



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: September 1, 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. 4690 Catfish Renewable Energy LLC

GENERAL INFORMATION

APPLICANT

Catfish Renewable Energy LLC
Vincent Catich (Project Manager/Developer)

PROPERTY OWNER

CATFISH PROPERTIES LLC

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

Property located on the south side of Tanner Road, approximately $\frac{3}{4}$ mile west of Orchard Road, in Sugar Grove Township, unincorporated Kane County, Illinois (PIN: 14-01-100-017)

KANE COUNTY BOARD DISTRICT

04 Mavis Bates

PROJECT DESCRIPTION

The Catfish Renewable Energy LLC Solar Project ("Project") is a proposed ground-mounted photovoltaic (PV) solar energy facility to be located on agricultural land at 39W553 Tanner Rd, Sugar Grove Township, Kane County, Illinois. The Project is being developed by Catfish Renewable Energy, LLC and is designed to generate 3.5 megawatts (MW) of alternating current (AC) electricity. The Project will utilize commercially available solar photovoltaic modules mounted on a single-axis tracking racking system. Electricity generated by the facility will be delivered to the local utility distribution system via an interconnection with Commonwealth Edison (ComEd). The Project is intended to participate in the Illinois Shines Program as a community solar facility, allowing eligible residential, commercial, nonprofit, and public-sector subscribers to receive the benefits of locally generated renewable electricity without installing solar equipment on their own properties. See *'Project Narrative'* for more information.

SUBMITTAL DOCUMENTS

All received application documents for the Petition are available for review on the [Zoning Petitions](#) page of the Kane County Website. See also *"Exhibit A" Zoning Petition No. 4690 Submittal Documents attached.*

PUBLIC NOTICE

The public hearing for this Petition was scheduled for September 1, 2026. All required public notice was posted in accordance with Kane County codes and Illinois State Statutes.

Notice of this Petition was also sent to Kane County staff, Kane County Forest Preserve, Sugar Grove Township and Highway Commissioner, KDOT, School District 129, and the North Aurora Fire Protection District, as well as North Aurora, Aurora, and Sugar Grove.



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REVIEW & ANALYSIS

ZONING

The subject property is currently zoned F-Farming District and is bordered to the north and west by the Village of North Aurora, to the south by Lake Run Forest Preserve, and to the east by additional F-District zoned property.

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 installation falls within the Resource Management area of the Kane County 2040 Land Use Map. The proposed installation of the solar array would likely limit the conversion of the site from an agricultural use to a commercial or other non-agricultural use for the duration of the renewable energy lease term. This parcel falls within the Village North Aurora's planning area jurisdiction. The Village's Future Land Use Map identifies the parcel as planned for Residential: Single Family – Detached.

MUNICIPALITIES

- | | |
|----------------------------|---|
| • Village of North Aurora: | Provided an official resolution objecting to the solar development. |
| • City of Aurora: | No comments, outside of their jurisdiction. |
| • Village of Sugar Grove: | No comments, outside of their planning area. |

FOREST PRESERVE

No comments received.

SCHOOL DISTRICT

No comments received.

ENVIRONMENTAL HEALTH

No comments received.

TRANSPORTATION

The Kane County Department of Transportation (KDOT) reviewed this Petition and provided that, "The Petitioner shall obtain a temporary and final access permit from the Kane County Division of Transportation (KDOT)." 07/28/2026



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FIRE PROTECTION DISTRICT

The North Aurora Fire Protection District has no comments or concerns regarding Zoning Petition #4690, Catfish Renewable Energy LLC. 08/13/2026

WATER RESOURCES

The Water Resources department reviewed the Zoning Petition and provides the following comments (Anne Wilford 08/17/2026).

The Water Resources department recommends the following STIPULATIONS OF APPROVAL:

1. (Water Resources) This site contains Zone AE Floodplain. A complete Floodplain Submittal will be required at the time of Stormwater Permitting. All panels will need to Flood Protected to 2 feet above the Base Flood Elevation. Survey and Engineering Study will be needed to delineate the floodplain on the site.
2. (Water Resources) Water Resources will require a stormwater permit for this development. All submittals must be prepared by Professional Engineer licensed in the State of Illinois.
3. (Water Resources) An Engineer's report will be required. Should the site introduce more than 25,000 sq ft of impervious area or more than 3 acres of disturbance, stormwater detention will be required. This impervious area is calculated cumulatively since 2002 for a site as per the Stormwater Ordinance. 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.
4. (Water Resources) Should the site introduce more than 5,000 sq ft of impervious, a BMP will be required for all impervious surfaces.
5. (Water Resources) A calculation for disconnected impervious area, created by the panels, will be required. A Best Management Practice will be required to encourage infiltration of runoff within the site.
6. (Water Resources) 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. 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.
7. (Water Resources) A drain tile study will be required, including upstream and downstream tile systems that rely on the drain tiles within the site. Water Resources is looking for the protection of the tile system that is in place, including but not limited to replacement in kind and observation and cleanout structures.
8. (Water Resources) Plantings within the development will not interfere with drain tiles. Planting plan should address the placement of vegetation and trees with long root systems that can interfere with tile systems and cause off site issues including surcharged drain tiles and blow outs of the drain tile systems.
9. (Water Resources) Soil samples shall be taken every 5 years from the site and analyzed for physical, chemical, and biological properties to demonstrate the soil health within the solar installations.
10. (Water Resources) 80% vegetative coverage for plantings will be a requirement for the site.
11. (Water Resources) 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.
12. (Water Resources) Floodplain, Wetland, Compensatory Storage, BMPs and Stormwater Management must be placed in a Conservation or Drainage Easement.



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ADDITIONAL REPORTS & ANALYSIS

Ecological Compliance Assessment Tool (EcoCAT) & Consultation Letter (06/30/2026)

The IDNR evaluated this project and provided that: The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location. Therefore, their Consultation was terminated.

Illinois State Historic Preservation Office (SHPO) & Consultation Letter (04/29/2026)

The IL SHPO reviewed this project and provided that: No historic properties were identified within the area of potential visual effects. Additionally, our files do not identify any known archaeological sites within the area of potential direct effects, nor is it within a high probability area for archaeological resources as defined in the Act. Accordingly, this project is EXEMPT from archaeological survey requests pursuant to Section 6 of the Act. An archaeological survey is not required under state law as there is no public funding nor is it on public land.

Natural Resources Inventory (NRI) Report (04/08/2026)

An NRI report was submitted and provided that: Of this parcel, 2.2 percent or 0.9 acres are considered Farmland of Statewide Importance. The LE value for this site is 27 and the SA value is 43 for a total LESA score of 70. This score represents **Low Protection effort warranted**.



Prime Farmland is a designation assigned by the U.S. Department of Agriculture defining land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is also available for these land uses. The Prime Farmland designation is assigned to each soil map unit. In addition to Prime Farmland, there is Farmland of Statewide Importance (Important Farmland). Important Farmland is designated for soils that are slightly outside the definition of Prime Farmland. Prime and Important Farmland are valuable for Kane County agriculture, ag industry, and county tax base.

In order to protect the best farmland, a Land Evaluation and Site Assessment (LESA) system was developed and adopted by Kane County in 2003. LESA is designed to determine the quality of land for agricultural uses and to assess a site for long term agricultural economic viability. The LESA is a 100-point maximum numerical value based on two parts – Land Evaluation (LE) and Site Assessment (SA). The LE is based upon the inherent ability of the soils of a parcel to produce commonly grown crops. The LE counts as 1/3 of the total score. The SA is a value based on the proximity of the parcel to agricultural areas. Parcels further from developed areas rank higher for protection. The SA counts for 2/3 of the LESA score.



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United States Fish and Wildlife Service Consultation Letter (07/01/2026)

The report submitted by the USFWS provided that:

- There may be a total of 3 threatened, endangered, or candidate species present in the project area:
Whooping crane, Monarch butterfly, Western regal fritillary
 - There are no critical habitats for these species within the project area under this office's jurisdiction; applicant is still required to determine if your project(s) may have effects on all above listed species.
 - The IPaC report states that there are **no federally designated or proposed critical habitats within the project area under the jurisdiction of the U.S. Fish and Wildlife Service.**
- There are no refuge lands or fish hatcheries within the project area.
- There are no wetlands within your project area.

The U.S. Army Corps of Engineers (07/17/2026)

Letter provided: Based on the information you have provided, your work as proposed is not a regulated activity pursuant to Section 10 of the Rivers and Harbors Act of 1899 (RHA) and/or Section 404 of the Clean Water Act (CWA), and therefore, does not require a Department of the Army permit unless new information (including changes to project plans) warrants revision.

Executed Agricultural Impact Mitigation Agreement (AIMA)

Received with the Zoning Application.

Documentation demonstrating avoidance of protected lands as identified by IDNR and the Illinois Nature Preserve Commission (INPC)

No mapped protected lands, conservation easements, or PAD-US managed lands were identified within the portion of the property proposed to be occupied by the Tanner Road Solar Project. The proposed solar development area is located entirely on privately owned agricultural land.

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

RECOMMENDED STIPULATIONS (FULL LIST)

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

1. (Water Resources) This site contains Zone AE Floodplain. A complete Floodplain Submittal will be required at the time of Stormwater Permitting. All panels will need to Flood Protected to 2 feet above the Base Flood Elevation. Survey and Engineering Study will be needed to delineate the floodplain on the site.
2. (Water Resources) Water Resources will require a stormwater permit for this development. All submittals must be prepared by Professional Engineer licensed in the State of Illinois.
3. (Water Resources) An Engineer's report will be required. Should the site introduce more than 25,000 sq ft of impervious area or more than 3 acres of disturbance, stormwater detention will be required. This impervious area is calculated cumulatively since 2002 for a site as per the Stormwater Ordinance. 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.
4. (Water Resources) Should the site introduce more than 5,000 sq ft of impervious, a BMP will be required for all impervious surfaces.



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5. (Water Resources) A calculation for disconnected impervious area, created by the panels, will be required. A Best Management Practice will be required to encourage infiltration of runoff within the site.
6. (Water Resources) 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. 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.
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8. (Water Resources) Plantings within the development will not interfere with drain tiles. Planting plan should address the placement of vegetation and trees with long root systems that can interfere with tile systems and cause off site issues including surcharged drain tiles and blow outs of the drain tile systems.
9. (Water Resources) Soil samples shall be taken every 5 years from the site and analyzed for physical, chemical, and biological properties to demonstrate the soil health within the solar installations.
10. (Water Resources) 80% vegetative coverage for plantings will be a requirement for the site.
11. (Water Resources) 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.
12. (Water Resources) Floodplain, Wetland, Compensatory Storage, BMPs and Stormwater Management must be placed in a Conservation or Drainage Easement.
13. (Transportation) The Petitioner shall obtain a temporary and final access permit from the Kane County Division of Transportation (KDOT)
14. (Zoning) Landscape screening consistent with the Kane County Zoning Ordinance shall be reviewed and approved at time of building permit application.

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



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ZONING ENTITLEMENT PROCESS

ZONING BOARD OF APPEALS (PUBLIC HEARING)

This Petition will be considered by the Zoning Board of Appeals at its meeting currently scheduled for **Tuesday, September 1, 2026 at 7:00 p.m.** at the Kane County Government Center, Building A, 719 S. Batavia Ave., Geneva, IL, in the first floor Auditorium room. All interested parties are invited to attend the public hearing to ask questions and/or to present testimony for or against the petition.

DEVELOPMENT COMMITTEE

This Petition will be considered by the Development Committee at its meeting currently scheduled for **Tuesday, September 15, 2026, at 10:30 a.m.** at the Kane County Government Center, Building A, 719 S. Batavia Ave., Geneva, IL, in the second floor Board room. 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.

KANE COUNTY BOARD

This Petition will be considered by the full Kane County Board at its meeting currently set for **Tuesday, October 13, 2026, at 9:45 a.m.** at the Kane County Government Center, Building A, 719 S. Batavia Ave., Geneva, IL, in the second floor Board room. Persons in favor of or in opposition to this petition who wish to speak before the County Board 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. 4690 Submittal Documents



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"Exhibit A" Zoning Petition No. 4690 Submittal Documents

[4690_01_Kane County Zoning Application_signed_Redacted.pdf](#)

[4690_02_SUP Standards Worksheet_signed.pdf](#)

[4690_03_Project Narrative.pdf](#)

[4690_04_Memo of Land Lease.pdf](#)

[4690_05_ALTA Survey.pdf](#)

[4690_06_Equipment Specifications.pdf](#)

[4690_07A_Noise Impact Study.pdf](#)

[4690_07B_Noise Declaration.pdf](#)

[4690_08A-Decommissioning Plan.pdf](#)

[4690_08B-Decommissioning Affidavit.pdf](#)

[4690_09-Decommissioning Surety Draft.pdf](#)

[4690_13_Legal Description.pdf](#)

[4690_14_Certification of Notice.pdf](#)

[4690_15_Petitioner Letter.pdf](#)

[4690_17-18_Geometric Site Plan & Landscape Plan \(07-21-2026\).pdf](#)

[4690_20_EcoCAT Report \(06-30-2026\).pdf](#)

[4690_21_SHPO Exemption Letter \(04-29-2026\).pdf](#)

[4690_22_NRI_Report \(04-08-2026\).pdf](#)

[4690_23_USFWS_iPaC_Official_Species_List \(07-01-2026\).pdf](#)

[4690_24_Letter of No Objection fm Army Corp of Engineers \(07-17-2026\).pdf](#)

[4690_25_AIMA Agreement \(04-03-2026\)signed.pdf](#)

[4690_26_Protected_Lands_Map.pdf](#)

[4690_27_Roadway Use Memo.pdf](#)

[4690_28_Structural Engineer's Certificate \(07-07-2026\).pdf](#)

[4690_29_FEMA_Floodplain_Map \(07-11-2026\).pdf](#)

[4690_30_Wetlands Delineation Report \(06-26-2026\).pdf](#)

[4690_31_Topographic_Map.pdf](#)

[4690_32_Preliminary Drain Tile Analysis.pdf](#)

[4690_33_Preliminary Stormwater_Management.pdf](#)

[4690_34_Phase I ESA \(Enviromental Assessment\).pdf](#)

[4690_35_FAA Obstruction Evaluation.pdf](#)

[4690_36A_Correspondence_Aurora Municipal Airport.pdf](#)

[4690_36B_Correspondence_Kane County Forest Preserve.pdf](#)

[4690_36C_Correspondence_North Aurora Fire Protection District.pdf](#)

[4690_37_Applicant Letter to the North Aurora Village Board.pdf](#)