July 2, 2018

The Ogle County Board, at their regular meeting held on Tuesday, June 19, 2018, Janes presents #3-18 AMENDMENT - Larry G. & Sandra P. Creekmur, 5231 S. Beck Rd., Rochelle, IL for an amendment to the Zoning District to rezone from AG-1 Agricultural District to R-1 Rural Residence District on property described as follows, and owned by the petitioners: Part of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of the Northeast Quarter (NE1/4) of Section 14 Dement Township 40N, R2E of the 3rd P.M., Ogle County, IL, 5.0 acres, more or less - P.I.N.: Part of 25-14-200-004 - Common Location: 5231 S. Beck Rd.

Janes moves to approve – O-2018-0601 as presented and Smith seconds.

The motion carries. (Placed on file)

Laura J. Cook
Ogle County Clerk

The contents of this letter are a portion of the tentative Ogle County Board minutes pertaining to your zoning request. These minutes are subject to approval at the next Ogle County Board meeting.
WHEREAS, Larry G. & Sandra P. Creekmur have filed a petition for a Map Amendment (Petition No. 03-18AM) to re-zone from AG-1 Agricultural District to R-1 Rural Residence District on property located at 5231 S. Beck Road in Dement Township and legally described as shown in Exhibit “A” attached hereto; and

WHEREAS, following due and proper notice by publication in the Ogle County Life at least fifteen (15) days prior thereto, and by mailing notice to all owners of property abutting the subject property at least fifteen (15) days prior thereto, the Ogle County Zoning Board of Appeals conducted a public hearing on May 24, 2018 at which the petitioners presented evidence, testimony, and exhibits in support of the requested Map Amendment, no member(s) of the public spoke in support of the petition, and no members(s) of the public spoke in opposition to the petition; and

WHEREAS, the Zoning Board of Appeals, having considered the evidence, testimony and exhibits presented has made its findings of fact and recommended that the requested Map Amendment be approved as set forth in the Findings of Fact and Recommendation of the Ogle County Zoning Board of Appeals dated May 24, 2018, a copy of which is appended hereto as Exhibit “B”; and

WHEREAS, the Supervisor of Assessments and Planning & Zoning Committee of the Ogle County Board has reviewed the testimony and exhibits presented at the public hearing and has considered the Findings of Fact and recommendation of the Zoning Board of Appeals, and has forwarded a recommendation to the Ogle County Board that the requested Map Amendment be approved as recommended by the Zoning Board of Appeals; and

WHEREAS, the Ogle County Board has considered the findings of fact and recommendation of the Zoning Board of Appeals and the recommendation of the Supervisor of Assessments and Planning & Zoning Committee, and has determined that granting the Map Amendment would be consistent with the requirements established by Section 16-9-7G of the Ogle County Amendatory Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF OGLE COUNTY, ILLINOIS, as follows:

SECTION ONE: The report of the Ogle County Zoning Board of Appeals, Exhibit “B” attached hereto, is hereby accepted and the findings set forth therein are hereby adopted as the findings of fact and conclusions of the Ogle County Board.

SECTION TWO: Based on the findings of fact as set forth above, the petition of Larry G. & Sandra P. Creekmur for a Map Amendment (Petition No. 03-18AM) to re-zone from AG-1 Agricultural District to R-1 Rural Residence District on property located at 5231 S. Beck Road in Dement Township and legally described as shown in Exhibit “A” attached hereto, is hereby approved and the Ogle County Zoning Map shall be amended to reflect said zone change.
SECTION THREE: This Ordinance shall be in full force and effect upon its adoption by the County Board of Ogle County, Illinois and attestation by the Ogle County Clerk.

SECTION FOUR: Failure of the owners of other party in interest to comply with the terms of this Ordinance, after execution of such Ordinance, shall subject the owners or party in interest to the penalties set forth in Section 16-9-10 of the Ogle County Amendatory Zoning Ordinance.

PASSED BY THE COUNTY BOARD THIS 19TH DAY OF JUNE 2018 A.D.

Kim P. Gouker, Chairman of the Ogle County Board

ATTEST:

Laura J. Cook, Ogle County Clerk and Ex Officio Clerk of the Ogle County Board
EXHIBIT “A”
LEGAL DESCRIPTION

Part of the Northwest Quarter of the Northeast Quarter of Section 14, Township 40 North, Range 2 East of the Third Principal Meridian, bounded and described as follows:

Commencing at the Northwest Corner of the Northeast Quarter of said Section 14; thence South 00 degrees 14 minutes 49 seconds East along the West Line of the Northeast Quarter of said Section 14, a distance of 792.37 feet to the Point of Beginning of the hereinafter described tract of land; thence North 89 degrees 54 minutes 21 seconds East, parallel with the South Line of the Northwest Quarter of said Northeast Quarter, a distance of 466.69 feet; thence South 00 degrees 14 minutes 49 seconds East, parallel with the West Line of said Northeast Quarter, a distance of 466.69 feet; thence South 89 degrees 54 minutes 21 seconds West, parallel with the South Line of the Northwest Quarter of said Northeast Quarter, a distance of 466.69 feet to the West Line of said Northeast Quarter; thence North 00 degrees 14 minutes 49 seconds West along said West Line, a distance of 466.69 feet to the Point of Beginning, containing 5.000 acres, more or less, subject to that land being used for public road purposes and also subject to all easements, agreements, county codes and/or ordinances of record, if any, all situated in the Township of Dement, the County of Ogle, and the State of Illinois.

Parcel Identification Number: 25-14-200-004
Common Location: 5231 S. Beck Road
EXHIBIT “B”

FINDINGS OF FACT AND RECOMMENDATION OF THE ZONING BOARD OF APPEALS
This is the findings of fact and the recommendation of the Ogle County Zoning Board of Appeals concerning an application of Larry G. & Sandra P. Creekmur in case #03-18AM. The applicants are requesting a Map Amendment to change the zoning classification from AG-1 Agricultural District to R-1 Rural Residence District on part of Parcel Identification No. 25-14-200-004, a 5.0-acre parcel of land located in part of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of Section 14, T40N, R1E of the 3rd P.M., Dement Township, Ogle County, IL and located at 5231 S. Beck Road.

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on May 24, 2018 in the County Board Room, 3rd Floor, Ogle County Courthouse, Oregon, Illinois and hereby reports its findings of fact and recommendation(s) as follows:

SITE INFORMATION: See Staff Report (attached herewith).

ANALYSIS OF SIX STANDARDS: After considering all the evidence and testimony presented at the public hearing, this Board makes the following analysis of the six standards listed in Section 16-9-7G (Report by Zoning Board of Appeals) of the Ogle County Amendatory Zoning Ordinance that must all be found in the affirmative prior to recommending granting of the petition.

1. That the proposed amendment will allow development that is compatible with existing uses and zoning of nearby property. **There are several other non-farm residential parcels within 1/4 mile of the site, a residential use is established on the subject parcel, and the site is within 1.5 miles of the City of Rochelle and the Village of Creston. Standard met.**

2. That the County of Ogle and other service providers will be able to provide adequate public facilities and services to the property (including, but not necessarily limited to, schools, police and fire protection, roads and highways, water supply and sewage disposal), while maintaining adequate public facilities and levels of service to existing development. **Residential use of the site will not create a burden on the County of Ogle and other public service providers due to the low intensity of development proposed. Standard met.**

3. That the proposed amendment will not result in significant adverse impacts on other property in the vicinity of the subject site or on the environment, including air, noise, stormwater management, wildlife and natural resources. **Evidence indicates that no adverse impacts on other property or significant impact on the environment will result from the proposed map amendment. Standard met.**

4. That the subject property is suitable for the proposed zoning classification. **The site is suitable for the R-1 zoning district due to its compatibility with the established non-farm residential uses in the immediate vicinity, its location within 1.5 miles of the City of Rochelle and the Village of Creston, and the fact that it meets the lot size and width requirements. Standard met.**
5. That the proposed zoning classification is consistent with the trend of development, if any, in the
general area of the subject property including changes, if any, which have taken place since the
day the property in question was placed in its present zoning classification. The trend of
development in the general area is of existing and established residential uses that were
likely farmsteads at one time. The proposed zoning classification of R-1 Rural Residence
District is consistent with this trend. Standard met.

6. That the proposed amendment is consistent with the public interest and not solely for the interest
of the applicant, giving due consideration to the stated purpose and intent of the Amendatory
Zoning Ordinance as set forth in Division 1 therein, the Land Evaluation and Site Assessment
(LESA) findings (if applicable), and the recommendation(s) of the Ogle County Regional Planning
Commission with respect to the Ogle County Amendatory Comprehensive Plan. The proposed
amendment is consistent with the public interest and not solely for the interest of the
applicant, as the proposed use is consistent with established non-farm uses in the immediate
vicinity, the site contains an established residential use, and the LESA score indicates a
medium rating for protection. The Zoning Board of Appeals has given due consideration
that the Regional Planning Commission has recommended approval. Standard met.

RECOMMENDATION: We find that the proposed map amendment requested meets all the standards
for recommending granting as found in Section 16-9-7G of the Ogle County Amendatory Zoning
Ordinance and that such request is in the public interest. Therefore, the Zoning Board of Appeals hereby
recommends that the zoning district classification of the property described above be changed from AG-1
Agricultural District to R-1 Rural Residence District.

ROLL CALL VOTE: The roll call vote was 5 members for the motion to recommend granting, 0
opposed.

Respectfully submitted this 24th day of May 2018 by the Ogle County Zoning Board of Appeals.

Randy Ocken
David Williams
Paul Soderholm
Cody Considine
Mark Hayes

______________________________
Randy Ocken, Chairman

ATTEST:

______________________________
Michael Reibel, Secretary
July 2, 2018

The Ogle County Board, at their regular meeting held on Tuesday, June 19, 2018, Janes presents #5-18 SPECIAL USE - Faith Assembly of Grand Detour, John H. Wegmeyer, 7881 South Green St., Dixon, IL for a Special Use Permit to allow a private school in the R-2 Single-Family Residence District on property described as follows and owned by petitioner: Part of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) and part of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) Section 12, T22N, R9E of the 4th P.M.; AND part of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) Section 13 T22N, R9E of the 4th P.M., Grand Detour Township, Ogle County, IL; containing 9.47 acres, more or less – P.I.N.: 21-12-378-003 - Common Location: 7772 S. Clinton St.

Janes moves to approve – O-2018-0602 as presented and Oltmanns seconds.

The motion carries. (Placed on file)

Laura J. Cook
Ogle County Clerk

The contents of this letter are a portion of the tentative Ogle County Board minutes pertaining to your zoning request. These minutes are subject to approval at the next Ogle County Board meeting.
WHEREAS, Faith Assembly of Grand Detour c/o John Wegmeyer, 7881 S. Green St., Dixon, IL has filed a petition for a Special Use Permit in the R-2 Single Family Residence District (Petition No. 05-18SU) to allow a private school on property located at 7772 S. Clinton Street in Grand Detour Township and legally described as shown in Exhibit “A” attached hereto; and

WHEREAS, following due and proper notice by publication in the Ogle County Life at least fifteen (15) days prior thereto, and by mailing notice to all owners of property abutting the subject property at least fifteen (15) days prior thereto, the Ogle County Zoning Board of Appeals conducted a public hearing on May 24, 2018 at which the petitioner presented evidence, testimony, and exhibits in support of the requested Special Use Permit, no member(s) of the public spoke in favor of the petition, and no member(s) of the public spoke in opposition to the petition; and

WHEREAS, the Zoning Board of Appeals, having considered the evidence, testimony and exhibits presented has made its findings of fact and recommended that the requested Special Use Permit be granted as set forth in the Findings of Fact and Recommendation of the Ogle County Zoning Board of Appeals dated May 24, 2018, a copy of which is appended hereto as Exhibit “B”; and

WHEREAS, the Supervisor of Assessments and Planning & Zoning Committee of the Ogle County Board has reviewed the testimony and exhibits presented at the public hearing and has considered the findings of fact and recommendation of the Zoning Board of Appeals, and has forwarded a recommendation to the Ogle County Board that the requested Special Use Permit be granted; and

WHEREAS, the Ogle County Board has considered the findings of fact and recommendation of the Zoning Board of Appeals and the recommendation of the Planning & Zoning Committee, and has determined that granting the Special Use Permit in the R-2 Single Family Residence District (Petition No. 05-08SU) to allow a private school on property located at 7772 S. Clinton Street in Grand Detour Township and legally described as shown in Exhibit “A” attached hereto would be consistent with the requirements established by Section 16-9-8C of the Ogle County Amendatory Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF OGLE COUNTY, ILLINOIS, as follows:

SECTION ONE: The report of the Ogle County Zoning Board of Appeals, Exhibit “B” attached hereto, is hereby accepted and the findings set forth therein are hereby adopted as the findings of fact and conclusions of the Ogle County Board.

SECTION TWO: Based on the findings of fact set forth above, the petition of Faith Assembly of Grand Detour c/o John Wegmeyer, 7881 S. Green St., Dixon, IL for a Special Use Permit in the R-2 Single Family Residence District (Petition No. 05-18SU) to allow a private school on property located at 7772 S. Clinton Street in Grand Detour Township and legally described as shown in Exhibit “A” attached hereto, is hereby approved.
SECTION THREE: This Ordinance shall be in full force and effect upon its adoption by the County Board of Ogle County, Illinois and attestation by the Ogle County Clerk.

SECTION FOUR: Failure of the owners or other party in interest or a subsequent owner or other party in interest to comply with the terms of this Ordinance, after execution of such Ordinance, shall subject the owners or party in interest to the penalties set forth in Section 16-9-10 of the Ogle County Amendatory Zoning Ordinance.

PASSED BY THE COUNTY BOARD THIS 19TH DAY OF JUNE 2018 A.D.

[Signature]
Kim P. Gouker, Chairman of the Ogle County Board

ATTEST:

[Signature]
Laura J. Cook, Ogle County Clerk and Ex Officio Clerk of the Ogle County Board
EXHIBIT “A”

LEGAL DESCRIPTION

Part of Sections 12 and 13 in Township 22 North, Range 9 East of the Fourth Principal Meridian, in the County of Ogle and State of Illinois, the point of beginning described as follows:

Commencing at the Northeast corner of Block 1, of the Original Town of Grand Detour; thence Northwesterly along the Northerly line of Block 1, 231.0 feet to the point of beginning; thence Northeasterly at an angle of 81 degrees, 28 minutes measured counterclockwise from the last described course, 199.8 feet; thence Southeasterly parallel with the Northerly line of said Block 1, 290.25 feet to the centerline of S.B.I. Route No.2, for the place of beginning; thence Northwesterly parallel to the North line of said Block 1, 290.25; thence Southwesterly at an angle of 98 degrees 32 minutes measured clockwise from the last described course, 199.8 feet to a point on the Northerly line of said Block 1, 231 feet Northwesterly from the Northeast corner of said Block 1; thence Northwesterly on the North line of Blocks 1 and 13 of said Original Town of Grand Detour, 404 feet; thence Northeasterly at an angle of 90 degrees, 19 minutes measured counterclockwise from the last described course, 668.0 feet; thence Southeasterly parallel with the North line of said Blocks 1 and 13, 795 feet to the centerline of S.B.I. Route No.2; thence Southwesterly along said centerline to the place of beginning; EXCEPTING THEREFROM that portion deeded to the State of Illinois for public road purposes by Warranty Deed dated March 23, 1994 and recorded May 27, 1994 in Book 1994 on Page 5030; situated in the Township of Grand Detour, the County of Ogle and the State of Illinois.

Property Identification Number (PIN): 21-12-378-003
Common Location: 7772 S. Clinton Street
EXHIBIT “B”

FINDINGS OF FACT AND RECOMMENDATION
OF THE ZONING BOARD OF APPEALS
FINDINGS OF FACT AND RECOMMENDATION
OF THE OGLE COUNTY ZONING BOARD OF APPEALS

This is the findings of fact and the recommendation of the Ogle County Zoning Board of Appeals concerning an application of Faith Assembly of Grand Detour c/o John Wegmeyer, 7881 S. Green St., Dixon, IL in case #5-18SU. The applicant is requesting a Special Use Permit in the R-2 Single Family Residence District to allow a private school on Parcel Identification No. 21-12-378-003, a 9.47-acre parcel located in part of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) and part of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section 12, T22N, R9E of the 4th P.M.; AND part of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 13, Township 22N, R9E of the 4th P.M., located in Grand Detour Township, Ogle County, Illinois and commonly known as 7772 S. Clinton Street.

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on May 24, 2018 in the County Board Room, 3rd Floor, Ogle County Courthouse, Oregon, Illinois and hereby reports its findings of fact and recommendation(s) as follows:

SITE INFORMATION: See Staff Report (attached herewith).

ANALYSIS OF SIX STANDARDS: After considering all the evidence and testimony presented at the public hearing, this Board makes the following analysis of the six standards listed in Section 16-9-8C (Standards for Special Use Permits) of the Ogle County Amendatory Zoning Ordinance that must all be found in the affirmative prior to recommending granting of the petition.

1. That the proposed special use will not be unreasonably detrimental to the value of other property in the neighborhood in which it is to be located or the public health, safety, morals, comfort or general welfare at large. **The proposed special use will re-establish the use that has historically been conducted on the property, that being a school. STANDARD MET.**

2. That the location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the special use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the special use will so dominate the immediate neighborhood, consideration shall be given to:
   a. The location, nature and height of building, structures, walls and fences on the site; and,
   b. The nature and extent of proposed landscaping and screening on the proposed site.

   **The special use will not alter the existing characteristics of the site and will re-establish the use that has been historically conducted on the property. STANDARD MET.**

3. That off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations. **The site is large enough so that adequate off-street parking and loading areas can be provided. STANDARD MET.**
4. That adequate utilities, ingress/egress to the site, access roads, drainage and other such necessary facilities have been or will be provided. Adequate utilities, ingress/egress to the site from S. Clinton Street, access roads, drainage and other such necessary facilities have been or will be provided. STANDARD MET.

5. That the proposed use can be operated in a manner that is not detrimental to the permitted developments and uses in the zoning district; can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; and is deemed essential or desirable to preserve and promote the public health, safety and general welfare of Ogle County. The proposed use can be operated in a manner that is not detrimental to the permitted developments and uses in the R-2 Single Family Residence District, and will be visually compatible with the surrounding area. The proposed use is essential and desirable to preserve and promote the public health, safety and general welfare of Ogle County. STANDARD MET.

6. That the proposed special use complies with all provisions of the applicable district regulations. The proposed special use appears to comply with all provisions of the R-2 zoning district regulations. STANDARD MET.

RECOMMENDATION: After considering all the evidence and testimony presented, this Board finds that the application meets all the standards as found in Section 6-9-8C of the Ogle County Amendatory Zoning Ordinance.

Therefore, the Zoning Board of Appeals hereby recommends that a Special Use Permit in the R-2 Single Family Residence District to allow a private school be granted.

ROLL CALL VOTE: The roll call vote was 5 members for the motion to recommend granting, 0 opposed.

Respectfully submitted this 24th day of May 2018 by the Ogle County Zoning Board of Appeals.

Randy Ocken, Chairman
David Williams
Cody Considine
Paul Soderholm
Mark Hayes

Randy Ocken, Chairman

ATTEST:

Michael Reibel, Secretary
The Ogle County Board, at their regular meeting held on Tuesday, June 19, 2018, Janes presents #4-18 TEXT AMENDMENT - Michael Reibel, Ogle County Planning & Zoning Administrator under the direction of the Planning & Zoning Committee of the Ogle County Board for an Amendment to the text of the Ogle County Amendatory Zoning Ordinance, as follows:

1. Division 2, Section 16-2-2: Rules and Definitions; Definitions
2. Division 5, Section 16-5-1C: AG-1 Agricultural District; Special Uses
3. Division 5, Section 16-5-3C: R-1 Rural Residence District; Special Uses

Michael Reibel, Ogle County Planning & Zoning Administrator explained that this amendment basically takes an existing definition of a boarding house and breaks the definition into two classes depending on the number of individuals being housed. Class One being rented to 10 or fewer at one time. Class Two is being rented to more than 10 people. Class One boarding houses would be allowed in Agricultural, Intermediate Agricultural - R1 & R2 zoning districts. The Class Two housing more than 10 will only be allowed Ag and Intermediate Ag district but as Special Uses.

Janes moves to approve – O-2018-0603 as presented to rezone and Colson seconds.

The motion carries. (Placed on file)

Laura J. Cook
Ogle County Clerk

The contents of this letter are a portion of the tentative Ogle County Board minutes pertaining to your zoning request. These minutes are subject to approval at the next Ogle County Board meeting.
ORDINANCE NO. 2018-0603

AN ORDINANCE APPROVING AMENDMENTS TO THE TEXT OF THE
OGLE COUNTY AMENDATORY ZONING ORDINANCE

WHEREAS, Michael Reibel, Ogle County Planning & Zoning Administrator, under the direction of the Supervisor of Assessments and Planning & Zoning Committee of the Ogle County Board, has filed a petition for an Amendment to the Text of the Ogle County Amendatory Zoning Ordinance (Petition No. 4-18AM) in accordance with the applicable requirements of the Ogle County Amendatory Zoning Ordinance and the laws of the State of Illinois; and

WHEREAS, the Ogle County Regional Planning Commission, at its May 17, 2018 monthly meeting, recommended that the requested Text Amendment by adopted as presented, said requested Text Amendment being consistent with the goals and objectives of the Ogle County Amendatory Comprehensive Plan; and

WHEREAS, following due and proper notice by publication in the Ogle County Life, Rochelle News-Leader, Ogle County News, Dixon/Sterling Telegraph, and Tempo, newspapers of general circulation within the County of Ogle, at least fifteen (15) days prior thereto, and by mailing notice to all municipalities within the County of Ogle, and by mailing notice to all Township Supervisors and Township Planning Commissions within the County of Ogle, the Ogle County Zoning Board of Appeals conducted a public hearing as required by law on May 24, 2018; and,

WHEREAS, the Zoning Board of Appeals, having considered the evidence, testimony and exhibits presented has made its report and findings of fact, and has recommended that the requested Text Amendment be adopted as set forth in the Findings of Fact and Recommendation of the Ogle County Zoning Board of Appeals dated May 24, 2018, a copy of which is appended hereto as Exhibit “I”; and,

WHEREAS, the Supervisor of Assessments and Planning & Zoning Committee of the Ogle County Board has reviewed the testimony presented at the aforesaid public hearing and has considered the findings of fact and recommendation of the Zoning Board of Appeals, and has forwarded a recommendation to the Ogle County Board that the proposed amendments to the text of the Ogle County Amendatory Zoning Ordinance be adopted by the Ogle County Board.

WHEREAS, the Ogle County Board has considered the recommendation of the Regional Planning Commission, the findings of fact and recommendation of the Zoning Board of Appeals and the recommendation of the Supervisor of Assessments and Planning & Zoning Committee, and has determined that adoption of the requested Text Amendment (Petition No. 4-18 Text Amendment) as indicated in Exhibit “I” appended hereto is consistent with the public interest, is consistent with the goals and objectives of the Ogle County Amendatory Comprehensive Plan, and is in the best interests of the citizens of the County of Ogle.
NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF OGLE COUNTY, ILLINOIS, as follows:

SECTION ONE: The Findings of Fact and Recommendation of the Ogle County Zoning Board of Appeals, Exhibit "I" appended hereto, is hereby accepted, and the finding of fact set forth above are hereby adopted as the findings of fact and conclusions of the Ogle County Board.

SECTION TWO: The proposed amendments to the text of the Ogle County Amendatory Zoning Ordinance as indicated in Exhibit "I" appended hereto are hereby adopted by the Ogle County Board.

SECTION THREE: This amendment to the text of the Ogle County Amendatory Zoning Ordinance shall be in full force and effect immediately upon its adoption and passage by the County Board of Ogle County, Illinois.

PASSED BY THE OGLE COUNTY BOARD THIS 19TH DAY OF JUNE 2018 A.D.

[Signature]
Kim P. Gouker
Chairman, Ogle County Board

ATTEST:

[Signature]
Laura J. Cook
Ogle County Clerk and
Ex Officio Clerk of the Ogle County Board
Exhibit “I”
Findings of Fact and Recommendation of the Zoning Board of Appeals
FINDINGS OF FACT AND RECOMMENDATION
OF THE OGLE COUNTY ZONING BOARD OF APPEALS

This is the findings of fact and the recommendation of the Ogle County Zoning Board of Appeals concerning an application of Michael Reibel, Ogle County Planning & Zoning Administrator, under the direction of the Supervisor of Assessments and Planning & Zoning Committee of the Ogle County Board in case #04-18 Text Amendment. The applicant is proposing to amend the text of the Ogle County Amendatory Zoning Ordinance as indicated in Exhibit “A” attached hereto.

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on May 24, 2018 in the County Board Room, 3rd Floor of the Ogle County Courthouse, Oregon, Illinois and hereby reports its findings and recommendation as follows:

FINDINGS: The Zoning Board of Appeals hereby finds that the proposed amendments to the text of the Ogle County Amendatory Zoning Ordinance, Exhibit “A” attached hereto, are consistent with the public interest and the goals and objectives of the Ogle County Amendatory Comprehensive Plan, and are in the best interests of the citizens of the Ogle County, Illinois.

RECOMMENDATION: The Zoning Board of Appeals hereby recommends that the proposed amendments to the text of the Ogle County Amendatory Zoning Ordinance, Exhibit “A” attached hereto, be adopted by the Ogle County Board.

ROLL CALL VOTE: The roll call vote was 5 members for the motion to recommend adoption of the proposed amendments to the text of the Ogle County Amendatory Zoning Ordinance, 0 opposed.

Respectfully submitted this 24th day of May 2018 by the Ogle County Zoning Board of Appeals.

Randy Ocken, Chairman
David Williams
Cody Considine
Paul Soderholm
Mark Hayes

____________________________________
Randy Ocken, Chair

ATTEST:

____________________________________
Michael Reibel, Secretary
EXHIBIT "A"
PROPOSED AMENDMENTS TO THE
OGLE COUNTY AMENDATORY ZONING ORDINANCE
APRIL 2018

NOTE: "RED-LINED TEXT" INDICATES NEW TEXT TO BE ADDED; "STRIKE-OUT TEXT" INDICATES TEXT TO BE DELETED.

A. Division 2, Section 16-2-2: Rules and Definitions; Definitions

Amend the following definition:

BOARDING HOUSE, CLASS 1: A residential use consisting of at least one dwelling unit together with more than two rooms that are rented or are designed or intended to be rented but which rooms, individually or collectively, do not constitute separate dwelling units; or, a single-family dwelling provided for rental by one or more persons but not exceeding ten persons, for a period of less than 30 days. A boarding house is designed to be occupied by short term (less than 30 days) guests.

Add the following definition:

BOARDING HOUSE, CLASS 2: A single-family dwelling provided for rental by more than ten persons for a period of less than 30 days.

B. Division 5, Section 16-5-1C: AG-1 Agricultural District; Special Uses

Amend the following listed Special Use:

Boarding House, Class 1

Add the following to the list of allowable Special Uses:

Boarding House, Class 2

C. Division 5, Section 16-5-3C: R-1 Rural Residence District; Special Uses

Amend the following listed Special Use:

Boarding House, Class 1
July 2, 2018

The Ogle County Board, at their regular meeting held on Tuesday, June 19, 2018, Janes presents #5-18 AMENDMENT - Carol A. & M. Thomas Suits, 610 West Colden St., Polo, IL for an Amendment to the Zoning District to rezone from AG-1 Agricultural District to R-1 Rural Residence District on property described as follows and owned by the petitioners: Part of the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4) of Section 14 Buffalo Township 23N, R8E of the 4th P.M., Ogle County, IL, 5.59 acres, more or less – P.I.N.: 14-14-100-009 - Common Location: 10,000 block of W. Pines Rd.

Janes moves to approve – O-2018-0604 as presented and Hopkins seconds.

The motion carries. (Placed on file)

Laura J. Cook
Ogle County Clerk

The contents of this letter are a portion of the tentative Ogle County Board minutes pertaining to your zoning request. These minutes are subject to approval at the next Ogle County Board meeting.
STATE OF ILLINOIS )
)
COUNTY OF OGLE )

ORDINANCE NO. 2018-0604

AN ORDINANCE APPROVING A ZONING MAP AMENDMENT ON PROPERTY LOCATED IN THE 10,000 BLOCK OF W. PINES ROAD IN BUFFALO TOWNSHIP

WHEREAS, Carol A. & M. Thomas Suits have filed a petition for a Map Amendment (Petition No. 05-18AM) to re-zone from AG-1 Agricultural District to R-1 Rural Residence District on property located in the 10,000 Block of W. Pines Road in Buffalo Township and legally described as shown in Exhibit “A” attached hereto; and

WHEREAS, following due and proper notice by publication in the Ogle County Life at least fifteen (15) days prior thereto, and by mailing notice to all owners of property abutting the subject property at least fifteen (15) days prior thereto, the Ogle County Zoning Board of Appeals conducted a public hearing on May 24, 2018 at which the petitioners presented evidence, testimony, and exhibits in support of the requested Map Amendment, no member(s) of the public spoke in support of the petition, and no members(s) of the public spoke in opposition to the petition; and

WHEREAS, the Zoning Board of Appeals, having considered the evidence, testimony and exhibits presented has made its findings of fact and recommended that the requested Map Amendment be approved as set forth in the Findings of Fact and Recommendation of the Ogle County Zoning Board of Appeals dated May 24, 2018, a copy of which is appended hereto as Exhibit “B”; and

WHEREAS, the Supervisor of Assessments and Planning & Zoning Committee of the Ogle County Board has reviewed the testimony and exhibits presented at the public hearing and has considered the Findings of Fact and recommendation of the Zoning Board of Appeals, and has forwarded a recommendation to the Ogle County Board that the requested Map Amendment be approved as recommended by the Zoning Board of Appeals; and

WHEREAS, the Ogle County Board has considered the findings of fact and recommendation of the Zoning Board of Appeals and the recommendation of the Supervisor of Assessments and Planning & Zoning Committee, and has determined that granting the Map Amendment would be consistent with the requirements established by Section 16-9-7G of the Ogle County Amendatory Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF OGLE COUNTY, ILLINOIS, as follows:

SECTION ONE: The report of the Ogle County Zoning Board of Appeals, Exhibit “B” attached hereto, is hereby accepted and the findings set forth therein are hereby adopted as the findings of fact and conclusions of the Ogle County Board.

SECTION TWO: Based on the findings of fact as set forth above, the petition of Carol A. & M. Thomas Suits for a Map Amendment (Petition No. 05-18AM) to re-zone from AG-1 Agricultural District to R-1 Rural Residence District on property located in the 10,000 Block of W. Pines Road in Buffalo Township and legally described as shown in Exhibit “A” attached hereto, is hereby approved and the Ogle County Zoning Map shall be amended to reflect said zone change.
SECTION THREE: This Ordinance shall be in full force and effect upon its adoption by the County Board of Ogle County, Illinois and attestation by the Ogle County Clerk.

SECTION FOUR: Failure of the owners of other party in interest to comply with the terms of this Ordinance, after execution of such Ordinance, shall subject the owners or party in interest to the penalties set forth in Section 16-9-10 of the Ogle County Amended Zoning Ordinance.

PASSED BY THE COUNTY BOARD THIS 19TH DAY OF JUNE 2018 A.D.

Kim P. Gouker, Chairman of the Ogle County Board

ATTEST:

Laura J. Cook, Ogle County Clerk and Ex Officio Clerk of the Ogle County Board
EXHIBIT “A”
LEGAL DESCRIPTION

Part of the East Half (E1/2) of the Northwest Quarter (NW1/4) of Section Fourteen (14), Township Twenty-three (23) North, Range Eight (8) East of the Fourth (4th) Principal Meridian, Ogle County, Illinois, described as follows, to wit:

Beginning at a point on the North line of the East Half (E1/2) of the Northwest Quarter (NW1/4) of said Section Fourteen (14), said point being 720.57 feet West of the Northeast corner thereof; thence Westerly, along said North line, a distance of 587.85 feet to the Northeast corner of the property described in a warranty deed dated October 30, 1990 and recorded in Book 90 at page 5239 in the Office of the Ogle County Recorder; thence Southerly, along the East line thereof and the Southerly extension thereof, at an angle of 90 degrees 17 minutes 11 seconds as measured clockwise from the last described course, a distance of 415.23 feet; thence Easterly, parallel with said North line, at an angle of 89 degrees 42 minutes 49 seconds as measured clockwise from the last described course, a distance of 585.01 feet; thence Northerly, at an angle of 90 degrees 40 minutes 40 seconds as measured clockwise from the last described course, a distance of 415.25 feet to the Point of Beginning, containing 5.590 acres, more or less.

Parcel Identification Number: 14-14-100-009
Common Location: 10,000 Block of W. Pines Road
EXHIBIT “B”

FINDINGS OF FACT AND RECOMMENDATION
OF THE ZONING BOARD OF APPEALS
This is the findings of fact and the recommendation of the Ogle County Zoning Board of Appeals concerning an application of Carol A. & M. Thomas Suits in case #05-18AM. The applicants are requesting a Map Amendment to change the zoning classification from AG-1 Agricultural District to R-1 Rural Residence District on Parcel Identification No. 14-14-100-09, a 5.59-acre parcel of land located in part of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 14, T23N, R8E of the 4th P.M., Buffalo Township, Ogle County, IL and located in the 10,000 Block of W. Pines Road.

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on May 24, 2018 in the County Board Room, 3rd Floor, Ogle County Courthouse, Oregon, Illinois and hereby reports its findings of fact and recommendation(s) as follows:

SITE INFORMATION: See Staff Report (attached herewith).

ANALYSIS OF SIX STANDARDS: After considering all the evidence and testimony presented at the public hearing, this Board makes the following analysis of the six standards listed in Section 16-9-7G (Report by Zoning Board of Appeals) of the Ogle County Amended Zoning Ordinance that must all be found in the affirmative prior to recommending granting of the petition.

1. That the proposed amendment will allow development that is compatible with existing uses and zoning of nearby property. There are several other non-farm residential parcels within 1/4 mile of the site, there are established residential uses on the parcels adjacent to the east and west, and the site is within 1.5 miles of the City of Polo. Standard met.

2. That the County of Ogle and other service providers will be able to provide adequate public facilities and services to the property (including, but not necessarily limited to, schools, police and fire protection, roads and highways, water supply and sewage disposal), while maintaining adequate public facilities and levels of service to existing development. Residential use of the site will not create a burden on the County of Ogle and other public service providers due to the low intensity of development proposed, the site’s proximity to the City of Polo, and the site’s location on a County highway. Standard met.

3. That the proposed amendment will not result in significant adverse impacts on other property in the vicinity of the subject site or on the environment, including air, noise, stormwater management, wildlife and natural resources. Evidence indicates that no adverse impacts on other property or significant impact on the environment will result from the proposed map amendment. Standard met.

4. That the subject property is suitable for the proposed zoning classification. The site is suitable for the R-1 zoning district due to its compatibility with the established non-farm residential uses in the immediate vicinity, its location within 1.5 miles of the City of Polo, and the fact that it meets the lot size and width requirements. Standard met.
5. That the proposed zoning classification is consistent with the trend of development, if any, in the general area of the subject property including changes, if any, which have taken place since the day the property in question was placed in its present zoning classification. The trend of development in the general area is of existing and established scattered residential uses. The proposed zoning classification of R-1 Rural Residence District is consistent with this trend, particularly since the subject parcel is located between two non-farm residential parcels. 

Standard met.

6. That the proposed amendment is consistent with the public interest and not solely for the interest of the applicant, giving due consideration to the stated purpose and intent of the Amendatory Zoning Ordinance as set forth in Division 1 therein, the Land Evaluation and Site Assessment (LESA) findings (if applicable), and the recommendation(s) of the Ogle County Regional Planning Commission with respect to the Ogle County Amendatory Comprehensive Plan. The proposed amendment is consistent with the public interest and not solely for the interest of the applicant, as the proposed use is consistent with established non-farm uses in the immediate vicinity. Although the LESA score indicates a high rating for protection, the parcel is adjoined by non-farm residential parcels on the east and west, and the parcel is not practical to be farmed by modern agricultural equipment. The Zoning Board of Appeals has given due consideration that the Regional Planning Commission has recommended approval. 

Standard met.

RECOMMENDATION: We find that the proposed map amendment requested meets all the standards for recommending granting as found in Section 16-9-7G of the Ogle County Amendatory Zoning Ordinance and that such request is in the public interest. Therefore, the Zoning Board of Appeals hereby recommends that the zoning district classification of the property described above be changed from AG-1 Agricultural District to R-1 Rural Residence District.

ROLL CALL VOTE: The roll call vote was 5 members for the motion to recommend granting, 0 opposed.

Respectfully submitted this 24th day of May 2018 by the Ogle County Zoning Board of Appeals.

Randy Ocken
David Williams
Paul Soderholm
Cody Considine
Mark Hayes

Randy Ocken, Chairman

ATTEST:

Michael Reibel, Secretary
The Ogle County Board, at their regular meeting held on Tuesday, June 19, 2018, Janes presents #8-18 SPECIAL USE - SV CSG Davis Junction1, LLC, Tim Polz, Manager, 25 N. River Lane, Geneva, IL; and Rachel A. Davis Living Trust, %Rachel A. Davis, 13779 W. White Oak Rd., Forreston, IL to allow a solar farm in the AG-1 Agricultural District on property described as follows, owned by Rachel A. Davis Living Trust, and being leased by SV CSG Davis Junction1, LLC: Part of the Northeast Quarter (NE1/4) of Section 15 Scott Township 42N, R1E of the 3rd P.M., Ogle County, IL, 118.07 acres, more or less - P.I.N.(s): 11-15-200-016 & 11-15-200-010 - Common Location: 6500 Block of N. Junction Rd.

Janes moves to approve – O-2018-0605 as presented and McKinney seconds.

Meyers asks if this is the type of solar farm that tracks the sun or if it is a fixed system. Mike Reibel confirms that it is a fixed system. Roll Call Vote:

YES: Colson, Finfrock, Griffin, Gronewold, Hopkins, Kenney, McKinney, Reising, Saunders, Smith, Sparrow, Whalen, Bolin, and Colbert

NO: Fritz, Heuer, Janes, Meyers, Nordman, Oltmanns, and Gouker

ABSENT: Bowers, Typer and Williams

Motion carries on roll call vote. (Placed on file)

Laura J. Cook
Ogle County Clerk

The contents of this letter are a portion of the tentative Ogle County Board minutes pertaining to your zoning request. These minutes are subject to approval at the next Ogle County Board meeting.
WHEREAS, SV CSG Davis Junction, LLC, Tim Polz, Manager, 25 N. River Lane, Geneva, IL; and, Rachel A. Davis Living Trust, c/o Rachel A. Davis, 13779 W. White Oak Rd., Forreston, IL have filed a petition for a Special Use Permit in the AG-1 Agricultural District (Petition No. 08-18SU) to allow a solar farm on property located in the 6500 Block of N. Junction Road in Scott Township and legally described as shown in Exhibit “A” attached hereto; and

WHEREAS, following due and proper notice by publication in the Ogle County Life at least fifteen (15) days prior thereto, and by mailing notice to all owners of property abutting the subject property at least fifteen (15) days prior thereto, the Ogle County Zoning Board of Appeals conducted a public hearing on May 31, 2018 at which the petitioners presented evidence, testimony, and exhibits in support of the requested Special Use Permit, no member(s) of the public spoke in favor of the petition, and four member(s) of the public spoke in opposition to the petition; and

WHEREAS, the Zoning Board of Appeals, having considered the evidence, testimony and exhibits presented has made its findings of fact and recommended that the requested Special Use Permit be granted with conditions as set forth in the Findings of Fact and Recommendation of the Ogle County Zoning Board of Appeals dated May 31, 2018, a copy of which is appended hereto as Exhibit “B”; and

WHEREAS, the Supervisor of Assessments and Planning & Zoning Committee of the Ogle County Board has reviewed the testimony and exhibits presented at the public hearing and has considered the findings of fact and recommendation of the Zoning Board of Appeals, and has forwarded a recommendation to the Ogle County Board that the requested Special Use Permit be granted with conditions; and

WHEREAS, the Ogle County Board has considered the findings of fact and recommendation of the Zoning Board of Appeals and the recommendation of the Planning & Zoning Committee, and has determined that granting the Special Use Permit in the AG-1 Agricultural District (Petition No. 08-18SU) to allow a solar farm would be consistent with the requirements established by Section 16-9-8C of the Ogle County Amendatory Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF OGLE COUNTY, ILLINOIS, as follows:

SECTION ONE: The report of the Ogle County Zoning Board of Appeals, Exhibit “B” attached hereto, is hereby accepted and the findings set forth therein are hereby adopted as the findings of fact and conclusions of the Ogle County Board.

SECTION TWO: Based on the findings of fact set forth above, the petition of SV CSG Davis Junction, LLC, Tim Polz, Manager, 25 N. River Lane, Geneva, IL; and, Rachel A. Davis Living Trust, c/o Rachel A. Davis, 13779 W. White Oak Rd., Forreston, IL have filed a petition for a Special Use Permit in the AG-1 Agricultural District (Petition No. 08-18SU) to allow a solar farm on property located in the 6500 Block of N. Junction Road in Scott Township and legally described as shown in Exhibit “A” attached hereto, is hereby approved subject to the following conditions:
1. General Provisions:

All proposals and representations made by the applicants and/or their representative(s) shall be conditions of the Special Use Permit.

2. Development Standards

The following standards shall apply:

A. Height: No aspect of a solar farm shall exceed 25 feet in height, as measured from grade at the base of the structure to its highest point. Such height restriction shall not apply to transmission lines.

B. Setbacks: All aspects and components of a solar farm shall be set back a minimum 40 feet from the right-of-way line of a township jurisdiction road, a minimum of 60 feet from the right-of-way line of a county jurisdiction road, and a minimum of 80 feet from a state/federal jurisdiction road.

C. Yard Area Requirements: All aspects and components of a solar farm shall maintain the following yard areas:

1) Rear yard: Minimum 50 feet.

2) Side yards: Minimum 30 feet.

D. Approved Solar Components:

1) Electric solar farm components must have a UL listing or equivalent and must be designed with anti-reflective coating(s).

2) Building and electrical plans for the solar farm shall be in compliance with all required building and electrical codes for the State of Illinois.

E. Lighting: Lighting shall be installed for security and safety purposes only. Except with respect to lighting required by the FCC or FAA, all lighting shall be shielded so that no glare extends substantially beyond the boundaries of the property upon which the solar farm is located.

F. Stormwater Management: Best management practices shall be employed to minimize erosion and sedimentation during construction of the solar farm. A Drainage Permits will be required to be issued by the Ogle County Engineer for compliance with the Ogle County Stormwater Management Ordinance.

G. Vegetative Cover, Vegetative Maintenance and Weed Control: All areas occupied by the solar farm that are not utilized for access to operate and maintain the solar farm shall be planted and maintained with native warm-season grass(es) and/or other vegetation for the purpose of soil stabilization or other methods approved by the Planning & Zoning Administrator and/or County Engineer.

The solar farm owner/operator shall provide for weed control in a manner that prevents the spread of weeds onto agricultural land affected by the construction, operation or decommissioning of the solar farm. Spraying shall be done by a pesticide applicator that is appropriately licensed for doing such work in the State of Illinois.
The required fence surrounding the solar farm shall be maintained to prevent the growth of woody vegetation within and along the fence.

H. Zoning Certificate and Occupancy Certificate: Prior to construction of the solar farm, a Zoning Certificate (permit) shall be issued by the Planning & Zoning Department. All aspects and components of a solar farm shall require engineering certified by a registered engineer or other certified professional. Upon completion of construction of the solar farm and prior to placing into service, an Occupancy Certificate shall be issued by the Planning & Zoning Department. A "certificate of inspection" from a qualified inspector as defined pursuant to 20 ILCS 3105/10.09-1 is required to be submitted before an Occupancy Certificate will be issued.

I. Decommissioning:

1) The owner or operator of a solar farm shall completely decommission the solar farm within eighteen (18) months if any of the following conditions ("decommissioning triggers") exist:

   a. The solar farm ceases to generate electricity for a continuous period of twelve (12) consecutive months;
   b. The land lease ends, expires or is terminated;
   c. The solar farm is damaged and will not be repaired or replaced.

   This period may be extended by the Supervisor of Assessments and Planning & Zoning Committee of the Ogle County Board if the owner or operator provides evidence that the failure to generate electricity is due to circumstances beyond the owner's or operator's reasonable control and the solar farm has not been abandoned.

2) Decommissioning shall include:

   a. The removal all equipment, cables, wires, conduits, structures, fencing, and foundations to a depth of at least 42 inches below grade.
   b. The removal of all graveled areas and access roads unless the owner of the leased real estate requests in writing that they are to remain in place.
   c. Restoration of the land to a condition reasonably similar to its condition prior to the solar farm development, including replacement of top soil removed or eroded.
   d. Re-vegetation of any cleared and/or disturbed areas with warm season grasses and forbs that are native to the region, unless requested in writing by the owner of the real estate to not re-vegetate due to plans for agricultural planting.

3) As a condition of issuance of a Zoning Certificate authorizing the construction of the Solar Farm, Applicant shall submit to the Ogle County Planning & Zoning Department an estimate of decommissioning costs prepared by a qualified engineer. Ogle County may, at Applicant's expense, hire it's own qualified consultant to verify the accuracy of Applicant's estimate of decommissioning costs.

4) To ensure the full completion of decommissioning requirements, and/or to facilitate the mitigation and abatement of public nuisances or health hazards caused by debris or hazardous materials occurring in the event of partial or complete destruction of the solar farm by natural or man-made causes, the solar farm owner and/or operator shall obtain and deliver to the County of Ogle ("County") a letter of credit or performance bond, or
similar financial assurance, in form and substance reasonably satisfactory to the County, securing the solar farm owner and/or operator obligation to remove the solar farm ("Decommissioning Security").

The Decommissioning Security shall be equal to or greater than the estimated amount by which the cost of decommissioning the solar farm exceeds the salvage value of the solar farm. By its terms, the Decommissioning Security shall survive the bankruptcy or dissolution of the owner and/or operator of the solar farm or other termination of the owner and/or operator of the solar farm's existence or its legal obligations. Once it is in place, the owner and/or operator of the solar farm shall maintain the Decommissioning Security, and cause the Decommissioning Security to be valid and enforceable until the secured decommissioning obligations are satisfied.

When any of the identified decommissioning triggers exist, if the owner and/or operator of the solar farm has not complied with its decommissioning and related obligations, the County shall be entitled to make a claim against the Decommissioning Security for its costs to decommission the solar farm, net of any salvage value the County actually realizes.

Decommissioning costs shall be re-valuated once every five (5) years from the date of substantial completion of the solar farm to ensure sufficient funds for decommissioning and, if the parties agree at that time that the decommissioning costs need to be modified, the amount of the Decommissioning Security shall be adjusted accordingly.

J. Materials Handling, Storage and Disposal

1) All solid wastes related to the construction, operation and maintenance of the Solar Farm shall be removed from the site promptly and disposed of in accordance with all federal, state and local laws.

2) All hazardous materials related to the construction, operation and maintenance of the Solar Farm shall be handled, stored, transported and disposed of in accordance with all applicable local, state and federal laws.

K. Points of Contact

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. Any changes shall be reported immediately or as soon as possible.

L. Coordination with Local Fire Protection District(s)

1) The Applicant, Owner or Operator shall submit to the local fire protection district(s) a copy of the site plan.

2) Upon request by the local fire department, the Owner or Operator shall cooperate with the local fire department to develop the fire protection district's emergency response plan. The Solar Farm Owner/Operator shall cooperate with any and all local rescue authorities to provide training (at Owner's and/or Operator's expense) to personnel who can assist with a rescue from a Solar Farm.
3) Nothing in this section shall alleviate the need to comply with all other applicable fire, life safety and/or emergency response laws and regulations.

M. Miscellaneous Provisions:

1) The facility shall provide approval for access points and change in access use from the road authority having jurisdiction.

2) The perimeter of the solar farm shall be secured through the use of security fencing of at least six (6) feet in height.

3) The owner or operator of the solar farm shall provide for and maintain reasonable means of access for emergency services.

4) The owner of the solar farm shall enter into an Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture prior to commencement of construction of the solar farm.

SECTION THREE: This Ordinance shall be in full force and effect upon its adoption by the County Board of Ogle County, Illinois and attestation by the Ogle County Clerk.

SECTION FOUR: Failure of the owners or other party in interest or a subsequent owner or other party in interest to comply with the terms of this Ordinance, after execution of such Ordinance, shall subject the owners or party in interest to the penalties set forth in Section 16-9-10 of the Ogle County Amendatory Zoning Ordinance.

PASSED BY THE COUNTY BOARD THIS 19TH DAY OF JUNE 2018 A.D.

Kim P. Gouker, Chairman of the Ogle County Board

ATTEST:

Laura J. Cook, Ogle County Clerk and Ex Officio Clerk of the Ogle County Board
EXHIBIT “A”

LEGAL DESCRIPTION

Tract 1:
Part of the Northeast Quarter (1/4) of Section 15, Township 42 North, Range 1 East of the Third Principal Meridian, Ogle County, Illinois, described as follows: Beginning at the Northeast corner of the Northeast Quarter of Section 15; thence South 01 degrees 30 minutes 09 seconds East (assumed bearing) on and along the East line of said Northeast Quarter (1/4), a distance of 461.96 feet; thence South 46 degrees 35 minutes 12 seconds West, a distance of 868.16 feet; thence South 44 degrees 08 minutes 29 seconds West, a distance of 2245.33 feet to a point on the South line of said Northeast Quarter (1/4); thence South 89 degrees 26 minutes 08 seconds West, on and along last named line, a distance of 334.95 feet to the Southwest corner of said Northeast Quarter (1/4) of Section 15; thence North 01 degrees 21 minutes 48 seconds West on and along the West line of said Northeast Quarter (1/4) of Section 15, a distance of 1557.11 feet; thence North 89 degrees 22 minutes 18 seconds East, a distance of 400.00 feet; thence North 01 degrees 21 minutes 26 seconds East, a distance of 770.01 feet; thence North 89 degrees 28 minutes 50 seconds West, a distance of 787.00 feet; thence North 01 degree 29 minutes 40 seconds West (assumed bearing) a distance of 870.01 feet from the Southeast corner of the Northeast Quarter (1/4); thence South 01 degrees 29 minutes 40 seconds West, a distance of 870.01 feet; thence South 89 degrees 28 minutes 50 seconds East, a distance of 787.00 feet; thence North 01 degree 29 minutes 40 seconds West a distance of 276.75 feet; thence North 89 degrees 28 minutes 50 seconds East a distance of 787.00 feet to the point of beginning; all being situated in the Township of Scott, County of Ogle and the State of Illinois.

Property Identification Number (PIN): 11-15-200-016 and 11-15-200-010
Common Location: 6500 Block of N. Junction Road
EXHIBIT "B"

FINDINGS OF FACT AND RECOMMENDATION
OF THE ZONING BOARD OF APPEALS
Ogle County Zoning Board of Appeals

FINDINGS OF FACT AND RECOMMENDATION
OF THE OGLE COUNTY ZONING BOARD OF APPEALS

This is the findings of fact and the recommendation of the Ogle County Zoning Board of Appeals concerning an application of SV CSG Davis Junction I, LLC, Tim Polz, Manager, 25 N. River Lane, Geneva, IL; and, Rachel A. Davis Living Trust, c/o Rachel A. Davis, 13779 W. White Oak Rd., Forreston, IL in case #8-18SU. The applicants are requesting a Special Use Permit in the AG-1 Agricultural District to allow a solar farm on Parcel Identification Nos. 11-15-200-016 and 11-15-200-010, a 118.07-acre parcel located in part of the Northeast Quarter (NE 1/4) of Section 15, T42N, R1E of the 3rd P.M., located in Scott Township, Ogle County, Illinois and commonly located in the 6500 Block of N. Junction Road.

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on May 31, 2018 in the County Board Room, 3rd Floor, Ogle County Courthouse, Oregon, Illinois and hereby reports its findings of fact and recommendation(s) as follows:

SITE INFORMATION: See Staff Report (attached herewith).

ANALYSIS OF SIX STANDARDS: After considering all the evidence and testimony presented at the public hearing, this Board makes the following analysis of the six standards listed in Section 16-9-8C (Standards for Special Use Permits) of the Ogle County Amendatory Zoning Ordinance that must all be found in the affirmative prior to recommending granting of the petition.

1. That the proposed special use will not be unreasonably detrimental to the value of other property in the neighborhood in which it is to be located or the public health, safety, morals, comfort or general welfare at large. The petitioner has adequately demonstrated that a solar farm will not be unreasonably detrimental to the value of other property in the vicinity, and will not be detrimental to the public health, safety, morals, comfort or general welfare at large. STANDARD MET.

2. That the location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the special use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the special use will so dominate the immediate neighborhood, consideration shall be given to:
   a. The location, nature and height of building, structures, walls and fences on the site; and,
   b. The nature and extent of proposed landscaping and screening on the proposed site.

The proposed solar farm will be enclosed by a security fence, and will be well buffered from nearby residential uses. The proposed solar farm will not adversely impact agricultural uses on adjacent properties or other properties in the vicinity. STANDARD MET.

3. That off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations. The site is large enough so that adequate off-street parking and loading areas can be provided. STANDARD MET.
4. That adequate utilities, ingress/egress to the site, access roads, drainage and other such necessary facilities have been or will be provided. The petitioner has adequately demonstrated that adequate utilities, ingress/egress to the site from Junction Road, access roads, drainage and other such necessary facilities have been or will be provided. STANDARD MET.

5. That the proposed use can be operated in a manner that is not detrimental to the permitted developments and uses in the zoning district; can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; and is deemed essential or desirable to preserve and promote the public health, safety and general welfare of Ogle County. The petitioner has adequately demonstrated that the proposed use will not adversely affect development and use of other properties; will not generate noise, odors or traffic; will be visually compatible with the area; and, is deemed essential and desirable to preserve and promote the public health, safety and general welfare of Ogle County. STANDARD MET.

6. That the proposed special use complies with all provisions of the applicable district regulations. The proposed special use appears to comply with all provisions of the AG-1 district regulations. STANDARD MET.

RECOMMENDATION: After considering all the evidence and testimony presented, this Board finds that the application meets all the standards as found in Section 6-9-8C of the Ogle County Amendatory Zoning Ordinance.

Therefore, the Zoning Board of Appeals hereby recommends that a Special Use Permit in the AG-1 Agricultural District to allow a solar farm be granted subject to the following conditions:

1. General Provisions:

All proposals and representations made by the applicants and/or their representative(s) shall be conditions of the Special Use Permit.

2. Development Standards

The following standards shall apply:

A. Height: No aspect of a solar farm shall exceed 25 feet in height, as measured from grade at the base of the structure to its highest point. Such height restriction shall not apply to transmission lines.

B. Setbacks: All aspects and components of a solar farm shall be set back a minimum 40 feet from the right-of-way line of a township jurisdiction road, a minimum of 60 feet from the right-of-way line of a county jurisdiction road, and a minimum of 80 feet from a state/federal jurisdiction road.

C. Yard Area Requirements: All aspects and components of a solar farm shall maintain the following yard areas:

1) Rear yard: Minimum 50 feet.

2) Side yards: Minimum 30 feet.
D. Approved Solar Components:

1) Electric solar farm components must have a UL listing or equivalent and must be designed with anti-reflective coating(s).

2) Building and electrical plans for the solar farm shall be in compliance with all required building and electrical codes for the State of Illinois.

E. Lighting: Lighting shall be installed for security and safety purposes only. Except with respect to lighting required by the FCC or FAA, all lighting shall be shielded so that no glare extends substantially beyond the boundaries of the property upon which the solar farm is located.

F. Stormwater Management: Best management practices shall be employed to minimize erosion and sedimentation during construction of the solar farm. A Drainage Permits will be required to be issued by the Ogle County Engineer for compliance with the Ogle County Stormwater Management Ordinance.

G. Vegetative Cover, Vegetative Maintenance and Weed Control: All areas occupied by the solar farm that are not utilized for access to operate and maintain the solar farm shall be planted and maintained with native warm-season grass(es) and/or other vegetation for the purpose of soil stabilization or other methods approved by the Planning & Zoning Administrator and/or County Engineer.

The solar farm owner/operator shall provide for weed control in a manner that prevents the spread of weeds onto agricultural land affected by the construction, operation or decommissioning of the solar farm. Spraying shall be done by a pesticide applicator that is appropriately licensed for doing such work in the State of Illinois.

The required fence surrounding the solar farm shall be maintained to prevent the growth of woody vegetation within and along the fence.

H. Zoning Certificate and Occupancy Certificate: Prior to construction of the solar farm, a Zoning Certificate (permit) shall be issued by the Planning & Zoning Department. All aspects and components of a solar farm shall require engineering certified by a registered engineer or other certified professional. Upon completion of construction of the solar farm and prior to placing into service, an Occupancy Certificate shall be issued by the Planning & Zoning Department. A "certificate of inspection" from a qualified inspector as defined pursuant to 20 ILCS 3105/10.09-1 is required to be submitted before an Occupancy Certificate will be issued.

I. Decommissioning:

1) The owner or operator of a solar farm shall completely decommission the solar farm within eighteen (18) months if any of the following conditions ("decommissioning triggers") exist:

   a. The solar farm ceases to generate electricity for a continuous period of twelve (12) consecutive months;
   b. The land lease ends, expires or is terminated;
   c. The solar farm is damaged and will not be repaired or replaced.
This period may be extended by the Supervisor of Assessments and Planning & Zoning Committee of the Ogle County Board if the owner or operator provides evidence that the failure to generate electricity is due to circumstances beyond the owner's or operator's reasonable control and the solar farm has not been abandoned.

2) Decommissioning shall include:

a. The removal of all equipment, cables, wires, conduits, structures, fencing, and foundations to a depth of at least 42 inches below grade.
b. The removal of all graveled areas and access roads unless the owner of the leased real estate requests in writing that they are to remain in place.
c. Restoration of the land to a condition reasonably similar to its condition prior to the solar farm development, including replacement of top soil removed or eroded.
d. Re-vegetation of any cleared and/or disturbed areas with warm season grasses and forbs that are native to the region, unless requested in writing by the owner of the real estate to not re-vegetate due to plans for agricultural planting.

3) As a condition of issuance of a Zoning Certificate authorizing the construction of the Solar Farm, Applicant shall submit to the Ogle County Planning & Zoning Department an estimate of decommissioning costs prepared by a qualified engineer. Ogle County may, at Applicant's expense, hire its own qualified consultant to verify the accuracy of Applicant's estimate of decommissioning costs.

4) To ensure the full completion of decommissioning requirements, and/or to facilitate the mitigation and abatement of public nuisances or health hazards caused by debris or hazardous materials occurring in the event of partial or complete destruction of the solar farm by natural or man-made causes, the solar farm owner and/or operator shall obtain and deliver to the County of Ogle ("County") a letter of credit or performance bond, or similar financial assurance, in form and substance reasonably satisfactory to the County, securing the solar farm owner and/or operator obligation to remove the solar farm ("Decommissioning Security").

The Decommissioning Security shall be equal to or greater than the estimated amount by which the cost of decommissioning the solar farm exceeds the salvage value of the solar farm. By its terms, the Decommissioning Security shall survive the bankruptcy or dissolution of the owner and/or operator of the solar farm or other termination of the owner and/or operator of the solar farm's existence or its legal obligations. Once it is in place, the owner and/or operator of the solar farm shall maintain the Decommissioning Security, and cause the Decommissioning Security to be valid and enforceable until the secured decommissioning obligations are satisfied.

When any of the identified decommissioning triggers exist, if the owner and/or operator of the solar farm has not complied with its decommissioning and related obligations, the County shall be entitled to make a claim against the Decommissioning Security for its costs to decommission the solar farm, net of any salvage value the County actually realizes.
Decommissioning costs shall be re-valuated once every five (5) years from the date of substantial completion of the solar farm to ensure sufficient funds for decommissioning and, if the parties agree at that time that the decommissioning costs need to be modified, the amount of the Decommissioning Security shall be adjusted accordingly.

J. Materials Handling, Storage and Disposal

1) All solid wastes related to the construction, operation and maintenance of the Solar Farm shall be removed from the site promptly and disposed of in accordance with all federal, state and local laws.

2) All hazardous materials related to the construction, operation and maintenance of the Solar Farm shall be handled, stored, transported and disposed of in accordance with all applicable local, state and federal laws.

K. Points of Contact

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. Any changes shall be reported immediately or as soon as possible.

L. Coordination with Local Fire Protection District(s)

1) The Applicant, Owner or Operator shall submit to the local fire protection district(s) a copy of the site plan.

2) Upon request by the local fire department, the Owner or Operator shall cooperate with the local fire department to develop the fire protection district's emergency response plan. The Solar Farm Owner/Operator shall cooperate with any and all local rescue authorities to provide training (at Owner's and/or Operator's expense) to personnel who can assist with a rescue from a Solar Farm.

3) Nothing in this section shall alleviate the need to comply with all other applicable fire, life safety and/or emergency response laws and regulations.

M. Miscellaneous Provisions:

1) The facility shall provide approval for access points and change in access use from the road authority having jurisdiction.

2) The perimeter of the solar farm shall be secured through the use of security fencing of at least six (6) feet in height.

3) The owner or operator of the solar farm shall provide for and maintain reasonable means of access for emergency services.

4) The owner of the solar farm shall enter into an Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture prior to commencement of construction of the solar farm.
ROLL CALL VOTE: The roll call vote was 3 members for the motion to recommend granting, 2 opposed.

Respectfully submitted this 31st day of May 2018 by the Ogle County Zoning Board of Appeals.

Randy Ocken, Chairman
David Williams
Paul Soderholm
Mark Hayes
James Reed

Randy Ocken, Chairman

ATTEST:

Michael Reibel, Secretary
The Ogle County Board, at their regular meeting held on Tuesday, June 19, 2018, Janes presents #9-18 SPECIAL USE - SV CSG Mt. Morris2, LLC, Tim Polz, Manager, 25 N. River Lane, Geneva, IL; and Wilma L. Hongsermeier, 3747 W. IL Rte. 64, Mt. Morris, IL for a Special Use Permit to allow a solar farm in the I-1 Industrial District on property described as follows, owned by Wilma L. Hongsermeier, and being leased by SV CSG Mt. Morris2, LLC: Part of the Southeast Quarter (SE1/4) of Section 22 Mt. Morris Township 24N, R9E of the 4th P.M., Ogle County, IL, 65.78 acres, more or less - P.I.N.: 08-22-400-017 - Common Location: 3300 to 3500 Block of N. Mt. Morris Rd.

Janes moves to approve – O-2018-0606 as presented and Fritz seconds.

Meyers asks if this is a fixed system as well, and it was confirmed that the solar panels will be fixed. Roll Call Vote:


NO: Meyers, Nordman, and Oltmanns,

ABSENT: Bowers, Typer and Williams

Motion carries on roll call vote. (Placed on file)
WHEREAS, SV CSG Mt. Morris2, LLC, %Tim Polz, Manager, 25 N. River Lane, Geneva, IL; and Wilma L. Hongsermeier, 3747 W. IL Rte. 64, Mt. Morris, IL have filed a petition for a Special Use Permit in the I-1 Industrial District (Petition No. 09-18SU) to allow a solar farm on property located in the 3300 to 3500 Block of N. Mt. Morris Road in Mt. Morris Township and legally described as shown in Exhibit “A” attached hereto; and

WHEREAS, following due and proper notice by publication in the Ogle County Life at least fifteen (15) days prior thereto, and by mailing notice to all owners of property abutting the subject property at least fifteen (15) days prior thereto, the Ogle County Zoning Board of Appeals conducted a public hearing on May 31, 2018 at which the petitioners presented evidence, testimony, and exhibits in support of the requested Special Use Permit, no member(s) of the public spoke in favor of the petition, and no member(s) of the public spoke in opposition to the petition; and

WHEREAS, the Zoning Board of Appeals, having considered the evidence, testimony and exhibits presented has made its findings of fact and recommended that the requested Special Use Permit be granted with conditions as set forth in the Findings of Fact and Recommendation of the Ogle County Zoning Board of Appeals dated May 31, 2018, a copy of which is appended hereto as Exhibit “B”; and

WHEREAS, the Supervisor of Assessments and Planning & Zoning Committee of the Ogle County Board has reviewed the testimony and exhibits presented at the public hearing and has considered the findings of fact and recommendation of the Zoning Board of Appeals, and has forwarded a recommendation to the Ogle County Board that the requested Special Use Permit be granted with conditions; and

WHEREAS, the Ogle County Board has considered the findings of fact and recommendation of the Zoning Board of Appeals and the recommendation of the Planning & Zoning Committee, and has determined that granting the Special Use Permit in the I-1 Industrial District (Petition No. 09-18SU) to allow a solar farm would be consistent with the requirements established by Section 16-9-8C of the Ogle County Amendatory Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF OGLE COUNTY, ILLINOIS, as follows:

SECTION ONE: The report of the Ogle County Zoning Board of Appeals, Exhibit “B” attached hereto, is hereby accepted and the findings set forth therein are hereby adopted as the findings of fact and conclusions of the Ogle County Board.

SECTION TWO: Based on the findings of fact set forth above, the petition of SV CSG Mt. Morris2, LLC, %Tim Polz, Manager, 25 N. River Lane, Geneva, IL; and Wilma L. Hongsermeier, 3747 W. IL Rte. 64, Mt. Morris, IL for a Special Use Permit in the I-1 Industrial District (Petition No. 09-18SU) to allow a solar farm on property located in the 3300 to 3500 Block of N. Mt. Morris Road in Mt. Morris Township and legally described as shown in Exhibit “A” attached hereto is hereby approved subject to the following conditions:
1. General Provisions:

All proposals and representations made by the applicants and/or their representative(s) shall be conditions of the Special Use Permit.

2. Development Standards

The following standards shall apply:

A. Height: No aspect of a solar farm shall exceed 25 feet in height, as measured from grade at the base of the structure to its highest point. Such height restriction shall not apply to transmission lines.

B. Setbacks: All aspects and components of a solar farm shall be set back a minimum 40 feet from the right-of-way line of a township jurisdiction road, a minimum of 60 feet from the right-of-way line of a county jurisdiction road, and a minimum of 80 feet from a state/federal jurisdiction road.

C. Yard Area Requirements: All aspects and components of a solar farm shall maintain the following yard areas:

1) Rear yard: Minimum 50 feet.
2) Side yards: Minimum 30 feet.

D. Approved Solar Components:

1) Electric solar farm components must have a UL listing or equivalent and must be designed with anti-reflective coating(s).

2) Building and electrical plans for the solar farm shall be in compliance with all required building and electrical codes for the State of Illinois.

E. Lighting: Lighting shall be installed for security and safety purposes only. Except with respect to lighting required by the FCC or FAA, all lighting shall be shielded so that no glare extends substantially beyond the boundaries of the property upon which the solar farm is located.

F. Stormwater Management: Best management practices shall be employed to minimize erosion and sedimentation during construction of the solar farm. A Drainage Permit will be required to be issued by the Ogle County Engineer for compliance with the Ogle County Stormwater Management Ordinance.

G. Vegetative Cover, Vegetative Maintenance and Weed Control: All areas occupied by the solar farm that are not utilized for access to operate and maintain the solar farm shall be planted and maintained with native warm-season grass(es) and/or other vegetation for the purpose of soil stabilization or other methods approved by the Planning & Zoning Administrator and/or County Engineer.

The solar farm owner/operator shall provide for weed control in a manner that prevents the spread of weeds onto agricultural land affected by the construction, operation or decommissioning of the solar farm. Spraying shall be done by a pesticide applicator that is appropriately licensed for doing such work in the State of Illinois.
The required fence surrounding the solar farm shall be maintained to prevent the growth of woody vegetation within and along the fence.

H. Zoning Certificate and Occupancy Certificate: Prior to construction of the solar farm, a Zoning Certificate (permit) shall be issued by the Planning & Zoning Department. All aspects and components of a solar farm shall require engineering certified by a registered engineer or other certified professional. Upon completion of construction of the solar farm and prior to placing into service, an Occupancy Certificate shall be issued by the Planning & Zoning Department. A "certificate of inspection" from a qualified inspector as defined pursuant to 20 ILCS 3105/10.09-1 is required to be submitted before an Occupancy Certificate will be issued.

I. Decommissioning:

1) The owner or operator of a solar farm shall completely decommission the solar farm within eighteen (18) months if any of the following conditions ("decommissioning triggers") exist:
   a. The solar farm ceases to generate electricity for a continuous period of twelve (12) consecutive months;
   b. The land lease ends, expires or is terminated;
   c. The solar farm is damaged and will not be repaired or replaced.

   This period may be extended by the Supervisor of Assessments and Planning & Zoning Committee of the Ogle County Board if the owner or operator provides evidence that the failure to generate electricity is due to circumstances beyond the owner's or operator's reasonable control and the solar farm has not been abandoned.

2) Decommissioning shall include:
   
   a. The removal all equipment, cables, wires, conduits, structures, fencing, and foundations to a depth of at least 42 inches below grade.
   b. The removal of all graveled areas and access roads unless the owner of the leased real estate requests in writing that they are to remain in place.
   c. Restoration of the land to a condition reasonably similar to its condition prior to the solar farm development, including replacement of top soil removed or eroded.
   d. Re-vegetation of any cleared and/or disturbed areas with warm season grasses and forbs that are native to the region, unless requested in writing by the owner of the real estate to not re-vegetate due to plans for agricultural planting.

3) As a condition of issuance of a Zoning Certificate authorizing the construction of the Solar Farm, Applicant shall submit to the Ogle County Planning & Zoning Department an estimate of decommissioning costs prepared by a qualified engineer. Ogle County may, at Applicant's expense, hire its own qualified consultant to verify the accuracy of Applicant's estimate of decommissioning costs.

4) To ensure the full completion of decommissioning requirements, and/or to facilitate the mitigation and abatement of public nuisances or health hazards caused by debris or hazardous materials occurring in the event of partial or complete destruction of the solar farm by natural or man-made causes, the solar farm owner and/or operator shall obtain and deliver to the County of Ogle ("County") a letter of credit or performance bond, or similar financial assurance, in form and substance reasonably satisfactory to the County, securing the solar farm owner and/or operator obligation to remove the solar farm ("Decommissioning Security").
The Decommissioning Security shall be equal to or greater than the estimated amount by which the cost of decommissioning the solar farm exceeds the salvage value of the solar farm. By its terms, the Decommissioning Security shall survive the bankruptcy or dissolution of the owner and/or operator of the solar farm or other termination of the owner and/or operator of the solar farm's existence or its legal obligations. Once it is in place, the owner and/or operator of the solar farm shall maintain the Decommissioning Security, and cause the Decommissioning Security to be valid and enforceable until the secured decommissioning obligations are satisfied.

When any of the identified decommissioning triggers exist, if the owner and/or operator of the solar farm has not complied with its decommissioning and related obligations, the County shall be entitled to make a claim against the Decommissioning Security for its costs to decommission the solar farm, net of any salvage value the County actually realizes.

Decommissioning costs shall be re-valuated once every five (5) years from the date of substantial completion of the solar farm to ensure sufficient funds for decommissioning and, if the parties agree at that time that the decommissioning costs need to be modified, the amount of the Decommissioning Security shall be adjusted accordingly.

J. Materials Handling, Storage and Disposal

1) All solid wastes related to the construction, operation and maintenance of the Solar Farm shall be removed from the site promptly and disposed of in accordance with all federal, state and local laws.

2) All hazardous materials related to the construction, operation and maintenance of the Solar Farm shall be handled, stored, transported and disposed of in accordance with all applicable local, state and federal laws.

K. Points of Contact

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. Any changes shall be reported immediately or as soon as possible.

L. Coordination with Local Fire Protection District(s)

1) The Applicant, Owner or Operator shall submit to the local fire protection district(s) a copy of the site plan.

2) Upon request by the local fire department, the Owner or Operator shall cooperate with the local fire department to develop the fire protection district's emergency response plan. The Solar Farm Owner/Operator shall cooperate with any and all local rescue authorities to provide training (at Owner's and/or Operator's expense) to personnel who can assist with a rescue from a Solar Farm.

3) Nothing in this section shall alleviate the need to comply with all other applicable fire, life safety and/or emergency response laws and regulations.
M. Miscellaneous Provisions:

1) The facility shall provide approval for access points and change in access use from the road authority having jurisdiction.

2) The perimeter of the solar farm shall be secured through the use of security fencing of at least six (6) feet in height.

3) The owner or operator of the solar farm shall provide for and maintain reasonable means of access for emergency services.

4) The owner of the solar farm shall enter into an Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture prior to commencement of construction of the solar farm.

SECTION THREE: This Ordinance shall be in full force and effect upon its adoption by the County Board of Ogle County, Illinois and attestation by the Ogle County Clerk.

SECTION FOUR: Failure of the owners or other party in interest or a subsequent owner or other party in interest to comply with the terms of this Ordinance, after execution of such Ordinance, shall subject the owners or party in interest to the penalties set forth in Section 16-9-10 of the Ogle County Amendatory Zoning Ordinance.

PASSED BY THE COUNTY BOARD THIS 19TH DAY OF JUNE 2018 A.D.

Kim P. Gouker, Chairman of the Ogle County Board

ATTEST:

Laura J. Cook, Ogle County Clerk and Ex Officio Clerk of the Ogle County Board
EXHIBIT “A”

LEGAL DESCRIPTION

That part of the South East 1/4 of Section 22, lying North and East of the Northerly line of the former right of way of the Chicago, Burlington and Quincy Railroad (formerly Chicago and Iowa Rail Road), and that part of the North East 1/4 of Section 27, lying North and East of the Southerly line of the former right of way of the Chicago, Burlington and Quincy Railroad (formerly Chicago and Iowa Rail Road) and lying North of Railroad Addition to the Town, now Village of Mount Morris, EXCEPT that portion lying in said Section 27 and EXCEPT six tracts described as follows and EXCEPT Railroad right of way:

Tract 1: Beginning at a point in the Center of A Street in the Village of Mt. Morris 164 feet South of the North line of said Section 27, thence North 264 feet to a point 100 feet North of the South line of said Section 22, thence West 375.5 feet, thence South, parallel with said A Street, 264 feet, and thence East 375.5 feet to the point of beginning;

Tract 2: The South 66 feet of the East 180 feet of said North East 1/4;

Tract 3: Part of the South East 1/4 of the South East 1/4 of said Section 22, described as follows: Beginning at a point on the East line of said Section, 100 feet North of the Southeast Corner thereof, thence Westerly 375.5 feet to a point 105 feet Northerly of the South line of said Section 22, as measured parallel with the East line thereof, thence extending Westerly on a projection of the last described course 12.5 feet, thence Northerly, parallel with said East line, 610 feet, thence Easterly 388 feet to a point on said East line 610 feet to the point of beginning, and thence Southerly on said East line 610 feet to the point of beginning;

Tract 4: Part of the North East 1/4 of said Section 27, described as follows: Beginning at a point on the East line of said Section, 471.35 feet South of the Northeast corner thereof, thence extending south on said East line 96 feet, thence West, parallel with the North line of 6th Street (vacated) in Railroad addition in the Village of Mt. Morris, 144 feet, thence North, parallel with said East line, 96 feet, and thence East, parallel with said North line of 6th Street, 144 feet to the point of beginning;

Tract 5: Part of the Southeast 1/4 of Section 22 and part of the Northeast 1/4 of Section 27 all in Township 24 North, Range 9 East of the 4th P.M., Ogle County, Illinois described as follows: Commencing at the Southeast corner of said Section 22; thence South 89 degrees 29 minutes 47 seconds West along the South line of said Section 22 a distance of 906.58 feet to the point of beginning of the tract of land being described, thence North 0 degrees 00 minutes 00 seconds West parallel with the East line of said Section 22, 961.43 feet to the centerline of a creek; thence Northwesterly following the meanderings of the said centerline, 2,145.3 feet, more or less to the intersection with the West line of the said Southeast 1/4 of Section 22 said point being located 545.24 feet South of the Northwest corner thereof; thence South 0 degrees 00 minutes 51 seconds West on the said West line of the Southeast 1/4, 524.76 feet to the Northerly right of way line of the Chicago Burlington and Quincy Railroad (now abandoned); thence Southeasterly on the said Northerly right of way line, 2,632.20 feet, more or less, to the point of intersection with a line bearing South 0 degrees 00 minutes 00 seconds East from the said point of beginning; thence North 0 degrees 00 minutes 00 seconds West, 327.86 feet to the said point of beginning; situated in the Village of Mt. Morris, All in Township 24 North, Range 9 East of the 4th P.M., in Ogle County, Illinois.

Tract 6: Part of the Northeast Quarter of Section 27 and part of the Southeast Quarter of Section 22 all in Township 24 North, Range 9 East of the Fourth Principal Meridian, described as follows: Commencing at a point which is South 01°18'28" West coincident with the East line of said Northeast Quarter of Section 27 a distance of 164.00 feet from the Northeast corner of said Northeast Quarter of Section 27 and running thence South 88°57'17" West a distance of 375.50 feet to the point of beginning of tract herein described as follows; thence continuing South 88°57'17" West a distance of 80.00 feet to a point; thence North 01°19'22" West a distance of 876.85 feet to a point; thence South 89°09'39" West 344.83 feet to a point; thence North 01°21 '02" West a distance 1200.00 feet to a point; thence North 89°09'39" East a distance of 800.00 feet to a point on the East line
of said Southeast Quarter of Section 22; thence South 01°21' 02" East coincident with said East line a distance of 1200.00 feet to a point which is 710.00 feet North of the Northeast corner of said Northeast Quarter of Section 27; thence South 89°09'39" West a distance of 388.00 feet to a point; thence South 01°21' 02" East a distance 610.00 feet to a point; thence North 89°09'39" East a distance of 12.50 feet to a point; thence South 01°20'38" East a distance of 105.00 feet to a point; thence South 01°19'22" East a distance of 161.56 feet to the point of beginning, containing 23.47 acres, subject to that land dedicated or used for public road purposes, situated in the Township of Mt. Morris, the County of Ogle, and the State of Illinois.

Property Identification Number (PIN): 08-22-400-017
Common Location: 3300 to 3500 Block of N. Mt. Morris Road
EXHIBIT “B”

FINDINGS OF FACT AND RECOMMENDATION
OF THE ZONING BOARD OF APPEALS
FINDINGS OF FACT AND RECOMMENDATION OF THE OGLE COUNTY ZONING BOARD OF APPEALS

This is the findings of fact and the recommendation of the Ogle County Zoning Board of Appeals concerning an application of SV CSG Mt. Morris2, LLC, %Tim Polz, Manager, 25 N. River Lane, Geneva, IL; and Wilma L. Hongsermeier, 3747 W. IL Rte. 64, Mt. Morris, IL in case #9-18SU. The applicants are requesting a Special Use Permit in the I-1 Industrial District to allow a solar farm on Parcel Identification No. 08-22-400-017, a 65.7-acre parcel located in part of the Southeast Quarter (SE1/4) of Section 22, T24N, R9E of the 4th P.M., Mt. Morris Township, Ogle County, IL and commonly located in the 3300 to 3500 Block of N. Mt. Morris Road.

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on May 31, 2018 in the County Board Room, 3rd Floor, Ogle County Courthouse, Oregon, Illinois and hereby reports its findings of fact and recommendation(s) as follows:

SITE INFORMATION: See Staff Report (attached herewith).

ANALYSIS OF SIX STANDARDS: After considering all the evidence and testimony presented at the public hearing, this Board makes the following analysis of the six standards listed in Section 16-9-8C (Standards for Special Use Permits) of the Ogle County Amended Zoning Ordinance that must all be found in the affirmative prior to recommending granting of the petition.

1. That the proposed special use will not be unreasonably detrimental to the value of other property in the neighborhood in which it is to be located or the public health, safety, morals, comfort or general welfare at large. The petitioner has adequately demonstrated that a solar farm will not be unreasonably detrimental to the value of other property in the vicinity, and will not be detrimental to the public health, safety, morals, comfort or general welfare at large. STANDARD MET.

2. That the location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the special use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the special use will so dominate the immediate neighborhood, consideration shall be given to:

   a. The location, nature and height of building, structures, walls and fences on the site; and,

   b. The nature and extent of proposed landscaping and screening on the proposed site.

   The proposed solar farm will be enclosed by a security fence, and is surrounded by agricultural uses on three sides with the fourth side to the south being the Village of Mt. Morris wastewater treatment plant. The proposed solar farm will not adversely impact agricultural uses on adjacent properties or other properties in the vicinity. STANDARD MET.

3. That off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations. The site is large enough so that adequate off-street parking and loading areas can be provided. STANDARD MET.
4. That adequate utilities, ingress/egress to the site, access roads, drainage and other such necessary facilities have been or will be provided. **The petitioner has adequately demonstrated that adequate utilities, ingress/egress to the site from Mt. Morris Road, access roads, drainage and other such necessary facilities have been or will be provided. STANDARD MET.**

5. That the proposed use can be operated in a manner that is not detrimental to the permitted developments and uses in the zoning district; can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; and is deemed essential or desirable to preserve and promote the public health, safety and general welfare of Ogle County. **The petitioner has adequately demonstrated that the proposed use will not adversely affect development and use other properties; will not generate noise, odors or traffic; will be visually compatible with the area; and, is deemed essential and desirable to preserve and promote the public health, safety and general welfare of Ogle County. STANDARD MET.**

6. That the proposed special use complies with all provisions of the applicable district regulations. **The proposed special use appears to comply with all provisions of the I-1 zoning district regulations. STANDARD MET.**

**RECOMMENDATION:** After considering all the evidence and testimony presented, this Board finds that the application meets all the standards as found in Section 6-9-8C of the Ogle County Amendatory Zoning Ordinance.

Therefore, the Zoning Board of Appeals hereby recommends that a Special Use Permit in the I-1 Industrial District to allow a solar farm be granted subject to the following conditions:

1. **General Provisions:**
   
   All proposals and representations made by the applicants and/or their representative(s) shall be conditions of the Special Use Permit.

2. **Development Standards**

   The following standards shall apply:

   A. **Height:** No aspect of a solar farm shall exceed 25 feet in height, as measured from grade at the base of the structure to its highest point. Such height restriction shall not apply to transmission lines.

   B. **Setbacks:** All aspects and components of a solar farm shall be set back a minimum 40 feet from the right-of-way line of a township jurisdiction road, a minimum of 60 feet from the right-of-way line of a county jurisdiction road, and a minimum of 80 feet from a state/federal jurisdiction road.

   C. **Yard Area Requirements:** All aspects and components of a solar farm shall maintain the following yard areas:

      1) Rear yard: Minimum 50 feet.

      2) Side yards: Minimum 30 feet.
D. **Approved Solar Components:**

1) Electric solar farm components must have a UL listing or equivalent and must be designed with anti-reflective coating(s).

2) Building and electrical plans for the solar farm shall be in compliance with all required building and electrical codes for the State of Illinois.

E. **Lighting:** Lighting shall be installed for security and safety purposes only. Except with respect to lighting required by the FCC or FAA, all lighting shall be shielded so that no glare extends substantially beyond the boundaries of the property upon which the solar farm is located.

F. **Stormwater Management:** Best management practices shall be employed to minimize erosion and sedimentation during construction of the solar farm. A Drainage Permits will be required to be issued by the Ogle County Engineer for compliance with the Ogle County Stormwater Management Ordinance.

G. **Vegetative Cover, Vegetative Maintenance and Weed Control:** All areas occupied by the solar farm that are not utilized for access to operate and maintain the solar farm shall be planted and maintained with native warm-season grass(es) and/or other vegetation for the purpose of soil stabilization or other methods approved by the Planning & Zoning Administrator and/or County Engineer.

The solar farm owner/operator shall provide for weed control in a manner that prevents the spread of weeds onto agricultural land affected by the construction, operation or decommissioning of the solar farm. Spraying shall be done by a pesticide applicator that is appropriately licensed for doing such work in the State of Illinois.

The required fence surrounding the solar farm shall be maintained to prevent the growth of woody vegetation within and along the fence.

H. **Zoning Certificate and Occupancy Certificate:** Prior to construction of the solar farm, a Zoning Certificate (permit) shall be issued by the Planning & Zoning Department. All aspects and components of a solar farm shall require engineering certified by a registered engineer or other certified professional. Upon completion of construction of the solar farm and prior to placing into service, an Occupancy Certificate shall be issued by the Planning & Zoning Department. A "certificate of inspection" from a qualified inspector as defined pursuant to 20 ILCS 3105/10.09-1 is required to be submitted before an Occupancy Certificate will be issued.

I. **Decommissioning:**

1) The owner or operator of a solar farm shall completely decommission the solar farm within eighteen (18) months if any of the following conditions ("decommissioning triggers") exist:

   a. The solar farm ceases to generate electricity for a continuous period of twelve (12) consecutive months;
   
   b. The land lease ends, expires or is terminated;
   
   c. The solar farm is damaged and will not be repaired or replaced.
This period may be extended by the Supervisor of Assessments and Planning & Zoning Committee of the Ogle County Board if the owner or operator provides evidence that the failure to generate electricity is due to circumstances beyond the owner's or operator's reasonable control and the solar farm has not been abandoned.

2) Decommissioning shall include:

   a. The removal all equipment, cables, wires, conduits, structures, fencing, and foundations to a depth of at least 42 inches below grade.
   b. The removal of all gravelled areas and access roads unless the owner of the leased real estate requests in writing that they are to remain in place.
   c. Restoration of the land to a condition reasonably similar to its condition prior to the solar farm development, including replacement of top soil removed or eroded.
   d. Re-vegetation of any cleared and/or disturbed areas with warm season grasses and forbs that are native to the region, unless requested in writing by the owner of the real estate to not re-vegetate due to plans for agricultural planting.

3) As a condition of issuance of a Zoning Certificate authorizing the construction of the Solar Farm, Applicant shall submit to the Ogle County Planning & Zoning Department an estimate of decommissioning costs prepared by a qualified engineer. Ogle County may, at Applicant's expense, hire it's own qualified consultant to verify the accuracy of Applicant's estimate of decommissioning costs.

4) To ensure the full completion of decommissioning requirements, and/or to facilitate the mitigation and abatement of public nuisances or health hazards caused by debris or hazardous materials occurring in the event of partial or complete destruction of the solar farm by natural or man-made causes, the solar farm owner and/or operator shall obtain and deliver to the County of Ogle ("County") a letter of credit or performance bond, or similar financial assurance, in form and substance reasonably satisfactory to the County, securing the solar farm owner and/or operator obligation to remove the solar farm ("Decommissioning Security").

The Decommissioning Security shall be equal to or greater than the estimated amount by which the cost of decommissioning the solar farm exceeds the salvage value of the solar farm. By its terms, the Decommissioning Security shall survive the bankruptcy or dissolution of the owner and/or operator of the solar farm or other termination of the owner and/or operator of the solar farm's existence or its legal obligations. Once it is in place, the owner and/or operator of the solar farm shall maintain the Decommissioning Security, and cause the Decommissioning Security to be valid and enforceable until the secured decommissioning obligations are satisfied.

When any of the identified decommissioning triggers exist, if the owner and/or operator of the solar farm has not complied with its decommissioning and related obligations, the County shall be entitled to make a claim against the Decommissioning Security for its costs to decommission the solar farm, net of any salvage value the County actually realizes.
Decommissioning costs shall be re-valuated once every five (5) years from the date of substantial completion of the solar farm to ensure sufficient funds for decommissioning and, if the parties agree at that time that the decommissioning costs need to be modified, the amount of the Decommissioning Security shall be adjusted accordingly.

J. Materials Handling, Storage and Disposal

1) All solid wastes related to the construction, operation and maintenance of the Solar Farm shall be removed from the site promptly and disposed of in accordance with all federal, state and local laws.

2) All hazardous materials related to the construction, operation and maintenance of the Solar Farm shall be handled, stored, transported and disposed of in accordance with all applicable local, state and federal laws.

K. Points of Contact

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. Any changes shall be reported immediately or as soon as possible.

L. Coordination with Local Fire Protection District(s)

1) The Applicant, Owner or Operator shall submit to the local fire protection district(s) a copy of the site plan.

2) Upon request by the local fire department, the Owner or Operator shall cooperate with the local fire department to develop the fire protection district's emergency response plan. The Solar Farm Owner/Operator shall cooperate with any and all local rescue authorities to provide training (at Owner's and/or Operator's expense) to personnel who can assist with a rescue from a Solar Farm.

3) Nothing in this section shall alleviate the need to comply with all other applicable fire, life safety and/or emergency response laws and regulations.

M. Miscellaneous Provisions:

1) The facility shall provide approval for access points and change in access use from the road authority having jurisdiction.

2) The perimeter of the solar farm shall be secured through the use of security fencing of at least six (6) feet in height.

3) The owner or operator of the solar farm shall provide for and maintain reasonable means of access for emergency services.

4) The owner of the solar farm shall enter into an Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture prior to commencement of construction of the solar farm.
ROLL CALL VOTE: The roll call vote was 5 members for the motion to recommend granting, 0 opposed.

Respectfully submitted this 31st day of May 2018 by the Ogle County Zoning Board of Appeals.

Randy Ocken, Chairman
David Williams
Paul Soderholm
Mark Hayes
James Reed

__________________________
Randy Ocken, Chairman

ATTEST:

__________________________
Michael Reibel, Secretary
WHEREAS, the Ogle County Board has previously adopted Ordinance No. O-2015-1201 with respect to the Lee Ogle Enterprise Zone and the Enterprise Zone Intergovernmental Agreement;

WHEREAS, the parties have indicated their willingness and desire to further expand the Enterprise Zone to include a specific project site in the City of Amboy; and

WHEREAS, the Board of Ogle County, Illinois, hereby makes those findings set forth in said Enterprise Zone Intergovernmental Agreement, that said areas to be added to the Lee Ogle Enterprise Zone meet the statutory requirements of contiguity to the existing zone, not exceeding the total allowable area of the zone, having specific development commitments, and creating or retaining specific jobs; and

NOW THEREFORE, BE IT ORDAINED by the Ogle County Board and Board Chairman, in Ogle County, Illinois, as follows:

SECTION 1: Amendment 5 to Addendum A, “Lee Ogle Enterprise Zone Description for Recording,” shall provide a description of the amended zone area, for this project in the City of Amboy, a copy of which is attached hereto and made a part hereof.

SECTION 2: The Ogle County Clerk and Board Chairman are authorized to execute any and all documents necessary to implement this Ordinance, including but not limited to Amendment 5 to Addendum “B”, the original Intergovernmental Agreement Regarding Administration of an Enterprise Zone.
SECTION 3: The provisions and Sections of this Ordinance shall be deemed to be separable, and the validity of any portion of this Ordinance shall not affect the validity of the remainder.

SECTION 4: All ordinances and parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION 5: This Ordinance shall take effect upon its passage, approval and publication as required by law.

Passed by the Ogle County Board and the Ogle County Board Chairman, this 19th day of June, 2018.

The Ogle County Board

By: [Signature]

Kim Gouker,
Ogle County Board Chairman

Attest:

[Signature]

Laura Cook,
Ogle County Clerk
AMENDMENT 5 TO ADDENDUM “A”
LEE OGLE ENTERPRISE ZONE DESCRIPTION FOR RECORDING

The LEE OGLE ENTERPRISE ZONE being situated in the County of Lee and County of Ogle and the State of Illinois and described in Addendum A in its Designating Ordinance, and as amended; is hereby amended to include the following described bounded area, and a LEE OGLE ENTERPRISE ZONE CONNECTOR STRIP from the present edge of the LEE OGLE ENTERPRISE ZONE to the described bounded areas;

The LEE OGLE ENTERPRISE ZONE CONNECTOR STRIP described here are a part of Lee County and Ogle County, Illinois, being at least three (3) feet wide and establishing geographic contiguity in accordance with the Illinois Enterprise Zone Act (20 ILCS 655/1 et seq.), and connect the bounded area described here to the area presently certified as the LEE OGLE ENTERPRISE ZONE;

Starting at a Point of Beginning, “POB”, (shown on Illustration A below), which lies at the edge of the existing LEE OGLE ENTERPRISE ZONE in the City of Amboy, and which is a part of Township 20, Range 10, Section 15, in Lee County Illinois, a point which is 198.342 feet at bearing S80°23’16’’W from a point at the center of the intersection of US Highway 52 and Wasson Road in the City of Amboy, a LEE OGLE ENTERPRISE ZONE CONNECTOR STRIP, which is 3 feet wide, covering an area of .0437 acres, extends for 634.899 feet at bearing S89°41’16’’W to meet the Northeast edge of the project area and the beginning point of side one;

then S0°03’15’’E for 369.910 feet to the beginning point of side 2,
then S89°23’12’’W for 226.213 feet to the beginning point of side 3,
then S0°04’23’’E for 70.225 feet to the beginning point of side 4,
then S89°24’49’’W for 261.204 feet to the beginning point of side 5,
then N0°04’58’’W for 152.320 feet to the beginning point of side 6,
then N89°11’11’’E for 9.998 feet to the beginning point of side 7,
then N0°05’03’’W for 290.172 feet to the beginning point of side 8,

then N89°41’19’’E for 477.606 feet to return to the beginning point of side 1, and close a polygon containing this project area, enclosing a parcel presently known by its 12-digit Lee County Parcel Number PIN 02-15-15-401-001, and including no other ownership parcels, in the City of Amboy.

With amended total acreage, for LEE OGLE ENTERPRISE ZONE boundaries, the new area of the Lee Ogle Enterprise Zone is 8,881.04 acres more or less.

<table>
<thead>
<tr>
<th>Total Area</th>
<th>For Project Area</th>
<th>For Connector Strip</th>
<th>Amended Zone Total Acreage</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4.51 acres</td>
<td>0.0437 acres</td>
<td>8881.04 acres</td>
</tr>
</tbody>
</table>
Illustration A – measurements in feet:

Table for Lee County Clerk:

<table>
<thead>
<tr>
<th>Amended Boundary Contains a Parcel Associated with a Lee County 12-digit PIN</th>
<th>02-15-15-401-001</th>
<th>4.51 acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quadrant Information for recording purposes; (not a description for any other purpose)</td>
<td>A part of: Township 20 Range 10 Sect 15 SE Quadrant</td>
<td>A part of: 201015 SE SE Quadrant</td>
</tr>
</tbody>
</table>
WHEREAS, the Ogle County Board has previously adopted Ordinance No. O-2015-1201 with respect to the Lee Ogle Enterprise Zone and the Enterprise Zone Intergovernmental Agreement;

WHEREAS, the parties have indicated their willingness and desire to further expand the Enterprise Zone to include a specific project site in the City of Dixon; and

WHEREAS, the Board of Ogle County, Illinois, hereby makes those findings set forth in said Enterprise Zone Intergovernmental Agreement, that said areas to be added to the Lee Ogle Enterprise Zone meet the statutory requirements of contiguity to the existing zone, not exceeding the total allowable area of the zone, having specific development commitments, and creating or retaining specific jobs; and

NOW THEREFORE, BE IT ORDAINED by the Ogle County Board and Board Chairman, in Ogle County, Illinois, as follows:

SECTION 1: Amendment 4 to Addendum A, “Lee Ogle Enterprise Zone Description for Recording,” shall provide a description of the amended zone area, for this project in the City of Dixon, a copy of which is attached hereto and made a part hereof.

SECTION 2: The Ogle County Clerk and Board Chairman are authorized to execute any and all documents necessary to implement this Ordinance, including but not
limited to Amendment 4 to Addendum “B”, the original Intergovernmental Agreement Regarding Administration of an Enterprise Zone.

SECTION 3: The provisions and Sections of this Ordinance shall be deemed to be separable, and the validity of any portion of this Ordinance shall not affect the validity of the remainder.

SECTION 4: All ordinances and parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION 5: This Ordinance shall take effect upon its passage, approval and publication as required by law.

Passed by the Ogle County Board and the Ogle County Board Chairman, this 19th day of June, 2018.

The Ogle County Board

By: Kim Gouker,
Ogle County Board Chairman

Attest:
Laura Cook,
Ogle County Clerk

O-2018-0608
AMENDMENT 4 TO ADDENDUM “A”
LEE OGLE ENTERPRISE ZONE DESCRIPTION FOR RECORDING

The LEE OGLE ENTERPRISE ZONE being situated in the County of Lee and County of Ogle and the State of Illinois and described in Addendum A in its Designating Ordinance, and as amended; is hereby amended to include the following described bounded area;

Starting at a Point of Beginning, “POB”, (shown on Illustration A below), which lies at the edge of the existing LEE OGLE ENTERPRISE ZONE in the City of Dixon, and which is part of Township 21, Range 9, Sect 4, in Lee County Illinois, at the Northwest corner of a parcel presently known by its Lee County Parcel Number (PIN) 07-08-04-426-013, at a point which is 370.100 feet at bearing S0°37’57’’E from a point at the center of Illinois Route 38 in the City of Dixon and 653 feet West, along the centerline of this highway, of the center of the intersection of Illinois Route 38 and Anchor Road in the City of Dixon,

then S0°37’59’’E for 290.00 feet, along side 1, constituting a side of this bounded area which is completely contiguous with the present Lee-Ogle Enterprise Zone, to connect to side 2,
then N89°12’09’’E for 622.30 feet, along side 2, to connect to side 3,
then N0°46’04’’W for 289.988 feet, along side 3, to connect to side 4,

then S89°12’13’’W for 621.618 feet, along side 4, at to return to the beginning of side 1 and enclosing this project area, enclosing a parcel presently known by its Lee County Parcel Number PIN 07-08-04-426-013, and including no other ownership parcels, in the City of Dixon.

With amended total acreage, for LEE OGLE ENTERPRISE ZONE boundaries, the new area of the Lee Ogle Enterprise Zone is 8,876.49 acres more or less.

<table>
<thead>
<tr>
<th>Total Area</th>
<th>For This Zone Amendment Amended Zone Total Acreage</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4.16 acres</td>
</tr>
<tr>
<td></td>
<td>8876.49 acres</td>
</tr>
</tbody>
</table>
Amended Boundary Contains a Parcel Associated with a Lee County 12-digit PIN

| 07-08-04-426-013 | 4.16 acres |

Quadrant Information for recording purposes; (not a description for any other purpose)

| A part of: | A part of: |
| Townsend 21 Range 9 Sect 4 SE Quadrant | 210904SE SE Quadrant |
WHEREAS, the Ogle County Board has previously adopted Ordinance No. O-2015-1201 with respect to the Lee Ogle Enterprise Zone and the Enterprise Zone Intergovernmental Agreement;

WHEREAS, the Ogle County Board has adopted Ordinance No. 2018-0204 on February 20, 2018, after they wished to amend the Enterprise Zone to include certain areas in the City of Dixon and the City of Rochelle; and

WHEREAS, the State of Illinois Department of Commerce and Economic Opportunity now strongly suggests that projects be submitted upon separate applications with separate amending ordinances; and

WHEREAS, the State of Illinois Department of Commerce and Economic Opportunity has further clarified how amended zone boundaries shall be written;

NOW THEREFORE, BE IT ORDAINED by the Ogle County Board and Board Chairman, in Ogle County, Illinois, as follows:

SECTION 1: Amendment 1 to Amendment 3 to Addendum A, “Lee Ogle Enterprise Zone Description for Recording,” shall replace Amendment 3 to Addendum A, and provide a description of the amended zone area, in the City of Rochelle, in the form expected by the State of Illinois Department of Commerce and Economic Opportunity, a copy of which is attached hereto and made a part hereof.
SECTION 4: Amendment 1 to Amendment 3 to the Enterprise Zone Intergovernmental Agreement (Addendum B), shall replace Amendment 3 to the Enterprise Zone Intergovernmental Agreement (Addendum B). The Board Chairman is authorized to execute this and any other documents necessary to implement this Ordinance.

SECTION 5: The provisions and Sections of this Ordinance shall be deemed to be separable, and the validity of any portion of this Ordinance shall not affect the validity of the remainder.

SECTION 6: All ordinances and parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION 7: This Ordinance shall take effect upon its passage, approval and publication as required by law.

Passed by the Ogle County Board and the Ogle County Board Chairman, this 19th day of June, 2018.

The Ogle County Board

By: [Signature]
Kim Gouker,
Ogle County Board Chairman

Attest:

[Signature]
Laura Cook,
Ogle County Clerk
AMENDMENT 1 TO AMENDMENT 3 TO ADDENDUM “A”
LEE OGLE ENTERPRISE ZONE DESCRIPTION FOR RECORDING

The LEE OGLE ENTERPRISE ZONE being situated in the County of Lee and County of Ogle and the State of Illinois and described in Addendum A in its Designating Ordinance, and as amended; is hereby amended to include the area of LEE OGLE ENTERPRISE ZONE CONNECTOR STRIPS from the present edge of the LEE OGLE ENTERPRISE ZONE to the following described bounded areas;

The LEE OGLE ENTERPRISE ZONE CONNECTOR STRIPS described here are parts of Lee County and Ogle County, Illinois, being at least three (3) feet wide and establishing geographic contiguity in accordance with the Illinois Enterprise Zone Act (20 ILCS 655/1 et seq.), and connect the bounded area described here to the area presently certified as the LEE OGLE ENTERPRISE ZONE;

Starting at a Point of Beginning “POB” (shown on Illustration A, below), which lies at the edge of the existing LEE OGLE ENTERPRISE ZONE in the City of Rochelle, in a portion of Township 40N Range 1E Section 14 of Ogle County Illinois, at the Northwest corner of a parcel presently known by its Ogle County Parcel Number PIN 24-13-153-007, at a point which is 445 feet North from the center of Flagg Road and 761 feet West of the center of State Highway 251 in the City of Rochelle; a LEE OGLE ENTERPRISE ZONE CONNECTOR STRIP, covering an area of .2309 acres, extends 3,518.68 feet at bearing S89°09'38''W to connect the LEE OGLE ENTERPRISE ZONE to the beginning point of side 1, the beginning point for the bounded area to be added to the LEE OGLE ENTERPRISE ZONE;

then N3°38'52''E for 3.335 feet, along side 1, to connect to side 2,
then N3°41'15''W for 43.002 feet, along side 2, to connect to side 3,
then N7°1'21''W for 46.189 feet, along side 3, to connect to side 4,
then N9°46'46''W for 46.189 feet, along side 4, to connect to side 5,
then N12°32'11''W for 46.189 feet, along side 5, to connect to side 6,
then N14°06'36''W for 272.920 feet, along side 6, to connect to side 7,
then S88°19'28''W for 1281.718 feet, along side 7, to connect to side 8,
then S1°30'46''E for 897.672 feet, along side 8, to connect to side 9,
then N88°12'10''E for 550.898 feet, along side 9, to connect to side 10,
then N12°30'20''W for 107.650 feet, along side 10, to connect to side 11,
then N1°22'24''W for 339.400 feet, along side 11, to connect to side 12,

then N88°13'21''E for 831.294 feet, along side 12, to connect to the beginning of side 1 and enclose the new bounded project area, which is all of a parcel presently known as Ogle County Parcel Number PIN 24-14-100-015, and including no other ownership parcels, in the City of Rochelle.
Illustration A - measurements in feet

<table>
<thead>
<tr>
<th>CONNECTOR STRIP</th>
<th>To Described Bounded Area</th>
<th>.2309 acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>From POB</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10-digit Ogle County PIN</td>
<td>24-14-100-015</td>
<td>19.4 acres</td>
</tr>
</tbody>
</table>

With amended total acreage, for LEE OGLE ENTERPRISE ZONE boundaries, including acreage for LEE OGLE ENTERPRISE ZONE CONNECTOR STRIPS, the new area of the Lee Ogle Enterprise Zone is 8,872.33 acres more or less.

<table>
<thead>
<tr>
<th>Total Area</th>
<th>For This Zone Amendment</th>
<th>19.63 acres</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Amended Zone Total Acreage</td>
<td>8872.33 acres</td>
</tr>
</tbody>
</table>