

LIVINGSTON COUNTY REGIONAL PLANNING COMMISSION
LIVINGSTON COUNTY HISTORIC COURTHOUSE,
112 W. Madison St., Pontiac, Illinois 61764

APPLICANT FILING PROCEDURES FOR SPECIAL USES

1. Complete the original application and any required attachments. Attachments are considered a part of the application.
2. File the application in the office of the Livingston County Regional Planning Commission, accompanied with the required fee. The Commission shall assign a case number to the application.
3. All fees shall be payable to the General Fund of Livingston County. (The required fee is \$175.00).
4. The Livingston County Regional Planning Commission will transmit one copy of the application with the assigned case number noted on same to the Livingston County Soil and Water Conservation, Route 1, Box 199, Pontiac, IL 61764.
5. The Livingston County Soil & Water Conservation District shall forward the NOTICE OF TRANSMITTAL, as provided, to the Zoning Administrator, Livingston County Historic Courthouse, 112 W. Madison St., Pontiac, IL 61764.
6. The Livingston County Regional Planning Commission shall advertise the notice of public hearing for each case to be held before the Board of Appeals.
7. The Livingston County Regional Planning Commission shall serve notice to the applicant and owners or occupants of property abutting the affected area not less than five (5) days prior to the hearing advising the location and nature of the subject matter contained in the application and the date, time and place of the hearing.
8. The applicant shall be billed by the Livingston County Regional Planning Commission for the cost of the required notice of public hearing. No final action shall be taken on any case until the cost of advertising the required notice of public hearing has been paid.

You may refer to the sheet that is part of the application package that refers to the example of fees that provides you with more information on the potential costs of proceeding with this property development.

-----DETACH HERE-----

NOTICE OF TRANSMITTAL

Forward to:

Zoning Administrator
Livingston County Historic Courthouse
112 W. Madison St.
Pontiac, Illinois 61764

A copy of the application and attachments for a (zoning map amendment, special use) Case No. _____ was transmitted to the Livingston County Soil and Water Conservation District on _____.

Signature of Receiver

LIVINGSTON COUNTY REGIONAL PLANNING COMMISSION
LIVINGSTON COUNTY HISTORIC COURTHOUSE, 112 W. MADISON ST., PONTIAC, IL 61764

APPLICATION FOR SPECIAL USE – LIVINGSTON COUNTY ZONING ORDINANCE

Applicant
Name Illinois Generation LLC
Address 888 Westheimer Rd Suite 350
Houston, TX 77006
Phone 713-308-4200

Property Owner(s)
Name See Appendix D in SUP Application
Address Narrative (Property Owners List)
Phone _____

(attach list if necessary)

For Office Use Only
Filed Date _____ Case No. SU-
Fee \$ 175.00
Receipt No. _____
Publication Cost _____
Receipt No. _____
Hearing Date _____
Decision Date _____ File Date _____
Approved _____ Denied _____
For Office Use Only

Legal description of property: See Appendix F in SUP Application Narrative (Lease Agreements)

Street address: _____

Property interest of applicant: Renewable energy development

Present Use: Agricultural / Industrial Zoning District: Agricultural District (AG) / Industrial (I2)

A special use is requested to allow the property described above to be used as: Renewable energy facility - wind farm

Yes No A previous special use has not been requested with respect to the described property.

Yes No A previous special use was requested with respect to the described property. Such previous special use request was made on _____, _____ and _____
Date Year Granted or Denied

Attachment No. 1 – Submit a map drawn to scale (as required by the Zoning Administrator) of the area included in the application and the abutting area within 200 feet (additional area may be required by the Zoning Administrator) showing the zoning classification; dimensions and use of all buildings and/or structures (existing and proposed); driveways; parking areas; right-of-way lines for streets and roads; easements; provision for surface drainage; proposals for sewage disposal systems; distance of building(s) and/or structure(s) from front, side and rear property lines; and distance of building(s) and/or structure(s) from center of public access road(s). See Appendix C of the SUP Application Narrative

Additional Attachments – Submit additional attachments as required by the Zoning Administrator.

I (we) certify that all of the information presented above is true to the best of my (our) knowledge and belief.

Cristal Cottman 2/21/24
Applicant(s) Signature Date
Caton Fenz, Authorized Signatory 2/22/2024
Applicant(s) Signature Date

STATEMENT OF APPLICANT – OWNER STATUS

APPLICANT Illinois Generation LLC

OWNERS -

Individual (s)

Alter ego or representative of individual (s)

(List the name (s) and address (es) of the actual and true principal)

Corporation

(List the names and addresses of all officers and directors and identify by title; also list the names and addresses of all stockholders and shareholders owning an interest in excess of 20% of all outstanding stock)

Business or entity doing business under an assumed name

(List the names and addresses of all true and actual owners)

Partnership

(List the names and addresses of all partners)

X Joint Venture

(List the names and addresses of all joint venturers)

Syndicate

(List the names and addresses of all syndicate members)

Unincorporated Voluntary Association

(List the names and addresses of all members)

LIST OF NAMES AND ADDRESSES REQUIRED ABOVE

Illinois Generation LLC:

Pattern Energy Group LP
888 Westheimer Rd. Suite 350, Houston, TX 77006

ConnectGen LLC
1001 McKinney St. Suite 700, Houston, TX 77002

APPLICATION EXPLANATION

Project Name: Heritage Prairie Wind

Requested Zoning: Special Use Permit

Explanation and description of request or project:

The Heritage Prairie Wind Project ("Project") proposed is an approximately 600-MW utility-scale wind energy facility, a portion of which will be located in Livingston County. The Project will primarily be located east of Dwight, and within Dwight, Broughton, and Round Grove townships. The Project includes approximately 12,350 acres of private land, for which the Applicant has secured site control to host the facilities. The Project will consist primarily of the following facilities and the infrastructure and equipment that support them: wind turbines, the electrical system including underground collection wires and an overhead transmission line, meteorological towers, access roads, a Project substation and an operations and maintenance building. The Project will consist of a maximum of 71 wind turbines within Livingston County. The aggregate net generating capacity will be up to 320 MW of electricity, based on a generating capacity of the individual wind turbines selected for the Project. This application is consistent with the requirements for a Commercial Wind Energy Facility in accordance with the provisions of the Code of Ordinances for Livingston County and, in particular, Article VIII of Chapter 56 governing Commercial Wind Energy Facilities. The Applicant is also seeking a single variance to the operation requirements specified in Section 56-619 of Article VIII of Chapter 56 governing Commercial Wind Energy Facilities; however, the variance will not exceed industry standards set forth in House Bill 4412 that was passed by the Illinois General Assembly in January 2023.

STANDARDS FOR SPECIAL USE

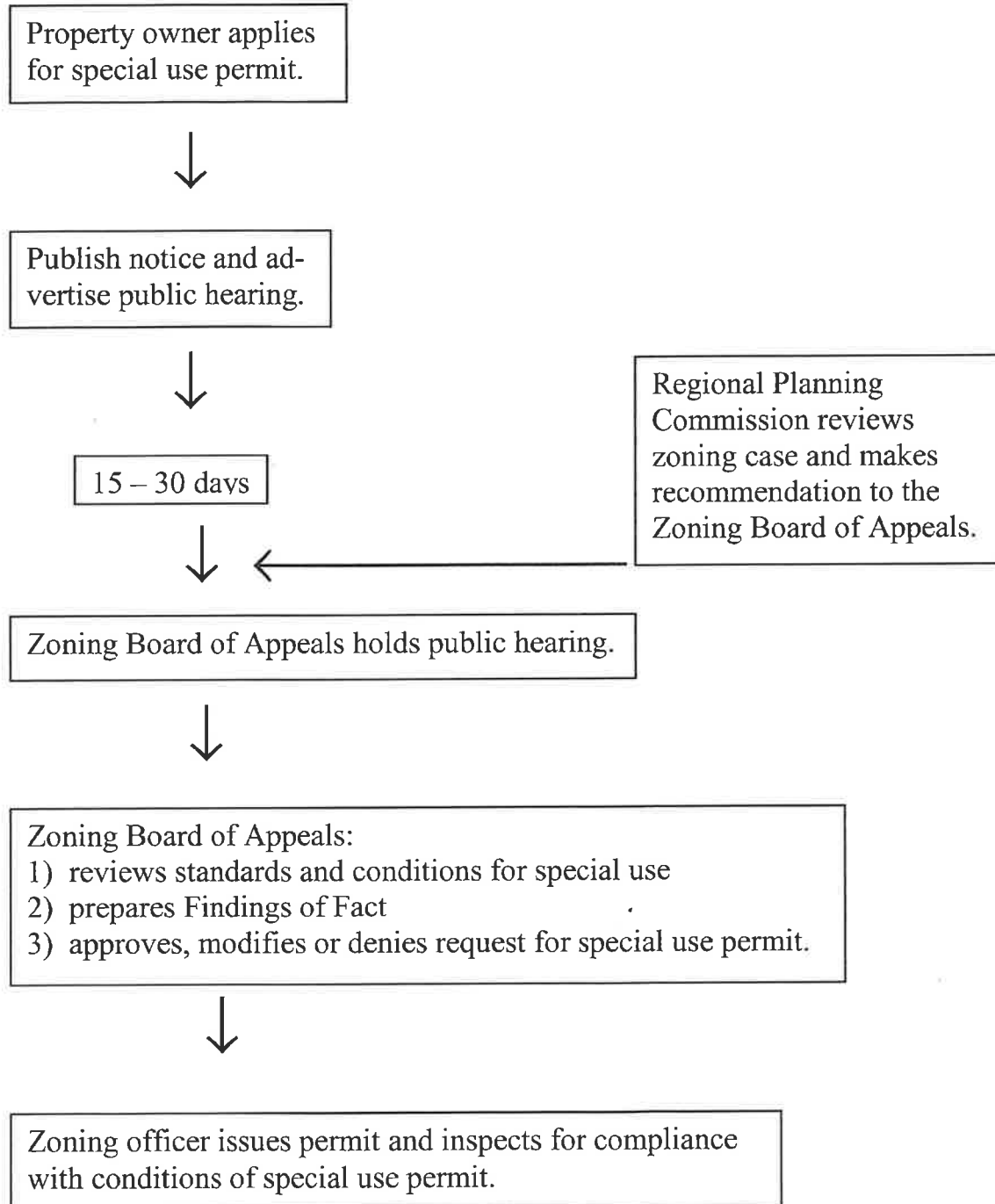
Members of the Board of Appeals must find the proposed Special Use complies with these required standards; however, the criteria for determining the acceptability of a Special Use shall not be limited to the following standards:

1. Is consistent in all respects with the Livingston County Comprehensive Plan and the Livingston County Zoning Ordinance;
The project is consistent with all respects with the Livingston County Comprehensive Plan and the Livingston County Zoning Ordinance. See Section 8.1.1 in the Heritage Praire Wind Special Use Permit Application narrative.
2. Will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare;
The project will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare. See Section 8.1.2 in the Heritage Praire Wind Special Use Permit Application narrative.
3. Is located in a zoning district where such use is permitted;
The project is located in a zoning district where such use is permitted.
See Section 8.1.3 in the Heritage Praire Wind Special Use Permit Application narrative.
4. Complies with the requirements set forth in the zoning district where it is to be located and all requirements specified in Section 24.0, SPECIAL USES, REQUIREMENTS AND PROCEDURES, of the Livingston County Zoning Ordinance, except in each instance as such regulations may be modified by the Board of Appeals;
The project complies with zoning district requirements. See Section 8.1.4 in the Heritage Praire Wind Special Use Permit Application narrative.
5. Will not be injurious to the use and enjoyment of other property in the immediate vicinity for the uses already permitted, or substantially reduce the value of neighboring property;
The project will not be injurious to the use and enjoyment of the other properties in the immediate vicinity. See Section 8.1.5 in the Heritage Praire Wind Special Use Permit Application narrative.
6. Will not impede orderly growth, development and improvement of surrounding properties for those uses permitted in the zoning district;
The project will not impede orderly growth, development and improvement of surrounding properties for those uses permitted in the zoning district. See Section 8.1.6 in the Heritage Praire Wind Special Use Permit Application narrative.
7. Is provided or will be provided with adequate utilities, access roads, drainage and necessary facilities;
The project will be provide adequate utilities, access roads, drainage and necessary facilities.
See Section 8.1.7 in the Heritage Praire Wind Special Use Permit Application narrative.
8. Is provided with ingress and egress so designed as to minimize traffic congestion in the public streets.
The project design incorporates ingress and egress to minimize traffic congestion in the public streets.
See Section 8.1.18 in the Heritage Praire Wind Special Use Permit Application narrative.

NOTE:

The Board may, at its discretion, qualify any approval for a Special Use subject to certain conditions being imposed upon and agreed to by the applicant prior to requesting the Zoning Administrator issue an Improvement Location Permit.

ZONING PROCESS: SPECIAL USE



Livingston County Soil and Water Conservation District
P.O. Box 80 – Rt. 116 West – Pontiac, IL 61764
Phone: (815) 844-6128 – FAX (815) 844-6344

Natural Resource Information Report Application
Livingston County Soil and Water Conservation District

P.O. Box 80 – Rt. 116 West – Pontiac, IL 61764 Phone: (815) 844-6128 Fax: (815) 844-6344

Soil and Water Conservation Districts (SWCD) are mandated by Illinois State Statute 405/22.02a to furnish Natural Resource Information Reports to county municipal agencies considering zoning ordinances or variances. See the last paragraph for further explanation of the statute.

The Livingston County SWCD has thirty (30) days to complete this report after receipt of all the following items:

- Copy of the Livingston County Regional Planning Commission application with the assigned case number, which will include an Application Explanation and a Plat of Survey.
- NRI application fee which is payable to the Livingston County SWCD.

Fee Schedule:

Full NRI Report: \$150

Letter: \$40

The following guidelines are intended to clarify when a full NRI report will be necessary and when a simple letter of exemption will be sufficient.

Full report format criteria:

1. Land use change involves a change in zoning from agriculture to another classification
2. Land use change involves activities such as mining, quarrying, regional pollution control facility etc.

Letter format criteria:

1. Land use change is minor.
2. Parcels with existing residential or industrial zoning requesting other non-agricultural zoning.

- **As other circumstances arise it will be the decision of the SWCD Ag. Resource Coordinator in consultation with the County Zoning Administrator when a full NRI report will be necessary and when a simple letter of exemption will be sufficient.**

22.02a states: The Soil and Water Conservation District (SWCD) shall make all natural resource information available to the appropriate county agency or municipality in the promulgation of zoning ordinances or variances. Any person who petitions any municipality or county agency in the district for variation, amendment, or other relief from that municipality's or county's zoning ordinance or who proposes to subdivide vacant or agricultural lands therein shall furnish a copy of such petition or proposal to the Soil and Water Conservation District. The SWCD shall be given not more than 30 days from the receipt of the petition or proposal to issue its written opinion concerning the petition or proposal and submit the same to the appropriate county agency or municipality for further action.

The District does not discriminate against any person on the basis of race, religion, color, gender, sexual orientation, national origin, ancestry, age, marital status, veteran status or disability. The policy covers all programs, services and procedures of the District, including employment.

CONSERVATION DEVELOPMENT SELF-GOVERNMENT

EXAMPLE OF FEES FOR SPECIAL USES

Application Filing Fee: \$175.00

Publication Fee: Usually between \$40 and \$70. (The exact amount varies according to the length of the notice.)

Livingston County Soil and Water Conservation District Fee: \$40.00 (\$150.00 if a full NRI Report is required.)

Location Improvement Permit Fee: \$20.00 - \$100.00+ (The exact amount varies according to the type and size of the improvement.)

Other fees *may* be applicable, such as fees to the Livingston County Health Department.