



City of Pekin

**REGULAR ZONING BOARD OF APPEALS MEETING
WEDNESDAY, AUGUST 13, 2025
5:00 PM**

1. Pledge of Allegiance

2. Call to Order

3. Approve Agenda

4. Approval of Minutes

4.1. Minutes from the July 9, 2025 Meeting

5. City Council Action Report

5.1. City Council Action Report From July 28, 2025

6. New Business

6.1. Case ZTA 2025-03 Amending City Code Chapter 4, Article III, Division 9
Regarding Off-Street Parking and Loading

6.2. Case ZTA 2025-04 Amending City Code Chapter 4, Article III, Division 11
Regarding Solar Energy Systems

7. Any Other Business Before the Board

8. Public Input

9. Adjourn

**REQUEST FOR COUNCIL ACTION**

Agenda Date: August 13, 2025
To: Members of the Zoning Board of Appeals
From: Nic Maquet, Chief Building Official

AGENDA ITEM: Minutes from the July 9, 2025 Meeting

DESCRIPTION: Minutes from the July 9, 2025 Meeting

FINANCIAL IMPACT:
 N/A

REVIEWED BY:

Nic Maquet, Chief Building Official

Final Approval - 8/4/2025



City of Pekin

**PROCEEDINGS OF THE REGULAR MEETING
OF THE ZONING BOARD OF APPEALS OF THE CITY OF PEKIN, ILLINOIS,
HELD IN ROOM 202 THE COUNCIL CHAMBERS OF CITY HALL
111 S. CAPITOL ST
PEKIN, ILLINOIS 61554
ON WEDNESDAY, JULY 9, 2025 AT 5:00 PM
CHAIRMAN DON HILD PRESIDING**

Pledge of Allegiance

The Pledge of Allegiance was led by Chairman Hild.

Call to Order

The regular meeting of the Pekin Zoning Board of Appeals was called to order and all members were physically present. A quorum was declared by Chairman Hild.

Attendee Name	Organization	Title	Status	Arrived
Chris Deverman	Zoning Board of Appeals	Commissioner	Present	5:00 PM
Donald Hild	Zoning Board of Appeals	Chair	Present	5:00 PM
David Huskisson	Zoning Board of Appeals	Commissioner	Present	5:00 PM
Kim Joesting	Zoning Board of Appeals	Commissioner	Present	5:00 PM
Mary Lanane	Zoning Board of Appeals	Commissioner	Present	5:00 PM
Kelly Madden	Zoning Board of Appeals	Commissioner	Present	5:00 PM
Amy Wilson	Zoning Board of Appeals	Commissioner	Present	5:00 PM

Approve Agenda

RESULT:	PASSED (UNANIMOUS)
MOVER:	Commissioner Deverman
SECONDER:	Commissioner Madden
AYES:	Commissioners Deverman, Hild, Huskisson, Joesting, Lanane, Madden and Wilson

Approval of Minutes

4.1. Minutes from the June 11, 2025 Zoning Board of Appeals Meeting

RESULT:	PASSED (UNANIMOUS)
MOVER:	Commissioner Madden
SECONDER:	Commissioner Deverman
AYES:	Commissioners Deverman, Hild, Huskisson, Joesting, Lanane, Madden and Wilson

City Council Action Report

5.1. City Council Action Report-Regular Meeting June 23, 2025

All cases from June 23, 2025, were approved and the moratorium on residential ground-mount solar panels was lifted.

City council has given directions to staff to notify ZBA that a text amendment will be forthcoming that will require a Special Use for all residential ground-mount solar panels.

Unfinished Business

6.1. Case V 2025-07 A Variance Request Submitted by Rich Johnson for the Property Located at 205 Sapp Street to Allow for the Construction of a Second Driveway on the Property.

RESULT:	PASSED (UNANIMOUS)
MOVER:	Commissioner Lanane
SECONDER:	Commissioner Madden
AYES:	Commissioners Deverman, Hild, Huskisson, Joesting, Lanane, Madden and Wilson

Public Hearing Open 5:02 PM Public Hearing Closed: 5:05 PM

Rich Johnson, owner, would like to finish the existing garage to include a driveway to keep his cars safe.

Mark Larken, friend of the owner, states that the current garage does not allow for his current vehicle to fit (the current garage is 6"X8").

Commissioner Hild asked what his current garage was being used for, and he said that it was for tools, etc. because it doesn't have a large enough opening to pull his vehicle inside. Nic said the owner was issued a permit in 2018 to construct this and at that time they did not catch that a variance was needed. Nic said that staff does recommend the approval of the driveway as long as it is cement or asphalt rather than white rock. Mr. Johnson said that they do plan to lay asphalt. Commissioner Wilson asked if there were any curb cuts on the edge and there were not, so a curb cut would not be necessary. Nic explained that the approach would need to be concrete, and then it could be asphalt. Nic also explained that they would need to add a sidewalk to become ADA-compliant with the driveway improvement. The vote was approved based on the resident having the hard surface.

Motion to Approve: Lanane Second: Madden

New Business

7.1. Case V 2025-08 A Variance Request Submitted by Sylvia Shults for the Property Located at 600 Market Street to Allow for the Construction of a Shed and Raised Garden Beds on a Non-Conforming Lot

RESULT:	PASSED (UNANIMOUS)
MOVER:	Commissioner Madden
SECONDER:	Commissioner Huskisson
AYES:	Commissioners Deverman, Hild, Huskisson, Joesting, Lanane, Madden and Wilson

Public Hearing Open: 5:13PM Public Hearing Closed: 5:14PM

Sylvia Shults, owner, would like permission to put a shed on the empty lot to keep her gardening and yard equipment in the shed.

Motion to Approve:Madden Second: Huskisson

Commissioner Lanane asked how this came to ZBA and Nic said that Code Enforcement received a complaint. Nic also explained that moving forward, if approved, RVs are not allowed to be stored on the property. Commissioner Wilson asked what the issue was with the raised garden and Nic said that the issue is a structure being built on a lot that does not have a residential home. Approved.

Any Other Business Before the Board

Public Input

No further public input.

Adjourn

Motion to adjourn made by Commissioner Madden and seconded by Huskisson.

**REQUEST FOR COUNCIL ACTION**

Agenda Date: August 13, 2025
To: Members of the Zoning Board of Appeals
From: Nic Maquet, Chief Building Official

AGENDA ITEM: City Council Action Report From July 28, 2025

DESCRIPTION: City Council Action Report From July 28, 2025

FINANCIAL IMPACT:
 N/A

REVIEWED BY:

Nic Maquet, Chief Building Official

Final Approval - 8/4/2025

City Council Action Report
Meeting Date
July 28, 2025 5:30 PM

All zoning cases that were recommended for approval during the regularly scheduled Zoning Board of Appeals meeting held on Wednesday July 09, 2025 were approved at the regularly scheduled City Council meeting held on Monday July 28, 2025.

- Case V 2025-07 Approved
- Case V 2025-08 Approved

**REQUEST FOR COUNCIL ACTION**

Agenda Date: August 13, 2025
To: Members of the Zoning Board of Appeals
From: Nic Maquet, Chief Building Official

AGENDA ITEM: Case ZTA 2025-03 Amending City Code Chapter 4, Article III, Division 9 Regarding Off-Street Parking and Loading

DESCRIPTION:**Purpose of Text Amendment** – Trailer Storage in Residential Driveways

The purpose of this amendment to the City Code is to respond to citizen feedback regarding the storage of small trailers on residential properties. A significant number of residents have expressed concern that the current ordinance does not allow adequate flexibility for trailer storage, particularly for properties with limited yard or side-lot access. These residents have requested that trailers be permitted in driveways due to practical constraints posed by their lot configuration.

Residents cite several reasons for this request, including:

- The lack of viable storage space elsewhere on their property;
- The need for convenient and accessible trailer storage for work or hobby purposes;
- The desire to reduce or eliminate recurring costs associated with off-site storage facilities.

In response to these concerns, staff has drafted proposed amendments to allow small trailers to be stored in residential driveways, provided that all requirements and conditions outlined in the ordinance are met. These conditions are intended to preserve neighborhood esthetics and safety while accommodating residents' needs. (underline indicates addition and ~~strikethrough~~ indicates deletion)

Staff Recommendation:

Staff recommends approval of the proposed text amendment.

FINANCIAL IMPACT:

N/A

REVIEWED BY:

Nic Maquet, Chief Building Official

Final Approval - 8/1/2025

Sec. 4-3-9-1. General requirements.

There shall be provided in all districts, at the time of erection or enlargement of any main building or structure, automobile off-street parking space with adequate access to all spaces. The number of off-street parking spaces, in conjunction with all land or building uses shall be provided prior to the issuance of a certificate of occupancy as hereinafter prescribed:

(1) *Use of parking facilities.*

- a. Any area once designed as required off-street parking shall never be changed to any other use unless and until equal facilities are provided elsewhere.
- b. For those uses not specifically mentioned, the requirements for off-street parking facilities shall be in accordance with a use which the Zoning Board of Appeals considers is similar in type.
- c. The storage of merchandise, motor vehicles for sale, trucks or the repair of vehicles is prohibited.

(2) *Location.*

- a. *Generally.* Off-street parking spaces may be located within a rear yard when there is alley access to the property or a paved parking bay, paved driveway or garage in the rear yard or within a side yard which is in excess of the minimum side yard setback unless otherwise provided in this Article. Off-street parking shall not be permitted within a front yard setback or within a minimum side yard setback unless otherwise provided in this Article.
- b. *Nonresidential use.* Off-street parking for other than residential use shall be either on the same lot or within 300 feet of the building it is intended to serve, measured from the nearest point of the building to the nearest point of the off-street parking lot. Ownership of all lots or parcels intended for use as parking by the applicant shall be shown.
- c. *Residential use.* Required residential off-street parking spaces shall consist of a parking strip, parking bay, driveway, garage or combination thereof and shall be located on the premises they are intended to serve, and subject to the provisions of Section 4-3-8-3 of this Chapter "accessory uses and buildings."
 1. No person shall park or leave unattended, or cause to leave parked or unattended, any vehicle, wholly or partially within any front, side or rear yard of any residential district unless such vehicle is wholly within a driveway or parking area.
 2. ~~Parking a camping trailer, motorcycle trailer, truck camper, construction trailer, commercial equipment, commercial vehicles or motor homes in any front yard in all residential districts is prohibited.~~
 2. Parking any equipment, commercial trailers, commercial vehicles, motor homes, homemade trailers, or any equipment or special use trailer in any front yard or front yard setback, in all residential districts, is prohibited.
 3. No more than one of the following trailers may be legally parked in the driveway or an approved parking surface/area of any residential property, provided they are well maintained and no greater than twenty feet in length from hitch to tail. The trailers shall be legally registered (if required), operational, and shall not create a nuisance, visual or physical obstruction, create a safety concern, or encroach on the city right-of-way.
 - a) Camping or travel trailer in stored condition and not connected to any utilities (Note: No camping or travel trailer shall be used for sleeping or cooking purposes while stored or parked within the city limits of Pekin. When preparing for a trip,

electrical outlets for such travel trailer may be provided, but the installation shall be in compliance with city electrical regulations. No connected electrical extension cords shall lie on the ground or be suspended less than eight feet from the ground and may be used for no more than 24 hours. No electrical cords shall lie across any city sidewalk)

- b) Flatbed or hauling trailer that is completely empty
- c) Truck camper properly stored and secured
- d) Enclosed trailers with the doors closed and secured

- 3 4. Driveway areas used as means of ingress and egress of any residential lot, shall not exceed 24 feet in width for residential lots with less than 90 feet of frontage or 30 feet in width for residential lots with 90 feet or more of frontage, not including driveway approach flares.
 - 4 5. Only one driveway approach shall be permitted for any single-family residential lot, except that residential lots with alley access and through lots that have frontage on two parallel streets may have no more than two driveway approaches, provided that each such driveway approach and curb cut provides egress and ingress to a garage on such properties and no two driveway approaches shall be placed on the same street or alley.
 - 5 6. A driveway and/or parking area must be an improved surface constructed of a hard surface of concrete, asphalt or brick pavers for the purpose of accommodating vehicular parking. The improved surface required by this Subsection shall, at a minimum, be as wide and as long as any vehicle parked on such surface.
 - 6 7. Improved areas and any parking areas shall not occupy more than 30 percent of the combination of any required side and/or rear yards in all residential zoning districts.
 - 7 8. The construction of new or expansion of existing gravel, or similar materials for driveways and/or parking areas are not permitted from the time of approval of this Section.
 - 8 9. Expanding existing driveways or parking areas shall be contiguous and parallel to the driveway, shall not take away from the landscaping required for any front yard and shall not cause and additional storm-water runoff to be forced onto the City right-of-way.
 - 9 10. The parking of a boat, personal watercraft, or other watercraft, and a trailer for hauling the same shall be allowed in all yards within any residential district, provided that the boat, personal watercraft, other watercraft, and trailer must be parked on a hard surface of asphalt, concrete, or brick or stone pavers. In no instance shall a boat, personal watercraft, other watercraft, or trailer for hauling the same be parked in such a manner as to obstruct the view of cars pulling out of any driveway onto the street, or, in the case of corner lots, to obstruct the view of cars approaching an intersection. No parked boat, personal watercraft, other watercraft, or trailer for hauling the same may extend onto or obstruct the public right-of-way.
- d. In a residential district no vehicle may be displayed for sale except as follows:
- 1. Only one vehicle may be displayed at any one time;
 - 2. No more than two vehicles may be displayed on any property during any calendar year;
 - 3. Any vehicle displayed for sale must be owned by the owner or possessor of the property on which the vehicle is displayed;

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4. Any vehicle displayed for sale must be parked on a hard surface, have a current license and be operable.
- (3) *Joint parking facilities.*
- a. Two or more buildings or uses may collectively provide the required off-street parking; in which case, the required number of parking spaces shall not be less than the sum of the requirements for the several individual uses computed separately.
 - b. In the instance of dual function of off-street parking spaces where operating hours of buildings do not overlap, the Board of Appeals (see Chapter 2, Article VI, Division 10) may grant an exception.
- (4) *Existing parking facilities.* Off-street parking existing at the effective date hereof in connection with the operation of an existing building or use shall not be reduced to an amount less than hereinafter required for a similar new building or new use.
- (5) *Computation of required spaces.*
- a. When units or measurements determining the number of required parking spaces result in the requirement of a fractional space, any fraction up to and including one-half shall be disregarded and fractions over one-half shall require one parking space.
 - b. For the purpose of computing the number of parking spaces required, shall be computed on the total usable space and occupancy load.
 - c. The requirements of Section 4-3-9-3 may be reduced by one-half the minimum required spaces for those uses within the B-2 Central Business District. For those buildings existing within the B-2 District, no additional parking space need be provided when remodeling or rebuilding of structures is proposed, provided the floor area of existing structures on such site is not increased in the remodeling or rebuilding undertaken. Where floor area is increased, when modifying structures into loft apartments on the stories above the first floor parking spaces shall be provided for such increased floor area in accord with the provisions of this Article.
- (6) *Surfacing of parking area and driveway.* All driveways in the entire parking area, including parking spaces and maneuvering lanes, required under this Section, shall be provided with asphalt or concrete surfacing in accordance with specifications approved by the City Engineer.
- (7) *Publicly owned parks and recreational facilities.* In publicly owned parks and publicly owned recreational facilities, the entire parking areas, including parking spaces and maneuvering lanes, required under this Section shall be provided with sealcoat surfacing in accordance with specifications approved by the City Engineer. However, as required elsewhere by this Article, approaches from the public street to the property line (i.e., end of the public right-of-way) shall be concrete.
- (Prior Code, § 9-10B-1-1; Ord. No. 2532-OA-07/08, 1-24-2008; Ord. No. 2584-OA 09/10, 5-26-2009; Ord. No. 2846-19/20, § 2, 9-23-2019; Ord. No. 2875-19/20, § 3, 3-23-2020; Ord. No. 3001-21-22, § 5, 7-26-2021)

	REQUEST FOR COUNCIL ACTION	
	Agenda Date: August 13, 2025 To: Members of the Zoning Board of Appeals From: Nic Maquet, Chief Building Official	
AGENDA ITEM:	Case ZTA 2025-04 Amending City Code Chapter 4, Article III, Division 11 Regarding Solar Energy Systems	
DESCRIPTION: Background: At the direction of the City Council, City staff have prepared draft amendments to the City's existing solar energy systems code. The primary change reflects the Council's directive that all residential ground-mount solar energy systems require a special use permit, regardless of zoning district. Additional Revisions: - Code Cleanup: Obsolete or unclear language within the code has been revised or removed to improve clarity and consistency. - Maintenance Requirements: A new section has been added to specify clear maintenance standards for residential ground-mount solar energy systems, ensuring ongoing compliance and neighborhood compatibility. (<u>underline</u> indicates addition and strike through indicates deletion) Staff Recommendation: Staff recommends approval of the proposed amendments.		
FINANCIAL IMPACT: N/A		
REVIEWED BY:		
Nic Maquet, Chief Building Official	Final Approval - 8/1/2025	

Sec. 4-3-11-8. Solar energy systems.

(a) *Purpose.* The purpose of this Section is to facilitate the construction, installation, and operation of Solar Energy Systems (SES) in the City of Pekin in a manner that promotes economic development and ensures the protection of health, safety, and welfare while also avoiding adverse impacts to important areas such as agricultural lands, endangered species habitats, conservation lands, and other sensitive lands. It is the intent of this Section to encourage the development of SESs that reduce reliance on foreign and out-of-state energy resources, bolster local economic development and job creation. This Section is not intended to abridge safety, health or environmental requirements contained in other applicable codes, standards, or ordinances. The provisions of this Section shall not be deemed to nullify any provisions of local, State or Federal law.

(b) *Definitions.* The following words, terms and phrases, when used in this Section, shall have the meanings ascribed to them in this Subsection, except where the concept clearly indicates a different meaning:

Building integrated photovoltaic systems means a Solar Energy System that consists of integrating photovoltaic modules into the building structure as the roof or façade and which does not alter the relief of the roof.

Collective solar means solar installations owned collectively through subdivision homeowner associations, college student groups, or other similar arrangements.

Commercial/large scale solar farm means a utility scale commercial facility that converts sunlight to electricity, whether by photovoltaics, concentrating solar thermal devices, or various experimental technologies for onsite or offsite use with the primary purpose of selling wholesale or retail generated electricity.

Community solar garden means a community solar-electric (photovoltaic) array, of no more than ten acres in size, that provides retail electric power (or financial proxy for retail power) to multiple households or businesses residing in or located off-site from the location of the Solar Energy System.

Ground mount solar energy system means a Solar Energy System that is directly installed into the ground and is not attached or affixed to an existing structure.

Net metering means a billing arrangement that allows solar customers to get credit for excess electricity that they generate and deliver back to the grid so that they only pay for their net electricity usage at the end of the month.

Photovoltaic system means a Solar Energy System that produces electricity by the use of semi-conductor devices calls photovoltaic cells that generate electricity whenever light strikes them.

Qualified solar installer means a trained and qualified electrical professional who has the skills and knowledge related to the construction and operation of solar electrical equipment and installations and has received safety training on the hazards involved. A qualified solar installer must also be listed as a certified distributed generation installer with the Illinois Commerce Commission.

Roof mount means a Solar Energy System in which solar panels are mounted on top of a building roof as either a flush mounted system or as modules fixed to frames which can be tilted toward the south at an optical angle.

Solar access means unobstructed access to direct sunlight on a lot or building through the entire year, including access across adjacent parcel air rights, for the purpose of capturing direct sunlight to operate a Solar Energy System.

Solar collector means a device, structure or part of a device or structure for which the primary purpose is to transform solar radiant energy into thermal, mechanical, chemical or electrical energy.

Solar energy means 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) means the components and subsystems required to convert solar energy into electric or thermal energy suitable for use. The area of the system includes all the land inside the perimeter of the system, which extends to any fencing. The term "Solar Energy System" applies, but is not limited to, solar photovoltaic systems, solar thermal systems and solar hot water systems.

Solar storage battery/unit means a component of a solar energy device that is used to store solar generated electricity or heat for later use.

Solar thermal systems. Solar thermal systems directly heat water or other liquid using sunlight. The heated liquid is used for such purposes as space heating and cooling, domestic hot water and heating pool water.

- (c) ~~Ground-mount and roof-mount SES.~~ Ground-mount and Roof mount SES shall be permitted by a building permit ~~& electrical permit~~ in all zoning districts where there is a principal use. A building permit application shall be submitted to the Director of Building Inspections, with a written plan and a drawing for the proposed Solar Energy System also submitted with the permit application. The drawing must show the location of the system on the building or on the property (for ground-mount system, show arrangement of panel), with all property lines and setback dimensions indicated on the drawing. Additional information shall be provided to demonstrate compliance with the following restrictions:

Ground-mount solar energy systems designed to serve only the occupants of the parcel on which the systems are located shall require a special use permit. Such systems are accessory structures and are allowed only on zoning lots with a principal residential structure. Roof-mount solar energy systems designed to serve only the occupants of the parcel on which the systems are located shall not require a special use. An application shall be submitted to the director demonstrating compliance with all applicable provisions of this chapter and with the following requirements:

(1) *Height.*

- a. ~~Building or~~ Roof-mount Solar Energy Systems shall not exceed the maximum allowed height for principal structures in any zoning district.
- b. ~~Ground or pole-mounted~~ Ground-mount Solar Energy Systems shall not exceed the maximum permitted height for an accessory structure when oriented at maximum tilt.
- c. ~~Ground-mounted~~ Ground-Mount Solar Energy Systems ~~may~~ shall not be placed in the front yard or front yard setback in any zoning district.

(2) *Setbacks.*

- a. Ground-mount Solar Energy Systems shall meet the applicable building setbacks for the zoning district in which the unit is located.
- b. Ground-mounted Solar Energy Systems shall not extend beyond the side yard or rear yard setback ~~when oriented at minimum~~ at any design tilt.
- c. In addition to building setbacks, the collector surface and mounting devices for roof-mounted systems shall not extend beyond the exterior perimeter of the building on which the systems are mounted or built. ~~, unless the collector or mounting system has been engineered to safely extend beyond the edge, and setback requirements are not violated.~~ Exterior piping for solar thermal systems shall be allowed to extend beyond the perimeter of the building on a side yard exposure.

(3) *Reflection angles.* Reflection angles for solar collectors shall be oriented such that they do not project glare onto adjacent properties.

(4) *Visibility.* Solar Energy Systems shall be located in a manner to reasonably minimize view blockage for surrounding properties and shading of property to the north while still providing adequate solar access for collectors.

(5) ~~Safety.~~ Safety & Maintenance

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- a. ~~Roof or building-mounted~~ Roof Mount Solar Energy Systems, excluding building integrated systems, shall allow for adequate roof access for firefighting purposes to the south facing or flat roof upon which the panels are mounted.
 - b. ~~Roof or building-mounted~~ Roof Mount Solar Energy Systems shall meet the requirements of the Pekin City Code regarding building regulations.
 - c. All Solar Energy System installations shall be performed by a qualified solar installer licensed with the City as an electrical contractor.
 - d. Any connection to the public utility grid shall be inspected by the appropriate public utility.
 - e. All Solar Energy Systems shall be maintained and kept in good working order. If it is determined that a Solar Energy System is not being maintained, kept in good working order, or is no longer being utilized to perform its intended use for six consecutive months, the property owner shall be given a 30-day notice for removal or repair of the unit and all equipment. If the Solar Energy System is not removed or repaired within 30 days, then a notice of violation and a notice to appear before the City court as an ordinance violation shall be delivered to the property owner.
 - f. All residential ground mount solar systems shall be kept free of all weeds or vegetation over 8 inches tall. Failure to maintain the growth of weeds and vegetation around or underneath the ground-mount solar energy system shall be considered a nuisance and shall be subject to all enforcement and fines as listed in the city code for growth prohibited.
- (6) *Approved solar components.* Electric solar energy system components shall have a UL listing or approved equivalent and solar hot water systems shall have a Solar Rating and Certification Corporation (SRCC) rating.
- (7) *Restrictions on Solar Energy Systems limited.* Consistent with 765 ILCS 165/1 et seq., no homeowner's agreement, covenant, common interest community or other contracts between multiple property owners within a subdivision incorporated in the City of Pekin shall prohibit or restrict homeowners from installing Solar Energy Systems.
- (8) *Lighting for solar gardens/farms.* Any lighting for solar gardens/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.
- (d) *Community solar gardens (SES).* Development of community solar gardens is permitted by Special Use as a principal use in all zoning districts subject to the following requirements:
- (1) *Rooftop gardens permitted.* Rooftop gardens are a special use in all zoning districts where buildings are permitted.
 - (2) *Ground mount gardens.* Ground mount community Solar Energy Systems must be less than ten acres in total size, and require a Special Use in all districts. Ground-mount solar developments covering more than ten acres shall be considered a solar farm.
 - (3) *Interconnection.* An interconnection agreement must be completed with the electric utility in whose service the territory the system is located.
 - (4) *Dimensional standards.* All solar garden-related structures in newly platted and existing platted subdivisions shall comply with the applicable setback, height, and coverage limitations for the district in which the system is located.
 - (5) *Other standards.*
 - a. Ground mount systems shall comply with all required standards for structures in the district in which the system is located.
 - b. All solar gardens shall comply with all City Code procedures regarding Special Use permits.

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- c. All solar gardens shall also comply with all other State and local requirements.
- (e) *Commercial/large scale solar farm (SES).* Ground mount Solar Energy Systems that are the primary use of the lot, and are designed for providing energy to off-site uses or export to the wholesale market require a Special Use, and shall be permitted with such Special Use only in the I-1 and I-2 Industrial Districts. The following information shall also be submitted as part of the application and/or the following restrictions shall apply:
- (1) *Site plan—Existing conditions.* A site plan with existing conditions showing the following:
- a. Existing property lines and property lines extending one hundred feet from the exterior boundaries including the names of adjacent property owners and the current use of those properties.
 - b. Existing public and private roads, showing widths of the road and any associated easements.
 - c. Location and size of any abandoned wells or sewage treatment systems.
 - d. Existing buildings and impervious surfaces.
 - e. A contour map showing topography at two-foot intervals. A contour map of surrounding properties may also be required.
 - f. Existing vegetation — list type and percent of coverage (i.e., cropland/plowed fields, grassland, wooded areas, etc.).
 - g. Any delineated wetland boundaries.
 - h. A copy of the current FEMA FIRM maps that shows the subject property, including the 100-year floor elevation and any regulated flood protection elevation, if available.
 - i. Surface water drainage patterns.
 - j. The location of any subsurface drainage tiles.
- (2) *Site plan—Proposed conditions.* A site plan of proposed conditions showing the following:
- a. Location and spacing of the solar panels.
 - b. Location of access roads.
 - c. Location of underground or overhead electric lines connecting the solar farm to a building, substation or other electric load.
 - d. New electrical equipment other than at the existing building or substation that is to be the connection point for the solar farm.
- (3) *Fencing and weed/grass control.*
- a. To promote and maintain the absorption of stormwater, a pervious softscape shall be installed under and around the solar array.
 - b. The applicant shall submit an acceptable weed/grass control plan for property inside and outside the fenced area for the entire property. The operating company or successor during the operation of the solar farm shall adhere to the weed/grass control plan.
 - c. Perimeter fencing having a maximum height of eight feet shall be installed around the boundary of the solar farm. The fence shall contain appropriate warning signage that is posted such that it is clearly visible on the site.
 - d. The applicant shall maintain the fence and adhere to the weed/grass control plan. If the operating company does not adhere to the proposed plan, a fine of \$500.00 per week will be assessed until the operating company or successor complies with the weed/grass control and fencing requirements.

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- (4) *Manufacture's specifications.* The manufacturer's specifications and recommended installation methods for all major equipment, including solar panels, mounting systems and foundations for poles and racks.
- (5) *Connection and interconnection.*
- a. A description of the method of connecting the solar array to a building or substation.
 - b. Utility interconnection details and a copy of written notification to the utility company requesting the proposed interconnection.
- (6) *Setbacks.* Commercial/large scale solar farm (SES) ground-mounted Solar Energy Systems shall meet the applicable setbacks for the zoning district in which the unit is located.
- (7) *Aviation protection.* For Solar Energy Systems located within 500 feet of an airport or within approach zones of an airport, the applicant shall complete and provide the results of the Solar Glaze Hazard Analysis Tool (SGHAT) for the airport traffic control tower cab and final approach paths, consistent with the Interim Policy, FAA Review of Solar Energy Projects on Federal Obligated Airports, or most recent version adopted by the FAA.
- (8) *Fire protection.* A fire protection plan for the construction and the operation of the facility, and emergency access to the site.
- (9) *Endangered species and wetlands.* Solar farm developers shall be required to initiate a natural resource review consultation with the Illinois Department of Natural Resources (IDNR) through the Department's online EcoCat Program. Areas reviewed through this process will be endangered species and wetlands. The cost of the EcoCat consultation shall be borne by the developer.
- (10) *Road use agreements.* All routes on City roads that will be used for the construction and maintenance purposes shall be identified on the site plan. All routes for either egress or ingress need to be shown. The routing shall be approved subject to the approval of the City of Pekin. The solar farm developer shall complete and provide a preconstruction baseline survey to determine existing road conditions for assessing potential future damage due to development related traffic. The development shall provide a road repair plan to ameliorate any and all damage, installation or replacement of roads that might be required by the City or the developer. The developer shall provide a letter of credit or surety bond in an amount and form approved by City officials when warranted.
- (11) *Decommissioning of the solar farm.* The developer shall provide a decommissioning plan for the anticipated service life of the facility or in the event the facility is abandoned or had reached its life expectancy. If the solar farm is out of service or not producing electrical energy for a period of 12 months, it will be deemed nonoperational and decommissioning and removal of that facility will need to commence according to the decommissioning plan as provided and approved. A cost estimate for the decommissioning of the facility shall be prepared by a professional engineer or contractor who has expertise in the removal of the solar farm. The decommissioning cost estimate shall explicitly detail the cost before considering any projected salvage value of the out-of-service solar farm. The decommissioning cost shall be made by a cash, surety bond or irrevocable letter of credit before construction commences. Further, a restoration plan shall be provided for the site with the application. The decommissioning plan shall have the following provided:
- a. Removal of the following within six months:
 1. All solar collectors and components, aboveground improvements and outside storage.
 2. Foundations, pads and underground electrical wires and reclaim site to a depth of four feet below the surface of the ground.
 3. Hazardous material from the property and dispose in accordance with Federal and State law.

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- b. The decommissioning plan shall also recite an agreement between the applicant and the City that:
1. The financial resources for decommissioning shall be in the form of a surety bond, or shall be deposited in an escrow account with an escrow agent acceptable to the Building Inspections/Development Director.
 2. A written escrow agreement will be prepared, establishing upon what conditions the funds will be disbursed.
 3. The City shall have access to the escrow account funds for the expressed purpose of completing decommissioning if decommissioning is not completed by the applicant within six months of the end of project life or facility abandonment.
 4. The City is granted the right of entry onto the site, pursuant to reasonable notice, to effect or complete decommissioning.
 5. The City is granted the right to seek injunctive relief to effect or complete decommissioning, as well as the City's right to seek reimbursement from applicant or applicant successor for decommissioning costs in excess of the amount deposited in escrow and to file a lien against any real estate owned by applicant or applicant's successor, or in which they have an interest, for the amount of the excess, and to take all steps allowed by law to enforce said lien.
- (f) *Compliance with Building Code.* All Solar Energy Systems shall comply with the ordinances of the City of Pekin, as well as all Federal and State requirements.
- (g) *Liability insurance.* The owner/operator of the solar farm shall maintain a current general liability policy covering bodily injury and property damage and name the City of Pekin as an additional insured with limits of at least \$2,000,000.00 per occurrence and \$5,000,000.00 in the aggregate with a deductible of no more than \$5,000.00.
- (h) *Administration and enforcement.* The Building Inspections/Development Director shall enforce the provisions of this Section through an inspection of the solar farm every year. The Director of Building Inspections is hereby granted the power and authority to enter upon the premises of the solar farm at any time by coordinating a reasonable time with the operator/owner of the facility. Any person, firm or cooperation who violates, disobeys, omits, neglects, refuses to comply with, or resists enforcement of any of the provisions of this Section may face fines of not less than \$25.00 nor more than \$750.00 for each offense.
- (i) *Fees charged for building permits.* The fees for processing the applications for building permits for Solar Energy Systems shall be set from time to time by the City Council and collected by the Director of Building Inspections who shall be accountable to the City for such fees.

(Ord. No. 2805-18/19, § 9-11-8, 11-13-2018; Ord. No. 4195-24-25, § 2, 6-10-2024)