

MINUTES OF REGULAR MEETING

Champaign County Environment & Land Use Committee	DATE:	August 10, 2009
Champaign County Brookens Administrative Center	TIME:	7:00 p.m.
Urbana, IL 61802	PLACE:	Lyle Shields Meeting Room Brookens Administrative Center 1776 E. Washington Street Urbana, IL 61802

MEMBERS PRESENT: Chris Doenitz, Jan Anderson, Brad Jones, Ralph Langenheim, Steve Moser, Alan Kurtz (VC), Jon Schroeder, Barbara Wysocki (C)

OTHER COUNTY BOARD MEMBERS PRESENT: Pius Weibel (County Board Chair)

MEMBERS ABSENT: Carol Ammons,

STAFF PRESENT: John Hall, Leroy Holliday, Deb Busey, Susan Monte (Regional Planning Commisison), Susan Chavarria (Regional Planning Commission), Andrew Levy (Regional Planning Commission)

OTHERS PRESENT: Hal Barnhart

1. Call to Order, Roll Call

The meeting was called to order at 7:00 p.m. The roll was called and a quorum declared present.

2. Approval of Agenda

Mr. Kurtz moved, seconded by Ms. Anderson to approve the agenda as submitted. The motion carried by voice vote.

3. Approval of Minutes (June 8, 2009)

Mr. Kurtz said that there was an error on page 15 line 4. He said that the website that was given was incorrect and the correct website was www.rwspc.org.

Mr. Jones moved, seconded by Ms. Anderson to approve the June 8, 2009, minutes as amended. The motion carried by voice vote.

1
2
3 **4. Correspondence**
4

5 Mr. Hall said that there was no additional Correspondence.
6

7 **5. Chair's Report**
8

9 Ms. Wysocki said that she and Mr. Kurtz attended a workshop last Thursday at the U of I Extension Service in
10 LaSalle County which dealt with agricultural land use planning, tools planning and preservation and a
11 transitioning economy. She said that this was an interesting conference because they talked about planning
12 elements that were going on around not just in the State of Illinois but even on a broader level than that and they
13 were trying to educate those who attended about trends going on in the area of developing land trusts, farmland
14 protection commissions and apparently the Chicago area seems to have a number of these in existence and some
15 of the related issues in terms of how this affects agriculture policies, balancing agricultural interests with other
16 interests other than turning the land into residential settlements. She said that that it was an intense day and it
17 was worth the trip there.
18

19 Mr. Kurtz said that he was impressed how they were going about planning to save farmland in the State. He said
20 that the easements for developmental rights where counties were purchasing developmental rights from farmers
21 to keep the land safe from any type of residential growth is something he had not thought about and he thought it
22 was a good idea to discuss it. He said that the key is you have to have money for that but it can't hurt to plan for
23 something like that. He said that he thinks Chair Wysocki questioned one of the speakers about those
24 commissions and we should be getting some information back on those.
25

26 **6. Public Participation**
27

28 There was no public participation.
29

30 **7. Updates:**
31

32 **A. House Bill 466 (Chatham decision)**
33

34 Mr. Hall said that Tuesday August 11, 2009, is the last day for the governor to veto House Bill 466 which is the
35 Bill the County and municipalities had joined together to request. He said that if the Governor does not veto it
36 tomorrow it goes into law and if he does veto it then it goes back for the Veto Session. He said that the same will
37 be true with Senator Poe's Bill 1006 so the problem may be fixed for the entire State. He said that he would
38 report back next month and send an email as soon as he knows something.
39

40 Mr. Hall said that Chair Weibel asked some questions about a Bill at the last meeting that was up for approval
41 that as of 2011 will make all commercial buildings have to be built to code and that also passed so that on
42 January 1, 2011, every new building constructed anywhere in the State would have to be constructed to a

1 to a building code regardless if it is a single family home or an industrial complex. He said that there was no one
2 enforcing that but it is a requirement. He said that the law regarding commercial structures exempts agriculture.
3 He said that it was not clear to him whether or not the Residential Building Code Act exempts agriculture but it
4 is not enforced.

5
6 **8. Request to Adopt the Champaign County Multi-Jurisdiction Natural Hazard Mitigation Plan**
7

8 Ms. Wysocki said that the Committee had copies of this distributed at the June meeting and Ms. Monte will give
9 us a summary of this and hopefully we will be able to be in a position to approve this and pass it along to the
10 County Board for next week's meeting.

11
12 Susan Monte of the Regional Planning Commission said that those who attended the public participation
13 meeting in June may have a copy of the Hazard Mitigation Plan and those that did not have a copy can go online
14 or if someone needs a hard copy she can make arrangements for that to happen. She said that tonight she was
15 asking for a recommendation to the County Board to adopt the Champaign County Multi-Jurisdictional Natural
16 Hazard Mitigation Plan. She said that the preparation had occurred over the past year and a half and you have
17 heard the many updates about that and FEMA had reviewed the final draft and made certain requests that were
18 met for additional information and subsequently FEMA had indicated that the plan meets all of their
19 requirements and the only remaining thing is that each participating jurisdiction needs to adopt the plan. She said
20 that the purpose of adopting the plan is to make the County and each participating jurisdiction eligible for grants
21 available through FEMA. She said that the funding would allow long term solutions to prepare and achieve
22 several of the mitigation actions proposed via funding through the FEMA Hazard Mitigation Grant Program or
23 FEMA Pre-Disaster Mitigation Program Fund.

24
25 Ms. Monte said that the Committee received in their packet an Executive Summary of the plan describing the
26 scope of the plan, the process, the fact that 27 jurisdictions participated including the unincorporated Champaign
27 County area and all municipalities in the County or partially in the County and the University of Illinois as well
28 as Parkland College.

29
30 Mr. Schroeder arrived at 7:09pm.

31
32 Ms. Monte said that the public had opportunities to participate throughout the development of the plan. She said
33 that a survey was distributed last December with regards to Preferred Mitigation Actions to the public. She said
34 that the plan identified natural hazards in the County, profiled each hazard, and past occurrences of each hazard.
35 She said that the six hazards are severe storms, severe winter storms, floods, extreme heat, drought, and
36 earthquakes. Ms. Monte said that in Champaign County severe winter storms are considered the most prevalent
37 of the hazards, flooding is a close third followed by extreme heat, drought, and earthquake being the least ranked
38 hazard. Ms. Monte said that four goals had been identified in the plan and the first was to minimize avoidable
39 death and injury due to natural hazards, protect existing and new infrastructures from the impacts of natural
40 hazards, include natural hazard mitigation and local government plans and regulations and coordinate natural
41 hazard mitigation efforts of participating jurisdictions.
42

1 Ms. Monte said that each jurisdiction came up with a prioritized listing of preferred mitigation actions ranking
2 them by priority and Champaign County came up with a list of 12. She said that since those were not included in
3 the Executive Summary she could distribute the mitigation actions as a part of this plan. She said that the top
4 two ranked the highest priority were to educate the public and to disseminate information regarding all hazards
5 to the population through town hall meetings, presentations to groups, and displays. She said that the responsible
6 parties would be the Department of Public Health and Champaign County Emergency Management Agency and
7 the funding sources would be federal, State, local or grants and it is a mitigation action that would be ongoing.

9
10 Ms. Monte said that the second highest priority mitigation action proposed for Champaign County was to offer
11 and promote the use of an area wide warning text message system such as "Alert Sense". She said that the time
12 frame will be within six months of FEMA's approval of this plan and those two departments are arranging for
13 this to occur at this time. Ms. Monte said that the other ten mitigation actions are listed on this list and she could
14 make it available to the Committee either now or after the meeting. She said that each of the participating
15 jurisdictions had their own list of mitigation actions and they prioritized their own list and they will be
16 responsible for their governing body adopting or trying to request that it be adopted. She said that since there
17 were so many participating jurisdictions, the Champaign County Regional Planning Commission project staff
18 was able to get the 19 smaller municipalities to agree to have the RPC project staff represent them during the
19 planning process and they are now receiving information that you are receiving and going forward to their town
20 councils to request that the plan be adopted as well.

21
22 Mr. Schroeder asked Ms. Monte if it was up to the individual municipalities out beyond Champaign, Urbana and
23 Savoy to understand the plan and who's in charge of the whole scope of things and organizational chart.

24
25 Ms. Monte said yes, and beginning in January 2008 she communicated with the village presidents of each of the
26 smaller villages and in some cases visited their council meetings to describe participating in this plan. She said
27 each of the smaller participating villages had their council authorize a resolution agreeing to participate in this
28 plan and they are expecting at the end of this process to be provided with the plan and to go forward to their
29 council to request that it be adopted. She said that at various points she has been in touch with village presidents,
30 village clerks and village representatives.

31
32 Mr. Schroeder asked Ms. Monte if the people in the unincorporated areas that have only township government
33 are aware that there is a structured plan there for response to natural hazards.

34
35 Ms. Monte said that if you are referring to the Chair of our planning team, Bill Keller, he is aware of it. She said
36 that the Response Plan is a separate plan which is a part of this and it includes things other than emergency
37 response like public dissemination of information and emergency services of which there are 5 categories of
38 mitigation actions that this plan includes whereby emergency response is one category.

39
40 Mr. Schroeder asked Ms. Monte if unincorporated areas like Penfield and Seymour which have first responders
41 like a volunteer fire department are aware of this mitigation plan.
42

1 Ms. Monte said that Bill Keller is the primary contact person for unincorporated Champaign County and he was
2 responsible for coordinating and making sure that there are no conflicts with any of the first responder activities
3 and as far as she knew there were no conflicts. She said that there were no specific contacts made with the Fire
4 Protection Districts per say but information was collected about them.

5
6 Mr. Langenheim arrived at 7:20pm.

7
8 Mr. Schroeder said that he has a different opinion regarding the ranking of hazards based on vulnerability of
9 assessment and if you look over the column that says property and crop damage and go to drought and it is
10 “moderate” risk and he thinks that it should be “major” but he is curious where the moderate designation came
11 from.

12
13 Ms. Monte said that this table is based on the Illinois Natural Hazard Mitigation Plan and the data is consistent
14 with the State data. She said that Mr. Schroeder was right about drought that it could be totally devastating when
15 it does happen and it is impossible to predict. She said that this rating came from the Illinois State Plan and
16 needed to conform to that plan.

17
18 Mr. Kurtz said that he would like to complement Ms. Monte on putting together this program with 27
19 jurisdictions. He said it is pretty broad and extensive and he particularly likes the vulnerability assessment of
20 each area that gives you where we need to look and he would certainly approve it.

21
22 Ms. Anderson asked Ms. Monte what happens if the County approves this and the other jurisdictions don't do a
23 formal approval.

24
25 Ms. Monte said that if the smaller jurisdictions for one reason or another choose not to adopt this that
26 jurisdiction alone would not be eligible to apply for these funding programs however the County would be
27 eligible because we would have an adopted plan approved by FEMA.

28
29 Ms. Wysocki asked Ms. Monte if any units of government have approved this already.

30
31 Ms. Monte said that the City of Urbana Planning Commission recommended to their Council to approve this a
32 week ago. She said that that the City of Champaign is in the process of approving this now. She said that some
33 of the others are looking to approve this as well so it may take one to two months.

34
35 **Mr. Schroeder moved, seconded by Mr. Kurtz to request the County Board adopt the Champaign County**
36 **Multi-Jurisdiction Natural Hazard Mitigation Plan. Motion carried by voice vote.**

37
38 Ms. Wysocki said that she received an email this afternoon from Mr. Keller who was impressed by the work that
39 Ms. Monte had done on this project not only the process but the product itself and he certainly felt that this was a
40 very good document and that it ought to put Champaign County and all of the smaller units of government in a
41 good position to move forward. She said that we all would be eligible for FEMA Funds if and when that
42 becomes necessary.

1
2
3
4 **9. Preliminary Overview of Draft Goals, Objectives and Policies for the Land Resource Management**
5 **Plan**
6

7 Susan Monte of the Regional Planning Commission gave an overview of Stage Two “Goals, Objectives and
8 Policies and Stage Three Future Land Use Plan” and the associated documents. She said that after the overview
9 she will go through the entire set of Goals, Objectives and Policies systematically at a slower pace so that the
10 Committee could have the opportunity to comment.
11

12 Ms. Monte said that Stage Two has been comprised of several steps over the past year and a half including an
13 initial review of policies, documents, analysis of issues, meetings with township and municipal representatives,
14 developing and holding public a workshop and drafting of policy statements. She said that the public workshop
15 included completion of a survey about policy preferences for land use and management in the County and
16 mapping exercises. She said that the result of Stage Two is a single document comprised of nine Goals and
17 thirty-nine Objectives and ninety-six Policies. She said that as you read the memorandum you will see a
18 comparison to our three existing sets of Goals, Objectives and Policies. Ms. Monte said that objectives are sub-
19 goals and they are measurable events or tasks that help to achieve a goal. She said that policies are repetitive
20 types of events or actions that provide clear direction to decision makers. She said that this set of Goals,
21 Objectives and Policies was used to create the future Land Use Map and it will serve as a guide for identifying
22 implementation actions. She said that that is the stage we are at now with the Steering Committee and they will
23 serve as a guide for the County decision makers in rezoning cases or whenever a land use decision is necessary
24 to be made.
25

26 Ms. Monte said that one thing to keep in mind as we review the urban set of Goals, Objectives and Policies
27 is that the ETJ exists and specific policies will relate to those cities that have adopted a comprehensive land use
28 plan and 12 municipalities in the County have done that. She said that for the other smaller villages that are
29 incorporated that have no comprehensive land use plan there are fewer shared planning issues that occur with
30 those smaller municipalities. She said at this point we are midpoint through this LRMP development process
31 and this is the overview of the Goals, Objectives and Policies and she will highlight changes or policies that she
32 expects to be controversial in a systematic way once we get to that point. She said that Andrew Levy will present
33 an overview of Stage Three “Future Land Use Map” and after that she will go through the nine Goals,
34 Objectives and Policies.
35

36 Andrew Levy of the Champaign County Regional Planning Commission said that he has worked for the
37 Regional Planning Commission for four years, two of those years as a planner and two years in the GIS
38 Department. He said that he was there to talk about the Future Land Use Map. He said that there are two of them
39 and one is a Land Use Management Area Map, which relates specifically to policy and that was in your packet
40 you received. He said that the Land Use Area Map has the policy numbers attached to the names of these
41 management areas so that gives you an idea of the policies so you could figure out where we are talking about on
42 these policies and where they might apply. He said that the rough lines on the map are approximate boundaries

1 approximate boundaries and not regulatory. Mr. Levy said that a special area to note on the map is the CUGA,
2 the Continuous Urban Growth Areas; this is the area that is peach in color on the map next to the municipal
3 boundaries. He said that these areas have specific policies and there are a lot of issues between municipalities
4 and the County and how that area management plays out is important. He said that the areas that have a hatching
5 next to that is called the Municipal ETJ; which is their mile and a half, without sanitary sewer. He said that these
6 areas are also critically important to developing how we are managing this area for development. He said that
7 they will come up with some implementation tasks later to help define what will happen in these areas.

9
10 Mr. Levy said that the Future Land Use Map is part of the local Land Resource Management Planning Act so we
11 are following that and it is a part of this process and it is not a prediction and it is not exactly what is going to
12 happen in the future. He said that the way to think about it is this is what the community or you as elected
13 officials say you would like to see in the future but how that plays out by the year 2030 may not look like that.
14 He said that the map is split up in four categories that is largely farmland and we are calling it "Primarily
15 Farmland" and that is split up into different categories, "Best Prime" and "Non-Best Prime" and
16 "Primarily Farmland Woodland" which is a little bit different but we have a policy written that defines how we
17 want to see potential development to occur in that area, "Primarily Farmland Riparian Area". He said that it is all
18 farmland but it has specific components within them. Mr. Levy said that another category is "Rural Residential
19 Infill" and "Rural Residential Projected". He said that the yellow bubbles on the map are residential projections
20 and they are not at any defined location but a guess as to how many residences will come in the next twenty
21 years. Mr. Levy said that another category is "Commercial / Industrial". He said that there is one area down by
22 Pesotum that is not on the Zoning Map where we are thinking of Commercial / Industrial and there are two
23 categories for natural resources, "Primarily Conservation" and "Parks and Preserves". He said that these are
24 already established areas so the Parks and Preserves are the forest preserves and Primarily Conservation is
25 conservation areas that had been put into state programs.

26
27 Mr. Weibel said that the municipal boundary agreement seems to be overwritten by the extra territorial
28 jurisdictions.

29
30 Mr. Levy said that they are indicated but are small. He said that they can provide a much larger map but they
31 were using 28 by 40 maps so we can provide the Committee with that if they want to get into the detail. He said
32 that ETJ's do show up and for Mahomet and Champaign you can see where it says "See US150 Study" just
33 south of that there is a line running north and south and up where it says Hensley is another one.

34
35 Mr. Moser asked Mr. Levy how that line was drawn between Urbana and St. Joseph.

36
37 Mr. Levy asked Mr. Moser if he was talking about the pink line between Urbana and St. Joseph on the Future
38 Land Use Map.

39
40 Mr. Moser said yes, Attachment A.

41
42 Mr. Levy said that the dotted line that is splitting Mayview is where they are thinking it is going to be the ETJ

1 ETJ boundary in 2030.

2
3 Mr. Moser said that he has been here for 66 years and he has not seen Urbana grow more than four sections.

4
5 Mr. Levy said that they have plans to extend out to CR1800E, Cottonwood Road, and these are long term plans
6 and when he went to them with these ideas he asked them what were their long term plans for growth. He said
7 that this is not saying that this is where the line is going to be but they are saying that it would probably exist
8 between the mile and a half right now and that line by 2030.

9
10 Susan Monte said that they would be considering this information for the County Board at the Study Session in
11 September and at that time they could have large panels of these two maps for display.

12
13 Ms. Monte said that Goal One "Planning and Public Involvement" has four Objectives and four Policies. She
14 said that this Goal specifies broad public involvement as a necessary component which is a new feature not
15 present in the 1977 Land Use Goals and Policies for the County. She said that the Objectives under this Goal
16 establish the LRMP as a planning guide document to guide decisions and it is not a regulatory document but
17 serves as a guide to County decision makers with regards to land use issues. She said that the Objectives indicate
18 that there will be an annual update provided to County Board members and a comprehensive review which
19 would happen every 10 to 15 years or so. She said that she doesn't see any controversy associated with Goal
20 One.

21
22 Ms. Monte asked the Committee if there were any questions concerning Goal One.

23
24 Mr. Schroeder said that in Goal One, Objective 1.4.1, he was under the impression that they were going to
25 eventually make this into a Comprehensive Land Use Plan which he assumed that is what is going to happen.

26
27 Ms. Monte said that she did not understand Mr. Schroeder's question.

28
29 Mr. Schroeder said that the goal is a Comprehensive Land Use Plan and if you have a Comprehensive Land Use
30 Plan you don't need an update because you won't need a Land Resource Management Plan.

31
32 Ms. Monte said that is a detailed list of specific actions that will be used to actually achieve the Policies and
33 Objectives listed here. She said that the list of actions will be done in five years, for instance, so that that part of
34 the plan would probably need the most updating because that is an ongoing thing plus she was not sure what else
35 could change but a lot of things changed in thirty years as far as alternative energy and CO₂ emissions that were
36 not on the radar in the 1970's. She said that she was not sure if there would be major changes but the
37 implementation of this plan would need to be updated comprehensively.

38
39 Mr. Hall said that we had not lost sight of that goal and maybe it would be worth having something in these
40 Objectives about if there ever was a full comprehensive plan that would take the place of the LRMP, then that
41 would be fine, but it was not clear to him where the County might decide to go with a comprehensive plan for
42 everyone and second, when it does happen you want to make sure you don't need the LRMP as a backup

1 backup because you might always want to have your own plan and he did not think we should rule that out right
2 now.

3
4 Ms. Monte said that Goal Two “Government Coordination” has two Objectives and three Policies and these
5 Objectives are to coordinate efforts with County jurisdictions which is no different than the existing 1977 Goals
6 but what is different is Objective 2.2 that states that Champaign County will work cooperatively with other units
7 of government to ensure that the Geographic Information System Consortium and Regional Planning
8 Commission have the resources to effectively discharge their responsibilities to develop, maintain and share
9 commonly used land resource management data between local jurisdictions and County agencies that will help
10 support land use decisions. Ms. Monte said that was a new focus and there was no previous mention in the 1977
11 Land Use Goals and Policies for the County that mentioned sharing of information. She said that the Policies
12 under Objective 2.1 tie in with providing the County Board with annual updates and we expect that every year
13 municipal boundaries will need to be adjusted on our maps so that is going to be maintained and that will be part
14 of the report and that will change on the Land Use Management Area Map area that we call Contiguous Urban
15 Growth Areas, which is expected to change annually.

16
17 Mr. Schroeder said that on Policy 2.1.3 the word “protection” to him seems to be a strong term and that means
18 that there would have to be some form of enforcement. He asked Ms. Monte if natural, historic, and cultural
19 resources are defined anywhere.

20
21 Ms. Monte said the first verb in that policy is “encourage” which does not require any enforcement.

22
23 Mr. Schroeder said that he was looking for a definition of natural, historic and cultural resources within the
24 County.

25
26 Ms. Monte said that these were similar topics that were considered in the 1977 Land Use Goals and Policies and
27 often they reference natural, historic and cultural resources. She said that the Land Use Management Planning
28 Act encourages that the LRMP consider those topics as well but the Steering Committee did not specifically
29 define those terms. She said that she did not see a lot of controversy with Goal Two.

30
31 Ms. Monte said Goal Three is the Agricultural Goal with 10 Objectives and 21 Policies. She said that the goal is
32 to protect the long term viability of agriculture in Champaign County and its resource base. She said that the first
33 Objective addresses land fragmentation of the County’s agricultural land base and conservation of farmland,
34 generally applying more stringent development standards on Best Prime Farmland. She said that she wanted to
35 make a note about these Objectives under this Goal and that is a lot of them will look like the 2001 and 2005
36 Land Use Regulatory Policies (LURP’s) that were adopted by the County so a lot of this material examined for
37 consistency and placed under this Goal. She said that there was nothing new or unusual about that Goal, as it has
38 been in practice since 2001.

39
40 Ms. Monte said that Policy 3.1.3 is the by-right development allowance which was lifted from the LURP’s. She
41 said that Policy 3.1.4 is guaranteeing landowners a good zoning lot on which they can develop the by-right
42 development allowance provided that current public health, safety and transportation standards are met and that

1 and that is a new additional clause that the Steering Committee and the Zoning Administrator felt was important.

3
4 Ms. Monte said that Policy 3.1.5 is a controversial Policy which is the 1 per 40 limit on new rural lots. She said
5 that they talked about this in May and in June at ELUC so Policy 3.1.5 is part of the proposed policy set at this
6 time.

7
8 Ms. Monte said that Policy 3.1.6 provides that the County will authorize only by-right residential development,
9 and not discretionary residential development, provided site development requirements are met on Best Prime
10 Farmland.

11
12 Ms. Monte said that Policy 3.1.7 was nothing new and is already in the Zoning Ordinance.

13
14 Ms. Monte said that Policy 3.1.8 requires LESA ratings be considered for discretionary development and that is
15 also being done already.

16
17 Mr. Kurtz said that 3.10 would interfere with wind farms and after talking with Mr. Hall, he feels that it should
18 be eliminated or add to it but opposes leaving it the way it is. He said that there are no ifs, ands, or buts here and
19 he thinks that the wind farms will come up against this Policy so we may need to put an exception there because
20 there is no room to maneuver.

21
22 Mr. Weibel said that you could argue about fence poles too, windmills are out in the midst of a natural landscape
23 agricultural area and so are telephone poles and electrical poles.

24
25 Mr. Doenitz said that you don't need a permit for a fence.

26
27 Ms. Anderson said that she agrees with what Mr. Weibel is saying, it is still being used for agriculture around it
28 and not changing the use.

29
30 Mr. Langenheim said that all of these statements must be capable of being overridden in an orderly manner and
31 asked Mr. Hall if this document provides for that.

32
33 Mr. Hall said that he was not aware of that many contradictions between the Goals or the Policies in this
34 document. He said that he tried to identify them but he did not see any clear contradictions but it is not unheard
35 of to have Goals that are in contradiction with each other.

36
37 Mr. Hall said that regarding Mr. Kurtz's question, knowing that Mr. Kurtz was concerned about anything in this
38 document that could be negative towards wind farms he thought that was a fair reading of Objective 3.10 and
39 there are a lot of people in this County that would say that 3.10 means that we do not have to worry about wind
40 farms being approved in the AG-1 District because they absolutely change the agriculture and the natural
41 landscape character.

1 Mr. Weibel said that these are temporary and there are plans for them to be taken down and the land restored
2 back to the way it was.

3
4 Mr. Hall said that you can choose to hide behind that.

5
6 Mr. Langenheim said that he is just saying that a document of this sort has to have an escape clause in it in other
7 words, supermajorities or whatever and eventually you will run into what could not be predicted and you will
8 have to contravene say for instance, subdividing a five acre lot.

9
10 Mr. Hall said that you may find that you may disagree with some part of this plan in the future and could take
11 action by updating the plan.

12
13 Susan Chavarria of the Champaign County Regional Planning Commission said that this is merely a guide and it
14 is not regulatory and so it is a loop hole itself because you don't have to follow it to the letter.

15
16 Mr. Kurtz said that he understood that but there may be some that may contest that when they see this Policy and
17 he thinks that it needs to be softened so that it's not that brick wall in front of us. He said that Mr. Hall had been
18 working on some additional language-so it could be put into Policy 3.10.

19
20 Mr. Weibel said people could argue that there are no natural landscape areas or very few areas in Champaign
21 County because the agriculture has affected it, so we could get a lot of arguments like that so the question is, do
22 we try to solve that for every possible situation? He said that he thought it looked like a pretty general statement.

24
25 Mr. Kurtz said that he feels as he looks through most of these policies they are not as strict as this one is and he
26 did not think it would be a problem to add a sentence to it that would eliminate his concerns and perhaps
27 others.

28
29 Ms. Anderson asked Mr. Kurtz if he could tell the Committee what wording he was thinking of.

30
31 Mr. Kurtz said that he and Mr. Hall had some preliminary wording but he could bring it back if he sits down
32 with Mr. Hall and he feels that everyone would find it acceptable.

33
34 Ms. Anderson asked Mr. Kurtz if it would say anything about windmills or would it be more general.

35
36 Mr. Hall said that he came up with something general and he was not really happy with it and this may be a
37 pretty tough thing to amend and it may not be a good solution but he will discuss it with Mr. Kurtz again.

38
39 Mr. Weibel said that the point we were talking about was landscape character not the landscape so that is pretty
40 general in itself so he did not see how someone could say that windmills affect landscape character. He said that
41 he finds that hard to see how someone could drive that point through and be very effective with it.

1
2
3
4
5
6
7
8
9
10
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
29
30
31
32
33
34
35
36
37
38
39
40
41
42

Mr. Doenitz said that if he recalls correctly at some of the ZBA meetings that point was driven pretty hard by the opponents of the windmills that they are large and changed the landscape character.

Mr. Levy said that the policy approach is explained that the County will develop and adopt a standard so we were looking for the Committee to take this idea of maintaining the character and pursue it further by identifying those elements of the rural character that you want to preserve and also identify the elements you want to exclude. He said that the Goal even states you want to preserve agriculture as an economic resource and we all know that wind farms can help farmers. He said that the policy approach we want the Committee to take with this Objective is open and he would like the Committee to pursue it further and define it for the County.

Ms. Monte said that Objective 3.2 is a reiteration of the adopted existing LURPs. She said that Objective 3.3 is site suitability which also is a very established concept in our existing Policies and there is nothing new there. She said that Objective 3.4 states that Champaign County will update regulations that pertain to rural residential discretionary review developments to best provide for site specific conditions by 2010. She said that, as you recall, when we were doing the Zoning Ordinance update in 2004 our State's Attorney pointed out that we needed to make an adjustment to our Zoning Ordinance and that's what this Objective is referring to. She said that it states that when we do consider County Rural Residential Overlay Districts they need to be considered as not only a rezoning but as a Special Use so we would not get into any legal jeopardy.

Ms. Monte said Objective 3.5 states that by the year 2012 Champaign County will review the Site Assessment portion of the LESA for possible updates and thereafter once every ten years they will take a look at it for possible updates. She said that is the subjective portion of the LESA system and as the Committee may recall, about six or seven years ago the Soil Conservation Service updated the soil assessment portion of the LESA but the SA portion was never updated. She said that she went to a workshop by the State and they pointed out how to improve that part of the LESA so that is just an Objective at this point.

Ms. Monte said that Objective 3.6 is a new Objective but it is not a new concept. She said that it affirms the County's Resolution 3425 pertaining to the right to farm and that is an existing resolution and embodied the Steering Committee's concerns so it was put in here as an Objective.

Mr. Schroeder asked Ms. Monte what it would take to preserve farmland in Objective 3.6.

Ms. Monte said a conservation easement.

Mr. Schroeder asked if the County could develop a special zoning district or special ordinance that would designate Ag-only.

Ms. Monte said that their suggested implementation of this Policy is to come to ELUC and suggest that we develop some ideas and consider them for adoption. She said that among those ideas are Transfer of

1 Development Rights, Purchase of Development Rights, Conservation Easements and that kind of thing. She said
2 that they were not considering any kind of special zoning district.

3
4 Ms. Monte said that Objectives 3.8 and 3.9 are new ideas not previously included in the 1977 Land Use Goals
5 and Policies and it has to do with the importance of locally grown food and 3.9 states "Champaign County will
6 appoint a panel of local producers and consumers to recommend policies supportive of local food production,
7 purchase and consumption".

8
9 Mr. Schroeder asked Ms. Monte could Champaign County government put anything in the Ordinance that would
10 be supportive of production.

11
12 Ms. Monte said that as you know agriculture is exempt from our Zoning Ordinance so it would have to be
13 another means. She said that this was one of those issues so new that it would take a significant amount of time
14 to come up with answers and that is the beauty of appointing a panel like the Blue Ribbon Panel.

15
16 Mr. Schroeder said that if you apply the same standards to a lot of what government expects out of private
17 industry or corporations there would be a lot of politicians in prison now. He said that the free market works
18 pretty well and he did not understand what a panel of local people could do and he believes that the free market
19 works best in these situations unless the County Board could change federal and state laws. He said what worked
20 in the past worked fine and that's been the free market.

21
22 Mr. Kurtz asked Mr. Schroeder if Objective 3.8 answers that.

23
24 Mr. Schroeder said yes.

25
26 Mr. Weibel said that he generally agrees with Mr. Schroeder and he was thinking of other ways to word 3.9. He
27 said that he could not see the County appointing its own panel but maybe a countywide panel with other entities.

29
30 Mr. Schroeder said that takes resources and as of right now the County does not have any resources.

31
32 Mr. Weibel said that he wasn't saying that they have to do it but there are other counties that have such a group
33 and they come out with reports on local food production. He said yes, it takes money, but it is not something that
34 has to be done or could be done.

35
36 Mr. Schroeder said that he is not saying that he is against local produce growers but he is asking where this came
37 from and what is the importance of it.

38
39 Mr. Doenitz said that he is baffled by this and he is also baffled about what Mr. Weibel said about reports for
40 production. He said that he has been a producer for thirty years and reports and such tend to harm producers
41 more than help them.

1 Mr. Weibel said that he was speaking theoretically but being able to promote local food production is what this
2 objective is about.

3
4 Mr. Doenitz said that the only thing 3.9 did was to make someone feel good when they wrote it.

5
6 Ms. Anderson said that she had no idea how this came about however, she did go to a few meeting but she did
7 not remember any discussion about any of this. She said that you read things now with our energy consumption
8 and gas prices the emphasis around the country is to grow locally and buy locally, fresher food, and more
9 nutritious food as well as promoting work for people. She said that it might be more educational and promoting
10 so people are aware. She said that she remembers going to the farmer’s market on Saturday mornings fifty years
11 ago in Pennsylvania, there were always lots of farmer’s markets and you could buy peaches and all kinds of
12 things locally and now you can’t hardly buy an ear of corn here except at the grocery store unless you raise them
13 in your own garden and over the years you’ve seen that expand.

14
15 Mr. Schroeder said that you have had Lincoln Square Plaza for many years and now you have Champaign and
16 Rantoul now so they have been coming back around again. He said that they have grown and are continuing to
17 grow and maybe if we said something like the County encourages Farmer’s Markets.

18
19 Mr. Moser said that we have people coming in from other counties peddling sweet corn and everything else out
20 of pick up trucks on corners all over town and in the county. He said that the U of I Extension Service has a big
21 program with Master Gardeners and he knew there were some people over there that were trying to get some of
22 their crops approved as organic and that has to go to the USDA. He said that Saturdays in Urbana are like a
23 celebration and he thinks they are doing a good job of promoting it.

24
25 Mr. Levy said that another reason that this was in here is it’s looking beyond just individual consumers, it is
26 looking at school districts which is not up to the County Board but there are other entities that the County is
27 involved with that would benefit from buying local foods. He said that it is an issue that’s out there and this
28 would be a big step for the County and he would encourage that it stay in there maybe not in this form but the
29 general idea of supporting these attributes of local food might be an okay function.

30
31 Ms. Monte said that if you have any further adjustments communicate that to her.

32
33 Ms. Monte said that Goal Four is going beyond the realm of existing Land Use Regulatory Policies which dealt
34 with only rural development. She said that here we are creating a new Goal with three Objectives and 13
35 Policies that pertain to urban development. She said that Objective 4.1 states “Champaign County will strive to
36 ensure that the preponderance of population growth and economic development is accommodated by new urban
37 development in or adjacent to existing population centers”. She said that the Policies under this Objective are
38 not controversial until Policy 4.1.9. She said that this is a new idea and Policy 4.1.9 states “the County will
39 encourage that new discretionary development within municipal extra-territorial jurisdiction areas pursuant to a
40 municipal annexation agreement and that will remain in the unincorporated area, should first receive a
41 discretionary development approval from the County that would otherwise be necessary without the annexation
42 agreement”. She said that she had heard that some planners for the City of Champaign and Urbana had opposed

1 Champaign and Urbana had opposed this and there was lots of discussion about this prior to the supermajority of
2 the Steering Committee agreeing to it.
3

4 Mr. Hall said that this was not the only Policy that tries to provide better policy guidance for how the County
5 hopes municipalities would exercise annexation authority in a reasonable manner. He said that this Policy is
6 talking about inside the ETJ and in his view this Policy describes the current practice of the City of Urbana and
7 the City of Urbana while they would not agree that this series of words actually describes what they do, this is
8 the way they had been operating since the Chatham decision. He said that the City of Champaign had not been
9 operating that way and the only negative comments they received when they reviewed this at a staff level was
10 from City of Champaign staff because their view was it would tie the City's hands. He said that the this Policy
11 doesn't really obligate a municipality to do anything other than let the County make a decision on something
12 then they can go ahead and do whatever they wanted to do in the first place anyhow.
13

14 Mr. Doenitz asked Mr. Hall what was the point.
15

16 Mr. Hall said that the point was that this encourages them to wait and the best way to describe this is the Casey's
17 out east of Urbana, it was in the County's jurisdiction, they could only develop with an annexation agreement
18 but they were not going to be annexed anytime soon because while they needed access to sewer it just was not
19 annexable. He said the City of Urbana required them to go through a rezoning process at the County ZBA before
20 they would approve the annexation agreement, which in fact gave the neighbors a chance to protest to their
21 County Board members and at least two members of this Committee visited and heard the neighbor's concerns.
22 He said the City of Urbana extended all kinds of considerations to the neighbor's concerns and he thought
23 Urbana represented the people well but remember those neighbors do not get to vote for the Urbana City
24 Council but only for the County Board members. He said that this was a perfect example of where Urbana
25 followed this exact policy and it worked so well he wanted to present it to ELUC either as part of the LRMP or
26 outside of it because if you can get municipalities to agree to this Policy it would be better for the constituency.

28
29 Mr. Doenitz said that he admits that was a good example but that's 1 out of 1,000 and you know as well as I do
30 that the municipalities will do what they please. He said that municipalities are the huge reason why 90% of this
31 is the problem with urban sprawl and not the County.
32

33 Mr. Hall said that in this Policy so far this is what Urbana had been doing.
34

35 Mr. Doenitz said that Urbana had not really been the issue in this point it's been the City of Champaign, Savoy
36 and Mahomet is doing it right now and there is no way to stop that.
37

38 Mr. Schroeder said that he agrees that Urbana does it right when it comes to this Policy but he always
39 remembers the North Prospect area before it was developed. He said that the ZBA had the case and Champaign
40 allowed that to happen, went through the zoning process properly and pre-annexation agreements were done and
41 it was done properly. He said that Libby Tyler from the City of Urbana has done an excellent job with us and
42 was very respectful to the County.

1
2 Mr. Weibel said that one advantage of having this in there is that if someone asked about this policy we could
3 say this is what it is in writing but whether we follow it or not is another thing but at least we could say this is
4 what our policy is.
5

6 Ms. Monte said that Objective 4.2 is a new set of Policies that reiterate several of the concerns that are present in
7 our 1977 Land Use Goals and Policies and in our LURP's. She said that nothing is required except that the
8 County will ensure in its own development that this will happen but will encourage when possible other
9 jurisdictions follow the items listed here.
10

11 Ms. Monte said Objective 4.3 is a practice that the County is currently doing and now it is proposed as an
12 Objective and also to encourage other jurisdictions to require that all urban development be sufficiently served
13 by infrastructure and public services.
14

15 Ms. Monte said that Goal Five states "Champaign County will ensure protection of the public health and public
16 safety in land resource management decision". She said that this Goal has four Objectives and seven Policies,
17 nothing really controversial except it could possibly be controversial to talk about complying with a building
18 code by 2015. She said that the Champaign County Waste Management Plan is about thirty years old and it falls
19 in the purview of this Goal so at some point by 2015 the objective is to have the County consider an update to
20 that plan.
21

22 Ms. Monte said that Goal Six is not controversial and a lot of these are land use goals from 1977 that have been
23 updated. She said that the new Policy is to encourage development of a multi-jurisdictional county wide
24 transportation plan and the need for that was demonstrated as a good one to consider as a Policy.
25

26 Ms. Monte said that Goal Seven dealt with natural resources. She said that natural resources deals with layers of
27 the environment starting with the Ground Water going to Soil Resources then up to Surface Water, Aquatic
28 Riparian Ecosystems, Natural Areas and Habitat, Parks and Preserves and Air Pollutants. She said that the first
29 Objective deals with ground water and a lot of these Policies talk about discretionary development and being
30 careful not to use up our resource of ground water and talking about ground water studies that the Mahomet
31 Aquifer Consortium is embarking on and supporting that and using the knowledge obtained from that in the
32 future once they are available, so this is talking about good use of the Mahomet Aquifer and using the
33 knowledge to save and protect our ground water supply. She said that Objective 7.2 was nothing new. She said
34 that Objective 7.3 states "Champaign County will work to ensure that new development and ongoing land
35 management practices maintain and improve surface water quality, contribute to stream channel stability,
36 minimize erosion and sedimentation and provide appropriate conditions for native aquatic species". She said that
37 this Objective is pretty standard and nothing there is controversial.
38

39 Mr. Schroeder said that he does have a concern about who has jurisdiction and authority on policing of these
40 broad strokes that we are painting with these Policies and Objectives. He said that that in Objective 7.3 when
41 you get down to "provide appropriate conditions for native aquatic species" he said that you have to catalogue
42 each species out there and he did not think that it had been done yet. He said that the Blue Ribbon Panel that was

1 Panel that was set up in 2001 or 2002 had an idea, maybe some independent research that had been done, but the
2 point is we have to come up with what is native aquatic species and then another layer of the Planning and
3 Zoning Department has to be created to go out and check for this condition. He said that he doesn't have a
4 problem with native aquatic species but he feels that we create problems for legitimate Drainage Ditch
5 Commissioners. He said that he is concerned about this and as they go further in there are going to be more and
6 more demands on the Planning staff that is already over worked and under paid and is not going to get anymore
7 funding.

8
9 Mr. Moser said that he has seen this already with some of those Drainage Districts where somebody tried to get
10 on one that the Board Chair appointed and then there is an election and taxpayers decide they will appoint their
11 own Commissioners within that district and take it out of the County Board's hands. He said that happened a
12 few times three or four years ago. He said that the biggest thing the County has if you are a farmer is drainage
13 and if you don't have a way to get rid of the water either through a tile outlet or some other means you are killing
14 yourself.

15
16 Mr. Weibel said that Objective 7.4 covers the last sentence that Mr. Schroeder was talking about.

17
18 Mr. Schroeder said that he thinks when it comes to 7.4 the word "encourage" is there but there is also the word
19 "enhancement" and that's where it hangs up. He said that encourage does not bother him so much but
20 enhancement of aquatic and riparian habitats does. He said that once again you will have to catalogue everything
21 that is out there in those streams and ditches.

22
23 Mr. Weibel said that because you see the words "encourage" "maintenance" and "enhancement", he did not
24 think that you would have to catalogue anything because it does not say what the ultimate goal is. He said that
25 maintenance means to maintain as is and enhance means to improve.

26
27 Mr. Schroeder said that the ultimate goal is what the County comes up with in an Ordinance and enforcement.

29
30 Ms. Anderson asked Ms. Monte to explain 7.4 because it looks like they are talking about new development and it
31 sounded to her that it is encouraging us to see that things are built so that there isn't runoff. She said that the
32 State had a program but they may not have the funds to continue with it now that they have trained volunteers
33 that did water sampling not for any specific species but to see if anything was living in there and then they would
34 take it to places where they could look at it under a microscope and they could identify if it was living
35 microorganisms which would indicate whether there was runoff that was killing things that normally live in the
36 water.

37
38 Ms. Monte said that if you look at the Policies you could get a better idea of what this Objective has to say. She
39 said that in Policy 7.3.1, you could think about the Watershed Plans such as the Salt Fork, for instance, and
40 incorporating those recommendations in the discretionary review of new development.

41
42 Ms. Monte said that in Policy 7.3.2, we already have a storm water management policy and in her view and in

1 in her mind this is just promulgating the continuation of that which also deals with sedimentation and erosion.
2 She said that 7.3.3 states “The County will encourage the implantation of agricultural practices and land
3 management that promotes good drainage while maximizing stormwater infiltration and aquifer recharge”. She
4 said that all that could be considered as public education or sharing of information.
5

6 Mr. Weibel said that he agrees with Mr. Levy because 7.3.4 and 7.3.5 directly deal with new development but
7 7.3.3 talks about new development and ongoing land management so you could strike out “ongoing land
8 management” because the Policies are all about new development and so he understood the problem Mr.
9 Schroeder has with it.
10

11 Mr. Moser said that he did not know about the other drainage ditches but the one that goes through his place has
12 so much runoff from urban development in Urbana that the water would come up eight or nine feet in an hour
13 even with all of the retention that is up there to slow it down but it just tears everything up as far as tile outlets
14 and holding the bank and you are not going to plant trees on it to help it any because if you look at the Saline it
15 is all over the place down by Mayview.
16

17 Ms. Wysocki said that it may open the door for some discussion with Urbana about what they are doing.
18

19 Mr. Moser said that according to Tom Burns everything is perfect. He said that when they put in Stone Creek
20 and everything on the west side of 130 it certainly sends a lot more water down that ditch than it used to. He said
21 that you have the same thing happening along the Phinney Branch west of Champaign going into the Kaskaskia
22 and also the Embarrass where you have built-up area on that South Farm and it is just not capable of taking it, it
23 was a rural ditch when it was dug, widened, or deepened and nothing has changed much.
24

25 Ms. Monte said that Objective 7.4 and Policies 7.4.1 and 7.4.2 deal with discretionary review. She said that no
26 one could argue that 7.4.3 is a good Policy and the County would be encouraging that. She said that Objective
27 7.4.4 covered all bases essentially. She said that the Steering Committee did discuss that supporting healthy
28 aquatic systems should occur when feasible and not disregarding the need for doing the other things like channel
29 stability, minimize erosion and sedimentation, minimize ditch maintenance cost and support healthy aquatic
30 ecosystems.
31

32 Ms. Monte said that Objective 7.5 is a broader category of the vegetation and pre-settlement environment. She
33 said that pre-settlement environment refers to predominate land coverage during the early 1800s when the prairie
34 comprised approximately 92% of the land surface and forest comprised 7% and the remaining area was open
35 water so that was the pre-settlement environment. She said that riparian areas along the stream corridor that
36 contain forest soils and bottom land soils were thought to be the areas forested during the early 1800’s.
37

38
39 Ms. Monte said that what is important to note in this set of Policies is that the Steering Committee, as a part of
40 Policy 7.5.2, stated that with regards to by-right development on good zoning lots, or the expansion thereof, the
41 County will not require new zoning regulations to preserve or maintain existing onsite areas that provide habitat
42 for native and game species, or new zoning regulations that require mitigation of impacts of disturbance to such

1 disturbance to such onsite areas.

2
3 Mr. Schroeder asked Ms. Monte who was going to do the education of the private landowners in Policy 7.5.1 and
4 who would be in charge of educating the public.

5
6 Ms. Monte said that she envisioned monitoring potential funding sources or opportunities to achieve this and the
7 County Planner would do this.

8
9 Mr. Schroeder said that when you say funding sources he heard taxes.

10
11 Ms. Monte said that there was no Ordinance that was envisioned as a part of this.

12
13 Mr. Schroeder said that he was curious as to what the Committee's thinking was by putting this in here and
14 where they wanted to go with it.

15
16 Ms. Monte said that the Steering Committee hasn't seen this Part B yet but they were not intending to have new
17 regulations to regulate by-right development at all and that's what this Part B in 7.5.2 states.

18
19 Ms. Monte said that Policy 7.5.3 picks up an idea of an existing land use policy and goes beyond it for
20 discretionary development using the Illinois Natural Areas Inventory and other scientific sources on a case by
21 case basis.

22
23 Ms. Monte said that Objective 7.6 was not a controversial concept and it acknowledges that rural parkland is
24 important and that the County would work to protect existing investments in that.

25
26 Mr. Schroeder asked Ms. Monte if Objective 7.6 conflicts with what the Forest Preserve has for their policies
27 because they have a similar policy like that. He said that if you go back to Policy 7.5.6 he was not sure if we are
28 overlapping with the Forest Preserve District because the Forest Preserve District will be right in line with these
29 two Policies and Objectives. He said that he was curious if the County is saying that they support what the
30 Forest Preserve does or if the County is saying that although the Forest Preserve has their thing but we want to
31 say this thing.

32
33 Ms. Monte said that the Steering Committee had in mind to work in concert with the Forest Preserve District
34 and have a Policy that supports Forest Preserve District efforts.

35
36 Mr. Moser said that SCS is doing that, too, because they put that wetland in at St. Joe and they have that prairie
37 on that Barnhart Farm south of Urbana and there is another one by Pesotum.

38
39 Ms. Wsocki said that one of the things that the Steering Committee heard frequently in this process was that
40 organizations like the Soil and Water Conservation District and Forest Preserve District are in a much better
41 position to look at some grants and funding opportunities because other agencies like the County may have
42 something on record that supports that concept. She said that they would like to see related agencies cooperating

1 cooperating on similar goals and she thinks that this could only support Soil and Water and anybody else who is
2 interested in protecting or developing rural parks or any kind of issue for that matter by having something in
3 black and white and this is what the County is going on record with.
4

5 Ms. Anderson said that this would also apply to the educational aspect that there are grants available from
6 environmental groups that they could get and this might reinforce it.
7

8 Ms. Wysocki said that even school districts may find themselves eligible for some additional money sources by
9 being able to say in their grant application that the County has this statement that supports this and this is what
10 we are trying to do and it is a no brainer.
11

12 Ms. Monte said that on the screen there are two Policies under Objective 7.7. She said that Objective 7.7 deals
13 with the atmosphere and it indicates that the County will require compliance with all applicable Illinois
14 Environmental Protection Agency and Illinois Air Pollution Control Board standards for air quality when
15 relevant in discretionary review development. She said that Policy 7.7.2 requires identifying existing sources of
16 air pollutants and will avoid sensitive land uses where occupants will be affected by such discharges.
17

18 Ms. Monte said that Objective 7.8 is similar to LESA and it is a system that would make it easy for Zoning
19 Board Members and County Board Members to understand any new standards related to natural resources
20 assessment and possibly includes a ranking system of some sort or some way to help actually implement those
21 new standards.
22

23 Ms. Monte said that the content of Goal Eight is a new focus not previously seen in the 1977 County Land Use
24 Goal and Policies, energy conservation. She said that the 1977 Goals and Policies talked a lot about efficiency
25 but this expands on that concept and it includes energy conservation and the use of renewable energy resources.
26 She said that promoting land use patterns, site design standards and land management practices that minimize
27 the discharge of greenhouse gasses could be viewed as minimizing the need for excess transportation and having
28 scattered development. She said that Policy 8.1.3. is promoting efficient building design standards and striving
29 to minimize the discharge of greenhouse gasses in its own facilities and operation and not having regulations
30 that the County doesn't itself follow.
31

32 Ms. Monte said that Objective 8.2 encourages energy efficient building design standards. She said that as you
33 heard Mr. Hall's update the Illinois Energy Efficient Commercial Building Act in 2011 will require new
34 commercial buildings to follow a set of standards. She said that Objective 8.3 is a carryover from the 1977 Goals
35 and Policies. She said that Objective 8.4 is encouraging recycling since County does it anyway and it seems to fit
36 under this Public Health and Safety Goal. She said that Objective 8.5 is encouraging the development and use of
37 renewable energy sources where appropriate and compatible with existing uses.
38

39 Mr. Schroeder said that in Policy 8.1.2, in the legislation that the House adopted regarding Cap and Trade
40 Policy, you will find a section in there that is right out of the California Code that will supersede anything we do
41 here and anything the State does as well, and Goal Eight will be superseded by the federal government. He said
42 that it is an interesting Policy to be included in this and he was not sure what to do with it.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41

Mr. Kurtz asked Ms. Monte if 8.5 conflicts with 3.10 if we are talking about renewable energy and it looks like 8.5 conflicts.

Ms. Monte said that this is a broadly stated Objective but it does not conflict with this but it coexists as an Objective and it does not take into consideration landscape character but it talks about existing uses which is not the same thing as landscape character. She said that in her view this is not a problem.

Mr. Weibel said that there is some confusion here with the existing use of the land and not the existing use of renewable energy.

Ms. Monte said that is what she is interpreting it to be.

Mr. Kurtz said that is interpretation but it does not say that.

Mr. Weibel said that it could be changed to land uses.

Ms. Monte said that Goal Nine was carried forward from the County's Land Use Goals and Policies and made more specific and limited to encouraging development and maintenance of cultural, educational, recreational, and other amenities that contribute to the quality of life of its citizens and, specifically, work to identify historic structures, places and landscapes in the County. She said that this was just an overview of the proposed LRMP Goals, Objectives and Policies.

Mr. Schroeder said that he commends Ms. Wysocki for her work, time and dedication and that she stuck with and chaired every committee meeting. He said that he did not attend all of the meetings but attended a couple and he found the conversations, points, objections and everything that went on there to be interesting and he was able to get a view of what everyone out in the public was thinking and what they thought of Zoning and the County and where it should go. He said that a lot of this policy, and it is typical of this sort of thing, is meant to be more regulatory than encouraging in one particular area. He said that this policy encourages the environmental side of things which he does not have a problem with but it does another thing too, it did not encourage flat out productivity with the exception of agriculture. He said that it was generous to agriculture and producers and that nature but when it comes to natural resources like oil shale that is under the state and even in this county where the new technique of vertical drilling and horizontal drilling requiring massive amounts of natural gas he was not sure in this county it could survive with what is laid out in these policies and goals. He said that would be very minimal to the environment but it is not encouraged here and it is not promoted. He said that there is a small section about natural minerals extraction just like we have sand pits and gravel pits here in the county and there are some policies that could be detrimental to that type of mining so it is tilted to one side and should be more balanced.

Mr. Weibel agreed with Mr. Schroeder's comments about sand and gravel operations. He said that the oil and gas production and exploration are state rules and local rules have no jurisdiction but he will check into that.

- 1
- 2 Ms. Monte said that they previously had sand and gravel mining policies that were ultimately removed by the
- 3 Steering Committee.
- 4
- 5 Mr. Levy said that they also had an economic development section which was also removed.
- 6
- 7 Ms. Wysocki said that she thinks that they have identified some issues that need to be worked on and in the
- 8 interest of helping staff to do some preparation in advance of the Study Session in September she thought that it
- 9 would be good to have a straw poll from the Committee whether they can support what's in the document or
- 10 whether they would like to see some modification or changes in it. She said so they don't lose the time and
- 11 momentum to move these along, if we could go back to item 2.1.3 who can support that as it is currently
- 12 written?
- 13
- 14 Ms. Wysocki said that based on the show of hands there were 5 members that could support Item 2.1.3 and 4
- 15 members that could not.
- 16
- 17 Ms. Wysocki asked who could support Item 3.9.
- 18
- 19 Mr. Weibel said that we could strike Item 3.9 and modify 3.8 maybe to include the word "encourage".
- 20
- 21 Mr. Kurtz said that in Item 3.8 include "encourages, production, purchase and consumption of locally grown
- 22 food".
- 23
- 24 Ms. Wysocki asked the Committee if they were okay with that.
- 25
- 26 It was the consensus of the Committee to strike Item 3.9 and modify Item 3.8 to include encourages, production,
- 27 purchase and consumption of locally grown food.
- 28
- 29 Ms. Wysocki said that since we already dealt with Item 3.1 lets do the same with Item 7.3.
- 30
- 31 Mr. Kurtz said to put a period after the word sedimentation and strike the remainder of the sentence.
- 32
- 33 Mr. Schroeder agreed with Mr. Kurtz.
- 34
- 35 Mr. Langenheim said that somewhere in Goal Seven should be some recognition that the County has a potential
- 36 for industrial minerals such as sand, gravel and limestone.
- 37
- 38 Mr. Weibel said that it was in before and was taken out.
- 39
- 40 Ms. Wysocki said that the Committee can certainly put it back in again.
- 41
- 42 Mr. Langenheim said that there is a potential for coal production along the eastern border of the County.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

Ms. Wysocki asked Mr. Hall if he could work with what he was hearing.

Mr. Hall said yes.

Ms. Monte asked the Committee about the 1 per 40 in Item 3.1.5.

Mr. Moser said that as it is, the 1 per 40 will not pass through the County Board and the Zoning Ordinance.

Mr. Kurtz asked Mr. Moser if he wanted to leave it in there and let it go to the County Board.

Mr. Moser said that it will never get to the County Board without a protest. He said that it was shot down when he made a motion on that the last time and Mr. Schroeder seconded it. He said that he suggested a 2 per 40 but it never went anywhere and he could not get anybody to vote for it.

Mr. Kurtz asked Mr. Schroeder what he wanted to do on this.

Mr. Schroeder said that it could stay in there but it would never be enacted in the Ordinance.

Mr. Moser said that 2 per 40 at a minimum might be considered.

Mr. Moser said that it could go back to the Steering Committee and see if there is any give in it.

Ms. Wysocki said that it has moved to this body and the County Board and backing it up will only open up a process that will never be resolved. She said that the Steering Committee understood that whatever they voted in and put in this document is subject to change, additions, modification and subtractions by this political body.

Ms. Wysocki asked the Committee if they could support Item 3.1 as it is currently written.

Ms. Anderson said that this is a guide for us and if they scream at us we have this as our policy and if someone comes in and contests it we could indicate why we don't think that it interferes.

Mr. Moser said to take out "natural landscape" because he did not see how that would interfere with a wind farm.

Ms. Monte said that she could consider it some more and try to adjust it.

Ms. Monte asked the Committee if they wanted to do anything with the "no discretionary development that is residential on best prime farmland" or leave it the way it was. She said that no one discussed this this evening as a controversial item.

Ms. Wysocki asked Ms. Monte if she was referring to Item 3.1.6.

1 Ms. Monte said yes.

2 Ms. Monte said that no one discussed this as a controversial item.

3
4 Mr. Moser said that he knows what will happen if that Honda plant tries to come in here again. He said that
5 industrial development on AG-1 land will get rezoned no matter what because the pressure would be unbearable
6 from the State, the cities, the University and everybody else.

7
8 Ms. Monte said that would be allowed under this policy but it would not allow residential discretionary
9 development on best prime farmland but it would consider allowing other types of development.

10
11 Mr. Schroeder said that since we added mineral deposits we should add “economic encouragement of economic
12 activity” that was taken out.

13
14 Ms. Monte asked Mr. Schroeder if he said generally economic development because that would be a major
15 change to bring back an entire goal like that.

16
17 Mr. Schroeder said yes.

18
19 Ms. Monte said that she could bring that back for the Committee’s consideration.

20
21 **10. Hiring Professional Consultants for review of Certain Technical Studies for Wind Farm County**
22 **Board Special Use Permits**

23
24 Mr. Hall said that there was no new material tonight but he had heard some things that suggested that an
25 application for a wind farm will not happen until November so he hopes to bring this back next month with
26 some new information and as long as the Committee is willing to entertain it he would keep bringing it back.

27
28 Mr. Moser asked Mr. Hall if he had anything in the budget to pay them with.

29
30 Mr. Hall said no but he expects to pay them with the \$20,000 application fee.

31
32 Mr. Moser said that he thinks the County Administrator will tell you that the \$20,000 application fee for the
33 wind farm will go into the general corporate fund so he doesn’t know where we are going to get the money.

34
35 Mr. Hall asked the Committee if they want to see anything else on this.

36
37 Mr. Langenheim said that those wind farms are an industrialization of our agricultural land, they will
38 permanently alter the condition and life of this county and it is imperative that we be well advised so that we
39 could properly consider the problems when they arrive. He said that the \$20,000 should be made available for
40 this and we may have to give up something else but this has a high priority.

41
42 Mr. Weibel said that he concurs with Mr. Langenheim and we could lay-off people left and right to save money

1 money and we could hire them back next year or whenever the County gets better.

2
3 Ms. Anderson said that with the figures being thrown out she did not see the \$20,000 vanishing for this one time
4 project. She said that she thought that \$3,000 or \$4,000 was indicated and we asked Mr. Hall to check and see if
5 that was still in the same ball park and if so that would be money well spent and might save us spending more
6 money later down the road if we run into difficulties.

7
8 Mr. Kurtz said that he finds it hard to believe that \$3,000 for three studies of this size and magnitude is a
9 reasonable amount of money and he would like for Mr. Hall to get some real numbers for the next meeting.

10
11 Mr. Moser asked Mr. Hall what wind farm company has applied.

12
13 Mr. Hall said that Invenergy is the only one close to applying.

14
15 Mr. Moser asked Mr. Hall if it was in Royal or Broadlands.

16
17 Mr. Hall said Royal. He said that he did not hear anything from Horizon.

18
19 **11. Monthly Reports (December 2008 and January – July 2009)**

20
21 Mr. Hall said that he handed out a packet with all the outstanding monthly reports and to give you an update on
22 how we have been doing it looks like we are in line to have our lowest number of zoning use permits for any
23 year. He said that at the end of June they had received 105 zoning use permits so far and for the rest of the year,
24 based on what we generally get, he would expect to get a total of 177 more or less which would be the lowest we
25 have ever had. He said that previous to that the lowest was in 1982 when there were 209 permits and 1983 was
26 also a low year with 217 permits. He said that many of you understand that we actually do permitting on a much
27 smaller area this days and we no longer do subdivisions outside of the municipalities so what pulled us back in
28 those years would not be pulling us back in the future, so in permitting we have reached the lowest point ever.
29 He said that in zoning cases our lowest was in 1989 with only 11 cases docketed by June 30, 1989. He said that
30 he did not recall what was going on in 1989 but in 1990 the Department was established so in that respect in
31 terms of zoning cases it was worst in 1989 and yet the County was moving ahead in 1990 with establishing the
32 Department. He said that things did start looking up but for budget purposes for next year the Department's
33 permitting and zoning cases would be like this year. He said that we had greatly reduced numbers of permits and
34 zoning cases but at the same time we are doing more inspections than we have done for seven or eight years and
35 we are exceeding what we hoped to do in the budget and having better luck on enforcement.

37
38 **Mr. Kurtz moved, seconded by Mr. Schroeder to place the December 2008 and January 2009 – July 2009**
39 **Monthly Reports on file. The motion carried by voice vote.**

40
41 **12. Other Business**

1 There was no other business.

2

3 **13. Determination of Items to be placed on the County Board Consent Agenda**

4

5 Ms. Wysocki said that the only Item that is going before the Board is the Hazard Mitigation Plan and asked the
6 Committee if they want it on the Consent Agenda.

7

8 It was the consensus of the Committee to put the Hazard Mitigation Plan on the Consent Agenda.

9

10 **14. Adjournment**

11

12 The meeting adjourned at 9:35p.m.

Respectfully submitted,

Secretary to the Environment and Land Use Committee

eluc\minutes\minutes.frm