

VILLAGE OF LILY LAKE

ORDINANCE NO. 2018-11

**AMENDING THE ZONING ORDINANCE
(6N066 ROUTE 47, MAPLE PARK, IL 60151)
(SV CSG Lily Lake 2, LLC Special Use)**

**ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF LILY LAKE**

October 22, 2018

Published in pamphlet form by authority of the President and Board of Trustees of the Village of
Lily Lake, Kane County, Illinois
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(SV CSG Lily Lake 2, LLC Special Use)**

WHEREAS, a public hearing on the application of SV CSG Lily Lake 2, LLC (“Applicant”), for a special use in the A- Agriculture Zoning District for the property legally described in Exhibit A attached, to permit its use for a utility, specifically a solar garden for the production of electricity, was held before a duly appointed hearing officer of the Village on August 8, 2018 upon due notice published according to law; and

WHEREAS, the hearing officer, after hearing from the Applicant and all members of the public present at the hearing, and after considering all written material, if any, submitted in support of or against the application, has recommended that the application be granted;

NOW, THEREFORE, BE IT ORDAINED by the President and the Board of Trustees of the Village of Lily Lake, Kane County, Illinois, as follows:

§ 1. Special use granted

A special use for the property described in Exhibit A is hereby granted to permit its use for a utility and solar garden for the production of electricity, subject to the following conditions:

(a) The special use is conditioned upon the existence of a valid lease between Applicant and the owner of the property, V. Turner Farms, LLC and Howard V. Turner. The Applicant shall file a copy of the executed lease with the Village.

(b) The development must be constructed substantially in accordance with the most current site plan submitted. The site plan must be specifically approved by the Village engineer. Any changes must be administratively approved by the Village president, Village engineer and the Chairman of the Plan Commission. Upon completion, as-built plans must be submitted to the Village.

(c) At the same time the site plan is submitted a decommissioning plan providing for the removal of the solar array at the end of the lease or the useful life of the panels or the abandonment of the project by the Applicant must be submitted. The plan must include a time schedule and method for the removal of all of the solar modules and associated facilities and equipment, and plans for the restoration of the property. The plan must include detailed estimates of the costs of removal and the salvage value of the equipment. A bond or irrevocable letter of credit in favor of the Village must be provided by the Applicant in the amount of the difference between the costs of removal and restoration and the salvage value of the equipment in order to ensure that the project can be removed and the property restored in the event the Applicant fails or the project is abandoned. If the lease between the Applicant and the owner of the property provides sufficient security to the Village for the ultimate removal of the solar array and restoration of the property the Village may forego the security described in this paragraph.

(d) The Applicant shall comply with the stormwater ordinance of the Village. A stormwater permit must be obtained and a soil erosion and sediment control plan must be submitted if required by the ordinance.

(e) A landscape plan showing the names and locations of the specific plants to be used must be submitted and approved by the Village engineer and the Chairman of the Plan Commission. The landscape plan must include a sufficient number of plants of sufficient height so as to soften the view of the solar array from the north across Read Road and from the East along Route 47. The landscape plan must include a maintenance schedule to ensure that the plants survive for at least 2 years after completion of construction.

(f) No billboards or other advertising signs are permitted on the site. A single sign complying with the height and size restrictions for non-agricultural use signs in the A-Agriculture District identifying the project is permitted.

(g) Solar panels must be situated so that any solar glare is not projected toward roads or nearby structures.

(h) Traffic may enter or leave the site only from Route 47. Applicant must obtain IDOT approval of the location and design of the access.

(i) The site plan must be altered, if necessary, to provide for proper fire department access.

(j) The site must be surrounded by a green or brown vinyl-coated chain link fence 7 feet high. No barbed wire is permitted. Provisions allowing for the escape of any wildlife should be made.

(k) No lighting is permitted.

(l) The resolution of any conflicts between any of the drain tiles on the site and the proposed pilings must be approved by the Village engineer.

(m) No further expansion of the project will be allowed.

(n) If no power is generated at the site for a period of 12 consecutive months the project will be deemed to have been abandoned by the Applicant and the Village may immediately enforce the implementation of the decommissioning plan. At the end of the lease, if the Applicant or the owners of the property fail to complete the decommissioning of the project and the restoration of the property within the time provided in the plan, then the Village may enforce the implementation of the decommissioning plan. The Applicant and the owners of the property by their acceptance of this special use specifically agree that the Village has standing and may exercise any remedy at law or in equity, including injunctive relief, to enforce the implementation of the decommissioning plan and the proper removal of the solar array and restoration of the property.

(o) All improvements proposed by the Applicant to be made to the property must be completed within 2 years of the date of this ordinance.

(p) The special use applies only to that portion of the property described on Exhibit A actually occupied by the SV CSG Lily Lake 2, LLC solar array as shown on the revised site plan dated September 18, 2018, submitted with the application.

(q) Other than as modified by this ordinance, all other requirements and restrictions applicable to the A-Agriculture District apply.

§ 2. Amendment of Zoning Map

The official Zoning Map of the Village will be amended accordingly.

§ 3. Effective Date

This ordinance is fully effective from and after its passage, approval and publication as provided by law.

Adopted on October 22, 2018 pursuant to a roll call vote as follows:

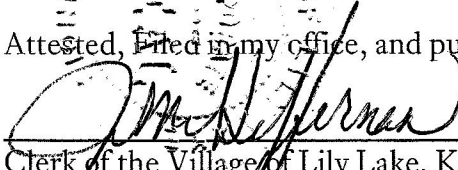
[Signature page follows.]

Trustee	Yes	No	Absent	Abstain
Conn		X		
Dell	X			
Damisch	X			
Marlovits			X	
Vaughn	X			
Walsh		X		
Overstreet				
Totals	3	2	1	0

Approved October 22, 2018.


 President

Attested, Filed in my office, and published in pamphlet form on October 22, 2018.


 Clerk of the Village of Lily Lake, Kane County, Illinois