



**Champaign County Board
Environment and Land Use Committee (ELUC)
County of Champaign, Urbana, Illinois**

MINUTES – Approved as Distributed on May 7, 2020

DATE: Thursday, February 6, 2020
TIME: 6:30 p.m.
PLACE: Lyle Shields Meeting Room
Brookens Administrative Center
1776 E Washington, Urbana, IL 61802

Committee Members

Present	Absent
Aaron Esry (Chair)	
Connie Dillard-Myers	
	Jodi Eisenmann
Stephanie Fortado	
Jim Goss	
Kyle Patterson	
Eric Thorsland (Vice-Chair)	

County Staff: John Hall (Zoning Administrator), Susan Monte (Planner), Mary Ward (Recording Secretary)
Others Present: Giraldo Rosales (County Board Chair), Cynthia Fears (Board Member)

MINUTES

I. Call to Order

Committee Chair Esry called the meeting to order at 6:34 p.m.

II. Roll Call

A verbal roll call was taken, and a quorum was declared present.

III. Approval of Agenda/Addendum

MOTION by Mr. Goss to approve the agenda as corrected, seconded by Mr. Thorsland. Upon vote, the **MOTION CARRIED** unanimously.

IV. Approval of Minutes

A. January 9, 2020 – open meeting minutes

MOTION by Mr. Goss to approve the minutes of the January 9, 2020 meeting, seconded by Mr. Thorsland. Upon vote, the **MOTION CARRIED** unanimously.

B. January 9, 2020 – closed session

MOTION by Ms. Dillard-Myers to approve the closed session minutes of the January 9, 2020 meeting, seconded by Mr. Goss. Upon vote, the **MOTION CARRIED** unanimously.

V. Public Participation

Tami Fruhling-Voges, Mayor of St. Joseph, spoke to the committee regarding the Solar Amendments and the 1.5-mile jurisdiction. It was important for the Village to be part of the planning process and being part of the conversation. It's important to work together on the process.

Mr. Patterson joined the meeting.

VI. Communications

There were no communications.

VII. New Business: Items for Information Only

- A. IEPA Appointment to Statewide Materials Management Advisory Committee

Susan Monte has been appointed to serve on this Advisory Committee. Mr. Esry thanked her for taking on this additional work.

- B. Online Registration Opens February 3 for Residents to Attend IEPA One-Day Household Hazardous Waste Collection

Ms. Monte reported that we are working more closely with the contractor to see that it goes more smoothly. We are also registering fewer residents. The question was asked about those who didn't get to get through the line at the fall collection. They were given first chance to register for this one and about 150-200 have taken advantage of this. There are still about 350 appointment times left.

- C. IEPA Notice of Application for Renewal of NPDES Permit for Urbana-Champaign Sanitary District NE Plant

This is an FYI from IEPA that does not require any County Board action and has been placed on file.

VIII. New Business: Items to Receive & Place On File by ELUC Committee to Allow a 30-Day Review Period

- A. **Zoning Case 947-AT-19.** Amend the Champaign County Zoning Ordinance by amending the requirements for PV solar farms by deleting Section 6.1.5 B.(2)b. that requires a 0.5 mile separation between a proposed PV solar farm and the CR Conservation Recreation Zoning District.

MOTION by Mr. Thorsland and seconded by Ms. Fortado.

Discussion followed. Mr. Hall gave a brief review of this amendment. It was not unanimous at ZBA, so it is back here. This could enhance CR areas; it should not hurt them. There was clarification made that this was to be put on 30-day review. The committee will see this again next month.

Upon vote, the **MOTION CARRIED** unanimously.

- B. **Zoning Case 971-AT-19.** Amend the Champaign County Zoning Ordinance by amending the requirements for PV solar farms by amending the requirements for a letter of credit in Section 6.1.5 Q.(4)e. to change the minimum acceptable long term corporate debt (credit) rating of the proposed financial institution to a rating of "A-" by Standard & Poor's, or a rating of "A3" by Moody's, or a rating of "A-" by Kroll Bond Rating Agency.

MOTION by Mr. Goss and seconded by Mr. Thorsland.

Discussion followed. Mr. Hall stated that originally this amendment was to add a rating for a bank headquartered in Champaign County. After review by the State's Attorney it was recommended revising the amendment to treat all financial institutions the same. In order to do that, it is necessary to lower the minimum required financial rating to the lower end of the generic, broader "A" rating. The question was asked if this was subject to annual review. The answer was that it was subject to a 3-year review. Some members were uncomfortable with a 3-year review and

felt that a yearly review would be better. Mr. Hall said that requiring county review yearly is the only way to be sure that it's done.

Upon vote, the **MOTION CARRIED** unanimously.

IX. New Business: Items to be Approved by ELUC

- A. Annual Renewal of Recreation and Entertainment License
 - i. Generations Music Booking, MFP, for Christian Music Festival, Champaign County Fairgrounds, 1302 North Coler Avenue, Urbana. July 1 – July 4, 2020
 - ii. Bluestem Hall, Weddings & Events, 1401 E. Old Church Road, Urbana. 1/1/20 – 12/31/20

OMNIBUS MOTION made by Mr. Patterson and seconded by Mr. Thorsland. Upon vote, the **MOTION CARRIED** unanimously.

New Business: Items to be Recommended to the County Board

- A. **Zoning Case 968-AM-19.** A request by Kyle Britt, 412 Deerpath St, Tolono, and Alex Wilson, 134 W Orleans St, Paxton, d.b.a. Big Rig Diesel Service, LLC, to amend the Zoning Map to change the zoning district designation from the AG-1 Agriculture District to the B-3 Highway Business District in order to establish a Major Automobile Repair Shop on a 6.8 acre tract in the Northwest Quarter of the Southwest Quarter and the Southwest Quarter of the Northwest Quarter of Section 12, Township 18N Range 10E of the Third Principal Meridian in Sidney Township, commonly known as part of the former Agrigenetics tract with an address of 2310 CR 1050 North (County Highway 15), Homer.

MOTION made by Mr. Goss and seconded by Ms. Dillard-Myers. Mr. Esry said that this is across the road from Frito-Lay, between Sidney and Homer, and that the buildings have not been used for a couple of years.

Upon vote, the **MOTION CARRIED** unanimously.

- B. Resolution Authorizing Brookfield Properties and Champaign County Event Agreement for IEPA One-Day Household Hazardous Waste Collection on April 4, 2020

MOTION by Ms. Dillard-Myers, seconded by Mr. Thorsland. Upon vote, the **MOTION CARRIED** unanimously.

- C. Resolution Approving Champaign County Opt-in Form to Illinois EPA to Participate in Manufacturer E-Waste Program in 2021

MOTION by Mr. Patterson, seconded by Mr. Thorsland. Ms. Monte mentioned that this non-binding, should the county arrange for a program collection site to replace the biannual events.

Upon vote, the **MOTION CARRIED** unanimously.

- D. **Zoning Case 945-AT-19.** Amend the Champaign County Zoning Ordinance requirements for a photovoltaic (PV) solar farm in Section 6.1.5 B.(2) of the Champaign County Zoning Ordinance by adding the following requirements for any proposed PV solar farm that is located within one-and-one-half miles of a municipality:
 - Part A: Increase the minimum required time for municipal review as described in the legal advertisement.
 - Part B: Require municipal subdivision approval for any PV solar farmland lease exceeding five years when required by any relevant municipal authority that has an adopted comprehensive plan.
 - Part C: Amend Section 8.2.3 to allow any PV solar farm authorized prior to the effective date of this amendment and that is in the process of being repaired to not lose its zoning right to operate.
 - Part D: Add new Section 8.2.4 to allow any PV solar farm authorized prior to the effective date of this amendment to be constructed pursuant to the standard requirement of a Zoning Use Permit, provided that the Special Use Permit for the solar farm has not expired.

MOTION by Mr. Thorsland, seconded by Ms. Fortado.

Discussion followed regarding the required separation between a PV solar farm and a municipality and reasons for and against an increase. There was also discussion about the increased minimum required time for municipal review and most felt that was a good thing as it gives more time for dialog and working with the solar farms and municipalities.

Ms. Fruhling/Voges spoke again to clarify that the 1.5-mile separation is more desirable for the village due to the costs of infrastructure for the village. If solar farms are a little further away from the substation, they are in a better position to pay for their infrastructure to get to the substation. She also said that working with the various solar farms resulted in very different experiences.

Upon vote, a show of hands was called for. The vote was 3 Ayes and 3 Nays. This advances to the County Board with no recommendation.

- E. **Zoning Case 946-AT-19.** Amend the Champaign County Zoning Ordinance requirements for a photovoltaic (PV) solar farm in Section 6.1.5 B.(2) of the Champaign County Zoning Ordinance by adding the following requirements for any proposed PV solar farm that is located within one-and-one-half miles of a municipality:

Part A: Increase the minimum required separation between a PV solar farm and a municipal boundary from 0.5 mile to 1.5 miles.

Part B: (same as Part A in Case 945-AT-19) Increase the minimum required time for municipal review as described in the legal advertisement.

Part C: (same as Part B in Case 945-AT-19) Require municipal subdivision approval for any PV solar farmland lease exceeding five years when required by any relevant municipal authority that has an adopted comprehensive plan.

Part D: (same as Part C in Case 945-AT-19) Amend Section 8.2.3 to allow any PV solar farm authorized prior to the effective date of this amendment and that is in the process of being repaired to not lose its zoning right to operate.

Part E: (same as Part D in Case 945-AT-19) Add new Section 8.2.4 to allow any PV solar farm authorized prior to the effective date of this amendment to be constructed pursuant to the standard requirement of a Zoning Use Permit, provided that the Special Use Permit for the solar farm has not expired.

MOTION by Mr. Goss, seconded by Ms. Dillard-Myers. There was no discussion.

Upon vote, a show of hands was called for. The vote was 3 Ayes and 3 Nays. This advances to the County Board with no recommendation.

- F. **Zoning Case 948-AT-19.** Amend the Champaign County Zoning Ordinance by amending Section 8.3.2 to authorize a variance to rebuild a nonconforming structure before the structure is damaged.

MOTION by Mr. Thorsland, seconded by Mr. Goss. Discussion followed. A formal protest has been received from the City of Urbana. It was not a unanimous vote at their meeting. They did note that voting on a protest doesn't mean the County Board can't pass it, but it does raise the bar at the County Board. It will take a super majority, 17 of 22 members, of the County Board to override the municipal protest.

Upon vote, the **MOTION CARRIED** unanimously.

X. **Other Business**

- A. Monthly Report

- i. September 2019
- ii. October 2019

Mr. Hall said that 2019 was a huge year for the ZBA; the staff and the ZBA did a great job in 2019. The reports were received and placed and file.

XI. Chair's Report

There was no report. Mr. Esry thanked everyone for coming out for the meeting.

XII. Designation of Items to be Placed on the Consent Agenda

IX. A, B, C and F

XIII. Adjournment

The meeting was adjourned at 7:44 p.m.

Please note the minutes reflect the order of the agenda and may not necessarily reflect the order of business conducted at the meeting.