



DEWITT COUNTY ZONING
Angela Sarver, Administrator

Dewitt County Building
201 W. Washington St.
P. O. Box 439
Clinton, IL 61727-0439
Phone 217-935-7775
Fax 217-935-7779

“ATTACHMENT A”

CASE #A-28-2018

Text Amendment Change to Commercial Wind Energy Conversion

§ 153.25 SITING APPROVAL APPLICATION

§ 153.25 (D)

(D) Submit all required federal, state and local regulatory agencies' studies, reports, certifications and approvals demonstrating compliance with the provisions of this chapter and other county ordinances;

CHANGED TO:

§ 153.25 (D)

Submit all required federal, state, and local regulatory agencies' studies, reports, certifications and approvals demonstrating compliance with the provisions of this chapter and other county ordinances per the Special Use Permit Checklist for Commercial Wind Energy Conversion and all recommendations from the reviewing agencies shall be implemented.

§ 153.25 (E)

(E) Wind energy conversion systems shall comply with applicable Federal Aviation Administration (FAA) and Federal Communication Commission (FCC) regulations, including any necessary approvals for installations near airports;

CHANGED TO:

§ 153.25 (E)

Wind energy system facilities shall comply with all Federal Aviation Administration (FAA) and Federal Communication Commission (FCC) requirements. In addition, the WESF shall be required to utilize an Aircraft Detection Lighting System (ADLS) as permitted by FAA Circular AC 70/7460-1L CHGI or subsequent edition to reduce the impacts of nighttime lighting on county residents and wildlife. The location of WESF components shall be modified or adjusted as necessary for the ADLS application to be accepted by the FAA.

§ 153.27 TECHNICAL REQUIREMENTS

(B) *Setback.*

(1) Wind turbine towers shall be set back a distance of 1.1 times their height from the nearest property line, unless appropriate waivers or easements are secured from adjacent property owners, or other acceptable mitigation is approved by the County Board.

CHANGED TO:

§ 153.27 TECHNICAL REQUIREMENTS

(B) *Setback*

(1) WECS towers shall be setback a minimum distance of 1,640 feet from adjacent property lines as measured from the center of the tower. This setback can be waived in writing by the affected property owner, or owners. In no way, shall the setback be less than 1.1 times the total height of the WECS.

§ 153.27 (C) Noise

(C)Noise. The noise design limit for each wind energy system shall not exceed 50 dBA measured as the average dBA at the location of the nearest non-participating residence from the relevant wind energy conversion system. The dBA level, however, may be exceeded during short-term events such as utility outages and or severe windstorms. The WESF shall comply with State Pollution Control Board regulations at all times.

CHANGED TO:

153.27 (C) NOISE

The noise design limit for each wind energy system shall not exceed 40 dBA measured as the average dBA at the property line of the nearest non-participating land owner from the relevant wind energy conversion system. No portion of the property shall exceed the noise levels set by this ordinance. The non-participating landowner may waive compliance with this regulation for the owner's property. A post-siting study will be conducted by the applicant to measure noise levels for compliance when the WECS project is completed and functioning at full operational speed. The WECS project will maintain compliance with the applicable regulations throughout the entire operational period of the WECS project. If at any time throughout the life of the WECS project, the noise levels are found to not be in compliance with this section, the applicant will immediately shut off enough turbines to ensure that the noise levels are within acceptable levels until a solution to the noise level violations are found.

153.28 (B) *Electromagnetic interference.* Applicant shall not operate the facility so as to cause microwave, television, radio or navigation interference contrary to Federal Communications Commission regulations or other law. Any complaints received by the county shall be handled in accordance with § 153.27(G)(2).

CHANGED TO:

153.28 (B) *Electromagnetic interference.* Applicant shall not operate the facility so as to cause microwave, television, radio or navigation interference contrary to Federal Communications Commission regulations or other law. Any complaints received by the county shall be handled in accordance with § 153.27(G)(2). Any wind energy developer shall provide in its special use permit application an analysis verifying that no public communication interference of any kind will arise that would adversely affect the public safety and welfare.

ADDITION TO CHAPTER 153

The applicant shall prepare a shadow flicker study including the potential effects of each proposed WECS on all principal residential structures. The results will identify the locations and expected duration of shadow flicker over the course of a calendar year. This study shall be submitted as part of the Special Use application. Shadow flicker shall not affect a non-participating residence at any time. Shadow flicker shall not affect a non-participating landowner's property in excess of 30 hours per year. A non-participating landowner may waive these requirements in writing.