

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: August 9, 2018

TIME: 7:00 P.M.

PLACE: Urbana City Building
Council Chambers
400 South Vine Street
Urbana, IL 61801

MEMBERS PRESENT: Barry Ackerson, Andrew Fell, Lew Hopkins, Nancy Esarey
Ouedraogo, Daniel Turner, Chenxi Yu

MEMBERS ABSENT: Jane Billman, Tyler Fitch

STAFF PRESENT: Lorrie Pearson, Planning Manager; Marcus Ricci, Planner II; Teri
Andel, Administrative Assistant II

OTHERS PRESENT: Karen Fresco

1. CALL TO ORDER, ROLL CALL AND DECLARATION OF QUORUM

Daniel Turner called the meeting to order at 7:00 p.m. Mr. Fell nominated Daniel Turner to serve as Acting Chairperson in the absence of Tyler Fitch. Ms. Yu seconded the nomination. The Plan Commission members agreed unanimously.

Roll call was taken and a quorum of the members was declared present.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

The minutes of the June 7, 2018 regular Plan Commission meeting were presented for approval. Mr. Ackerson moved that the Plan Commission approve the minutes as written. Mr. Fell seconded the motion. The minutes were approved as written by unanimous voice vote.

Ms. Pearson noted that Mr. Hopkins had just joined the meeting in time to vote on the minutes.

4. COMMUNICATIONS

There were none.

5. CONTINUED PUBLIC HEARINGS

Plan Case No. 2331-T-18 – An application by the Urbana Zoning Administrator to amend the Urbana Zoning Ordinance to modify who may submit an application for various zoning approvals.

Acting Chair Turner continued this public hearing to the September 20, 2018 meeting of the Urbana Plan Commission at the request of the Zoning Administrator.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

Plan Case No. 2346-T-18 – An application by the Urbana Zoning Administrator to amend the Urbana Zoning Ordinance to combine the Mixed Office Residential (MOR) Development Review Board and the Design Review Board.

Acting Chair Turner opened the public hearing for the proposed text amendment. Lorrie Pearson, Planning Manager, referred to Exhibit B, a summary and discussion of the changes that were presented at the April 19, 2018 Plan Commission meeting, in which the Plan Commission made a recommendation to forward to the City Council for approval. She then summarized the additional changes being proposed in this text amendment, which are as follows:

1. Include the language in Section VIII-4 regarding location of parking facilities that was inadvertently omitted in the previous version.
2. Make language consistent on the time period between when a new application can be submitted if a previous application was denied.
3. Clarify the language to make it easier to understand and clean up some inconsistencies.

She read the options of the Plan Commission.

With there being no questions from the Plan Commission members for City staff, Acting Chair Turner opened the public input portion of the hearing. There was none, so he closed the public input portion of the hearing, and opened it for Plan Commission discussion and/or motion(s).

Mr. Fell inquired if there was an appeal process. Ms. Pearson stated that a case could be appealed to the Zoning Board of Appeals.

Mr. Fell wondered if any of the current members on the two existing boards would not be serving on the new combined board. Ms. Pearson said no. With the addition of alternates, every existing member would have some role on the proposed combined board.

Mr. Ackerson liked the idea of combining the two boards. He moved that the Plan Commission forward Plan Case No. 2346-T-18 to the City Council with a recommendation for approval. Mr. Fell seconded the motion. Roll call on the motion was as follows:

Mr. Fell	-	Yes	Mr. Hopkins	-	Yes
Ms. Ouedraogo	-	Yes	Mr. Turner	-	Yes
Ms. Yu	-	Yes	Mr. Ackerson	-	Yes

The motion passed by unanimous vote. Ms. Pearson noted that this case would be forwarded to the City Council on August 20, 2018.

8. NEW BUSINESS

Case No. CCZBA-895-AT-18 – A request by the Champaign County Zoning Administrator to amend the text of the Champaign County Zoning Ordinance to add “PV Solar Farm” as a new principal use in the County AG-1 and AG-2 Districts subject to certain Special Use Conditions.

Acting Chair Turner opened the case. Mr. Hopkins stated that he has held some informal discussions on parts of the proposed text amendment unrelated to the aspects that involve the City of Urbana with people in Champaign County. However, he did not feel that it created a conflict of interest with his ability to consider and vote on the case.

Marcus Ricci, Planner II, presented the staff report for the proposed Champaign County text amendment. He explained that the proposed text amendment is of interest to the City of Urbana to the extent that it will affect zoning and land use development decisions within the City’s one-and-one-half mile extraterritorial jurisdictional (ETJ) area. He gave a brief background on where the proposed Champaign County text amendment was in the process of meetings with the Champaign County Environment and Land Use Committee (ELUC) and the Champaign County Zoning Board of Appeals (CCZBA).

He reviewed the three types of solar facilities, existing Solar Farm Ordinances in the State of Illinois, and likely impacts of a solar farm development. He stated the proposed changes to the Champaign County Zoning Ordinance, talked about the proposed changes that are most relevant to the City of Urbana and discussed how the proposed changes relate to the goals and objectives of the City’s 2005 Comprehensive Plan. Referring to Exhibit B, he showed where the ETJ area and the Contiguous Urban Growth area were located. He stated that City staff does not anticipate a negative impact to the City or to the City’s ability to plan or manage growth or development. He read the options of the Plan Commission and presented City staff’s recommendation to defeat a resolution of protest.

Acting Chair Turner asked if the Plan Commission members had any questions for City staff.

Mr. Ackerson asked what the size of the University of Illinois solar farm is. Mr. Ricci estimated that it was around 20 acres. Under the proposed text amendment, a 20-acre solar farm would not be permitted within the Contiguous Urban Growth area unless the applicant submitted and the County Board granted a request for a waiver of the ordinance. The City of Urbana would have an

opportunity to submit a resolution on whether or not we would want a facility of that size in a particular area.

Mr. Hopkins inquired if a resolution of protest on a special use permit would have any effect on the CCZBA's vote. Ms. Pearson did not believe that a protest from the City for a Special Use Permit would trigger any special vote.

Mr. Hopkins questioned if Champaign County created the Contiguous Urban Growth area map. Mr. Ricci answered yes. The map was created for the County's Long Range Management Plan. Ms. Pearson added that the map is a Champaign County designation.

Mr. Hopkins wondered what zoning a solar farm would come into the City as upon annexation. Mr. Ricci replied that it would depend on the County zoning at the time of annexation.

Ms. Ouedraogo wondered if the proposed text amendment favors the large scale over the smaller community solar farms. Mr. Ricci stated that the proposed text amendment addresses both community scale and utility scale solar farms. The standards are the same except that a utility scale solar farm proposal requires a noise analysis study. The standards throughout are strict with regard to separation, visualization, screening, etc.

Mr. Fell asked who could waive certain requirements. What can they waive and how does it impact the City of Urbana? Ms. Pearson replied that waivers would be variance requests reviewed by the Champaign County Board. An applicant could submit a Special Use Permit request with a variance request to allow a solar farm within the Contiguous Urban Growth area. Mr. Ricci added that while the variance process may be lenient, it is balanced by the Champaign County Board having the ability to place added restrictions to make approval stricter.

With no additional questions for City staff and with no public to give testimony, Acting Chair Turner opened the hearing for Plan Commission discussion and/or motion(s).

There was discussion between the Plan Commission members and the City staff about the options of the Plan Commission and the timeline for the review process for the proposed text amendment. Mr. Ricci stated that the August 20, 2018 meeting of the City Council is the last possible meeting for them to vote on the proposed text amendment before the Champaign County Board meets. Therefore, the Plan Commission, if possible, should render a decision even if there are contingencies on it to allow the Champaign County Board the can have the Plan Commission as well as the City Council's input.

Mr. Hopkins stated his understanding of the proposed text amendment to be that if a request for a solar farm is within the ETJ, then it requires a Special Use Permit and the City of Urbana has an opportunity to file a resolution of protest. Mr. Ricci clarified that ANY request for a solar farm in Champaign County would require approval of a Special Use Permit by the Champaign County Board. If a request were submitted for a solar farm in the ETJ area, it would not be allowed unless the applicant submits a copy of the application to the City of Urbana and then the City has an opportunity to submit a resolution. Mr. Hopkins felt that the City should be able to submit a standard resolution of protest and if the City protests then it should have an impact on the type of vote required by the Champaign County Board as with other types of Champaign County cases that the City have the right to review. Ms. Pearson replied that she could speak with the City's

Legal Division to see if the City could request this additional language in the County text amendment. State law currently allows municipalities to have an opportunity to submit a resolution of protest only in two types of County zoning cases – rezonings (changes in the County Zoning Map) and text amendments to the County Zoning Ordinance. In the past, the City has submitted resolutions for Special Use Permit requests, but she does not know if it triggered a different vote or if it was the City making a statement.

Mr. Hopkins asked for clarification on whether solar farms would be permitted in the Contiguous Urban Growth area. Mr. Ricci explained that to have a solar farm in the ETJ area, an applicant would need to complete the notification process of submitting a copy of the application to the municipality. No solar farm facility would be allowed in the Contiguous Urban Growth area without requesting a waiver. Mr. Hopkins stated that if the City of Urbana wants a greater protection of some kind, it should be based on a map under the City’s control and not something that Champaign County created.

Mr. Hopkins moved that the Plan Commission forward Case No. CCZBA-895-AT-18 to the City Council with a recommendation to defeat a resolution of protest contingent on requiring the resolution in response to Special Use Permits by the County Board follow the procedures of Resolution of Protest including the affect requiring a super majority vote by the Champaign County Board.

Mr. Hopkins felt that the other concerns, including the Contiguous Urban Growth area map, could be legislative record of discussion. Ms. Pearson agreed those concerns would need to go off the intent of the Plan Commission’s discussion.

Mr. Ackerson seconded the motion. He agreed that the Contiguous Urbana Growth area map should not be included in the motion. He felt that the drawing of lines should be done in a joint effort between the City and the Champaign County Regional Planning Commission.

Roll call on the motion was as follows:

Mr. Hopkins	-	Yes	Ms. Ouedraogo	-	Yes
Mr. Turner	-	Yes	Ms. Yu	-	Yes
Mr. Ackerson	-	Yes	Mr. Fell	-	Yes

The motion was approved by unanimous vote.

Ms. Pearson noted that this case would be forwarded to the City Council on August 20, 2018.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Lorrie Pearson, Planning Manager, reported on the following:

- City Council defeated a resolution of protest for Case No. CCZBA-905-AM-18 regarding rezoning of 3310 North Cunningham Avenue to County B-4, General Business as recommended by the Plan Commission at their last meeting.

11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 7:58 p.m.

Respectfully submitted,

Lorrie Pearson, Secretary
Urbana Plan Commission