

PREPARED BY:

VILLAGE OF CHANNAHON
24555 S. NAVAJO DRIVE
CHANNAHON, IL 60410

MAIL TO:

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24555 S. NAVAJO DRIVE
CHANNAHON, IL 60410

RECORDER'S STAMP

ORDINANCE NO. 1607

**AN ORDINANCE AMENDING THE ARTICLES
TITLE XV LAND USAGE OF THE VILLAGE OF CHANNAHON,
WILL AND GRUNDY COUNTIES, STATE OF ILLINOIS**

**ADOPTED BY THE
BOARD OF TRUSTEES
VILLAGE OF CHANNAHON**

THIS 04th DAY OF January, 2010

**PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE BOARD OF TRUSTEES OF THE
VILLAGE OF CHANNAHON, WILL AND GRUNDY COUNTIES, ILLINOIS**

THIS 04th DAY OF January, 2010

AN ORDINANCE AMENDING THE ARTICLES
TITLE XV LAND USAGE OF THE VILLAGE OF CHANNAHON,
WILL AND GRUNDY COUNTIES, STATE OF ILLINOIS

WHEREAS, the Village of Channahon is a home rule municipal corporation; and

WHEREAS, it is in the best interest of the Village of Channahon that this amendment be made to Title XV, Land Usage, of the Village Code; and

WHEREAS, the Village has through its Planning and Zoning Commission conducted a public hearing on September 14, 2009 to consider the amendment to the Village Code relating to Land Usage; and

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF CHANNAHON WILL AND GRUNDY COUNTIES, ILLINOIS IN THE EXERCISE OF ITS HOME RULE AND OTHER POWERS AS FOLLOWS:

Section 1. That Article § 159, **SPECIAL DEVELOPMENT PROVISIONS**, Title XV, be amended as set forth in Exhibit A attached hereto.

Section 2. Severability. If any section, paragraph, clause or provision of this Ordinance is held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

Section 3. Repealer. All ordinances, resolutions, orders or parts thereof, which conflict with the provisions of this Ordinance, is to the extent of such conflict, hereby repealed.

Section 4. Effective Date. This Ordinance shall be in full force and effect after its passage, approval, and publication in pamphlet form.

PASSED this 04th day of January, 2010 with 6 members voting aye, 0 members voting nay, the President not voting, with 0 members abstaining or passing and said vote being:

MILITELLO aye

NASH aye

GRECO aye

McMILLIN aye

SLOCUM aye

PAPESH aye

[Signature]
JANET SCHUMACHER, Village Clerk

APPROVED this 04th day of January, 2010.

(SEAL)

[Signature]
JOSEPH COOK, Village President

ATTEST:

[Signature]
JANET SCHUMACHER, Village Clerk

EXHIBIT A

CHAPTER 159: SPECIAL DEVELOPMENT PROVISIONS

Section

§ 159.001 *Telecommunications Facilities, Towers, and Antennas*

- § 159.002 Definitions
- § 159.003 Intent
- § 159.004 Applicability
- § 159.005 Exemptions & Nonconforming Uses
- § 159.006 General Requirements
- § 159.007 Standards of Approval
- § 159.009 Removal of Abandoned Antennas and Towers
- § 159.010 Time For Determination/Denial
- § 159.011 Environmental Effects

§ 159.015 *Wind Energy Systems*

- § 159.0016 Definitions
- § 159.0017 Intent
- § 159.0018 Site Requirements
- § 159.0019 Review and Approval
- § 159.0020 Removal of Abandoned Systems

Administration and Enforcement

- 159.98 Review by Village Commission
- 159.99 Penalty

Wind Energy Systems

§ 159.016 DEFINITIONS.

ACCESSORY WIND ENERGY SYSTEMS (AWES). A wind energy conversion system designed as a secondary use to existing buildings or facilities, wherein the power generated is used primarily for on-site consumption. The system consists of a wind turbine and associated controls and may include a tower.

HUB HEIGHT. The distance measured from ground level to the center of the turbine hub.

SHADOW FLICKER. The moving shadows or shaded areas which are cast by rotating turbine blades.

TOWER HEIGHT. The distance measured from ground level to the top of the tower, plus the length of one blade.

WIND ENERGY SYSTEM (WES). A wind energy conversion system consisting of a wind turbine, a tower, blades, generators and associated control or conversion electronics and distribution system which will be used primarily to produce energy for off-site consumption.

WES FARM. Two or more of WES's and substations in the same location or vicinity interconnected with a power collection system and communications network to generate power primarily for off site consumption.

WIND TURBINE. A device which converts the kinetic energy of the wind into a useable form of electrical energy.

§ 159.017 Intent.

The purpose and intent of this ordinance is to establish a process, regulations and standards for the construction and operation of accessory wind energy systems (AWES) used primarily for on-site power consumption and WES Farms used primarily for off-site consumption.

§ 159.018 Site Requirements.

(A) Location.

(1) Subject to the requirements in this Chapter, AWES shall be considered a permitted use in all zoning districts, except for the Town Center District..

(2) Multiple AWES (more than one) are not permitted on any single lot within any zoning district within the Village.

(3) WES Farms are permitted in the I-2 Intensive Industrial District subject to the requirements of this chapter and prohibited in all other zoning districts.

(4) AWES may only be erected when there is a primary structure already on the lot or property and must be located in the rear yard.

(5) No part of the AWES or WES shall be located within or over any utility, water, sewer, or other type of easement.

(6) No part of the AWES or WES shall be located within any required setbacks.

(B) Tower Height.

(1) In the A-1, A-2, C-1, C-2, C-3, C-4, C-5, C-6, C-7, I1, PR, R-1, R-2, and R-3 zoning districts AWES' shall not extend more than 1.25 times in height above the primary structure as measured from the ground. .

(2) In the I2 zoning district AWES shall not extend more than two (2) times in height above the primary structure as measured from the ground.

(3) The maximum allowable tower height for WES shall be no more than three hundred and fifty (350) feet.

(C) Setbacks. All WES setbacks, as required herein, shall be measured from the nearest property or right-of-way line to a line extended from the leading edge of the wind system to the ground.

(1) Any AWES shall be setback from the property or right-of-way line a distance of 1.1 times the tower height.

(2) Any WES shall be setback from the property or right-of-way line a distance of 1.1 times the tower height.

(3) Any WES shall be setback a distance of one thousand (1000) feet from all platted subdivisions.

(4) Any WES shall be setback a distance equal to 1.1 times the tower height from other WES on the same property.

(D) Decibel level.

(1) The decibel level for any AWES shall not exceed thirty (30) decibels at the property line.

(2) The decibel level for any WES Farm shall not exceed sixty (60) decibels at the property line.

(E) Rooftop AWES.

(1) AWES may be installed on top of a primary structure on any lot in any zoning districts where permitted subject to the regulations required herein.

(2) A maximum of one (1) rooftop AWES may be installed on any single family residence.

(3) A maximum of one (1) rooftop AWES may be installed on any multi-family unit, excluding apartment or condominium buildings.

(4) A maximum of two (2) rooftop AWES may be installed on any apartment or condominium building.

(5) Rooftop AWES may be installed on any commercial or industrial building in accordance with the size of the building to be installed upon:

(a) 20,000 square feet or under = Maximum of one (1) rooftop AWES

(b) 20,000 – 100,000 square feet = One (1) additional rooftop AWES per additional 10,000 square feet. (EXAMPLE – 24,000 square foot building = one (1) maximum rooftop AWES, 32,000 square foot building = two (2) maximum rooftop AWES, 100,000 square foot building = 9 maximum rooftop AWES)

(c) 100,000 square feet or more = A maximum of ten (10) AWES.

(F) Force Wind Standards.

(1) The WES must be engineered to withstand wind forces of up to 100 miles per hour.

(G) Signage.

(1) WES may not contain any commercial markings, messages, or banners on the turbine or tower or any miscellaneous structure accompany the AWES.

(2) One (1) sign, no less than four (4) square feet and no greater than six (6) square feet in area, shall be posted at the base of the tower of any AWES or WES. The sign shall include a notice of no trespassing, a warning of high voltage, and the phone number of the property owner/operator to call in case of emergency.

(H) Tower Access.

(1) The WES should not be accessible for climbing. This can be accomplished by not providing rungs for the first twelve (12) feet, covering the climbing apparatus, enclosing the base of the structure with a six (6) foot fence, or by any other approved preventative measures.

(I) Color.

(1) The WES shall be of a neutral color such as white or light grey, and the surface shall be non-reflective.

(J) Lighting.

(1) No lights shall be installed on the WES, unless required to meet FAA, state, and/or federal regulations.

(K) Soil Studies.

(1) Prior to the issuance for a building permit for any WES the applicant shall provide proof that the site's soil conditions meet the minimum standards as specified by the AWES manufacturer. Provided that site soil analysis is not necessary or required for residential scale turbines

(3) For WES designed to generate greater than twenty (20kW) kilowatts, a Structural Engineer's seal will be required as well as a full soil analysis of the site.

(L) Proof of Insurance.

(1) Liability insurance for the AWES shall be provided prior to the release of the building permit.

§ 159.019 Review and Approval

The owner or owners of the AWES or WES and/or tract of land must submit to village staff a plan for the use of an AWES or WES for the purpose of and meeting the requirements set forth in this Chapter. Said plan may be accompanied by evidence concerning the compatibility of the project and its effects on surrounding property and other physical conditions. The plan and supporting evidence shall include each of the following:

(A) A site plan submittal showing the following information:

- (1) Existing and proposed contours, at a minimum of 2 foot intervals.
- (2) Location, setbacks, exterior dimensions and square footage of all structures and of those on adjacent properties.
- (3) Location and dimensions of all access points adjacent to site.
- (4) Location and size of existing waterways, sanitary sewers, storm sewer systems, and water distribution systems.
- (5) Location of any overhead power or other utility lines.
- (6) Approval letters from all utility companies.
- (7) Certified letters notifying adjacent property owners within 250 feet of subject property of AWES or WES application.
- (8) Areas subject to flooding.
- (9) Engineering plans of the proposed AWES or WES and foundation.
- (10) Manufacturer's engineering specifications of the WES including the foundation.
- (11) Detailed drawing of electrical components as supplied by the manufacturer and installation details which conform to the National Electrical Code.
- (12) Any and all other pertinent information regarding the installation and construction of the WES.

(B) Review & Approval.

(1) The AWES and WES site plan is subject to the site plan review and approval process outlined in § 154 Subdivision and Development Regulations.

§ 159.020 Removal of Abandoned Systems

(A) The Owner of an AWES(s) or WES and associated facilities which have been inoperable for 180 days will be notified by the Village of Channahon that the owner has 180 days from the notice date to restore the AWES(s) or WES to operating condition or remove the AWES(s) or WES. Removal of the wind system shall consist of: the turbines, any above ground improvements, fencing, all foundations, pads, underground electrical wires, or any other components associated with the wind systems' operations, all of which shall be to a depth of ten (10) feet. Failure to restore operating condition or remove the AWES(s) or WES will be in violation of this Zoning Ordinance and will result in the removal of the AWES(s) or WES at the owner's expense and the costs of removal assessed against the property.