WIDTH, SETBACK, YARD, or maximum LOT COVERAGE requirements for a WIND FARM or for LOTS for WIND FARM TOWERS, substations, and WIND FARM maintenance and management facilities.
- C. Minimum Standard Conditions for Separations for WIND FARM TOWERS from adjacent USES and STRUCTURES.

The location of each WIND FARM TOWER shall provide the following required separations as measured from the exterior of the above ground portion of the WIND FARM TOWER:

1. At least 1,000 feet separation from the exterior above-ground base of a WIND FARM TOWER to any PARTICIPATING DWELLING OR PRINCIPAL BUILDING provided that the noise level caused by the WIND FARM at the particular building complies with the applicable Illinois Pollution Control Board regulations.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT – CONTINUED

2. At least 1,200 feet separation from the exterior above-ground base of a WIND FARM TOWER to any existing NON-PARTICIPATING DWELLING OR PRINCIPAL BUILDING provided that the noise level caused by the WIND FARM at the particular building complies with the applicable Illinois Pollution Control Board regulations and provided that the separation distance meets or exceeds any separation recommendations of the manufacturer of the wind turbine used on the WIND FARM TOWER.
3. The above separations may be reduced to a distance no less than 1.10 times the total WIND FARM TOWER height (measured to the tip of the highest rotor blade) upon submission of a PRIVATE WAIVER signed by the owner of said DWELLING or BUILDING or adjacent property. The PRIVATE WAIVER must specify the agreed minimum separation and specifically acknowledge that the grantor accepts the resulting noise level caused by the WIND FARM.
4. A separation distance equal to 1.10 times the total WIND FARM TOWER height (measured to the tip of the highest rotor blade) from the exterior above-ground base of a WIND FARM TOWER to the nearest adjacent property line for property that is also part of the WIND FARM County Board SPECIAL USE Permit. This separation may be reduced upon submission of a PRIVATE WAIVER signed by the owner of the adjacent property. The PRIVATE WAIVER must specify the agreed minimum separation.
5. A separation distance equal to 1.50 times the total WIND FARM TOWER height (measured to the tip of the highest rotor blade) from the exterior above-ground base of a WIND FARM TOWER to the nearest public STREET RIGHT OF WAY unless the WIND FARM is located on both sides of the STREET in which case the minimum separation distance between a WIND FARM TOWER and the public STREET RIGHT OF WAY is equal to 1.10 times the total WIND FARM TOWER height (measured to the tip of the highest rotor blade).
6. A separation distance equal to 1.50 times the total WIND FARM TOWER height (measured to the tip of the highest rotor blade) from the exterior above-ground base of a WIND FARM TOWER to the nearest non-participating property. This separation may be reduced upon submission of a PRIVATE WAIVER signed by the owner of said non-participating property. The PRIVATE WAIVER must specify the agreed minimum separation.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

7. A separation distance equal to 1.10 times the total WIND FARM TOWER height (measured to the tip of the highest rotor blade) from the exterior above-ground base of a WIND FARM TOWER to the nearest easement for a GAS PIPELINE or HAZARDOUS LIQUID PIPELINE, and easement for an underground water main or to the actual water main if there is no easement, third party electrical transmission lines, communication towers, or railroad right of way. This separation may be reduced upon submission of a PRIVATE WAIVER signed by the owner of said electrical transmission line or communication tower or the pipeline or the relevant public street maintenance jurisdiction. The PRIVATE WAIVER must specify the agreed minimum separation.
8. Any PRIVATE WAIVER establishing an agreement for a lesser minimum separation as authorized above shall be submitted prior to the final determination by the Board and must be recorded as part of the chain of title in the deed to any relevant tract of land prior to authorization of any relevant ZONING USE PERMIT. No waiver of a standard condition shall be required in the event of a duly agreed and signed PRIVATE WAIVER.
9. At least 1,200 feet separation from the exterior above-ground base of a WIND FARM TOWER to any wellhead or other above ground fixture that is accessory to a GAS PIPELINE or to any valve or other above ground fixture for any HAZARDOUS LIQUID PIPELINE, provided however, that if the relevant PIPELINE IMPACT RADIUS required by paragraph 4.3.4H. is greater than 1,200 feet then that PIPELINE IMPACT RADIUS shall be the minimum separation of any of the above. This separation may be reduced upon submission of a PRIVATE WAIVER signed by the owner of said pipeline. The PRIVATE WAIVER must specify the agreed minimum separation.
10. At least 1,600 feet separation from the exterior above-ground base of a WIND FARM TOWER to any Liquefied Natural Gas Storage; or Liquefied Petroleum Gas Storage; or Gasoline and Volatile Oils Storage exceeding 10,000 gallons capacity in the aggregate.
11. For any legal RESTRICTED LANDING AREA that existed on or for which there had been a complete SPECIAL USE Permit application received by April 22, 2010, there shall be a separation from the runway to the nearest tip of a blade of the nearest WIND FARM TOWER as follows:
 - a. The separation from the sides and ends of the runway shall be seven horizontal feet for each one foot of overall WIND FARM TOWER HEIGHT.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

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

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

- e. Conformance of any relocation of drainage district tile with the *Champaign County Stormwater Management Policy* shall be certified by an Illinois Professional Engineer. Written approval by the drainage district shall be received prior to any backfilling of the relocated drain tile and a copy of the approval shall be submitted to the Zoning Administrator. As-built drawings shall be provided to both the relevant drainage district and the Zoning Administrator of any relocated district tile.
 - f. All tile lines that are damaged, cut, or removed shall be staked or flagged in such manner that they will remain visible until the permanent repairs are completed.
 - g. All exposed tile lines shall be screened or otherwise protected to prevent the entry into the tile of foreign materials, loose soil, small mammals, etc.
 - h. Permanent tile repairs shall be made within 14 days of the tile damage provided that weather and soil conditions are suitable or a temporary tile repair shall be made. Immediate temporary repair shall also be required if water is flowing through any damaged tile line. Temporary repairs are not needed if the tile lines are dry and water is not flowing in the tile provided the permanent repairs can be made within 14 days of the damage. 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 6.1.4R. and shall not be waived or modified except as authorized in the SPECIAL USE Permit.
 - i. All damaged tile shall be repaired so as to operate as well after construction as before the construction began.
 - j. Following completion of the WIND FARM construction the applicant shall be responsible for correcting all tile line repairs that fail, provided that the failed repair was made by the applicant.
3. All soil conservation practices (such as terraces, grassed waterways, etc.) that are damaged by WIND FARM construction and/or decommissioning shall be restored by the applicant to the pre-WIND FARM construction condition in a manner consistent with the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.4R.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

4. Topsoil replacement

For any open trenching required pursuant to WIND FARM construction, the topsoil shall be stripped and replaced as follows:

- a. The top 12 inches of topsoil shall first be stripped from the area to be trenched and from an adjacent area to be used for subsoil storage. The topsoil shall be stored in a windrow parallel to the trench in such a manner that it will not become intermixed with subsoil materials.
- b. All subsoil material that is removed from the trench shall be placed in the second adjacent stripped windrow parallel to the trench but separate from the topsoil windrow.
- c. In backfilling the trench, the stockpiled subsoil material shall be placed back into the trench before replacing the topsoil.
- d. The topsoil must be replaced such that after settling occurs, the topsoil's original depth and contour (with an allowance for settling) will be restored.
- 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 6.1.4R.

5. Mitigation of soil compaction and rutting

- a. The applicant shall not be responsible for mitigation of soil compaction and rutting if exempted by the WIND FARM lease.
- b. Unless specifically provided for otherwise in the WIND 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.
- 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 6.1.4R.

6. Land leveling

- a. The applicant shall not be responsible for leveling of disturbed land if exempted by the WIND FARM lease.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

- b. Unless specifically provided for otherwise in the WIND FARM lease, the applicant shall level all disturbed land as follows:
 - (1) Following the completion of any open trenching, the applicant shall restore all land to its original pre-construction elevation and contour.
 - (2) 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.
 - c. All land leveling shall be consistent with the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.4R.
7. Permanent Erosion and Sedimentation Control Plan
- a. Prior to the approval of any Zoning Use Permit, the Applicant shall provide a permanent soil erosion and sedimentation plan for all WIND FARM TOWER sites and access roads that conforms to the relevant Natural Resources Conservation Service guidelines and that is prepared by an Illinois Licensed Professional Engineer.
 - b. As-built documentation of all permanent soil erosion and sedimentation improvements for all WIND FARM TOWER sites and access roads prepared by an Illinois Licensed Professional Engineer shall be submitted and accepted by the Zoning Administrator prior to approval of any Zoning Compliance Certificate.
- F. Standard Conditions for Use of Public STREETS

Any WIND FARM applicant proposing to use any County Highway or township or municipal STREET for the purpose of transporting WIND FARM TOWERS or Substation parts and/or equipment for construction, operation, or maintenance of the WIND FARM TOWERS or Substation(s), shall identify all such public STREETS and pay the costs of any necessary permits and costs to repair any damage to the STREETS caused by the WIND FARM construction, as follows:

- 1. The Applicant shall enter into a Roadway Upgrade and Maintenance agreement approved by the County Engineer; or Township Highway Commissioner; or municipality where relevant. Agreements with the County Engineer shall not be forwarded to the County Board before the WIND FARM SPECIAL USE permit is forwarded. All other agreements shall be executed prior to the close of the public hearing before the

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

BOARD. The signed and executed Roadway Upgrade and Maintenance agreements must provide for the following minimum conditions:

- a. The applicant shall agree to conduct a pre-WIND FARM construction baseline survey to determine existing STREET conditions for assessing potential future damage including the following:
 - (1) A videotape of the affected length of each subject STREET supplemented by photographs if necessary.
 - (2) Pay for costs of the County to hire a consultant to make a study of any structure on the proposed route that the County Engineer feels may not carry the loads likely during the WIND FARM construction.
 - (3) Pay for any strengthening of STREET structures that may be necessary to accommodate the proposed traffic loads caused by the WIND FARM construction.
- b. The applicant shall agree to pay for costs of the County Engineer to hire a consultant to make a study of any structure on the proposed route that the County Engineer feels may not carry the loads likely during the WIND FARM construction and pay for any strengthening of structures that may be necessary to accommodate the proposed traffic loads caused by the WIND FARM construction.
- c. The applicant shall agree upon an estimate of costs for any other necessary roadway improvements prior to construction.
- d. The applicant shall obtain any necessary approvals for the STREET improvements from the relevant STREET maintenance authority.
- e. The applicant shall obtain any necessary Access Permits including any required plans.
- f. The applicant shall erect permanent markers indicating the presence of underground cables.
- g. The applicant shall install marker tape in any cable trench.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

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

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

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

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

- bb. Provisions for expiration date on the agreement.
 - cc. Other conditions that may be required.
2. A condition of the County Board SPECIAL USE Permit approval shall be that the Zoning Administrator shall not authorize a Zoning Use Permit for the WIND FARM until the County Engineer and State's Attorney; or Township Highway Commissioner; or municipality where relevant, has approved a Transportation Impact Analysis provided by the applicant and prepared by an independent engineer that is mutually acceptable to the applicant and the County Engineer and State's Attorney; or Township Highway Commissioner; or municipality where relevant, that includes the following:
- a. Identify all such public STREETS or portions thereof that are intended to be used by the applicant during construction of the WIND FARM as well as the number of loads, per axle weight of each load; and type of equipment that will be used to transport each load.
 - b. A schedule of the access road culverts and bridges affected by the project and the recommendations as to actions, if any, required with respect to such culverts and bridges and estimates of the cost to replace such culverts and bridges.
 - c. A schedule of the anticipated STREET repair costs to be made in advance of the WIND FARM construction and following construction of the WIND FARM.
 - d. The applicant shall reimburse the County Engineer; or Township Highway Commissioner; or municipality where relevant, for all reasonable engineering fees including the costs of a third party consultant, incurred in connection with the review and approval of the Transportation Impact Analysis.
3. At such time as decommissioning takes place the Applicant or its successors in interest shall enter into a Roadway Use and Repair Agreement with the appropriate highway authority.
- G. Standard Conditions for Coordination with Local Fire Protection District
- 1. The applicant shall submit to the local fire protection district a copy of the site plan.
 - 2. Upon request by the local fire protection district, the Owner or Operator shall cooperate with the local fire protection district to develop the fire protection district's emergency response plan.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

3. Nothing in this section shall alleviate the need to comply with all other applicable fire laws and regulations.

H. Standard Conditions to Mitigate Electromagnetic Interference

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

I. Standard Conditions for Allowable Noise Level

1. Noise levels from each WIND FARM TOWER or WIND FARM shall be in compliance with the applicable Illinois Pollution Control Board (IPCB) regulations (35 *Illinois Administrative Code* Subtitle H: Noise Parts 900, 901, 910).
2. The applicant shall submit manufacturer's wind turbine sound power level characteristics and other relevant data regarding wind turbine noise characteristics necessary for a competent noise analysis.
3. The applicant, through the use of a qualified professional, as part of the siting approval application process, shall appropriately demonstrate compliance with the above noise requirements.
4. The applicant shall submit a map of the relevant noise contours for the proposed WIND FARM and indicate the proposed WIND FARM TOWERS and all existing PRINCIPAL BUILDINGS within at least 1,500 feet of any WIND FARM TOWER or within the coverage of the relevant noise contours.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

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

J. Standard Conditions for Endangered Species Consultation

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

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

K. Standard Conditions for Historic and Archaeological Resources Review

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

L. Standard Conditions for Acceptable Wildlife Impacts

1. The WIND 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 including the following:
 - a. Avoid locating WIND FARM TOWERS in known bird and bat migration pathways and daily movement flyways and known hibernacula and flight paths between bat colonies and bat feeding areas.
 - b. Site WIND FARM TOWERS and design mitigation measures in a manner that will achieve a level of mortality to birds and bats that will protect sustainability of populations.
2. A qualified professional, such as an ornithologist or wildlife biologist, shall conduct a pre-construction site risk assessment study to estimate the impacts of the construction and operation of the proposed WIND FARM on birds and bats. The pre-construction site risk shall be submitted with the application and shall include the following minimum information:
 - a. A literature review of existing information on species and potential habitats and results of agency database queries or records of rare, threatened, and endangered species and important habitats in the vicinity of the proposed WIND FARM area.
 - b. A mapping of the general vegetation and land cover types, wildlife habitat and quality, and physical characteristics of the proposed WIND FARM area.
 - c. A field examination that verifies results of the literature review and agency queries and documents general site habitat conditions.
 - d. A review of existing literature of avian and bat mortality field results within North America and in similar physiographic settings as the proposed WIND FARM.
 - e. If the risk assessment indicated risk may be low, no further surveys are required.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

- f. If the risk assessment indicates risk may be high enough to potentially adversely affect the sustainability of bird or bat populations, a full year of site specific bird and bat use surveys may be required to address those species and conditions representing high risk from the beginning of the spring migration for birds or bats, and extending through the end of the fall migration for birds or bats and include both the spring and fall migration for both birds and bats in the proposed WIND FARM area.
 - g. The site specific bird and bat use surveys may include surveys focused upon state or federal threatened or endangered or sensitive-status species in the proposed WIND FARM area during the appropriate seasons to determine the potential adverse impact.
 - h. The results of the surveys shall be used to design siting and mitigation measures to lower risk to a sustainable level of mortality.
3. A qualified professional, such as an ornithologist or wildlife biologist, shall also conduct a post-construction mortality monitoring study to quantify the mortality impacts of the WIND FARM on birds and bats. The post-construction mortality monitoring study shall consist of the following information at a minimum:
- a. At least two full years of site specific mortality monitoring from the beginning of the spring migration for birds or bats, and extend through the end of the fall migration for birds or bats and include both the spring and fall migration for both birds and bats in the immediate vicinity of some or all of the WIND FARM TOWERS.
 - b. The application shall include a specific proposal for the degree of precision of the mortality monitoring study including how many days the monitoring is done, at how many towers, for how long each day, and at what radius around the tower, and the extent of monitoring outside of the spring and fall migrations.
 - c. A written report on avian and bat mortality shall be submitted to the Environment and Land Use Committee at the end of the first two full years of WIND FARM operations. The mortality rate estimates should reflect consideration of carcass removal by scavengers and predators.
 - d. If the Environment and Land Use Committee determines the mortality level does not threaten the population of protected species, no further post-construction mortality monitoring will be required.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

- e. If the Environment and Land Use Committee determines there are legitimate mortality to bird or bat species indicated by the post-construction mortality monitoring study shall continue in full year increments until the monitoring indicates that the mortality concerns are resolved. When mortality concerns cannot be resolved in any other way, the Environment and Land Use Committee may require particular WIND FARM TOWERS to be shut down to lower mortality of birds or bats to an acceptable level.

M. Standard Conditions for Shadow Flicker

- 1. The applicant shall submit the results of a study on potential shadow flicker. The shadow flicker study shall identify the locations of both summer and winter shadow flicker that may be caused by the project with an expected duration of 30 hours or more per year.
- 2. Shadow flicker that exceeds the above standards shall be mitigated by any means such as landscaping, awnings, or fencing.

N. Standard Condition for Liability Insurance

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

O. Operational Standard Conditions

- 1. Maintenance
 - a. The Owner or Operator of the WIND FARM must submit, on an annual basis, a summary of the operation and maintenance reports to the Environment and Land Use Committee and any other operation and maintenance reports as the Environment and Land Use Committee reasonably requests.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

- b. A stipulation that the applicant shall agree that the sale, assignment in fact or at law, or such other transfer of applicant's financial interest in the WIND FARM shall in no way affect or change applicant's obligation to continue to comply with the terms of this agreement. Any successor or assignee shall assume the terms, covenants and obligations of this Agreement and agrees to assume all reclamation liability and responsibility for the WIND FARM.
- c. Authorization for the GOVERNING BODY and its authorized representatives for right of entry onto the WIND FARM premises for the purpose of inspecting the methods of reclamation or for performing actual reclamation if necessary.
- d. A stipulation that at such time as decommissioning takes place, the Applicant or its successors in interest are required to enter into a Roadway Use and Repair Agreement with the relevant highway authority.
- e. A stipulation that the Applicant shall provide evidence of any new, additional, or substitute financing or security agreement to the Zoning Administrator throughout the operating lifetime of the project.
- f. A stipulation that the Applicant shall be obliged to perform the work in the site reclamation plan before abandoning the WIND FARM or prior to ceasing production of electricity from the WIND FARM, after it has begun, other than in the ordinary course of business. This obligation shall be independent of the obligation to pay financial assurance, and shall not be limited by the amount of financial assurance. The obligation to perform the reclamation work shall constitute a covenant running with the land.
- g. The site reclamation plan shall provide for payment of any associated costs that Champaign County may incur in the event that decommissioning is actually required. Associated costs include all administrative and ancillary costs associated with drawing upon the financial assurance and performing the reclamation work and shall include but not be limited to attorney's fees; construction management and other professional service fees; and the costs of preparing request for proposals and bidding documents required to comply with State law or Champaign County purchasing policies.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

- h. The depth of removal of foundation concrete below ground shall be a minimum of 54 inches. The depth of removal of foundation concrete shall be certified in writing by an Illinois Licensed Professional Engineer and the certification shall be submitted to the Zoning Administrator.
- i. The hole resulting from the removal of foundation concrete during decommissioning shall be backfilled as follows:
 - (1) 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 WIND 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.
 - (2) The native soils excavated at the time of the original WIND 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 WIND FARM. The methods for storing the excavated native soils during the operating lifetime of the WIND FARM shall be included in the site reclamation plan.
 - (3) If the excavated native soils are not stored for use for backfilling the concrete foundation excavations, a qualified soil scientist or 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.
 - (4) 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.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

- j. A stipulation that should the site reclamation plan be deemed invalid by a court of competent jurisdiction the WIND FARM SPECIAL USE Permit shall be deemed void.
 - k. A stipulation that the Applicant's obligation to complete the site reclamation plan and to pay all associated costs shall be independent of the Applicant's obligation to provide financial assurance.
 - l. A stipulation that the liability of the Applicant's failure to complete the site reclamation plan or any breach of the site reclamation plan requirement shall not be capped by the amount of the financial assurance.
 - m. If the Applicant desires to remove equipment or property credited to the estimated salvage value without the concurrent replacement of the property with property of equal or greater salvage value or if the Applicant installs equipment or property increasing the cost of decommissioning after the WIND FARM begins to produce electricity, at any point, the Applicant shall first obtain the consent of the Zoning Administrator. If the Applicant's lien holders remove equipment or property credited to the salvage value the Applicant shall promptly notify the Zoning Administrator. In either of these events the total financial assurance shall be adjusted to reflect any change in total salvage value and total decommissioning costs resulting from any such removal or installation.
4. To comply with paragraph 6.1.1A.5., the Applicant shall provide financial assurance in the form of an irrevocable letter of credit and an escrow account as follows:
- a. At the time of SPECIAL USE Permit approval the amount of financial assurance to be provided for the site reclamation plan shall be 210% of the decommissioning costs as determined in the independent engineer's cost estimate to complete the decommissioning work described in Section 6.1.1 A.4.a. and 6.1.1A.4.b and 6.1.1A.4.c.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

- b. Net salvage value may be deducted from decommissioning costs as follows:
 - (1) One of the following standards shall be met:
 - i. The Applicant shall maintain the WIND FARM TOWERS free and clear of liens and encumbrances, including financing liens and shall provide proof of the same prior to issuance of the SPECIAL USE Permit; or
 - ii. The Applicant shall deduct from the salvage value credit the amount of any lien or encumbrance on each WIND FARM TOWER; or
 - iii. Any and all financing and/or financial security agreements entered into by the Applicant shall expressly provide that the agreements are subject to the covenant required by Section 6.1.1A.2 that the reclamation work be done.
 - (2) The applicant shall provide proof of compliance with paragraph 6.1.4 P.4(b)(1) prior to issuance of any Zoning Use Permit and upon every renewal of the financial assurance and at any other time upon the request of the Zoning Administrator.
 - (3) The Applicant shall provide in the site reclamation plan for legal transfer of the STRUCTURE to the demolisher to pay the costs of reclamation work, should the reclamation work be performed.
 - (4) The net estimated salvage value that is deducted from the estimated decommissioning costs shall be the salvage value that results after all related costs for demolition and any required preparation for transportation for reuse or recycling or for simple disposal and other similar costs including but not limited to the decommissioning of the tower, the hub assembly, the bed plate, the nacelle, the turbine, the blades, the tower cabling and internal wiring, the transformers, the foundation, the access roads.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT – CONTINUED

- (5) Estimated salvage value shall be based on the average salvage price of the past five years as published in a reputable source for salvage values and shall reflect sound engineering judgment as to anticipated changes in salvage prices prior to the next update of estimated net salvage value.
 - (6) The deduction from the estimated decommissioning costs for net estimated salvage value shall be capped at 70% of the total net estimated salvage value even though the total actual salvage value shall be available in the event that decommissioning is actually required.
 - (7) The credit for net estimated salvage value attributable to any WIND FARM TOWER may not exceed the estimated cost of removal of the above-ground portion of that WIND FARM TOWER on the subject site.
- c. The GOVERNING BODY has the right to require multiple letters of credit based on the regulations governing federal insurance for deposits.
- d. The Applicant shall adjust the amount of the financial assurance to ensure that it reflects current and accurate information as follows:
- (1) At least once every three years for the first 12 years of the financial assurance and at least once every year thereafter the Applicant shall use an independent Illinois Licensed Professional Engineer to provide updated estimates of decommissioning costs and salvage value, by including any changes due to inflation and/or change in salvage price. The Applicant shall, upon receipt, provide a copy of the adjusted Professional Engineer's report to the Zoning Administrator.
 - (2) At all times the total combined value of the irrevocable letter of credit and the escrow account shall equal or exceed the amount of the independent engineer's cost estimate as increased by known and documented rates of inflation since the WIND FARM was approved; and an amount for any future years left in the anticipated 25 year life span of the WIND FARM at an assumed minimum rate of inflation of 3% per year.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

- e. The applicant or WIND FARM owner shall gradually pay down the value of the irrevocable letter of credit by placing cash deposits in an escrow account over the first 13 years of the WIND FARM operation as follows:
 - (1) The applicant or WIND FARM owner and the GOVERNING BODY shall agree on a mutually acceptable financial institution at which an escrow account shall be established.
 - (2) The GOVERNING BODY shall be the beneficiary of the escrow account for the purpose of the reclamation of the WIND FARM in the event that the WIND FARM owner is incapable of decommissioning the WIND FARM.
 - (3) The applicant or WIND FARM owner shall grant perfected security in the escrow account by use of a control agreement establishing the County as an owner of record, pursuant to the Secured Transit Article of the Uniform Commercial Code, 810 *ILCS* 9/101 *et seq.*
 - (4) The applicant or WIND FARM owner shall make annual deposits to the escrow account over a 12 year period and shall simultaneously provide a replacement irrevocable letter of credit that is reduced accordingly.
 - (5) At all times the total combined value of the irrevocable letter of credit and the escrow account shall be increased annually as necessary to reflect actual rates of inflation over the life span of the WIND FARM and the amount shall be equal to or exceed the following:
 - i. the amount of the independent engineer's cost estimate as increased by known and documented rates of inflation since the WIND FARM was approved; plus
 - ii. an amount for any future years left in the anticipated life span of the WIND FARM at an assumed minimum rate of inflation of 3% per year.
 - (6) Any interest accrued on the escrow account that is over and above the total value required by subparagraph 6.1.4 P.3.(b) (4) shall go to the WIND FARM owner.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

- (7) In order to provide funding for decommissioning at the time of decommissioning, the WIND FARM applicant or WIND FARM owner may exchange a new irrevocable letter of credit in an amount equal to the amount in the escrow account in exchange for the GOVERNING BODY agreeing to a release of the full amount of the escrow account.
 - f. Should the salvage value of components be adjusted downward or the decommissioning costs adjusted upward pursuant to paragraph 6.1.4P.4.(d), the amount to be placed in the escrow account pursuant to this paragraph 6.1.4P.4. shall be increased to reflect the adjustment, as if the adjusted estimate were the initial estimate.
 - g. Any financial assurance required per the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.4R. shall count towards the total financial assurance required for compliance with paragraph 6.1.1A.5.
5. In addition to the conditions listed in subparagraph 6.1.1A.9. the Zoning Administrator may also draw on the funds for the following reasons:
 - a. In the event that any WIND FARM TOWER or component thereof ceases to be functional for more than six consecutive months after it starts producing electricity and the Owner is not diligently repairing such WIND FARM TOWER or component.
 - b. In the event that the Owner declares any wind turbine or other component to be functionally obsolete for tax purposes.
 - c. There is a delay in the construction of any WIND FARM TOWER of more than 6 months after construction on that WIND FARM TOWER begins.
 - d. Any WIND FARM TURBINE appears in a state of disrepair or imminent collapse and/or creates an imminent threat to the health or safety of the public or any person.
 - e. Any WIND FARM TURBINE is otherwise derelict for a period of 6 months.
 - f. The WIND FARM is in violation of the terms of the WIND FARM SPECIAL USE permit for a period exceeding ninety (90) days.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

6. A copy of the telephone number hotline log shall be provided to the Zoning Administrator on a monthly basis.
 7. The applicant and Owner shall take necessary actions to resolve all legitimate complaints.
- R. Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture
1. If provided by state law, the Applicant shall enter into an Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.
 2. The Applicant shall bear full responsibility for coordinating any special conditions required in the SPECIAL USE Permit in order to ensure compliance with the signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.
 3. All requirements of the signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture shall become requirements of the COUNTY Board SPECIAL USE Permit.
 4. Champaign County shall have the right to enforce all requirements of the signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.
- S. Standard Condition for Expiration of WIND FARM County Board SPECIAL USE Permit
- A WIND FARM County Board SPECIAL USE Permit designation shall expire pursuant to any time limit included in the Roadway Upgrade and Maintenance agreement required by paragraph 6.1.4 G. or in 10 years if no Zoning Use Permit is granted.
- T. Application Requirements
1. In addition to all other information required on the SPECIAL USE Permit application and required by Section 9.1.1 A.2. the application shall contain or be accompanied by the following information:
 - a. A WIND FARM Project Summary, including, to the extent available:
 - (1) A general description of the project, including its approximate name plate generating capacity; the potential equipment manufacturer(s), type(s) of wind turbines, number of wind turbines, and name plate generating capacity of each wind turbine; the maximum height of the

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

WIND FARM TOWER(S); and the maximum diameter of the WIND FARM TOWER rotor(s).

- (2) The specific proposed location of the WIND FARM including all tax parcels on which the WIND FARM will be constructed.
 - (3) The specific proposed location of all tax parcels required to be included in the WIND FARM County Board SPECIAL USE Permit.
 - (4) A description of the applicant; Owner and Operator, including their respective business structures.
- b. The name(s), address(es), and phone number(s) of the applicant(s), Owner and Operator, and all property owner(s) for the WIND FARM County Board SPECIAL USE Permit.
- c. A site plan for the installation of all WIND FARM TOWERS indicating the following:
- (1) The approximate planned location of each WIND FARM TOWER, other PRINCIPAL STRUCTURES, property lines (including identification of adjoining properties), required separations, public access roads and turnout locations, substation(s), electrical cabling from the WIND FARM TOWER to the Substation(s), ancillary equipment, third party transmission lines, maintenance and management facilities, and layout of all structures within the geographical boundaries of any applicable setback.
 - (2) The site plan shall clearly indicate the area of the proposed WIND FARM County Board SPECIAL USE Permit as required by subparagraph 6.1.4 A.1.
 - (3) The separation of all WIND FARM structures from adjacent NON-PARTICIPATING DWELLINGS OR PRINCIPAL BUILDINGS or uses shall be shown or dimensioned on the approved site plan for the SPECIAL USE Permit unless the Board authorizes a lesser separation in a special condition of approval or any required and duly authorized waivers of paragraph 6.1.4C. Authorization of a separation of less than 90% of that indicated on the approved site plan for the SPECIAL USE Permit shall require an updated noise study meeting the requirements of paragraph 6.1.4I. to be submitted with the Zoning Use Permit application. WIND FARM structures include

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

WIND FARM TOWERS, substations, third party transmission lines, maintenance and management facilities, or other significant structures.

- d. The Applicant shall include a copy of the signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture with the Zoning Use Permit Application to authorize construction.
 - e. All other required studies, reports, certifications, and approvals demonstrating compliance with the provisions of this Ordinance.
2. The applicant shall notify the COUNTY of any changes to the information provided above that occurs while the County Board SPECIAL USE Permit application is pending.

6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM County BOARD SPECIAL USE Permit

A PHOTOVOLTAIC (PV) SOLAR FARM County BOARD SPECIAL USE Permit may only be authorized in the AG-1, Agriculture, Zoning DISTRICT or the AG-2, Agriculture, Zoning DISTRICT subject to the following standard conditions.

- A. In what follows, PV SOLAR FARM should be understood to include COMMUNITY PV SOLAR FARM unless specified otherwise in the relevant section or paragraph.
- B. General Standard Conditions
 - (1) The area of the PV SOLAR FARM County BOARD SPECIAL USE Permit must include the following minimum areas:
 - a. All land that will be exposed to a noise level greater than that authorized to Class A land as established by *35 Ill. Admin. Code Parts 900, 901 and 910* under paragraph 6.1.5I.
 - b. All necessary access lanes or driveways and any required new PRIVATE ACCESSWAYS. For purposes of determining the minimum area of the SPECIAL USE Permit, access lanes or driveways shall be provided a minimum 40 feet wide area.
 - c. All necessary PV SOLAR FARM STRUCTURES and ACCESSORY STRUCTURES including electrical distribution lines, inverters, transformers, common switching stations, and substations not under the ownership of a PUBLICLY REGULATED UTILITY and all waterwells that will provide water for the PV SOLAR FARM. For purposes of determining the minimum area of the SPECIAL USE Permit, underground cable installations shall be provided a minimum 40 feet wide area.
 - d. All aboveground STRUCTURES and facilities shall be of a type and shall be located in a manner that is consistent with the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5R.

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

- (2) The PV SOLAR FARM County BOARD SPECIAL USE Permit shall not be located in the following areas:
- a. Less than one and one-half miles from an incorporated municipality that has a zoning ordinance except for any power lines of 34.5 kVA or less and any related proposed connection to an existing substation. Any request for a waiver of this minimum separation shall include the following:
 - (a) No part of a PV SOLAR FARM shall be located within a contiguous growth area (CUGA) as indicated in the most recent update of the CUGA in the Champaign County Land Resource Management Plan, and there shall be a separation of one-half mile from a proposed PV SOLAR FARM to a municipal boundary at the time of application for the SPECIAL USE Permit.
 - (b) The ZONING ADMINISTRATOR shall notify in writing any municipality that is located within one and one-half miles from any proposed PV SOLAR FARM upon the receipt of any substantial PV SOLAR FARM SPECIAL USE permit application in addition to any notice otherwise required.
 - (c) The PV SOLAR FARM SPECIAL USE Permit application shall include documentation that the applicant has provided a complete copy of the SPECIAL USE Permit application to any municipality within one and one-half miles of the proposed PV SOLAR FARM.
 - (d) Municipal subdivision approval for any PV SOLAR FARM land lease exceeding five years may be required by any relevant municipal authority that has an adopted comprehensive plan and when required said subdivision approval shall be necessary for compliance with Section 13.2.1.
 - (e) The public hearing for any proposed PV SOLAR FARM that is located within one and one-half miles of a municipality that has a zoning ordinance shall occur at a minimum of two Board meetings that are not less than 28 days apart to provide time for municipal comments during the public hearing, unless the 28 day comment period is waived in writing by any relevant municipality.

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

- (f) For any proposed PV SOLAR FARM that is located within one and one-half miles of a municipality that has a zoning ordinance, the ZONING ADMINISTRATOR shall notify said municipality of the recommendation by the BOARD after the close of the public hearing.
- (g) After the initial review of the BOARD recommendation for the PV SOLAR FARM SPECIAL USE Permit by the Environment and Land Use Committee of the COUNTY BOARD, if the Environment and Land Use Committee makes a preliminary determination to accept the BOARD recommendation, the PV SOLAR FARM SPECIAL USE Permit shall remain at the Environment and Land Use Committee for a maximum 30-day comment period, or until the next regularly scheduled meeting, to allow comments regarding the PV SOLAR FARM SPECIAL USE Permit to be received from any relevant municipal authority prior to the Environment and Land Use Committee recommendation to the COUNTY BOARD, unless the municipal comment period is waived in writing by any relevant municipality. If a PV SOLAR FARM is not located within one and one-half miles of a municipality the Environment and Land Use Committee recommendation can be referred to the COUNTY BOARD without a comment period.
- (h) If no municipal resolution regarding the PV SOLAR FARM is received from any municipality located within one and one-half miles of the PV SOLAR FARM prior to the consideration of the PV SOLAR FARM SPECIAL USE Permit by the Champaign COUNTY BOARD, the ZONING ADMINISTRATOR shall provide documentation to the COUNTY BOARD that any municipality within one and one-half miles of the PV SOLAR FARM was provided notice of the meeting dates for consideration of the proposed PV SOLAR FARM SPECIAL USE Permit for both the Environment and Land Use Committee and the COUNTY BOARD.

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

- (3) Interconnection to the power grid
 - a. The PV SOLAR FARM SPECIAL USE Permit application shall include documentation that the applicant or PV SOLAR FARM is in the queue to acquire an interconnection agreement to the power grid.
 - b. Documentation of an executed interconnection agreement with the appropriate electric utility shall be provided prior to issuance of a Zoning Compliance Certificate to authorize operation of the PV SOLAR FARM.
- (4) Right to farm
 - a. The owners of the subject property and the Applicant, its successors in interest, and all parties to the decommissioning plan and site reclamation plan hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.
- C. Minimum LOT Standards
 - (1) There are no minimum LOT AREA, AVERAGE LOT WIDTH, SETBACK, YARD, or maximum LOT COVERAGE requirements for a PV SOLAR FARM or for LOTS for PV SOLAR FARM substations and/or for PV SOLAR FARM maintenance and management facilities.
 - (2) There is no maximum LOT AREA requirement on BEST PRIME FARMLAND.
- D. Minimum Standard Conditions for Separations for PV SOLAR FARM from adjacent USES and STRUCTURES

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

- (1) PV SOLAR FARM fencing shall be set back from the street centerline a minimum of 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 in no case shall the perimeter fencing be less than 10 feet from the RIGHT OF WAY of any STREET.

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

- (2) For properties participating in the solar farm: No required separation from any existing DWELLING or existing PRINCIPAL BUILDING except as required to ensure that a minimum zoning LOT is provided for the existing DWELLING or PRINCIPAL BUILDING.
- (3) For properties not participating in the solar farm:
 - a. For any adjacent LOT that is 10 acres or less in area (not including the STREET RIGHT OF WAY):
 - (a) For any adjacent LOT that is bordered (directly abutting and/or across the STREET) on no more than two sides by the PV SOLAR FARM, the separation shall be no less than 240 feet from the property line.
 - (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.
 - 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.
 - 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.

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

- (4) A separation of at least 500 feet from any of the following unless the SPECIAL USE Permit application includes results provided from an analysis using the Solar Glare Hazard Analysis Tool (SGHAT) for the Airport Traffic Control Tower cab and final approach paths, consistent with the Interim Policy, Federal Aviation Administration (FAA) Review of Solar Energy Projects on Federally Obligated Airports, or the most recent version adopted by the FAA, and the SGHAT results show no detrimental affect with less than a 500 feet separation from any of the following:
 - a. any AIRPORT premises or any AIRPORT approach zone within five miles of the end of the AIRPORT runway; or
 - b. any RESTRICTED LANDING AREA that is NONCONFORMING or which has been authorized by SPECIAL USE Permit and that existed on or for which there had been a complete SPECIAL USE Permit application received by April 22, 2010, or any approach zone for any such RESTRICTED LANDING AREA; or
 - c. any RESIDENTIAL AIRPORT that existed on or for which there had been a complete SPECIAL USE Permit application received by April 22, 2010, or any approach zone for any such RESIDENTIAL AIRPORT.
- (5) A separation of at least 500 feet between substations and transmission lines of greater than 34.5 kVA to adjacent dwellings and residential DISTRICTS.
- (6) Electrical inverters shall be located as far as possible from property lines and adjacent DWELLINGS consistent with good engineering practice. Inverter locations that are less than 275 feet from the perimeter fence shall require specific approval and may require special sound deadening construction and noise analysis.
- (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.
- (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.

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

E. Standard Conditions for Design and Installation of any PV SOLAR FARM.

- (1) Any building that is part of a PV SOLAR FARM shall include as a requirement for a Zoning Compliance Certificate, a certification by an Illinois Professional Engineer or Illinois Licensed Structural Engineer or other qualified professional that the constructed building conforms to Public Act 96-704 regarding building code compliance and conforms to the Illinois Accessibility Code.
- (2) Electrical Components
 - a. All electrical components of the PV SOLAR FARM shall conform to the National Electrical Code as amended and shall comply with Federal Communications Commission (FCC) requirements.
 - b. Burying power and communication wiring underground shall be minimized consistent with best management practice regarding PV SOLAR FARM construction and minimizing impacts on agricultural drainage tile.
- (3) Maximum Height. The height limitation established in Section 5.3 shall not apply to a PV SOLAR FARM. The maximum height of all above ground STRUCTURES shall be identified in the application and as approved in the SPECIAL USE Permit.
- (4) Warnings
 - a. A reasonably visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.
- (5) No construction may intrude on any easement or right-of-way for a GAS PIPELINE or HAZARDOUS LIQUID PIPELINE, an underground water main or sanitary sewer, a drainage district ditch or tile, or any other public utility facility unless specifically authorized by a crossing agreement that has been entered into with the relevant party.

F. Standard Conditions to Mitigate Damage to Farmland

- (1) All underground wiring or cabling for the PV SOLAR FARM shall be at a minimum depth 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.

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

- (2) Protection of agricultural drainage tile
- a. The applicant shall endeavor to locate all existing agricultural drainage tile prior to establishing any construction staging areas, construction of any necessary PV SOLAR FARM access lanes or driveways, construction of any PV SOLAR FARM STRUCTURES, any common switching stations, substations, and installation of underground wiring or cabling. The applicant shall contact affected landowners and tenants and the Champaign County Soil and Water Conservation District and any relevant drainage district for their knowledge of tile line locations prior to the proposed construction. Drainage districts shall be notified at least two weeks prior to disruption of tile.
 - b. The location of drainage district tile lines shall be identified prior to any construction and drainage district tile lines shall be protected from disturbance as follows:
 - (a) All identified drainage district tile lines and any known existing drainage district tile easement shall be staked or flagged prior to construction to alert construction crews of the presence of drainage district tile and the related easement.
 - (b) Any drainage district tile for which there is no existing easement shall be protected from disturbance by a 30 feet wide no-construction buffer on either side of the drainage district tile. The no-construction buffer shall be staked or flagged prior to the start of construction and shall remain valid for the lifetime of the PV SOLAR FARM SPECIAL USE Permit and during any deconstruction activities that may occur pursuant to the PV SOLAR FARM SPECIAL USE Permit.
 - (c) Construction shall be prohibited within any existing drainage district easement and also prohibited within any 30 feet wide no-construction buffer on either side of drainage district tile that does not have an existing easement unless specific construction is authorized in writing by all commissioners of the relevant drainage district. A copy of the written authorization shall be provided to the Zoning Administrator prior to the commencement of construction.

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

- 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.
- d. Any agricultural drainage tile that must be relocated shall be relocated as required in the Champaign County Storm Water Management and Erosion Control Ordinance.
- e. Conformance of any relocation of drainage district tile with the Champaign County Storm Water Management and Erosion Control Ordinance shall be certified by an Illinois Professional Engineer. Written approval by the drainage district shall be received prior to any backfilling of the relocated drain tile and a copy of the approval shall be submitted to the Zoning Administrator. As-built drawings shall be provided to both the relevant drainage district and the Zoning Administrator of any relocated drainage district tile.
- f. All tile lines that are damaged, cut, or removed shall be staked or flagged in such manner that they will remain visible until the permanent repairs are completed.
- g. All exposed tile lines shall be screened or otherwise protected to prevent the entry into the tile of foreign materials, loose soil, small mammals, etc.
- h. Permanent tile repairs shall be made within 14 days of the tile damage provided that weather and soil conditions are suitable or a temporary tile repair shall be made. Immediate temporary repair shall also be required if water is flowing through any damaged tile line. Temporary repairs are not needed if the tile lines are dry and water is not flowing in the tile provided the permanent repairs can be made within 14 days of the damage. 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.
- i. All damaged tile shall be repaired so as to operate as well after construction as before the construction began.

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

- 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.
- (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.

(4) Topsoil replacement

For any open trenching required pursuant to PV SOLAR FARM construction, the topsoil shall be stripped and replaced as follows:

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

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

- 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.
 - 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.
- (6) Land leveling
- a. The Applicant shall not be responsible for leveling of disturbed land if exempted by the PV SOLAR FARM lease.
 - b. Unless specifically provided for otherwise in the PV SOLAR FARM lease, the Applicant shall level all disturbed land as follows:
 - (a) Following the completion of any open trenching, the applicant shall restore all land to its original pre-construction elevation and contour.
 - (b) Should uneven settling occur or surface drainage problems develop as a result of the trenching within the first year after completion, the applicant shall again restore the land to its original pre-construction elevation and contour.
 - 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.
- (7) Permanent Erosion and Sedimentation Control Plan
- a. Prior to the approval of any Zoning Use Permit, the Applicant shall provide a permanent soil erosion and sedimentation plan for the PV SOLAR FARM including any access road that conforms to the relevant Natural Resources Conservation Service guidelines and that is prepared by an Illinois Licensed Professional Engineer.

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

- b. As-built documentation of all permanent soil erosion and sedimentation improvements for the PV SOLAR FARM including any access road prepared by an Illinois Licensed Professional Engineer shall be submitted and accepted by the Zoning Administrator prior to approval of any Zoning Compliance Certificate.

(8) Retention of all topsoil

No topsoil may be removed, stripped, or sold from the proposed SPECIAL USE Permit site pursuant to or as part of the construction of the PV SOLAR FARM.

(9) Minimize disturbance to BEST PRIME FARMLAND

- a. Any PV SOLAR FARM to be located on BEST PRIME FARMLAND shall minimize the disturbance to BEST PRIME FARMLAND as follows:
 - (a) The disturbance to BEST PRIME FARMLAND caused by construction and operation of the PV SOLAR FARM shall be minimized at all times consistent with good engineering practice.
 - (b) Disturbance to BEST PRIME FARMLAND shall be offset by establishment of a vegetative ground cover within the PV SOLAR FARM that includes the following:
 - i. The vegetative ground cover shall use native plant species as much as possible and shall be based on a site assessment of the site geography and soil conditions.
 - ii. The species selected shall serve a secondary habitat purpose as much as possible.
 - iii. Maintenance of the vegetative ground cover shall use a combination of management approaches to ensure safe, cost-effective, reliable maintenance while minimizing environmental risks.

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

- 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.

G. Standard Conditions for Use of Public Streets

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

- (1) Prior to the close of the public hearing before the BOARD, the Applicant shall enter into a Roadway Upgrade and Maintenance agreement approved by the County Engineer and State’s Attorney; or Township Highway Commissioner; or municipality where relevant, except for any COMMUNITY PV SOLAR FARM for which the relevant highway authority has agreed in writing to waive the requirements of subparagraphs 6.1.5G.1, 6.1.5G.2, and 6.1.5G.3, and the signed and executed Roadway Upgrade and Maintenance agreements must provide for the following minimum conditions:
 - a. The applicant shall agree to conduct a pre-PV SOLAR FARM construction baseline survey to determine existing STREET conditions for assessing potential future damage including the following:
 - (a) A videotape of the affected length of each subject STREET supplemented by photographs if necessary.
 - (b) Pay for costs of the County to hire a consultant to make a study of any structure on the proposed route that the County Engineer feels may not carry the loads likely during the PV SOLAR FARM construction.
 - (c) Pay for any strengthening of STREET structures that may be necessary to accommodate the proposed traffic loads caused by the PV SOLAR FARM construction.

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

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

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

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

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

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

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

- b. A schedule of the across road culverts and bridges affected by the project and the recommendations as to actions, if any, required with respect to such culverts and bridges and estimates of the cost to replace such culverts and bridges.
 - c. A schedule of the anticipated STREET repair costs to be made in advance of the PV SOLAR FARM construction and following construction of the PV SOLAR FARM.
 - d. The Applicant shall reimburse the County Engineer, or Township Highway Commissioner, or municipality where relevant, for all reasonable engineering fees including the cost of a third-party consultant, incurred in connection with the review and approval of the Transportation Impact Analysis.
- (3) At such time as decommissioning takes place, the Applicant or its successors in interest shall enter into a Roadway Use and Repair Agreement with the appropriate highway authority.
- H. Standard Conditions for Coordination with Local Fire Protection District
- (1) The Applicant shall submit to the local fire protection district a copy of the site plan.
 - (2) Upon request by the local fire protection district, the Owner or Operator shall cooperate with the local fire protection district to develop the fire protection district's emergency response plan.
 - (3) Nothing in this section shall alleviate the need to comply with all other applicable fire laws and regulations.
- I. Standard Conditions for Allowable Noise Level
- (1) Noise levels from any PV SOLAR FARM shall be in compliance with the applicable Illinois Pollution Control Board (IPCB) regulations (*35 Illinois Administrative Code*, Subtitle H: Noise, Parts 900, 901, 910).
 - (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.

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

- (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:
 - a. The SPECIAL USE Permit application for other than a COMMUNITY PV SOLAR FARM shall include a noise analysis that includes the following:
 - (a) The pre-development 24-hour ambient background sound level shall be identified at representative locations near the site of the proposed PV SOLAR FARM.
 - (b) Computer modeling shall be used to generate the anticipated sound level resulting from the operation of the proposed PV SOLAR FARM within 1,500 feet of the proposed PV SOLAR FARM.
 - (c) Results of the ambient background sound level monitoring and the modeling of anticipated sound levels shall be clearly stated in the application and the application shall include a map of the modeled noise contours within 1,500 feet of the proposed PV SOLAR FARM.
 - (d) The application shall also clearly state the assumptions of the computer model's construction and algorithms so that a competent and objective third party can as simply as possible verify the anticipated sound data and sound levels.
 - b. For a COMMUNITY PV SOLAR FARM the Board may require submission of a noise analysis that meets the standard of paragraph 6.1.5I.(3)a.
- (4) After construction of the PV SOLAR FARM, the Zoning Administrator shall take appropriate enforcement action as necessary to investigate noise complaints in order to determine the validity of the complaints and take any additional enforcement action as proves warranted to stop any violation that is occurring, including but not limited to the following:
 - a. The Zoning Administrator shall make the Environment and Land Use Committee aware of complaints about noise that have been received by the Complaint Hotline.
 - b. If the Environment and Land Use Committee determines that the noise is excessive, the Environment and Land Use Committee shall require the Owner or Operator to take responsible steps to mitigate the excessive noise.

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

J. Standard Conditions for Endangered Species Consultation

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

K. Standard Conditions for Historic and Archaeological Resources Review

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

L. Standard Conditions for Acceptable Wildlife Impacts

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.

M. Screening and Fencing

(1) Perimeter fencing

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

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

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

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

- iii. The continuous line of native evergreen foliage and/or native shrubs and/or native trees shall be planted at a minimum height of 5 feet tall and shall be planted in multiple rows as required to provide a 50% screen within 2 years of planting. The planting shall otherwise conform to Natural Resources Conservation Service Practice Standard 380 Windbreak/Shelterbreak Establishment except that the planting shall be located as close as possible to the PV SOLAR FARM fence while still providing adequate clearance for maintenance.
- iv. A planting of tall native grasses and other native flowering plants may be used as a visual screen buffer for any PV module installation that is no more than 8 feet tall provided that the width of planting shall be authorized by the BOARD and the planting shall otherwise be planted and maintained per the recommendations of the Natural Resources Conservation Service Practice Standard 327 Conservation Cover and further provided that the PV SOLAR FARM perimeter fence is opaque.
- v. An area of agricultural crop production may also be authorized by the BOARD as an alternative visual screen buffer with a width of planting as authorized by the BOARD provided that the PV SOLAR FARM perimeter fence is opaque. Any area of crop production that is used as a vegetated visual screen shall be planted annually and shall be replanted as necessary to ensure a crop every year regardless of weather or market conditions.
- vi. Any vegetated screen buffer shall be detailed in a landscape plan drawing that shall be included with the PV SOLAR FARM SPECIAL USE Permit application.

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

N. Standard Conditions to Minimize Glare

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

O. Standard Condition for Liability Insurance

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

- (1) Maintenance
 - a. The Owner or Operator of the PV SOLAR FARM must submit, on an annual basis, a summary of operation and maintenance reports to the Environment and Land Use Committee and any other operation and maintenance reports as the Environment and Land Use Committee reasonably requests.

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

- b. Any physical modification to the PV SOLAR FARM that increases the number of solar conversion devices or structures and/or the land area occupied by the PV SOLAR FARM shall require a new County BOARD SPECIAL USE Permit. Like-kind replacements shall not require recertification nor will replacement of transformers, cabling, etc. provided replacement is done in fashion similar to the original installation.
 - c. The Application shall explain methods and materials used to clean the PV SOLAR FARM equipment including an estimation of the daily and annual gallons of water used and the source of the water and management of wastewater. The BOARD may request copies of well records from the Illinois State Water Survey and may require an estimate by a qualified hydrogeologist of the likely impact on adjacent waterwells.
- (2) Materials Handling, Storage and Disposal
- a. All solid wastes related to the construction, operation and maintenance of the PV SOLAR FARM shall be removed from the site promptly and disposed of in accordance with all Federal, State and local laws.
 - b. All hazardous materials related to the construction, operation and maintenance of the PV SOLAR FARM shall be handled, stored, transported and disposed of in accordance with all applicable local, State and Federal laws.
- (3) Vegetation management
- a. The PV SOLAR FARM SPECIAL USE Permit application shall include a weed control plan for the total area of the SPECIAL USE Permit including areas both inside of and outside of the perimeter fencing.
 - b. The weed control plan shall ensure the control and/or eradication of NOXIOUS WEEDS consistent with the Illinois Noxious Weed Law (55 ILCS 100/1 *et. seq.*).
 - c. The weed control plan shall be explained in the application.

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

- Q. Standard Condition for Decommissioning and Site Reclamation Plan
- (1) The Applicant shall submit a signed decommissioning and site reclamation plan conforming to the requirements of paragraph 6.1.1A.
 - (2) In addition to the purposes listed in subparagraph 6.1.1A.4., the decommissioning and site reclamation plan shall also include provisions for anticipated repairs to any public STREET used for the purpose of reclamation of the PV SOLAR FARM and all costs related to removal of access driveways.
 - (3) The decommissioning and site reclamation plan required in paragraph 6.1.1A. shall also include the following:
 - a. A stipulation that the applicant or successor shall notify the GOVERNING BODY by certified mail of the commencement of voluntary or involuntary bankruptcy proceeding, naming the applicant as debtor, within ten days of commencement of proceeding.
 - b. A stipulation that the applicant shall agree that the sale, assignment in fact or law, or such other transfer of applicant's financial interest in the PV SOLAR FARM shall in no way affect or change the applicant's obligation to continue to comply with the terms of this plan. Any successor in interest, assignee, and all parties to the decommissioning and site reclamation plan shall assume the terms, covenants, and obligations of this plan and agrees to assume all reclamation liability and responsibility for the PV SOLAR FARM.
 - c. Authorization for the GOVERNING BODY and its authorized representatives for right of entry onto the PV SOLAR FARM premises for the purpose of inspecting the methods of reclamation or for performing actual reclamation if necessary.
 - d. A stipulation that at such time as decommissioning takes place the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan are required to enter into a Roadway Use and Repair Agreement with the relevant highway authority.
 - e. A stipulation that the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall provide evidence of any new, additional, or substitute financing or security agreement to the Zoning Administrator throughout the operating lifetime of the project.

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

- f. A stipulation that the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall be obliged to perform the work in the decommissioning and site reclamation plan before abandoning the PV SOLAR FARM or prior to ceasing production of electricity from the PV SOLAR FARM, after it has begun, other than in the ordinary course of business. This obligation shall be independent of the obligation to pay financial assurance and shall not be limited by the amount of financial assurance. The obligation to perform the reclamation work shall constitute a covenant running with the land.
- g. The decommissioning and site reclamation plan shall provide for payment of any associated costs that Champaign COUNTY may incur in the event that decommissioning is actually required. Associated costs include all administrative and ancillary costs associated with drawing upon the financial assurance and performing the reclamation work and shall include but not be limited to: attorney’s fees; construction management and other professional fees; and, the costs of preparing requests for proposals and bidding documents required to comply with State law or Champaign COUNTY purchasing policies.
- h. The depth of removal of foundation concrete below ground shall be a minimum of 54 inches. The depth of removal of foundation concrete shall be certified in writing by an Illinois Licensed Professional Engineer and the certification shall be submitted to the Zoning Administrator.
- i. Underground electrical cables of a depth of 5 feet or greater may be left in place.
- j. The hole resulting from the removal of foundation concrete during decommissioning shall be backfilled as follows:
 - (a) The excavation resulting from the removal of foundation concrete shall only be backfilled with subsoil and topsoil in similar depths and similar types as existed at the time of the original PV SOLAR FARM construction except that a lesser quality topsoil or a combination of a lesser quality topsoil and a subsoil that is similar to the native subsoil may be used at depths corresponding to the native subsoil but not less than 12 inches below grade.

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

- (b) The native soils excavated at the time of the original PV SOLAR FARM construction may be used to backfill the concrete foundation excavations at the time of decommissioning provided that the soils are adequately stored throughout the operating lifetime of the PV SOLAR FARM. The methods for storing the excavated native soils during the operating lifetime of the PV SOLAR FARM shall be included in the decommissioning and site reclamation plan.
- (c) If the excavated native soils are not stored for use for backfilling the concrete foundation excavations, a qualified soil scientist of Illinois Licensed Professional Engineer shall certify that the actual soils used to backfill the concrete foundation excavations are of equal or greater quality than the native soils or that, in the case of subsoil, the backfill soil meets the requirements of this paragraph. The certification shall be submitted to the Zoning Administrator.
- (d) An Illinois Licensed Professional Engineer shall certify in writing that the concrete foundation excavations have been backfilled with soil to such a depth and with a minimum of compaction that is consistent with the restoration of productive agricultural use such that the depth of soil is expected to be no less than 54 inches within one year after backfilling.
- k. A stipulation that should the decommissioning and site reclamation plan be deemed invalid by a court of competent jurisdiction the PV SOLAR FARM SPECIAL USE Permit shall be deemed void.
- l. A stipulation that the Applicant's obligation to complete the decommissioning and site reclamation plan and to pay all associated costs shall be independent of the Applicant's obligation to provide financial assurance.
- m. A stipulation that the liability of the Applicant's failure to complete the decommissioning and site reclamation plan or any breach of the decommissioning and site reclamation plan requirement shall not be capped by the amount of financial assurance.

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

- n. If the Applicant desires to remove equipment or property credited to the estimated salvage value without the concurrent replacement of the property with property of equal or greater salvage value, or if the Applicant installs equipment or property increasing the cost of decommissioning after the PV SOLAR FARM begins to produce electricity, at any point, the Applicant shall first obtain the consent of the Zoning Administrator. If the Applicant's lien holders remove equipment or property credited to the salvage value, the Applicant shall promptly notify the Zoning Administrator. In either of these events, the total financial assurance shall be adjusted to reflect any change in total salvage value and total decommissioning costs resulting from any such removal or installation.
- (4) To comply with paragraph 6.1.1A.5., the Applicant shall provide financial assurance in the form of an irrevocable letter of credit as follows:
- a. 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:
 - (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 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.

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

- (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.
 - (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.
- b. Net salvage value may be deducted for decommissioning costs as follows:
- (a) One of the following standards shall be met:
 - i. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall maintain the PV SOLAR FARM free and clear of liens and encumbrances, including financing liens and shall provide proof of the same prior to issuance of the SPECIAL USE Permit; or
 - ii. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall deduct from the salvage value credit the amount of any lien or encumbrance on the PV SOLAR FARM; or
 - iii. Any and all financing and/or financial security agreements entered into by the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall expressly provide that the agreements are subject to the covenant required by Section 6.1.1A.2 that the reclamation work be done.

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

- (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 upon the request of the Zoning Administrator.
- (c) The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall provide in the decommissioning and site reclamation plan for legal transfer of the STRUCTURE to the demolisher to pay the costs of reclamation work, should the reclamation work be performed.
- (d) The net estimated salvage value that is deducted from the estimated decommissioning costs shall be the salvage value that results after all related costs for demolition and any required preparation for transportation for reuse or recycling or for simple disposal and other similar costs including but not limited to the decommissioning of the PV SOLAR FARM STRUCTURES, equipment, and access roads.
- (e) Estimated salvage value shall be based on the average salvage price of the past five years as published in a reputable source for salvage values and shall reflect sound engineering judgement as to anticipated changes in salvage prices prior to the next update of estimated net salvage value.
- (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 available in the event that decommissioning is actually required.
- (g) The total financial assurance after deduction of the net estimated salvage value shall not be less than \$1,000 per acre.
- (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.

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

- c. The GOVERNING BODY has the right to require multiple letters of credit based on the regulations governing federal insurance for deposits.
- d. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall adjust the amount of the financial assurance to ensure that it reflects current and accurate information as follows:
 - (a) At least once every three years for the first 12 years of the financial assurance and at least once every two years thereafter or, if the PV SOLAR FARM modules have an unlimited warranty of a least 10 years and also have a limited power warranty to provide not less than 80% nominal power output up to 25 years and proof of that warranty is provided at the time of Zoning Use Permit approval, then at least once every five years for the first 25 years of the financial assurance and at least once every two years thereafter, the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall use an independent Illinois Licensed Professional Engineer to provide updated estimates of decommissioning costs and salvage value, by including any changes due to inflation and/or change in salvage price. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall, upon receipt, provide a copy of the adjusted Professional Engineer’s report to the Zoning Administrator.
 - (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.
- 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:
 - (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.

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

- (b) The minimum acceptable long term corporate debt (credit) rating of the proposed financial institution shall be a rating of “A-” by S&P or a rating of “A3” by Moody’s, or a rating of “A-” by Kroll Bond Rating Agency.
 - (c) Whenever the most current long term corporate debt (credit) rating of the proposed financial institution by either S&P, Moody’s, or Kroll Bond Rating Agency is lower than the minimum acceptable long term corporate debt (credit) rating, the letter of credit shall be replaced with a new irrevocable letter of credit from an issuing financial institution whose most current long term corporate debt (credit) rating by either S&P, Moody’s, or Kroll Bond Rating Agency meets or exceeds the minimum acceptable long term corporate debt (credit) rating.
 - f. 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.
 - 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.
 - 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.
 - 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.
- (5) In addition to the conditions listed in subparagraph 6.1.1A.9. the Zoning Administrator may also draw on the funds for the following reasons:
- a. In the event that any PV SOLAR FARM or component thereof ceases to be functional for more than six consecutive months after it starts producing electricity and the Owner is not diligently repairing such PV SOLAR FARM or component.

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

- b. In the event that the Owner declares the PV SOLAR FARM or any PV SOLAR FARM component to be functionally obsolete for tax purposes.
 - c. There is a delay in the construction of any PV SOLAR FARM of more than 6 months after construction on that PV SOLAR FARM begins.
 - d. Any PV SOLAR FARM or component thereof that appears in a state of disrepair or imminent collapse and/or creates an imminent threat to the health or safety of the public or any person.
 - e. Any PV SOLAR FARM or component thereof that is otherwise derelict for a period of 6 months.
 - f. The PV SOLAR FARM is in violation of the terms of the PV SOLAR FARM SPECIAL USE Permit for a period exceeding ninety (90) days.
 - g. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan has failed to maintain financial assurance in the form and amount required by the SPECIAL USE Permit or compromised the COUNTY's interest in the decommissioning and site reclamation plan.
 - h. The COUNTY discovers any material misstatement of fact of misleading omission of fact made by the Applicant in the course of the SPECIAL USE Permit Zoning Case.
 - i. The Applicant has either failed to receive a copy of the certification of design compliance required by paragraph 6.1.5D. or failed to submit it to the COUNTY within 12 consecutive months of receiving a Zoning Use Permit regardless of the efforts of the Applicant to obtain such certification.
- (6) The Zoning Administrator may, but is not required to, deem the 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.

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

- (7) The decommissioning and site reclamation plan shall be included as a condition of approval by the Board and the signed and executed irrevocable letter of credit and evidence of the escrow account must be submitted to the Zoning Administrator prior to any Zoning Use Permit approval.
- R. Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.
- (1) If provided by state law, the Applicant shall enter into an Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.
 - (2) The Applicant shall bear full responsibility for coordinating any special conditions required in the SPECIAL USE Permit in order to ensure compliance with the signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.
 - (3) All requirements of the signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture shall become requirements of the COUNTY Board SPECIAL USE Permit.
 - (4) Champaign County shall have the right to enforce all requirements of the signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.
- S. Complaint Hotline
- (1) Prior to the commencement of construction on the PV SOLAR FARM and during the entire term of the COUNTY Board SPECIAL USE Permit and any extension, the Applicant and Owner shall establish a telephone number hotline for the general public to call with any complaints or questions.
 - (2) The telephone number hotline shall be publicized and posted at the operations and maintenance center and the construction marshalling yard.
 - (3) The telephone number hotline shall be manned during usual business hours and shall be an answering recording service during other hours.
 - (4) Each complaint call to the telephone number hotline shall be logged and identify the name and address of the caller and the reason for the call.
 - (5) All calls shall be recorded and the recordings shall be saved for transcription for a minimum of two years.

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

- (6) A copy of the telephone number hotline log shall be provided to the Zoning Administrator on a monthly basis.
- (7) The Applicant and Owner shall take necessary actions to resolve all legitimate complaints.

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

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

U. Application Requirements

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

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

- c. A site plan for the PV SOLAR FARM indicating the following:
 - (a) The approximate planned location of all PV SOLAR FARM STRUCTURES, property lines (including identification of adjoining properties), required separations, public access roads and turnout locations, access driveways, solar devices, electrical inverter(s), electrical transformer(s), cabling, switching station, electrical cabling from the PV SOLAR FARM to the Substation(s), ancillary equipment, screening and fencing, third party transmission lines, meteorological station, maintenance and management facilities, and layout of all structures within the geographical boundaries of any applicable setback.
 - (b) The site plan shall clearly indicate the area of the proposed PV SOLAR FARM COUNTY Board SPECIAL USE Permit as required by subparagraph 6.1.5A.(1).
 - (c) The location of all below-ground wiring.
 - (d) The location, height, and appearance of all above-ground wiring and wiring structures.
 - (e) The separation of all PV SOLAR FARM structures from adjacent DWELLINGS and/or PRINCIPAL BUILDINGS or uses shall be dimensioned on the approved site plan and that dimension shall establish the effective minimum separation that shall be required for any Zoning Use Permit. Greater separation and somewhat different locations may be provided in the approved site plan for the Zoning Use Permit provided that the greater separation does not increase the noise impacts and/or glare that were approved in the PV SOLAR FARM COUNTY Board SPECIAL USE Permit. PV SOLAR FARM structures include substations, third party transmission lines, maintenance and management facilities, or other significant structures.
- d. All other required studies, reports, certifications, and approvals demonstrating compliance with the provisions of this Ordinance.

SECTION 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM COUNTY BOARD SPECIAL USE PERMIT – CONT.

- 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).
 - 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).
 - 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.
- (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.
 - (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.

6.2 MANUFACTURED HOME PARKS

MANUFACTURED HOME PARKS are permitted in the R-5, MANUFACTURED HOME PARK DISTRICT, subject to the following provisions and the provisions of the *Illinois Mobile Home Park Act* (210 ILCS 115/1 *et seq.*).

6.2.1 MANUFACTURED HOME PARK Permits

It shall be unlawful to CONSTRUCT, ALTER or expand any MANUFACTURED HOME PARK, unless a valid permit is issued by the Zoning Administrator for the specific CONSTRUCTION, ALTERATION or expansion proposed.

All applications for permits shall contain the following:

- A. Name and address of applicant.
- B. Location and legal description of the proposed MANUFACTURED HOME PARK.
- C. Plans and specifications of the proposed MANUFACTURED HOME PARK development including but not limited to the following:
 1. A map indicating the area and dimensions of the tract of land;
 2. The number, location and size of all MANUFACTURED HOME SITES;
 3. The location of all water, storm sewer and sanitary sewer lines, water supply, and refuse and sewage disposal facilities;
 4. All BUILDINGS existing or to be CONSTRUCTED within the MANUFACTURED HOME PARK;
 5. The location of internal lighting and electrical systems.

6.2.2 Development Standards

- A. General Provisions
 1. No MANUFACTURED HOME PARK shall be located in an area, where the conditions of soil, groundwater level, drainage or topography may cause hazard to the property, health or safety of the occupants.
 2. No MANUFACTURED HOME PARK shall be located such that it is exposed to objectionable smoke, dust, noise, odors, vibrations or other adverse influences.

SECTION 6.2.2 DEVELOPMENT STANDARDS - CONTINUED

3. ACCESS to a MANUFACTURED HOME PARK shall be provided in such a manner to facilitate ACCESS by emergency vehicles, and should be designed to provide efficient and safe traffic circulation in the vicinity.
4. No part of any MANUFACTURED HOME PARK shall be used for non-residential purposes except ACCESSORY USES that are required to directly serve MANUFACTURED HOME PARK residents and for management and maintenance of the MANUFACTURED HOME PARK.

B. Size and Density of MANUFACTURED HOME PARK

No MANUFACTURED HOME PARK shall contain an area of less than five acres nor less than 40 MANUFACTURED HOME SITES provided, however, that MANUFACTURED HOME PARKS in existence on the effective date of this ordinance having a total area or number of MANUFACTURED HOME SITES less than herein above prescribed may continue to operate. Existing MANUFACTURED HOME PARKS may be altered to bring such parks into conformity with this ordinance. However, no additions or ALTERATIONS may be made to any existing MANUFACTURED HOME PARK unless such additions or ALTERATIONS are in conformity with this ordinance and unless the total area of the MANUFACTURED HOME PARK, with such additions or ALTERATIONS, consists of three acres or 24 MANUFACTURED HOME SITES and provided further that such additions or ALTERATION to any MANUFACTURED HOME PARK shall contain not more than eight MANUFACTURED HOME SITES for each gross acre of land.

C. Required setbacks and screening for MANUFACTURED HOME PARK exterior boundary:

1. All MANUFACTURED HOME STANDS shall maintain the following setbacks from MANUFACTURED HOME PARK boundaries facing public STREETS:
 - a. State or U.S. Highways or MAJOR STREETS – 45 feet.
 - b. COUNTY Highways or COLLECTOR STREETS – 35 feet
 - c. Township Road or MINOR STREETS – 25 feet
2. There shall be minimum SIDE and REAR YARDS of 15 feet.

SECTION 6.2.2 DEVELOPMENT STANDARDS - CONTINUED

3. All MANUFACTURED HOME PARKS shall be provided with visual screening such as fences or SCREEN PLANTING along all boundary lines abutting existing residential, commercial or industrial development. Such fences or SCREEN PLANTING shall be of sufficient height and density to adequately filter from view the MANUFACTURED HOMES, ACCESSORY STRUCTURES and other USES in the MANUFACTURED HOME PARK.

D. Required Recreation Space

Not less than eight percent of the gross site area of the MANUFACTURED HOME PARK shall be devoted to recreational facilities. Such facilities shall be centrally located on the site and readily accessible to all MANUFACTURED HOME occupants. Recreation areas may include park space, play lots, SWIMMING POOLS and community BUILDINGS (exclusive of laundry and administrative offices). Recreation areas may be de-centralized provided that no single parcel of outdoor recreation space contains less than 6,000 square feet nor has a minimum average width of less than thirty (30) feet.

E. MANUFACTURED HOME SITE Requirements

1. The limits of each MANUFACTURED HOME SITE shall be designated in accordance with the approved plan required by Section 6.2.1.C of this ordinance.
2. Every MANUFACTURED HOME shall maintain the following minimum SETBACKS from the boundaries of its MANUFACTURED HOME SITE:
 - a. The minimum distance between the MANUFACTURED HOME and the MANUFACTURED HOME SITE boundary adjacent to PRIVATE ACCESSWAYS or roads shall be 15 feet.
 - b. The minimum distance between the entrance side of the MANUFACTURED HOME and the MANUFACTURED HOME SITE boundary shall be 20 feet.
 - c. All other SETBACKS shall be a minimum of 10 feet.
3. In no case, however, shall a MANUFACTURED HOME SITE consist of an area of less than 3,200 square feet.

SECTION 6.2.2 DEVELOPMENT STANDARDS - CONTINUED

4. A MANUFACTURED HOME STAND or pad shall be provided on each MANUFACTURED HOME SITE of sufficient size to accommodate the MANUFACTURED HOME to be located thereon. MANUFACTURED HOME STANDS shall be concrete slabs, or runways, constructed so as to not shift or settle unevenly under the weight of a MANUFACTURED HOME or other forces due to frost, vibration, wind or water. Provisions shall be made for the use of ground anchors designed to withstand a minimum load of 4,800 pounds each. Four ground anchor connections shall be provided for each MANUFACTURED HOME of less than 51 feet in length and six ground anchor connections shall be provided for MANUFACTURED HOMES exceeding 50 feet in length.
 5. Each MANUFACTURED HOME SITE shall be provided with an outdoor living space to supplement the interior living space of the MANUFACTURED HOME. This outdoor living space must be paved monolithically or constructed of masonry or concrete moveable units placed sufficiently close together to create a single usable surface. The area of the outdoor living space shall be a minimum of 160 square feet with a minimum dimension of eight feet.
 6. The space between the MANUFACTURED HOME STAND and the floor of the MANUFACTURED HOME shall be enclosed with non-combustible skirting. The area thereby enclosed may be used for storage of ordinary household objects and material.
 7. A minimum of two improved off-street PARKING SPACES shall be provided for each MANUFACTURED HOME SITE. One of these PARKING SPACES may be provided off the MANUFACTURED HOME SITE provided such PARKING SPACE is not located more than 200 feet from the MANUFACTURED HOME SITE served.
- F. STREET Requirements
1. All MANUFACTURED HOME PARKS shall be provided with adequate safe and convenient vehicular ACCESS from abutting public STREETS.
 2. Public STREET dedications within or abutting MANUFACTURED HOME PARKS shall be made in accordance with the subdivision regulations. No MANUFACTURED HOME SITE shall have direct ACCESS onto a dedicated public STREET.

SECTION 6.2.2 DEVELOPMENT STANDARDS - CONTINUED

3. Entrance drives into MANUFACTURED HOME PARKS shall have direct ACCESS to a public STREET and shall be designed to have free traffic flow onto such public STREETS. No parking or MANUFACTURED HOME SITE ACCESS driveway shall be permitted off an entrance drive for a distance of 50 feet from a public RIGHT-OF-WAY.
4. The internal PRIVATE ACCESSWAY system serving MANUFACTURED HOME SITES shall provide convenient circulation by means of minor PRIVATE ACCESSWAYS and properly located COLLECTOR PRIVATE ACCESSWAYS. Cul-de-sac PRIVATE ACCESSWAYS shall be limited to a length of 300 feet.
5. Minimum pavement widths for PRIVATE ACCESSWAYS shall be as follows:

COLLECTOR STREETS	30 Feet
MINOR STREETS	24 Feet
Cul-de-sac STREETS	24 Feet
Cul-de-sac Turnarounds	80 Feet

All dimensions are exclusive of parking areas.

6. With respect to paving materials, curbs and gutters, grading, intersections, offsets, and radii of curvature, the provisions of the subdivision ordinance shall apply to PRIVATE ACCESSWAYS.
7. PARKING SPACES perpendicular to PRIVATE ACCESSWAYS shall not be located within the required pavement width. Parallel parking on one side of the MINOR STREET is permitted provided the required 24 foot of pavement remains unobstructed for travel.

G. STREET Lighting

1. STREET lights shall be designed to produce a minimum of 0.1 footcandle throughout the STREET system. Potentially hazardous locations such as intersections, major pedestrian crossings, and portions of STREETS abutting service BUILDINGS and recreation areas shall be illuminated with a minimum of 0.3 footcandle.
2. All gas or electrical service to the STREET lighting system shall be located underground.

SECTION 6.2.2 DEVELOPMENT STANDARDS - CONTINUED

H. Pedestrian Walkways

1. Individual walks to each MANUFACTURED HOME STAND from paved STREETS or parking areas are required and shall be a minimum of two feet in width.
2. Common walks are required at locations where heavy pedestrian traffic is likely to occur such as at entrances, service facilities and recreation areas. Common walks should be located through interior areas removed from STREETS wherever possible.
3. Individual and common walks shall be paved monolithically or constructed of masonry or concrete moveable units placed sufficiently close together to create a uniform surface. Individual walks shall not be less than two feet in width. Common walks shall not be less than three and one-half feet in width.
4. No walk shall be used as a drainage way. Sudden changes in alignment and gradient shall be avoided.

6.2.3 Utilities and Required Services

A. Water Supply and Distribution System

1. Where a public supply of water is reasonably available, connection shall be made thereto and its supply used exclusively.
2. Where a public supply of water is not reasonably available, a private water supply system shall be developed to furnish a minimum of 150 gallons per day per MANUFACTURED HOME at a minimum pressure of 20 pounds per square inch.
3. All other applicable minimum requirements of the Illinois State Department of Public Health must be met.

B. Sewage Systems

1. Where a public system of sewage collection and treatment is reasonably available, all sewage and water carried waste shall be disposed of into such public system.
2. Where public sewage treatment facilities are not reasonably available, a private treatment system shall be designed to collect and treat a minimum of 225 gallons per day per MANUFACTURED HOME SITE.

SECTION 6.2.3 UTILITIES AND REQUIRED SERVICES – CONTINUED

3. All other applicable minimum requirements of the Illinois State Department of Public Health must be met.

C. Solid Waste Disposal

1. All refuse shall be stored in water tight containers located on each MANUFACTURED HOME SITE or within 150 feet thereof.
2. Refuse shall be collected regularly and transported to a disposal site in compliance with State Law. Incineration of any refuse or vegetation within a MANUFACTURED HOME PARK is prohibited.
3. All other applicable minimum requirements of the Illinois State Department of Public Health must be met.

D. Electrical Distribution System

1. Electrical installations in MANUFACTURED HOME PARKS shall conform to the National Electric Code, latest edition.
2. The electrical distribution system in all MANUFACTURED HOME PARKS shall be underground.
3. MANUFACTURED HOME SITE feeder circuits shall be rated for a capacity of not less than 100 amperes of 120/240 volts. Additional secondary receptacles or not less than 50 amperes each may be provided at MANUFACTURED HOME SITES.
4. The total load for a MANUFACTURED HOME PARK shall be calculated on the basis of 16,000 watts per MANUFACTURED HOME SITE. The minimum allowable demand factors which may be used in the calculating load on feeders and service are as follows:

Number of MANUFACTURED <u>HOME SITES Serviced</u>	Demand Factor <u>(Percent)</u>
1	100
2	55
5	33
10	27
20	25
50	23
100 or more	22

SECTION 6.2.3 UTILITIES AND REQUIRED SERVICES – CONTINUED

- E. Telephone Services and Telephone Systems
 - 1. All telephone service to MANUFACTURED HOMES shall be underground.
 - 2. Distribution of master television antenna service to MANUFACTURED HOME SITES shall be underground.
- F. Fire Protection
 - 1. MANUFACTURED HOME PARKS shall be kept free of all litter, rubbish or other accumulated flammable materials.
 - 2. If the MANUFACTURED HOME PARK is served by a public water system, approved fire hydrants shall be located throughout the MANUFACTURED HOME PARK and shall be located not more than 500 feet from any MANUFACTURED HOME. The hydrants shall deliver a minimum of 75 gallons of water per minute at a pressure of 20 pounds per square inch at the highest elevation point of the MANUFACTURED HOME PARK.
 - 3. Fire extinguishers shall be provided in accordance with the Illinois State Department of Public Health requirements.

6.2.4 Service BUILDINGS and Other Community Facilities

All MANUFACTURED HOME PARKS shall provide the following community facilities:

- A. A Management Office
- B. Management Storage Facilities
- C. Other facilities as may be required by Section 158, *et seq.*, Chapter 111 1/2, *Illinois Revised Statutes*.

6.3 RESIDENTIAL PLANNED UNIT DEVELOPMENTS

6.3.1 Purpose and Intent

The general purpose of a RESIDENTIAL PLANNED UNIT DEVELOPMENT is as follows:

- A. To promote flexibility in design and permit the planned diversification in the location of STRUCTURES.

SECTION 6.3.1 PURPOSE AND INTENT - CONTINUED

- B. To promote an efficient use of land to facilitate a more economic arrangement of BUILDINGS, circulation systems, land USES and utilities.
- C. To preserve to the greatest extent possible the existing landscape features and amenities and to utilize such features in a harmonious fashion.
- D. To provide for more usable and suitably located recreation facilities and other public and common facilities than would otherwise be provided under conventional land development procedures.
- E. To combine and coordinate architectural styles, BUILDING form and BUILDING relationships within the PLANNED UNIT DEVELOPMENT and to coordinate BUILDING forms and styles with surrounding residential development.
- F. For all PLANNED UNIT DEVELOPMENTS, to permit all the USES permitted in the R-4 DISTRICT and those commercial USES permitted by the provisions of Section 6.3.16.
- G. To permit an area of higher density development to be located compatibly in an area of generally lower density.
- H. To assure compatibility of new development with existing adjacent development.
- I. To allow development of commercial USES or other services of benefit to the PLANNED UNIT DEVELOPMENT but not otherwise allowed in residential DISTRICTS, in a manner compatible with both the PLANNED UNIT DEVELOPMENT and the adjacent areas.

6.3.2 Minimum Area

To qualify as a RESIDENTIAL PLANNED UNIT DEVELOPMENT, the parcel of land to be developed must comprise a total area of 75,000 square feet of contiguous land under the same or joint OWNERSHIP. Nothing in this section shall be interpreted to prohibit the sale of all or portions of the developed project provided that the requirements of this section are met. Existing BUILDINGS may be included within a RESIDENTIAL PLANNED UNIT DEVELOPMENT, but the floor area thereof shall not comprise more than 10 percent of the total floor area of all the BUILDINGS in the project.

6.3.3 General Qualifications

The review of the RESIDENTIAL PLANNED UNIT DEVELOPMENT by the BOARD shall be guided by the following general criteria:

- A. The USE or USES within the RESIDENTIAL PLANNED UNIT DEVELOPMENT shall be compatible with surrounding land USES;

SECTION 6.3.3 GENERAL QUALIFICATIONS - CONTINUED

- B. The intensity of development shall impose no adverse effects on surrounding PROPERTIES;
- C. ACCESS to the RESIDENTIAL PLANNED UNIT DEVELOPMENT shall be provided in such a manner as to facilitate ACCESS by emergency vehicles and efficient and safe traffic circulation in the vicinity;
- D. STREET improvements, both public and PRIVATE, shall be made in conformance with the Subdivision Ordinance, other than those requirements specifically excepted by this section;
- E. Residential groups shall provide an adequate and safe location of play areas for children as well as other recreational areas;
- F. OPEN SPACE at external boundaries of the site shall be landscaped and maintained to a standard at least equal to that which is required of abutting PROPERTY;
- G. In BUILDINGS containing DWELLING UNITS, walls containing main window exposure or main entrances shall be so oriented as to insure adequate light and air;
- H. All other sections of this ordinance, other than those exceptions made in this section, shall be met.

6.3.4 Preliminary Conference

Prior to the preparation of a formal application, the applicant shall meet with the PLANNING COMMISSION staff and the Zoning Administrator to discuss the proposed development. The PLANNING COMMISSION staff shall inform the applicant of the COUNTY's policies which may affect the development, the specific requirements and procedures involved in submitting an application for a RESIDENTIAL PLANNED UNIT DEVELOPMENT. The applicant shall then meet with the BOARD prior to submitting an application to discuss COUNTY plans and policies.

6.3.5 Preliminary Application Submission

After preliminary discussion with the PLANNING COMMISSION staff, Zoning Administrator, and the BOARD, the applicant shall submit a PLANNED UNIT DEVELOPMENT application form and five copies of a preliminary development plan to the Zoning Administrator's office. An application fee for a SPECIAL USE as specified in Section 9.3.4 shall be paid upon application in accordance with the provisions of Section 9.1.5.D.4. The preliminary development plan shall contain all of the following materials:

SECTION 6.3.5 PRELIMINARY APPLICATION SUBMISSION - CONTINUED

- A. The name and address of all OWNERS of the site proposed for development as well as the name and address of all professional site planners, architects, engineers, surveyors or other consultants;
- B. A legal description of the site proposed for development;
- C. A general area plan drawing reflecting the intended USE and future STREET locations for adjacent areas when the proposed RESIDENTIAL PLANNED UNIT DEVELOPMENT is intended to represent a single phase of a longer range development;
- D. The location of all PROPERTY lines, existing STREETS, easements, utilities, and any other significant physical features;
- E. Date, north arrow and graphic scale (not less than 1" = 100') on all drawings submitted;
- F. Present and proposed zoning (if applicable);
- G. An indication of the existing conditions on the tract including contour lines, (five foot intervals), water courses and existing drainage facilities, wooded areas and isolated trees of six inches or more in diameter, existing STREETS, sidewalks or other improvements, and existing BUILDINGS and STRUCTURES with an indication of those which will be removed and those which will be retained as part of the development;
- H. An indication of the area surrounding the site showing land USES, peculiar physical features, public facilities and existing zoning;
- I. A site plan of the proposed development indicating the general location of the following:
 - 1. All BUILDINGS, STRUCTURES and other improvements
 - 2. Common OPEN SPACES
 - 3. Off-STREET parking facilities and number of PARKING SPACES to be provided
 - 4. Sidewalks
 - 5. Illuminated areas
 - 6. USE of OPEN SPACE being provided
 - 7. Screening or buffering of the tract perimeters

SECTION 6.3.5 PRELIMINARY APPLICATION SUBMISSION – CONTINUED

8. Indication as to which STREETS will be public and which STREETS will be PRIVATE
 9. All utilities including storm drainage, sanitary sewers and water service
 10. Such other documents explaining unusual circumstances as the BOARD may require.
- J. Quantitative data indicating the following:
1. Total number of DWELLING UNITS (if applicable)
 2. Proposed LOT COVERAGE of BUILDINGS and STRUCTURES (percent of total)
 3. Approximate gross and net residential densities, excluding all STREETS and roadways (if applicable)
 4. Total amount of OPEN SPACE area provided in the tract
 5. Such other calculations as the BOARD may require.
- K. Elevation or perspective drawings of all BUILDINGS and improvements. The drawings need not be final architectural plans or engineering plans.
- L. A development schedule indicating the approximate date when CONSTRUCTION of the project can be expected to begin, the stages in which the project will be built and the approximate date when CONSTRUCTION of each stage can be expected to begin, the approximate dates when the development will be completed, and the area and location of common OPEN SPACE that will be provided at each stage.
- M. A statement as to the applicant's intention of selling or leasing all or a portion of the RESIDENTIAL PLANNED UNIT DEVELOPMENT after the project is developed. If applicable, the conditions of sale and maintenance of such developed PROPERTIES shall be stipulated. Any covenants, deed restrictions or other similar agreements between the applicant and future OWNERS shall be presented.

6.3.6 Preliminary Application Hearing

Upon receipt of the PLANNED UNIT DEVELOPMENT application, the required documents and the payment of fees, the BOARD shall fix a time for a public hearing on the PLANNED UNIT DEVELOPMENT and give notice of hearing in the manner and for the length of time prescribed by Section 9.1.7.B.2. At the hearing any interested person or party may appear and be heard either in person or by his agent or attorney. The BOARD shall consider the proposed RESIDENTIAL PLANNED UNIT DEVELOPMENT in accordance with: the definition and purpose of this section, the minimum requirements of paragraph 1 of this section, and the report and recommendation of the PLANNING COMMISSION staff.

6.3.7 Approval of the Preliminary Application

Approval of the preliminary plan by the BOARD constitutes approval of the general arrangement of the plan, the provisions submitted by the applicant, and a waiver of only those items of policy or ordinance which have been brought specifically to the attention of the BOARD. Such approval shall be valid for six months.

6.3.8 Final Application Submission

Within six months following the approval of the preliminary development plan by the BOARD, the applicant shall file the plan in accordance with the procedures for filing zoning amendments. Five copies of the final development plan shall be filed containing all information, plans and data as required herein. Such submission shall be accompanied by a second fee equal to that required for a SPECIAL USE as specified in Section 9.3.4. The final development plan shall include the following:

- A. All of the material listed in Section 6.3.5 for Preliminary Plan Submission;
- B. An accurate legal description and PROPERTY survey of the entire area included within the RESIDENTIAL PLANNED UNIT DEVELOPMENT;
- C. Designation of the location of all BUILDINGS to be CONSTRUCTED and the specific internal USES to which each BUILDING shall be put;
- D. Architectural elevations, pavement types, culverts, common OPEN SPACE, recreation facilities, sidewalks, illumination, landscaping and any other pertinent features of the development;
- E. Certificates, seals and signatures required for the dedication of land, recording the documents, and such other legal documents as may be required;
- F. Accurate tabulations of the USE of the area including land area, number of BUILDINGS, number of DWELLING UNITS per acre, total common OPEN SPACE, percent of BUILDING COVERAGE of the total area, percent of landscaping provided and total number of PARKING SPACES provided;

SECTION 6.3.8 FINAL APPLICATION SUBMISSION - CONTINUED

- G. All curb cuts, driving lanes, parking and loading areas, public transportation points, STREET SIGNS and illumination facilities for same;
- H. Any other plans or specification as may be necessary for final engineering evaluation of drainage, STREET design and other facilities by the Engineer or BOARD. Upon receipt of the final RESIDENTIAL PLANNED UNIT DEVELOPMENT Plan, the BOARD shall review the submitted documents and ascertain whether or not the final plans substantially conform to the approved preliminary development plan.

6.3.9 Approval of the Final Application

Upon approval by the BOARD, the applicant shall deliver, for recording: all dedications, covenants and other such documents, as may be required by the BOARD, to the COUNTY Recorder of Deeds.

6.3.10 Performance Schedule

The applicant must conform to the development schedule as required herein above. If no CONSTRUCTION is started, or approved USE established in the PLANNED UNIT DEVELOPMENT within 365 days from approval of the final development plan, the approval of the final development plan shall lapse and be voided and be no longer in effect. In its discretion and for good cause, the BOARD may extend for 1 additional year the period for the beginning of CONSTRUCTION, the establishment of an approved USE, or completion of a phase of development as indicated in the development schedule. If a final development plan lapses under the provisions of this section, the Zoning Administrator shall notify the applicant at the address given on the plan submittal of the revocation of approval of the RESIDENTIAL PLANNED UNIT DEVELOPMENT.

6.3.11 Standards

- A. RESIDENTIAL PLANNED UNIT DEVELOPMENTS in the AG-1, AG-2, R-1, R-2, R-3 and R-4 DISTRICTS shall conform to the standards indicated in Section 6.3.15 of this ordinance. RESIDENTIAL PLANNED UNIT DEVELOPMENTS shall be classified into three categories as shown in Section 6.3.16. The following additional provisions are also applicable to all RESIDENTIAL PLANNED UNIT DEVELOPMENTS:
 - 1. Two off-STREET PARKING SPACES shall be provided for each DWELLING UNIT included in the development. Such spaces shall be located not further than 300 feet from a ground floor entrance of the BUILDING in which the DWELLING UNIT is located, but within the RESIDENTIAL PLANNED UNIT DEVELOPMENT boundaries.

SECTION 6.3.11 STANDARDS - CONTINUED

2. The minimum proportion of the total site area of a RESIDENTIAL PLANNED UNIT DEVELOPMENT which is required as commonly owned and maintained OPEN SPACE is indicated in Section 6.3.15. The area of each contiguous parcel of OPEN SPACE shall be not less than 6,000 square feet in area nor less than 30 feet in width.
3. RESIDENTIAL PLANNED UNIT DEVELOPMENT, irrespective of zoning DISTRICT, shall be provided with adequate public sanitary sewer service prior to occupancy. Refuse removal shall be provided to the entire development.

B. PRIVATE ACCESSWAYS

STREET CONSTRUCTION regardless of OWNERSHIP, shall be made in conformance with the *Subdivision Ordinance*. Minimum pavement widths for PRIVATE ACCESSWAYS when authorized, shall be 13 feet for the first lane of traffic in each direction and 11 feet for each additional lane, STREET CONSTRUCTION plans and details shall be submitted to the ENGINEER for his review. The ENGINEER may submit, in writing, his recommendations, if any, to the BOARD.

C. All common OPEN SPACE shall be:

1. Conveyed to a not-for-profit corporation or entity established for the purpose of benefitting the OWNERS and residents of the RESIDENTIAL PLANNED UNIT DEVELOPMENT or adjoining PROPERTY OWNERS or any one or more of them by providing perpetual maintenance of all lands in common to the project. All lands so conveyed shall be subject to the right of the grantee or grantees to enforce maintenance and improvement of the common OPEN SPACE.
2. Guaranteed by a restrictive covenant describing the OPEN SPACE and its maintenance and improvement running with the land for the benefit of residents of the RESIDENTIAL PLANNED UNIT DEVELOPMENT or adjoining PROPERTY OWNERS or both.

6.3.12 Required Documents

- A. All public facilities and improvements which are part of the RESIDENTIAL PLANNED UNIT DEVELOPMENT shall be guaranteed in a form approved by the State's Attorney or bonds shall be delivered to guarantee CONSTRUCTION of the required improvements. Any such guarantee shall be at a rate of 120% of the estimated cost of CONSTRUCTION as determined by the ENGINEER. In addition to the guarantee required, a deposit shall be made to the COUNTY in cash or maintenance bond equal to 15 percent of the estimated cost of public facility installations. This deposit shall be a guarantee of satisfactory performance of the facilities CONSTRUCTED within the RESIDENTIAL PLANNED UNIT DEVELOPMENT and satisfactory maintenance and operation of such facilities necessary to the health, safety and convenience of the tenants or successors to the applicant. Such cash or bonds shall be held by the COUNTY for a period of 18 months after final acceptance of such facilities by the COUNTY. After such 18 months, the deposit shall be refunded if no defects have developed, or if any defects have developed then the balance of such deposits shall be refunded after reimbursement for amounts expended in correcting defective facilities. The deposit under this Paragraph shall be made immediately upon completion and approval of the CONSTRUCTION of said public facilities, and the performance guarantee for the public facilities shall thereupon be released.
- B. The applicant shall submit a certificate from the COUNTY Clerk stating that no delinquent taxes or unpaid special assessments constituting a lien on the whole or any part of the PROPERTY of the RESIDENTIAL PLANNED UNIT DEVELOPMENT are unpaid or exist. Such certificate shall be made a part of the RESIDENTIAL PLANNED UNIT DEVELOPMENT documents prior to its submission to the BOARD for final review.
- C. Final agreements, provisions, or covenants shall govern the USE, maintenance and continued protection of the RESIDENTIAL PLANNED UNIT DEVELOPMENT.
- D. Public STREET RIGHT-OF-WAY dedications shall be made in conformance with the Subdivision Ordinance and the approved plan. However, the requirement that sidewalks be CONSTRUCTED on both sides of the STREET may be waived if pedestrian circulation is provided in a manner acceptable to the BOARD. Common OPEN SPACE to be dedicated in accordance with this section shall be designated by the applicant with the required documents for such dedication.

SECTION 6.3.12 REQUIRED DOCUMENTS - CONTINUED

- E. The CONSTRUCTION and maintenance of all public facilities and improvements which are part of the PLANNED UNIT DEVELOPMENT shall be guaranteed to the COUNTY, in cash or corporate surety bonds as approved by the State's Attorney. CONSTRUCTION bonds may be for such phases of the PLANNED UNIT DEVELOPMENT as the BOARD has approved, and are due on or before start of CONSTRUCTION of any such phases. Each bond may be released upon the completion of CONSTRUCTION of the phase to which it relates, even though other phases may be under CONSTRUCTION or not yet begun. Release of the bond shall be on the recommendation of the COUNTY Highway Superintendent and Zoning Administrator, and approval of the BOARD. The guarantee for CONSTRUCTION shall be in the sum equal to 120% of the estimated cost as determined by the COUNTY Highway Superintendent. Maintenance shall be guaranteed to the COUNTY and extended for a period of 540 days after final acceptance of the facilities by the COUNTY. The maintenance guarantee shall be made in a sum equal to 15% of the estimated cost of CONSTRUCTION and shall be filed prior to the release of the CONSTRUCTION bond and made effective immediately upon acceptance of the CONSTRUCTION of the public facility improvements. After such 540 days the deposit shall be refunded or the corporate surety bond released if no defects have developed; or if any defects have developed, then the balance of such deposit shall be refunded, or, the corporate surety bond released after reimbursement for amounts expended in correcting defective facilities.

6.3.13 Issuance of Permits

The Zoning Administrator shall issue a Zoning Use Permit for the BUILDINGS and STRUCTURES in the area approved for a RESIDENTIAL PLANNED UNIT DEVELOPMENT. He shall also issue a Zoning Compliance Certificate for any completed BUILDING or STRUCTURE located in the area covered by the approved RESIDENTIAL PLANNED UNIT DEVELOPMENT only if the completed BUILDING or STRUCTURE conforms to the approved final development plan and to all other applicable ordinances and regulations, and provided further that sufficient site development is completed to present no health or safety hazard to the occupants. No changes may be made in the final development plan during the CONSTRUCTION of a RESIDENTIAL PLANNED UNIT DEVELOPMENT except upon application to the appropriate agency under the procedures provided below.

6.3.14 Changes to Approved PLANNED UNIT DEVELOPMENTS

- A. Minor changes in the location, siting and the HEIGHT of BUILDINGS and STRUCTURES may be authorized by the BOARD if required by engineering or other circumstances not foreseen at the time the final plan was approved. No change authorized by this Subsection may cause any of the following:
1. A change in the USE or character of the development;

SECTION 6.3.14 CHANGES TO APPROVED PLANNED UNIT DEVELOPMENTS - CONTINUED

2. An increase in overall COVERAGE of BUILDINGS and STRUCTURES;
 3. An increase in the intensity of USE;
 4. An increase in the problems of traffic circulation and public utilities;
 5. A reduction in approved OPEN SPACE;
 6. A reduction of Off-STREET parking and loading space;
 7. A reduction in required pavement widths.
- B. All other changes in USES, or rearrangements of LOTS, BLOCKS and BUILDING tracts, or any changes in the provision of common OPEN SPACES, and any changes other than listed above, must be made by the BOARD after submission to the Zoning Administrator and report by the Executive Director of the PLANNING COMMISSION. Such amendments may be made only if they are shown to be required by changes in conditions that have occurred since the final plan was approved or by changes in policy. Any changes which are approved in the final plan must be recorded as amendments in accordance with the procedure established for the recording of the initial final plan documents.

Section 6.3.15 Table of Residential Planned Unit Development Standards

Zoning DISTRICT	Maximum BUILDING HEIGHT		Minimum Site Area (Sq.Ft. ¹)	Minimum Area In Landscaping ²	Minimum Area in Common OPEN SPACE ³	Maximum COVERAGE ⁴	Maximum Net Density ⁵ DWELLING UNITS per Acre	Minimum Yards ⁷				
	Feet	Stories						Front Setback from STREET Centerline ⁶			SIDE	REAR
								STREET Classification				
			Major	Collector	Minor							
AG-1	35	2 1/2	75,000	50%	15%	20%	6	85	75	55	10	20
AG-2	35	2 1/2	75,000	50%	15%	20%	6	85	75	55	10	20
R-1	35	2 1/2	75,000	50%	15%	20%	7	85	75	55	10	20
R-2	35	2 1/2	75,000	45%	10%	25%	10	85	75	55	10	20
R-3	35	2 1/2	75,000	45%	10%	25%	13	85	75	55	10	20
R-4	50	2 1/2	75,000	45%	10%	25%	25	85	75	55	10 (8)	20 (8)

Footnotes

1. For Class II, RESIDENTIAL PLANNED UNIT DEVELOPMENTS. See Section 6.3.16 for the minimum area of Class I RESIDENTIAL PLANNED UNIT DEVELOPMENTS and for permitted ACCESSORY USES. See Section 6.3.16 for Class II Standards.
2. Includes only that area containing grass, shrubs or other landscaping treatment.
3. Percentage refers to gross site areas. Not less than 10% of such common OPEN SPACE shall be devoted to active recreational USE in single and two-family developments and not less than 15% of such common OPEN SPACE shall be devoted to active recreational USE in multi-family developments.
4. Percent of total area of RESIDENTIAL PLANNED UNIT DEVELOPMENT.
5. Total site area exclusive of public and PRIVATE ACCESSWAYS and roadways divided by total number of DWELLING UNITS.
6. In no case, however, shall the FRONT YARD, measured from the nearest RIGHT-OF-WAY line, be less than 35 feet from a MAJOR STREET, 30 feet from a COLLECTOR STREET, or 25 feet from a MINOR STREET. Where 25% or more of the LOTS within a BLOCK, such LOTS abutting STREETS other than federal or state highways, were occupied by MAIN or PRINCIPAL STRUCTURES prior to the effective date of this ordinance, the average of the SETBACK LINE or such STRUCTURES shall be the minimum SETBACK LINE of the remaining vacant LOTS within such BLOCKS except where the public health, safety, comfort, morals, or welfare are endangered.
7. Around perimeter of entire RESIDENTIAL PLANNED UNIT DEVELOPMENT.
8. Required YARDS in R-4 DISTRICTS must be increased by three feet for each story in HEIGHT over three stories. For any side of a RESIDENTIAL PLANNED UNIT DEVELOPMENT that fronts on a STREET, a minimum setback of 25 feet shall be provided.

Section 6.3.16 Table of Residential Planned Unit Development Classifications

Classification	Minimum Site Area	Permitted ACCESSORY and Commercial USES ¹	Maximum Percentage of Site Devoted to Commercial USES ²
Class I	1,500,000 sq. ft. (34.4 acres)	Any USE permitted in the B-2, Neighborhood Shopping DISTRICT	10% of Gross Site Area
Class II	300,000 sq. ft. (6.9 acres)	Business USES permitted in the B-2, Neighborhood Business DISTRICT in the categories of 1) Personal Services, 2) Food Sales and Services, and 3) Retail Trade Only	10% of Gross Site Area
Class III	75,000 sq. ft.	None	None

Footnotes

1. The development standards listed in Section 5.2 shall apply to all commercial developments in PLANNED UNIT DEVELOPMENTS whether the USES are permitted by right or SPECIAL USE.
2. No commercial USE shall be initiated until at least 25 percent of the residential floor space is built.

SECTION 7 ACCESSORY STRUCTURES AND USES

ACCESSORY STRUCTURES and USES customarily incidental to the MAIN or PRINCIPAL STRUCTURES are permitted in all DISTRICTS. In addition, the following standards for ACCESSORY STRUCTURES and USES shall apply:

7.1 NEIGHBORHOOD HOME OCCUPATIONS and RURAL HOME OCCUPATIONS

7.1.1 NEIGHBORHOOD HOME OCCUPATIONS as defined in Section 3, are permitted as an ACCESSORY USE subject to the following standards:

- A. No more than one employee, in addition to family members, shall be present on the premises at any one time. No employees shall be present on the premises earlier than 8:00 a.m. or later than 6:00 p.m.
- B. All business activities shall be conducted entirely indoors, and limited to the DWELLING and no more than one ACCESSORY BUILDING located on the LOT. The DWELLING or ACCESSORY BUILDING shall not be modified and no DISPLAY or activity shall be conducted that would indicate from the exterior that it is being used for any purpose other than that of a residential DWELLING or residential ACCESSORY BUILDING.
- C. No SIGN other than a name plate not more than two square feet in area shall be permitted.
- D. No storage of volatile liquids, flammable gases, hazardous materials, or explosives shall be permitted except as might be kept for normal household use in typical household quantities.
- E. No more than three patrons, clients, congregants, or similar persons may be present on the premises at one time except:
 - 1. up to 12 children may be present in day care homes;
 - 2. up to 12 clients, patients or other congregants may be present for religious services, group counseling, or similar purposes not more than three times in any seven day period nor more than twice in one day; and
 - 3. up to 12 patrons may be present at sales parties, open houses or similar events not more than once in any 30 day period;
 - 4. up to eight guests in no more than four guest rooms may be present at one time in a bed and breakfast establishment.
- F. No patrons, clients or other congregants shall be present on the premises earlier than 9:00 a.m. nor later than 10:00 p.m. except that day care recipients may be present as early as 6:30 a.m.

SECTION 7.1.1 NEIGHBORHOOD HOME OCCUPATIONS - CONTINUED

- G. Processes employed shall not create odor, dust, noise, gas, smoke, or vibration discernable at the property line other than of such a nature, quantity, intensity, duration, or time of occurrence customarily associated with the exclusive residential use of a similar DWELLING.
- H. Deliveries by truck shall be limited to no more than an average of one per week and a maximum of two in any given week for trucks no larger than a standard commercial delivery truck. Deliveries by semi-trailer trucks are prohibited.
- I. Prohibited NEIGHBORHOOD HOME OCCUPATION activities shall include:
 - 1. MAJOR AUTOMOBILE REPAIR;
 - 2. MINOR AUTOMOBILE REPAIR within 1 ½ miles from a municipality or village that prohibits “minor auto repair” as a home occupation and/or MINOR AUTOMOBILE REPAIR conducted more than 1 ½ miles from a municipality or village that prohibits “minor automobile repair” as a home occupation but without the approval required by Section 7.1.1M.;
 - 3. Salvage, recycling and solid waste hauling;
 - 4. Sale of articles not produced on the premises except as provided in Section 7.1.1E.3. or as such sales are incidental to the provision of a service;
 - 5. Sales of guns and ammunition provided that a Gun Dealers License is obtained from the Federal Bureau of Alcohol, Tobacco and Firearms and sales are made by appointment only subject to the limitations of Section 7.1.1E.
- J. Outdoor STORAGE or DISPLAY is prohibited.
- K. No more than one commercial vehicle less than or equal to 36,000 pounds gross vehicle weight and no more than 25 feet in length shall be permitted on LOTS located in a residential zoning district as part of the NEIGHBORHOOD HOME OCCUPATION.
- L. All NEIGHBORHOOD HOME OCCUPATIONS that exceed any of the standards in paragraphs 7.1.1A. through K. may be authorized by SPECIAL USE Permit provided as follows:
 - 1. The USE is not a prohibited activity in paragraph 7.1.1I.
 - 2. The DWELLING on the subject property shall remain the principal USE and the PRINCIPAL BUILDING on the property and the HOME OCCUPATION shall always be an ACCESSORY USE and any building devoted to the HOME OCCUPATION shall be an ACCESSORY BUILDING.

SECTION 7.1.1 NEIGHBORHOOD HOME OCCUPATIONS - CONTINUED

- M. MINOR AUTOMOBILE REPAIR may be authorized as a NEIGHBORHOOD HOME OCCUPATION by means of a SPECIAL USE Permit as follows:
1. When located more than 1 ½ miles from a municipality or village whose Zoning Ordinance does not explicitly authorize “minor auto repair” as a home occupation; or
 2. When located less than 1 ½ miles from a municipality or village whose Zoning Ordinance does not explicitly authorize “minor auto repair” as a home occupation but at a location that meets one of the following conditions:
 - a. a location in an area indicated as a future land use other than residential on the relevant comprehensive plan; or
 - b. a location subject to an intergovernmental agreement regarding municipal extraterritorial jurisdiction and which is therefore within the extraterritorial jurisdiction of a municipality or village that does explicitly authorize “minor auto repair” as a home occupation; and
 3. Subject to the following standard conditions which may be waived as authorized in Section 6.1 and Section 9.1.11 except that paragraph 7.1.1M.3.h shall be subject to a VARIANCE as authorized by Section 9.1.9.:
 - a. All MINOR AUTOMOBILE REPAIR shall be conducted inside a building.
 - b. No MINOR AUTOMOBILE REPAIR shall be conducted and no customers shall be on the property between the hours of 10:00pm and 9:00am except that vehicles may be dropped off for repair as early as 6:30am.
 - c. No parking shall occur within a public right-of-way.
 - d. No more than two resident vehicles and one customer vehicle may be parked outdoors on the property at any one time, and no customer vehicles may be parked outside between 10:00pm and 6:30am. The customer parking space shall be identified on the approved site plan.
 - e. Any vehicle parked outdoors on the property must intact and have a valid license.
 - f. No more than one inoperable vehicle may be parked outdoors on the property at any time.

SECTION 7.1.1 NEIGHBORHOOD HOME OCCUPATIONS - CONTINUED

- g. No vehicle shall be allowed to discharge hazardous materials onto the surface of the ground or onto a paved surface and any leak, spill, or discharge of hazardous material that does occur shall be immediately and appropriately cleaned up consistent with all relevant State and Federal regulations and best management practices must be as approved in the SPECIAL USE Permit.
 - h. All vehicles parked outdoors on the property must be at least 10 feet from a FRONT LOT LINE and at least 5 feet from a SIDE or REAR LOT LINE and shall be parked on a surface other than bare ground. This requirement is subject to a VARIANCE as authorized by Section 9.1.9.
 - i. Storage and/or use of volatile liquids and hazardous materials in excess of that for normal household use in typical household quantities must be as approved in the SPECIAL USE Permit.
 - j. Disposal of used liquids and hazardous materials and used parts must be documented to be in conformance with all relevant State and Federal regulations and best management practices must be as approved in the SPECIAL USE Permit.
 - k. Floor drains are prohibited in new buildings proposed to be used for MINOR AUTOMOBILE REPAIR unless installed with an oil separator inspected and approved by the State Plumbing Inspector. Floor drains in existing buildings proposed to be used for MINOR AUTOMOBILE REPAIR shall be blocked off or outfitted with an oil separator that is inspected and approved by the State Plumbing Inspector.
 - l. The ACCESSORY BUILDING AREA occupied by the MINOR AUTOMOBILE REPAIR (including, if applicable, any area for a service counter and waiting area, repair area, material storage, vehicle storage, etc.) shall not exceed 1,500 square feet or more than 150% of the PRINCIPAL BUILDING AREA, whichever is greater, and shall be indicated on a floor plan drawing which shall be part of the approved site plan.
 - m. Evidence of vehicle ownership shall be provided at the request of the Zoning Administrator.
- N. All NEIGHBORHOOD HOME OCCUPATIONS shall be registered with the Department of Planning and Zoning on forms prepared by the Zoning Administrator and any NEIGHBORHOOD HOME OCCUPATION authorized by SPECIAL USE Permit shall be required to obtain a Zoning Use Permit in accordance with Section 9.1.2 prior to operation. The fee for the Zoning Use Permit shall be the same as the fee for a RURAL HOME OCCUPATION.

7.1.2 RURAL HOME OCCUPATIONS as defined in Section 3, are permitted as an ACCESSORY USE in any DWELLING in the AG-1, Agriculture, AG-2; Agriculture; and CR, Conservation-Recreation DISTRICTS subject to the following standards:

- A. RURAL HOME OCCUPATIONS shall not be located on lots fronting on streets located wholly within a recorded subdivision or within 500 feet of a residential zoning DISTRICT.
- B. Non-family employees shall only be authorized subject to the following limitations:
 - 1. On lots smaller than two acres in area no more than one employee may be present on that premises and no more than one additional employee may report to the site for work performed off the premises; but
 - 2. On lots that are two acres in area or larger no more than two employees may be present on the premises and no more than three additional employees may report to the site for work performed off the premises; and
 - 3. All employees may be present and working on the premises for no more than five days within any 30 day period due to inclement weather or as necessitated by other business considerations; and
 - 4. Family members who are resident on the property while the HOME OCCUPATION is operating but who mature and subsequently move from the premises may remain active in the HOME OCCUPATION and shall not be counted as a non-resident employee as long as their participation in the HOME OCCUPATION continues.
- C. Changes to the exterior of the DWELLING or ACCESSORY BUILDING which would indicate that it is being utilized in whole or in part for any purpose other than that of a residential or farm BUILDING are prohibited.
- D. No more than one SIGN, not more than six square feet in area shall be permitted.
- E. Non-farm MOTOR VEHICLES and/or licensed semitrailers and/or licensed pole trailers used and parked at any RURAL HOME OCCUPATION shall be limited as follows:
 - 1. The number of MOTOR VEHICLES and/or licensed semitrailers and/or licensed pole trailers displaying the name of the RURAL HOME OCCUPATION and/or used at any RURAL HOME OCCUPATION shall be within the limits established in this paragraph.
 - 2. No more than three MOTOR VEHICLES that are either a truck tractor and/or a MOTOR VEHICLE with tandem axles, both as defined by the Illinois Motor Vehicle Code (625 ILCS 5/1 et seq), shall be authorized and all MOTOR VEHICLE loads and weights shall conform to the Illinois Vehicle Code (625 ILCS 5/15-111).

SECTION 7.1.2 RURAL HOME OCCUPATIONS - CONTINUED

3. No more than 10 MOTOR VEHICLES and/or licensed semitrailers and/or licensed pole trailers in total shall be authorized excluding patron or employee or owner personal MOTOR VEHICLES.
4. All MOTOR VEHICLES and licensed semitrailers and licensed pole trailers shall be stored in an enclosed BUILDING or parked outdoors subject to the following:
 - a. No more than one MOTOR VEHICLE that conforms to paragraph 7.1.1K. may be parked outdoors no less than five feet from a SIDE or REAR LOT LINE nor less than 10 feet from a FRONT LOT LINE; and
 - b. Outdoor parking for more than one MOTOR VEHICLE and any licensed semitrailer and any licensed pole trailer shall be at least 10 feet from any LOT LINE; and
 - c. In addition to parking spaces for MOTOR VEHICLES and/or licensed semitrailers and/or licensed pole trailers that are parked outdoors at a RURAL HOME OCCUPATION, off-street parking spaces shall also be provided in the minimum size and number required by Section 7.4 for all onsite employees and onsite patrons, subject to the following:
 - (1) No parking shall occur in the STREET RIGHT OF WAY.
 - (2) The requirements of Section 7.4 notwithstanding, all off-street parking and outside STORAGE of MOTOR VEHICLES and/or any licensed semitrailer and/or licensed pole trailer that is visible from and located with 100 feet from either a residential DISTRICT or the BUILDING RESTRICTION LINE of a lot containing a DWELLING conforming to USE, shall be subject to the following SCREEN requirements:
 - (a) Any required SCREEN shall meet the requirements of paragraph 4.3.3H.
 - (b) More than four MOTOR VEHICLES of no more than 15,000 pounds each shall be screened by a Type A SCREEN except that a Type B SCREEN may be erected along a REAR LOT LINE.

SECTION 7.1.2 RURAL HOME OCCUPATIONS – CONTINUED

- (c) A Type D SCREEN shall be required for more than one MOTOR VEHICLE that weighs more than 15,000 pounds gross vehicle weight or a combination of MOTOR VEHICLE and connected trailer than weighs more than 15,000 pounds gross vehicle weight or four or more licensed semitrailers and/or licensed pole trailers.
 - (3) The requirements of Section 7.4 notwithstanding, loading berths are not required for RURAL HOME OCCUPATIONS.
 - (4) The requirements of Section 7.4 notwithstanding, paragraph 7.4.1D.2. shall not be applicable to any parking at a RURAL HOME OCCUPATION.
- F. Non-farm equipment and supplemental equipment attachments that may be stored and/or used at any RURAL HOME OCCUPATION shall be limited as follows:
 - 1. The number of complete pieces of equipment that are motorized or non-motorized and/or the number of supplemental equipment attachments that may be stored and/or used outdoors at a RURAL HOME OCCUPATION shall be within the limits established in this paragraph and subject to the following:
 - a. Equipment shall include any motorized or non-motorized device or implement; trailers, except for licensed semitrailers and licensed pole trailers; devices mounted on trailers and any agricultural equipment used for non-agricultural uses.
 - b. Equipment does not include MOTOR VEHICLES or licensed semitrailers or licensed pole trailers; hand tools or bench tools or tools mounted on a table or wheel barrow or similar tools.
 - c. A supplemental equipment attachment is any specialized device that attaches to equipment such as any device that attaches to a tractor by a 3-point hitch; or an extra loader bucket; or a snow blade attachment; or any similar device that attaches to either equipment or to a MOTORIZED VEHICLE.
 - d. There is no limit to the number of complete pieces of equipment or the number of supplemental equipment attachments that may be kept stored inside or used inside a BUILDING but at no time may the number of complete pieces of equipment or the number of supplemental equipment attachments that may be kept in outdoor STORAGE and/or used outdoors exceed the limits of paragraphs 7.1.2F.2. and 7.1.2F.3.

SECTION 7.1.2 RURAL HOME OCCUPATIONS - CONTINUED

- e. All equipment and supplemental equipment attachments kept in outdoor STORAGE or used outdoors must be operable.
2. No more than 10 complete pieces of equipment may be kept in outdoor STORAGE and/or used outdoors subject to the following:
 - a. The number of complete pieces of equipment that may be kept in outdoor STORAGE and/or used outdoors shall be reduced by the number of MOTOR VEHICLES and/or licensed semitrailers and/or licensed pole trailers also parked or used outdoors and all other complete pieces of equipment must be kept in an enclosed BUILDING.
 - b. When equipment is on a trailer other than a semitrailer or pole trailer, the trailer and all equipment on the trailer are all counted as only one piece of equipment.
 - c. When equipment is on a trailer other than a semitrailer or pole trailer, and the trailer is connected to a MOTOR VEHICLE the entire unit shall be considered to be only one MOTOR VEHICLE.
 - d. Each piece of equipment that is on a semitrailer or pole trailer shall be considered as one piece of equipment in addition to the semitrailer or pole trailer whether or not the semitrailer or pole trailer is connected to a MOTOR VEHICLE.
 3. Supplemental equipment attachments may also be kept in outdoor STORAGE and/or used outdoors.
 4. Complete pieces of equipment and supplemental equipment attachments kept in outdoor STORAGE and/or used outdoors must be stored or used at least 10 feet from any LOT LINE and screened as required by paragraph 7.1.2K. except as follows:
 - a. Equipment and any supplemental equipment attachment carried on a MOTOR VEHICLE or on a trailer connected to a MOTOR VEHICLE, in which case the required SCREEN shall be as required in paragraph 7.1.2E.
 - b. When there is no more than two complete pieces of equipment (each weighing less than 15,000 pounds gross vehicle weight), in which case no SCREEN is required unless the total number of MOTOR VEHICLES (each weighing less than 15,000 pounds gross vehicle weight) and equipment is more than four in which case the required SCREEN shall be as required by 7.1.2E.4.c.

SECTION 7.1.2 RURAL HOME OCCUPATIONS - CONTINUED

- G. Processes employed shall not create odor, dust, noise, gas, smoke, or vibration discernable at the property line other than of such a nature, quantity, intensity, duration, or time of occurrence customarily associated with AGRICULTURE.
- H. No storage of volatile liquid, flammable gases, hazardous material or explosives shall be permitted except as such might be kept for customary agricultural purposes in quantities and concentrations customarily found on farms.
- I. Off-street parking spaces shall be provided subject to the provisions of Section 7.4 for all employees and patrons.
- J. Prohibited RURAL HOME OCCUPATION activities shall include:
 - 1. outdoor storage of any number of unlicensed vehicles or more than two licensed vehicles awaiting automobile or truck repair;
 - 2. outdoor automobile or truck repair OPERATIONS;
 - 3. salvage or recycling STORAGE or OPERATIONS;
 - 4. outdoor storage of any vehicle equipment or container used for solid waste hauling;
 - 5. retail sale of articles not produced on the site except grain seed sales or as such sales are incidental to the provision of a service.
- K. Outdoor sales DISPLAY shall be limited to items produced on-site, shall occupy an area no larger than 500 square feet, and shall not be permitted in required SETBACKS or the SIDE and REAR YARDS.
- L. Outdoor STORAGE used in any RURAL HOME OCCUPATION shall be limited to SIDE YARDS or the REAR YARD and shall be screened as follows:
 - 1. Outdoor STORAGE shall not be located in any required off-street PARKING SPACES.
 - 2. A Type D SCREEN shall be located so as to obscure or conceal any part of any YARD used for outdoor STORAGE which is visible within 1,000 feet from any of the following circumstances:
 - a. Any point within the BUILDING RESTRICTION LINE of any lot located in any R DISTRICT or any lot occupied by a DWELLING conforming as to USE or occupied by a SCHOOL; church or temple; public park or recreational facility; public library, museum, or gallery; public fairgrounds; nursing home or hospital; recreational business use with outdoor facilities; or
 - b. Any designated urban arterial street or MAJOR STREET.

SECTION 7.1.2 RURAL HOME OCCUPATIONS - CONTINUED

- M. A RURAL HOME OCCUPATION that exceeds any of the standards in paragraphs 7.1.2 A. through L. may be authorized by SPECIAL USE Permit as provided as follows:
1. The USE is not a prohibited activity in paragraph 7.1.2J.
 2. The DWELLING on the subject property shall remain the principal USE and the PRINCIPAL BUILDING on the property and the HOME OCCUPATION shall always be an ACCESSORY USE and any building devoted to the HOME OCCUPATION shall be an ACCESSORY BUILDING.
- N. Any exterior lighting for Outdoor STORAGE, and/or OPERATIONS, and/or parking area, and/or a new building with exterior lighting authorized after November 21, 2013, for any RURAL HOME OCCUPATION shall be required to minimize glare from exterior lighting onto adjacent properties and roadways by the following means:
1. All exterior lighting shall be full-cutoff type lighting fixtures and shall be located and installed so as to minimize glare and light trespass onto adjacent properties. Full-cutoff means that the lighting fixture emits no light above the horizontal plane.
 2. No lamp in any exterior lighting fixture shall be greater than 250 watts.
 3. Locations and numbers of exterior lighting fixtures used to illuminate the RURAL HOME OCCUPATION shall be indicated on the site plan (including floor plans and building elevation).
 4. The Zoning Administrator shall not approve a Zoning Use Permit without the manufacturer's documentation of the full-cutoff feature for all light fixtures.
 5. The requirements of this paragraph 7.1.2M. shall only apply to lighting for any Outdoor STORAGE and/or OPERATIONS, and/or parking area, and/or building exterior that is part of a RURAL HOME OCCUPATION established after November 21, 2013 or any new Outdoor STORAGE, and/or OPERATIONS, and/or parking area, and/or building exterior that is added after November 21, 2013 to any existing RURAL HOME OCCUPATION and shall not apply to any existing Outdoor STORAGE, and/or OPERATIONS, and/or parking area, and/or building exterior that existed at any duly authorized RURAL HOME OCCUPATION on November 21, 2013.

SECTION 7.1.2 RURAL HOME OCCUPATIONS - CONTINUED

- O. Applicability and nonconformities.
 - 1. The requirements of paragraphs 7.1.2E. and 7.1.2F. shall apply to any RURAL HOME OCCUPATION for which an application is received after September 1, 2012, and to the expansion of any RURAL HOME OCCUPATION for which an application had been received on or before September 1, 2012.
 - 2. The requirements of paragraphs 7.1.2E. and 7.1.2F. and the requirements of Section 8 notwithstanding:
 - a. Any MOTOR VEHICLE or licensed trailer or piece of equipment that was included in any application for, or present and noted in any inspection thereof by the Zoning Administrator or designee, or included in any authorization of a Zoning Compliance Certificate for any RURAL HOME OCCUPATION on or before September 1, 2012, and which would have, if considered in total, exceeded the applicable limits for MOTOR VEHICLES and equipment at that time may continue to be at that RURAL HOME OCCUPATION.
 - b. Any RURAL HOME OCCUPATION that complies with subparagraph 7.1.2N.2.a. shall be authorized to have that same number and type of MOTOR VEHICLES or licensed trailers or pieces of equipment as long as it continues in business at that location and any such MOTOR VEHICLE or licensed trailer or piece of equipment may be replaced with a similar MOTOR VEHICLE or licensed trailer or piece of equipment.
- P. All RURAL HOME OCCUPATIONS shall obtain a Zoning Use Permit in accordance with Section 9.1.2 of the Champaign County Zoning Ordinance prior to operation.

7.2 YARDS for DETACHED ACCESSORY BUILDINGS and STRUCTURES

7.2.1 AG-1, AG-2 and CR DISTRICTS

A. FRONT YARD

The minimum FRONT YARD dimension shall be determined according to the SETBACK LINE provisions specified in Section 5.3.

B. SIDE YARD

No DETACHED ACCESSORY BUILDING or STRUCTURE shall be located less than 10 feet from any side LOT LINE.

C. REAR YARD

No DETACHED ACCESSORY BUILDING or STRUCTURE shall be located less than 10 feet from any REAR LOT LINE.

7.2.2 R-1, R-2, R-3 and R-4 DISTRICTS

A. FRONT YARD

The minimum FRONT YARD dimensions shall be determined according to the SETBACK LINE provisions specified in Section 5.3.

B. SIDE YARD

No DETACHED ACCESSORY BUILDING or STRUCTURE shall be located less than five feet from any side LOT LINE.

C. REAR YARD

No DETACHED ACCESSORY BUILDING or STRUCTURE shall be located less than five feet from any REAR LOT LINE.

7.2.3 All Business and Industrial DISTRICTS

A. DETACHED ACCESSORY BUILDING

1. FRONT YARD

The minimum FRONT YARD dimension shall be determined according to the SETBACK LINE provisions specified in Section 5.3.

2. SIDE YARD

The requirements of Section 5.3 shall apply except that no DETACHED ACCESSORY BUILDING shall be required to be located more than 10 feet from any SIDE LOT LINE.

3. REAR YARD

The requirements of Section 5.3 shall apply except that no DETACHED ACCESSORY BUILDING shall be required to be located more than 15 feet from any REAR LOT LINE.

B. DETACHED ACCESSORY STRUCTURE

1. FRONT YARD

The minimum FRONT YARD dimension shall be determined according to the SETBACK LINE provisions specified in Section 5.3 except for those DETACHED ACCESSORY STRUCTURES enumerated in Section 4.3.3B.

2. SIDE YARD

The requirements of Section 5.3 shall apply.

3. REAR YARD

The requirements of Section 5.3 shall apply.

C. No SIDE or REAR YARD shall be required where a STRUCTURE abuts a railroad siding, if such siding is used in the day-to-day operation of an industrial USE.

7.3 SIGNS

7.3.1 Area of SIGN

The area of a SIGN shall be computed as follows:

A. Flat SIGN

The area of the smallest geometric figure (circle, ellipse, triangle, square, rectangle, or other quadrilateral); or

B. Volumetric SIGN

The area of the smallest geometric figure encompassing the maximum projected area of the volume on a flat plane which completely encloses the extreme limits of the SIGN including any frame, structural trim or other material forming an integral part of the display as used to differentiate such sign from the background against which it is placed. Such measurement shall exclude the necessary supports or uprights on which the SIGN is placed unless the supports or uprights constitute part of the display.

7.3.2 Standards

OFF-PREMISES SIGNS shall conform to the standards provided in Section 7.3.5. ON-PREMISES SIGNS shall conform to standards provided in Sections 7.3.6 and 7.3.7.

7.3.3 SIGNS allowed in all DISTRICTS without a permit

SIGNS specified in this subsection are permitted in addition to the SIGNS permitted in the respective USE DISTRICT, but are subject to the conditions and limitations set forth herein.

A. Public SIGNS

SIGNS of a public, non-commercial nature, to include safety SIGNS, danger SIGNS, trespassing SIGNS, traffic SIGNS, SIGNS indicating scenic or historical points of interest, memorial plaques, and the like, and all SIGNS erected by or on order of a public officer in the performance of a public duty.

B. Flags

Flags bearing the official design of a nation, state, municipality, or educational institution.

SECTION 7.3.3 SIGNS ALLOWED IN ALL DISTRICTS WITHOUT A PERMIT – CONTINUED

C. Identification SIGNS

SIGNS which identify the business, OWNER, manager, or resident and set forth the address of the PREMISES where the SIGN is located, and which contain no other material. There may be two per PREMISES, not to exceed one square foot each in area, and, if the SIGN is FREESTANDING, the total HEIGHT may not exceed five feet.

D. Integral SIGNS

Names of BUILDINGS, dates of CONSTRUCTION, commemorative tablets and the like, when carved into stone, concrete, or similar material or made of bronze, aluminum, or other permanent type of CONSTRUCTION and made an integral part of the BUILDING or STRUCTURE.

E. Institutional SIGNS

Any SIGN or bulletin board setting forth or denoting the name of or simple announcement for any public, charitable, educational, or religious institution when located on the PREMISES of such institution, provided such SIGN or bulletin board or both shall not exceed a total of 20 square feet in display surface. If BUILDING mounted, these SIGNS shall be flat wall SIGNS and shall not project above the roofline or front façade of the BUILDING. If FREESTANDING, the total HEIGHT shall not exceed six feet.

F. Private Traffic Direction SIGNS and Related SIGNS

SIGNS directing traffic movement onto a PREMISES or within a PREMISES, when such SIGNS are located on the PREMISES, and do not exceed five square feet in area for each SIGN and, if FREESTANDING, do not exceed five feet in total HEIGHT. Such SIGNS are considered to include parking directions, exit or entrance SIGNS, drive-up window SIGNS, restroom SIGNS, and the like.

Horizontal directional SIGNS painted or applied directly onto paved surfaces are exempt from these standards.

G. Community Event SIGNS

SIGNS advertising a public entertainment or event of public interest, provided the placing of the SIGNS shall be approved and the locations designated by the Zoning Administrator. These SIGNS shall remain in place for no more than 21 days before and 14 days after the event and may not exceed 10 square feet in area.

SECTION 7.3.3 SIGNS ALLOWED IN ALL DISTRICTS WITHOUT A PERMIT – CONTINUED

H. Political Campaign SIGNS

SIGNS or posters announcing the candidates seeking public political office and/or political issues, and data pertinent thereto, up to an area of 10 square feet.

These SIGNS shall be confined to private PROPERTY, and shall be removed within 14 days after the election for which they are erected.

I. Holiday SIGN

SIGNS or displays which contain or depict a message pertaining to a national or state holiday, and no other matter, and which are displayed for a period not to exceed 45 days.

J. Individual PROPERTY Sale or Rental SIGNS

Any ON-PREMISES SIGN announcing the name of the OWNER, manager, realtor, or other person directly involved in the sale or rental of the PROPERTY or announcing the purpose for which it is being offered.

SIGNS may be FREESTANDING or WALL MOUNTED only. SIGNS may not emit direct illumination and must be removed within 14 days after a sale or rental of PROPERTY. SIGNS shall conform to the standards provided in Section 7.3.7. SIGNS shall also specify, in 3 inch letters, the current zoning of the PROPERTY.

K. CONSTRUCTION SIGNS

Any SIGN announcing the names of architects, engineers, contractors, or other individuals or firms involved with the CONSTRUCTION, ALTERATION, or repair of a BUILDING (but not including advertisement of any product) or announcing the character of the BUILDING enterprise or the purpose for which the BUILDING is intended.

Such SIGNS shall be confined to the site of the CONSTRUCTION, ALTERATION or repair and shall be removed within 21 days after completion of the work. Said SIGNS shall conform to the standards provided in Section 7.3.7.

L. Portable SIGNS

If a STRUCTURE supporting a SIGN is a vehicle, that vehicle shall not be parked on public or private PROPERTY so as to make display of the SIGN the principal purpose of parking the vehicle, unless, display of the SIGN is specifically permitted by this ordinance.

7.3.4 Prohibited SIGNS

The following SIGNS are specifically prohibited by this ordinance:

- A. Any SIGN which, by reason of its size, location, movement, content, coloring, or manner of illumination, constitutes a traffic hazard or a detriment to traffic safety by obstructing the vision of a motorist or by obstructing, or detracting from, the visibility of any official traffic control device, as determined by the Zoning Administrator;
- B. Any SIGN which contains or is an imitation of an official traffic SIGN or signal, except for private traffic direction SIGNS specifically permitted herein;
- C. Any SIGN which moves or rotates in any way, provided, however, that a SIGN which revolves 360 degrees but does not exceed eight revolutions per minute is permitted;
- D. Any SIGN, other than a time or temperature device, which contains blinking, flashing, or fluttering light(s);
- E. Any SIGN which contains or consists of banners, pennants, ribbons, streamers, strings of light bulbs, spinners, balloons or similar devices;
- F. Any SIGN which for thirty consecutive days has directed attention to a product, place, activity, person, institution, or business which is no longer in operation at that location.

Section 7.3.5 Table of Standards for Off-Premises Advertising SIGNS Permitted

Type of SIGN	Maximum Number Permitted	Maximum Area	Maximum HEIGHT	Location	Miscellaneous Provisions
FREESTANDING: Providing information relative to lodging; food, outdoor recreational or automotive service facilities located within 12 air miles from such SIGN	1) No such SIGNS may be erected or maintained within two miles approaching an interchange, and 2) Only six such SIGNS may be erected or maintained within two to five miles approaching an interchange, and 3) An average of only one SIGN per mile shall be erected or maintained more than 5 miles approaching an interchange, and 4) No such SIGN shall be permitted to be erected or maintained for 1,000 feet beyond an interchange, and 5) Not more than two such SIGNS will be permitted within any mile distance measured from any point, and no such SIGNS will be permitted to be less than 1,000 feet apart.	150 sq. ft.	30 ft.	Along interstate highways within 660 feet of the edge of the RIGHT-OF-WAY subject to DISTRICT SETBACK	SIGN must not be placed closer than 500 feet of bona fide residence, church, SCHOOL, or similar institution.
FREESTANDING: Providing information relative to lodging, food, outdoor recreational or automotive service facilities	Not more than one within any mile distance measured from any point.	1,600 sq. ft.	50 ft.	Along interstate highways beyond 660 feet of the edge of the RIGHT-OF-WAY subject to DISTRICT SETBACK	SIGN must not be placed closer than 500 feet of bona fide residence, church, SCHOOL, or similar institution
FREESTANDING	Not more than three within any mile distance measured from any point.	300 sq. ft.	30 ft.	Along Federal Highways except interstates	SIGN must not be placed closer than 500 feet of a bona fide residence, church, SCHOOL, or similar institution.
FREESTANDING	One per PROPERTY FRONTAGE provided no ON-PREMISES FREESTANDING SIGN exists on the same FRONTAGE	300 sq. ft. in B-3, B-4, B-5, I-1, and I-2 DISTRICTS	30 ft.	SIGN must be located entirely within the SETBACK LINES and may not project into any public RIGHT-OF-WAY	SIGN must not be placed closer than 100 feet of a bona fide residence, church, SCHOOL, or similar institution.
WALL MOUNTED or Wall Facing	One per PROPERTY FRONTAGE provided no ON-PREMISES FREESTANDING SIGN exists on the same FRONTAGE	300 sq. ft. in B-3, B-4, and B-5 DISTRICTS; 800 sq. ft. in I-1 and I-2 DISTRICTS but in no case shall the SIGN exceed 15% of the wall surface area.	Not to project above the wall upon which the SIGN is mounted or adjacent to.	Not to project beyond the edge of the wall upon which the SIGN is mounted or adjacent to nor more than 20" from the wall surface.	SIGN must not be placed closer than 100 feet of a bona fide residence, church, SCHOOL, or similar institution.

Section 7.3.6 Table of Standards for On – Premises SIGNS in B-1, B-2, B-3, B-4, B-5, I-1 and I-2 DISTRICTS

Type of SIGN	Maximum Number Permitted	Maximum Area Permitted per SIGN	Maximum HEIGHT Permitted per SIGN*	Location	Miscellaneous Provision
FREESTANDING*	One per PROPERTY FRONTAGE provided that no PROJECTING SIGN exceeding 35 sq. ft. or OFF-PREMISES SIGN exists on the same FRONTAGE; except two per PREMISE for lodging, food, outdoor recreational or auto service facilities along interstate highways	1.0 sq. ft. per lineal ft. FRONTAGE, up to a maximum of 75 sq. ft. in B-2, B-4 & B-5 DISTRICTS; 150 sq. ft. in B-1 & B-3 DISTRICTS; and 200 sq. ft. in I-1 & I-2 DISTRICTS	20 ft. at the PROPERTY line plus one ft. per additional two ft. of SETBACK up to a maximum of 35 ft. in B-2, B-4 & B-5 DISTRICTS; 30 ft. at the PROPERTY line plus one ft. per additional two ft. of SETBACK up to a maximum of 45 ft. in B-1, B-3, I-1 & I-2 DISTRICTS	SIGN may be located within a required FRONT YARD but in no case shall any part of the SIGN project over a public RIGHT-OF-WAY	The second SIGN on the PREMISES for interstate oriented business shall conform to the SIGN provisions in the B-4 DISTRICT
PROJECTING	One per PROPERTY FRONTAGE provided that no FREESTANDING or OFF-PREMISES SIGN exists on the same FRONTAGE	35 sq. ft. in B-2, B-4, & B-5 DISTRICTS; 50 sq. ft. in B-1 & B-3 DISTRICTS; and 75 sq. ft. in I-1 & I-2 DISTRICTS	SIGN may not project above portion of the roof immediately adjacent to the SIGN	SIGN may be located within a required FRONT YARD but in no case shall any part of the SIGN project over a public RIGHT-OF-WAY	1.0 ft. minimum clearance between bottom of SIGN and ground
WALL MOUNTED	Three per FRONTAGE	15% of the area of wall surface per FRONTAGE	SIGN may not project above the wall upon which the SIGN is mounted	Not to project beyond the edges of the wall upon which the SIGN is mounted	
CANOPY mounted	Two SIGNS per FRONTAGE suspended beneath a CANOPY structure or mounted on the fascia	15% of the total wall surface per FRONTAGE		CANOPY STRUCTURE may not project over public RIGHT-OF-WAY but may project within two ft. of any curb line	10 ft. minimum clearance between bottom of SIGNS and ground

*If a SIGN is 1) directed primarily toward the user of an Interstate Highway, 2) in a B-3, B-4, B-5, I-1 or I-2 DISTRICT, 3) within 2,000 feet of the centerline of an Interstate Highway, and 4) more than 500 feet from any residential DISTRICT, SCHOOL, park, HOSPITAL, or NURSING HOME; it may rise only to such a HEIGHT to be visible from within one-half mile distance each way along the interstate measured from the nearest exiting intersection, not to exceed a HEIGHT of 75 feet.

Section 7.3.7 Table of Standards for Individual Property Sale or Rental SIGNS and Construction SIGNS

DISTRICTS Permitted	Maximum Number Permitted	Maximum Area of SIGN	Maximum HEIGHT of FREESTANDING SIGNS	Location of SIGN
AG-1 & AG-2*	One per 660 ft. FRONTAGE	35 sq. ft.	10 ft.	10 ft. minimum SETBACK from property line
R-1, R-2, & R-3*	One per DWELLING	5 sq. ft.	4 ft.	"
R-4	One per STRUCTURE	10 sq. ft.	10 ft.	"
R-5, B-2, & B-4	One per PROPERTY FRONTAGE	35 sq. ft.	10 ft.	"
B-1 & B-3	One per PROPERTY FRONTAGE	50 sq. ft.	15 ft.	"
I-1 & I-2	One per PROPERTY FRONTAGE	150 sq. ft.	25 ft.	"
B-5	One per PROPERTY FRONTAGE	35 sq. ft.	10 ft.	No SETBACK required

*In PLANNED UNIT DEVELOPMENTS containing multiple-family STRUCTURES, SIGNS shall conform to the provisions listed for the R-4 DISTRICT.

7.4 Off-Street PARKING SPACES and LOADING BERTHS

7.4.1 Off-Street PARKING SPACES

A. General Provisions

1. All off-street PARKING SPACES shall be located on the same LOT or tract of land as the USE served.
2. All spaces for the accommodation of an AUTOMOBILE shall total at least 300 square feet including both parking and maneuvering area.
3. Location
 - a. No such space shall be located less than 10 feet from any FRONT LOT LINE.
 - b. No such space shall be located less than five feet from any side or REAR LOT LINE.

SECTION 7.4.1 OFF-STREET PARKING SPACES - CONTINUED

- B. The minimum size of off-street PARKING SPACES shall be at least nine feet wide by 20 feet long and shall be provided as follows:
1. SINGLE FAMILY DWELLINGS: two off-street PARKING SPACES per DWELLING UNIT.
 2. Two-FAMILY DWELLINGS; MULTI-FAMILY DWELLING; BOARDING HOUSES; LODGING HOUSES
 - a. Two off-street PARKING SPACES per DWELLING UNIT.
 - b. One off-street PARKING SPACE per bedroom in a LODGING UNIT.
 3. DWELLING UNIT or LODGING UNIT in commercial BUILDING, where permitted: one off-street PARKING SPACE per DWELLING UNIT.
- C. Off-street PARKING SPACES for commercial ESTABLISHMENTS shall be provided as follows, except in the B-5, Central Business DISTRICTS:
1. Such PARKING SPACE for the accommodation of a heavy motor truck, MOTOR BUS, or other VEHICLE shall be of dimensions herein specified for an off-STREET LOADING BERTH.
 2. The number of such PARKING SPACES shall be the sum of the individual requirements of the various individual ESTABLISHMENTS computed separately in accordance with this section. Such PARKING SPACES for one such ESTABLISHMENT shall not be considered as providing the number of such PARKING SPACES for any other ESTABLISHMENT.
 3. Schedule of off-street spaces
 - a. HOTEL, MOTEL, TOURIST HOME, private club, and all other similar places offering overnight accommodations. One PARKING SPACE for the OWNER or manager if resident on the PREMISES, plus one PARKING SPACE for each accommodation.

SECTION 7.4.1 OFF-STREET PARKING SPACES - CONTINUED

- b. Place of public assembly, including churches, private clubs, lodges, and fraternal organizations not providing overnight accommodations, assembly halls, exhibition halls, town halls, convention halls, auditoriums, skating rinks, dance halls, bowling alleys, athletic fields, sports arenas, stadiums, gymnasiums, amusement parks, race tracks, fair grounds, circus grounds, exposition grounds, community BUILDINGS, public administration BUILDINGS, and other similar places of relatively infrequent public assembly:
 - i. For BUILDINGS and other enclosed STRUCTURES, one PARKING SPACE for each five seats provided for patrons use, or at least one PARKING SPACE for each 200 square feet of floor area, whichever requires the greater number of PARKING SPACES.
 - ii. For outdoor areas, including non-permanent STRUCTURES, used for exhibit, educational, entertainment, recreational, or other purpose involving assemblage of patrons, one PARKING SPACE per three patrons based on the estimated number of patrons during peak attendance on a given day during said USE is in operation.
 - iii. When a USE involves a combination of enclosed BUILDINGS or STRUCTURES and an outdoor area, the required PARKING SPACES shall be calculated separately per the above standards and then totaled to obtain the required PARKING SPACES for said USE.
- c. Retail ESTABLISHMENTS for the sale of food and/or beverages to be consumed on the PREMISES: One PARKING SPACE for every 100 square feet of floor area or portion thereof.
- d. SCHOOLS
 - i. Elementary SCHOOLS: 2 per classroom; but not less than 1 per teacher and staff, nor fewer than the number required for the largest PUBLIC ASSEMBLY space provided;
 - ii. Intermediate SCHOOLS: 1.5 per classroom; but not less than 1 per teacher and staff, nor fewer than the number required for the largest PUBLIC ASSEMBLY space provided; and
 - iii. Secondary SCHOOLS: 1 per teacher and staff and 1 per 3 students enrolled, but not fewer than the number required for the largest PUBLIC ASSEMBLY space provided.

SECTION 7.4.1 OFF-STREET PARKING SPACES - CONTINUED

- e. ESTABLISHMENTS other than specified above: one such PARKING SPACE for every 200 square feet of floor area or portion thereof.
 - f. Mortuaries, undertaking and funeral parlors shall provide one PARKING SPACE for each five seats or portion thereof in the chapel or parlor plus one PARKING SPACE for each VEHICLE maintained on the PREMISES.
 - g. Animal hospitals, CLINICS, and offices of physicians: one PARKING SPACE for each employee plus three PARKING SPACES for each staff or visiting physician.
 - h. Riding stables, one off-street PARKING SPACE per three horses boarded, one for each horse trailer stored on the site, one for each riding arena operated and one for each employee.
 - i. Parking spaces for a RESIDENTIAL RECOVERY CENTER shall only be required for the number of vehicles proposed to be authorized in the SPECIAL USE Permit application.
4. Required parking SCREENS for commercial ESTABLISHMENTS shall be provided as follows:
- a. Parking areas for more than four vehicles of no more than 8,000 pounds gross vehicle weight each, excluding any vehicles used for hauling solid waste except those used for hauling construction debris and other inert materials, located within any YARD abutting any residential DISTRICT or visible from and located within 100 feet from the BUILDING RESTRICTION LINE of a lot containing a DWELLING conforming as to USE shall be screened with a Type A SCREEN except that a TYPE B SCREEN may be erected along the rear LOT LINE of the business PROPERTY.
 - b. Parking areas for any number of vehicles exceeding 8,000 pounds in gross vehicle weight each or any number of vehicles used for hauling solid waste except those used for hauling construction debris and other inert materials located within any YARD abutting any residential DISTRICT or visible from and located within 100 feet from the BUILDING RESTRICTION LINE of a lot containing a DWELLING conforming as to USE shall be screened with a Type D SCREEN.

SECTION 7.4.1 OFF-STREET PARKING SPACES - CONTINUED

- D. Off-street PARKING SPACES for Industrial USES shall be provided as follows:
1. One space shall be provided for each three employees based upon the maximum number of persons employed during one work period during the day or night, plus one space for each VEHICLE used in the conduct of such USE. A minimum of one additional space shall be designated as a visitor PARKING SPACE.
 2. All such spaces shall be surfaced with an all-weather dustless material.
 3. Required parking SCREENS for industrial USES shall be provided as required in paragraph 7.4.1C4.

7.4.2 Off-Street LOADING BERTHS

- A. General Provisions
1. All LOADING BERTHS shall have vertical clearance of at least 14 feet.
 2. All LOADING BERTHS shall be designed with appropriate means of vehicular access to a STREET or ALLEY in a manner which will least interfere with traffic movement.
 3. No VEHICLE repair or service work shall be performed on any LOADING BERTH.
 4. Location
 - a. No LOADING BERTH shall be located less than 10 feet from any FRONT LOT LINE
 - b. No LOADING BERTH shall be located less than five feet from any side or REAR LOT LINE.

SECTION 7.4.2 OFF-STREET LOADING BERTHS - CONTINUED

B. Off-street LOADING BERTHS for Residential USES shall be provided as follows:

1. One LOADING BERTH shall be provided for one DWELLING UNIT or LODGING UNIT on the same LOT or tract of land as the DWELLING served. An off-street PARKING SPACE may serve as an off-street LOADING BERTH. The PARKING SPACE designated as the LOADING BERTH must be at least 12 feet wide by 40 feet deep, except in the case of a DWELING containing four or more DWELLING UNITS or LODGING UNITS in whatever combination, in which case one LOADING BERTH shall be provided for each group of 10 DWELLING UNITS or LODGING UNITS or portions thereof, such LOADING BERTHS shall be provided according to the following schedule:

Number of DWELLING UNITS and LODGING UNITS	Minimum Required Number and SIZE of LOADING BERTHS
4 to 10	1 (12 x 40 feet)
11 to 20	2 (10 x 40 feet)
21 to 30	2 (10 x 70 feet)
31 to 40	3 (10 x 70 feet)

For each additional 10 DWELLING UNITS or LODGING UNITS and/or portion thereof, one such LOADING BERTH shall be provided to be at least 10 feet x 70 feet in dimension.

C. Off-street LOADING BERTHS for commercial ESTABLISHMENTS shall be provided as follows:

1. All LOADING BERTHS shall be located on the same LOT or tract of land as the ESTABLISHMENT served except when serving adjacent ESTABLISHMENTS when the LOADING BERTH requirement is sufficient to serve both ESTABLISHMENTS.
2. No such BERTH shall be located within any YARD abutting a residential DISTRICT or located less than 100 feet from the BUILDING RESTRICTION LINE of any LOT in the R DISTRICT or any LOT containing a DWELLING conforming as to USE unless such BERTH is screened from public view by a Type C SCREEN. If the berth is located adjacent to an elevated loading dock, however, a Type D SCREEN shall be used to screen both the loading berth and the loading dock.
3. No LOADING BERTH shall be located within 50 feet of the nearest point of intersection of two STREETS.

SECTION 7.4.2 OFF-STREET LOADING BERTHS - CONTINUED

4. All LOADING BERTHS shall be improved with a compacted base at least six inches thick and shall be surfaced with at least two inches of some all-weather dustless material.
5. Schedule of off-street LOADING BERTHS

Floor Area of ESTABLISHMENT in Square Feet (Thousands)	Minimum Required Number and Size of LOADING BERTHS
1 – 9.999	1 (12 x 40 feet)
10 – 24.999	2 (10 x 40 feet)
25 – 39.999	2 (10 x 70 feet)
40 – 99.999	3 (10 x 70 feet)
100 – 249.999	4 (10 x 70 feet)

For each additional 200,000 square feet or portion thereof of floor area, one additional LOADING BERTH shall be provided to be at least 10 feet x 70 feet in dimension.

- D. Off-street LOADING BERTHS for Industrial USES shall be provided as follows:
1. All LOADING BERTHS shall be located on the same LOT or tract of land as the Industrial USE served.
 2. No such BERTH shall be located within any YARD abutting a residential DISTRICT or located less than 100 feet from the BUILDING RESTRICTION LINE of any LOT in an R DISTRICT or any lot containing a DWELLING conforming as to USE unless such BERTH is screened from public view by a Type D SCREEN.
 3. No LOADING BERTH shall be located less than 50 feet from the nearest point of intersection of two STREETS.
 4. All LOADING BERTHS shall be improved with a compacted base at least seven inches thick and shall be surfaced with at least two inches of some all-weather dustless material.
 5. The schedule of off-street LOADING BERTHS for commercial ESTABLISHMENTS shall also apply to Industrial USES.

7.5 ULTRALIGHT LANDING AREA

- 7.5.1** ULTRALIGHT LANDING AREAS shall only be allowed as ACCESSORY USES and only in the AG-1 and AG-2 DISTRICTS on LOTS of 1 acre or larger.
- 7.5.2** Only ULTRALIGHT AIRCRAFT may operate from an ULTRALIGHT LANDING AREA.
- 7.5.3** Only the owner/operator of the principal USE may permanently base aircraft at an ULTRALIGHT LANDING AREA. Use of the ULTRALIGHT LANDING AREA shall be limited to the owner/operator of the principal USE or their invited guest at no charge.

7.6 Outdoor STORAGE and/or Outdoor OPERATIONS

- 7.6.1** Outdoor STORAGE and/or OPERATIONS shall be allowed in all DISTRICTS only as ACCESSORY USES unless permitted as a principal USE in Section 5.2 and shall be allowed in any YARD in all DISTRICTS subject to the provisions of Section 7.2 without a permit provided that outdoor STORAGE and/or outdoor OPERATIONS shall not be located in any required off-street PARKING SPACES or LOADING BERTHS. Outdoor STORAGE and/or outdoor OPERATIONS for all HOME OCCUPATIONS shall be restricted as described in Section 7.1.
- 7.6.2** A Type D SCREEN shall be located so as to obscure or conceal any part of any YARD used for outdoor STORAGE and/or outdoor OPERATIONS which is visible within 1,000 feet from any of the following circumstances:
 - A. Any point within the BUILDING RESTRICTION LINE of any LOT located in any R DISTRICT or any LOT occupied by a DWELLING conforming as to USE or occupied by a SCHOOL; church or temple; public park or recreational facility; public library, museum, or gallery; public fairgrounds; nursing home or HOSPITAL; recreational business USE with outdoor facilities; or
 - B. Any designated urban arterial street or MAJOR STREET.
- 7.6.3 SCREEN Standards**
 - A. The SCREEN shall meet the requirements of Sections 4.3.3 E, F, and G.
 - B. When the HEIGHT of items to be stored is taller than eight feet, trees of a minimum three inch caliper shall be planted at a spacing sufficient to ensure that once the trees achieve maturity the taller items will be screened in addition to screening required by Section 7.6.2.

7.7 SMALL WIND TURBINE TOWER

A SMALL WIND TURBINE TOWER shall be allowed as an ACCESSORY USE by Zoning Use Permit in all DISTRICTS as follows:

- A. No SMALL WIND TURBINE TOWER shall be located less than one-and-one-half miles from an incorporated municipality that has a zoning ordinance.
- B. The maximum allowable HEIGHT of a SMALL WIND TURBINE TOWER (measured to the tip of the highest rotor blade) shall be the smaller of the following dimensions:
 - 1. A dimension equal to 90% of the minimum distance from the base of the proposed SMALL WIND TURBINE TOWER to the nearest DWELLING, PRINCIPAL STRUCTURE, or PRINCIPAL BUILDING under different ownership; or
 - 2. A dimension equal to 90% of the minimum distance from the base of the proposed SMALL WIND TURBINE TOWER to the nearest third party above-ground electrical transmission lines, communication towers, railroad right of way, or public street right of way. This limit on height may be reduced upon submission of a PRIVATE WAIVER signed by the owner of said electrical transmission line or communication tower or the relevant railroad or public street maintenance jurisdiction. The PRIVATE WAIVER must specify the agreed minimum separation and maximum height; or
 - 3. A dimension that for any SMALL WIND TURBINE TOWER that must be assembled on the ground and tilted vertically into final position, is no greater than the maximum length that can fit within the LOT LINES prior to being tilted into final position, as measured from the actual point of tilt up; or
 - 4. 150 feet; provided that
 - 5. The above limits on maximum allowable height notwithstanding, the maximum HEIGHT of a SMALL WIND TURBINE TOWER on a LOT in a subdivision shall not exceed 75% of the minimum required AVERAGE LOT WIDTH when any adjacent and bordering subdivision LOT is vacant; and also provided that
 - 6. The HEIGHT is no more than three times the side and rear yard required by paragraph 7.7D.
 - 7. A SMALL WIND TURBINE TOWER taller than 150 feet must be authorized by VARIANCE.
- C. The maximum allowable rotor diameter for any vertical or horizontal axis SMALL WIND TURBINE TOWER shall be as follows:
 - 1. 15 feet on a LOT with less than one acre LOT AREA.
 - 2. 24 feet on a LOT with one acre or more of LOT AREA.

SECTION 7.7 SMALL WIND TURBINE TOWER - CONTINUED

3. Rotor diameter greater than 24 feet may be authorized as follows:
 - a. when the separation distance from the SMALL WIND TURBINE TOWER to the nearest DWELLING under other ownership is a minimum of 8.3 times the rotor diameter, up to a maximum of 75 feet; and
 - b. when the LOT AREA is three acres or larger.
 4. VARIANCES for a maximum SMALL WIND TURBINE TOWER rotor diameter larger than 75 feet shall be prohibited.
- D. A SMALL WIND TURBINE TOWER shall be allowed within any YARD in all DISTRICTS subject to the following:
1. The minimum SIDE YARD as measured to the base of the SMALL WIND TURBINE TOWER shall be one-third of the total HEIGHT and the minimum REAR YARD shall be the same as the minimum SIDE YARD less the width of any ALLEY that may exist; and provided there is
 2. A required separation distance to the nearest PRINCIPAL STRUCTURE or PRINCIPAL BUILDING under different ownership that is equal to at least a distance of 1.11 times the overall HEIGHT (measured to the tip of the highest rotor blade) of the SMALL WIND TURBINE TOWER; and provided that
 3. The blades of the SMALL WIND TURBINE TOWER shall not cross the property line.
- E. The number of SMALL WIND TURBINE TOWERS that shall be allowed per LOT is as follows:
1. Only one SMALL WIND TURBINE TOWER shall be authorized on a lot with less than three acres of LOT AREA.
 2. No more than four SMALL WIND TURBINE TOWERS with a total nameplate rating of not more than 100kW shall be authorized on a lot with three acres or more LOT AREA.
 3. One roof-mounted or wall-mounted wind turbine shall be authorized in addition to the above limits. The roof-mounted or wall-mounted wind turbine shall not be more than 15 feet higher than any other portion of the STRUCTURE on which it is mounted.

SECTION 7.7 SMALL WIND TURBINE TOWER - CONTINUED

F. Maximum allowable noise level

1. A SMALL WIND TURBINE TOWER shall always be operated as recommended by the manufacturer to minimize noise.
2. The maximum allowable noise level of a SMALL WIND TURBINE TOWER at the time of Zoning Use Permit approval shall generally not exceed the regulatory standards set by the Illinois Pollution Control Board (IPCB) as implemented by this Ordinance, except during short term periods due to high winds or power outages as follows:
 - a. For the purposes of implementing the IPCB noise regulatory standards by this Ordinance, land use shall be considered as follows:
 - (1) A SMALL WIND TURBINE TOWER shall be considered a Class C land use as defined in the IPCB noise regulations regardless of the principal use on the LOT.
 - (2) Both DWELLINGS and LOTS that are 10 acres or less in area and on which a DWELLING is the PRINCIPAL USE shall be considered as CLASS A land uses as defined in the IPCB noise regulations.
 - (3) A LOT on which a business USE is established as a PRINCIPAL USE shall be considered as Class B land use as defined in the IPCB noise regulations.
 - (4) In accordance with the IPCB noise regulatory standards the maximum noise level shall apply at the property line although for LOTS that are more than 10 acres in area the standard shall apply at the DWELLING.
 - b. There shall be no maximum noise level at the time of construction provided that at the time of application for the Zoning Use Permit to authorize construction or replacement the SMALL WIND TURBINE TOWER is located 900 feet or more from either of the following:
 - (1) the nearest property line of a LOT that is 10 acres or less in area and on which a DWELLING is the PRINCIPAL USE;
 - (2) a DWELLING on a LOT that is 10 acres or larger.

SECTION 7.7 SMALL WIND TURBINE TOWER - CONTINUED

- c. If at the time of application for the Zoning Use Permit to authorize construction or replacement the SMALL WIND TURBINE TOWER is located less than 900 feet from any LOT or BUILDING as described in subparagraph 7.7.2.b., the maximum noise level from the SMALL WIND TURBINE TOWER shall comply with the noise regulatory standards set by the Illinois Pollution Control Board as implemented by this Ordinance and shall be documented by manufacturer's data that shall be submitted with the application.
 3. The Zoning Administrator shall include with any zoning use permit for a SMALL WIND TURBINE TOWER a statement that compliance with these requirements does not necessarily indicate compliance with the Illinois Pollution Control Board noise regulations.
- G. The SMALL WIND TURBINE TOWER shall have an automatic over speed control to render the system inoperable when winds are blowing in excess of the speeds for which the system is designed and a manually operable method to render the system inoperable in the event of a structural or mechanical failure of any part of the system.
- H. SMALL WIND TURBINE TOWERS shall comply with all applicable regulations of the FAA.
- I. No illumination of the SMALL WIND TURBINE TOWER shall be allowed unless required by the Federal Aviation Administration.
- J. The SMALL WIND TURBINE TOWER shall either be the color supplied by the manufacturer or else painted white or gray or another non-reflective, unobtrusive color that shall be specified in the Zoning Use Permit Application.
- K. There shall be a minimum clearance of 20 feet between the ground and the lowest arc of the rotor blades for a SMALL WIND DURBINE TOWER.
- L. Any SMALL WIND TURBINE TOWER in a Residential Zoning District must be protected from unauthorized climbing by any of the following means:
 1. removal of climbing rungs, if possible, to a height of 12 feet, provided that the SMALL WIND TURBINE TOWER is unclimbable without the rungs; or
 2. Devices such as fences at least six feet high with locking portals or anti-climbing devices 12 feet vertically from the base of the SMALL WIND TURBINE TOWER.
- M. The SMALL WIND TURBINE TOWER shall not cause any significant electromagnetic interference with any radio, television, microwave communication, or satellite navigation on other properties and compliance with the following shall be deemed to be full compliance for the purpose of this Ordinance:

SECTION 7.7 SMALL WIND TURBINE TOWER - CONTINUED

1. All wind turbines shall comply with the Federal Communication Commission (FCC) requirements for electromagnetic interference including FCC Part 15. The applicant shall provide a copy of the wind turbine manufacturer's certificate of compliance with the FCC requirements with the Zoning Use Permit Application.
 2. Metal blades shall not be used.
- N. In the event of destruction by any means or the need for replacement, wind turbine towers and wind turbines located more than one-and-one-half miles from an incorporated municipality that has a zoning ordinance may be replaced as follows:
1. The wind turbine may be replaced on the original tower pursuant to a new Zoning Use Permit provided that the replacement complies with all manufacturer's safety recommendations and requirements.
 2. If a replacement wind turbine cannot be installed on an existing wind turbine tower in compliance with all manufacturer's safety recommendations and requirements and a new SMALL WIND TURBINE TOWER is required, the new SMALL WIND TURBINE TOWER shall be in full compliance with these regulations.
- O. If a wind turbine is derelict for six consecutive months the owner shall be notified that they must, within six months of receiving the notice, restore their system to operating condition. If the owner(s) fails to restore their system to operating condition within the six-month time frame, then the owner shall be required, at his expense, to remove the wind turbine from the tower and also remove the tower if it has guy cables, for safety reasons. If the owner fails to remove the wind turbine within one month the Zoning Administrator shall send a notice that the wind turbine is in violation of the Zoning Ordinance and subject to a daily fine as provided for in Section 10.
- P. The Zoning Use Permit Application for the SMALL WIND TURBINE TOWER shall include the following:
1. A copy of the manufacturer's standard drawings of the wind turbine structure and stamped engineering drawings of the tower, base, footings, and/or foundations as provided by the manufacturer sufficient to prove that the wind turbine tower is safe for the use intended. Wet stamps shall not be required.
 2. Evidence must be given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.
 3. Such evidence and documentation as required to verify that the SMALL WIND TURBINE TOWER meets all other Zoning Ordinance requirements.

SECTION 7.8 ACCESSORY PV SOLAR ARRAY

- A. A PV SOLAR ARRAY with an output of less than one megawatt shall be permitted as an ACCESSORY STRUCTURE subject to the following standards:
1. An accessory ground-mounted PV SOLAR ARRAY with less than one megawatt on contiguous lots under common ownership shall require compliance with minimum zoning requirements in Section 7.2 YARDS for DETACHED ACCESSORY BUILDINGS and STRUCTURES.
 2. For an accessory ground-mounted PV SOLAR ARRAY greater than 1,000 square feet in area, screening requirements shall apply per Sections 7.6.2 and 7.6.3.
 3. No permit is required for roof-mounted PV SOLAR ARRAYS.
 4. Loading berths and parking spaces are not required for accessory ground-mounted PV SOLAR ARRAYS.

SECTION 8 NON-CONFORMITIES

Within the DISTRICTS established by this ordinance or by amendments that may later be adopted, there exist LOTS, PREMISES, STRUCTURES, ACCESSORY STRUCTURES, USES, and ACCESSORY USES of land which were lawful before this ordinance was effective or amended, but which would be prohibited, regulated, or restricted under the provisions of this ordinance or future amendments.

It is the intent of this ordinance to permit these non-conformities to continue until they are removed, except as otherwise herein provided, but not to encourage their survival. Such non-conformities are declared by this ordinance to be incompatible with the permitted STRUCTURES and USES of land and STRUCTURES in the DISTRICTS involved. It is further the intent of this ordinance that such NONCONFORMING USES of land, PREMISES, or STRUCTURES or ACCESSORY STRUCTURES shall not be enlarged upon, expanded, or extended except as provided for herein, nor to be used as grounds for adding other STRUCTURES or USES prohibited elsewhere in the same DISTRICT.

A NONCONFORMING USE of land, PREMISES, STRUCTURES or ACCESSORY STRUCTURES shall not be enlarged, expanded, or extended after October 10, 1973, or after the effective date of an ordinance amendment rendering such USE NONCONFORMING except as otherwise provided. Attachment to a STRUCTURE, PREMISES, or land, or any additional SIGNS intended to be seen off the PREMISES, or land, shall be prohibited. The addition of other USES which are prohibited in the DISTRICT involved shall not be permitted.

A NONCONFORMING USE or a NONCONFORMING STRUCTURE which is nonconforming only because of failure to provide required off-street PARKING SPACES or LOADING BERTHS shall have all the rights of a conforming USE or STRUCTURE provided that no further reduction of off-street PARKING or LOADING BERTHS takes place.

8.1 NONCONFORMING LOTS of Record

8.1.1 In any zoning DISTRICT where SINGLE FAMILY DWELLINGS are permitted as a principal USE, a SINGLE FAMILY DWELLING and customary ACCESSORY BUILDINGS may be erected on any single LOT of record which was platted and recorded prior to October 10, 1973, provided that:

- A. such LOT must have been in separate OWNERSHIP and not in continuous FRONTAGE with other LOTS in the same OWNERSHIP as of October 10, 1973, and;
- B. such LOT must contain sufficient AREA and width to provide a lawful water supply and means of wastewater disposal;
- C. YARD dimensions and other requirements not involving AREA or WIDTH, or both of such LOTS shall conform to the requirements for the DISTRICT in which said LOT is located; and

SECTION 8.1 NONCONFORMING LOTS OF RECORD – CONTINUED

- D. for purposes of LOT AREA calculations, any LOT AREA devoted to permanent ponds and/or lakes shall be excluded from calculations of total LOT AREA.

These provisions shall apply even though such NONCONFORMING LOTS fail to meet the current dimensional, geometric, LOT ACCESS or other requirements in their respective DISTRICTS.

- 8.1.2** Once two or more contiguous LOTS or combination of LOTS and portions of LOTS which individually do not meet any dimensional, geometric, LOT ACCESS or other standards are brought into common ownership the LOTS involved shall be considered to be a single LOT for the purpose of this ordinance. No portion of said LOT shall be used separately or conveyed to another owner which does not meet all of the dimensional, geometric, LOT ACCESS and other standards established by this ordinance unless a VARIANCE is granted by the BOARD in accordance with Section 9.1.9.
- 8.1.3** In any zoning DISTRICT where TWO-FAMILY DWELLING STRUCTURES or MULTI-FAMILY DWELLING STRUCTURES are permitted by right, or where more than one MAIN or PRINCIPAL STRUCTURE or BUILDING is permitted as a SPECIAL USE or authorized under Section 4.2.1D, any NONCONFORMING LOT of record which was not improved with such DWELLINGS, STRUCTURES or BUILDINGS on or before October 10, 1973, shall not be eligible for the location of a TWO-FAMILY DWELLING STRUCTURE or MULT-FAMILY DWELLING STRUCTURE, or more than one MAIN or PRINCIPAL STRUCTURE or BUILDING for reasons of protecting the public health, unless said LOT contains a minimum AREA as follows:
- A. A LOT without a PUBLIC WATER SUPPLY SYSTEM and without a connected PUBLIC SANITARY SEWER SYSTEM shall not be less than 20,000 square feet in AREA for the first DWELLING UNIT, or the first MAIN or PRINCIPAL STRUCTURE or BUILDING thereon, and 7,000 square feet for each additional DWELLING UNIT, or MAIN or PRINCIPAL STRUCTURE or BUILDING placed thereon.
- B. A LOT served by a private well and a PUBLIC SANITARY SEWER SYSTEM shall not be less than 10,000 square feet in AREA for the first DWELLING UNIT, or the first MAIN or PRINCIPAL STRUCTURE or BUILDING placed thereon, and 7,000 square feet for each additional DWELLING UNIT, or MAIN or PRINCIPAL STRUCTURE or BUILDING placed thereon.
- C. A LOT served by a PUBLIC WATER SUPPLY SYSTEM and without a connected PUBLIC SANITARY SEWER SYSTEM shall not be less than 10,000 square feet in AREA for the first DWELLING UNIT, or the first MAIN or PRINCIPAL STRUCTURE or BUILDING placed thereon, and 7,000 square feet for each additional DWELLING UNIT, or MAIN or PRINCIPAL STRUCTURE or BUILDING placed thereon.

8.1.4 YARD Regulations and Standards for Single NONCONFORMING LOTS of Record

- A. FRONT YARD: The FRONT YARD regulations and standards of the DISTRICT in which such LOT is located shall apply.
- B. REAR YARD: The REAR YARD regulations and standards of the DISTRICT in which such LOT is located shall apply.
- C. SIDE YARD
 - 1. On such LOT with a width of 50 feet or more, two SIDE YARDS shall be provided as required by the regulations and standards of the DISTRICT in which such LOT is located.
 - 2. On such LOT less than 50 feet but not less than 27 feet in width, two SIDE YARDS shall be provided, each equaling 10% of the LOT width.
 - 3. On such LOT less than 27 feet but not less than 20 feet in width, the STRUCTURE located on such LOT shall have a width of not more than 90% of such LOT width. Only one SIDE YARD need be provided, equaling in width the difference between the LOT width and the maximum permitted width of the STRUCTURE. No other SIDE YARD need be provided. The wall of any BUILDING facing the side of the LOT on which no SIDE YARD is required shall be without openings and shall not be constructed as a common wall.

8.2 NONCONFORMING USES of Land

Where, on the effective date of adoption or amendment of this ordinance, a lawful USE of land exists that is no longer permissible under the regulations and standards of this ordinance as adopted, or amended, such USE may be continued so long as it remains otherwise lawful subject to the following provisions:

8.2.1 Expansion of NONCONFORMING USE

- A. No such NONCONFORMING USE of land shall be enlarged, increased, or extended to occupy a greater area of land than was occupied on the effective date of adoption or amendment of this ordinance except as provided below.
- B. A SINGLE FAMILY DWELLING that is a NONCONFORMING USE of land may be expanded as follows:

SECTION 8.2 NONCONFORMING USES of Land - CONTINUED

1. A SINGLE FAMILY DWELLING that is a NONCONFORMING USE of land and was 1,200 square feet or less in building floor area (not including basement) on October 10, 1973, may expand up to a total building floor of 1,500 square feet provided that a VARIANCE is required if there is more than one PRINCIPAL USE on the LOT and the LOT AREA is less than required in Section 4.3.4. The expansion may occur all at one time as part of a total reconstruction or replacement as authorized by Section 8.6.
 2. A SINGLE FAMILY DWELLING that is a NONCONFORMING USE of land and exceeded 1,200 square feet in building floor area (not including basement) on October 10, 1973, may be expanded by a total of 200 square feet or 25% of building floor area, whichever is greater, compared to the building floor area that existed on October 10, 1973, provided that a VARIANCE is required if there is more than one PRINCIPAL USE on the LOT and the LOT AREA is less than required in Section 4.3.4. The expansion may occur all at one time as part of a total reconstruction or replacement as authorized by Section 8.6.
 3. Expansion of existing or construction of any new ACCESSORY BUILDING or STRUCTURE shall conform to the regulations and standards for the DISTRICT in which it is located.
- C. NONCONFORMING nonresidential USES which are permitted as of right in the R-1, Single Family Residence DISTRICT and are not otherwise permitted by SPECIAL USE Permit may be expanded by a total of no more than 25% of building floor area compared to the building floor area that existed on October 10, 1973, and HEIGHT, lot coverage, and off-street parking and loading area only if a VARIANCE is granted by the BOARD in accordance with Section 9.1.9.

8.2.2 No such NONCONFORMING USE of land shall be moved in whole or in part to any other portion of the LOT or tract of land occupied on the effective date of adoption or amendment of this ordinance except that a SINGLE FAMILY DWELLING that is a NONCONFORMING USE of land (including any ACCESSORY BUILDING or ACCESSORY STRUCTURE) may be moved on the LOT provided that a VARIANCE is granted by the BOARD in accordance with Section 9.1.9. Expansion as authorized in 8.2.1B. shall not be considered moving of the NONCONFORMING USE.

8.2.3 If any such NONCONFORMING USE of land ceases for any reason for a period of more than 180 consecutive days except for seasonal vacations lasting more than 274 consecutive days and that occur no more often than once in any 365 consecutive days or except when actively marketed for sale or rent by either the posting of a sign on the front LOT LINE of the property or when marketed by other affirmative means, any subsequent USE of such land shall conform to the regulations and standards set by this ordinance for the DISTRICT in which such land is located. The requirements of Section 8.2.3 shall not apply to any PV SOLAR FARM authorized prior to February 20, 2020, or PV SOLAR FARM equipment that is in the process of being repaired or replaced.

SECTION 8.2 NONCONFORMING USES of Land - CONTINUED

8.2.4 For purposes of applicability of this Section 8.2 to any PV SOLAR FARM, any PV SOLAR FARM for which a SPECIAL USE Permit had been authorized prior to February 20, 2020, said PV SOLAR FARM may be constructed in compliance with the SPECIAL USE Permit and subject to a duly approved Zoning Use Permit so long as the construction shall be consistent with the SPECIAL USE Permit expiration requirements of Section 6.1.5T. and any special conditions of approval that may be applicable.

8.3 NONCONFORMING STRUCTURES

Where, on the effective date of adoption or amendment of this ordinance, a lawful STRUCTURE exists that could not be built under the regulations and standards of this ordinance as adopted or amended, by reason of restrictions on LOT AREA, LOT COVERAGE, HEIGHT, YARDS, spacing between BUILDINGS, or other characteristics of the STRUCTURE or its location on the LOT, such STRUCTURE may be continued so long as it remains otherwise lawful subject to the following provisions:

8.3.1 No such STRUCTURE may be enlarged or ALTERED in a way which increases its nonconformity unless a VARIANCE is granted by the BOARD in accordance with Section 9.1.9.

8.3.2 Should such STRUCTURE be destroyed by any means to an extent of more than 50% of its replacement cost at the time of destruction, it shall not be reconstructed unless a VARIANCE is granted by the BOARD in accordance with Section 9.1.9. The BOARD may authorize such a VARIANCE prior to such STRUCTURE incurring any damage or destruction.

8.3.3 Should any STRUCTURE be moved for any reason for any distance whatever, it shall thereafter conform to the regulations and standards for the DISTRICT in which it is located after it is moved unless a VARIANCE is granted by the BOARD in accordance with Section 9.1.9.

8.4 NONCONFORMING USES of STRUCTURES

Where, on the effective date of adoption, or amendment, of this ordinance, a lawful USE or a STRUCTURE, or of a PREMISES, exists that is no longer permissible under the regulations and standards of this ordinance as adopted, or amended, such USE may be continued so long as it remains otherwise lawful subject to the following provisions:

SECTION 8.4 NONCONFORMING USES of STRUCTURES – CONTINUED

- 8.4.1** No existing STRUCTURE devoted to a USE not permitted by this ordinance in the DISTRICT in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or ALTERED except in changing the USE of such STRUCTURE to a USE permitted in the DISTRICT in which it is located except as follows:
- A. A SINGLE FAMILY DWELLING that is a NONCONFORMING USE of land (including any ACCESSORY BUILDING or ACCESSORY STRUCTURE) may be constructed, reconstructed, or ALTERED without changing the USE to a permitted USE and may also be enlarged or moved without changing the USE as otherwise herein provided.
 - B. As otherwise herein provided for structures used for other than a SINGLE FAMILY DWELLING.
- 8.4.2** Any NONCONFORMING USE may be extended throughout any parts of the BUILDING or STRUCTURE which were manifestly arranged or designed for such USE at the effective date of adoption, or amendment, of this ordinance, but no such USE shall be extended to occupy land outside of such STRUCTURE except as otherwise herein provided.
- 8.4.3** If no structural ALTERATIONS are made, any NONCONFORMING USE of a STRUCTURE or of any PREMISES, may be changed to another NONCONFORMING USE provided that the BOARD, either by general rule or by making findings in the specified case, shall find that the proposed USE is equally appropriate to the DISTRICT as the existing NONCONFORMING USE. Such change in NONCONFORMING USE shall be considered a major VARIANCE and shall not be permitted except as provided in Section 9.1.9.
- 8.4.4** Any STRUCTURE, or any PREMISES, in or on which a NONCONFORMING USE is superseded by a permitted USE, shall thereafter conform to the regulations and standards of the DISTRICT in which such STRUCTURE or PREMISES is located, and the NONCONFORMING USE shall not be resumed.
- 8.4.5** When a NONCONFORMING USE of a BUILDING or STRUCTURE or of a PREMISES is discontinued or abandoned for 180 consecutive days or for 540 days during any 1,095 day period except for seasonal vacations lasting less than 274 consecutive days and that occur no more often than once in any 365 consecutive days or except that when actively marketed for sale or rent by either the posting of a sign on the front LOT LINE of the property or when marketed by other affirmative means, the STRUCTURE or the PREMISES shall thereafter not be used except in compliance with the regulations and standards of the DISTRICT in which it is located.
- 8.4.6** Where NONCONFORMING USE status applies to a PREMISES, removal or destruction of the STRUCTURE shall eliminate the NONCONFORMING USE status of the land, except as it may qualify as a NONCONFORMING LOT of record except as otherwise herein provided.

8.5 Nonconforming SIGNS

8.5.1 SIGNS which were CONSTRUCTED in compliance with previous regulations, but which do not conform to the provision of this ordinance as of the date of its enactment, or thereafter shall be regarded as nonconforming SIGNS. All roof SIGNS shall be considered nonconforming SIGNS and subject to the provisions herein.

8.5.2 A nonconforming SIGN may not be:

- A. Changed to another nonconforming SIGN;
- B. Structurally ALTERED so as to prolong the life of the SIGN;
- C. Expanded;
- D. Re-established after discontinuance for 90 days; or STRUCTURE removed after discontinuance for 180 consecutive days;
- E. Re-established after damage or destruction if the estimated expense of reconstruction exceeds 50% of appraised replacement costs.

8.5.3 Repair or replacement of a nonconforming SIGN with a SIGN of greater dimension than permitted by the ordinance and/or a SIGN in a location not permitted if a VARIANCE is granted by the BOARD in accordance with Section 9.1.9, and if the VARIANCE would not increase the nonconformity of the legal existing nonconforming SIGN.

8.6 Repairs or Maintenance

On any STRUCTURE devoted in whole or in part to any NONCONFORMING USE, or which itself is NONCONFORMING, work may be done in a period of 365 consecutive days on ordinary repairs or on repair or replacement of non-bearing walls, fixtures, wiring, or plumbing, to an extent not to exceed 10% of the then current replacement value of the STRUCTURE, provided that the volume of such BUILDING or the size of such STRUCTURE as it existed at the effective date of the adoption, or amendment, of this ordinance shall not be increased except as follows:

- A. As otherwise herein provided; and
- B. There is no limit on the value of repair or replacement for a SINGLE FAMILY DWELLING that is a NONCONFORMING USE of land (including any ACCESSORY BUILDING or ACCESSORY STRUCTURE) including repair or replacement of bearing walls or other structural features.
- C. On any STRUCTURE that is NONCONFORMING a VARIANCE may be granted by the BOARD to authorize a higher value of repair or replacement including repair or replacement of bearing walls or other structural features.

SECTION 8.6 Repairs or Maintenance – CONTINUED

Nothing in this ORDINANCE shall be deemed to prevent the strengthening or restoring to a safe condition of any STRUCTURE or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

SECTION 9 ADMINISTRATION, ENFORCEMENT, AMENDMENT AND FEES

9.1 Administration and Enforcement

The administration and enforcement of this ordinance shall be vested in an office and a body of the government of the COUNTY as follows: A. Zoning Administrator; B. Zoning BOARD of Appeals (BOARD); C. Champaign County Board (GOVERNING BODY); D. Hearing Officer.

9.1.1 Zoning Administrator

- A. Appointment: This ordinance shall be administered and enforced by the Zoning Administrator appointed by the Chairman of the GOVERNING BODY and confirmed by the members of the GOVERNING BODY. The Zoning Administrator may be provided with the assistance of such persons as the GOVERNING BODY may direct.
- B. Duties: The Zoning Administrator shall have the authority and duty to administer and enforce this ordinance and shall:
 - 1. issue all zoning use permits where authorized by this ordinance and keep permanent records thereof;
 - 2. issue all Zoning Compliance Certificates and keep permanent records thereof;
 - 3. conduct such inspections of STRUCTURES, USES, and ACCESSORY USES as are necessary to determine compliance with this ordinance;
 - 4. maintain permanent records pertaining to VARIANCES, SPECIAL CONDITIONS, and SPECIAL USES, granted, modified, or denied by the BOARD;
 - 5. maintain permanent records of all amendments to this ordinance;
 - 6. make, or cause to be made, changes to the Official Zoning Map in the manner specified herein;
 - 7. when directed by the BOARD or PLAN COMMISSION, prepare factual reports pertaining to any VARIANCE, SPECIAL CONDITION or SPECIAL USE or to any amendment to this ordinance;
 - 8. when directed by the BOARD or GOVERNING BODY, attend meetings of the BOARD or GOVERNING BODY or public hearing in connection with any VARIANCE, SPECIAL CONDITION or SPECIAL USE or with any amendment to this ordinance.

SECTION 9.1.1 ZONING ADMINISTRATOR - CONTINUED

9. in the event that any regulations and standards of this ordinance are being violated, notify immediately in writing upon his knowledge of such violation the perpetrator of such violation indicating the nature of the violation and the action necessary to correct it. The Zoning Administrator shall order the discontinuance of illegal use of any STRUCTURE or of any additional change, or ALTERATION thereto, discontinuance of any illegal work being done, or shall take other action authorized by this ordinance to ensure compliance with or to prevent violation of its regulations and standards. When necessary, the Zoning Administrator may inform the State's Attorney of the COUNTY, who shall in turn institute an appropriate action of proceeding in equity or law to restrain, correct or abate the violation. The notice provided in this Section shall not be a prerequisite to any civil or criminal judicial proceeding.
10. the Zoning Administrator shall prepare a report of permits issued, which he shall present to the appropriate committee of the GOVERNING BODY at each regular meeting of the committee.
11. authorize upon application ADMINISTRATIVE VARIANCES in accordance with Section 9.1.10.

9.1.2 Zoning Use Permit

A. Scope of the Zoning Use Permit

A Zoning Use Permit shall be obtained by the OWNER, or OWNER and contract buyer, when the PROPERTY is being sold under contract, agents of either, or the architect, engineer or builder employed in connection with the proposed work, from the Zoning Administrator before starting:

1. to establish, occupy, or change the USE of a STRUCTURE, ACCESSORY STRUCTURE, or land either by itself or in addition to another USE;
2. to CONSTRUCT or erect a new STRUCTURE or ACCESSORY STRUCTURE or part thereof;
3. to extend, or move any STRUCTURE or ACCESSORY STRUCTURE or part thereof;
4. to change one NONCONFORMING USE to another such USE or to a SPECIAL USE;
5. to extend, expand, change or re-establish any NONCONFORMING USE.

SECTION 9.1.2 ZONING USE PERMIT – CONTINUED

B. Application for Zoning Use Permit

1. Applications for Zoning Use Permits shall be filed in written form with the Zoning Administrator on such forms as the Zoning Administrator shall prescribe, and shall:
 - a. state the location, including township, street number, lot, block, and/or tract comprising the legal description of the PROPERTY;
 - b. state the name and address of the OWNER, the applicant, and the contractor, if known;
 - c. state the estimated cost;
 - d. describe the USES to be established or expanded;
 - e. be accompanied by a plan in duplicate, or duplicate prints thereof, drawn approximately to scale, showing the:
 - (1) actual dimensions of the LOT to be built upon;
 - (2) size, shape, and locations of the USE to be established on the STRUCTURE or ACCESSORY STRUCTURE to be CONSTRUCTED;
 - (3) size, shape, and location of all existing STRUCTURES, ACCESSORY STRUCTURES, and USES on the LOT;
 - (4) minimum floor elevations and the highest known flood level, where applicable;
 - (5) ACCESS;
 - (6) off-street PARKING SPACES and LOADING BERTHS;
 - (7) water supply and sewage disposal facilities, including a true and current copy of any permit required by the COUNTY or Environmental Protection Agency approving such facilities;
 - (8) other information as may be necessary to provide for the proper administration and enforcement of this ordinance.

SECTION 9.1.2 ZONING USE PERMIT – CONTINUED

- f. include any ACCESSORY STRUCTURE or USE established or CONSTRUCTED at the same time the MAIN or PRINCIPAL STRUCTURE, or main or principal USE is established or CONSTRUCTED;
- g. each Zoning Use Permit for a MAIN or PRINCIPAL STRUCTURE, or main or a principal USE shall also cover any ACCESSORY STRUCTURE or ACCESSORY USE established or CONSTRUCTED at the same time on the same LOT or tract of land.

C. Issuance of Zoning Use Permit

- 1. The Zoning Administrator shall retain the original copy of the Zoning Use Permit and shall mark such Permit whether approved or disapproved and for any Zoning Use Permit authorizing construction on a SINGLE FAMILY DWELLING that is a NONCONFORMING USE of land in a zoning DISTRICT in which a SINGLE FAMILY DWELLING is not an authorized PRINCIPAL USE, the Zoning Use Permit shall include a notice that the zoning DISTRICT does not authorize a SINGLE FAMILY DWELLING as a PRINCIPAL USE and shall indicate in general the types of PRINCIPAL USE authorized as either business uses or industrial uses.
- 2. One copy shall be returned to the applicant, duly signed and marked, as in (1) above.
- 3. The applicant's copy shall be posted in plain sight on the PREMISES for which it is issued until the Zoning Compliance Certificate shall have been issued by the Zoning Administrator.
- 4. No Zoning Use Permit shall be issued until application has been made for a Zoning Compliance Certificate.

D. Expiration of Zoning Use Permit

- 1. If work described on any Zoning Use Permit shall not have begun within 180 days from the issuance thereof, said permit shall expire and be canceled by the Zoning Administrator and written notice thereof shall be given to the applicant.

SECTION 9.1.2 ZONING USE PERMIT – CONTINUED

2. If the work described on any Zoning Use Permit shall not have been substantially completed within 365 consecutive days from the issuance thereof, said Permit shall expire and be canceled by the Zoning Administrator and written notice thereof shall be given to the applicant together with notice that further work as described on the canceled permit shall not proceed until a new permit shall have been issued, provided, however, that the permit may be extended for such additional period as is set forth in the application for the new Zoning Use Permit or in an application for an extension of the Zoning Use Permit as the time necessary to complete the BUILDING. Such extension may be granted only upon a determination by the Zoning Administrator that the need for additional time is occasioned by the scope of the proposed construction, unique features or the site or design, work stoppages not under the control of the permit holder or other practical necessity and not for lack of due diligence by the permit holder. Such extension shall be granted for the minimum amount of time needed to complete the project, but in no case shall such extension be granted for a period exceeding 365 days. In the case of a SPECIAL USE Permit issued to a publicly regulated utility the work completion date may be extended as specified in the permit conditions approve by the BOARD.
3. A Zoning Use Permit issued for the establishment of the USE of land where no STRUCTURE is involved or on which land a STRUCTURE is ACCESSORY to the main or principal USE not involving any STRUCTURE shall not expire. The land so USED shall be inspected by the Zoning Administrator at one year intervals from the date of issuance of such Permit to insure compliance with the regulations and standards of this ordinance. Land used for AGRICULTURE shall be exempt from this requirement.
4. The Zoning Administrator may permit the temporary placement of a MANUFACTURED HOME on a LOT for the use of the OWNER, while he is constructing a permanent DWELLING, when required by the OWNER. This permission shall be a part of the Zoning Use Permit for the permanent DWELLING and shall expire upon the expiration or revocation of the Zoning Use Permit.

SECTION 9.1.2 ZONING USE PERMIT – CONTINUED

E. Application for a Temporary Tower Permit

1. Application

Application for a temporary tower permit shall be made to the Zoning Administrator. Application for a temporary tower permit may be made in time of emergency for temporary towers not later than five business days after said temporary tower is constructed. Application for a temporary tower permit shall be filed in written form with the Zoning Administrator on such form as the Zoning Administrator shall prescribe, and shall contain the following information:

- a. Commonly known address or general location of property including all information necessary to accurately portray the property.
- b. A brief description of the temporary tower including height and location of the tower and the reasons for said temporary tower.
- c. Applicant's name and address and the property owner's name and address if different from applicant.

2. Expiration of Temporary Tower Permit:

- a. The Temporary Tower Permit shall expire on the one year anniversary date from the issuance thereof. Said Temporary Permit shall expire and be canceled by the Zoning Administrator and written notice thereof shall be given to the applicant. Application for renewal of a Temporary Tower Permit may be made to the Zoning Administrator at least 15 days prior to the expiration date of the current Temporary Tower Permit. Such new Permit shall expire after 90 consecutive days from the date of the expiration of the initial Temporary Tower Permit. The continuance of said temporary tower after this 90 day period will be considered a permanent structure and subject to the SPECIAL USE requirements in the district in which it is located.

3. Issuance of Temporary Tower Permit

A written permit will be issued for all temporary towers and shall contain the following information:

- a. Name of applicant;
- b. Date of construction of Temporary Tower and expiration date of Temporary Tower Permit.

SECTION 9.1.2 ZONING USE PERMIT – CONTINUED

- F. Application for a Temporary Zoning Use Permit
1. Only those TEMPORARY USES operating not more than five consecutive or non-consecutive days in a three month period may apply under this Section. USES not meeting this criteria are considered permanent and shall conform to the applicable regulations and standards of this ordinance.
 2. Applicant(s) for a temporary Zoning Use Permit shall file an application per the provisions of this Section 9.1.2 Zoning Use Permit. In addition to the requirements of Section 9.1.2, effective date and hours of operation of the TEMPORARY USE Permit shall be provided.
 3. The Zoning Administrator shall issue a temporary Zoning Use Permit only if the following conditions have been met:
 - a. All other COUNTY and State licenses or permits, if required, for the proposed USE have been approved.
 - b. The proposed USE conforms to the applicable regulations and standards of the DISTRICT in which it shall be located.
 - c. Said TEMPORARY USE shall not be closer than 300 feet from a Residential Zoning DISTRICT, except for churches which are permitted by right in the Residential DISTRICTS, and shall be measured from a defined boundary provided by the applicant of the USE on a LOT or tract of land to the nearest Residential Zoning DISTRICT.
 - d. Off-Street PARKING SPACES and LOADING BERTHS shall be provided according to the provisions of Section 7.4, Off-Street PARKING SPACES and LOADING BERTHS.
 - e. Any conditions specified by the Zoning Administrator and/or other COUNTY or State authorities (such as the COUNTY Sheriff's Department, State Fire Marshall, Illinois Department of Public Health) having enforcement powers have been formally agreed to. Any disputes shall be settled per Section 10, Appeals to the BOARD.
 4. Issuance of a Zoning Use Permit shall be in accordance with Section 9.1.2C and a written permit shall also include the effective dates and hours of operation of the TEMPORARY USE.

SECTION 9.1.2 ZONING USE PERMIT – CONTINUED

5. Provisions for a temporary Zoning Use Permit renewal: temporary Zoning Use Permits may be renewed upon meeting conditions in this Section including obtaining all other COUNTY and State licenses or permits, if required, for renewal. Said temporary Zoning Use Permit shall not be renewed more than four times per year.

9.1.3 Zoning Compliance Certificate

A. Application for a Zoning Compliance Certificate

1. New or ALTERED USES, and STRUCTURES

- a. It shall be unlawful to USE or occupy or permit the USE or occupancy of any land or STRUCTURE or part thereof hereafter created, CONSTRUCTED, erected, changed, moved, or wholly or partly ALTERED or enlarged in its USE or STRUCTURE until a Zoning Compliance Certificate shall have been issued by the Zoning Administrator stating that the proposed USE of the land and STRUCTURE conforms to the regulations and the standards of this ordinance.
- b. No Zoning Use Permit shall be issued until an application has been made for a Zoning Compliance Certificate.

2. NONCONFORMING USES

- a. No NONCONFORMING USE of land and no NONCONFORMING USE of a STRUCTURE shall be renewed, changed, ALTERED, or extended until a Zoning Compliance Certificate shall have been issued by the Zoning Administrator. The Zoning Compliance Certificate shall state specifically wherein such NONCONFORMING USE differs from the regulations and standards of this ordinance.
- b. OWNERS or contract purchasers of land or STRUCTURES, the USE of which is NONCONFORMING as of October 10, 1973, or on the effective date of an amendment rendering a USE NONCONFORMING, shall register as a NONCONFORMING USE and apply for a Zoning Use Permit to the Zoning Administrator.

SECTION 9.1.3 ZONING COMPLIANCE CERTIFICATE – CONTINUED

- B. Issuance of a Zoning Compliance Certificate
1. When all work as described on the Zoning Use Permit is complete the applicant shall notify the Zoning Administrator in writing. After examination of the PREMISES to ascertain that all work described on the Zoning Use Permit has been conducted in compliance with the regulations and standards of this ordinance, the Zoning Administrator shall issue the Zoning Compliance Certificate.
 2. Except in the case of the USE of land as specified in Section 9.1.2D3, or in the case of a temporary partial Zoning Compliance Certificate, the issuance of the Zoning Compliance Certificate shall invalidate the Zoning Use Permit issued for work conducted in connection with the PREMISES involved.
 3. The Zoning Administrator shall retain the original copy of the Zoning Compliance Certificate.
 4. One copy shall be returned to the applicant, duly signed.
 5. On each successive date of inspection of land, the USE of which does not involve a STRUCTURE or on which land a STRUCTURE is ACCESSORY to the main or principal USE, such main or principal USE, not involving any STRUCTURE, and for which the Zoning Use Permit does not expire, the Zoning Administrator shall issue a Zoning Compliance Certificate if such USE has been conducted in conformance with the regulations and standards of this ordinance and shall be effective only until the next required date of inspection.
- C. No more than one temporary Zoning Compliance Certificate may be issued by the Zoning Administrator for a period not exceeding six months permitting occupancy of a STRUCTURE pending its completion, provided that:
1. such temporary certificates may require such conditions and safeguards as will protect the safety of the occupants and the public; and
 2. a separate fee is received for such Temporary Zoning Compliance Certificate in the amount specified in Section 9.3.2.
- D. One or more partial Zoning Compliance Certificates may be issued by the Zoning Administrator permitting occupancy and USE of any part of the CONSTRUCTION contained in a Zoning Use Permit provided that:
1. Any STRUCTURE included in the Zoning Compliance Certificate shall comply with all applicable requirements of the *Illinois Environmental Barriers Act*;

SECTION 9.1.3 ZONING COMPLIANCE CERTIFICATE – CONTINUED

2. No Zoning Compliance Certificate shall be issued for any ACCESSORY STRUCTURE or USE until a Zoning Compliance Certificate has been issued for the principal STRUCTURE or USE;
3. The STRUCTURE included in the Zoning Compliance Certificate independently meets all applicable requirements of this ordinance;
4. A separate fee is received for each such partial Zoning Compliance Certificate in the amount specified in Section 9.3.2.

9.1.4 CONSTRUCTION and USE to be provided in Applications, Plans, Zoning Use Permits, and Zoning Compliance Certificates

Zoning Use Permits and Zoning Compliance Certificates issued on the basis of plans and applications approved by the Zoning Administrator authorize only the USE, arrangement, and CONSTRUCTION set forth in such approved plans and applications, and no other USE, arrangement, or CONSTRUCTION.

USE, arrangement, or CONSTRUCTION not in compliance with that authorized, the CONSTRUCTION, erection, ALTERATION, remodeling, extension, or movement of any USE or STRUCTURE without a Zoning Use Permit and/or a Zoning Compliance Certificate shall be deemed a violation of this ordinance and punishable as provided in Section 11 hereof.

9.1.5 Hearing Officer

A. Appointment

1. The GOVERNING BODY shall provide for the appointment of three Hearing Officers. The Hearing Officers shall alternately preside over public hearings authorized in Section 9.1.5B, and may substitute for one another in the event of a conflict of interest or scheduling. The terms of the three Hearing Officers shall be for three years, however no reappointment shall be made which will permit a Hearing Officer to serve more than 10 consecutive years.
2. All appointments of Hearing Officers shall be made by the Chairperson of the GOVERNING BODY with the advice and consent of the GOVERNING BODY.
3. All Hearing Officers shall be residents of separate townships and shall reside in areas affected by the terms of these regulations at the time of their appointments, and shall not be members of the GOVERNING BODY.

SECTION 9.1.5 HEARING OFFICER – CONTINUED

4. No person shall be appointed to the position of Hearing Officer unless the GOVERNING BODY determines that they possess the training and experience to conduct administrative proceedings of a quasi-judicial nature and a practical knowledge of land use regulation, land development and natural resource conservation.
5. The GOVERNING BODY shall have the power to remove any Hearing Officer for cause, after public hearing, held after at least 10 days notice to the Hearing Officer concerned, of the charges against him. Vacancies shall be filled by the GOVERNING BODY for the unexpired term of any Hearing Officer whose place has become vacant.

B. Powers and Duties

1. VARIANCES

The Hearing Officer shall have the power and duty to rule upon all Minor VARIANCES as provided in Section 9.1.9 only:

- i. during that time as authorized by a Resolution passed by the COUNTY Board; and
 - ii. provided that no ADMINISTRATIVE VARIANCE, Major VARIANCE, SPECIAL USE, or rezoning is concurrently requested on the same site.
2. In the performance of duties, the Hearing Officer may incur such expenditures as are authorized by the GOVERNING BODY.

9.1.6 Zoning BOARD of Appeals

A. Appointment

1. The GOVERNING BODY shall provide for the appointment of the BOARD. The BOARD shall consist of 7 members who shall each serve a term of 5 years. Members may be reappointed by the GOVERNING BODY provided, however, that no reappointment shall be made which will permit the appointee to serve more than two consecutive, full five-year terms on the BOARD plus the remainder of any consecutive unexpired term to which the member is initially appointed. All vacancies on the BOARD shall be filled by appointment within 90 days.
2. All appointments to the BOARD shall be made by the Chair of the GOVERNING BODY with the advice and consent of the GOVERNING BODY.

SECTION 9.1.6 ZONING BOARD OF APPEALS – CONTINUED

3. One of the members of the BOARD shall be named by the GOVERNING BODY as Chairperson of the BOARD and in case of a vacancy, a new Chairperson shall be designated in like manner.
 4. The GOVERNING BODY shall have the power to remove any member of the BOARD for cause, after public hearing, held after at least 10 days notice to the member concerned, of the charges against him. Vacancies shall be filled by the GOVERNING BODY for the unexpired term of any member whose place has become vacant.
 5. All of the members of the BOARD shall be residents of separate townships and shall reside in areas affected by the terms of these regulations at the time of their appointments, and shall not be members of the GOVERNING BODY.
- B. Powers and Duties
1. The BOARD shall hear and decide all matters referred to it or upon which it is required to pass under this ordinance.
 2. The BOARD shall hear and decide appeals where it is alleged there is an error in any order, requirements, decision, or determination made by the Zoning Administrator in the administration and enforcement of this ordinance as provided in Section 9.1.8.
 3. The BOARD may authorize upon application, VARIANCES in specific cases as provided in Section 9.1.9.
 4. The BOARD may authorize upon application in specific cases such SPECIAL USES as are specifically authorized as provided in Section 9.1.11.
 5. The BOARD may authorize upon application in specific cases, a change of NONCONFORMING USE as a major VARIANCE as provided in Section 8.4.3.
 6. The BOARD may render interpretations regarding the meaning, intent, and application of any provision of this ordinance or to ascertain zoning DISTRICT boundaries as provided in Section 4.1.6G.
 7. The BOARD may adopt rules necessary to the conduct of all administrative proceedings in keeping with the provisions of this ordinance.
 8. The BOARD may exercise any powers expressly granted to it elsewhere in this ordinance.

SECTION 9.1.6 ZONING BOARD OF APPEALS – CONTINUED

9. In the performance of duties, the BOARD may incur such expenditures as are authorized by the GOVERNING BODY.

9.1.7 Administrative Proceedings

A. Proceedings Governed

The following administrative proceedings shall be conducted only in conformance with the requirements of Section 9 and the Bylaws or other rules of procedure adopted by the BOARD.

1. Appeals
2. Interpretations of ordinance provisions
3. Changes of NONCONFORMING USES
4. Contested ADMINISTRATIVE VARIANCES
5. VARIANCES
6. SPECIAL USE Permits

B. Application and Notice

1. Each application for administrative relief shall be accompanied by a fee paid by the applicant as provided in Section 9.3.
2. At least 15 days but not more than 30 days notice of the time and place of any statutorily required hearing shall be published in an official paper or a paper of general circulation in the COUNTY. The notice of such hearing shall contain the address, description of the PROPERTY, and a brief description of the administrative relief sought. The cost of such publication shall be taken from the fee. In the instance that republication of the public hearing is necessary due to action of the applicant, a fee for republication shall be paid by the applicant as provided in Section 9.3.3A.4.

C. Meetings and Quorums

1. All administrative proceedings shall be held at the call of the Chairperson of the BOARD or the Hearing Officer and at such times and places within the COUNTY as they may determine. In no case shall a period of one month elapse between BOARD meetings.

SECTION 9.1.7 ADMINISTRATIVE PROCEEDINGS -CONTINUED

2. All administrative proceedings shall be open to the public, and public notice given in accordance with the provisions of the *Illinois Open Meetings Act* (5 ILCS 120/1.01 *et seq.*).
3. The presence of a majority of members of the BOARD at a meeting of the BOARD shall constitute a quorum. No action shall be taken by the BOARD unless a quorum of four members is present.

D. Public Hearings

1. Any person may appear at a public hearing in person, or by agent or by attorney, and may give testimony orally, in writing, or by other means.
2. The Chairperson, or in the absence thereof, the Acting Chairperson, and the Hearing Officer may administer oaths and compel the attendance of witnesses. All testimony by any witness shall be given under oath.
3. The Staff of the Department of Planning and Zoning shall serve as consultant to the BOARD and Hearing Officer and may give testimony, question witnesses, and make oral or written recommendations as necessary concerning zoning matters.
4. The BOARD or the Hearing Officer may postpone or adjourn from time to time any public hearing. In the event of such postponement or adjournment, further publication of a hearing need not be made.

E. Decisions

1. The concurring vote of four members of the BOARD shall be necessary to reverse any order, requirement, decision, or determination of the Zoning Administrator, or to decide in favor of the applicant on any matter upon which it is required to pass under this ordinance or to effect any VARIANCE in the application of this ordinance or to effect any SPECIAL USE.
2. Any decision or determination made by the BOARD or by the Hearing Officer shall be final subject to administrative review as provided in *Article III Administrative Review, Illinois Code of Civil Procedure* (735 ILCS 5/3-101 *et seq.*, 1996).

SECTION 9.1.7 ADMINISTRATIVE PROCEEDINGS -CONTINUED

F. Records

1. The Zoning Administrator shall keep minutes of the proceedings of the BOARD and the Hearing Officer, showing the vote upon every question, or if absent or failing to vote, indicating such fact, and shall keep records of examinations and other official actions. Minutes of public hearings held by the BOARD and by the Hearing Officer shall be public records.
2. Every rule, regulation, every amendment or repeal thereof; every order, requirement, decision or determination of the BOARD and the Hearing Officer shall be filed in the office of the Zoning Administrator and shall be a public record. Decisions or determinations of the BOARD, at the request of the applicant, shall be decided within two regular meetings of the BOARD, after the BOARD has received all information it has requested.
3. The Zoning Administrator, or his representative, shall serve as secretary to the BOARD and the Hearing Officer.
4. All public records of the BOARD and of the Hearing Officer shall be made available for inspection or copying in accordance with the *Illinois Freedom of Information Act*, (5ILCS 140/1 *et seq.*).

9.1.8 Appeals

- A. All questions of interpretation and enforcement shall be first presented to the Zoning Administrator. Such questions shall be presented to the BOARD only on appeal from the decision of the Zoning Administrator.
- B. The BOARD may, upon application and after providing notice to the affected parties and conducting a public hearing and so long as such action is in conformity with the terms of this ordinance, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination as ought to be made, and to that end shall have the powers of the Zoning Administrator from whom the appeal was taken.
- C. Appeals may be taken to the BOARD after filing such appeal with the Zoning Administrator by any person affected by any order, requirement, interpretation, decision, or determination made by the Zoning Administrator.
- D. The Zoning Administrator shall transmit to the BOARD all the papers constituting the record upon which the action, appealed from, was taken.

SECTION 9.1.8 APPEALS - CONTINUED

- E. An appeal stays all proceedings in furtherance of the action appealed from, unless the Zoning Administrator from whom the appeal is taken certifies to the BOARD after the notice of the appeal has been filed with him that by reasons of facts stated in the certificate a stay could, in his opinion, cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise, than by a restraining order which may be granted by the BOARD or by court of record on application, on notice to the Zoning Administrator from whom the appeal is taken, and on due cause shown.

- F. The Chairperson of the BOARD shall fix a reasonable time for the hearing of the appeal. At least 15 days but no more than 30 days notice of the time and place of such hearing shall be provided to the appellant, applicant or petitioner and any other parties to the decision appealed from. Upon the hearing, any party may appear in person or by agent or by attorney.

- G. The BOARD shall not hear appeals filed with the Zoning Administrator more than 30 days from the date of the action or receipt of the decision of the Zoning Administrator, except that the BOARD shall hear appeals of the issuance of a Zoning Use Permit when the appeal is filed with the Zoning Administrator within 210 days of the date of issuance of the permit but not more than 30 days from the date of initiation of the USE, work, or activity for which a Zoning Use Permit is required under Section 9.1.2 including the following:
 - 1. the placement of survey stakes or markers;
 - 2. filling, excavating, clearing or grading;
 - 3. demolition of all or any part of an existing BUILDING or STRUCTURE;
 - 4. relocation of all or any part of an existing BUILDING or STRUCTURE;
 - 5. construction of any part of a BUILDING or STRUCTURE or site improvements made in preparation for construction of a BUILDING or STRUCTURE;
 - 6. issuance of a Certificate of Compliance pursuant to Section 9.1.3 where no CONSTRUCTION, alteration, enlargement, or relocation is to be performed.

9.1.9 VARIANCES

A. Table of VARIANCE Classifications and Presiding Authority

VARIANCE Classification	Presiding Authority
<p>ADMINISTRATIVE VARIANCE:</p> <p>Deviation of 10 percent or less from regulation or standard of this ordinance related to the location of STRUCTURES or to bulk requirements</p>	<p>May be authorized by the Zoning Administrator in accordance with Section 9.1.10</p>
<p>Minor VARIANCE:</p> <p>Contested ADMINISTRATIVE VARIANCE</p> <p>Deviation of 10 percent or less from numerical regulations or standard of this ordinance not related to the location of STRUCTURES or to bulk requirements</p> <p>Deviation of more than 10 percent but not exceeding 25 percent from numerical regulation or standard of this ordinance</p>	<p>May be granted by the Hearing Officer or by the BOARD in accordance with Paragraph 9.1.5B and the requirements of this Section.</p>
<p>Major VARIANCE:</p> <p>Deviation exceeding 25 percent from numerical regulation or standard of this ordinance.</p> <p>Waiver from nonnumerical regulation or standard of this ordinance.</p> <p>Deviation from numerical regulation or standard of the <i>Champaign County Storm Water Management and Erosion Control Ordinance</i> or <i>Champaign County Special Flood Hazard Areas Ordinance</i>.</p> <p>Waiver from nonnumerical regulations or standard of the <i>Champaign County Storm Water Management and Erosion Control Ordinance</i> or <i>Champaign County Special Flood Hazard Ordinance</i>.</p>	<p>May be granted by the BOARD in accordance with the requirements of this Section.</p>
<p>County Board VARIANCE:</p> <p>Waiver from compliance with municipal subdivision regulations for the expansion and/or construction of a water treatment plant owned and operated by a rural water district.</p>	<p>May be granted by the GOVERNING BODY in accordance with the requirements of this Section.</p>

SECTION 9.1.9 VARIANCES - CONTINUED

B. Prohibited VARIANCES

At no time shall the BOARD, the Hearing Officer or the GOVERNING BODY grant a VARIANCE in the following instances:

1. To grant a VARIANCE to allow a USE not permissible under the terms of this ordinance in the DISTRICT involved, or any USE expressly or by implication prohibited by the terms of this ordinance in said DISTRICT.
2. To waive compliance with any municipal, state, or federal regulation incorporated into this ordinance except as authorized in Section 13.
3. To waive compliance with any procedural requirement contained in this ordinance.
4. To waive compliance with regulations pertaining to NONCONFORMING LOTS, STRUCTURES, or USES, except as specifically authorized in Section 8.
5. To authorize any USE or CONSTRUCTION prohibited by Section 13.2.1.
6. To authorize a SMALL WIND TURBINE TOWER rotor diameter larger than 75 feet.

C. VARIANCE Criteria

1. A VARIANCE from the terms of this ordinance shall not be granted by the BOARD, the Hearing Officer or the GOVERNING BODY unless a written application for a VARIANCE is submitted demonstrating all of the following:
 - a. that special conditions and circumstances exist which are peculiar to the land or STRUCTURE involved which are not applicable to other similarly situated land or STRUCTURES elsewhere in the same zoning DISTRICT;
 - b. that practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied prevent reasonable and otherwise permitted USE of the land or STRUCTURES or CONSTRUCTION on the LOT;
 - c. that the special conditions, circumstances, hardships, or practical difficulties do not result from actions of the applicant;
 - d. that the granting of the VARIANCE is in harmony with the general purpose and intent of this ordinance;

SECTION 9.1.9 VARIANCES - CONTINUED

- e. that the granting of the VARIANCE will not be injurious to the neighborhood, or otherwise detrimental to the public health, safety, or welfare.
 - 2. No NONCONFORMING USE of the neighboring lands or STRUCTURES in the same DISTRICT, and no permitted USE of lands or STRUCTURES in other DISTRICTS shall be considered grounds for the issuance of a VARIANCE.
- D. Findings
- 1. The BOARD, the Hearing Officer or the GOVERNING BODY shall make findings that the requirements of Section 9.1.9C have been met by the applicant for a VARIANCE, and justify the granting of the VARIANCE.
 - 2. The BOARD, the Hearing Officer or the GOVERNING BODY shall further make a finding that the VARIANCE is the minimum variation that will make possible the reasonable use of the land or STRUCTURE.
- E. Conditions
- 1. In granting any VARIANCE, the BOARD, the Hearing Officer or the GOVERNING BODY may prescribe appropriate conditions and safeguards in conformity with this ordinance. Violation of conditions under which the VARIANCE is granted shall be deemed a violation of this ordinance and punishable as provided in Section 10.2.3 of this ordinance.
- F. Action of the GOVERNING BODY
- 1. In the case of a written protest against a VARIANCE on land which is located within a township with a plan commission, and the plan commission objects to the VARIANCE, the township board of trustees shall submit its written objections to the GOVERNING BODY within 15 days after the public hearing at the Zoning Board of Appeals, and such VARIANCE shall not be approved except by the favorable vote of three-fourths of all members of the GOVERNING BODY.

9.1.10 ADMINISTRATIVE VARIANCES

- A. The Zoning Administrator, or on appeal, the BOARD may grant upon written application variations from the regulations and standards of this ordinance except where prohibited by Section 13.2.1, in specific cases, when the variation totals 10 percent or less of the regulations or standards related to the location of STRUCTURES or to the bulk requirements of this ordinance, in accordance with the following:

SECTION 9.1.10 ADMINISTRATIVE VARIANCES – CONTINUED

1. Each application for an ADMINISTRATIVE VARIANCE shall be accompanied by a fee paid by the applicant as provided in Section 9.3.
2. Before such variation may be granted, the Zoning Administrator shall send a notice of intent to grant such variation by certified mail to all adjoining land owners. The notice of intent shall be sent within 10 days of the decision to grant such variation.
3. If any adjoining land owner files a written objection with the Zoning Administrator within 15 days of receipt of such notice, the variation shall be considered by the Hearing Officer or BOARD in accordance with Paragraph 9.1.5B and as provided in Section 9.1.9, and the applicant shall pay a fee in the amount of the difference between the fee for a VARIANCE and the fee for an ADMINISTRATIVE VARIANCE as provided in Section 9.3.

B. Findings

1. In granting an ADMINISTRATIVE VARIANCE, the Zoning Administrator shall make findings that:
 - a. the granting of the variation is in harmony with the general purpose and intent of this ordinance;
 - b. a practical difficulty exists because of the nature of the land or STRUCTURE involved;
 - c. the variation will be in harmony with surrounding development; and
 - d. the variation will not significantly impair the public health, safety, comfort, convenience, or general welfare.

9.1.11 SPECIAL USES

A. Authorized SPECIAL USES

1. The BOARD may grant SPECIAL USE Permits only for such SPECIAL USES as are specifically authorized in this ordinance, and are not prohibited by Section 13.2.1.
2. The GOVERNING BODY may grant SPECIAL USE Permits only for such County Board SPECIAL USES as are specifically authorized in this ordinance, and are not prohibited by Section 13.2.1.

SECTION 9.1.11 SPECIAL USES - CONTINUED

3. The BOARD or GOVERNING BODY may grant such SPECIAL USE Permits only upon written application and after conduct of a public hearing.
 - a. The written application for a SPECIAL USE Permit shall include:
 - i. the signature of the petitioner; and
 - ii. the signature of the owner or owners of all the land included in the petition, or the legal representative(s) thereof; and, if applicable, a copy of the petitioner's purchase contract.

B. SPECIAL USE Criteria

A SPECIAL USE Permit shall not be granted by the BOARD unless the public hearing record and written application demonstrate:

1. that it is necessary for the public convenience at that location;
2. that it is so designed, located, and proposed as to be operated so that it will not be injurious to the DISTRICT in which it shall be located or otherwise detrimental to the public welfare except that in the CR, AG-1, and AG-2 DISTRICTS the following additional criteria shall apply:
 - a. The property is either BEST PRIME FARMLAND and the property with proposed improvements is WELL SUITED OVERALL or the property is not BEST PRIME FARMLAND and the property with proposed improvements is SUITED OVERALL.
 - b. The existing public services are available to support the proposed SPECIAL USE effectively and safely without undue public expense.
 - c. The existing public infrastructure together with proposed improvements is adequate to support the proposed development effectively and safely without undue public expense.
3. that it conforms to the applicable regulations and standards of and preserves the essential character of the DISTRICT in which it shall be located, except where such regulations and standards are modified by Section 6;
4. that granting the SPECIAL USE is in harmony with the general purpose and intent of this ordinance;
5. that, in the case of an existing NONCONFORMING USE, it will make such USE more compatible with its surroundings;

SECTION 9.1.11 SPECIAL USES - CONTINUED

6. approval of a SPECIAL USE Permit shall authorize USE, CONSTRUCTION and operation only in a manner that is fully consistent with all testimony and evidence submitted by the petitioner or petitioner's agent(s);

C. Findings

1. The BOARD or GOVERNING BODY shall make findings that the requirements of Section 9.1.11B have been met by the applicant for a SPECIAL USE.
2. The BOARD or GOVERNING BODY shall further make a finding that the reasons set forth in the application justify with respect to the criteria set forth in Section 9.1.11B the waiver of any standard condition or the imposition of any special condition.
3. The BOARD or GOVERNING BODY may make a finding that a proposed STRUCTURE or physical change to a site, as a part of a SPECIAL USE request, is a NON-ADAPTABLE STRUCTURE. In such a case the requirements of Section 6.1.1A shall be applicable.
4. Within a reasonable time after the public hearing for any County Board SPECIAL USE Permit, the BOARD shall make a report to the GOVERNING BODY.

D. Conditions

1. Any other provision of this ordinance notwithstanding, the BOARD or GOVERNING BODY, in granting any SPECIAL USE, may waive upon application any standard or requirement for the specific SPECIAL USE enumerated in Section 6.1 Standards for Special Uses, to the extent that they exceed the minimum standards of the DISTRICT, in either amount or kind, except for any state or federal regulation incorporated by reference, upon finding that such waiver is in accordance with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood or to the public health, safety and welfare.
2. In granting any SPECIAL USE, the BOARD or GOVERNING BODY may prescribe SPECIAL CONDITIONS as to appropriate conditions and safeguards in conformity with the ordinance. Violation of such SPECIAL CONDITIONS when made a part of the terms under which the SPECIAL USE is granted, shall be deemed a violation of this ordinance and punishable under this ordinance.

SECTION 9.1.11 SPECIAL USES - CONTINUED

3. In granting any SPECIAL USE Permit as authorized in Section 4.2.1F for more than one MAIN or PRINCIPAL STRUCTURE or BUILDING, the BOARD shall state that any future sale of said LOT or tract of land may be subject to the *Illinois Plat Act*, (765 ILCS 205/0.01 *et seq.*) or the *Champaign County Subdivision Regulations*; or the SUBDIVISION regulations of a municipality that has jurisdiction within one and one-half miles of the corporate limits.
4. RESIDENTIAL PLANNED UNIT DEVELOPMENTS shall, in addition to or in lieu of the above, meet the provisions of Section 6.3.
5. The BOARD or GOVERNING BODY shall require that all applicable provisions of the *Champaign County Storm Water Management and Erosion Control Ordinance* are met before approving any SPECIAL USE.
6. Under no circumstances shall the BOARD or GOVERNING BODY grant a SPECIAL USE to allow a USE not permissible under the terms of this ordinance, in the DISTRICT involved, or any USE expressly or by implication prohibited under the terms of this ordinance in said DISTRICT, nor shall the BOARD or GOVERNING BODY waive compliance with state or federal regulations incorporated into this ordinance.
7. The SPECIAL USE Permit shall be granted or denied to a petitioner consistent with all testimony and evidence submitted by the petitioner with regard to the SPECIAL USE request.
8. The SPECIAL USE Permit shall apply only to a site plan submitted with each respective SPECIAL USE petition that is specifically approved by the BOARD.

9.2 Amendments

9.2.1 Conditions

The regulations and standards, restrictions, and DISTRICT boundaries set forth in this ordinance may from time to time be amended, supplemented, changed, or repealed. No such action may be taken unless and until:

- A. A written application is submitted to the BOARD. Such application may be initiated by the GOVERNING BODY, the BOARD, the Zoning Administrator, or the OWNERS of more than 50% of the area involved.
- B. Each such application except that initiated by the GOVERNING BODY, BOARD, or Zoning Administrator, shall be accompanied by a fee to be paid by the applicant as provided in Section 9.3.

SECTION 9.2.1 CONDITIONS -- CONTINUED

- C. At least 15 days but not more than 30 days notice of the time and place of the hearing of such action shall be published in an official paper or a paper of general circulation in the COUNTY. The notice of such hearing shall contain the information relating to such action.
- D. All applications for such proposed amendments shall, upon their submission to the Zoning Administrator, be referred to the clerk of the nearest adjacent ZONED MUNICIPALITY within one and one-half miles of the proposed amendment, and, to the Champaign County Soil and Water Conservation District.
- E. The public hearing shall be held as provided in the *Illinois County Code (55 ILCS 5/5-12014)*. Any person may appear in person, or by agent, or by attorney.
- F. The BOARD may, by majority vote, postpone or adjourn from time to time any public hearing. In the event of such postponement or adjournment further publication of such action need not be made.
- G. Within a reasonable time after the public hearing, the BOARD shall make a report to the GOVERNING BODY.

9.2.2 Action of the GOVERNING BODY

- A. In case of a written protest against any such action:
 - 1. signed by the OWNER or OWNERS of at least 20% of the land to be rezoned; or
 - 2. signed by the OWNER or OWNERS of land immediately touching, or immediately across the street, alley, or public right-of-way from, at least 20% of the perimeter of the land to be rezoned; and filed with the County Clerk, such action shall not be passed except by the favorable vote of three-fourths of all the members of the GOVERNING BODY.
- B. In the case of a written protest against any such action concerning the alteration of the Zoning classifications of land which lies within one and one-half miles of the limits of a ZONED MUNICIPALITY such written protest signed and acknowledged by the city/village council or president and board of trustees of a ZONED MUNICIPALITY nearest adjacent, and filed with the County Clerk, such amendment shall not be passed except by the favorable vote of three-fourths of all the members of the GOVERNING BODY.

SECTION 9.2.2 ACTION OF THE GOVERNING BODY - CONTINUED

- C. In the case of a written protest against any such text amendment or map amendment affecting an unincorporated area of a township with a plan commission, the township board of trustees shall submit its written objections to the GOVERNING BODY within 30 days after the public hearing at the Zoning Board of Appeals, and such amendment shall not be approved except by the favorable vote of three-fourths of all members of the GOVERNING BODY.

9.3 Fees

A fee shall be paid in accordance with the schedule specified herein by an applicant at the time the application is filed. Such fee shall be paid to the County of Champaign through the office of the Zoning Administrator who shall forward such fees to the COUNTY Treasurer.

9.3.1 Zoning Use Permit Fees

A. General Provisions

1. Calculation of Fees

- a. Fees shall be based upon the total gross floor area including any basement and garage area that is constructed and any interior spaces accessible by means of a door, and shall include all exterior areas covered by a roof structure of any kind, except as noted.
- b. Fees calculated in units of multiple feet or square feet shall be based on a sum rounded to the nearest whole number of such units.
- c. In no case shall any Zoning Use Permit fee for a single STRUCTURE exceed \$1,500. Engineering Review Fees pursuant to Subsection 9.3.4 shall not be considered as part of the Zoning Use Permit fee.
- d. Fees shall be equal to the total for each STRUCTURE, USE, CHANGE of USE, CONSTRUCTION or ALTERATION contained in each permit except that on CHANGE of USE permit fee shall be required in a permit for CONSTRUCTION or ALTERATION of a STRUCTURE.

2. USES and STRUCTURES Exempt from Zoning Use Permit Fees

- a. STRUCTURES and USES listed in Section 4.3.7.
- b. STRUCTURES and USES owned or operated by government bodies
- c. AGRICULTURE

SECTION 9.3.1 ZONING USE PERMIT FEES - CONTINUED

3. Refund of Fees

No Zoning Use Permit or Zoning Compliance Certificate Fee shall be refunded unless the Zoning Administrator subsequently determines the permit or fee not to be required and the erroneous filing is due solely to staff error.

B. CONSTRUCTION of PRINCIPAL STRUCTURES

- 1. SINGLE and TWO-FAMILY DWELLINGS.....\$12 per 100 sq. ft.
- 2. All other BUILDINGS\$275 plus \$15 per 100 sq. ft.
- 3. PRINCIPAL STRUCTURES other than BUILDINGS (except towers and signs)..... \$260 each

C. ACCESSORY STRUCTURES

- 1. BUILDINGS
 - a. up to 150 sq. ft. no fee
 - b. greater than 150 sq. ft. \$16 per 100 sq. ft.
- 2. Other STRUCTURES (except towers and signs)
 - a. residential ACCESSORY STRUCTURES \$33
 - b. MANUFACTURED HOME SITES in MANUFACTURED HOME PARKS \$33 ea.
 - c. all other ACCESSORY STRUCTURES \$130

D. Towers (PRINCIPAL and ACCESSORY)

- 1. up to 50 feet HEIGHT\$33
- 2. greater than 50 feet in HEIGHT\$33 plus \$40 for each 20 feet in excess of 50 feet in height

E. Signs (PRINCIPAL and ACCESSORY)

- 1. Wall or Canopy Mounted or Projecting\$33
- 2. Freestanding\$3 per sq. ft. of sign area but not less than \$33

SECTION 9.3.1 ZONING USE PERMIT FEES - CONTINUED

- F. ALTER, extend or move upon the same LOT PRINCIPAL or ACCESSORY STRUCTURES
 - 1. BUILDINGS \$16 per 100 sq. ft.
 - 2. STRUCTURES other than BUILDINGS same as new STRUCTURES

- G. Other Permits
 - 1. Establish a USE or change an existing USE where no CONSTRUCTION is involved \$65
 - 2. No separate fee to establish a USE or change an existing USE that includes new CONSTRUCTION shall be required if a permit is issued for such CONSTRUCTION.
 - 3. HOME OCCUPATIONS
 - a. Register a NEIGHBORHOOD HOME OCCUPATION no fee
 - b. Change of USE for a RURAL HOME OCCUPATION \$33
 - 4. TEMPORARY USE \$65
 - 5. Register a NONCONFORMING USE \$33

- H. WIND FARM TOWER or BIG WIND TURBINE TOWER\$10,000

- I. SMALL WIND TURBINE TOWER
 - 1. Not over 50 feet in HEIGHT.....\$100
 - 2. Greater than 50 feet in HEIGHT\$100 plus \$80 for each 20 feet in excess of 50 feet in HEIGHT (round to the next highest 20 feet increment)
 - 3. Replacement of turbine on existing tower\$100

SECTION 9.3.1 ZONING USE PERMIT FEES - CONTINUED

- J. PV SOLAR FARM with not more than 7.5 megawatt nameplate rating.....\$1800 per megawatt
(includes COMMUNITY PV SOLAR FARM)

- PV SOLAR FARM with nameplate rating of more than 7.5 megawatts.....\$13500 plus \$1260
for each megawatt more than 7.5 megawatts

9.3.2 Zoning Compliance Certificate

A. Exemptions

No Zoning Compliance Certificate fee shall be required for:

- 1. any HOME OCCUPATION,
- 2. registering any NON-CONFORMING USE, or
- 3. registering a change of USE where no CONSTRUCTION is involved.

B. General Provisions

- 1. The fee for a Zoning Compliance Certificate shall be paid at the time the Zoning Use Permit application is made.
- 2. Fees for any Temporary or Partial Zoning Compliance Certificates may be paid after issuance of the Zoning Use Permit.
- 3. No Zoning Compliance Certificate fee shall be refunded except as provided in Section 9.3.1.A.3.

C. Fee

The fee for Zoning Compliance Certificates shall be \$33.

9.3.3 Zoning Case Filing Fees

A. General Provisions

- (1) No zoning case filing shall be accepted until the filing fee has been paid.
- (2) No zoning case filing fee shall be waived unless the Zoning Administrator determines that the petition is the only means reasonably available to bring a property into compliance with the provisions of this ordinance and the non-compliance is due solely to staff error.

SECTION 9.3.3 ZONING CASE FILING FEE - CONTINUED

- (3) No zoning case filing fee shall be refunded after required legal notice has been made by mail or publication unless the Zoning Administrator determines such filing to have been based solely upon staff error.
- (4) No amendment to any petition which requires a new legal notice shall be considered until an amended petition fee has been received unless the Zoning Administrator determines such amendments to be required due solely to staff error.
- (5) The fee for SPECIAL USE Permits shall be determined based on the larger of the following (except for County Board WIND FARM or PV SOLAR FARM SPECIAL USE Permits):
 - a. the area of farmland taken out of production as a result of the SPECIAL USE; or
 - b. when farmland will not be taken out of production as a result of the SPECIAL USE, the land area taken up by the existing STRUCTURES and all proposed CONSTRUCTION proposed in the SPECIAL USE application.
- (6) When some combination of VARIANCE, SPECIAL USE and Map Amendment cases is required simultaneously for the same property, the total filing fee shall include the following (except for County Board WIND FARM or PV SOLAR FARM SPECIAL USE Permits):
 - a. the standard fee for the most expensive individual zoning case; and
 - b. one-half of the standard fee for any other required VARIANCE, SPECIAL USE, or Map Amendment provided that
 - c. no additional fees shall be included for multiple zoning cases of the same type that can be advertised in the same legal advertisement.

B. Fees

(1) VARIANCES

- a. ADMINISTRATIVE VARIANCES \$100
- b. Minor or Major VARIANCES \$200

SECTION 9.3.3 ZONING CASE FILING FEE - CONTINUED

- (2) SPECIAL USE Permits and Map Amendments (except for County Board WIND FARM or PV SOLAR FARM SPECIAL USE Permit)
 - a. Two acres or less and Base Fee for larger areas \$400
 - b. More than two acres
but no more than 12 acres add \$40 per acre to
Base Fee for each acre over two acres
 - c. More than 12 acres add \$10 per acre for each acre
over 12 acres and add to fees in a. and b. above

- (3) Appeals and Interpretations \$200

- (4) Change of NONCONFORMING USE \$100

- (5) Amendment to Petitions (requiring new legal notice) \$100

- (6) County Board WIND FARM SPECIAL USE Permit\$34,000
or \$760 per WIND FARM TURBINE
TOWER, whichever is greater

- (7) BIG WIND TURBINE TOWER SPECIAL USE Permit
per BIG WIND TURBINE TOWER.....\$3,300

- (8) County Board PV SOLAR FARM SPECIAL USE Permit
PV SOLAR FARM with not more than
7.5 megawatt nameplate rating.....\$1,320 per megawatt
(includes COMMUNITY PV SOLAR FARM)

PV SOLAR FARM with nameplate rating of more
than 7.5 megawatts to 112.5 megawatts.....\$9,240 plus \$102
for each megawatt more than 7.5 megawatts
and up to 112.5 megawatts

PV SOLAR FARM with more than
112.5 megawatt nameplate rating.....\$180 per megawatt

9.3.4 Engineering Review Fees

1. Stormwater Drainage Plan Review Fee. Fees for engineering review of Stormwater Drainage Plans shall be based on the cost of the engineering review as follows:

Basic Review Fee. When there are no conditions of unusual uncertainty regarding drainage, the fees for engineering review shall be equal to the COUNTY's costs as billed by the COUNTY's drainage review consulting engineer but shall not exceed \$1,500 and shall be payable as follows:

- a. Initial partial payment upon application for either a Zoning Use Permit or a SPECIAL USE\$500
 - b. Prior to the issuance of a Zoning Compliance Certificate or the Final Determination for a SPECIAL USE the amount by which total costs billed by the COUNTY's drainage review consulting engineer exceed the initial partial fee payment provided that the total fee shall not exceed \$1, 500
 - c. After the issuance of the Zoning Compliance Certificate certifying that the entire Stormwater Drainage Plan has been implemented, an applicant shall receive a refund from the COUNTY for the amount by which the initial partial fee payment exceeds the total billed cost by the COUNTY's drainage review consulting engineer, provided that no refund shall be made for less than \$50.
2. Unlimited Review Fee. When the Zoning Administrator determines that conditions of unusual uncertainty regarding drainage are determined to exist, the fees for engineering review shall be equal to the COUNTY's costs as billed by the COUNTY's drainage review consulting engineer payable as follows:

- a. Initial partial payment upon application for either a Zoning Use Permit or a SPECIAL USE \$1,500
- b. Prior to the issuance of a Zoning Compliance Certificate or the Final Determination for a SPECIAL USE the amount by which total costs billed by the COUNTY's drainage review consulting engineer exceed the initial partial fee payment.
- c. After the issuance of the Zoning Compliance Certificate certifying that the entire Stormwater Drainage Plan has been implemented, an applicant shall receive a refund from the COUNTY for the amount by which the initial partial fee payment exceeds the total billed cost by the COUNTY's drainage review consulting engineer, provided that no refund shall be made for less than \$50.

SECTION 10 VIOLATIONS AND PENALTIES

- 10.1** Whenever a violation of this ordinance occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint shall state fully the causes and basis thereof and shall be filed with the Zoning Administrator. The Zoning Administrator shall record properly such complaint, immediately investigate, and take action thereon as provided by this ordinance.
- 10.2** In case any STRUCTURE is erected, CONSTRUCTED, reconstructed, ALTERED, converted, or any STRUCTURE or land is used in violation of this ordinance:
- 10.2.1** The Zoning Administrator, or any person the value or USE of whose PROPERTY is or may be affected by such violation, in addition to other remedies may institute an appropriate action or proceeding in equity to prevent such unlawful erection, CONSTRUCTION, reconstruction, ALTERATION, repair, conversion, maintenance, or USE, to restrain, correct or abate such violation, to prevent the occupancy of said STRUCTURE or land, or to prevent any illegal act, conduct, business, or USE in or about such STRUCTURE or land.
- 10.2.2** The Zoning Administrator, or any OWNER or tenant of real PROPERTY in the same contiguous Zoning DISTRICT as the STRUCTURE or land in question in addition to other remedies, may institute an appropriate action or proceeding in any court of competent jurisdiction:
- A. To prevent the unlawful CONSTRUCTION, reconstruction, ALTERATION, repair, conversion, maintenance, or USE of a STRUCTURE;
 - B. To prevent the occupancy of the STRUCTURE or land;
 - C. To prevent any unlawful act, conduct, business, or USE in or about such STRUCTURE or land;
 - D. To restrain, correct, or abate the violation.
- 10.2.3** Any violation of this ordinance shall be deemed a petty offense and shall be punishable by a fine not exceeding \$500. Each day a violation or failure to comply is permitted to exist after notification thereof shall constitute a separate offense.
- 10.2.4** Nothing herein contained shall prevent the COUNTY from taking such other lawful action as is necessary to prevent or remedy any violation.

SECTION 11 VALIDITY

If any court of competent jurisdiction shall declare any part of this ordinance to be invalid, such ruling shall not affect any other provisions of this ordinance not specifically included in the said ruling.

If any court of competent jurisdiction shall declare invalid the application of any provision of this ordinance to a particular PROPERTY, STRUCTURE, or land, such ruling shall not affect the application of said provision to any other PROPERTY, STRUCTURE, or land not specifically included in said ruling.

SECTION 12 REPEAL OF CONFLICTING ORDINANCES

All ordinances or parts thereof in conflict with this ordinance are hereby repealed to the extent necessary to give this ordinance full force and effect.

**SECTION 13 NON-INTERFERENCE WITH GREATER RESTRICTIONS
OTHERWISE IMPOSED**

- 13.1** It is not intended by this ordinance to interfere with, or abrogate or annul any easements, restrictions, covenants, or other agreements between parties, nor to interfere with, or abrogate or annul any ordinances other than expressly repealed hereby. Rules, regulations, or permits previously adopted or issued, and not in conflict with any of the provisions of this ordinance, or which shall be adopted or provided shall remain in full force and effect except that where this ordinance imposes a greater restriction upon the USE of land or STRUCTURES, or upon the HEIGHT of STRUCTURES, or BUFFER STRIPS, COURTS, LOT AREA, LOT AREA per DWELLING UNIT or LODGING UNIT, BUILDING AREA, LOT COVERAGE, PARKING SPACES, SETBACK LINE, LOT width, or LOT depth, or any similar restrictions, than are required by or imposed by such ordinances, rules, regulations, or permits, the provisions of this ordinance shall control.
- 13.2.1** The BOARD or the GOVERNING BODY shall not approve VARIANCES or SPECIAL USE Permits, and the Zoning Administrator shall not issue Zoning Use Permits or Zoning Compliance Certificates when:
- A. The CONSTRUCTION or USE would violate:
1. the *Champaign County Special Flood Hazard Area Development Ordinance* (Ord. No 209, as amended);
 2. the *Illinois Plat Act* (765 ILCS 205/0.01 *et seq.*);
 3. the *Champaign County Subdivision Regulations* (Ord. No. 44, as amended);
 4. the SUBDIVISION regulations of a municipality where the LOT is within the jurisdiction of a municipality which has enacted SUBDIVISION regulations except for the following:
 - a. CONSTRUCTION or change of USE to establish or enlarge a water treatment plant or related facilities owned and operated by a predominately rural water district when such improvements are deemed necessary to serve the public health, safety, and well being of the residents of Champaign County when that CONSTRUCTION or change of USE is required to comply with municipal SUBDIVISION regulations including the requirement for annexation to a municipality and that municipality is a non-home rule municipality and has its own water treatment plant and related facilities. The GOVERNING BODY may authorize a VARIANCE from the requirement for compliance with the municipal SUBDIVISION regulations if the municipality will not consider plat approval without the requirement for annexation provided as follows:

**SECTION 13 NON-INTERFERENCE WITH GREATER RESTRICTIONS OTHERWISE IMPOSED -
CONTINUED**

- (1) In addition to all other requirements of Section 9.1.9 the water district shall include with the application for VARIANCE a copy of a SUBDIVISION Plat for the subject property that has been prepared by a Licensed Illinois Surveyor in compliance with the technical platting requirements of the relevant municipal SUBDIVISION requirements but perfect compliance with the technical platting requirements shall not be required for the VARIANCE.
 - (2) The recommendation by the BOARD and the action by the GOVERNING BODY shall include a special condition that the VARIANCE shall not confer GOVERNING BODY approval or support for violation of the technical platting requirements of the relevant municipal SUBDIVISION requirements.
 - (3) The Zoning Administrator shall provide notice to the relevant municipality of the public hearing and the final determination for the VARIANCE and copies of any related Zoning Use Permit or Zoning Compliance Certificate that are authorized.
5. the *Champaign County Health Ordinance* (Ord. No. 573);
 6. the *Champaign County Public Nuisance Ordinance* (Ord. No. 468, as amended):
or
 7. any license ordinance of Champaign County.
- B. The CONSTRUCTION or USE is located on a LOT or LOTS created in violation of said *Illinois Plat Act, Champaign County Subdivision Regulations* or municipal SUBDIVISION regulations except as provided for in 13.2.1A.4.a.
- C. An outstanding violation of the *Zoning Ordinance* or any regulation listed in Section 13.2.1A exists on the LOT except when:
1. the Zoning Use Permit or Zoning Compliance Certificate is the sole impediment to correcting the violation;
 2. the BOARD finds that granting a VARIANCE or SPECIAL USE Permit will facilitate correction of any non-*Zoning Ordinance* violations;
 3. the VARIANCE, SPECIAL USE Permit, Zoning Use Permit or Compliance Certificate is required to effect any stipulation, agreement or court order resolving the violation; or

**SECTION 13 NON-INTERFERENCE WITH GREATER RESTRICTIONS OTHERWISE IMPOSED -
CONTINUED**

4. a municipality or the Champaign County Health Department has the legal authority to waive compliance with a regulation and stipulates in writing that it has no objection to issuing the VARIANCE, SPECIAL USE Permit, Zoning Use Permit or Zoning Compliance Certificate.

13.2.2 The above provisions notwithstanding, no VARIANCE, SPECIAL USE Permit, Zoning Use Permit or Zoning Compliance Certificate shall be denied for USE or CONSTRUCTION on LOTS created prior to May 21, 1991 solely because such LOTS were created in violation of the *Illinois Plat Act* or *Champaign County Subdivision Regulations* provided that such LOTS conform to all other applicable regulations and standards of this ordinance and the creation of such LOTS did not violate any applicable municipal SUBDIVISION ordinance in effect at the time such LOTS were created.

SECTION 14 EFFECTIVE DATE

PRESENTED, ADOPTED, APPROVED, and RECORDED this 11th day of
September, A.D. 1973.

Wesley M Schwengel
Chairman, Champaign County
Board of ~~Supervisors~~, Champaign
County, Illinois

ATTEST: Dennis R. Bing
County Clerk and ex-officio
Clerk of the County Board

APPENDIX AMENDMENTS

The following is a list of the amendments to the text of this ordinance from the time of the original adoption through September 23, 2021.

1. Resolution No. 1113, Case 87-AT-75, passed March 18, 1975
 - Section 5.2, Table of Authorized Principal Uses
 - Under Heating, Ventilating, Air Conditioning Sales and Services, add permitted by right in I-1, Zoning District.

2. Resolution No. 1130, Case 89-AT-75, passed May 20, 1975
 - Section 1.0, Title and Period of Effectiveness
 - Change Sentence 2.
 - Section 2.0, Purpose
 - Add Subsection q.
 - Section 3.0, Definitions
 - Change Paragraph 1, Sentence 2 to read: “Any pertinent work or term not part of this listing...have its usual definition.”
 - Under PLAN COMMISSION change to ‘shall mean Municipal Planning Body.’
 - Add “The words ‘PLANNING COMMISSION’ shall mean the Champaign County Regional Planning Commission.”
 - Change definition of ACCESSORY USE.
 - Add definition of AUTOMOBILE REPAIR, MAJOR and AUTOMOBILE REPAIR, MINOR.
 - Change definition of DWELLING, TWO-FAMILY.
 - Change definition of GARAGE, PUBLIC or COMMERCIAL.
 - Under definition of HEIGHT change to read “As Applied to an Enclosed or Unenclosed STRUCTURE.”
 - Add definition of LOT LINE, FRONT.
 - Change definition of MOBILE HOME.
 - Change definition of MOBILE HOME SITE.
 - Change definition of MOBILE HOME PARK.
 - Change definition of PLANNED UNIT DEVELOPMENT.
 - Change definition of SPECIAL USE.
 - Add definition of STREET SIDE OF CORNER LOT.
 - Add definition of SWIMMING POOL.
 - Add definition of UTILITY, PUBLICLY REGULATED.
 - Change definition of YARD, FRONT.
 - Change definition of YARD, REAR.
 - Change definition of YARD, SIDE.
 - Change definition of ZONED MUNICIPALITY.

APPENDIX - CONTINUED

- Section 4.2, Application of District Regulations and Standards
 - Change Section 4.2.1C.
 - Change Section 4.2.1F.
 - Change Section 4.3.3B.
 - Change Section 4.3.3D.
 - Change Section 4.3.3D.2.
 - Change Section 4.3.4A.
 - Change Section 4.3.5.
 - Add Section 4.3.6.
- Section 5.1, Intent of Zoning Districts
 - Change 5.1.2 under AG-2, AGRICULTURE.
 - Change 5.1.12 under B-4, General Business.
- Section 5.2, Table of Authorized Principal Uses
 - Change DWELLING, TWO-FAMILY.
 - Change Slaughter Houses.
 - Delete Banks, Savings and Loan Associations, Insurance and Real Estate Office, Business Office, Professional Office, Vocational, Trade or Business SCHOOL in B-1, DISTRICT.
 - Change MAJOR AUTOMOBILE REPAIR, all indoors.
 - Add MINOR AUTOMOBILE REPAIR, all indoors.
 - Change Antique Sales and Service.
 - Add Used Furniture Sales and Service.
 - Change Private Indoor Recreational Development.
 - Add Pre-Existing Industrial USES (existing prior to October 10, 1973).
- Section 5.3, Schedule of Area, Height, and Placement Regulations by District
 - Add Footnote 5.
- Section 6.1, Standards for Specific Special Uses
 - Under Paragraph 1 add “The numbers in the parentheses within Section 6.1 indicate the Footnotes at the conclusion of Table 6.1.”
 - Under Public or Commercial Sanitary Landfill change Schedule of Area, Height, and Placement Regulations and Special Provisions.
 - Add Industrial Pre-Existing uses (existing prior to October 10, 1973).
 - Change Footnote 3.
 - Add Footnote 5.
- Section 6.2, Mobile Home Parks
 - Change Paragraph 1 to “MOBILE HOME PARKS are permitted in R-5 MOBILE HOME PARK DISTRICT...and provisions of Section 711 *et seq.*, Chapter 111 1/2 *Illinois Revised Statutes.*”
 - Change Section 6.2.1 Paragraph 1.
 - Change Section 6.2.2E.1.
 - Change Section 6.2.2E.6.
 - Change Section 6.2.4C.

APPENDIX - CONTINUED

- Section 6.3, Residential Planned Unit Developments
 - Change Section 6.3.1E.
 - Change Section 6.3.1F.
 - Add Section 6.3.1G.
 - Add Section 6.3.1H.
 - Add Section 6.3.1I.
 - Change Section 6.3.4.
 - Change Section 6.3.5 Paragraph 1.
 - Change Section 6.3.6.
 - Change Section 6.3.9.
 - Change Section 6.3.10.
 - Add Section 6.3.12E.
 - Change Title in Section 6.3.14.
 - Change Section 6.3.14B.
 - Change Column 3 heading in Section 6.3.16.
 - Add Class III to Section 6.3.16.
 - Change Footnote 1 in Section 6.3.16.
- Section 7.3, Signs
 - Change Section 7.3.2.
 - Change Section 7.3.3K.
 - Add Section 7.3.3L.
 - Change Section 7.3.4A.
 - Change Title in Section 7.3.6.
 - Change columns 3 and 4 in Section 7.3.6.
 - Change Section 7.3.6 under “Maximum AREA.”
 - Change Section 7.3.6 Footnote.
- Section 7.4, Off-Street Parking Space and Loading Berths
 - Change Section 7.4.1B.
 - Change Sections 7.4.1B.2.a. and 7.4.1B.2.b.
 - Change Section 7.4.1C.3.b.
 - Add to Section 7.4.2B.1.
- Section 8, Non-Conformities.
 - Change Paragraphs 2 and 3.
- Section 8.1, Nonconforming Lots of Record
 - Change Section 8.1.1.
 - Change Section 8.1.3 Paragraph 1.
- Section 8.4, Nonconforming Uses of Structures
 - Change Section 8.4.5.
- Section 8.5, Nonconforming Signs
 - Change Section 8.5.2D.
- Section 8.6, Repairs and Maintenance
 - Change.

APPENDIX - CONTINUED

- Section 9.1, Administration and Enforcement
 - Change Section 9.1.1B.8.
 - Add Section 9.1.1B.10.
 - Change Section 9.1.2A. “A Zoning Use Permit shall be obtained... .”
 - Change Section 9.1.2A. “No Zoning Use Permit fee shall be required by those STRUCTURES....”
 - Change Section 9.1.2D.1.
 - Add to Section 9.1.2D.2. “In the case of a SPECIAL USE Permit issued to a PUBLICLY REGULATED UTILITY... .”
 - Add Section 9.1.2D.4.
 - Change Section 9.1.3A.2.b.
 - Change Section 9.1.4. Paragraph 2.
 - Change Section 9.1.5A.1.
 - Change Section 9.1.5A.2.
 - Change Section 9.1.5B.1.c.
 - Change Section 9.1.5B.1.g.
 - Change Section 9.1.5C.2.
 - Change Section 9.1.5D.3.g.
 - Change Section 9.1.5D.3.i.(8).
 - Change Section 9.1.5D.3.j.
 - Change Section 9.1.5D.4.d.
 - Change Section 9.1.5D.4.1.
 - Section 9.2, Amendments
 - Change Section 9.2.1D.
 - Section 9.3, Fees
 - Change Section 9.3.1A.1.
 - Change Section 9.3.1A.2.
 - Change Section 9.3.1A.3.
 - Change Section 9.3.1C.
 - Change Section 9.3.1C.3.
 - Section 10, Appeals from the Board
 - Change.
 - Section 11, Violations and Penalties
 - Change Section 11.2.2C.
3. Resolution No. 1131, Case 89-AT-75, adopted May 20, 1975
- Section 5.2, Table of Authorized Principal Uses
 - Change to read: “Wood Fabricating Shop and Related Activities,” permitted by right in I-2, DISTRICT and as a SPECIAL USE in AG-2, DISTRICT.
4. Resolution No. 1132, Case 89-AT-75, adopted May 20, 1975
- Section 9.3, Fees
 - Add Section 9.3.5.

APPENDIX - CONTINUED

5. Ordinance No 15, Case 141-AT-75, adopted February 17, 1976
 - Section 8.1, Non-Conforming Lots of Record
 - Change Section 8.1.1.
 - Change Section 8.1.3.
 - Section 5.3, Schedule of Area, Height, and Placement Regulations by District Under “Special Provisions” heading add “See Footnote 6” in AG-1, AG-2, CR, R-1, R-2, R-3, and R-4 DISTRICTS.
 - Section 5.3, Schedule of Area, Height, and Placement Regulations by District Add Footnote 6.

6. Ordinance No. 16, Case 150-AT-75, adopted April 13, 1976
 - Section 5.2, Table of Authorized Principal Uses
 - Change to include “Private Kindergarten or Day Care Facility” as a SPECIAL USE in R-1, R-2, and R-3 DISTRICTS.

7. Ordinance No. 23, Case 164-AT-76, adopted May 18, 1976
 - Section 4.3, Supplementary District Regulations and Standards
 - Change Section 4.3.4A.

8. Ordinance No. 45, Case 228-AT-77, adopted June 21, 1977
 - Section 3.0, Definitions
 - Add definition of LOT LINE, REAR
 - Add definition of LOT, CUL-DE-SAC.
 - Section 5.3, Schedule of Area, Height, and Placement Regulations by District
 - Add numeral 7 in heading “Required YARDS (feet) – REAR,” add numeral 8 in heading “Required YARDS (feet) – SIDE;” and add Footnotes 7 and 8.
 - Add under heading “Minimum LOT SIZE” the word “Average” in subheading “Width feet.”
 - Under heading “Minimum LOT SIZE” add numeral 9 in subheading “Width feet” and add Footnote 9.

9. Ordinance No. 52, Case 267-AT-77, adopted December 20, 1977
 - Section 9.2, Amendments
 - Delete Section 9.2.2A.

10. Ordinance No. 53, Case 272-AT-77, adopted December 20, 1977
 - Section 9.1, Administration and Enforcement
 - Change Section 9.1.1B.9.
 - Section 11, Violations and Penalties
 - Change Section 11.2.3.

11. Ordinance No. 56, Case 268-AT-77, adopted January 17, 1978
 - Section 10, Appeals from the Board
 - Re-number text and add Section 10.3.

APPENDIX - CONTINUED

12. Ordinance No. 60, Case 270-AT-77, adopted March 28, 1978
- Section 3.0, Definitions
Delete definition of ANIMAL HOSPITAL and add definition of KENNEL and VETERINARY HOSPITAL.
 - Section 5.2, Table of Authorized Principal Uses
Add to permit KENNELS as a SPECIAL USE in AG-1, AG-2, and CR and by right in I-1 and I-2 Zoning DISTRICTS.
Add to permit VETERINARY HOSPITALS as a SPECIAL USE in AG-1, AG-2, CR, B-3, B-4, and B-5 and by right in I-1 and I-2 Zoning DISTRICTS.
 - Section 6.1, Schedule of Area, Height, and Placement Regulations for Specific Special Uses
Change Minimum SPECIAL USE Requirements for VETERINARY HOSPITAL and/or KENNEL (entirely enclosed) in AG-1, AG-2, and CR Zoning DISTRICTS.
Change Minimum SPECIAL USE Requirements for VETERINARY HOSPITAL and/or KENNEL (kept temporarily or permanently outside) in AG-1, AG-2, and CR Zoning DISTRICTS.
Change Minimum SPECIAL USE Requirements for VETERINARY HOSPITALS in B-3, B-4, and B-5 Zoning DISTRICTS.
13. Ordinance No. 61, Case 271-AT-77, adopted March 28, 1978
- Section 5.2, Table of Authorized Principal Uses
Add “No more than two Storage STRUCTURES for: semi-tractor and trailers, refuse and sanitary hauling (excluding offal and fat renderings), and construction contract services vehicles and equipment as a SPECIAL USE in AG-1 DISTRICT.”
 - Section 6.1, Schedule of Area, Height, and Placement Regulations for Specific Special Uses
Add Minimum SPECIAL USE Requirements for Storage STRUCTURES permitted in AG-1 DISTRICT.
14. Ordinance No. 62, Case 278-AT-77, adopted March 28, 1978
- Section 5.2, Table of Authorized Principal Uses
Add Gasoline and Volatile Oils Storage (exceeding 175,000 gallon capacity of volatile liquid in the aggregate) as a SPECIAL USE in B-1, B-3, I-1, and I-2 Zoning DISTRICTS and by right in the I-2 Zoning DISTRICT for storage facilities up to and including 175, 000 gallon capacity of volatile liquid in the aggregate.
Add Liquefied Petroleum Gases Storage as a SPECIAL USE in B-1, B-3, I-1 and I-2 Zoning DISTRICTS.
Add Footnote 1.
 - Section 6.1, Schedule of Area, Height, and Placement Regulations for Specific Special Uses
Delete “Except: Petroleum and Gas Bulk Storage.”
Add Minimum SPECIAL USE Requirements for: Gasoline and Volatile Oils Storage in I-1 and I-2 Zoning DISTRICTS; Gasoline and Volatile Oils Storage in B-1 and B-3 Zoning DISTRICTS; Liquefied Petroleum Gases Storage in I-1 and I-2 Zoning DISTRICTS; and Liquefied Petroleum Gases Storage in B-1 and B-3 Zoning DISTRICTS.

APPENDIX – CONTINUED

15. Ordinance No. 111, Case 359-AT-79, adopted December 18, 1979
 - Section 9.1, Administration and Enforcement
 - Change Section 9.1.5D.3.
 - Change Section 9.1.5D.3.a.(4).
 - Change Section 9.1.5D.3.i.(4).
 - Add Section 9.1.5D.3.i.(9).

16. Ordinance No. 138, Case 395-AT-80, adopted December 16, 1980
 - Section 4.3, Supplementary District Regulations and Standards
 - Change Section 4.3.6.

17. Ordinance No. 142, Case 400-AT-80, adopted February 17, 1981
 - Section 11, Violations and Penalties
 - Change Section 11.2.3.

18. Ordinance No. 195, Case 470-AT-83, adopted July 12, 1983
 - Section 4.3, Supplementary District Regulations and Standards
 - Change entire Section 4.3.1 HEIGHT.
 - Change entire Section 4.3.5 Exemptions from Regulations and Standards.
 - Section 5.2, Table of Authorized Principal USES
 - Delete “Radio or Television Tower and Station...”
 - Add “Private or commercial transmission and receiving towers” and “Radio or Television Station.”
 - Section 6.1, Schedule of Area, Height, and Placement Regulations for Specific Special Uses
 - Delete provision for “Radio or Television Station and Tower.”
 - Add provisions for “Private or commercial transmission and receiving towers...” and “Spires, belfries, chimneys, ventilators, skylights, water tanks, silos and other necessary mechanical appurtenances over 100 feet in height.”
 - Section 9.1, Administration and Enforcement
 - Add Subsection E to Section 9.1.2, Zoning Use Permit.
 - Section 9.3, Fees
 - Add fee to establish a tower or a temporary tower to Section 9.3.1, Zoning Use Permit (fees).

19. Ordinance No. 197, Case 484-AT-83, adopted August 16, 1983
 - Section 3.0, Definitions
 - Change definition of LOT.
 - Delete definition of SANITARY SEWER and add definitions for PUBLIC SANITARY SEWER SYSTEM and PUBLIC WATER SUPPLY SYSTEM.
 - Delete definition for ZONING LOT.
 - Section 4.2, Application of District Regulations and Standards
 - Change entire Subsection C under Section 4.2.1, CONSTRUCTION and USE.
 - Add Section 4.2.2C to Subsection 4.2.2, OPEN SPACES.

APPENDIX – CONTINUED

- Section 4.3, Supplementary District Regulations and Standards
 - Add new paragraph c to Section 4.3.4A.2 and reletter existing paragraph c to d.
 - Add new Section 4.3.4A.3.
 - Add new Section 4.3.4A.4.
 - Section 8.1, Nonconforming Lots of Record
 - Change entire Section 8.1.3.
 - Section 9.1, Administration and Enforcement
 - Add new paragraph j to Section 9.1.5D4 and reletter existing paragraphs j, k, and l to k, l, and m.
 - Section 14, Non-Interference with Greater Restriction Otherwise Imposed
 - Replace entire Section.
20. Ordinance No. 210, Case 494-AT-83, adopted March 19, 1984
- Section 9.3, Fees
 - Change fee amounts in Section 9.3.3, 9.3.4, and 9.3.5.
 - Add new Section 9.3.6.
21. Ordinance No. 215, Case 504-AT-84, adopted June 19, 1984
- Section 3.0, Definitions
 - Add definition for TEMPORARY USE
 - Section 5.2, Table of Authorized Principal Uses
 - Add provisions for “church related TEMPORARY USES on church property” and TEMPORARY USES.
 - Delete “Religious Tent Meeting” and “Circus Carnival, or Music Festival.”
 - Section 6.1, Schedule of Area, Height, and Placement Regulations for Specific Special Uses
 - Delete provisions for “Religious Tent Meeting” and Circus or Carnival.”
 - Section 7.4, Off-Street Parking Spaces and Loading Berths
 - Change paragraph b of subsection 7.4.1C3.
 - Section 9.1, Administration and Enforcement
 - Add new Subsection F to Section 9.1.2, Zoning Use Permit
22. Ordinance No. 286, Case 591-AT-87, adopted March 24, 1987
- Section 9.1, Administration and Enforcement
 - In subsection 9.1.3C, Zoning Compliance Certificate fees, delete sentence limiting when Zoning Compliance Certificate fees are charged.
 - Section 9.3, Fees
 - Replace Section 9.3.1, Zoning Use Permits, Section 9.3.2, Zoning Compliance Certificate, and Section 9.3.4, Special Use Amendment.
23. Ordinance No. 297, Case 624-AT-87, adopted October 20, 1987
- Section 5.2, Table of Authorized Principal Uses
 - Change provisions for “MOBILE HOME PARKS;” “Sporting Goods Sales and Service;” “Bait Sales;” “TEMPORARY USES.”
 - Add provisions for “Recycling of non-hazardous materials.”

APPENDIX – CONTINUED

- Section 5.3, Schedule of Area, Height, and Placement Regulations by District
Change Footnote 5.
 - Section 6.1, Schedule of Area, Height, and Placement Regulations for Specific Special Uses
Change provision for “Minimum Lot Size – Area, Acres” for” Gasoline and Volatile Oil Storage” in I-1, I-2, B-1, and B-3 DISTRICTS.
Change provisions for “Minimum Fencing Required” for “Riding Stables.”
Add new footnote 6 to “Minimum Fencing Required.”
 - Section 9.3, Fees
Add new subsection 4 to 9.3.1A.
Re-number existing subsections 4 through 9 to 5 through 10.
24. Ordinance No. 320, Case 642-AT-88, adopted August 23, 1988
- Section 3.0, Definitions
Add definition of AIRCRAFT, AIRPORT, HELICOPTER, HELIPORT/HELISTOP, HELIPORT-RESTRICTED LANDING AREA, INSTITUTIONAL USE, PUBLIC ASSEMBLY USE, RESIDENTIAL AIRPORT, RESTRICTED LANDING AREA, ULTRALIGHT AIRCRAFT, ULTRALIGHT LANDING AREA.
 - Section 5.2, Table of Authorized Principal Uses
Change heading “Commercial Transportation Uses” to “Transportation Uses.”
Add provisions for AIRPORTS, HELIPORTS/HELISTOPS, HELIPORT-RESTRICTED LANDING AREAS, RESIDENTIAL AIRPORTS, RESTRICTED LANDING AREAS as SPECIAL USES.
 - Section 6.1, Schedule of Area, Height, and Placement Regulations for Specific Special Uses
Under AIRPORTS delete fencing requirements and change minimum lot size and text under Explanatory or Special Provisions.
Under HELIPORTS/HELIPORT-RESTRICTED LANDING AREA delete fencing requirement and change text under Explanatory or Special Provisions; add provisions for RESIDENTIAL AIRPORTS.
Add provisions for RESTRICTED LANDING AREAS.
 - Section 7, Accessory Structures and Uses
Add Section 7.5, Aviation Uses
25. Ordinance No. 325, Case 655-AT-88, adopted November 22, 1988
- Section 3.0, Definitions
Change definition of YARD, SIDE
 - Section 4.3, Supplementary District Regulations and Standards
Add a new Subsection D to Section 4.3.3 and reletter existing Subsection D to E.
 - Section 5.2, Table of Authorized Principal Uses
Add Artist Studio
 - Section 9.1, Administration and Enforcement
Delete Section 9.1.5D.4.m.

APPENDIX – CONTINUED

26. Ordinance No. 328, Cases 654-AT-88, adopted December 20, 1988
- Section 4.3, Supplementary District Regulations and Standards
Add Section 4.3.7, Certain USES as SPECIAL USES with Specified Distance from SPECIAL USE.
 - Section 5.2, Table of Authorized Principal Uses
Add Footnote 2.
 - Section 5.3, Schedule of Area, Height, and Placement Regulations by District
Add Footnote 10.
 - Section 6.1, Schedule of Area, Height, and Placement Regulations for Specific Special Uses
Add provisions for RESTRICTED LANDING AREAS.
 - Section 7.5, Aviation Uses
Delete Section 7.5.1, RESTRICTED LANDING AREAS; 7.5.2, HELIPORT-RESTRICTED LANDING AREAS; and, 7.5.4.
Delete heading 7.5, AVIATION USES
Re-number Section 7.5.3, ULTRALIGHT LANDING AREA to Section 7.5.
27. Ordinance No. 338, Case 662-AT-88, adopted March 21, 1989
- Section 9.1, Administration and Enforcement
Change Subsection 9.1.5A.1.
28. Ordinance No. 354, Case 692-AT-89, Adopted February 20, 1990
- Section 3.0, Definitions
Add definition of AGRICULTURE.
 - Section 5.2, Table of Authorized Uses
Change provisions for riding stables.
Delete Petroleum and Gas Bulk Storage as Special Use in I-2 DISTRICT.
Delete Gasoline and Volatile Oils Storage as Special Use in B-1, B-3, and I-1 DISTRICTS.
Add Gasoline and Volatile Liquids Storage up to and including 175, 000 gallon capacity of volatile liquid in the aggregate as Special Use in B-1, B-3, and I-1 DISTRICTS.
Change Footnote 1.
Add Roadside Stand Operated by Farm Operator as permitted use in CR DISTRICT.
 - Section 9.1, Administration and Enforcement
Change Section 9.1.2D2, Expiration of Zoning Use Permit.
 - Section 9.2, Amendments
Change Section 9.2.2A.

APPENDIX – CONTINUED

29. Ordinance No. 355, Case 696-AT-90, adopted March 22, 1990
-Section 3.0, Definitions
Add definition of GOVERNMENT BUILDING
-Section 5.2, Table of Authorized Principal Uses
Add Adaptive Re-use of GOVERNMENT BUILDINGS as permitted USE.
-Section 6.1, Schedule of Area, Height, and Placement Regulations for Specific Special Uses
Add Adaptive Re-Use of GOVERNMENT BUILDINGS as SPECIAL USE and applicable standards.
30. Ordinance No. 357, Case 702-AT-90, adopted April 17, 1990
-Section 9.1, Administration and Enforcement
Add a new paragraph 10 to Section 9.1.5D.3.i.
31. Ordinance No. 366, Case 709-AT-90, adopted September 18, 1990
-Section 3.0, Definitions
Add definition of PRIVATE CLUB.
32. Ordinance No. 372, Case 715-AT-90, adopted December 18, 1990
-Section 3.0, Definitions
Add definitions of COMPOSTING, LANDSCAPE WASTE, LANDSCAPE WASTE PROCESSING FACILITY.
-Section 5.2, Table of Authorized Principal Uses
Add LANDSCAPE WASTE PROCESSING FACILITIES as Special Use in AG-2 and I-2 DISTRICTS.
-Section 6.1, Schedule of Area, Height, and Placement Regulations for Special Uses
Add LANDSCAPE WASTE PROCESSING FACILITIES as SPECIAL USE and applicable standards.
33. Ordinance No. 373, Case 718-AT-90, adopted January 15, 1991
-Section 4.3, Supplementary District Regulations and Standards
Change subsection 4.3.3D, Visibility
Add subsection 4.3.3E, Fences
34. Ordinance No. 374, Cases 739-AT-90, adopted January 15, 1991
-Section 5.2, Table of Authorized Principal Uses
Add Business Offices permitted by right in I-1 DISTRICT.
Add Footnote 3.
35. Ordinance No. 378, Case 748-AT-91, adopted March 19, 1991
-Section 5.2, Table of Authorized Principal Uses
Add Dairy Products Manufacturing, Processing and Packaging in I-1 DISTRICT.

APPENDIX – CONTINUED

36. Ordinance No. 758-AT-91, adopted May 21, 1991
-Section 5.2, Table of Authorized Principal Uses
Change provisions for Gasoline and Volatile Oils Storage.
-Section 6.1, Schedule of Area, Height, and Placement Regulations for Special Uses
Change special provisions for Gasoline and Volatile Oils Storage.
37. Ordinance No. 382, Case 759-AT-91, adopted May 21, 1991
-Section 9.1, Administration and Enforcement
Change subparagraph 9.1.5D.3.i.(4).
-Section 14, Non-Interference with Greater Restriction Otherwise Imposed
Rename Section 14A to Section 14.1 and replace Section 14B with Sections 14.2.1 and 14.2.2.
38. Ordinance No. 395, Case 729-AT-90, adopted December 17, 1991
-Section 9.1, Administration and Enforcement
Amend Section 9.1.5D, Zoning Board of Appeals Powers and Duties by adding subparagraphs 9.1.5D.(5) and 9.1.5D.3.i.(11).
39. Ordinance No. 405, Case 790-AT-92, adopted April 21, 1992
-Section 3.0, Definitions
Add definitions of OPERATIONS, SCREEN, and STORAGE.
-Section 4.3, Supplementary District Regulations and Standards
Add Section 4.3.3F, SCREEN.
-Section 5.2, Table of Authorized Principal Uses
Add Contractors Facilities (either with or without outdoor STORAGE and/or outdoor OPERATIONS) as permitted uses.
Add Footnote 2.
-Section 5.3, Schedule of Area, Height and Placement Regulations by District
Change Footnote 2; delete Footnote 3 and renumber remaining Footnotes consecutively.
-Section 7.4, Off-Street Parking Spaces and Loading Berths
Change Section 7.4.1C.3.d, add 7.4.1C.4, add 7.4.1D.3, change 7.4.2C.2, change 7.4.2D2.
-Section 7 Add new Section 7.6, Outdoor STORAGE and/or Outdoor OPERATIONS.
40. Ordinance No. 409, Case 774-AT-91, Parts A and D, adopted May 19, 1992
-Section 5.3, Schedule of Area, Height, and Placement Regulations by District
Add Footnote 10.
-Section 7.2, Yards for Detached Accessory Buildings and Structures
Change Section 7.2.1.

APPENDIX – CONTINUED

41. Ordinance No. 413, Case 774-AT-91 Part B, adopted July 21, 1992
-Section 4.2, Application of Regulations and Standards
Change Section 4.2.1., CONSTRUCTION and USE.
Change Section 4.2.2.C.
-Section 5.3, Schedule of Area, Height and Placement Regulations by District
Add Footnote 11.
42. Ordinance No. 423, Case 794-AT-92, adopted February 16, 1993
-Section 3.0, Definitions
Delete present definition of HOME OCCUPATION and add definitions for HOME OCCUPATION, NEIGHBORHOOD; HOME OCCUPATION, RURAL; and DISPLAY.
-Section 7, Accessory Structures and Uses
Delete Section 7.1, HOME OCCUPATIONS in its entirety and replace it with new Section 7.1, NEIGHBORHOOD HOME OCCUPATIONS and RURAL HOME OCCUPATIONS.
-Section 9.1, Administration and Enforcement
Add new subparagraph (12) to Section 9.1.5D3.i.
43. Ordinance No. 424, Case 842-AT-92, adopted March 16, 1993
-Section 9.1, Administration and Enforcement
Amend Section 9.1.2 regarding fee exemptions.
Delete paragraph 9.1.3C, Zoning Compliance Certificate Fees, regarding fees established in Section 9.3.
-Section 9.3, Fees
Amend entire Subsection 9.3.1, Zoning Use Permits, to create new fee schedule.
Amend entire Subsection 9.3.2, Zoning Compliance Certificate.
Repeal Subsections 9.3.3, VARIANCE; 9.3.4, SPECIAL USE or Amendment; 9.3.5, Amendments; and 9.3.6, Appeal of Zoning Administrator’s Decision.
Add new Subsection 9.3.3, Zoning Case Filing Fees, with new general provisions and revised fees and fee structure.
44. Ordinance No. 448, Case 847-AT-93 Parts A and D, adopted September 21, 1993
-Section 3.0, Definitions
Revise and/or add ACCESS STRIP, FLAG LOT, LOT DEPTH, FRONT LOT LINE, REAR LOT LINE and AVERAGE LOT WIDTH.
-Section 4.2, Application of Regulations and Standards
Amend Section 4.2.1H.
-Section 4.3, Supplementary District Regulations and Standards
Amend Section 4.3.4, LOTS, by amending subparagraph 4.3.4A.1.
Amend Section 4.3.4A.2 by repealing subparagraphs b and d and renumber and revise text of remaining paragraph.
Amend Section 4.3.4 by repealing paragraphs E and F and adding new paragraph 4.3.4E, FLAG LOTS.

APPENDIX – CONTINUED

Amend Section 4.3.4A3 by repealing subparagraphs b and d, and renumber and revise text of remaining paragraph.

Amend Section 4.3.4A by amending existing subparagraph 4 and renumber it to new subparagraph 5 and add new subparagraph 4.

45. Ordinance No. 449, Case 855-AT-93 Parts A, C & D, adopted September 21, 1993
- Section 3.0, Definitions
Revise and/or add VARIANCE and ADMINISTRATIVE VARIANCE.
 - Section 6.1, Standards for Special Uses
Amend and renumber.
 - Section 8.3, Nonconforming Structures
Amend Section 8.3.2.
 - Section 8.4, Nonconforming Uses of Structures
Amend Section 8.4.3.
 - Section 8.5, Nonconforming Signs
Add new Section 8.5.3.
 - Section 9.1, Administration and Enforcement
Amend Section 9.1.1B by adding subparagraph 11.
Amend Section 9.1.5, Zoning Board of Appeals. Renumber it to new Section 9.1.6, Zoning Board of Appeals.
Amend existing paragraph 9.1.5B, Proceedings of the BOARD; renumber it to make new Section 9.1.7, Administrative Proceedings.
Add new paragraph 9.1.6B, Powers and Duties.
Amend Section 9.1.5C, Appeals, Notice, Hearing; renumber it to new Section 9.1.8, Appeals.
Add new Section 9.1.9, VARIANCES.
Add new Section 9.1.10, ADMINISTRATIVE VARIANCES.
Amend existing paragraph 9.1.5D4. Renumber to new Section 9.1.11, SPECIAL USES. (Note: New subsection 9.1.5 is included in Case 855-AT-93 Part B).
 - Section 10, Appeals from the Board
Amend paragraph 10.1.
46. Ordinance No. 451, Case 855-AT-93 Part V, adopted October 19, 1993
- Section 9.1, Administration and Enforcement
Add new Section 9.1.5, Hearing Officer.
47. Ordinance No. 454, Case 847-AT-93 Part C, adopted November 16, 1993
- Section 8.2, Nonconforming Uses of Land
Amend Subsection 8.2.1 to create new Subsection 8.2.1, Expansion of NONCONFORMING USE.

APPENDIX – CONTINUED

48. Ordinance No. 479, Case 940-AT-94, adopted September 20, 1994
-Section 3.0, Definitions
Add LIGHT ASSEMBLY
-Section 5.2, Table of Authorized Principal Uses
Add LIGHT ASSEMBLY permitted by right in I-1 DISTRICT and by SPECIAL USE in B-4 DISTRICT.
49. Ordinance No. 490, Case 860-AT-93, adopted January 17, 1995
-Section 3.0, Definitions
Amend definitions of DWELLING and DWELLING UNIT.
Replace definition of MOBILE HOME with MANUFACTURED HOME.
Replace MOBILE HOME PARK with MANUFACTURED HOME PARK in all provisions throughout ordinance.
-Section 4.2, Application of Regulations and Standards
Re-number Section 4.2.3, Disconnected Territory, as Section 4.1.7 and relocate to Section 4.1.
Add new Section 4.2.3, Minimum Standards for DWELLINGS.
50. Ordinance No. 491, Case 954-AT-94, adopted February 21, 1995
-Section 5.2, Table of Authorized Principal Uses
Amend to permit SINGLE FAMILY DWELLINGS by right in B-5 DISTRICT subject to new Footnote 6.
Amend to permit Public Fairgrounds by SPECIAL USE Permit in CR DISTRICT.
51. Ordinance No. 503, Case 975-AT-95, adopted September 26, 1995
-Section 3.0, Definitions
Revise definitions of BOARDING HOUSE, HOTEL, and LODGING UNIT.
Delete definitions for LODGING HOUSE, MOTEL, and TOURIST HOME.
-Section 5.2, Table of Authorized Principal Uses
Amend to permit HOTEL, no more than 15, LODGING UNITS by SPECIAL USE in CR, AG-1, AG-2, B-2 and B-5 DISTRICTS and by right in B-3 and B-4 DISTRICTS; and to permit HOTEL over 15 LODGING UNITS by right in B-3 and B-4 DISTRICTS.
-Section 6.1, Standards for Special Uses
Amend Section 6.1.3, Schedule of Requirements and Standard Conditions, to establish requirements for hotels with 15 or fewer LODGING UNITS.
52. Ordinance No. 510, Case 026-AT-95, adopted February 20, 1996
-Section 3.0, Definitions
Delete definitions for APARTMENT HOUSE, LOT, CUL-DE-SAC, MASTER PLAN, MOTOR BUS and STREET SIDE OF A CORNER LOT.
Revise definitions of PARKING SPACE, STORAGE and SIGN, ON-PREMISES.
-Section 4.1, Official Zoning Map
Amend Section 4.1.7, Disconnected Territory.

APPENDIX – CONTINUED

- Section 4.2, Application of Regulations and Standards
Amend Section 4.2.1, Construction and Use to add Paragraph M.
- Section 4.3, Supplementary District Regulations and Standards
Amend Section 4.3.4, Paragraph A to consolidate Subparagraphs 1, 2, and 3.
- Section 5.2, Table of Authorized Principal Uses
Delete High-Rise Apartment Building; Public Telephone (freestanding);
Temporary Real Estate Office; Public Maintenance and Storage Garage;
Automat-Vending Machines; Public or Commercial Sanitary Landfill; and, No
More than two Storage STRUCTURES for: semi-tractor and trailers, refuse and
sanitary hauling (excluding offal and fat rendering), and construction contract
services vehicles and equipment.
Amend TEMPORARY USES and move descriptive language to new Section
4.3.8.
Delete modifier “Moderate Density” and permit “DWELLING, MULTI-
FAMILY” as presently provided; Delete modifier “Privately owned and operated”
and permit “Dormitory” as presently provided; Permit “Radio or Television
Station:” by right in B-4 and B-5 DISTRICTS.
Permit “Electrical Substation” by SPECIAL USE only except in I-2 DISTRICT.
Delete modifier “public” and permit “HOSPITALS” as presently provided.
Delete “Telegraph Office” as USE permitted by SPECIAL USE in R-4 and R-5
DISTRICTS.
Add “Bakery > 2,500 sq. ft.” and permit it by right in I-1 and I-2 DISTRICTS and
by SPECIAL USE in B-4 DISTRICT.
Delete reference to “billboards” and “advertising” in listings for “Off-Premises
Advertising Signs.”
- Section 5.3, Schedule of Area, Height and Placement Regulations by District
Delete Footnote 8.
- Section 6.1, Standards for Special Uses
Amend 6.1.3 to delete provisions for “Storage Structures in the AG-1
DISTRICT.”
- Section 7.2, Yards for Detached Accessory Buildings and Structures
Add provisions permitting accessory structures in AG-1, AG-2, and CR
DISTRICTS within 10 feet of side and rear lot lines by creating new Section 7.2.1
and renumbering following sections.
Consolidate Sections 7.2.2 and 7.2.3 into new Section 7.2.3.
- Section 7.3, Signs
Amend Section 7.3.5, Table of Standards for Off-Premises Advertising Signs
Permitted in AG-1 and AG-2 DISTRICTS, to delete reference to AG-1 and AG-2
DISTRICTS in table heading.
- Section 7.4, Off-Street Parking Spaces and Loading Berths
Amend Paragraph C, Subparagraph 3, to add new item “g” setting requirements
for riding stables.

APPENDIX – CONTINUED

53. Ordinance No. 527, Case 055-AT-96, adopted February 18, 1997
- Section 3.0, Definitions
 - Delete definitions of INGRESS and EGRESS and amend definitions of ACCESS.
 - Amend definition of ACCESS STRIP.
 - Revise definition of STREET.
 - Replace term “Private Street” with term PRIVATE ACCESSWAY throughout ordinance and revise definition.
 - Section 4.2, Application of Regulations and Standards
 - Amend Section 4.2.1 to reletter paragraphs I through M to J through N and add new paragraph I.
 - Amend Section 4.2.1H.
54. Ordinance No. 542, Case 105-AT-97, Parts C, G2, H, K & M, adopted October 21, 1997
- Section 3.0, Definitions
 - Amend definition of LOT WIDTH, AVERAGE.
 - Section 4.3, Supplementary District Regulations and Standards
 - Delete Section 4.3.4 and replace it with new text and chart.
 - Section 5.2, Table of Authorized Principal Uses
 - Move Section 10.3 to Section 5.2 as a new Footnote. Renumber existing footnotes and amend text.
 - Section 9.1, Administration and Enforcement
 - Amend Section 9.1.7E1.
 - Add new Subparagraph 2 and renumber existing subparagraph 2.
 - Move Section 10.2 to Section 9.1.8 as a new Paragraph A and reletter existing paragraphs and amending text.
 - Section 9.3, Fees
 - Amend Section 9.3.1G by adding new subparagraph 2 and renumber existing paragraphs.
 - Amend Section 9.3.2A.
 - Section 10, Delete Section 10 and renumber Sections 11, 12, 13, 14, and 15.
55. Ordinance No. 543, Case 105-AT-97 Part A, adopted November 18, 1997
- Section 3.0, Definitions
 - Add definitions of WAREHOUSE and WAREHOUSE, SELF-STORAGE.
 - Section 5.2, Table of Authorized Principal Uses
 - Add Self-Storage Warehouses.
56. Ordinance No. 544, Case 105-AT-97 Parts B, D, E & L, adopted November 18, 1997
- Section 5.2, Table of Authorized Principal Uses
 - Amend Section 5.2 to replace term “Building Material Sales (all indoors excluding concrete or asphalt mixing)” with “Building Material Sales (excluding concrete or asphalt mixing).”

APPENDIX – CONTINUED

- Section 7.1, Neighborhood Home Occupations and Rural Home Occupations
Amend Section 7.1.11 to add provision number (iv).
 - Section 4.2, Application of Regulations and Standards
Amend Section 4.2.2 to add new Paragraph D to address drainage and utility easements.
57. Ordinance No. 545, Case 110-AT-97 Parts B, C, & D, adopted November 18, 1997
- Section 4.3, Supplementary District Regulations and Standards
Amend Section 4.3.4 to add new Paragraph A and re-letter existing paragraphs.
 - Section 7.1, Neighborhood Home Occupations and Rural Home Occupations
Amend Section 7.1.1K.
 - Section 8.1, Nonconforming Lots of Record
Amend Section 8.1.1B.
58. Ordinance No. 546, Case 114-AT-97, adopted November 18, 1997
(Interim Amendment expected to expire may 18, 1998)
- Section 3.0, Definitions
Add the definition of OVERLAY.
 - Section 4.3, Supplementary District Regulations and Standards
Amend Section 4.3.4, to add new Paragraph F.
 - Section 5.2, Table of Authorized Principal Uses
Add SUBDIVISIONS with six lots or less, with Footnote 8.
Add SUBDIVISIONS with more than six lots.
Add IRDRO with Footnote 7.
 - Section 16, Add new Section 16, Interim Rural Development Review Overlay (IRDRO)
Zoning District
59. Ordinance No. 557, Case 129-AT-97, adopted March 18, 1998
- Section 4.3, Supplementary District Regulations and Standards
Amend Section 4.3.3, Paragraph B.
Add new Paragraph C and re-letter succeeding paragraphs.
Amend Section 4.3.4.
Rename Section 4.3.4A5 as new Section 4.3.5 and renumber succeeding Sections.
 - Section 5.3, Schedule of Area, Height, and Placement Regulations by District
Delete modifier “public” from listings for schools, libraries, museums and galleries.
Add new footnote 12 cited in minimum LOT size column
 - Section 8.1, Nonconforming Lots of Record
Amend Section 8.1.1 and 8.1.2.
 - Section 9.1, Administration and Enforcement
Amend Section 9.1.3B and add new Paragraphs C and D.

APPENDIX – CONTINUED

- Section 9.2, Amendments
Amend Section 9.2.1.
 - Section 9.3, Fees
Amend Section 9.3.1 by repealing Subparagraph A4.
Amend Section 9.3.2B.
60. Ordinance No. 566, Case 140-AT-98, adopted June 16, 1998
(Interim Amendment expected to expire December 16, 1998)
- Section 3.0, Definitions
Add the definition of OVERLAY.
 - Section 4.3, Supplementary District Regulations and Standards
Amend Section 4.3.4, to add new Paragraph F.
 - Section 5.2, Table of Authorized Principal Uses
Add SUBDIVISIONS with six lots or less, with Footnote 8.
Add SUBDIVISIONS with more than six lots.
Add IRDRO with Footnote 7.
 - Section 16, Add new Section 16, Interim Rural Development Review Overlay (IRDRO)
Zoning District
61. Ordinance No. 583, Case 165-AT-98, adopted December 15, 1998
(Interim Amendment expected to expire May 18, 1999)
- Section 16, Interim Rural Development Review Overlay, (IRDRO) Zoning District
Renummer and amend references thereto, to Section 15.
 - Section 15, Interim Rural Development Review Overlay, (IRDRO) Zoning District
Amend new Section 15.4, Expiration
62. Ordinance No. 585, Case 110-AT-97 Part A, adopted February 16, 1999
- Section 3.0, Definitions
Amend definition of POOL.
Add definitions of SAFETY LEDGE and VERTICAL BARRIER.
 - Section 4.3, Supplementary District Regulations and Standards
Amend Subsection 4.3.6.
63. Ordinance No. 591, Case 178-AT-99, adopted April 20, 1999
- Section 3.0, Definitions
Add definition of SEXUALLY ORIENTED BUSINESSES.
 - Section 5.2, Table of Authorized Uses
Add SEXUALLY ORIENTED BUSINESSES.
Add Footnote 11.

APPENDIX – CONTINUED

64. Ordinance No. 595, Case 177-AT-99, adopted June 22, 1999
- Section 3.0, Definitions
Add definition of OVERLAY.
 - Section 4.3, Supplementary District Regulations and Standards
Amend Section 4.3.4 to add Item G.
 - Section 5, Zoning Districts and map
Add new Section 5.4.
 - Section 5.1, General Intent of Zoning Districts
Add new Subsection 5.1.16.
 - Section 5.2, Table of Authorized Uses
Add SUBDIVISION(s).
Add Footnotes 9 and 10.
65. Ordinance No. 598, Case 174-AT-99, adopted July 20, 1999
- Section 3.0, Definitions
Add definition for RURAL SPECIALTY BUSINESS.
 - Section 5.2, Table of Authorized Uses
Add RURAL SPECIALTY BUSINESS, Minor and RURAL SPECIALTY BUSINESS, Major.
Add Footnote 8.
 - Section 6.1, Standards for Special Uses
Amend Section 6.1.3 to add provisions for Major RURAL SPECIALTY BUSINESSES.
66. Ordinance No. 615, Case 219-AT-99, adopted September 19, 2000
- Section 3.0, Definitions
Add definition for SMALL SCALE METAL FABRICATING SHOP.
 - Section 5.2, Table of Authorized Principal Uses
Amend provisions for KENNELS and VETERINARY HOSPITAL.
Add Pet Cemetery and SMALL SCALE METAL FABRICATING SHOP.
Add Footnotes 12 and 13.
 - Section 6.1, Standards for Special Uses
Revise Section 6.1.3 Standard Conditions for: KENNELS; VETERINARY HOSPITALS; and Pet Cemeteries.
Revise Section 6.1.3 to add Standard Conditions for SMALL METAL FABRICATING SHOP.
 - Section 7.1, Neighborhood Home Occupations and Rural Home Occupations
Amend Section 7.1.2A, RURAL HOME OCCUPATION, deleting the word COUNTY.
 - Section 7.4, Off-Street Parking Spaces and Loading Berths
Amend Section 7.4.1C3 to add Item “d,” SCHOOLS and reletter succeeding items.

APPENDIX – CONTINUED

67. Ordinance No. 617, Case 236-AT-00, adopted October 24, 2000
-Section 5.2, Table of Authorized Principal Uses
Amend to create USE category for Electric Power Generating Facilities.
Amend provisions for Coal/Oil Steam Turbines, Natural Gas Stream Turbines,
and Wind Turbine Facilities.
68. Ordinance No. 625, Case 273-AT-00 Parts A, C & D, adopted May 22, 2001
-Section 6.1, Standards for Special Uses
Amend Section 6.1.1.
Letter existing text as paragraph C. Add new paragraphs A & B.
-Section 9.1, Administration and Enforcement
Amend Section 9.1.11, Subparagraph 2 of Paragraph A.
Amend Section 9.1.11, Paragraph B to add new Subparagraph 6.
69. Ordinance No. 647, Case 273-AT-00 Part B, adopted March 21, 2002
-Section 3.0, Definitions
Add definition of NON-ADAPTABLE STRUCTURE
-Section 6.1, Standards for Special Uses
Amend Section 6.1.1 to add new Paragraph C.
-Section 9.1, Administration and Enforcement
Amend Section 9.1.11, Paragraph C to add new Subparagraph 3.
70. Ordinance No. 650, Case 326-AT-02, adopted April 16, 2002
-Section 13, Non-Interference with Greater Restrictions Otherwise Imposed
Amend Sections 13.1 and 13.2.1.
71. Ordinance No. 660, Case 341-AT-02, adopted August 20, 2002
-Section 5.2, Table of Authorized Principal Uses
Amend provisions for Elementary School, Jr. High School, High School, Church,
Temple, and Public Park or Recreational Facility.
Add Country Club Clubhouses.
72. Ordinance No. 675, Case 374-AT-02, adopted January 9, 2003
-Section 9.1.6, Zoning Board of Appeals
Amend paragraph 9.1.6A.1.
73. Ordinance No. 669, Case 327-AT-02, adopted September 17, 2002
-Section 9.3, Fees
Amend.

APPENDIX – CONTINUED

74. Ordinance No. 679, Case 331-AT-02, adopted February 20, 2003
-Section 4.3, Supplementary District Regulations and Standards
Add Subsection 4.3.10.
-Section 9.1, Administration and Enforcement
Amend Paragraph 9.1.11D(5).
-Section 9.3, Fees
Amend Item 9.3.1(A)(1)(c).
Delete Subparagraph 9.3.3(B)(2) and add Subsection 9.3.4.
75. Ordinance No. 709, Case 431-AT-03 Part A, adopted February 19, 2004
(Interim amendment to expire on August 19, 2004)
-Section 5.2, Table of Authorized Principal Uses
Amend Footnote 9.
-Section 5.4, Rural Residential Overlay District
Amend Subsection 5.4.2, Paragraph A to increase RRR-exempt LOT SIZE from 10 acres to 35 acres and prohibit further division of 5-acre LOTS.
76. Ordinance No. 710, Case 431-AT-03 Part B, adopted February 19, 2004
-Section 5.3, Schedule of Area, Height, and Placement Regulations by District
Amend Footnote 8 to update SIDE YARD requirement.
77. Ordinance No. 726, Case 444-AT-04, adopted July 22, 2004
(Interim amendment to expire on August 19, 2004)
-Section 5.3, Schedule of Area, Height, and Placement Regulations by District
Add maximum LOT size restriction in CR, AG-1, and AG-2 DISTRICTS.
Add Footnote 13.
-Section 5.4, Rural Residential Overlay District
Add Subsection 5.4.4.
78. Ordinance No. 729, Case 466-AT-04 Parts A and B, adopted August 19, 2004
(Interim amendment to expire on effective date of Champaign County Board final action on Cases 414-AT-03 and 415-AT-03)
-Section 5.2, Table of Authorized Principal Uses
Amend Footnote 9.
-Section 5.3, Schedule of Area, Height and Placement Regulations by District
Add maximum LOT size restriction in CR, AG-1 and AG-2 DISTRICTS
Add Footnote 13.
-Section 5.4, Rural Residential Overlay District
Amend Subsection 5.4.2, Paragraph A to increase RRO-exempt LOT SIZE from 10 acres to 35 acres and prohibit further division of 5 acre LOTS.
Add Subsection 5.4.4.

APPENDIX – CONTINUED

79. Ordinance No. 745, Case 475-AT-04, adopted April 21, 2005
- Section 9.1, Administration and Enforcement
 - Amend Subparagraph 9.1.5A(4).
 - Amend Subparagraph 9.1.5B(1).
 - Amend Subparagraph 9.1.6B(2).
 - Amend Subparagraphs 9.1.7E(1) and 9.1.7E(2).
 - Delete Subparagraphs 9.1.7E(3).
 - Amend Subparagraphs 9.1.7F(1) and 9.1.7F(4).
 - Amend Subparagraphs 9.1.8B, 9.1.8C, and 9.1.8G.
 - Replace entire Paragraph 9.1.9A with new Paragraph 9.1.9A which includes a Table.
 - Amend Item 9.1.9C(1)(d).
 - Amend Paragraph 9.1.10A and Subparagraph 9.1.10A(3).
 - Section 9.3, Fees
 - Amend Item 9.3.3B(1)(b).
80. Ordinance No. 773, Case 521-AT-05, adopted December 20, 2005
- Section 5.2, Table of Authorized Principal Uses
 - Amend existing Footnote 9.
 - Section 5.3, Schedule of Area, Height, and Placement Regulations by District
 - Amend Footnote 13.
 - Section 5.4, Rural Residential OVERLAY Zoning District
 - Amend Subsection 5.4.2, Exemptions
 - Create Subsection 5.4.4, Average Maximum LOT AREA Requirement.
81. Ordinance No. 781, Case 523-AT-05, adopted May 18, 2006
- Section 5.2, Table of Authorized Principal Uses
 - Add Fuel Ethanol Manufacturing as a SPECIAL USE Permit in I-2 DISTRICT.
 - Add Footnotes 14 and 15.
 - Section 6.1.3, Schedule of Requirements and Standard Conditions
 - Add Fuel Ethanol Manufacturing
82. Ordinance No. 793, Case 558-AT-06, adopted October 19, 2006
- Section 4.2, Application of Regulations and Standards
 - Amend paragraph 4.2.1C, add subparagraph (1).
 - Section 5.2, Table of Authorized Principal Uses
 - Change “mortuary” to “mortuary or funeral home.”
 - Add “mortuary or funeral home” as a SPECIAL USE in AG-2 DISTRICT with Footnote.
 - Section 6.1.3, Schedule of Requirements and Standard Conditions
 - Add standard condition for “mortuary or funeral home” as a SPECIAL USE in AG-2 DISTRICT.

APPENDIX – CONTINUED

83. Ordinance No. 831, Case 596-AT-07, adopted April 24, 2008
-Section 5.2, Table of Authorized Principal Uses
Add “Township Highway Maintenance Garage.”
-Section 6.1.1, Standards and Requirements
Add new Paragraph D.
84. Ordinance No. 841, Case 583-AT-07, adopted November 20, 2008
-Section 3.0, Definitions
Add “PIPELINE IMPACT RADIUS,” “PIPELINE, GAS,” and “PIPELINE,
HAZARDOUS LIQUID.”
-Section 4.3.4, Lots
Add Subparagraph H.
85. Ordinance No. 848, Case 634-AT-08 Part A, adopted May 21, 2009
-Purpose, Add new Purpose 2.(r).
-Section 3.0, Definitions
Add “DWELLING OR PRINCIPAL BUILDING, PARTICIPATING,”
“DWELLING OR PRINCIPAL BUILDING, NONPARTICIPATING,”
“PRIVATE WAIVER,” “WIND FARM,” “WIND FARM TOWER,” “WIND
TOWER, TEST.”
-Section 4.2.1, Construction and Uses
Add new subparagraph 4.2.1.C.2.
-Section 4.3.1, Height
Revise subparagraph 4.3.1.E.
-Section 4.3.4, LOTS
Add new subparagraph 4.3.4.H.4.h.
-Section 5.2, Table of Authorized Principal Uses
Add “WIND FARM.”
-Section 5.3, Schedule of Area, Height, and Placement Regulations by District
Add Footnote 14.
-Section 5.4.3, Establishment of the Rural Residential OVERLAY Zoning DISTRICT
Add paragraph 5.4.3.E.
-Section 6.1, Standards for SPECIAL USES
Renummer 6.1.2 to be subsection 6.1.
Rename existing 6.1.1.
Move existing 6.1.1.A and B to become new subparagraphs 9.1.11.D.7 and 8.
Renummer existing paragraph 6.1.1.C to become new paragraph 6.1.1.A.
Revise subparagraph 6.1.1.C.5.
Rename subsection 6.1.2.
Renummer existing paragraph 6.1.1.D. to become new paragraph 6.1.2.A.
Rename subsection 6.1.3.
Add new subsection 6.1.4.

APPENDIX – CONTINUED

- Section 9.1, Administration and Enforcement
Revise subsection 9.1.11.
 - Section 9.3, Fees
Add paragraph 9.3.1.H.
Revise subsection 9.3.3.
86. Ordinance No. 861, Case 658-AT-09, Adopted April 22, 2010
- Section 6, Standards for SPECIAL USES
Revise paragraph 6.1.1.A.5.
Revise subparagraph 6.1.4.C.11
Add subparagraph 6.1.4.C.12.
87. Ordinance No. 863, Case 634-AT-08, Part B, Adopted June 24, 2010
- Section 3.0, Definitions
Revise “WIND FARM,” “WIND FARM TOWER.”
Add “WIND TURBINE TOWER, BIG,” “WIND TURBINE TOWER, SMALL.”
 - Section 4.2.1, Construction and Use
Add new subparagraph 4.2.1C.2.
 - Section 4.3.1, HEIGHT
Revise subparagraph 4.3.1E.
 - Section 5.2, Table of Authorized Principal USES
Replace “Wind Turbine (1-3 wind turbines)” with “BIG WIND TURBINE TOWER¹⁸ (1-3 BIG WIND TURBINE TOWERS).”
Add Footnote 18 requirement for SPECIAL USE Permit to AG-1, AG-2, I-1, and I-2 where BIG WIND TURBINE TOWER (1-3 BIG WIND TURBINE TOWERS) are authorized.
Add Footnote 18.
 - Section 6.1.3, Schedule of Standard Conditions for Specific Types of SPECIAL USES
Add “BIG WIND TURBINE TOWER” with standard conditions
 - Section 7, Accessory Structures and Uses
Add Subsection 7.7, SMALL WIND TURBINE TOWER
 - Section 9.1.9, VARIANCES
Revise paragraph 9.1.9B.
 - Section 9.3.1, Zoning Use Permit Fees
Add new subparagraph 9.3.1D.H.
Add new subparagraph 9.3.1 D.I.
 - Section 9.3.3, Zoning Case Filing Fees
Add new subparagraph 9.3.3 B.7.
88. Ordinance No. 864, Case 664-AT-10, Adopted June 24, 2010
- Section 6.1.4, WIND FARM County BOARD SPECIAL USE Permit
Delete existing paragraph 6.1.4 A.1.(c). and reletter remaining paragraphs.
 - Section 9.1.7, Administrative Proceedings
Revise paragraph 9.1.7 E.1.

APPENDIX – CONTINUED

89. Ordinance No. 870, Case 668-AT-10, Adopted September 23, 2010
- Section 3.0, Definitions
Add RESIDENTIAL RECOVERY CENTER.
 - Section 4.2.1, Construction and Use
Add new Subparagraph 4.2.1 C.3.
 - Section 5.2, Table of Authorized Principal USES
Add RESIDENTIAL RECOVERY CENTER
Add Footnote 19.
 - Section 6.1.3, Schedule of Standard Conditions for Specific Types of SPECIAL USES
Add RESIDENTIAL RECOVERY CENTER with standard conditions of approval.
 - Section 7.4.1, Off-Street PARKING SPACES
Add new Subparagraph 7.4.1 C.3.i.
90. Ordinance No. 881, Case 665-AT-10, Adopted March 17, 2011
- Section 4.3.3, YARDS
Amend Paragraph 4.3.3G. Fences
91. Ordinance No. 882, Case 666-AT-10, Adopted March 17, 2011
- Section 6, Standards for Specific Special Uses
Amend Subsection 6.1.
 - Section 91.11, Special Uses
Amend Paragraph 9.1.11D.1.
92. Ordinance No. 884, Case 675-AT-10, Adopted April 21, 2011
- Section 3, Definitions
Amend NONCONFORMING LOT, STRUCTURE or USE
 - Section 8, NON-CONFORMITIES
Amend 3rd Paragraph
Revise Subsection 8.1.2
Revise Paragraph 8.2.1B
Revise Paragraph 8.2.1C
Revise Subsection 8.2.2
Revise Subsection 8.2.3
Revise Subsection 8.3.1
Revise Subsection 8.3.3
Revise Subsection 8.4.1
Revise Subsection 8.4.2
Revise Subsection 8.4.5
Amend Subsection 8.4.6
Revise Subsection 8.6
 - Section 9, Administration, Enforcement, Amendment and Fees
-Amend Paragraph 9.1.2C

APPENDIX – CONTINUED

93. Ordinance No. 891, Case 683-AT-11, Adopted October 20, 2011
- Section 3.0, Definitions
 - Add “BEST PRIME FARMLAND”, “BY RIGHT”, “DISCRETIONARY”, “DISCRETIONARY DEVELOPMENT”.
 - Section 5.4, Rural Residential OVERLAY Zoning DISTRICT
 - Amend paragraphs 5.4.3C.2a.; 5.4.3C.2h., and 5.4.3C.2j.
 - Section 9, Administration, Enforcement, Amendment and Fees
 - Amend paragraph 9.1.11B.2, SPECIAL USE Criteria.
94. Ordinance No. 892, Case 684-AT-11, Adopted October 20, 2011
- Section 5.2, Table of Authorized Principal Uses
 - Add requirement of a County Board Special Use requirement for the Rural Residential OVERLAY Zoning DISTRICT in the CR, AG-1, AG-2 DISTRICTS.
 - Revise Section 5.2, Footnote 10.
 - Section 5.4, Rural Residential OVERLAY Zoning DISTRICT
 - Revise paragraph 5.4.3B.
 - Add new paragraph 5.4.5H.
95. Ordinance No. 905, Case 701-AT-11, Adopted June 21, 2012
- Section 3.0, Definitions
 - Revise “NON-ADAPTABLE STRUCTURE”
 - Section 6, Standards for Specific Special Uses
 - Revise paragraph 6.1.1A. to strike references to “reclamation agreement” and replace with “site reclamation plan” and replace references to 6.1.1C. with references to 6.1.1A.
 - Revise paragraphs 6.1.1A.1 through 5.
 - Revise subparagraph 6.1.1A.6.
 - Add new paragraph 6.1.1A.7.e.
 - Revise paragraph 6.1.1A.11.b.
 - Revise paragraph 6.1.1A.12.
 - Add new subparagraphs 6.1.1A.13 and 14.
 - Revise paragraph 6.1.4D.1.
 - Add new paragraph 6.1.4E.7.
 - Revise paragraph 6.1.4F.1.
 - Delete paragraph 6.1.4F.1.u. and renumber succeeding paragraphs as required.
 - Add new subparagraph 6.1.4F.3.
 - Revise paragraph 6.1.4J.
 - Revise paragraphs 6.1.4P. to strike references to “reclamation agreement” and replace with “site reclamation plan.”
 - Delete paragraphs 6.1.4P.3.(d), (e), and (f) and add new paragraphs 6.1.4P.3.(d) through (m).
 - Revise paragraph 6.1.4P.4.(a) and insert new paragraph 6.1.4P.4.(b) and renumber existing paragraphs as required.
 - Renumber existing 6.1.4P.4.(b) to become new paragraph 6.1.4P.4.(e) and revise the first part of the existing paragraph.

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(Ordinance 905, Case 701-AT-01, continued)

Re-number existing paragraph 6.1.4P.4.(b)(5) to become new paragraph 6.1.4P.4.(d)

Add new paragraph 6.1.4P.4.(f).

Revise paragraph 6.1.4P.5.(a).

Add subparagraphs (c) through (i) to paragraph 6.1.4P.5.

Add new paragraph 6.1.4P.6.

Re-number existing paragraph 6.1.4P.6. to 6.1.4P.7. and revise.

Revise paragraph 6.1.4S.1.(c)(3).

96. Ordinance No. 914, Case 711-AT-12, Adopted November 27, 2012
-Section 3.0, Definitions
Revise the definition of “BEST PRIME FARMLAND”.
-Section 5.3, Schedule of Area, Height and Placement Regulations by District
Revise Footnote 13.
Revise paragraph 5.4.4.
97. Ordinance No. 922, Case 733-AT-12, Adopted April 18, 2013
-Section 3.0, Definitions
Add “AGRICULTURAL DRAINAGE CONTRACTOR.”
-Section 5.2, Table of Authorized Principal Uses
Revise “Contractor’s Facilities”
Add Footnotes 20 and 21.
-Section 6.1.3, Schedule of Standard Conditions for Specific Types of Special Uses
Add AGRICULTURAL DRAINAGE CONTRACTOR Facility
98. Ordinance No. 924, Case 734-AT-12, Adopted May 23, 2013
-Section 5.2, Table of Authorized Principal Uses
Revise “Contractors Facilities.”
-Section 6.1.3, Schedule of Standard Conditions for Specific Types of Special Uses
Add “Contractors Facilities with or without Outdoor Storage and/or Outdoor Operations.”
99. Ordinance No. 926, Case 743-AT-13, Adopted June 20, 2013
-Section 9.1.9, Variances
Amend paragraph 9.1.9A.
Amend paragraphs 9.1.9B., 9.1.9C., 9.1.9D., and 9.1.9E.
Add paragraph 9.1.9F.
-Section 9.2.2, Action of the GOVERNING BODY
Add subparagraph 9.2.2C.
-Section 13, NON-INTERFERENCE WITH GREATER RESTRICTIONS OTHERWISE IMPOSED
Amend paragraph 13.2.1.
Amend and add to paragraph 13.2.1A.4.
Amend paragraph 13.2.1B.

APPENDIX – CONTINUED

100. Ordinance No. 940, Case 732-AT-12, Adopted March 20, 2014
-Section 7.1.2, RURAL HOME OCCUPATIONS
Revise paragraph 7.1.2B.
Revise paragraph 7.1.2E.
Add new paragraph 7.1.2F., renumber as required.
Revise paragraph 7.1.2H.
Revise paragraph 7.1.2K.
Add new paragraph 7.1.2M., renumber as required
101. Ordinance No. 941, Case 756-AT-13, adopted November 21, 2013
-Section 7.1.2, RURAL HOME OCCUPATIONS
Add new paragraph 7.1.2L., renumber as required.
102. Ordinance No. 944, Case 768-AT-13, Adopted April 24, 2014
-Section 4.3.8, Certain USES as SPECIAL USES within Specified Distance from SPECIAL USE
Revise.
-Section 6.1.3, Schedule of Standard Conditions for Specific Types of SPECIAL USES
Revise the use category, “HELIPORTS or HELIPORT/RESTRICTED LANDING AREAS” to “HELIPORT or HELIPORT/RESTRICTED LANDING AREA” and revise the Explanatory or Special Provisions.
Revise the use category “RESTRICTED LANDING AREAS” to “RESTRICTED LANDING AREA” and revise the Explanatory or Special Provisions.
103. Ordinance No. 959, Case 791-AT-14, Adopted March 19, 2015
-Section 6.1.3, Schedule of Standard Conditions for Specific Types of SPECIAL USES
Revise the standard conditions and special provisions for a “HELIPORT or HELIPORT RESTRICTED LANDING AREA.”
Revise the existing standard conditions and special provisions for a “RESTRICTED LANDING AREA.”
103. Ordinance No. 962, Case 769-AT-13, Adopted June 18, 2015
-Section 4.3.10, Storm Water Management Policy
Amend title and reference, “Storm Water Management and Erosion Control Ordinance.”
104. Ordinance No. 977, Case 819-AT-15, Adopted March 17, 2016
-Section 4.2.1, CONSTRUCTION and USE
Add subparagraph 4.2.1 C.4.
-Section 5.2, Table of Authorized Principal Uses
Revise “PARKING GARAGE or PARKING LOT” and adding Footnote 22.
-Section 6.1.3, Schedule of Standard Conditions for Specific Types of SPECIAL USES
Add Explanatory or Special Provision for “Fairground.”
Add “PARKING LOT and related passenger waiting buildings as an additional principal USE or additional principal STRUCTURE on a Public Fairgrounds in the CR District” with Explanatory or Special Provisions.

APPENDIX – CONTINUED

105. Ordinance No. 2018-2, Case 873-AT-17, Adopted March 27, 2018
-Section 7.1 NEIGHBORHOOD HOME OCCUPATIONS and RURAL HOME OCCUPATIONS
Revise Section 7.1.1I.
Add new Section 7.1.1L.
Add new Section 7.1.1N.
Re-number Section 7.1.1L. to new Section 7.1.1N and revise.
Insert new Section 7.1.2M.
Re-number Section 7.1.2M., N., and O. to Section 7.1.2N., O., and P.
106. Ordinance No. 2018-4, Case 895-AT-18, Adopted August 23, 2018
-Section 3.0 Definitions
Add “NOXIOUS WEEDS”, “PHOTOVOLTAIC (PV)”, “PV SOLAR FARM”, and, “PV SOLAR FARM, COMMUNITY”
-Section 4.2.1 CONSTRUCTION and USE
Add new subparagraph 4.2.1C.5
-Section 4.3.4 LOTS
Add new subparagraph 4.3.4H.4.i.
-Section 5.2 Table of Authorized Principal USES
Add “PV SOLAR FARM” as a COUNTY BOARD SPECIAL USE Permit in the AG-1 and AG-2 by a “B”
-Section 5.3 Schedule of Area, Height and Placement Regulations by District
Add footnote 15.
-Section 5.4.3 Establishment of the Rural Residential OVERLAY Zoning DISTRICT
-Add new paragraph 5.4.3F.
-Section 6.1.1 Standard Conditions that May Apply to Specific SPECIAL USES
-Amend
-Section 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM County Board SPECIAL USE Permit
-Add new Section 6.1.5.
-Section 9.1.3 Zoning Use Permit Fees
-Add new paragraph 9.3.1J.
-Section 9.3.3 Zoning Case Filing Fees
Revise.
107. Ordinance No. 2020-1, Case 945-AT-19, Adopted February 24, 2020
-Section 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM County Board SPECIAL USE Permit
-Revise Section 6.1.5B.(2)
-Section 8.2 NONCONFORMING USES of Land
-Revise Section 8.2.3
-Add new Section 8.2.4

APPENDIX – CONTINUED

108. Ordinance No. 2020-3, Case 948-AT-19, Adopted February 24, 2020
-Section 8.3 NONCONFORMING STRUCTURES
-Amend Section 8.3.2
109. Ordinance No. 2020-7, Case 947-AT-19, Adopted May 22, 2020
-Section 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM County Board SPECIAL USE Permit
-Delete Section 6.1.5B.(2)b.
110. Ordinance No. 2020-8, Case 971-AT-19, Adopted May 22, 2020
-Section 6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM County Board SPECIAL USE Permit
-Revise Section 6.1.5Q.(4)
111. Ordinance No. 2020-2, Case 973-AT-20, Adopted June 29, 2020
-Section 3 Definitions
-Add “ADULT-USE CANNABIS CRAFT GROWER”, “ADULT-USE CANNABIS CULTIVATION CENTER”, “ADULT-USE CANNABIS DISPENSING ORGANIZATION”, “ADULT-USE CANNABIS INFUSER ORGANIZATION OR INFUSER”, “ADULT-USE CANNABIS PROCESSING ORGANIZATION OR PROCESSOR”. “ADULT-USE CANNABIS TRANSPORTING ORGANIZATION OR TRANSPORTER”.
- Section 5.2 TABLE OF AUTHORIZED PRINCIPAL USES
-Add “ADULT-USE CANNABIS DISPENSING ORGANIZATION” by right in B-4; also adding Footnote 23.
-Add “ADULT-USE CANNABIS TRANSPORTING ORGANIZATION” by right in B-3, B-4, I-1 and I-2; and by SPECIAL USE PERMIT in AG-2; also adding Footnote 24.
-Add “ADULT-USE CANNABIS INFUSER ORGANIZATION” by right in I-2; also adding Footnote 25.
-Add “ADULT USE CANNABIS PROCESSING ORGANIZATION” by right in I-2; also adding Footnote 26.
-Add “ADULT USE CANNABIS CULTIVATION CENTER” by right or by County Board SPECIAL USE Permit in CR, AG-1, AG-2, B-1, B-2, B-3, B-4, B-5, I-1, I-2; also adding Footnote 27.
-Add “ADULT-USE CANNABIS CRAFT GROWER” by right or by County Board SPECIAL USE Permit in CR, AG-1, AG-2, B-1, B-2, B-3, B-4, B-5, I-1, I-2; also adding Footnote 28.
- Section 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES OF SPECIAL USES
-Add “ADULT-USE CANNABIS TRANSPORTING ORGANIZATION”, “ADULT-USE CANNABIS CULTIVATION CENTER”, “ADULT-USE CANNABIS CRAFT GROWER”.
112. Ordinance No. 2021-9, Case 008-AT-21, Adopted September 23, 2021
-Section 5.2 TABLE OF AUTHORIZED PRINCIPAL USES
-Add Agronomic Research and Training Facility by SPECIAL USE PERMIT in AG-1 and AG-2.

113. Ordinance No. 2022-3, Case 030-AT-21, Adopted May 19, 2022
- Section 3 Definitions
 - Add “DATA CENTER”, “PV SOLAR ARRAY”.
 - Section 4.2.1 CONSTRUCTION and USE
 - Add new subparagraph 4.2.1C.6
 - Section 5.2 TABLE OF AUTHORIZED PRINCIPAL USES
 - Add “DATA CENTER” by Special Use Permit in AG-2, B-4, I-1.
 - Add “PV SOLAR ARRAY” as a COUNTY BOARD SPECIAL USE Permit in AG-2, B-1, B-2, B-3, B-4, B-5, I-1, I-2; also add Footnote 29.
 - Section 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES OF SPECIAL USES
 - Add “DATA CENTER”, “PV SOLAR ARRAY”.
 - Section 7 Accessory Structures and Uses
 - Add Subsection 7.8, ACCESSORY PV SOLAR ARRAY
114. Ordinance No. 2022-4, Case 040-AT-22, Adopted May 19, 2022
- Section 4.2.1 CONSTRUCTION and USE
 - Add new subparagraph 4.2.1C.7
115. Ordinance No. 2022-5, Case 037-AT-22, Adopted August 18, 2022
- Section 6.1.4 WIND FARM County BOARD SPECIAL USE Permit
 - Add new subparagraph 6.1.4A.3.
 - Add new subparagraph 6.1.4A.4.
 - Revise subparagraph 6.1.4D.7.
 - Revise subparagraph 6.1.4E.1.
 - Revise subparagraph 6.1.4E.2.h.
 - Revise subparagraph 6.1.4E.3.
 - Add new subparagraph 6.1.4E.4.e.
 - Add new subparagraph 6.1.4E.5.c.
 - Add new subparagraph 6.1.4E.6.c.
 - Add new subparagraph 6.1.4P.4.g.
 - Add new Section 6.1.4R
 - Add new subparagraph 6.1.4T.1.d.
 - Section 9.3.1H. WIND FARM Fees
 - Revise.
 - Section 9.3.3B.6 WIND FARM SPECIAL USE PERMIT Fees
 - Revise.

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1. Add the following to Section 3.0 Definitions (somewhat similar to the definition of WIND FARM):

NOXIOUS WEEDS: any of several plants designated pursuant to the Illinois Noxious Weed Law (505 ILCS 100/1 et seq.) and that are identified in 8 Illinois Administrative Code 220.

PHOTOVOLTAIC (PV): A type of solar energy system that produces electricity by the use of photovoltaic cells that generate electricity when struck by light.

PV SOLAR FARM: A unified development intended to convert sunlight into electricity by photovoltaic (PV) devices for the primary purpose of wholesale sales of generated electricity. A PV SOLAR FARM is under a common ownership and operating control even though parts of the PV SOLAR FARM may be located on land leased from different owners. A PV SOLAR FARM includes all necessary components including access driveways, solar devices, electrical inverter(s), electrical transformer(s), cabling, a common switching station, maintenance and management facilities, and waterwells. PV SOLAR FARM should be understood to include COMMUNITY PV SOLAR FARM unless specified otherwise in the relevant section or paragraph.

PV SOLAR FARM, COMMUNITY: A PV SOLAR FARM of not more than 2,000 kilowatt nameplate capacity that meets the requirements of 20 ILCS 3855/1-10 for a “community renewable generation project” and provided that two COMMUNITY PV SOLAR FARMS may be co-located on the same or contiguous parcels as either a) two 2-MW projects on one parcel, or b) one 2-MW project on each of two contiguous parcels, as authorized by the Illinois Commerce Commission in Final Order 17-0838 on April 3, 2018.

2. Add new subparagraph 4.2.1 C.4. as follows:

4. A PV SOLAR FARM may be authorized as a County Board SPECIAL USE permit in the AG-1, Agriculture Zoning District or the AG-2 Agriculture Zoning District as a second PRINCIPAL USE on a LOT with another PRINCIPAL USE.

3. Add new subparagraph 4.3.4 H.4.i. as follows (similar to existing 4.3.4 H.4.h. for wind farms):

- i. PV SOLAR FARM except as PIPELINE IMPACT RADIUS regulations are required in Subsection 6.1.5.

4. Amend Section 5.2 as follows (similar to existing WIND FARM designation):

Add “PV SOLAR FARM” as a COUNTY BOARD Special Use Permit in the AG-1 District and AG-2 District by a “B”.

5. Add the following as footnote 15 under the Special Provisions for the AG-1 District in Section 5.3 (similar to existing footnote 14 for LOTS in a WIND FARM):

15. LOTS in a PV SOLAR FARM County Board SPECIAL USE Permit and intended for PV SOLAR FARM, related substations, and PV SOLAR FARM maintenance and management

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facilities are exempt from the requirements of Section 5.3 except as such regulations are required by Subsection 6.1.5.

6. Add new paragraph 5.4.3 F. as follows:

- F. The Rural Residential Overlay Zoning District is prohibited from being established within a PV SOLAR FARM County Board SPECIAL USE Permit.

7. Amend Section 6.1.1 to read as follows:

- A. Decommissioning and Site Reclamation Plan for NON-ADAPTABLE STRUCTURES
 - 1. In the course of BOARD review of a SPECIAL USE request, the BOARD may find that a proposed STRUCTURE is a NON-ADAPTABLE STRUCTURE. Any WIND FARM and any PV SOLAR FARM shall be a NON-ADAPTABLE STRUCTURE. The Applicant for the SPECIAL USE request for a NON-ADAPTABLE STRUCTURE shall submit a decommissioning and site reclamation plan to the BOARD for the subject site.
 - 2. The decommissioning and site reclamation plan shall be binding upon all successors of title, lessees, to any operator and/or owner of a NON-ADAPTABLE STRUCTURE, and to all parties to the decommissioning and site reclamation plan. Prior to the issuance of a SPECIAL USE Permit for such NON-ADAPTABLE STRUCTURES, the landowner or applicant shall also record a covenant incorporating the provisions of the decommissioning and site reclamation plan on the deed subject to the LOT, requiring that the reclamation work be performed and that a letter of credit be provided for financial assurance.
 - 3. Separate cost estimates for Section 6.1.1 A.4.a., 6.1.1 A.4.b., and 6.1.1 A.4.c. shall be provided by an Illinois Licensed Professional Engineer.
 - a. Cost estimates provided shall be subject to approval of the BOARD.
 - b. Except as provided in Section 6.1.4 P. and Section 6.1.5 Q., the salvage value of the components of the NON-ADAPTABLE STRUCTURE shall not be credited to the cost estimates.
 - 4. The decommissioning and site reclamation plan shall provide for:
 - a. removal of above-ground portion of any STRUCTURE on the subject site; site grading; and interim soil erosion control;
 - b. below-ground restoration, including final grading and surface treatment;
 - c. any environmental remediation required by State or Federal law;

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- d. provision and maintenance of a letter of credit, as set forth in Section 6.1.1 A.5.
5. No Zoning Use Permit for such SPECIAL USE will be issued until the applicant provides the COUNTY with an irrevocable letter of credit to be drawn upon a federally insured financial institution within 200 miles of Urbana or reasonable anticipated travel costs shall be added to the amount of the letter of credit.
 - a. Unless specified elsewhere in this Ordinance, the irrevocable letter of credit shall be in the amount of one hundred fifty percent (150%) of an independent engineer's cost estimate to complete the work described in Section 6.1.1 A.4.a., Section 6.1.1 A.4.b., and Section 6.1.1 A.4.c.
 - b. The provisions of this subparagraph notwithstanding, a different amount may be required as a special condition.
 - c. The letter of credit, or a successor letter of credit pursuant to Section 6.1.1 A.6. or 6.1.1 A.14., shall remain in effect and shall be made available to the COUNTY for a term specified as a standard condition elsewhere in this ordinance, an indefinite term, or for a different term that may be required as a special condition.
6. One hundred eighty (180) days prior to the expiration date of an irrevocable letter of credit submitted pursuant to this Section, the Zoning Administrator shall notify the landowner or applicant in writing and request information about the landowner or applicant's intent to renew the letter of credit, or remove the NON-ADAPTABLE STRUCTURE. The landowner or applicant shall have thirty (30) days to respond in writing to this request. If the landowner or applicant's intention is to remove the NON-ADAPTABLE STRUCTURE, the landowner or applicant will have a total of ninety (90) days from the date of response to remove it in accordance with Section 6.1.1 A.4.a. At the end of ninety (90) days, the Zoning Administrator shall have a period of sixty (60) days to either:
 - a. confirm that the bank has renewed the letter of credit; or
 - b. inspect the subject property for compliance with Section 6.1.1 A.4.a.;
 - c. draw on the letter of credit and commence the bid process to have a contractor remove the NON-ADAPTABLE STRUCTURE pursuant to Section 6.1.1 A.4.a.
7. The Zoning Administrator may find a NON-ADAPTABLE STRUCTURE abandoned in place. Factors to be considered in making this finding include, but are not limited to:

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- a. the nature and frequency of use as set forth in the application for SPECIAL USE;
 - b. the current nature and frequency of use;
 - c. whether the NON-ADAPTABLE STRUCTURE has become a public nuisance, or otherwise poses a risk of harm to public health or safety;
 - d. whether the NON-ADAPTABLE STRUCTURE has been maintained in a manner which allows it to be used for its intended purpose, with no greater effects on surrounding properties and the public as a whole than was originally intended.
 - e. A court of law, an arbitrator, mediator, or any state or Federal agency charged with enforcing State or Federal law has made a finding that either said NON-ADAPTABLE STRUCTURE or the structures supporting said NON-ADAPTABLE STRUCTURE and/or any related site grading and soil erosion controls or lack of same, constitutes a public nuisance or otherwise violates State or Federal law, or any State or Federal agency charged with enforcing State or Federal law has made a final determination either imposing an administrative sanction on any person associated with the NON-ADAPTABLE STRUCTURE relating to its use or denying the NON-ADAPTABLE STRUCTURE a permit necessary for its lawful operation.
8. Once the Zoning Administrator has made a finding that a NON-ADAPTABLE STRUCTURE is abandoned in place, the Zoning Administrator shall issue notice to the land owner at the owner's last known address, lessees, any operator and/or owner of a NON-ADAPTABLE STRUCTURE, and to all parties to the decommissioning and site reclamation plan, that the COUNTY will draw on the performance guarantee within thirty (30) days unless the owner appeals the Zoning Administrator's finding, pursuant to Section 9.1.8 or enters into a written agreement with the COUNTY to remove such NON-ADAPTABLE STRUCTURE in accordance with Section 6.1.1 A.4. within ninety (90) days and removes the NON-ADAPTABLE STRUCTURE accordingly.
9. The Zoning Administrator may draw on the funds to have said NON-ADAPTABLE STRUCTURE removed as per Section 6.1.1 A.4. of the decommissioning and site reclamation plan when any of the following occur:
- a. no response is received from the land owner within thirty (30) days from initial notification by the Zoning Administrator;
 - b. the land owner does not enter, or breaches any term of a written agreement with the COUNTY to remove said NON-ADAPTABLE structure as provided in Section 6.1.1 A.8.;

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- c. any breach or performance failure of any provision of the decommissioning and site reclamation plan ;
 - d. the owner of record has filed a bankruptcy petition, or compromised the COUNTY's interest in the letter of credit in any way specifically allowed by the decommissioning and site reclamation plan ;
 - e. a court of law has made a finding that a NON-ADAPTABLE STRUCTURE constitutes a public nuisance;
 - f. the owner of record has failed to replace an expiring letter of credit within the deadlines set forth in Section 6.1.1 A.6.; or
 - g. any other conditions to which the COUNTY and the land owner mutually agree, as set forth in the decommissioning and site reclamation plan .
10. Once the letter of credit has been drawn upon, and the site has been restored to its original condition, as certified by the Zoning Administrator, the covenant entered into pursuant to Section 6.1.1. A.2. shall expire, and the COUNTY shall act to remove said covenant from the record of the property at the Recorder of Deeds within forty-five (45) days.
11. The proceeds of the letter of credit may only be used by the COUNTY to:
- a. remove the NON-ADAPTABLE STRUCTURE and return the site to its condition prior to the placement of the NON-ADAPTABLE STRUCTURE, in accordance with the most recent decommissioning and site reclamation plan submitted and accepted in relation to the NON-ADAPTABLE STRUCTURE;
 - b. pay all administrative and ancillary costs associated with drawing upon the financial assurance and performing the reclamation work, which shall include, but not be limited to, attorney's fees; construction management and other professional service fees; and the costs of preparing request for proposal and bidding documents required to comply with state law or Champaign County purchasing policies; and
 - c. remove any covenants placed on the title in conjunction with Section 6.1.1. A.2.

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

12. No dispute as to the necessity or reasonableness of any costs of performing the site reclamation work identified in Section 6.1.1 A.11. shall impair the ability of Champaign County to draw on the Financial Assurance.

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13. In accordance with the provisions of the Illinois Mechanic's Lien Act, 770 ILCS 60/1 and 60/7, the Applicant or successors in interest agree that any contractor retained by Champaign County to perform the decommissioning and site reclamation work in Section 6.1.1 A.11. shall have a lien upon the Project to the full extent of all costs of performing the decommissioning and site reclamation work identified in Section 6.1.1 A.11., and that such lien shall be superior to any claim or lien of any other creditor, incumbrancer or purchaser.
14. Upon transfer of any property subject to a letter of credit pursuant to this Section, the new owner or applicant of record shall submit a new irrevocable letter of credit of same or greater value to the Zoning Administrator, prior to legal transfer of title, and shall submit a new decommissioning and site reclamation plan, pursuant to Section 6.1.1 A.4.a., and, for WIND FARMS, Section 6.1.4 P., and for PV SOLAR FARMS, 6.1.5 Q. Once the new owner or applicant of record has done so, the letter of credit posted by the previous owner or applicant shall be released, and the previous owner shall be released from any further obligations under the decommissioning and site reclamation plan.
15. The Applicant shall provide evidence of any new, additional, or substitute financial assurance to the Zoning Administrator throughout the operating lifetime of the NON-ADAPTABLE STRUCTURE.
16. Should the decommissioning and site reclamation plan, or any part of it, be deemed invalid by a court of competent jurisdiction, the associated SPECIAL USE permit shall be deemed void.

8. Add new subsection 6.1.5 as follows (NOTE: the following new subsection is based on the existing subsection 6.1.4 for "WIND FARM"):

6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM County Board SPECIAL USE permit

A PHOTOVOLTAIC (PV) SOLAR FARM County Board SPECIAL USE permit may only be authorized in the AG-1 Zoning District or the AG-2 Agriculture Zoning District subject to the following standard conditions.

- A. In what follows, PV SOLAR FARM should be understood to include COMMUNITY PV SOLAR FARM unless specified otherwise in the relevant section or paragraph.
- B. General Standard Conditions
 - (1) The area of the PV SOLAR FARM County Board SPECIAL USE permit must include the following minimum areas:

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- 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 6.1.5 I.
 - 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 6.1.5 R.
- (2) The PV SOLAR FARM County Board SPECIAL USE permit shall not be located in the following areas:
- a. Less than one-and-one-half miles from an incorporated municipality that has a zoning ordinance unless the following is provided:
 - (a) No part of a PV SOLAR FARM shall be located within a contiguous urban growth area (CUGA) as indicated in the most recent update of the CUGA in the Champaign County Land Resource Management Plan, and there shall be a separation of one-half mile from a proposed PV SOLAR FARM to a municipal boundary at the time of application for the SPECIAL USE Permit, except for any power lines of 34.5 kVA or less and except for any proposed PV SOLAR FARM substation and related proposed connection to an existing substation.
 - (b) 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.
 - (c) 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

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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.

- b. Less than one-half mile from the CR Conservation Recreation Zoning District.

(3) Interconnection to the power grid

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

(4) Right to farm

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

C. Minimum Lot Standards

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

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

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:

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- (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 of 55 feet from a COLLECTOR STREET and a minimum of 60 feet from a MAJOR STREET unless a greater separation is required for screening pursuant to Section 6.1.5 M.(2)a., but in no case shall the perimeter fencing be less than 10 feet from the RIGHT OF WAY of any STREET.
- (2) For properties participating in the solar farm: No required separation from any existing DWELLING or existing PRINCIPAL BUILDING except as required to ensure that a minimum zoning lot is provided for the existing DWELLING or PRINCIPAL BUILDING.
- (3) For properties not participating in the solar farm:
 - a. For any adjacent LOT that is 10 acres or less in area (not including the STREET RIGHT OF WAY):
 - (a) For any adjacent LOT that is bordered (directly abutting and/or across the STREET) on no more than two sides by the PV SOLAR FARM, the separation shall be no less than 240 feet from the property line.
 - (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.
 - 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.
 - c. Additional separation may be required to ensure that the noise level required by 35 Ill. Admin. Code Parts 900, 901 and 910 is not exceeded or for other purposes deemed necessary by the BOARD.
- (4) 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:

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- 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.
- (5) A separation of at least 500 feet between substations and transmission lines of greater than 34.5 kVA to adjacent dwellings and residential DISTRICTS.
 - (6) Electrical inverters shall be located as far as possible from property lines and adjacent DWELLINGS consistent with good engineering practice. Inverter locations that are less than 275 feet from the perimeter fence shall require specific approval and may require special sound deadening construction and noise analysis.
 - (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.
 - (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.
- E. Standard Conditions for Design and Installation of any PV SOLAR FARM.
- (1) Any building that is part of a PV SOLAR FARM shall include as a requirement for a Zoning Compliance Certificate a certification by an Illinois Professional Engineer or Illinois Licensed Structural Engineer or other qualified professional that the constructed building conforms to Public Act 96-704 regarding building code compliance and conforms to the Illinois Accessibility Code.
 - (2) Electrical Components
 - a. All electrical components of the PV SOLAR FARM shall conform to the National Electrical Code as amended and shall comply with Federal Communications Commission (FCC) requirements.

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- b. Burying power and communication wiring underground shall be minimized consistent with best management practice regarding PV solar farm construction and minimizing impacts on agricultural drainage tile.
 - (3) Maximum height. The height limitation established in Section 5.3 shall not apply to a PV SOLAR FARM. The maximum height of all above ground STRUCTURES shall be identified in the application and as approved in the SPECIAL USE permit.
 - (4) Warnings
 - a. A reasonably visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.
 - (5) No construction may intrude on any easement or right of way for a GAS PIPELINE or HAZARDOUS LIQUID PIPELINE, an underground water main or sanitary sewer, a drainage district ditch or tile, or any other public utility facility unless specifically authorized by a crossing agreement that has been entered into with the relevant party.
- F. Standard Conditions to Mitigate Damage to Farmland
- (1) All underground wiring or cabling for the PV SOLAR FARM shall be at a minimum depth 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 6.1.5 R.
 - (2) Protection of agricultural drainage tile
 - a. The applicant shall endeavor to locate all existing agricultural drainage tile prior to establishing any construction staging areas, construction of any necessary PV SOLAR FARM access lanes or driveways, construction of any PV SOLAR FARM STRUCTURES, any common switching stations, substations, and installation of underground wiring or cabling. The applicant shall contact affected landowners and tenants and the Champaign County Soil and Water Conservation District and any relevant drainage district for their knowledge of tile line locations prior to the proposed construction. Drainage districts shall be notified at least two weeks prior to disruption of tile.

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

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- 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.
 - g. All exposed tile lines shall be screened or otherwise protected to prevent the entry into the tile of foreign materials, loose soil, small mammals, etc.
 - h. Permanent tile repairs shall be made within 14 days of the tile damage provided that weather and soil conditions are suitable or a temporary tile repair shall be made. Immediate temporary repair shall also be required if water is flowing through any damaged tile line. Temporary repairs are not needed if the tile lines are dry and water is not flowing in the tile provided the permanent repairs can be made within 14 days of the damage. All permanent and temporary tile repairs shall be made as detailed in the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5 R. and shall not be waived or modified except as authorized in the SPECIAL USE Permit.
 - i. All damaged tile shall be repaired so as to operate as well after construction as before the construction began.
 - j. Following completion of the 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.
- (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 6.1.5 R.
- (4) Topsoil replacement

For any open trenching required pursuant to PV SOLAR FARM construction, the topsoil shall be stripped and replaced as follows:

- a. The top 12 inches of topsoil shall first be stripped from the area to be trenched and from an adjacent area to be used for subsoil storage. The topsoil shall be stored in a windrow parallel to the trench in such a manner that it will not become intermixed with subsoil materials.
- b. All subsoil material that is removed from the trench shall be placed in the second adjacent stripped windrow parallel to the trench but separate from the topsoil windrow.

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- c. In backfilling the trench, the stockpiled subsoil material shall be placed back into the trench before replacing the topsoil.
- d. The topsoil must be replaced such that after settling occurs, the topsoil's original depth and contour (with an allowance for settling) will be restored.
- 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 6.1.5 R.

(5) Mitigation of soil compaction and rutting

- a. The Applicant shall not be responsible for mitigation of soil compaction and rutting if exempted by the PV SOLAR FARM lease.
- 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.
- 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 6.1.5 R.

(6) Land leveling

- a. The Applicant shall not be responsible for leveling of disturbed land if exempted by the PV SOLAR FARM lease.
- b. Unless specifically provided for otherwise in the PV SOLAR FARM lease, the Applicant shall level all disturbed land as follows:
 - (a) Following the completion of any open trenching, the applicant shall restore all land to its original pre-construction elevation and contour.
 - (b) Should uneven settling occur or surface drainage problems develop as a result of the trenching within the first year after completion, the applicant shall again restore the land to its original pre-construction elevation and contour.
- c. All land leveling shall be consistent with the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5 R.

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

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

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- 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).

G. Standard Conditions for Use of Public Streets

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

- (1) Prior to the close of the public hearing before the BOARD, the Applicant shall enter into a Roadway Upgrade and Maintenance agreement approved by the County Engineer and State's Attorney; or Township Highway Commissioner; or municipality where relevant, except for any COMMUNITY PV SOLAR FARM for which the relevant highway authority has agreed in writing to waive the requirements of subparagraphs 6.1.5 G.(1), (2), and (3), and the signed and executed Roadway Upgrade and Maintenance agreements must provide for the following minimum conditions:
 - a. The applicant shall agree to conduct a pre-PV SOLAR FARM construction baseline survey to determine existing STREET conditions for assessing potential future damage including the following:
 - (a) A videotape of the affected length of each subject STREET supplemented by photographs if necessary.
 - (b) Pay for costs of the County to hire a consultant to make a study of any structure on the proposed route that the County Engineer feels may not carry the loads likely during the PV SOLAR FARM construction.
 - (c) Pay for any strengthening of STREET structures that may be necessary to accommodate the proposed traffic loads caused by the PV SOLAR FARM construction.
 - b. The Applicant shall agree to pay for costs of the County Engineer to hire a consultant to make a study of any structure on the proposed route that the County Engineer feels may not carry the loads likely during the PV SOLAR FARM construction and pay for any strengthening of structures that may be necessary to accommodate the proposed traffic loads caused by the PV SOLAR FARM construction.

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- c. The Applicant shall agree upon an estimate of costs for any other necessary roadway improvements prior to construction.
- d. The Applicant shall obtain any necessary approvals for the STREET improvements from the relevant STREET maintenance authority.
- e. The Applicant shall obtain any necessary Access Permits including any required plans.
- f. The Applicant shall erect permanent markers indicating the presence of underground cables.
- g. The Applicant shall install marker tape in any cable trench.
- h. The Applicant shall become a member of the Illinois state wide One-Call Notice System (otherwise known as the Joint Utility Locating Information for Excavators or "JULIE") and provide JULIE with all of the information necessary to update its record with respect to the PV SOLAR FARM.
- i. The Applicant shall use directional boring equipment to make all crossings of County Highways for the cable collection system.
- j. The Applicant shall notify the STREET maintenance authority in advance of all oversize moves and crane crossings.
- k. The Applicant shall provide the County Engineer with a copy of each overweight and oversize permit issued by the Illinois Department of Transportation for PV SOLAR FARM construction.
- l. The Applicant shall transport the PV SOLAR FARM loads so as to minimize adverse impact on the local traffic including farm traffic.
- m. The Applicant shall schedule PV SOLAR FARM construction traffic in a way to minimize adverse impacts on emergency response vehicles, rural mail delivery, school bus traffic, and local agricultural traffic.
- n. The Applicant shall provide as much advance notice as is commercially reasonable to obtain approval of the STREET maintenance authority when it is necessary for a STREET to be closed due to a crane crossing or for any other reason. Notwithstanding the generality of the aforementioned, the Applicant will provide 48 hours notice to the extent reasonably practicable.
- o. The Applicant shall provide signs indicating all highway and STREET closures and work zones in accordance with the Illinois Department of Transportation Manual on Uniform Traffic Control Devices.

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

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- (2) A condition of the County Board Special Use Permit approval shall be that the Zoning Administrator shall not authorize a Zoning Use Permit for the PV SOLAR FARM until the County Engineer and State's Attorney; or Township Highway Commissioner; or municipality where relevant, has approved a Transportation Impact Analysis provided by the Applicant and prepared by an independent engineer that is mutually acceptable to the Applicant and the County Engineer and State's Attorney; or Township Highway Commissioner; or municipality where relevant, that includes the following:
- a. Identify all such public STREETS or portions thereof that are intended to be used by the Applicant during construction of the PV SOLAR FARM as well as the number of loads, per axle weight of each load; and type of equipment that will be used to transport each load.
 - b. A schedule of the across road culverts and bridges affected by the project and the recommendations as to actions, if any, required with respect to such culverts and bridges and estimated of the cost to replace such culverts and bridges;
 - c. A schedule of the anticipated STREET repair costs to be made in advance of the PV SOLAR FARM construction and following construction of the PV SOLAR FARM.
 - d. The Applicant shall reimburse the County Engineer; or Township Highway Commissioner; or municipality where relevant, for all reasonable engineering fees including the costs of a third party consultant, incurred in connection with the review and approval of the Transportation Impact Analysis.
- (3) At such time as decommissioning takes place, the Applicant or its successors in interest shall enter into a Roadway use and Repair Agreement with the appropriate highway authority.

H. Standard Conditions for Coordination with Local Fire Protection District

- (1) The Applicant shall submit to the local fire protection district a copy of the site plan.
- (2) Upon request by the local fire protection district, the Owner or Operator shall cooperate with the local fire protection district to develop the fire protection district's emergency response plan.
- (3) Nothing in this section shall alleviate the need to comply with all other applicable fire laws and regulations.

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I. Standard Conditions for Allowable Noise Level

- (1) Noise levels from any PV SOLAR FARM shall be in compliance with the applicable Illinois Pollution Control Board (IPCB) regulations (*35 Illinois Administrative Code* Subtitle H: Noise Parts 900, 901, 910).
- (2) The Applicant shall submit manufacturer's sound power level characteristics and other relevant data regarding noise characteristics of proposed PV SOLAR FARM equipment necessary for a competent noise analysis.
- (3) The Applicant, through the use of a qualified professional, as part of the siting approval application process, shall appropriately demonstrate compliance with the above noise requirements as follows:
 - a. The SPECIAL USE permit application for other than a COMMUNITY PV SOLAR FARM shall include a noise analysis that includes the following:
 - (a) The pre-development 24-hour ambient background sound level shall be identified at representative locations near the site of the proposed PV SOLAR FARM.
 - (b) Computer modeling shall be used to generate the anticipated sound level resulting from the operation of the proposed PV SOLAR FARM within 1,500 feet of the proposed PV SOLAR FARM.
 - (c) Results of the ambient background sound level monitoring and the modeling of anticipated sound levels shall be clearly stated in the application and the application shall include a map of the modeled noise contours within 1,500 feet of the proposed PV SOLAR FARM.
 - (d) The application shall also clearly state the assumptions of the computer model's construction and algorithms so that a competent and objective third party can as simply as possible verify the anticipated sound data and sound levels.
 - b. For a COMMUNITY PV SOLAR FARM the Board may require submission of a noise analysis that meets the standard of paragraph 6.1.5 I.(3)a.
- (4) After construction of the PV SOLAR FARM, the Zoning Administrator shall take appropriate enforcement action as necessary to investigate noise complaints in order to determine the validity of the complaints and take any additional enforcement action as proves warranted to stop any violation that is occurring, including but not limited to the following:

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- a. The Zoning Administrator shall make the Environment and Land Use Committee aware of complaints about noise that have been received by the Complaint Hotline.
- b. If the Environment and Land Use Committee determines that the noise is excessive, the Environment and Land Use Committee shall require the Owner or Operator to take reasonable steps to mitigate the excessive noise.

J. Standard Conditions for Endangered Species Consultation

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

K. Standard Conditions for Historic and Archaeological Resources Review

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

L. Standard Conditions for Acceptable Wildlife Impacts

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.

M. Screening and fencing

(1) Perimeter fencing

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

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(2) Screening

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

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Standard 380 Windbreak/Shelterbreak Establishment except that the planting shall be located as close as possible to the PV SOLAR FARM fence while still providing adequate clearance for maintenance.

- iv. A planting of tall native grasses and other native flowering plants may be used as a visual screen buffer for any PV module installation that is no more than 8 feet tall provided that the width of planting shall be as authorized by the BOARD and the planting shall otherwise be planted and maintained per the recommendations of the Natural Resources Conservation Service Practice Standard 327 Conservation Cover and further provided that the PV SOLAR FARM perimeter fence is opaque.
- v. An area of agricultural crop production may also be authorized by the BOARD as an alternative visual screen buffer with a width of planting as authorized by the BOARD provided that the PV SOLAR FARM perimeter fence is opaque. Any area of crop production that is used as a vegetated visual screen shall be planted annually and shall be replanted as necessary to ensure a crop every year regardless of weather or market conditions.
- vi. Any vegetated screen buffer shall be detailed in a landscape plan drawing that shall be included with the PV SOLAR FARM SPECIAL USE permit application.

N. Standard Conditions to Minimize Glare

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

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- b. If the Environment and Land Use Committee determines that the glare is excessive, the Environment and Land Use Committee shall require the Owner or Operator to take reasonable steps to mitigate the excessive glare such as the installation of additional screening.
- O. Standard Condition for Liability Insurance
- (1) The Owner or Operator of the PV SOLAR FARM shall maintain a current general liability policy covering bodily injury and property damage with minimum limits of a 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. Operational Standard Conditions
- (1) Maintenance
 - a. The Owner or Operator of the PV SOLAR FARM must submit, on an annual basis, a summary of operation and maintenance reports to the Environment and Land Use Committee and any other operation and maintenance reports as the Environment and Land Use Committee reasonably requests.
 - b. Any physical modification to the PV SOLAR FARM that increases the number of solar conversion devices or structures and/or the land area occupied by the PV SOLAR FARM shall require a new County Board SPECIAL USE Permit. Like-kind replacements shall not require re-certification nor will replacement of transformers, cabling, etc. provided replacement is done in a fashion similar to the original installation.
 - c. The Application shall explain methods and materials used to clean the PV SOLAR FARM equipment including an estimation of the daily and annual gallons of water used and the source of the water and the management of wastewater. The BOARD may request copies of well records from the Illinois State Water Survey and may require an estimate by a qualified hydrogeologist of the likely impact on adjacent waterwells.
 - (2) Materials Handling, Storage and Disposal
 - a. All solid wastes related to the construction, operation and maintenance of the PV SOLAR FARM shall be removed from the site promptly and disposed of in accordance with all federal, state and local laws.

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- b. All hazardous materials related to the construction, operation and maintenance of the PV SOLAR FARM shall be handled, stored, transported and disposed of in accordance with all applicable local, state and federal laws.
- (3) Vegetation management
- a. The PV SOLAR FARM SPECIAL USE permit application shall include a weed control plan for the total area of the SPECIAL USE permit including areas both inside of and outside of the perimeter fencing.
 - b. The weed control plan shall ensure the control and/or eradication of NOXIOUS WEEDS consistent with the Illinois Noxious Weed Law (505 ILCS 100/1 et seq.)
 - c. The weed control plan shall be explained in the application.
- Q. Standard Condition for Decommissioning and Site Reclamation Plan
- (1) The Applicant shall submit a signed decommissioning and site reclamation plan conforming to the requirements of paragraph 6.1.1 A.
 - (2) In addition to the purposes listed in subparagraph 6.1.1 A.4. the decommissioning and site reclamation plan shall also include provisions for anticipated repairs to any public STREET used for the purpose of reclamation of the PV SOLAR FARM and all costs related to removal of access driveways.
 - (3) The decommissioning and site reclamation plan required in paragraph 6.1.1 A. shall also include the following:
 - a. A stipulation that the applicant or successor shall notify the GOVERNING BODY by certified mail of the commencement of voluntary or involuntary bankruptcy proceeding, naming the applicant as debtor, within ten days of commencement of the proceeding.
 - b. A stipulation that the applicant shall agree that the sale, assignment in fact or law, or such other transfer of applicant's financial interest in the PV SOLAR FARM shall in no way affect or change applicant's obligation to continue to comply with the terms of this plan. Any successor in interest, assignee, and all parties to the decommissioning and site reclamation plan shall assume the terms, covenants, and obligations of this plan and agrees to assume all reclamation liability and responsibility for the PV SOLAR FARM.
 - c. Authorization for the GOVERNING BODY and its authorized representatives for right of entry onto the PV SOLAR FARM premises for the purpose of inspecting the methods of reclamation or for performing actual reclamation if necessary.

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- d. A stipulation that at such time as decommissioning takes place the applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan are required to enter into a Roadway Use and Repair Agreement with the relevant highway authority.
- e. A stipulation that the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall provide evidence of any new, additional, or substitute financing or security agreement to the Zoning Administrator throughout the operating lifetime of the project.
- f. A stipulation that the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall be obliged to perform the work in the decommissioning and site reclamation plan before abandoning the PV SOLAR FARM or prior to ceasing production of electricity from the PV SOLAR FARM, after it has begun, other than in the ordinary course of business. This obligation shall be independent of the obligation to pay financial assurance, and shall not be limited by the amount of financial assurance. The obligation to perform the reclamation work shall constitute a covenant running with the land.
- g. The decommissioning and site reclamation plan shall provide for payment of any associated costs that Champaign County may incur in the event that decommissioning is actually required. Associated costs include all administrative and ancillary costs associated with drawing upon the financial assurance and performing the reclamation work and shall include but not be limited to attorney's fees; construction management and other professional service fees; and the costs of preparing requests for proposals and bidding documents required to comply with state law or Champaign County purchasing policies.
- h. The depth of removal of foundation concrete below ground shall be a minimum of 54 inches. The depth of removal of foundation concrete shall be certified in writing by an Illinois Licensed Professional Engineer and the certification shall be submitted to the Zoning Administrator.
- i. Underground electrical cables at a depth of 5 feet or greater may be left in place.
- j. The hole resulting from the removal of foundation concrete during decommissioning shall be backfilled as follows:

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- (a) The excavation resulting from the removal of foundation concrete shall only be backfilled with subsoil and topsoil in similar depths and similar types as existed at the time of the original PV SOLAR FARM construction except that a lesser quality topsoil or a combination of a lesser quality topsoil and a subsoil that is similar to the native subsoil may be used at depths corresponding to the native subsoil but not less than 12 inches below grade.
- (b) The native soils excavated at the time of the original PV SOLAR FARM construction may be used to backfill the concrete foundation excavations at the time of decommissioning provided that the soils are adequately stored throughout the operating lifetime of the PV SOLAR FARM. The methods for storing the excavated native soils during the operating lifetime of the PV SOLAR FARM shall be included in the decommissioning and site reclamation plan.
- (c) If the excavated native soils are not stored for use for backfilling the concrete foundation excavations, a qualified soil scientist or Illinois Licensed Professional Engineer shall certify that the actual soils used to backfill the concrete foundation excavations are of equal or greater quality than the native soils or that, in the case of subsoil, the backfill soil meets the requirements of this paragraph. The certification shall be submitted to the Zoning Administrator.
- (d) An Illinois Licensed Professional Engineer shall certify in writing that the concrete foundation excavations have been backfilled with soil to such a depth and with a minimum of compaction that is consistent with the restoration of productive agricultural use such that the depth of soil is expected to be no less than 54 inches within one year after backfilling.
- k. A stipulation that should the decommissioning and site reclamation plan be deemed invalid by a court of competent jurisdiction the PV SOLAR FARM SPECIAL USE permit shall be deemed void.
- l. A stipulation that the Applicant's obligation to complete the decommissioning and site reclamation plan and to pay all associated costs shall be independent of the Applicant's obligation to provide financial assurance.
- m. A stipulation that the liability of the Applicant's failure to complete the decommissioning and site reclamation plan or any breach of the decommissioning and site reclamation plan requirement shall not be capped by the amount of the financial assurance.

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- n. If the Applicant desires to remove equipment or property credited to the estimated salvage value without the concurrent replacement of the property with property of equal or greater salvage value, or if the Applicant installs equipment or property increasing the cost of decommissioning after the PV SOLAR FARM begins to produce electricity, at any point, the Applicant shall first obtain the consent of the Zoning Administrator. If the Applicant's lien holders remove equipment or property credited to the salvage value, the Applicant shall promptly notify the Zoning Administrator. In either of these events, the total financial assurance shall be adjusted to reflect any change in total salvage value and total decommissioning costs resulting from any such removal or installation.
- (4) To comply with paragraph 6.1.1 A.5., the Applicant shall provide financial assurance in the form of an irrevocable letter of credit as follows:
- a. At the time of Special Use Permit approval, the amount of financial assurance to be provided for the decommissioning and site reclamation plan shall be 125% of the decommissioning cost as determined in the independent engineer's cost estimate to complete the decommissioning work described in Sections 6.1.1 A.4.a. and 6.1.1 A.4.b. and 6.1.1 A.4.c. and shall otherwise be compliant with Section 6.1.1.A.5. except that if the SOLAR PV modules have an unlimited warranty of at least 10 years and also have a limited power warranty to provide not less not than 80% nominal power output up to 25 years and proof of that warranty is provided at the time of Zoning Use Permit approval, financial assurance may be provided for the decommissioning and site reclamation plan as follows:
 - (a) No Zoning Use Permit to authorize construction of the SOLAR FARM shall be authorized by the Zoning Administrator until the SOLAR FARM owner shall provide the County with Financial Assurance to cover 12.5% of the decommissioning cost as determined in the independent engineer's cost estimate to complete the decommissioning work described in Sections 6.1.1 A.4.a. and 6.1.1 A.4.b. and 6.1.1 A.4.c. and otherwise compliant with Section 6.1.1 A.5.
 - (b) On or before the sixth anniversary of the Commercial Operation Date, the SOLAR FARM Owner shall provide the County with Financial Assurance to cover 62.5% of the decommissioning cost as determined in the independent engineer's cost estimate to complete the decommissioning work described in Sections 6.1.1 A.4.a. and 6.1.1 A.4.b. and 6.1.1 A.4.c. and otherwise compliant with Section 6.1.1 A.5.

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(c) On or before the eleventh anniversary of the Commercial Operation Date, the SOLAR FARM Owner shall provide the County with Financial Assurance to cover 125% of the decommissioning cost as determined in the independent engineer's cost estimate to complete the decommissioning work described in Sections 6.1.1 A.4.a. and 6.1.1 A.4.b. and 6.1.1 A.4.c. and otherwise compliant with Section 6.1.1 A.5.

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

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

i. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall maintain the PV SOLAR FARM free and clear of liens and encumbrances, including financing liens and shall provide proof of the same prior to issuance of the SPECIAL USE Permit; or

ii. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall deduct from the salvage value credit the amount of any lien or encumbrance on the PV SOLAR FARM; or

iii. Any and all financing and/or financial security agreements entered into by the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall expressly provide that the agreements are subject to the covenant required by Section 6.1.1 A.2 that the reclamation work be done.

(b) The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall provide proof of compliance with paragraph 6.1.5. Q.(4)b.(a) prior to issuance of any Zoning Use Permit and upon every renewal of the financial assurance and at any other time upon the request of the Zoning Administrator.

(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.

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- (d) The net estimated salvage value that is deducted from the estimated decommissioning costs shall be the salvage value that results after all related costs for demolition and any required preparation for transportation for reuse or recycling or for simple disposal and other similar costs including but not limited to the decommissioning of the PV SOLAR FARM STRUCTURES, equipment, and access roads.
 - (e) Estimated salvage value shall be based on the average salvage price of the past five years as published in a reputable source for salvage values and shall reflect sound engineering judgment as to anticipated changes in salvage prices prior to the next update of estimated net salvage value.
 - (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 available in the event that decommissioning is actually required.
 - (g) The total financial assurance after deduction of the net estimated salvage value shall not be less than \$1,000 per acre.
 - (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.
- c. The GOVERNING BODY has the right to require multiple letters of credit based on the regulations governing federal insurance for deposits.
 - d. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall adjust the amount of the financial assurance to ensure that it reflects current and accurate information as follows:
 - (a) At least once every three years for the first 12 years of the financial assurance and at least once every two years thereafter or, if the SOLAR PV modules have an unlimited warranty of at least 10 years and also have a limited power warranty to provide not less not than 80% nominal power output up to 25 years and proof of that warranty is provided at the time of Zoning Use Permit approval, then at least once every five years for the first 25 years of the financial assurance and at least once every two years thereafter, the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall use an independent Illinois Licensed Professional Engineer to

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provide updated estimates of decommissioning costs and salvage value, by including any changes due to inflation and/or change in salvage price. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall, upon receipt, provide a copy of the adjusted Professional Engineer's report to the Zoning Administrator.

- (b) At all times, the value of the irrevocable letter of credit shall equal or exceed the amount of the independent engineer's cost estimate as increased by known and documented rates of inflation based on the Consumer Price Index since the PV SOLAR FARM was approved.
- 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:
 - (a) The Zoning Administrator shall verify the long term corporate debt (credit) rating of the proposed financial institution by both Standard & Poor's Financial Services LLC (S&P) and Moody's Investors Service (Moody's).
 - (b) The minimum acceptable long term corporate debt (credit) rating of the proposed financial institution shall be a rating of "A" by S&P or a rating of "A2" by Moody's.
 - (c) Whenever the most current long term corporate debt (credit) rating of the proposed financial institution by either S&P or Moody's is lower than the minimum acceptable long term corporate debt (credit) rating, the letter of credit shall be replaced with a new irrevocable letter of credit from an issuing financial institution whose most current long term corporate debt (credit) rating by either S&P or Moody's meets or exceeds the minimum acceptable long term corporate debt (credit) rating,
- 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.

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- g. Should the salvage value of components be adjusted downward or the decommissioning costs adjusted upward pursuant to paragraph 6.1.5 Q.(4)d., the amount of the irrevocable letter of credit pursuant to this paragraph 6.1.5 Q.(4) shall be increased to reflect the adjustment, as if the adjusted estimate were the initial estimate.
 - h. Any financial assurance required per the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5 R. shall count towards the total financial assurance required for compliance with paragraph 6.1.1 A.5.
 - 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.
- (5) In addition to the conditions listed in subparagraph 6.1.1 A.9. the Zoning Administrator may also draw on the funds for the following reasons:
- a. In the event that any PV SOLAR FARM or component thereof ceases to be functional for more than six consecutive months after it starts producing electricity and the Owner is not diligently repairing such PV SOLAR FARM or component.
 - b. In the event that the Owner declares the PV SOLAR FARM or any PV SOLAR FARM component to be functionally obsolete for tax purposes.
 - c. There is a delay in the construction of any PV SOLAR FARM of more than 6 months after construction on that PV SOLAR FARM begins.
 - d. Any PV SOLAR FARM or component thereof that appears in a state of disrepair or imminent collapse and/or creates an imminent threat to the health or safety of the public or any person.
 - e. Any PV SOLAR FARM or component thereof that is otherwise derelict for a period of 6 months.
 - f. The PV SOLAR FARM is in violation of the terms of the PV SOLAR FARM SPECIAL USE permit for a period exceeding ninety (90) days.
 - g. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan has failed to maintain financial assurance in the form and amount required by the special use permit or compromised the COUNTY's interest in the decommissioning and site reclamation plan.
 - h. The COUNTY discovers any material misstatement of fact or misleading omission of fact made by the Applicant in the course of the special use permit zoning case.

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- i. The Applicant has either failed to receive a copy of the certification of design compliance required by paragraph 6.1.5 D. or failed to submit it to the County within 12 consecutive months of receiving a Zoning Use Permit regardless of the efforts of the Applicant to obtain such certification.
 - (6) The Zoning Administrator may, but is not required to, deem the PV SOLAR FARM abandoned, or the standards set forth in Section 6.1.5 Q.(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.
 - (7) The Decommissioning and Site Reclamation Plan shall be included as a condition of approval by the BOARD and the signed and executed irrevocable letter of credit and evidence of the escrow account must be submitted to the Zoning Administrator prior to any Zoning Use Permit approval.
- R. Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.
- (1) If provided by state law, the Applicant shall enter into an Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.
 - (2) The Applicant shall bear full responsibility for coordinating any special conditions required in the SPECIAL USE Permit in order to ensure compliance with the signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.
 - (3) All requirements of the signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture shall become requirements of the County Board SPECIAL USE Permit.
 - (4) Champaign County shall have the right to enforce all requirements of the signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.
- S. Complaint Hotline
- (1) Prior to the commencement of construction on the PV SOLAR FARM and during the entire term of the County Board SPECIAL USE permit and any extension, the Applicant and Owner shall establish a telephone number hotline for the general public to call with any complaints or questions.
 - (2) The telephone number hotline shall be publicized and posted at the operations and maintenance center and the construction marshalling yard.

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

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

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

U. Application Requirements

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

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- c. A site plan for the SOLAR FARM indicating the following:
 - (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 Substations(s), ancillary equipment, screening and fencing, third party transmission lines, meteorological station, maintenance and management facilities, and layout of all structures within the geographical boundaries of any applicable setback.
 - (b) The site plan shall clearly indicate the area of the proposed PV SOLAR FARM County Board SPECIAL USE Permit as required by subparagraph 6.1.5 A.(1).
 - (c) The location of all below-ground wiring.
 - (d) The location, height, and appearance of all above-ground wiring and wiring structures.
 - (e) The separation of all PV SOLAR FARM structures from adjacent DWELLINGS and/or PRINCIPAL BUILDINGS or uses shall be dimensioned on the approved site plan and that dimension shall establish the effective minimum separation that shall be required for any Zoning Use Permit. Greater separation and somewhat different locations may be provided in the approved site plan for the Zoning Use Permit provided that 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 includes substations, third party transmission lines, maintenance and management facilities, or other significant structures.
- d. All other required studies, reports, certifications, and approvals demonstrating compliance with the provisions of this Ordinance.
- e. The PV SOLAR FARM SPECIAL USE permit application shall include documentation that the applicant has provided a complete copy of the SPECIAL USE permit application to any municipality within one-and-one-half miles of the proposed PV SOLAR FARM as required by Section 6.1.5 B.(2)a.(b).
- f. A municipal resolution regarding the PV SOLAR FARM by any municipality located within one-and-one-half miles of the PV SOLAR FARM must be submitted to the ZONING ADMINISTRATOR prior

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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.

- 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 6.1.5 B.(3)b.
- (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.
- (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.

9. Add the following paragraph 9.3.1 J. for Zoning Use Permit fee:

J. PV SOLAR FARM with not more than 7.5 megawatt nameplate rating..... \$1,800 per megawatt (includes COMMUNITY PV SOLAR FARM)

PV SOLAR FARM with nameplate rating of more than 7.5 megawatts.... \$13,500 plus \$1,260 for each megawatt more than 7.5 megawatts

10. Revise subsection 9.3.3 as follows:

9.3.3 Zoning Case Filing Fees

A. General Provisions

- (1) No zoning case filing shall be accepted until the filing fee has been paid.
- (2) No zoning case filing fee shall be waived unless the Zoning Administrator determines that the petition is the only means reasonably available to bring a property into compliance with the provisions of this ordinance and the non-compliance is due solely to staff error.
- (3) No zoning case filing fee shall be refunded after required legal notice has been made by mail or publication unless the Zoning Administrator determines such filing to have been based solely upon staff error.

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- (4) No amendment to any petition which requires new legal notice shall be considered until an amended petition fee has been received unless the Zoning Administrator determines such amendment to be required due solely to staff error.

- (5) The fee for SPECIAL USE permits shall be determined based on the larger of the following (except for County Board WIND FARM or PV SOLAR FARM SPECIAL USE Permits):
 - a. the area of farmland taken out of production as a result of the SPECIAL USE; or
 - b. when farmland will not be taken out of production as a result of the SPECIAL USE, the land area taken up by the existing STRUCTURES and all proposed CONSTRUCTION proposed in the SPECIAL USE application.

- (6) When some combination of VARIANCE, SPECIAL USE and Map Amendment cases is required simultaneously for the same property, the total filing fee shall include the following (except for County Board WIND FARM or PV SOLAR FARM Special Use Permits):
 - a. The standard fee for the most expensive individual zoning case; and
 - b. one-half of the standard fee for any other required VARIANCE, SPECIAL USE, or Map Amendment provided that
 - c. no additional fees shall be included for multiple zoning cases of the same type that can be advertised in the same legal advertisement.

B. Fees

- (1) VARIANCES
 - a. ADMINISTRATIVE VARIANCES..\$100
 - b. Minor or Major VARIANCES.....\$200
- (2) SPECIAL USE permits and Map Amendments (except for County Board WIND FARM or PV SOLAR FARM Special Use Permit)
 - a. Two acres or less and Base Fee for larger areas\$400
 - b. More than two acres but no more than 12 acres.add \$40 per acre to Base Fee for each acre over two acres
 - c. More than 12 acres add \$10 per acre for each acre over 12 acres and add to fees in a. and b. above

Solar Farm Text Amendment as Approved by County Board

August 23, 2018

Section 9.3.3 B...

- (3) Appeals and Interpretations.....\$200
- (4) Change of Nonconforming Use.....\$100
- (5) Amendment to Petitions (requiring new legal notice)\$100
- (6) County Board WIND FARM Special Use Permit..... \$20,000 or \$440
per WIND FARM TURBINE TOWER, whichever is greater
- (7) BIG WIND TURBINE TOWER SPECIAL USE Permit per BIG WIND
TURBINE TOWER.....\$3,300
- (8) County Board PV SOLAR FARM Special Use Permit
PV SOLAR FARM with not more than 7.5 megawatt
nameplate rating..... \$1,320 per megawatt (includes
COMMUNITY PV SOLAR FARM)

PV SOLAR FARM with nameplate rating of more than 7.5
megawatts to 112.5 megawatts.....\$9,240 plus \$102 for
each megawatt more than 7.5 megawatts and up to 112.5
megawatts

PV SOLAR FARM with more than 112.5 megawatt
nameplate rating..... \$180 per megawatt