

**ZONING RESOLUTION OF KNOX COUNTY
APPENDIX C
SOLAR ENERGY SYSTEM ORDINANCE**

Purpose

The purpose of this ordinance is to promote and encourage economic development, while maintaining order in the construction, installation and operation of Solar Energy Systems (SES) in Knox County, while ensuring protection of the health, safety and welfare of the residents of Knox County. Also, to avoid adverse impact to important areas such as agricultural land, endangered species habitats, conservation land, and other sensitive lands. This ordinance shall not be deemed to nullify any provisions of local, state or federal law.

Definitions

Ground Mount: A solar energy system mounted on a rack or pole that rests on or is attached to the ground.

Photovoltaic System: An active solar energy system that converts solar energy directly into electricity.

Roof Mount: A solar energy system that is mounted on a rack that is fastened onto a building roof.

Solar Collector: An assembly, structure, or design used for gathering, concentrating, or absorbing direct and indirect solar energy for which the primary purpose is to transform solar radiant energy into thermal, mechanical, chemical or electrical energy.

Solar Energy: Radiant energy received from the sun that can be collected in the form of heat or light by a solar collector.

Solar Energy System (SES): All components required to become a complete assembly or structure that will convert solar energy into electricity for use.

Solar Farm: A commercial facility that converts sunlight into electricity for the primary purpose of wholesale sales of generated electricity. A solar farm is the principal land use for the parcel on which it is located.

Solar Garden: A commercial solar-electric array, of no more than 5 acres in size that provides retail electric power to multiple households or businesses residing in or located off-site from the location of the solar energy system.

Building Permit Requirements and Fees

All Solar Energy Systems (SES) will be required to have a Knox County Building Permit before any work can be started. A written plan and a plat/drawing for the proposed Solar Energy System shall be provided with the Building Permit Application. The plat/drawing must show the location of the system on the building or on the property, (for a ground-mount system), with all property lines and set back footages indicated. Fees for processing the applications for building permits shall be submitted to and collected by the Knox County Zoning Dept. as follows:

0-	10 kilowatts (kW)	\$ 100.00
11-	50 kilowatts (kW)	\$ 250.00
51-	100 kilowatts (kW)	\$ 500.00
101-	500 kilowatts (kW)	\$1,000.00
501-	1,000 kilowatts (kW)	\$ 2,500.00
1,001 -	2,000 kilowatts (kW)	\$ 5,000.00
Over	2,000 kilowatts (kW)	\$ 100.00 for each additional 0-100 kilowatts

Any SES that construction has started before a Building Permit has been applied and paid for will be charged double the permit fee.

Permitted/Conditional Use

- A single solar energy ground mount or roof mount system for residential/business use are permitted as an Accessory Use in ALL Zoning Districts where there is a principal structure.
- Solar Energy Gardens in the “C” Conservation, “A” Agricultural & “M” & “M-2” Industrial Zoning Districts require a Conditional Use Permit.
- Solar Energy Farms in the “C” Conservation, “A” Agricultural & “M” & “M-2” Industrial Zoning Districts require a Conditional Use Permit.

Set Back Requirements

- Set back requirements for all Solar Energy Systems (SES) shall meet the structure set back requirements, (when the SES is oriented at any & all positions), in ALL Zoning Districts as stated in Article 7, Section 7.1 through Section 7.7.3.18* of the Knox County Zoning Resolution.
- All solar panels in a Solar Farm shall be kept at least five hundred (500) feet from a residence that is not part of the specific solar energy system permit/plan.
- No solar energy system shall be allowed to be placed in the front yard of any residential property.
- Roof mounted solar energy systems shall not extend beyond the exterior perimeter of the building on which the system is mounted.

Height Requirements

- Building or roof mounted solar energy systems shall not exceed the maximum allowed height in any Zoning District, as stated in Article 6** of the Knox County Zoning Resolution.
- Ground or pole mounted solar energy systems shall not exceed 20 feet in height when oriented at maximum tilt.

Other Requirements

- Solar Gardens must follow the minimum acreage requirement for the Zoning District they will be in and must be 5 acres or less.
- Solar Farms must follow the minimum acreage requirement for the Zoning District they will be in and must be at least 5 acres or more.
- Solar Gardens and Farms must follow all rules regarding the splitting off of land on previous split land in regards to sub-dividing.
- In all undeveloped areas, the Solar Energy developer will be required to complete a consultation with the Illinois Department of Natural Resources (IDNR) through the Department’s online EcoCat Program. The cost of this consultation shall be at the developer’s expense. The final certificate from EcoCat shall be provided to the Knox County Zoning Dept. before a permit or Conditional Use Permit will be issued.
- All Solar Farms will be subject to a site assessment/soil identification standard, (LESA) that is intended to protect agricultural soils.
- Perimeter fencing having a maximum height of eight (8) feet shall be installed around the boundary of ALL Solar Farms. The fence shall contain appropriate warning signage that is posted such that is clearly visible on the site.
- Any lighting for Solar Farms shall be installed for security and safety purposes only. Except for lightening that is required by the FCC or FAA, all lighting shall be shielded so that no glare extends substantially beyond the boundaries of the facility.

- Reflection angles for solar collectors shall be oriented such that they do not project glare onto adjacent properties.
- Solar Farms shall be located in a manner to reasonably minimize the view of the system from surrounding properties.
- Solar Energy Systems must be in compliance with ALL State of IL Building, Electric, Plumbing and Energy Codes.

Decommissioning of the Solar Farms

- A decommissioning plan shall be required to be submitted when applying for the building permit, to ensure that facilities are properly removed after their useful life. Decommissioning of solar panels must occur in the event they are not in use for 12 consecutive months. The plan shall include provisions for removal of all structures and foundations, restoration of soil and vegetation and a plan ensuring financial resources will be available to fully decommission the site. Knox County may require the posting of a bond, letter of credit or the establishment of an escrow account to ensure the proper decommissioning. In the event that the State of Illinois enacts a law with regarding to the decommissioning of a solar farm, the strictest requirements shall prevail.

ARTICLE 6
MAXIMUM HEIGHT LIMITS

Section 6.1 Maximum height limits for buildings are established as follows:

6.101 Two and one-half stories or 35 feet in the "C" "A" and "R" Districts.

6.102 The requirements of the Airport Zoning Resolution of the City of Galesburg for buildings near the municipal airport.

6.103 In the "B" "B-2" "M" and "M-2" Districts, buildings may be erected to 10 stories or 120 feet, provided that any building that exceeds 35 feet in height shall be set back from all yard lines two feet for each foot the building exceeds 35 feet in height.

Section 6.2 Height limits above set forth may be exceeded in the following instances:

6.201 If a public building, church, temple, office building, hospital, institution or school is set back an additional foot over the yards required in Article 7, it may be increased in height two feet over the height limit of Section 6.101 up to a limit of 90 feet.

6.202 Chimneys, church steeples, cooling towers, elevator bulkheads, fire towers, monuments, stacks, stage towers or scenery lofts, tanks, water towers, ornamental towers, spires, wireless towers, silos, grain elevators, other farm buildings, or necessary mechanical appurtenances are exempt from height regulations.

6.203 Storage buildings are exempt from the story limitation, but not the "number of feet" limitation.

Section 6.3 Those parts of existing buildings that violate height regulations may be repaired and remodeled but may not be reconstructed or structurally altered.

***Attachment to Appendix C - Zoning Resolution of Knox County
Solar Energy System Ordinance**

ARTICLE 7
MINIMUM YARDS

Section 7.1 The following minimum yards shall be provided except as modified by Sections 7.2 and 7.3 and Article 10 hereof. Side yards in the incorporated areas in the "B" "B-2" "M" and "M-2" Districts are not required except when abutting a street or residential zone.

<u>District</u>	<u>One front yard of:</u>	<u>Two side yards of:</u>	<u>One rear yard of:</u>
"C"	50 feet	20 feet	50 feet
"A"	50 feet	20 feet	50 feet
"R"	30 feet	10 feet	30 feet
"B"	50 feet	50 feet	50 feet
"B-2"	50 feet	20 feet	30 feet
"M"	30 feet	20 feet	30 feet
"M-2"	30 feet	20 feet	30 feet

Section 7.2 The following general additional requirements also must be observed:

7.201 On lots fronting on two non-intersecting streets, a front yard must be provided on both streets.

7.202 On corner lots there must be a front yard on both streets. When constructing an accessory building or a grain bin on corner lots, the front setbacks need to be 100' from the road right of way. On corner lots that are lots of record, the buildable width cannot be reduced to less than 28 feet, except that there shall be a yard along the side street side of such a lot of at least five feet. [Effective since 27 Mar 13]

7.203 Where a frontage is divided among districts with different front yard requirements, the deepest front yard required shall apply to the entire frontage.

7.204 In the "B" "B-2" "M" and "M-2" Districts, there may be more than one commercial or industrial building on a lot provided that the required yards be maintained around the group of buildings. Side yards and rear yards in these zones when abutting a residential zone shall be fifty (50) feet of which at least three (3) feet immediately adjacent to the residential zone shall be devoted to the growing of a shrubbery screen.

7.205 There may be two or more related multi-family, hotel, motel, or institutional buildings on a lot; provided that (a) the required yards be maintained around the group of buildings, and (b) buildings that are parallel or that are within 45 degrees of being parallel be separated by a horizontal distance that is at least equal to the height of the highest building.

7.206 Those parts of existing buildings that violate yard regulations may be repaired and remodeled, but not reconstructed or structurally altered.

7.207 Required front yards in the "C" "A" and "R" Districts shall be entirely to landscaped area except for guest parking and the necessary paving of driveways and sidewalks to reach parking or loading areas in the side or rear yard. In other districts, at least ten feet of the required front yard shall be devoted to landscaped area. Landscaped area shall mean that the area is permanently devoted and maintained to the growing of shrubbery, grass and other plant material. [Effective since 16 July 86]

7.208 Where the property line of a lot is the center of a public road, street or highway, the building set-back line shall be determined by adding one-half (1/2) the required right-of-way

width for the specific type of road, street or highway involved to the front yard as required by Section 7.1. [Effective since 17 March 82]

The specific public road, street and highway types and widths are:

Major highways (state and federal)	100 feet
County highways	80 feet
Secondary streets and township roads	66 feet
Local streets (no curb and gutter)	60 feet
Local streets (with curb and gutter)	50 feet

Section 7.3 The following exceptions may be made to the yard requirements:

7.301 On lots of record the side yard may be reduced to 10 percent of the lot width but not less than three feet.

7.302 On lots of record the rear yard may be reduced to 20 percent of the lot depth.

7.303 Where, on the effective date of this Resolution, 40 percent or more of a frontage was occupied by two or more buildings, and then the required front yard is established in the following manner: [Effective since 16 July 86]

(a) Where the building farthest from the street provides a front yard not more than ten feet deeper than the building closest to the street, then the required front yard for the frontage is and remains an average of the then existing front yards. [Effective since 16 July 86]

(b) Where this (a) is not the case and a lot is within 100 feet of a building on each side, then the required front yard is a line drawn from the closest front corners of these two adjacent buildings. [Effective since 16 July 86]

(c) Where neither (a) nor (b) is the case, and the lot is within 100 feet of an existing building on one side only, then the required front yard is the same as that of the existing adjacent building. [Effective since 16 July 86]

7.304 Sills, belt courses, cornices and ornamental features may project only one foot into a required yard, and roof overhangs may project not more than two feet into a required yard. [Effective since 17 Dec 80]

7.305 Open fire escapes, fireproof outside stairways and balconies opening upon fire towers, and the ordinary projections of chimneys and flues into a required rear yard for a distance of not more than three and one-half feet when so placed as to not obstruct light and ventilation, may be permitted by the Administrative Officer. [Effective since 16 July 86]

7.306 Open unenclosed porches (not glassed in) may extend ten feet into a required front yard. [Effective since 16 July 86]

7.307 Terraces which do not extend above the level of ground (first) floor may project into a required yard, provided these projections be distant at least two feet from the adjacent side lot line.

7.308 No side yards are required where dwellings are erected above commercial and industrial structures.

7.309 Accessory buildings may be located in a required rear yard but may not occupy more than 30 percent of a rear yard. [Effective since 16 July 86]

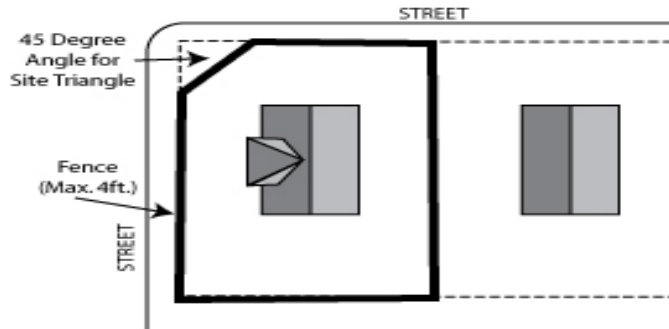
7.310 Any accessory building closer than ten feet to a main building shall be considered as part of the main building and shall be provided with the side and rear yards required for the main building.

7.311 Any accessory building or structure more than ten feet from a main building may be erected within two feet of a side or rear lot line. [Effective since 19 Sept 84] Docks, decks or piers, on water front lots, may be located up to the rear lot line or shoreline of a lake or stream. [Effective since 21 Nov 01]

7.312 Where a garage is entered from an alley, it must be kept ten feet from the alley line.

7.313 On corner lots the minimum buildable width of 28 feet for main buildings is reduced to 22 feet for accessory buildings.

7.314 No fence or wall more than 30 percent solid or more than three feet high may be located within 30 feet of a street intersection, except agricultural fencing. [Effective since 21 Nov 01]



[Effective since 27 Feb 13]

7.315 Except as provided in 7.314, fences or walls less than four feet high may be located on any part of a lot, excluding the site triangle. [Effective since 21 Nov 01] [Effective since 27 Feb 13]

7.316 Fences in the "R" Zoning District, except as provided in 7.314, fences or walls less than six feet high may be erected on those parts of a lot that are as far back or farther back from a street than the main building, excluding the site triangle; in the "A", "C" Zoning Districts, fences less than four (4) feet high may be located on any part of a lot, excluding the site triangle and fences less than six (6) feet high may be erected on those parts of a lot that are as far back or farther back from a street than the main building, excluding the site triangle; in the "B", "B-2", "M" and "M-2" Zoning Districts, fences less than six (6) feet high may be located on any part of a lot, excluding the site triangle. No solid fence or wall shall be erected or located in a drainage way or easement so as to impede, alter or disrupt the natural flow of surface water. [Effective since 27 Feb 13]

7.317 Wherever a "B" District adjoins an "R" District the final development plan shall provide for a suitable fence, wall, or evergreen shrub border at least five feet high.

7.318 Fences shall be constructed so that the finished side faces away from the lot on which it is constructed, and the supporting structure side shall face the interior of the fenced property. [Effective since 27 Feb 13]

**KNOX COUNTY
CONSTRUCTION PERMIT APPLICATION**

Please fully complete all applicable parts of the application form.

Building permit fees are based on per square footage. Please see the attached Unified Development Fee Schedule. Fees are doubled if any construction has been started before obtaining a permit from the Knox County Zoning Office.

The structure being built needs to be properly staked out, allowing dimensions, corners, and setbacks to be verified as to the Knox County Ordinance. Please check with the Zoning Department to clarify what setbacks are required in your zoning district.

A site map and construction plans with materials being used MUST be attached with this application. Two (2) sets of plans are required.

If you have any questions on completing the application, please call the Knox County Zoning Office at (309) 345-3840.

New IDNR Consultation Fee \$500 for Eco-Cat on any new building on vacate land and developing land the applicate has to file an Eco-cat and pay for the consultation. Bring in the consultation into Zoning before a permit is issued.

KNOX COUNTY UNIFIED DEVELOPMENT

FEE SCHEDULE

Please make check payable to: Knox County Zoning Department

CONSTRUCTION PERMIT FEES

Floor area – above and/or below ground living area, finished basements or commercial buildings:

\$0.20 per square foot

Floor area – non-living area / unfinished basement:

\$0.10 per square foot

Accessory building or structure smaller in size than footprint of principal building – small shed,

garage, decks, porches:

\$0.10 per square foot

Accessory building or structure larger in size than footprint of principal building – large garage,

workshop, storage shed:

\$0.20 per square foot

Manufactured Housing, excluding replacement of mobile homes located inside conforming mobile home parks:

\$100 fee

Privacy Fences / Per Sign: Up to 200 lineal feet or square feet: \$50 fee

Over 200 lineal feet or square feet: \$100 fee

MOVING FEES

Principal Building or structure: \$100

Accessory Building or structure: \$ 50

Reinstating Expired Construction Permits: 100% of initial fee plus \$1 per 1% of work to be completed

KNOX COUNTY UNIFIED DEVELOPMENT FEE SCHEDULE (cont.)

TELECOMMUNICATIONS FACILITIES & TOWERS

Communication Facility (New Facility) (Includes equipment bldg & fencing)	\$15 per vertical foot
Communication Facilities (Equipment Replacement) (Any Equipment)	\$ 350.00
Small Cell Wireless Facility (New Pole)	\$1,000.00
Small Cell Wireless Facility (Existing Pole-1st Facility)	\$ 650.00
Small Cell Wireless Facility (Existing Pole-Addn Facilities on same pole)	\$ 350.00

Solar Energy Building Permit Requirements and Fees

All Solar Energy Systems (SES) will be required to have a Knox County Building Permit before any work can be started. A written plan and a plat/drawing for the proposed Solar Energy System shall be provided with the Building Permit Application. The plat/drawing must show the location of the system on the building or on the property, (for a ground-mount system), with all property lines and set back footages indicated. Fees for processing the applications for building permits shall be submitted to and collected by the Knox County Zoning Dept. as follows:

0- 10 kilowatts (kW)	\$ 100.00
11- 50 kilowatts (kW)	\$ 250.00
51- 100 kilowatts (kW)	\$ 500.00
101- 500 kilowatts (kW)	\$ 1,000.00
501- 1,000 kilowatts (kW)	\$ 2,500.00
1,001 – 2,000 kilowatts (kW)	\$ 5,000.00

**Over 2,000 kilowatts (kW) \$ 100.00 for each additional 0–100 kilowatts
Any SES that construction has started before a Building Permit has been applied
and paid for will be charged double the permit fee.**

ATTENTION: For all applicants, when work is commenced or proceeded with, prior to obtaining the required permits, when petitions involve after-the-fact situations, violations, illegal nonconformities, or other nonconformities not resulting from a change to the Zoning Resolution or Subdivision Regulations, the established fees shall be doubled. The payment of such doubled fee shall not relieve any person from fully complying with the requirements of said resolutions, or any applicable county ordinance or regulation, nor from the penalties prescribed in these resolutions, ordinances and regulations.