



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

MINUTES – Approved as Distributed February 10, 2022

DATE: Thursday, January 6, 2022
TIME: 6:30 p.m.
PLACE: Shields-Carter Meeting Room / Zoom
Brookens Administrative Center
1776 E Washington, Urbana, IL 61802
and remote participation via Zoom

Committee Members

Present	Absent
Aaron Esry (Vice-Chair)	
Stephanie Fortado	
Mary King	
Kyle Patterson	
Jacob Paul	
Chris Stohr	
Eric Thorsland (Chair)	

County Staff: John Hall (Zoning Administrator) and Mary Ward (Recording Secretary)

Others Present: Jen Straub (County Board Member)

MINUTES

I. Call to Order

Committee Chair Thorsland called the meeting to order at 6:33 p.m.

II. Roll Call

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

III. Approval of Agenda/Addendum

MOTION by Ms. King to approve the agenda, seconded by Ms. Fortado. Upon roll call vote, the **MOTION CARRIED** unanimously to approve the agenda.

IV. Approval of Minutes

A. December 9, 2021

MOTION by Mr. Esry to approve the minutes of the December 9, 2021, regular meeting seconded by Mr. Stohr. Upon roll call vote, the **MOTION CARRIED** unanimously.

V. Public Participation

Cindy Ihrke, Ford County Board member, spoke regarding updating the Wind Farm Ordinance. Ford County has recently updated their Wind Farm Ordinance due to several complaints they've received from those living near a wind farm. Their original ordinance had no way to help people. Setbacks are now from the property line, and they must get waivers from all parties affected. The new setbacks are 2,250 feet. She said there is new technology available to help with shadow flicker. She offered to talk to ZBA or the committee to share more about their new ordinance.

Ted Hartke shared his experience of living near a wind farm. He was in favor of it at first but after the turbines were turned on, they had noise issues. They eventually had to abandon their home. He encouraged using the guidelines for the new ADLS radar activated lights. He stressed that an updated ordinance should protect the residents first. He asked that the setbacks be changed to 3,250 feet.

Lori Cooper also spoke on the wind farm issue and wanted to agree with what Mr. Hartke had said.

Barney Bryson spoke on the proposed Bee Ordinance. He had sent in some more information that was shared with the committee. He asked that the committee please consider sending the ordinance on to the County Board.

VI. Communications

Several members had commented on Ms. Fortado's background picture. She said it is Brandywine Falls in Ohio and about a mile from where she grew up.

VII. New Business: Items to be Approved by ELUC

A. Direction Regarding Proposed Zoning Ordinance Text Amendment to Revise Certain Zoning Ordinance Requirements for Wind Farms

Mr. Thorsland started the discussion on revising the Wind Farm ordinance. There were favorable comments on the ADLS lighting system in the public comments tonight. He favors this technology. The ordinance revisions as proposed change the setbacks.

Mr. Hall was asked to summarize the proposed changes from the original ordinance. First, separation to dwellings (not property lines), we are basing those on the same proportions as we currently have. For a non-participating dwelling we require a minimum 1200-foot separation. It's always been greater than that. The proposed minimum separation is no less than 2.4 times the maximum allowed wind farm tower height. That's provided the noise level complies with the Pollution Control Board regulations. To a participating dwelling, the separation is no less than 2 times the maximum allowed wind farm tower height.

Several changes are included to the Agricultural Impact Mitigation Agreements to bring our ordinance in compliance with state law. Our fees were below average, so there is a proposed increase in fees; \$34,000 or \$760 per tower for the special use permit and when time to build the tower price for a permit is proposed to be \$10,000. These are substantial increases but even with these increases we will still be in the mid-range of what counties charge for fees.

We've only had one small wind farm (30 towers) built under the current ordinance and the only complaints we've ever received were about drainage. Those have been dealt with. We've never

received complaints about noise or flicker. There are some complaints about lighting. Adding the ADLS would be seen as a big plus. The current wind farm would become non-conforming.

Mr. Stohr asked about the IL Pollution Control Board noise levels. Is that something that is routinely measured or only measured when there is a request? And, who does that? Can we require the owners to do measurements of noise at various times? If there is a valid complaint ELUC can authorize a noise study and if a violation is found the cost of the study has to be reimbursed and the problem corrected. Mr. Thorsland added that he was on the ZBA at the time and there was a lot of discussion about noise.

Discussion continued with members agreeing that the proposed changes make sense allowing for the taller towers, ADLS lighting, etc. A question was raised about where the numbers for the proposed fees came from. A search was made of other counties and their fees, and these are in the mid-range of those fees. It is a substantial increase but there are long-term, ongoing costs/work associated with wind farms.

The committee agreed that the ZBA has the opportunity to have more discussion on the issues and need a place start. Most members were happy to send this as proposed to the ZBA. The earliest date it could be on the ZBA calendar would be March 31, 2022.

Mr. Hall stated that the proposed ordinance does do away with any height limit but has to conform to FAA requirements and have ADLS lighting.

MOTION by Ms. Fortado and second by Mr. Esry to send the proposed ordinance changes to the ZBA as presented. Upon roll call vote, the **MOTION CARRIED**.

VIII. New Business: Items to Receive and Place on File by ELUC to Allow a 30-Day Review Period

A. **Zoning Case 014-AT-21.** Amend the Champaign County Zoning Ordinance to establish beekeeping Requirements as summarized in the full legal advertisement and summarized as follows:

1. Amend Section 3.0 Definitions by adding a definition for “apiary”, “beekeeping”, “honey bee”, “nucleus colony” and other related terms.
2. Add footnote 29 to Section 5.2 Table of Authorized Principal Uses.
3. Add footnote 30 to Section 5.2 Table of Authorized Principal Uses.
4. Add new Section 7.8 Beekeeping in the R-1, R-2 and R-3 Districts, with new Requirements for Beekeeping

Mr. Thorsland stated that the ZBA recommendation is a flat denial of this ordinance. Mr. Thorsland stated he was in agreement with the ZBA. We have worked very hard to try to do this twice now. He appreciates all the hard work that has gone into this.

Mr. Esry asked if there was any time when the ZBA recommended a denial, but the County Board voted differently. Mr. Hall answered that he can’t remember a time when the ZBA recommended a denial of a text amendment; so, this is a first. He did check with the State’s Attorney regarding the standard practice of the county board either going with the recommendation or remanding. If you don’t follow the ZBA recommendation you would need to document, why.

Mr. Esry liked that we spent time on this and try to address the issue. If we do nothing, we don’t solve the issue and with the ordinance we don’t solve it either. He would probably lean toward agreeing with

the ZBA but it's still frustrating that we couldn't find a solution. Ms. Fortado said she is not against the ZBA but felt like the ordinance was reasonable. You can regulate something and still like it. Mr. Paul said he agrees with the ZBA and we should support their ruling.

Mr. Hall stated that the ordinance is in keeping with best management practices. But the ordinance was too restrictive for anyone to support. It was a difficult decision for the ZBA.

Mr. Esry asked if would remand back to ZBA to just limiting the number of hives; would that pass? Mr. Hall stated that three members would never support regulation of bees. The question was asked if the committee agrees to override the ZBA if it would have any chance with the full County Board? The committee felt that it could be an uphill battle and that some would not go for more rules.

MOTION by Mr. Stohr and seconded by Mr. Patterson to receive and place on file the recommended denial by the ZBA. Upon roll call vote, the **MOTION CARRIED**.

IX. Other Business

A. Monthly Reports

i. November 2021

The report was received and placed on file.

X. Chair's Report

There was no Chair's Report.

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

There were no items for the Consent Agenda.

XII. Adjournment

Mr. Thorsland adjourned the meeting at 7:58 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.