

COUNTY OF KANE

DEVELOPMENT & COMMUNITY SERVICES DEPARTMENT

Mark D. VanKerkhoff, AIA, Director
Building Officer
Zoning Enforcing Officer



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KANE COUNTY ZONING ORDINANCE INTERPRETATION MEMORANDUM

Date: June 9, 2025
To: Interested Parties and Applicants
From: Mark D. VanKerkhoff, *Director & Zoning Enforcing Officer*
Subject: Interpretation of Zoning Ordinance Provision – Underground Power and Communication Lines for Commercial Solar Energy Facilities [Section 25-5-4-9(E)4.c]

This memorandum is issued to clarify the intent and application of Zoning Ordinance Section 25-5-4-9(E)4.c as it relates to Commercial Solar Energy Facilities.

Zoning Determination Authority:

It is the responsibility of the Zoning Enforcing Officer, as defined in Section 25-4-1 of the Kane County Zoning Ordinance, “to administer and enforce the provisions of this ordinance, and to that end [...] have the power to make such orders, requirements, decisions, and determinations as are necessary with respect to applications for permits and the enforcement of this ordinance.”

Zoning Ordinance Section:

25-5-4-9 COMMERCIAL SOLAR ENERGY FACILITIES

E. Design And Installation:

4. Aesthetics and Lighting:

c. Intra-project Power and Communication Lines: ***All power lines used to collect power and all communication lines shall be buried underground at a depth in accordance with the Agricultural Impact Mitigation Agreement until same reach the property line or a substation adjacent to the property line.***

Official Interpretation:

The code section requires that all power and communication lines which collect and transmit generated power away from the solar energy facility—that is, from the point of energy aggregation (such as inverters, transformers, or control equipment)—must be buried underground. These lines shall be installed at a depth that complies with the specifications outlined in the Agricultural Impact Mitigation Agreement (AIMA). The requirement to underground these lines shall continue until they reach either:

- The property line of the facility, or
- A substation that is located adjacent to the property line.

Importantly, this provision does not apply to electrical or communication lines located within the internal array field (i.e., the lines running between individual solar panels or strings within the fenced area of the facility). These intra-array connections are considered internal wiring and are not subject to the undergrounding requirement outlined in this section.

Purpose and Intent:

The primary intent of this provision is to:

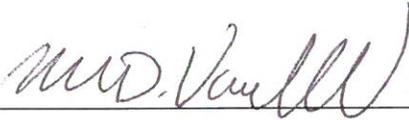
- Minimize disruption to adjacent agricultural operations;
- Preserve the visual character of rural or agricultural areas; and
- Ensure compliance with state-mandated agricultural mitigation measures.

By limiting the requirement to collection and transmission infrastructure leading out of the solar array area, the code strikes a balance between infrastructure protection, agricultural land compatibility, and feasibility of solar development.

Conclusion:

For compliance purposes, developers of commercial solar energy facilities shall ensure that all main collection and communication lines exiting the array area are buried in accordance with the AIMA, up to the property line or an adjacent substation. Internal wiring within the fenced solar panel area is exempt from this undergrounding requirement under this interpretation, subject to reviews and comments from other departments and judications reviewing permits for the construction of the project. Should you have further questions or require case-specific guidance, please contact the Department of Development and Community Services.

Signed and approved by the Director of Development & Community Services, who serves as the County's Official Zoning Enforcing Officer, on this 9th day of June, 2025.



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