

Survey of Illinois County Solar Farm/Solar Energy System Regulations

Thirty-nine Illinois counties were surveyed for solar farm/solar energy system regulations. All counties with the exception of one (Winnebago County) regulate solar farms by special use in specified zoning districts within the zoning ordinance. Winnebago regulates solar farms by allowing as a permitted use within the A2 zoning district.

Of the thirty-nine surveyed counties, twenty-four have adopted performance standards as part of the zoning ordinance, and fifteen have not adopted performance standards (including Ogle County). In those counties that have not adopted performance standards, conditions are applied to the approval of a special use for a solar farm.

Performance standards and conditions vary from county to county, but also share some common characteristics such as requirements for setbacks and yard areas. Some performance standards are very comprehensive and some are minimal. The most minimal performance standards found are in Winnebago County, and are as follows:

- A. Solar panels shall be erected no less than two fifty (50) feet from any property line. All other structures must meet district yard requirements.
- B. The borders of the property shall be secured with a fence or wall at least six (6) feet in height.
- C. On-site power lines shall be placed underground to the maximum extent possible.

Ogle County's standardized conditions are as comprehensive as any other county Illinois, and contain the following outlined provisions:

1. General Provisions: All proposals and representations made by the applicant and/or their representative shall be conditions of the Special Use Permit.
2. Development Standards.
 - A. Height limitation;
 - B. Setback requirements (minimum distance from public roads);
 - C. Yard area requirements (minimum distance from interior property lines);
 - D. Residential buffer requirements (minimum distance from residential properties and dwellings);
 - E. Approved solar components (requirement for UL listing and conformance with all applicable building and electrical codes);
 - F. Lighting (requirement that lighting only be provided for safety/security purposes, and must be shielded if provided);
 - G. Stormwater management (solar farm development must comply with Ogle County Stormwater Management Ordinance);
 - H. Vegetative cover, vegetative maintenance and weed control requirements;

- I. Zoning Certificate and Occupancy Certificate (requirement that a Zoning Certificate [construction authorization/permit] be obtained prior to construction, and upon completion and Occupancy Certificate also be obtained);
- J. Utility Notification (requirement that a "power purchase agreement" be obtained prior to a Zoning Certificate being issued);
- K. Decommissioning provisions:
 - 1) Decommissioning "triggers";
 - 2) Specific actions required to decommission a solar farm facility (i.e. removal of solar farm components and restoration of site);
 - 3) Decommissioning cost estimate requirements;
 - 4) Financial security requirements;
- L. Materials handling, storage and disposal requirements;
- M. Points of contact (requirement that The Solar Farm Owner/Operator shall maintain with the Ogle County Planning & Zoning Department and Sheriff's Department a primary and two (2) secondary points of contact);
- N. Coordination with local fire protection district(s) (requirements to provide site plan and emergency response training to fire protection district if requested);
- O. Miscellaneous provisions:
 - 1) Access permits from public road authority having jurisdiction;
 - 2) Fencing (required per National Electrical Code);
 - 3) Emergency access requirement;
 - 4) Requirement to enter into an Agricultural Impact Mitigation Agreement with the IL Department of Agriculture (now state law);
 - 5) Construction activities allowed only between 7 am and 7 pm.

The provision most common among all counties is that for setback, yard areas and residential buffering. The following provides a comparison of setback, yard area and residential buffering requirements of surveyed counties where the information was available on the county web site:

County	Setback	Yard Area	Residential Buffer
Champaign	Minor - 40' Collector - 55' Major - 60'	26' from lot >10 acres.	Lot 10 acres or less = 240' from property line. Lot > 10 acres = 255' from dwelling.
Christian	Per zoning ordinance.	Per zoning ordinance.	In non-residential area: 100' from dwelling or church building; in residential area: 50' from property line of a residence or church.
Clinton	Township - 75' from C/L; County - 100' from C/L; State - 75' from ROW	Not addressed.	500' from a dwelling.
DeKalb	100'	100'	100'
Fulton	Per zoning ordinance.	Per zoning ordinance.	Per zoning ordinance.
Grundy	Per zoning ordinance.	Per zoning ordinance.	Per zoning ordinance.
Henry	50' from ROW	20' side; 40' rear	150' from residential lot line; 150' from dwelling.
Iroquois	80' from road C/L	20'	150' from residential lot line.
Kankakee	100' from ROW	50'	100' from residential lot line.
Knox	50'	20 side; 50' rear	500' from dwelling.
LaSalle	Township - 70' C/L; County - 85' C/L; State - 100' C/L (min. 30' from ROW)	10' side and rear	Not addressed.
Lee	50'	50' side and rear	300' from residential lot line. No buffer for dwelling zoned AG.
Livingston	100'	50' side and rear	100' from residential lot line.
Logan	60' from ROW	30' side and rear	500' from a dwelling.
Marshall	Not addressed	Not addressed	Not addressed
McHenry	50'	50'	Not addressed
McLean	50'	50' rear; 30' sides	Not addressed
Menard	50'	50' side and rear	500' from a dwelling.
Mercer	Per zoning ordinance.	Per zoning ordinance.	In non-residential area: 100' from dwelling or church building; in residential area: 50' from property line of a residence or church.

Ogle	Township - 40' from ROW; County - 60' from ROW; State - 80' from ROW	50' side and rear.	150' from lot 20 acres or less containing a dwelling or eligible to have a dwelling constructed on it; 200' from any dwelling.
Peoria	Per zoning ordinance.	Per zoning ordinance.	75' from dwelling.
Perry	100'	50' side and rear	100' from residential lot line.
Putnam	Per zoning ordinance.	Per zoning ordinance.	Not addressed.
Randolph	50'	50' side and rear	500' from a dwelling.
Sangamon	50'	50' side and rear	Not addressed.
St. Clair	50'	50' side and rear	Not addressed.
Stephenson	50'	30' side; 50' rear	Not addressed.
Tazewell	50'	50' side and rear	100' from a dwelling.
Whiteside	50'	50' side and rear	500' from a dwelling.
Will	Per zoning ordinance.	Per zoning ordinance or 25' minimum.	Not addressed.
Winnebago	50'	50' side and rear.	Not addressed.
Woodford	50'	50' side and rear	500' from a dwelling.

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 September 2018

Boone County's solar debate wages on

By Susan Vela

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Posted Mar 31, 2018 at 3:30 PM

Updated Apr 1, 2018 at 9:11 AM

BELVIDERE — Boone County has received a fourth proposal for a solar farm though the county still has no rules to govern such developments.

County staff members have been discussing a draft solar ordinance for months. Elected officials continue to tweak it.

"I think our community crafted a good ordinance," Board member Brad Stark, R-3, said. "I think it needs a little tweaking. (But) don't dismantle it and don't start over. The bulk of the work has been done."

A draft ordinance of rules and regulations for solar farm operations is now under the Zoning Board of Appeals' review. It's supposed to be at the center of the ZBA's attention at an April 24 session. Solar developers say pressure is on to create more renewable energy sources across the nation. Opponents worry about aesthetics, drainage, setbacks and other matters.

Under the proposal, solar panels would need to be behind a fence that's at least 8-foot tall. All panels would be required to be at least 250 feet from all property lines and 75 feet from a public right-of-way.

Until the solar ordinance is approved, Boone County leaders have hesitated at giving four solar farm proposals more serious consideration. The proposals are as follows:

- National solar energy developer Cypress Creek Renewables wants to bring solar panels to Reeds Crossing Road between Genoa and Spring Center roads, and off of Illinois 173, east of Capron.
- California-based TerraNavigator LLC wants to develop a solar enterprise on 20 flat-surface acres that are part of a retired landfill along Illinois 76, north of city limits.
- Borrego Solar Systems Inc. of Chicago, the latest company to pitch a solar farm, submitted a special-use permit to build a solar operation on about 12 acres in unincorporated Manchester Township.

Company officials are expected to give a presentation at the ZBA's Tuesday session.

Alexander Farkes, Borrego's project development director, said a representative will emphasize solar energy's benefits.

"They're not going to make any sound. The actual construction process is quite fast. This is harvesting the sun. It's a quiet neighbor. We're only taking a small amount of acreage. We're going to allow the corn to still grow."

Construction, he said, would most likely begin in 2019.

ZBA member Tony Savino is worried about property values, changing landscapes and what happens when the solar panels conclude their 20-year lives.

While state leaders talk more about renewable energy, Savino emphasized that the solar proposals come with different details than a significant wind proposal that fell under the ZBA's review and then was shelved indefinitely in 2016.

"They're a lot different," Savino said. "The height is different. The noise is different. They're similar but very different."

County Board member Jessica Muellner, D-3, also wishes the county was farther along with its consideration of a solar ordinance.

"We've been debating this more than six months," she said. "I have faith in our building department and the Environmental Protection Agency."

The Illinois Power Agency Act mandates at least 25 percent of electricity come from renewable energy by June 2025.

"It's a function of the market as it exists now in Illinois," County Administrator Ken Terrinoni said. "The state is requiring power companies to expand their sources of renewable energy. They basically created a market, and the private sector has stepped in to fill that need."

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