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CHAMPAIGN CO P & Z DEPARTMENT

March 29, 2023

TO: Champaign County Zoning Board of Appeals  
Champaign County Environment and Land Use Committee  
Champaign County Board

RE: Zoning Ordinance Text Amendment Case 086-AT-23

To Whom It May Concern:

To comply with Public Act 102-1123, I understand Champaign County is presenting and considering a zoning ordinance text amendment related to wind turbines and solar farms. The changes proposed eliminate Village rights to protest zoning decisions. Subdivision assures the opportunity for efficient and effective management of our extra-territorial jurisdiction. Primary concerns are related to the complete eradication of our zoning and subdivision authorities not only in our ETJ, but directly adjacent to our developed lands.

The proposed and current language continues to address the use of solar and wind farms as a special use versus a by-right use. This approach significantly reduces planning authorities relied on for efficient and effective utility servicing and growth. If the uses were permitted in a particular zone then municipalities would have rights to protest the zoning.

**Problem one: removal of the language requiring subdivision for leasing situations.**

The Village has densely developed lands directly adjacent to zones where solar and wind farms would be permissible by special use and no rights to protest or method to secure our community's utility and servicing interests.

In the County, special uses can be applied to a portion of a legal parcel of record, meaning an entity establishing a solar or wind farm does not have to subdivide to apply a special use to a part of a parcel. Village ordinances require subdivision for land leases over five (5) years. Currently, we rely on the subdivision process to fulfil our responsibilities to residents and businesses using our water and sewer system.

The Village plans for efficient delivery of critical water and sanitary sewer utilities in our planning area to the limits of our ETJ. The Village pays to oversize infrastructure and/or increase the depth of developer-built facilities to assure capacity for future planned land uses. A solar or wind farm needs no water or sanitary service, but can locate on land where provisions are appropriate to reach adjacent lands. A 20-30

year land use exceeds the duration of any comprehensive plan and yet the Village will not have a method in the process to secure these important ETJ interests. If subdivision is not required, the following challenges are foreseen;

- Unable to secure proper easements or the construction of infrastructure for our utility systems;
- Wasted funds to oversize our systems; and,
- Long lengths of dead-end water mains will remain that need to be flushed regularly.

**Problem two: Zoning districts where solar and wind farms are permitted by special use.**

We strongly oppose solar and wind farms as a special use in AG-2 due to the proximity of the zone to our municipal boundaries. While AG-2 generally is acknowledged as a transition zoning between developed and undeveloped lands, AG-1 also exists directly adjacent to our limits in very key growth areas where water and sanitary sewers may be already stubbed at the property line. (See attachment for County zoning and municipal lands)

Lands that may appear less of a concern due to the distance from current development may be more problematic for the Village due to planned infrastructure. The County's current zoning districts and schema does not recognize the potential for urban expansion. Municipalities could end up with decades long growth boundaries by the installation of solar and wind farms.

**Request if adopted:**

If compliance with Public Act 102-1123 requires the text amendment language as presented and the County cannot reduce the zoning districts where solar and wind farms are permitted by a special use permit, then it should enact changes to its agricultural zoning districts to diversify and establish new zoning districts which would differentiate between those lands where water and sanitary sewer are possible and planned, and where they are not feasible. Rezoning lands within ETJs could assure freedom for urban, contiguous, and incremental expansion for municipalities.

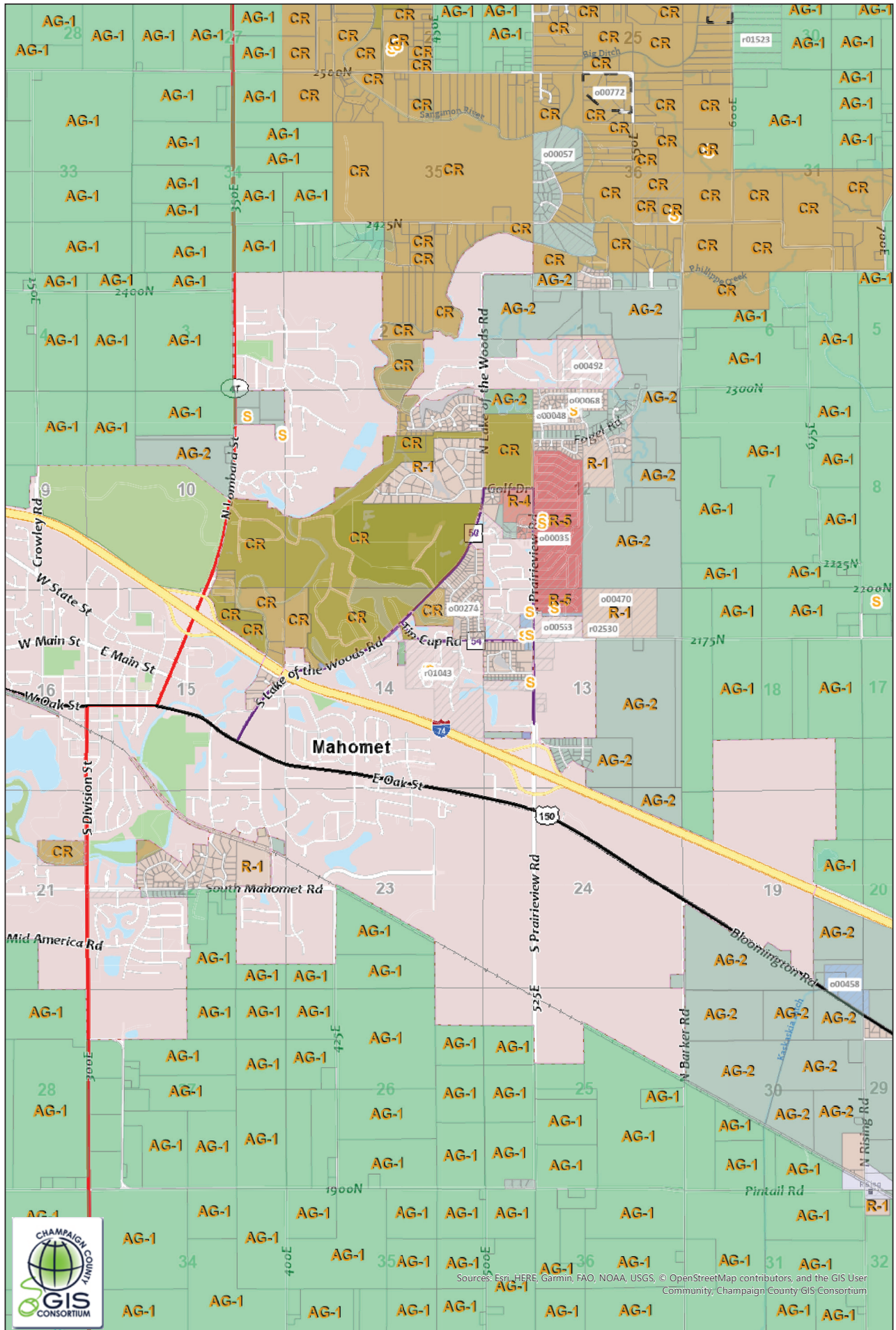
*Without an opportunity to provide a say in the zoning of the lands, the assurance of our subdivision process, or the ability to impose specific criteria in the text amendment to address village ETJ concerns, I oppose this zoning ordinance text amendment.*

Sincerely,



Sean Widener, Village President  
Village of Mahomet

# County Zoning outside the Village



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