



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

MINUTES – Approved as Distributed on June 4, 2020

DATE: Thursday, May 7, 2020
TIME: 6:30 p.m.
PLACE: Lyle Shields Meeting Room
Brookens Administrative Center
1776 E Washington, Urbana, IL 61802
and remote participation via Zoom

Committee Members

Present	Absent
Aaron Esry (Chair)	
Connie Dillard-Myers	
Jodie 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)

MINUTES

I. Call to Order

Committee Chair Esry called the meeting to order at 6:30 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, seconded by Mr. Thorsland. Upon vote, the **MOTION CARRIED** unanimously.

IV. Approval of Minutes

A. February 6, 2020

MOTION by Ms. Fortado to approve the minutes of the February 6, 2020 meeting, seconded by Mr. Goss. Upon vote, the **MOTION CARRIED** unanimously.

V. Public Participation

There was no public participation.

VI. Communications

Mr. Thorsland thanked Andy Rhodes for setting up the Zoom meeting and for all the work it entails. It is much appreciated.

VII. New Business: For Information Only

- A. Notice of Public Review Period for the Champaign County Multi-Jurisdictional Hazard Mitigation Plan Preliminary Draft.

Ms. Monte said that this notice is to let people who are interested have an opportunity to provide input to review a preliminary version of the update while there’s still time to use their input. Public review begins May 11, 2020. ELUC will see this item again.

- B. Update on Prosecution of Enforcement for Dangerous Structures

Mr. Hall said the updates are done when we have a proposed demolition. The property in Foosland is a dangerous structure that the owners have agreed to convey to the County. We have added about a half a dozen dangerous structures to our list. We have asked for an extension for the Abandoned Properties Program (APP) Grant so we can hopefully, with County Board approval, get this demolished in July and reimbursed by the APP Grant at the end of August.

Mr. Goss asked if we have done any kind of environmental review before we accept the property. Mr. Hall answered that there is cement asbestos siding, but that should be easy enough to deal with. It’s not safe to go inside the building to assess if there is anything else. Mr. Goss stated he is concerned about a buried fuel oil tank. Mr. Hall said it should be easy enough to find out as the owners are willing to work with us. We should be able to find out before the County Board meeting. Mr. Thorsland asked if the mitigation of the siding is part of the demo bid or if it is a separate bid. Mr. Hall stated it will be broken out as a separate item so we will know it’s been given proper consideration.

VIII. New Business: Items to be Approved by ELUC

- A. Authorization to proceed with an Invitation to Bid for demolition and removal of garbage and debris for property located at 202 Third Street, Foosland pursuant to Enforcement Case ZN-20-30/01, subject to County Board acceptance of the Property Deed and a Budget Amendment on the COW Agenda for May 12, 2020.

MOTION by Mr. Thorsland and second by Mr. Goss to proceed with an Invitation to Bid for demolition and removal of garbage and debris for property located at 202 Third Street, Foosland.

Mr. Goss had a concern that if we did not get the \$30,000 APP Grant, we would be spending money we don’t have. Ms. Fortado asked if we would end up with the property any way due to tax foreclosure and wondered if we would be able to sell it through a tax sale. Mr. Hall stated that there is a difference between a tax foreclosure and the County Board accepting the deed. If the County Board accepts the deed; it is the County Board’s problem.

MOTION by Mr. Goss to add a condition to only proceed with the demolition after approval of the IHDA APP Grant. The motion was seconded by Ms. Eisenmann. Upon vote, the **MOTION CARRIED** unanimously.

The vote was then taken on the original motion with the condition added. Upon vote, the **MOTION CARRIED** unanimously.

IX. New Business: Items to Receive and Place on File by ELUC Committee to Allow a Review Period Until June 4, 2020

- A. **Zoning Case 972-AT-20.**

Part A: Amend the Champaign County Zoning Ordinance to add definitions for the following types of adult-use cannabis businesses: Dispensing Organization; Infuser Organization; Processing Organization; Transporting Organization; Craft Grower; and Cultivation Center.

Part B: Amend the Champaign County Zoning Ordinance to add requirements for adult cannabis businesses only within 1.5 miles of a home rule municipality with more than 20,000 population.

MOTION by Ms. Eisenmann to receive and place on file until June 4th, 2020. Seconded by Mr. Goss.

Mr. Hall said this is the simple amendment that allows these uses within 1.5 miles of Champaign and Urbana. Discussion followed. The question was asked to clarify that this vote was just for public review for 30 days. Mr. Hall said that protocol was that this would sit with this committee for a month for comments from the municipalities or from anyone else. The question was asked for a reminder of how the vote was at ZBA. Mr. Hall said the ZBA did not recommend approval on this case. On the same vote they recommended approval of the other case (973-AT-20). Discussion on the difference between the two cases followed. A concern was also raised about how these businesses would be patrolled or secured. Mr. Esry answered that any growers would be regulated by the state and would have to be approved. It would not actually be grown in a field; it would be grown in a secure facility. It would be largely like grow facilities for medical marijuana. There would be several protocols that they would have to meet for security.

Mr. Hall was asked if we have been contacted by any growers yet. We have been contacted by one craft grower and by one transporter. Ms. Fortado feels she would be more supportive of item B but to put both items out for public comment.

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

B. Zoning Case 973-AT-20.

Part A: Amend the Champaign County Zoning Ordinance to add definitions for the following types of adult-use cannabis businesses: Dispensing Organization; Infuser Organization; Processing Organization; Transporting Organization; Craft Grower; and Cultivation Center.

Part B: Amend the Champaign County Zoning Ordinance to add requirements for adult cannabis businesses only within 1.5 miles of a home rule municipality with more than 20,000 population.

Part C: Add requirements to authorize the following adult cannabis businesses except within 1.5 miles of non-home rule municipalities and except within 1.5 miles of a home rule municipality with a population of 20,000 or less and except within 1.5 miles of a residential zoning district located more than 1.5 miles from a home rule municipality with more than 20,000 population.

MOTION by Mr. Thorsland to receive and place on file until June 4, 2020. Seconded by Mr. Goss.

Upon vote, the **MOTION CARRIED**.

X. New Business: Items to be Recommended to the County Board

- A. Annual Facility Inspection Report for the period 4/1/19 – 3/31/20 for Champaign County's National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Storm Water Discharge Permit with the Illinois Environmental Protection Agency (IEPA).

MOTION made by Ms. Fortado to recommend this to the County Board. Seconded by Mr. Thorsland.

This is the report on the past years activities that is due by June 1.

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

- B. Adjustment of Financial Assurance for the California Ridge Wind Farm (Champaign County Special Use Permit 696-S-11)

MOTION by Mr. Thorsland, seconded by Mr. Patterson.

Mr. Hall stated this is the second adjustment for the financial assurance for the wind farm. The cost of deconstruction has gone up and salvage value has gone down. The total financial assurance value is now over \$5 million. Ms. Fortado asked when the original approval was; which was in 2011. We're not quite halfway through. Mr. Goss asked if this is kept on the books until they decommission. As long as there are turbines in place, they have to have financial assurance in place. The question was asked if we get reports on the energy generation of the units in Champaign County. Mr. Hall said that is not a requirement, but he will try to get that and report it to the committee.

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

- C. Acceptance of a Deed for Property with a Dangerous Structure at 202 Third Street, Foolsland (Note: related to Budget Amendment on COW Agenda)

MOTION by Ms. Fortado to accept the deed for property. Seconded by Mr. Thorsland.

Discussion revolved around the new condition that was added that the demo would not move ahead without the grant extension. If we do not get the grant extension, we would probably board up the structure to make it safer. We would also have a yard to mow in Foolsland. We may look at finding someone local to mow it over having the county mow it. We also want to make sure there are no environmental concerns before we accept.

Upon vote, the **MOTION CARRIED** unanimously. This item will not be on the consent agenda.

- D. **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 Mr. Patterson.

This was reviewed at the February meeting and there were no public comments at the public hearing at the ZBA.

Upon vote, the **MOTION CARRIED**, but not unanimously.

- E. **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.

The effect of this amendment would mean that at least one local bank (and maybe others) may be eligible to provide financial assurance for a solar farm. Overall change in risk is pretty small, but there is significant benefit if a local financial institution would want to participate.

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

XI. Other Business

A. Monthly Report

- i. November 2019
- ii. December 2019

These items were received and placed on file. Mr. Hall said that we had 47 zoning cases last year, which averages about 4 a month. So far, in May of 2020 we have 0 zoning cases. The economy is really taking a hit.

Ms. Fortado brought up the 150 mega watt solar farm. This is still in negotiations. Would like ELUC to ask the Finance Committee to see how that is going. There is a lot of potential revenue out there. Douglas County and the solar farm developer have really drug their feet on getting anything done.

XII. Chair's Report

There was no Chair's report.

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

Items X. A., B., and E. will be placed on the Consent Agenda.

XIV. Adjournment

The meeting was adjourned at 7:29 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.