



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

**MINUTES – Approved as Distributed November 9, 2023**

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DATE: Thursday, October 5, 2023  
TIME: 6:30 p.m.  
PLACE: Shields-Carter Meeting Room  
Brookens Administrative Center  
1776 E Washington, Urbana, IL 61802

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**Committee Members**

<b>Present</b>	<b>Absent</b>
Aaron Esry (Vice-Chair)	
Jilmala Rogers	
Kyle Patterson	
	Emily Rodriguez
Chris Stohr	
Eric Thorsland (Chair)	

**County Staff:** Steve Summers (County Executive), John Hall (Zoning Administrator), and Liz Dillingham (Recording Secretary)

**Others Present:** None

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**MINUTES**

**I. Call to Order**

Committee Chair Thorsland called the meeting to order at 6:32 p.m.

**II. Roll Call**

Roll call was taken and a quorum was declared present.

**III. Approval of Agenda/Addendum**

**MOTION** by Ms. Rogers to approve the agenda and seconded by Mr. Esry. Upon voice vote, the **MOTION CARRIED** unanimously to approve the agenda.

**IV. Approval of Minutes**

A. September 7, 2023 – Regular Meeting

**MOTION** by Ms. Rogers to approve the minutes of the August 10, 2023, regular meeting, seconded by Mr. Esry. Upon voice vote, the **MOTION CARRIED** unanimously to approve the minutes.

**V. Public Participation**

None

**VI. Communications**

None

**VII. New Business: Items for Information Only**

**A. Online Registration Open for October 14, 2023, Residential Electronics Collection (register at <https://ecycle.simplybook.me/>)**

Mr. Hall stated there are still spots available to sign up.

**B. Online Registration Open for October 24, 2023, Illinois Green Infrastructure & Erosion Control Conference 2023 (register at [www.ccstormwater.org](http://www.ccstormwater.org))**

Mr. Hall stated to visit [Ccstormwater.org](http://Ccstormwater.org) to register or call Planning & Zoning at 217-384-3708. A full day conference with both breakfast & lunch will be provided at the I-Hotel.

This is one of the BMP's (best management practice) of our MS'4 local entities including City of Champaign, City of Urbana, Village of Savoy, University of Illinois, & the County with a lot of help from the Illinois Soil and Water Conservation District.

Mr. Stohr inquired as to if there was anything regarding stormwater that is coming up that we should be aware of or discussed at the conference on October 24.

Mr. Hall indicated the presenters at the conference attempt to focus on green infrastructure and erosion control. There will be a site visit to Crystal Lake Park to review the recent Park District improvements. Also, there will be presentations from the City of Peoria utilizing green infrastructure to manage stormwater issues. Researchers from Penn State will be presenting as well. There is transportation provided by MTD from the I-Hotel to Crystal Lake Park and back.

**C. Request for a Nuisance Ordinance amendment to prohibit roosters in Residential Districts within 1,000 feet of a home-rule municipality.**

Mr. Esry inquired as to how long the process would take to implement if ELUC passed the ordinance. He also asked what the enforcement actions look like.

Mr. Hall advised Nuisance Ordinance Amendments are much quicker than Zoning Ordinance Amendments. They could be amended simply by presenting the proposed Amendment at one meeting and adopting it the next. Mr. Hall wasn't certain if what Mr. Davis is proposing could be ready at the November ELUC meeting, but certainly by December.

According to Mr. Hall, local municipalities have gone beyond simply rooster prohibition, they also include a limit of the number of hens and conditions under which they need to be maintained. Mr. Hall stated the County has had more complaints about roosters than other aspects. In 2012, there were hens in the Scotswood area that were running loose which neighbors did not appreciate. Amending the Nuisance ordinances do not have to be advertised. After approval, the clerk's office must have a copy available for review, but it is simple. If the board adopts the prohibition for Roosters and we find out someone has a Rooster, we will make the person aware it is a violation. We would give the violator two weeks to get rid of the rooster. After that, we would forward information to the State Attorney's office. If it is a repeat violator, we can speak to the State Attorney's office to set up a process for quicker enforcement. Mr. Hall reiterated our enforcement process is never quick and you could end up listening to that Rooster for a long time before enforcement would ever kick in and achieve an end. Mr. Hall related you cannot make people do things and all you can do is take them to court eventually.

Mr. Thorsland asked if the proposed Bee Ordinance had a direct correlation to a particular complaint that was going to be resolved or had been resolved.

Mr. Hall stated this specific rooster will be harvested soon or may already be harvested but Mr. Davis is concerned about the next rooster.

Mr. Thorsland stated he understood and elaborated on his years of experience as a rooster farmer. Mr. Thorsland agreed that roosters are inappropriate and can be loud. He inquired about the model of the ordinance and if it would mirror the City of Champaign or Urbana's ordinance. He also asked if hens would be included.

Mr. Hall stated he would do whatever the committee asks him to do. He indicated drafting a rooster prohibition is easy, however, once you take on the added requirements of hens and things like that, there are a lot of good models to follow. He reminded the committee that the more things you try to regulate, the more turnout you will have from the public which might drag things out. Mr. Hall recommended just focusing on roosters at this point. He favors a "less is more" and recommends just focusing on roosters.

Mr. Thorsland agreed. He inquired about the 1000 feet of a Home Rule municipality and asked if that stipulation would be limited.

Mr. Hall stated Mr. Davis modeled the Home Rule guidelines the landscape waste burning requirements. Mr. Hall added there are four Home Rule municipalities in the county including Champaign, Urbana, Rantoul, and Savoy.

Mr. Thorsland asked if the staff should have some direction on the topic.

Mr. Stohr stated he feels there are other issues besides roosters including furniture, inoperable vehicles, and downed trees that might be covered under a municipal ordinance. He respectfully suggested this type of area might be incorporated in the City of Champaign if others would like to see these types of

ordinances enforced. He was not inclined to add to the workload of Planning & Zoning and the State Attorney's office.

Mr. Patterson indicated he feels that in certain situations, if something is against the rules and people are aware, they eventually start to comply without having reinforcement. He indicated we do not have a lot of support enforcement. Kyle stated the municipalities have the ordinances, so it is not the only policy in the state.

Mr. Esry stated he is not opposed to an ordinance that bans roosters. His concerns would be overgrown yards & yards waste which would take precedence over roosters. He stated he would support the rooster ordinance if needed but could also live without it.

Ms. Rogers spoke about her knowledge of rooster cases while working her last five years at the State Attorney's office. She recalled only two cases of Ordinance violations. She believes the State Attorney's office wouldn't necessarily be burdened by the enforcement.

Mr. Thorsland said the process of implementing an ordinance would be simple. He suggested bringing the issue before the board and we can see how the public reacts. He feels it is not a priority but can be discussed.

Mr. Hall stated there has only been two complaints including Mr. Davis's complaint and one in Dewey. He suggested for the committee to limit the issue just as Mr. Davis recommends as a smaller focus having more success. Several things to consider are limiting roosters within a 1000 ft of Home Rule municipality or considering it to be effective in every residential district.

Mr. Thorsland prefers not to limit the ordinance to 1000 ft. of a residential district. He stated he would be afraid that someone could be on the fringe of Dewey on an agriculture piece of land and not have the right to farm. He stated being on the fringe of Savoy or Champaign is a different story. Mr. Thorsland recommended keeping the discussion here.

Mr. Esry stated the ordinance can be written that wouldn't apply to a 1000 FT of a non- Home Rule area. He suggested the people of Dewey would then have to live with it and the neighbors can deal with it together. He said he believes it would be fair not to include the rest of the people out on the county who would potentially have an issue in the future.

Mr. Patterson stated we have had two complaints and it makes sense if the complaint is within a home rule municipality. He worries that if we aren't seeing more complaints, we are trying to solve a problem that is not necessarily a problem which can cause trouble. He is hesitant but not completely opposed to all residential but ultimately suggested to keep it to within 1000 FT of a Home Rule municipality.

Mr. Thorsland stated he thinks we should start at Kyles suggestion. All board members agreed to move forward with the rooster ordinance.

**VIII. New Business: Items to be approved by ELUC**

- A. Draft letter to Illinois Environmental Protection Agency Regarding Notice of Application For Renewal of Federally Enforceable State Operating Permit [73020205] for Kraft Heinz Co. located at 1701 West Bradley Avenue, Champaign.

Mr. Thorsland read the letter and said it looks great and thanked John for drafting the letter.

Mr. Thorsland entertained a motion to approve the letter. Approved by Mr. Stohr and seconded by Mr. Patterson.

Mr. Esry stated he approved of the letter and indicated it is straight forward addressing the issues and asking them to do their job diligently.

Mr. Hall stated he would put the letter on County Board letter head and coordinate with the chair. He stated when the permit is available for public review, we are asking them to let us know so we can be a little more involved.

**IX. New business: Items to Recommended to the County Board.**

- A. **Zoning Case 086-AT-23.** Amend the Champaign County Zoning Ordinance as follows, In order to ensure compliance with Public Act 102-1123:

1. Add and/or amend definitions to be consistent with Public Act 102-1123: as described in Parts 1 and 2 of the legal advertisement.
2. Revise Section 6.1.4 WIND FARM SPECIAL USE PERMIT to establish an effective date for regulating previously authorized WIND FARMS, as described in Part 3 of the legal advertisement.
3. Add new Section 6.1.5 PROPOSED WIND FARM SPECIAL USE PERMIT to establish regulations applicable after an effective date for proposed WIND FARMS consistent with Public Act 102-1123, as described in Part 4 of the legal advertisement.
4. Renumber existing Section 6.1.5 to new Section 6.1.6 PHOTOVOLTAIC (PV) SOLAR FARM and establish an effective date for regulating previously authorized PHOTOVOLTAIC (PV) SOLAR FARMS, as described in Part 5 of the legal advertisement.
5. Add new Section 6.1.7 PROPOSED PHOTOVOLTAIC (PV) SOLAR FARM to establish regulations applicable after an effective date for proposed PHOTOVOLTAIC (PV) SOLAR FARMS consistent with Public Act 102-1123, as described in Part 6 of the legal advertisement.

Mr. Hall indicated there are some updates he received earlier today in the afternoon. He received an E-mail suggesting revisions from John Widener, Village of Mahomet President. If these revisions are approved, the Village of Mahomet would find the Solar Farm Special Use permit language to be acceptable and rescind their protest.

John stated he learned the Village of Saint Joseph is taking the same position as the Village of Mahomet if the committee finds the proposed change acceptable, they will rescind their protest as well. Philo is also possibly considering this amendment at their board meeting on Monday night. These results are a complete surprise to John and are positive.

Mr. Thorsland indicated he is agreeable to the changes in that he would like to make the municipalities happy.

John spoke about the multicolored handout on the desks which shows how to propose the change that should be made. It contains two sections of the ordinance. Mr. Widener had included the prohibition on waivers as part of the paragraph D. In fact, there is a more relevant portion of the ordinance for that prohibition should go. The yellow topics on the handout state everything Mr. Widener proposed including requiring subdivision review unless it is specifically waived. This also prohibits that subdivision approval from being waived. Once it is in place, it is a hardline prohibition that no solar farm can ask for waiver from that requirement. The wording that is in blue, goes a little bit further to specify what is anticipated in the subdivision approval. There should never be a need to build streets for a solar farm. They add very little traffic. This makes it clear for plat review and sidewalk deferral. John related it is logical that a Village may want sidewalks to be constructed on a solar farm property if and when development occurs on the far side. There may be granting of easements for infrastructure and surface drainage, reasonable subdivision application fees, or any other requirement that may be included as a special condition of special use approval. There may be some time where even the County Board would agree that a street would need to be constructed.

John left it up the committee to decide whether to adopt both proposed sections of the document.

Mr. Thorsland indicated the blue section in the Amendment is quite normal.

Mr. Patterson confirmed the distance is 1.5 miles from a municipality and the proposed amendment would not clash with state law.

Mr. Esry stated he did not have an issue with the proposed amendment.

Mr. Thorsland said this ordinance would not violate the state public act. Mr. Thorsland related he would like to be fair and move the ordinance from the ELUC committee to the full County board.

Mr. Stohr entertained a motion to move the ordinance from the ELUC committee to the full County board with the proposed changes for discussion since the ELUC vote is split. Ms. Rogers seconded. The committee voted to forward the entire proposed Amendment (yellow & blue highlights) to the County Board meeting on October 19, which passed on a 4 to 1 vote.

**X. Other Business**

A. August was a very busy month for special permits. September has not been busy. A thank you to Lori Busboom to assist the Zoning & Planning department while short staffed.

B. Monthly Reports

i. September 2023 Received and Placed on File

**XI. Chair's Report**

None

**XII. Designation of Items to be Placed on the Consent Agenda**

None

**XIII. Adjournment**

Chair Thorsland adjourned the meeting at 7:14 p.m.