



COUNTY OF KANE

DEVELOPMENT & COMMUNITY SERVICES DEPARTMENT

Kane County Government Center
719 S. Batavia Ave, Geneva, IL 60134 - Building A | (630) 232-3485

ZONING PETITION SUMMARY

MTG DATE: January 6, 2026

TO: Kane County Zoning Board of Appeals

FROM: Natalie Zine, *Building & Zoning Division Manager*
P: 630-232-3494 | E: zinenatalie@kanecountyil.gov

SUBJECT: **Zoning Petition No. 4676 "Tri-County Solar LLC"**

GENERAL INFORMATION

APPLICANT

Tri-County Solar LLC (Owned by GSI Development Corp.)

PROPERTY OWNER

TRI COUNTY LANDFILL CO

REQUESTED ACTION

A Special Use Permit in the F-Farming Zoning District to allow for the development of a Commercial Solar Energy Facility.

SUBJECT PROPERTY

Approximately 41 acres of property located west of IL Route 25, north of Stearns Road, in St Charles Township, Kane County, Illinois (PIN: 09-01-200-017).

This property is also commonly known as the Tri-County Landfill in Elgin, IL, a former site now part of a US EPA Superfund site (Tri-County Landfill Co./Waste Management). It is no longer an active landfill; parts of the site have been redeveloped for commercial use while remaining contamination is monitored under EPA Superfund oversight.

KANE COUNTY BOARD DISTRICT

12 Bill Roth

PROJECT DESCRIPTION

Tri-County Solar LLC proposes to develop the Tri-County Solar facility, a 5 MW-AC community solar project utilizing approximately 25.5 acres of land within a 40-acre fenced area. The Tri-County Solar community solar project will be contained within one parcel of land, 09-01-200-017, located at the federally classified Superfund Site. We entered an option to purchase agreement with the landowner, TRI COUNTY LANDFILL COMPANY INC., to lease the parcel for solar access. See 'Project Narrative' for more information.

SUBMITTAL DOCUMENTS

An application requesting the Special Use was received by the County on November 21, 2025. All received application documents for Petition 4676 are available for review on the [Pending Zoning Petitions](#) page of the Kane County Website. See also "Exhibit A" Zoning Petition No. 4676 Submittal Documents attached.

PUBLIC NOTICE

A Notice Letter was sent to all adjacent property owners within 250' of the subject property on December 18, 2025. Notice was published in the Daily Herald newspaper on December 20, 2025. And a public hearing sign was posted on the subject property on December 18, 2025. In addition to adjacent property owners, notice of this Petition was also sent to Kane County staff, Kane County Forest Preserve, St. Charles Township Supervisor and Township Highway Commissioner, the Village of South Elgin, the Village of Bartlett, the Village of Wayne, KDOT, School District 303, the St. Charles Park District, and the South Elgin Fire Countryside District.



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REVIEW & ANALYSIS

ZONING

The subject property is currently zoned F-Farming District with an existing Special Use Permit for the former landfill. It is bordered to the north by Special Use zoning (vacant land and a cement transport company); to the east by the Village of Bartlett (James Pate Philip State Park); to the south by B-3 Business District (Everlast Blacktop & TRANSTRADE Inc); and to the west by the Illinois Prairie Path Elgin Branch and then I-Industrial District (Waste Management of Illinois Inc.).

Section 25-8-1-2 of the Kane County Zoning Ordinance provides that "Solar Utility" is a Special Use in the F-Farming District; Section 25-5-4-9 of the Zoning Ordinance stipulates the rules and regulations for Commercial Solar Facilities.

Per Section 25-5-4-9, the site plan for a commercial solar energy facility must meet the following criteria:

1. Occupied residential dwellings on nonparticipating properties shall be located no less than one hundred fifty (150) feet to the nearest point on the outside wall of the structure.
2. Boundary lines of participating property: none.
3. Boundary lines of nonparticipating property: fifty (50) feet to the nearest point on the property line of the nonparticipating property.
4. Public road rights-of-way: fifty (50) feet to the nearest edge of the public road right-of-way.
5. No component of a solar panel, cell or modules may exceed twenty (20) feet in height above the ground at full tilt.
6. Vegetative screening shall be provided for any part of the Commercial Solar Energy Facility that is visible to Non-participating Residence(s).
7. Landscaping screening shall be located between the required fencing and the property line of the participating parcel upon which the facility sits.
8. The vegetative screening shall include a continuous line of native evergreen foliage and/or native shrubs and/or native trees and/or any existing wooded area and/or plantings of tall native grasses and other native flowering plants.
9. A fence shall be installed around the perimeter of the facility area with a minimum height of eight (8) feet and not more than twenty-five (25) feet.

FUTURE LAND USE

The Kane County 2040 Plan recognizes solar power as an emerging source of renewable energy, but does not specify whether it is more or less suitable for particular land use areas.

The proposed solar facility falls primarily within the Proposed Open Space designation of the Kane County 2040 Land Use Map, with roughly 3.5-acres of the site in the Commerce/Employment designation. The Proposed Open Space category includes areas recommended for both public and private open space and green infrastructure uses; the areas indicated could become either major additions to existing public open space and green infrastructure or remain private and still serve as linear connections between large areas of open space. The suitability of commercial uses within this area will depend on the trend and character of the adjacent land uses, availability of infrastructure and the economic development needs of the local community.

Given that the site is the location of a capped landfill, it would only allow for conversion to a limited set of appropriate uses. Such sites present challenges for development given the need for venting systems to release methane gas and settling waste. The Proposed Open Space category is intended primarily to define areas of green infrastructure capable of providing ecosystem functions. Such areas may remain private or someday be added to the public open space network.

MUNICIPALITIES

The Villages of Wayne, Bartlett, and South Elgin all reviewed the proposed solar facility; none of the Villages had any objections to the project. The Village of South Elgin also stated that, "[they] are generally supportive of the proposed land use. We believe a community solar farm facility is an appropriate use of the property, particularly given its location and surrounding land uses."



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WATER RESOURCES

The Water Resources department reviewed the Zoning Petition and provides the following comments: As a former landfill site, this brownfield will have been capped with compacted clay. The site is already considered 100 percent impervious and draining into a Stormwater Detention system. The Stormwater Facilities will need to be evaluated to ensure appropriate capacity. There will need to be an analysis of the appropriateness of any infiltration practices given the historical use of the site. The peak discharge from the site will also need to be modeled to ensure no increase in the peak discharge from the site. The site is proposing a native seed mix. The site should be pre-vegetated prior to the installation of the panels to minimize erosion issues. Solar sites in Kane County are typically required to have BMPs at the downstream end of the development; because this is a brownfield site, Fee-in-Lieu of this BMP practice may be evaluated and considered, as well as alternative BMP measures. The proposed solar development for this site includes panels that will not involve any penetrating construction work. As such, the Department of Environmental and Water Resources finds the proposed use appropriate for this site.

The Water Resources department recommends the following eight (8) Stipulations of Approval:

1. Water Resources will require a stormwater permit for this development. All submittals must be prepared by Professional Engineer licensed in the State of Illinois.
2. An engineer's report will be required. The engineer's report must demonstrate that the peak flow for the site with the proposed development is not increased, stormwater detention may be required for the development to ensure this. Any required Stormwater Detention Management will require a viable outfall and may require off-site work.
3. A calculation for disconnected impervious area, created by the panels, will be required. A Best Management Practice will be required to encourage infiltration or evapotranspiration of runoff within the site. Fee in lieu of the BMP may be considered for this site, as outlined in the Stormwater Ordinance.
4. The configuration of the solar panels shall be evaluated to identify any potential erosion concerns. Particular attention shall be given to erosion risks at the drip edges of the panels and in sloped areas. Appropriate best management practices must be implemented to mitigate these risks. BMPs may include, but are not limited to, pre-seeding or pre-vegetation of the site prior to panel installation to establish ground cover and reduce soil displacement.
5. A study of all infrastructure will be required, including drain tiles, monitoring wells and gas vents. The site plan will need to ensure the protection of this infrastructure.
6. 80% vegetative coverage for the native plantings will be a requirement for the site.
7. A Wetland Delineation will be required. The Wetland Delineation shall meet the requirements of the Ordinance as described in Article VII Section 9-169 Requirements for a Wetland Delineation. Any Wetland Impacts must be mitigated.
8. Any Floodplain, Wetland, Compensatory Storage, BMPs and Stormwater Management must be placed in a Conservation or Drainage Easement.

TRANSPORTATION

The Kane County Department of Transportation (KDOT) reviewed this Petition and provided that, "The Petitioner shall obtain temporary and final access permits from the Illinois Department of Transportation."

ENVIRONMENTAL HEALTH

The Kane County Health Department provided no comments.

FIRE PROTECTION DISTRICT

The South Elgin & Countryside Fire District reviewed the proposed project and provided the following comments:

- A formal site plan along with construction documents will be required to initiate a construction permit with the Fire District prior to the start of any construction activities.
- Plan reviews will be conducted focusing on emergency access, clear pathways, setbacks, electrical safety, ensuring fire department access and safe operations.
- Plan reviews may require changes to the project which could affect zoning
- The South Elgin and Countryside Fire Protection District is not opposed to this project



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ADDITIONAL REPORTS & ANALYSIS

Results and recommendations from the Illinois Department of Natural Resources (IDNR) obtained through the **Ecological Compliance Assessment Tool (EcoCAT)** – *Due to the project scope and proximity to protected resources the Department recommends the following actions be taken to avoid adversely impacting protected natural areas in the vicinity of the project:*

Brewster Creek Fen INAI Site, DeSanto's Brewster Creek INAI Site, Pratts Wayne Woods INAI Site, South Elgin Sedge Meadow INAI Site, Brewster Creek Fen Nature Preserve

The Department has determined adverse impacts to these sites are unlikely.

Tri-County Wetland INAI Site, Tri-County Wetland Land and Water Reserve, & James "Pate" Philip State Park

EcoCAT indicates this project is adjacent to James "Pate" Philip State Park and in the vicinity of Tri-County Wetland INAI Site and Tri-County Wetland Land and Water Reserve. The Department has the following recommendations to avoid impacts to these sites:

- No equipment should be stored within right-of-way.
- Parking and staging in areas adjacent to the State Park should also be avoided.
- Fencing and signage clearly delineating the boundaries of the State Park should be installed to ensure no disturbances occur within the State Park.
- Areas of exposed soil should be re-seeded with a local genotype seed, approved IDOT seed mix, or non-invasive cover crop.
- Strict adherence to soil erosion and sediment control BMPs to prevent impacts to the State Park.
- Good housekeeping practices should be implemented and maintained during and after construction to prevent trash and other debris from inadvertently blowing or washing into nearby natural areas.
- Any required night lighting should follow International Dark-Sky Association's (IDA)
- Five Principles for Responsible Outdoor Lighting to minimize the effect of light pollution on wildlife: Five Principles for Responsible Outdoor Lighting | DarkSky International
- All equipment should be power washed off-site to remove exotic/invasive seed or propagules.
- All equipment, including but not limited to boots, tools, equipment, tires, and treads, should be cleaned of all debris prior to entry of the project area in order to avoid spreading of exotic or invasive plant seeds into the State Park.
- Should any herbicide use be required for construction or operation, wind speed and direction should be carefully monitored, in order to avoid herbicide drift into the State Park.
- The applicant should also be aware that any IDNR or INPC conservation land is likely to be managed with prescribed burns to the site boundary. The applicant should consider these potential management activities when siting this facility near conservation lands.
- The Department strongly recommends that the project proponent establish pollinator friendly habitat as groundcover wherever feasible. Solar Site Pollinator Establishment Guidelines can be found here: <https://dnr.illinois.gov/conservation/pollinatorscorecard.html>
- The site should be de-compacted before planting.
- Long term management of the site should be planned for prior to development to ensure successful native pollinator habitat establishment and prevent the spread of invasive species throughout the lifetime of this project. An experienced ecological management consultant should be hired to assist with long-term management.
- Required fencing, excluding areas near or adjacent to public access areas, should have a 6- inch gap along the bottom to prevent the restriction of wildlife movement. Woven wire or a suitable habitat wildlife friendly fence should be used. Barbed wire should be avoided.

Black-crowned Night Heron, Common Gallinule, Franklin's Ground Squirrel, Green-fruited Bur-reed, Least Bittern, Osprey, Short-eared Owl, & Yellow-headed Blackbird

The Department has determined that adverse impacts to these species are unlikely.

Blanding's Turtles

EcoCAT has indicated records for the state-listed Blanding's Turtle in vicinity of the project area. The Department recommends:



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- Work on the project occurs during the turtle's inactive season from approximately November 1st to March 1st. If work must occur during the active season:
- Educate personnel working on site about the Blanding's Turtle. Post photos of juvenile and adult Blanding's Turtles at a central location. State-listed species may not be handled without the appropriate permits pursuant to the Illinois Endangered Species Protection Act.
- Install exclusionary silt fence by the end of March and maintain it through October (if needed) to prevent turtles from entering the construction area. Conduct daily inspections during construction to ensure that exclusionary fencing is properly installed (dug into the ground) and to check if turtles are present.
- Cover trenches at the end of each workday. Before starting each workday, trenches and excavations should be routinely inspected to ensure no turtles (or other amphibians and reptiles) have become trapped within them.
- If Blanding's turtles are encountered, crews should stop work immediately, allow the turtle to move out of the way and contact IDNR at (217) 785-5500.

Given the above recommendations are adopted the Department has determined that impacts to these protected resources are unlikely. The Department has determined impacts to other protected resources in the vicinity of the project location are also unlikely.

Resource Preservation Review from the **Illinois State Historic Preservation Office (SHPO)** – Determined that no significant historic, architectural, or archaeological resources will be affected within the proposed project area.

Natural Resources Inventory (NRI) Report from the Kane-DuPage Soil & Water Conservation District (SWCD) – This property does not have a LESA score because it is not original farmland.

Results of any **United States Fish and Wildlife Service's** Information for Planning and Consulting environmental review – Letter from the USFWS indicated that there are no critical habitats within the project area under this office's jurisdiction. It also suggests that for projects other than major Federal construction activities, a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat.

The U.S. Army Corps of Engineers Chicago District – Letter from the US ACE states that the subject activity may be performed without further authorization from their office provided that the activity complies with their terms and conditions.

Documentation demonstrating avoidance of protected lands as identified by IDNR and the Illinois **Nature Preserve Commission (INPC)** – The solar facility will avoid all protected lands.

Executed **Agricultural Impact Mitigation Agreement (AIMA)** with the Illinois Department of Agriculture was received with the Petitioner's application.

Copies of each of the complete reports listed above are provided on the Kane County website under the applicable petition number on the [Pending Zoning Petitions](#) page for further review.

PUBLIC COMMENT

Copies of any submitted public comments will be uploaded to the Kane County website under the applicable petition number on the [Pending Zoning Petitions](#) page.



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RECOMMENDED STIPULATIONS

Should the Zoning Board of Appeals make a motion to recommend approval of this zoning request, staff recommends the following stipulations:

1. Water Resources will require a stormwater permit for this development. All submittals must be prepared by Professional Engineer licensed in the State of Illinois.
2. An engineer's report will be required. The engineer's report must demonstrate that the peak flow for the site with the proposed development is not increased, stormwater detention may be required for the development to ensure this. Any required Stormwater Detention Management will require a viable outfall and may require off-site work.
3. A calculation for disconnected impervious area, created by the panels, will be required. A Best Management Practice will be required to encourage infiltration or evapotranspiration of runoff within the site. Fee in lieu of the BMP may be considered for this site, as outlined in the Stormwater Ordinance.
4. The configuration of the solar panels shall be evaluated to identify any potential erosion concerns. Particular attention shall be given to erosion risks at the drip edges of the panels and in sloped areas. Appropriate best management practices must be implemented to mitigate these risks. BMPs may include, but are not limited to, pre-seeding or pre-vegetation of the site prior to panel installation to establish ground cover and reduce soil displacement.
5. A study of all infrastructure will be required, including drain tiles, monitoring wells and gas vents. The site plan will need to ensure the protection of this infrastructure.
6. 80% vegetative coverage for the native plantings will be a requirement for the site.
7. A Wetland Delineation will be required. The Wetland Delineation shall meet the requirements of the Ordinance as described in Article VII Section 9-169 Requirements for a Wetland Delineation. Any Wetland Impacts must be mitigated.
8. Any Floodplain, Wetland, Compensatory Storage, BMPs and Stormwater Management must be placed in a Conservation or Drainage Easement.
9. All required access permits shall be obtained from the Kane County Division of Transportation.
10. Vegetative screening consistent with the Kane County Zoning Ordinance shall be provided and shall include at minimum a continuous line of evergreen trees along the northern perimeter of the facility with a minimum planting height of 5 feet and a maximum separation distance of 15 feet on center.
11. The development shall comply with all recommendations outlined in the Illinois Department of Natural Resources (IDNR) letter dated August 29, 2025, included in the Zoning Petition submittal.



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ZONING STANDARDS

Section 25-4-8-2 of the Kane County Zoning Ordinance provides Standards for Special Use Permits; responses to these Standards have been provided by the Petitioner with their Zoning Application. The Zoning Board of Appeals shall not recommend approval of a special use unless it finds:

- A. That the establishment, maintenance or operation of the special use will not be unreasonably detrimental to or endanger the public health, safety, morals, comfort or general welfare;
- B. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
- C. That the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;
- D. That adequate utility, access roads, drainage and/or other necessary facilities have been or are being provided;
- E. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets and roads;
- F. That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the county board pursuant to the recommendations of the zoning board of appeals.

The Petitioner's responses to the Standards of a Special Use are available for review on the [Pending Zoning Petitions](#) page of the Kane County website.

NEXT STEPS

Petition 4676 will be considered by the **Development Committee** at its meeting currently scheduled for **10:30 a.m., Tuesday, January 20, 2026** in the County Board Meeting Room, Building A, 2nd Floor, of the Kane County Government Center, 719 S. Batavia Ave., Geneva, Illinois. Persons in favor of or in opposition to this petition who wish to speak before the Development Committee should register to speak by submitting a [Request to Speak Form](#) on the Kane County website no later than 12:00pm on the day prior to the meeting.

Petition 4676 will be considered by the full **Kane County Board** at its meeting currently set for **9:45 a.m., Tuesday, February 10, 2026** in the County Board Meeting Room, Building A, 2nd Floor, of the Kane County Government Center, 719 S. Batavia Ave., Geneva, Illinois. Persons in favor of or in opposition to this petition who wish to speak before the Development Committee should register to speak by submitting a [Request to Speak Form](#) on the Kane County website no later than 12:00pm on the day prior to the meeting.

ATTACHMENTS

- Exhibit A - Zoning Petition No. 4676 Submittal Documents



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“Exhibit A” Zoning Petition No. 4676 Submittal Documents

- [4676 01 Kane County Zoning Application \(11-18-2025\).pdf](#)
- [4676 02 Standards of a Special Use Permit Worksheet \(11-11-2025\).pdf](#)
- [4676 03 Project Narrative \(11-25-2025\)V2.pdf](#)
- [4676 04 Purchase Contract \(11-12-2025\).pdf](#)
- [4676 05 Plat of Survey-ALTA Land Title Survey \(10-28-2025\).pdf](#)
- [4676 06 Solar Equipment Manufacturer Specs.pdf](#)
- [4676 07 Noise Analysis \(10-14-2025\).pdf](#)
- [4676 08 Decommissioning Plan \(10-17-2025\).pdf](#)
- [4676 11 Traffic Study \(11-11-2025\).pdf](#)
- [4676 12 Glare Study \(10-14-2025\).pdf](#)
- [4676 13 Legal Description.pdf](#)
- [4676 15 Certification of Notice to Adjacent Property Owners.pdf](#)
- [4676 16 Copy of Notice Letter from Petitioner.pdf](#)
- [4676 17 Geometric Site Plan \(11-25-2025\)V2.pdf](#)
- [4676 18 Landscape & Screening Plan V2 \(12-17-2025\).pdf](#)
- [4676 20.1 EcoCat Report & Consultation Letter \(08-29-2025\).pdf](#)
- [4676 20.2 Blanding Turtle Plan \(10-02-2025\).pdf](#)
- [4676 20.3 Pollinator Friendly Habitat Plan \(11-20-2025\).pdf](#)
- [4676 21 SHPO Letter \(10-30-25\).pdf](#)
- [4676 22 NRI Report \(09-26-2025\).pdf](#)
- [4676 23.1 USFWS Letter \(09-30-2025\).pdf](#)
- [4676 23.2 Protected Species Screening \(09-30-2025\).pdf](#)
- [4676 24 US Army Corp Letter of No Objection JPA Application \(10-21-2025\).pdf](#)
- [4676 25 Executed AIMA Agreement \(10-02-2025\).pdf](#)
- [4676 26 Avoidance of Protected Lands Map \(11-10-2025\).pdf](#)
- [4676 27 Roadway Jurisdiction Approval Letter \(11-20-2025\).pdf](#)
- [4676 28 Structural Engineer's Certificate \(11-18-2025\).pdf](#)
- [4676 29 FEMA 100-Year Floodplain Map \(04-17-2024\).pdf](#)
- [4676 30 Level 1 Wetland Investigation \(08-25-2025\).pdf](#)
- [4676 31 Topographical Map \(04-17-2024\).pdf](#)
- [4676 32 Preliminary Farmland Drain Tile Investigation \(11-12-2025\).pdf](#)
- [4676 33 Preliminary Stormwater Management Report \(11-18-2025\).pdf](#)
- [4676 34 Phase 1 Environmental Assessment \(04-04-2025\).pdf](#)