

# MICHAEL A. SLAVNEY, FAICP

## EXPERIENCE

### Planning and Development Consultant

*Vandewalle & Associates*

*January, 1991 - present*

Director of Municipal Planning Services Division

- Author comprehensive plans and special studies
- Develop growth management regulations and policies
- Provide current planning administration services to municipalities
- Provide site design and development services
- Provide expert testimony and representation for public and private sector clients
- Supervise professional planning staff of ten

### Director

*Department of Planning & Economic Development*

*April, 1988 - January, 1991*

*City of Sun Prairie, Wisconsin*

- Implemented City's Comprehensive Plan and growth management objectives
- Administered City's planning program and departmental operations
- Represented City in intergovernmental planning efforts
- Wrote precedent-setting zoning ordinance

### Planning Consultant

*Senior Associate*

*November, 1985 - April, 1988*

*Lane Kendig, Inc.; 500 North Lake Street, Suite 102, Mundelein, IL 60060*

- Wrote comprehensive plans and special studies
- Developed growth management regulations and policies
- Provided planning administration services
- Provided site design and development services
- Provided expert testimony and representation for public and private sector clients
- Supervised professional planning staff
- Represented private sector clients on rezoning, conditional use, special use, annexation, fiscal impact analysis and subdivision design matters

### Strategic Planner II

*Department of Planning & Development*

*August, 1983 - November 1985*

*City of High Point, PO Box 230, High Point, NC 27261*

- Administered Land Use Plan, historic preservation, and greenway acquisition program
- Performed small area plan, economic development, transportation, recreation, urban design, neighborhood and legal studies
- Served as liaison to Chamber of Commerce and local media
- Project leader/principal author of award-winning Comprehensive Integrated Development Ordinance and concurrent city-wide rezoning.

**Planning Consultant (Part Time)**

*Self-Employed*

*(Specializing in public and non-profit agencies)*

*May, 1981 - November, 1985*

*Chapel Hill, NC*

- Performed market analyses/expansion feasibility studies for recreation providers
- Provided small group decision-making facilitation
- Specialized in survey research and participatory planning techniques

**Planning Intern**

*Department of Planning and Community Development*

*City of High Point*

*May, 1982 - August, 1982*

*High Point, NC*

- Developed greenway and bikeway systems using multivariate analysis
- Designed and prepared camera-ready overlays for nine-color bicycle guide

**Research Assistant**

*Recreation Resources Center*

*University of Wisconsin Extension Service*

*August, 1979 - August, 1980*

*Madison, WI*

- Developed cartographics and graphics for publications and presentations
- Performed market studies for resorts, lodgings and attractions

**EDUCATION**

**Master of Regional Planning**

*University of North Carolina*

*August, 1982*

*Chapel Hill, NC*

- Concentrations in Growth Management, Land Use, Transportation & Recreation Planning
- Chairman, Planners' Forum, 1981 (elected steering committee for student affairs)

**Bachelor of Science (Economic Geography & Urban Sociology)**

*University of Wisconsin*

*December, 1979*

*Madison, WI*

- Nominated as Outstanding UW Student of 1979-1980
- Graduated with Distinction, GPA: 3.75/4.00, Dean's List

**AWARDS**

**Fellow of the College of the American Institute of Certified Planners (FAICP).** Elected by the American Institute of Certified Planners (AICP) and nominated by the Wisconsin Chapter of the American Planning Association, 2004.

**Outstanding Career Contribution to Planning Profession.** Wisconsin Chapter of the American Planning Association, 2004.

**Project of the Year:** Wisconsin Chapter of the American Planning Association for 2004, for the North Mendota Parkway Study.

**Project of the Year:** Wisconsin Chapter of the American Planning Association for 2002, for the City of Muskego Conservation Plan.

**Transportation Planning Project Award:** American Society of Civil Engineers for 1996, for the Sauk County Environmental Impact Study Growth Management Assessment Program.

## ACTIVITIES

Member of the:

**Fellow of the College of the American Institute of Certified Planners (FAICP),**  
*2004-present*

**American Institute of Certified Planners (AICP),** *1983-present*

**American Planning Association,** *1980-present*

- Charter Member, Private Practice Division;
- Member, Wisconsin Chapter;

**Dane County Natural Heritage Foundation,** *1987-present*

- President Emeritus, 1998-present;
- President, 1995-1998;
- Chair: Stewardship Committee, 1992-1994
- Member, Board of Directors, 1990-present;

**City of Madison Zoning Ordinance and Zoning Map Rewrite Committee,** *2008 -present*

- Committee Chair

**Leadership Greater Madison Curriculum Development Committee,** *2000-present*

**Dane County Transfer of Development Rights Committee,** *2004*

**Dane County Farmland Preservation Advisory Committee,** *1999-2000*

**It's Wright for Wisconsin,** Charter Member, *1991-1993*

**In Business Magazine Editorial Board,** *1991-1992*

**Dane County Greenspace Citizen Advisory Committee,** *1990*

**John Coltrane Memorial Jazz Festival, Board of Directors,** *1984-1985*

**Guilford County Revolving Historic Preservation Fund, Board Member** *1985*

**Historic Preservation Society of North Carolina, Board of Directors,** *1980-1985*

## PUBLICATIONS

### ZONING, SUBDIVISION AND GROWTH MANAGEMENT ORDINANCES:

#### Principal Author:

- City of Stoughton Zoning Ordinance and Map. Stoughton, WI: City of Stoughton, (pending) 2008-present.
- Lee County, IL Zoning Map. Dixon, IL: Lee County. 2008.
- Village of Mount Horeb Zoning Ordinance and Map. Mount Horeb, WI: Village of Mount Horeb. 2007.
- City of Baraboo Zoning Map. Baraboo, WI: City of Baraboo. 2007.
- City of Juneau Zoning Ordinance and Map. Juneau, WI: City of Juneau. 2007.
- Village of Oregon Zoning Ordinance and Map. Oregon, WI: Village of Oregon, (pending) 2006.
- City of Belvidere Zoning Ordinance and Map. Belvidere, IL: City of Belvidere, 2006.
- Village of Johnson Creek Zoning Ordinance and Map. Johnson Creek, WI: Village of Johnson Creek, 2002.
- City of Watertown Zoning Ordinance and Map. Watertown, WI: City of Watertown, 2002.
- City of Mauston Zoning Ordinance and Map. Mauston, WI: City of Mauston, 2001.
- Zoning Ordinance and Map. Cottage Grove, WI: Village of Cottage Grove, 1998.
- Zoning Ordinance and Map. Lake Geneva, WI: City of Lake Geneva, 1997.
- Zoning Ordinance and Map. Sheboygan, WI: City of Sheboygan, 1996.
- Zoning Ordinance and Map. Verona, WI: City of Verona, 1996.
- Zoning Ordinance and Map. Oconomowoc, WI: City of Oconomowoc, 1996.
- Zoning Ordinance and Map. Delavan, WI: City of Delavan, 1996.
- Subdivision Ordinance. Watertown, WI: City of Watertown, 1995.

- Extraterritorial Zoning Ordinance and Map. (Voluntarily Requested by Town) City of Sun Prairie / Town of Windsor, WI: City of Sun Prairie, 1993.
- Village Centre Overlay Zoning Ordinance and Planned Infill Development Ordinance. Menomonee Falls, WI: Village of Menomonee Falls, 1993.
- Zoning Ordinance and Map. Sun Prairie, WI: City of Sun Prairie, 1989.
- Zoning Ordinance and Map. Lake Villa, IL: Village of Lake Villa, 1988.
- Integrated Development Ordinance and Zoning Map. High Point, NC: City of High Point, 1985.

**Contributing Author:**

- City of Evansville Zoning Ordinance and Map. Evansville, WI: City of Evansville, 1997. (With Joy Stieglitz.)
- City of Edgerton Zoning Ordinance and Map. Edgerton, WI: City of Edgerton, 1997. (With Mona Flanigan and Joy Stieglitz.)
- Village of Darien Zoning Ordinance and Map. Darien, WI: Village of Darien 1997. (With Joy Stieglitz.)
- Williamson County Development Ordinance and Map. Franklin, TN: Williamson County, 1988 (With Lane Kendig.)
- Polk County Development Ordinance and Map. Des Moines, IA: Polk County, 1988. (With Lane Kendig.)
- Queen Anne's County Development Ordinance Map. Centreville, MD: Queen Anne's County, 1987. (With Lane Kendig.)
- City of Town and Country Zoning Ordinance and Map. Town and Country, MO: City of Town and Country, 1987. (With Lane Kendig.)

## COMPREHENSIVE PLANS:

### Principal Author or Principal-in-Charge:

- City of Lake Geneva Comprehensive Plan. Lake Geneva, WI: City of Lake Geneva, in process. (With Jessica Schmiedicke.)
- City of Manitowoc Comprehensive Plan. Manitowoc, WI: City of Manitowoc, in process. (With Jessica Schmiedicke.)
- City of Delavan Comprehensive Plan. Delavan, WI: City of Delavan, in process. (With Dan Moser.)
- City of Shawano Comprehensive Plan. Shawano, WI: City of Shawano, in process. (With Megan MacGlashan.)
- Village of Cecil Comprehensive Plan. Cecil, WI: Village of Cecil, in process. (With Megan MacGlashan.)
- City of Lake Mills Comprehensive Plan. Lake Mills, WI: City of Lake Mills, in process. (With Dan Moser.)
- Village of Johnson Creek Comprehensive Plan. Johnson Creek, WI: Village of Johnson Creek, in process. (With Megan MacGlashan.)
- Village of Cross Plains Comprehensive Plan. Manitowoc, WI: Village of Cross Plains, 2008. (With Jessica Schmiedicke.)
- City of Jefferson Comprehensive Plan. Jefferson, WI: City of Jefferson, 2008. (With Jessica Schmiedicke.)
- Edgerton Comprehensive Plan. Edgerton, WI: City of Edgerton, 2006. (With Cathi Wielgus.)
- Village of Mount Horeb Comprehensive Plan. Mount Horeb, WI: Village of Mount Horeb, 2006. (With Dana Jensen.)
- City of Stoughton Comprehensive Plan. Stoughton, WI: City of Stoughton, 2004. (With Brad Davis.)
- Town of Merrimac Comprehensive Plan. Merrimac, WI: Town of Merrimac, 2004. (With Dana Jensen.)
- Village of Caledonia Comprehensive Plan. Caledonia, IL: Village of Caledonia, 2004. (With Dana Jensen.)

- Village of Oregon Comprehensive Plan. Oregon, WI: Village of Oregon, 2004. (With Cathi Wielgus.)
- Village of Johnson Creek Comprehensive Plan. Johnson Creek, WI: Village of Johnson Creek, 2002.
- Village of Fontana Comprehensive Plan. Fontana, WI: Village of Fontana, 2001. (With Robin Wettstein.)
- Town of Berry Comprehensive Plan. Madison, WI: Town of Berry, 2002. (With Cathi Wielgus.)
- Town of Bradley Comprehensive Plan. Merrill, WI: Town of Bradley, 2001.
- Town of King Comprehensive Plan. Merrill, WI: Town of King, 2001.
- Town of Skanawan Comprehensive Plan. Merrill, WI: Town of Skanawan, 2001.
- Town of Tomahawk Comprehensive Plan. Merrill, WI: Town of Tomahawk, 2001.
- Town of Wilson Comprehensive Plan. Merrill, WI: Town of Wilson, 2001.
- Comprehensive Master Plan. Sheboygan, WI: City of Sheboygan, 2000 (With Jon James and Robin Wettstein.)
- Comprehensive Master Plan. Sherwood, WI: Village of Sherwood, 2001 (With Robin Wettstein.)
- Comprehensive Master Plan. Mauston, WI: City of Mauston, 2000 (With Brad Davis.)
- Comprehensive Master Plan. Cottage Grove, WI: Village of Cottage Grove, 2000 (With Robin Wettstein and Brad Davis.)
- Comprehensive Master Plan. Dixon, IL: Lee County, 2000 (With Jon James.)
- Comprehensive Master Plan. Watertown, WI: City of Watertown, 1999 (With Jon James.)
- Comprehensive Master Plan. Belvidere, IL: Boone County, 1999 (With Jon James.)
- Comprehensive Master Plan. Lake Geneva, WI: City of Lake Geneva, 1998. (With Jon James.)
- Comprehensive Master Plan. Johnson Creek, WI: Village of Johnson Creek, 1997.
- Comprehensive Master Plan. Oconomowoc, WI: City of Oconomowoc, 1994.

- Comprehensive Master Plan. Windsor, WI: Town of Windsor, 1993. (With Jim Bricker.)
- Comprehensive Master Plan. Germantown, WI: Village of Germantown, 1993. (With Rick Roll)
- Comprehensive Master Plan. Lake Geneva, WI: City of Lake Geneva, 1991. (With Rick Roll and Scott Chesney.)
- Peripheral Development Plan. Sun Prairie, WI: City of Sun Prairie, 1991.
- Polk County Comprehensive Plan. Des Moines, IA: Polk County, 1988. (With Lane Kendig.)
- Williamson County Comprehensive Plan. Franklin, TN: Williamson County, 1988. (With Lane Kendig.)
- Queen Anne's County Comprehensive Plan. Centreville, Md: Queen Anne's County, 1987. (With Lane Kendig.)

**Contributing Author:**

- Comprehensive Master Plan. Deerfield, WI: Village of Deerfield, 1993. (With Rick Roll and Brian Vandewalle.)
- Comprehensive Master Plan. Delavan, WI: City of Delavan, 1991. (With Rick Roll.)
- Comprehensive Master Plan. Fontana on Lake Geneva, WI: Village of Fontana, 1991. (With Brian Vandewalle and Rick Roll.)
- Provincetown Growth Management Plan. Provincetown, MA: Town of Provincetown, 1988. (With Lane Kendig and Teresa de Groh.)
- Growth Management Plan. Newark, DE: New Castle County, 1988. (With Lane Kendig.)

**NEIGHBORHOOD & SPECIAL AREA PLANS:**

**Principal Author:**

- Southeast Area Plan. Oregon, WI. Village of Oregon, 2003.
- Downtown Master Plan. Cottage Grove, WI. Village of Cottage Grove, 2001. (With Brian Munson and Rob Gottschalk.)

- Downtown Master Plan. Oregon, WI. Village of Oregon, 2001. (With Brian Munson and Rob Gottschalk.)
- Northeast Neighborhood Plan. Janesville, WI. City of Janesville, 2000. (With Brian Munson and Rob Gottschalk.)
- South Neighborhood Plan. Lake Geneva, WI. City of Lake Geneva, 1998; updated, 2004.
- West Hills Neighborhood Plan. Belvidere, IL: City of Belvidere, 1997.
- West Windsor Neighborhood Plan. Windsor, WI: Town of Windsor, 1997.
- Airport Area Neighborhood Plan. Watertown, WI: City of Watertown, 1996.
- STH 26 Corridor Plan. Johnson Creek, WI: Village of Johnson Creek, 1995.
- East Wisconsin Avenue Area Plan. Oconomowoc, WI: City of Oconomowoc, 1994. (With Brian Gutheinz, Brian Gutheinz Studio.)
- Westside Neighborhood Plan. Sun Prairie, WI: City of Sun Prairie, 1994.
- Central Area Quadrant Plan. Whitewater, WI: City of Whitewater, 1992. (With Rick Roll.)
- Westside Neighborhood Plan. Delavan, WI: City of Delavan, 1992.
- Rail Corridor Neighborhood Redevelopment Plan. Delavan, WI: City of Delavan, 1992.
- Southeast Quadrant Plan. Whitewater, WI: City of Whitewater, 1991. (With Rick Roll.)

**Contributing Author:**

- IH-90 Tollway / Flora Neighborhood Plan. Belvidere, IL. City of Belvidere, 2005. (With Brian Ellison.)

**TRANSPORTATION STUDIES**

- USH 51 Madison East Beltline Alternatives Identification. Madison, WI: Wisconsin Department of Transportation, 2004-present.
- USH 14 / STH 11 Expansion DEIS. Madison, WI: Wisconsin Department of Transportation, 2003-present.

- IH 39 Madison to Illinois Expansion DEIS. Madison, WI: Wisconsin Department of Transportation, 2003-present.
- USH 51 McFarland to Stoughton Needs Assessment. Madison, WI: Wisconsin Department of Transportation, 2003-2004.
- North Mendota Parkway Alternatives Analysis. Madison, WI: Dane County, 2002.
- Madison West Beltline and Verona Road Needs Assessment and DEIS. Madison, WI: Wisconsin Department of Transportation, 1997-2003.
- Burlington Bypass DEIS. Madison, WI. Wisconsin Department of Transportation, 1996-1997.
- USH 12 Baraboo Bypass DEIS. Madison, WI: Wisconsin Department of Transportation, 1996-present.
- Dane 2020 Study – Recommendations to Coordinate Transportation, Land Use and Conservation. Madison, WI: Wisconsin Department of Transportation, Dane County, City of Madison, 1991-1993. (With David Trowbridge.)

#### RECREATION AND OPEN SPACE PLANS:

- Strategic Plan. Decatur, IL. Macon County Conservation District, 2004. (With Makela Mangrich and Dana Jensen.)
- Park and Open Space Plan. Cottage Grove, WI: Village of Cottage Grove, 2003. (With Robin Wettstein.)
- Five-Year Plan. Belvidere, IL. Boone County Conservation District, 2002. (With Jamie Radel.)
- Five-Year Park District Plan. Belvidere, IL. Belvidere Park District, 2002. (With Robin Wettstein and Brian Munson.)
- Conservation Plan. Muskego, WI: City of Muskego, 2001. (With Brad Davis, Lisa Lewis and Rob Gottschalk.)
- Park and Open Space Plan. Delavan, WI: City of Delavan, 1997.
- Park and Open Space Plan. Verona, WI: City of Verona, 1996.
- Park and Open Space Plan. Watertown, WI: City of Watertown, 1996 and 2001

- Park and Open Space Plan. Oconomowoc, WI: City of Oconomowoc, 1996.
- Open Space Plan. Libertyville, IL: Town of Libertyville, 1986.
- Market Analysis and Recommendations. Cary, NC: Scottish Hills Recreational Club, Inc., August, 1982.
- Recreation Master Plan. Selma, NC: Town of Selma, Department of Community Development, September, 1981.

## IN-DEPTH ANALYSES AND REPORTS:

### Principal Author:

- Report 1: Summary of Existing Secondary Impact Situation, Report 2: Relationships between Secondary Impact Concerns and Current Policies; Report 3: Relationships between Community Character Objectives and Current Policies; Report 4: Predicted Secondary Impacts under Current Policies; Report 5: Potential Redesign of Current Implementation Policies; Report 6: Predicted Secondary Impacts under Revised Policies; Report 7: Mapped Secondary Impacts Under Current and Hypothetical Planning Systems. Each report done for the: City of Baraboo, Village of Lake Delton, Village of West Baraboo, Town of Baraboo, Town of Delton, Town of Excelsior, Town of Fairfield, Town of Freedom, Town of Honey Creek, and the Town of Sumter. Madison, WI: *USH 12 EIS: Detailed Secondary Impact Analysis*. (For WISDOT, with Rick Roll and Joy Stieglitz.)
- Growth Management, Land Use Mixture, Site Design, Streets & Highways, Pedestrian & Bicycle, Air & Rail, Transportation Finance, Intergovernmental Coordination, Dane 2020 Summary Report and Dane 2020 Final Report. Madison, WI: *Dane 2020 Project* (Sponsored by the State of Wisconsin, Dane County and the City of Madison), 1991-1992.
- Land Use Analysis: USH 51 Bypass. Plover, WI: Village of Plover, 1991.
- Residential Standards. Lake Forest, IL: City of Lake Forest, 1988.
- Sewage Treatment, Community Character, Annexation, and Economic Development. Fox Lake, IL: Village of Fox Lake, 1987.
- Community Character, and Growth Management. Newark, DE: New Castle County, 1987.
- Community Character, Housing, Growth Management, Economic Development, Housing, Natural Resources, Intergovernmental Cooperation, and Agricultural Preservation. Des Moines, IA: Polk County, 1986. (With Lane Kendig.)
- Community Character, Housing, Growth Management, Natural Resources, and Intergovernmental Cooperation. Franklin, TN: Williamson County, 1986. (With Lane Kendig.)

### Contributing Author:

- Transit, and Demand Management. Madison, WI: Dane 2020 (State of Wisconsin, Dane County, and the City of Madison), 1991-1992. (With John Lichtenheld and Lisa Binkley.)
- Visual Resources, Growth Management, and Economic Development. Sturgeon Bay, WI: Door County, 1987-1988. (With Lane Kendig.)

## DEVELOPMENT IMPACT ANALYSES:

- Development Analysis: Pickett Fence Farm Proposal. Grayslake, IL: Grayslake Community Park District, 1988.
- Open Space Acquisition Impact Analysis. Libertyville, IL: Libertyville Township, 1987.
- Development Impact Analysis, Fiore Property. Buffalo Grove, IL: Village of Long Grove, 1985-1987.
- Development Analysis, Pritzker Property. Waukegan, IL: Libertyville Township, 1986.

## ANNEXATION AND INCORPORATION ANALYSES:

- Incorporation Analysis, Proposed Village of Stone Bank. Oconomowoc, WI: Towns of Merton and Oconomowoc, 1993.
- Incorporation Analysis, Proposed Village of Liberty Lakes. Lake Villa, IL: Village of Lake Villa, 1986.

## MARKET STUDIES AND MARKET EXPERT TESTIMONY:

- Site Suitability Study, Naperville Road Site. Wheaton, IL: McDonald's Corporation, 1988.
- Market Analysis, Pembroke Site. Hoffman Estates, IL: Red Roof Inns of America, 1987.
- Market Analysis, Arlington Towne Square Development. Arlington Heights, IL: Burger King Corporation, 1987.
- Market Analysis, Arlington Towne Square Development. Arlington Heights, IL: Dunkin' Donuts Corporation, 1987.
- Market Area Study, 1983 Travel Season, Howard Johnson's, I-85. High Point, NC: City of High Point, 1984.
- Lake Barkley State Park Visitor Analysis. Madison, WI: Recreation Resources Center, University of Wisconsin Extension, February, 1980.

## OTHER PUBLICATIONS:

- Community Impact Analysis. Benton Harbor, MI: Whirlpool Corporation, 1986. (With Jeanne Becker.)

## ARTICLES

- "My Say", In Business, August, 1989, pp. 26-27.
- "Surveying a Positive Environment", Business Properties, June, 1985, pp. 13-15.

## PAPERS DELIVERED

- "Rural / Urban Interface: Farm Land Preservation." Lawrence, KS: Annual Environmental Engineering Conference. University of Kansas, February 1, 2006.
- "Recent Trends in Subdivision Law." Madison, WI: WISLine Teleconference. University of Wisconsin Extension, December 20, 2005.
- "The Future of Retail Development." Verona, WI: Verona Chamber of Commerce and City of Verona, October 6, 2004.
- "North Mendota Parkway Study." Pewaukee, WI: Annual Program of Wisconsin Chapter of the Institute of Transportation Engineers (ITE), October 5, 2004.
- "Protecting Wetlands and Other Natural Resources Through Zoning." Madison, WI: Lorman Education Services, September 23, 2004.
- "Transportation Planning and Regional Sustainability." Chicago, IL: Stuart Graduate School of Business, 2004 BELL Conference on Building a Sustainable City through Sustainable Enterprise, July 23, 2004.
- "Public Involvement for Smart Growth Planning." Madison, WI: University of Wisconsin Extension Annual Program on Planning and Zoning for Community Land Use Management, May 4, 2004.
- "Planning and Regulation for Big Box Development." Madison, WI: University of Wisconsin Extension Annual Program on Planning and Zoning for Community Land Use Management, May 4, 2004.

- "Comparison of Big Box Development Regulation Strategies." Dane County Workshop on Uniform Big Box Development Regulations, February 17, 2004. Madison, WI.
- "Implementation of a Smart Growth Master Plan." Comprehensive Approach to Land Use Planning in Wisconsin, Lorman Education Services. December 4, 2003. Madison, WI.
- "Regulating Big Box Development". Upper Midwest Conference of the American Planning Association, October 24, 2003, Milwaukee, WI.
- "Overview of Affordable Housing in Dane County". Annual Leadership Greater Madison Alumni Conference, October 7, 2003, Madison, WI.
- "Attain Dane!". Annual Statewide Meeting of League of Women Voters, October 1, 2003, Madison, WI.
- "North Mendota Parkway Study". National Annual Conference of the American Planning Association, April 2, 2003, Denver, CO.
- "Regional Demographic and Development Trends"; and "Planning for a Creative Class Workshop". Leadership Greater Madison 2003, Greater Madison Chamber of Commerce, February 7, 2003, Madison, WI.
- "Implementation of a Smart Growth Master Plan." Comprehensive Approach to Land Use Planning in Wisconsin, Lorman Education Services. December 18, 2002. Madison, WI.
- "North Mendota Parkway Project – A New Approach to Highway Planning." Annual Meeting of University of Wisconsin Transportation Students (UWiTS). October 24, 2002, Madison, WI.
- "Negotiating Techniques for Neighborhoods". Annual Madison Neighborhood Conference, September 15, 2001, Madison, WI.
- "Effective Public Participation – The Secret to Successful Smart Growth." 1000 Friends of Wisconsin Smart Growth Institute, May 4, 2001, Madison, WI.
- "Stormwater Quality – The Next Challenge": Fox-Wolf Basin Conference: February 27, 2001, Green Bay, WI.
- "Protecting Natural Resources with Zoning". Annual Upper Midwest APA Conference, September 22, 2000, Duluth, MN.
- "Experience with Wisconsin's Smart Growth Law". Annual Upper Midwest APA Conference, September 22, 2000, Duluth, MN.
- "Effective Intergovernmental Relations". State of Wisconsin Municipal Clerks' Institute, League of Municipalities Annual Conference, June 22, 2000, Wisconsin Rapids, WI.

- "Early Experience with Smart Growth". Wisconsin APA Annual Conference, June 21, 2000, Oshkosh, WI.
- "State's New Smart Growth". State of Wisconsin Municipal Attorneys' Institute, League of Municipalities Annual Conference, June 14, 2000, Mishicot, WI.
- "Long Range Planning for Growth Management and Community Character Preservation". State of the Land Conference, March 11, 2000, Madison, WI.
- "Use of GIS for Community Impact Analysis – Boone County, Illinois Case Study ". Midwest APA Conference, October 21, 1999, Madison, WI.
- "A Total Planning System for Municipalities and Counties". Illinois League of Municipalities Annual Conference, September 18, 1999, Chicago, IL.
- "Boone County Fifty Year Plan". Farmland Protection Workshop for Local Officials – Illinois Department of Agriculture and Illinois Coalition for Farmland Protection, March 12, 1999, Ottawa, IL.
- "Boone County – A Buildout Plan Case Study". Natural Resources and Your Development, March 3, 1999, Peoria, IL.
- "Boone County Farmland Preservation Strategy". Annual Boone County Soil and Water Conservation Department Conference, February 20, 1999, Belvidere, IL.
- "Downtown Revitalization in Madison and Intergovernmental Conflict Overview in Dane County". Leadership Greater Madison, Madison Chamber of Commerce, February 10, 1999, Madison, WI.
- "Your Community's Subdivision Ordinance." University of Wisconsin Extension Land Use Planning and Zoning Program, January 21, 1999, Madison, WI.
- "American Breeders Service Agricultural Science Park and Neo-Traditional Neighborhood". Leadership Greater Madison, Madison Chamber of Commerce, February 12, 1998, Madison, WI.
- "New Forms for Urban Development". Wisconsin League of Municipalities Annual Engineering and Public Works Institute, October 13, 1997, Appleton, WI.
- "Alternative Zoning Solutions to Zoning Dilemmas from Other Wisconsin Communities", Neighborhoods 96 Conference, November 3, 1996, Madison, WI.
- "Case Study of Zoning Regulations for Home-Based Businesses". National Home Based Business Conference. April 22, 1996, Milwaukee, WI.

- "Case Study of Secondary Impact Analysis on a Major Highway Project." Environmental Analysis of Highway Projects Conference, UW-Madison Extension. March 18, 1996, Madison, WI.
- "New Zoning Initiatives". Annual League of Municipalities Community Development Institute, May 3, 1995, Stevens Point, WI.
- "Nolen in the '90s". June 11, 1995, Madison, WI.
- "Affordable Housing in Metropolitan Wisconsin." Waukesha County Executive Program. November 29, 1995, Dousman, WI.
- "Impact Fees and Related Charges." Wisconsin Park and Recreation Association Annual Conference, November 3, 1994, Green Bay, WI.
- "Planning for Impact Fees." Wisconsin Economic and Community Development Conference, November 1, 1994, Stevens Point, WI.
- "Recent Approaches to Integrated Land Use and Transportation Planning." Panel discussion with Eileen Kelly and Charlie Causier at Wisconsin Association of the American Planning Association Legislative Conference, September 16, 1994, Madison, WI.
- "Planning and Zoning for Community Character." Keynote Address at annual meeting of the Green Lake Association, June 5, 1993, Green Lake, WI.
- "Education for Community Planning" at Annual Wisconsin Association for Environmental Education Conference, October 30, 1992, Merrimac, WI.
- "New Approaches for Land Use Planning in Dane County" at the annual County Executive's Conference on the Environment, September 16, 1992, Madison, WI.
- "Balancing Today's Business Choices with Tomorrow's Outlook" at annual Middleton Chamber of Commerce Business Seminar, September 11, 1992, Middleton, WI.
- "Improving the Coordination of Land Use and Transportation Planning and Development in Wisconsin" before the Governor's Select Committee on Transportation and Land Use Coordination, September 8, 1992, Waukesha, WI.
- "Developing Performance Zoning Regulations", at the annual University of Wisconsin National Program on Zoning and Code Enforcement, May 5, 1992, Madison, WI; and June 10, 1992, Colorado Springs, CO.
- "Making City Planning More Responsive to Small Businesses" before Certified Independent Managers, December 8, 1991, Madison, WI.

- "Planning Challenges Facing Dane County" at the annual County Executive's Conference on the Environment, October 18, 1991, Madison, WI.
- "A New Approach for Economic Development", at the annual Illinois Municipal League Conference, October 12, 1991, Chicago, IL.
- "Performance Zoning for Small Cities," and "Performance Standards for Mineral Extraction Land Uses" at the annual University of Wisconsin National Program on Zoning and Code Enforcement, May 3 and 4, 1990, Madison, WI; and June 5 and 6, 1990, Denver, CO.
- "Sun Prairie's Performance Zoning Approach", at Fall Conference of the Wisconsin County Code Enforcement Officials, November 1, 1989, Wisconsin Dells, WI.
- "Computer-Assisted Bicycle Suitability Mapping," at the annual North Carolina Bicycle Federation Conference, November 3, 1984, Boone, NC.
- "High Point's Architectural Legacy," at 125th Anniversary of Incorporation Celebration sponsored by the High Point Historical Society and the High Point Museum, May 18, 1984, High Point, NC.
- "Coordination Between Land Use and Transportation Planning: Evaluations by Local Officials in North Carolina," at conference sponsored by North Carolina Department of Transportation, March 16, 1982, Raleigh, NC.

## CLIENT LIST

### GOVERNMENT

City of Sun Prairie, Wisconsin: 1988-present  
 City of Lake Geneva, Wisconsin: 1990-present  
 City of Madison, Wisconsin: 1991-present  
 Dane County, Wisconsin: 1991-present  
 State of Wisconsin: 1991-present  
 City of Moline, Illinois: 1991-present  
 City of Delavan, Wisconsin: 1991-present  
 City of Whitewater, Wisconsin: 1991-present  
 City of Darlington, Wisconsin: 1991-present  
 Village of Fontana-on-Geneva Lake, Wisconsin: 1991-present  
 Village of Menomonee Falls, Wisconsin: 1992-present  
 City of Lake Mills, Wisconsin: 1992-1996  
 Town of Merrimac, Wisconsin: 1992-present

City of Sheboygan, Wisconsin: 1994-present  
City of Edgerton, Wisconsin: 1995-present  
City of Watertown, Wisconsin: 1995-present  
Village of Johnson Creek, Wisconsin: 1995-present  
City of Jefferson, Wisconsin: 1996-present  
Boone County, Illinois: 1997-present  
City of Belvidere, Illinois: 1996-present  
Village of Caledonia, Illinois: 1997-present  
Village of Poplar Grove, Illinois: 1997-present  
Village of Capron, Illinois: 1997-present  
Village of Cottage Grove, Wisconsin: 1998-present  
City of Baraboo, Wisconsin: 1998-present  
City of Janesville, Wisconsin: 1999-present  
Lee County, Illinois: 1999-present  
City of Sterling, Illinois: 1999-present  
City of Mauston, Wisconsin: 1999-present  
Village of Oregon, Wisconsin: 1999-present  
Town of Germantown, Wisconsin: 1999-2003  
City of Oak Creek, Wisconsin: 1998-2002  
Lincoln County, Wisconsin: 2000-present  
Town of Bradley, Wisconsin: 2000-present  
Village of Mount Horeb, Wisconsin: 2003-present  
Village of East Troy, Wisconsin: 1991 & 2004-present  
Town of Wilson, Wisconsin: 2000-2003  
Town of Skanawan, Wisconsin: 2000-2003  
Town of King, Wisconsin: 2000-2003  
Town of Tomahawk, Wisconsin: 2000-2003  
Town of Berry, Wisconsin: 2000-2003  
Village of Sherwood, Wisconsin: 2000-2003  
City of Muskego, Wisconsin: 2000-2003  
City of Plymouth, Wisconsin: 2000-2003  
Village of Shorewood Hills, Wisconsin: 2001-2003  
Village of Clinton, Wisconsin: 1994-1995  
Village of Marshall, Wisconsin: 1994-1995  
Town of Rib Mountain, Wisconsin: 1992-1995  
City of Wisconsin Rapids, Wisconsin: 1993-1995  
City of Oconomowoc, Wisconsin: 1993-1997  
Town of Windsor, Wisconsin: 1993-1998

City of Verona, Wisconsin: 1993-1998  
Town of Merton, Wisconsin: 1993-1994  
Town of Oconomowoc, Wisconsin: 1993-1994, 2000-2001  
Libertyville Township, Illinois: 1985-1988  
Village of Bannockburn, Illinois: 1985-1988  
Village of Lake Villa, Illinois: 1985-1988  
Village of Long Grove, Illinois: 1985-1988  
City of Town and Country, Missouri: 1985-1988  
Williamson County, Tennessee: 1986-1988  
New Castle County, Delaware: 1986-1988  
Polk County, Iowa: 1986-1988  
City of Lake Forest, Illinois: 1987-1988  
Grayslake Community Park District, Grayslake, Illinois: 1988  
Village of Fox Lake, Illinois: 1987-1988  
Door County, Wisconsin: 1987-1988  
Queen Anne's County, Maryland: 1985-1987  
Lake County, Illinois: 1986-1987  
Village of Barrington Hills, Illinois: 1987  
Village of Lindenhurst, Illinois: 1987  
Monroe County, Florida: 1985-1986  
City of High Point, North Carolina: 1982-1985  
Town of Chapel Hill, North Carolina: 1981-1982  
Town of Selma, North Carolina: 1981-1982

## DEVELOPERS

Ron Cope, Sugar Grove, IL: 1999-present. *Downtown Sugar Grove* (With Rob Gottschalk).

John DeWitt, Madison, WI: 1994-1995. *Fields of Holland Grove* (With Rob Gottschalk).

Toson / Behrend, Delafield, WI: 1993-1994. *Delafield Commons* (With Brian Vandewalle).

DSI, Madison, WI: 1991-1993. *Winfields; Carriage Hills Estates* (With Brian Vandewalle).

Western Development Corporation; Washington, DC: 1987-1988. *Gurnee Mills Mall*. (With Lane Kendig.)

Butler Corporation of Libertyville; Libertyville, IL: 1988. *Trimm Property Townhouses, Industrial Development, Mangood Property Mixed Use Development.*

Northfield Development Corporation; Libertyville, IL: 1987. *Trimm Property Townhouses.*

William Henry; Mundelein, IL: 1987-1988. *Butterfield Road Center.*

Empeco, Inc.; Northbrook, IL: 1987-1988. *Bishop's Gate Subdivision.*

Mundelein IV Partners; Mundelein, IL: 1987. *Apple County Estates Subdivision.* (With Lane Kendig.)

William Franz; Crystal Lake, IL: 1986-1988. *Wedgewood PUD and Crystal Glade PUD.* (With Lane Kendig.)

McHugh Construction; Chicago, IL: 1986-present. *Fields of Long Grove; Galter PUD; Arlington Park Relocation; Old McHenry Road Center; Windward Farms Development.* (All with Lane Kendig.)

Hawthorne Estates; Long Grove, IL: 1986-present. *Victorian Oak Estates; Lake Elanora Estates; Deerwood Estates; Rambling Hills North; Rambling Hills West; Cherry Hill Estates; Indian Creek Estates.* (All with Lane Kendig.)

Carlson-Browne Partnership; Mundelein, IL: 1986. *Midlothian Center Office Park.* (With Lane Kendig.)

## CORPORATIONS

John Deere Corporation; Moline, Illinois; 1991-present. (With Brian Vandewalle.)

McDonald's Corporation; Oak Brook, Illinois; 1988.

Red Roof Inns of America; Bartholemew, Ohio; 1987.

Dunkin' Donuts Corporation; Des Plains, Illinois; 1987.

Burger King Corporation; Downers Grove, Illinois; 1987.

Whirlpool Corporation; Benton Harbor, Michigan; 1986.

## CITIZEN ORGANIZATIONS

West Boone Property Owner's Association; Belvidere, Illinois: 1997-present *Facilities Planning Area designation before Illinois EPA.*

Sand County Foundation; Monona, WI: 1993-1995 *Monona Drive Holdings* (With Brian Vandewalle.)

Green Lake Association; Green Lake, Wisconsin; 1993.

Cove Landing Condominium Association; Elmhurst, Illinois; 1987.

Scottish Hills Recreational Club, Inc.; Cary, North Carolina; 1982.

## GUEST LECTURER

Greater Madison Chamber of Commerce: Leadership Greater Madison (1996-present)

Institute of Environmental Studies, University of Wisconsin - Madison, (1993).

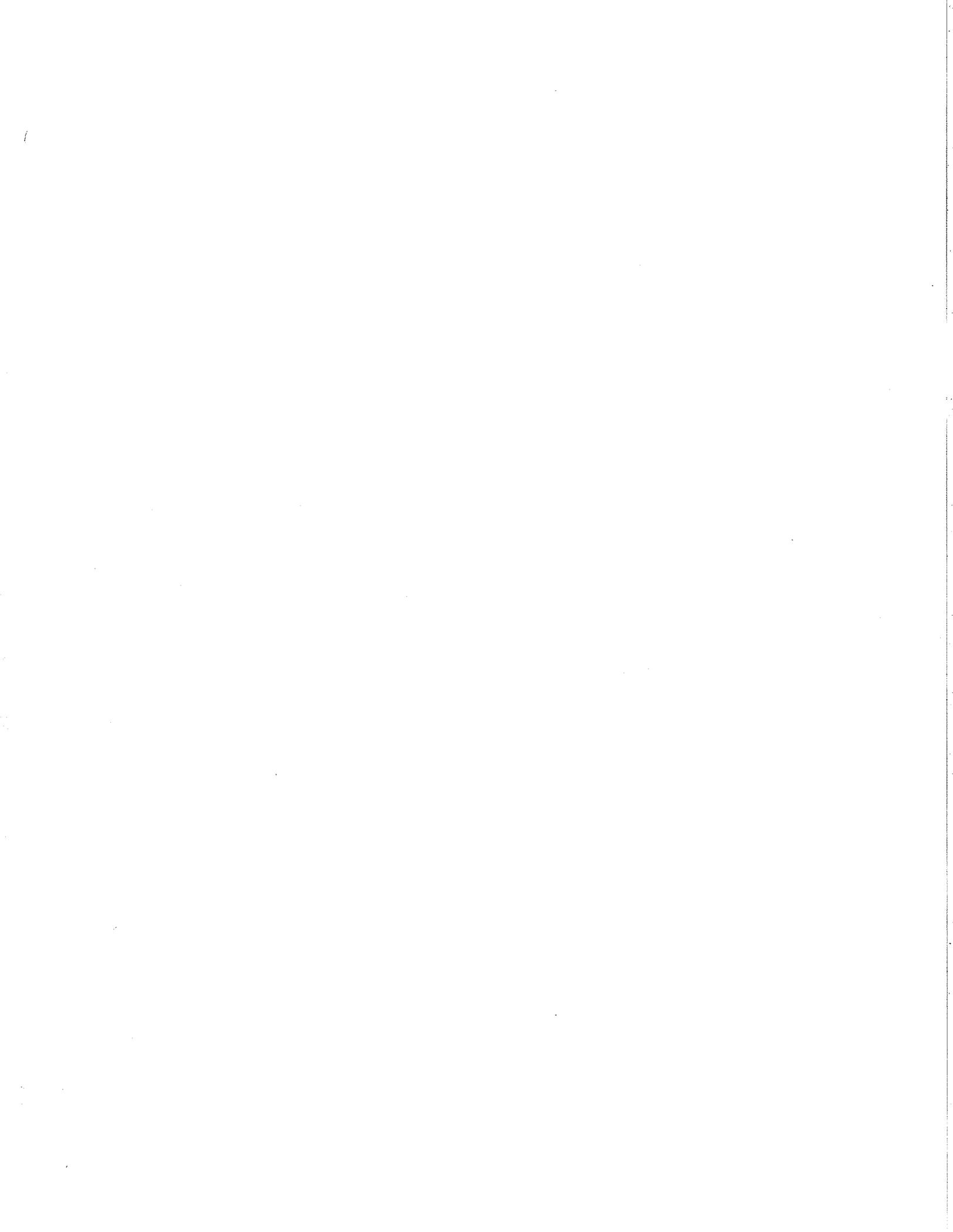
University of Wisconsin Extension (1988-present)

School of Engineering, University of Wisconsin - Madison, (1993).

Department of Urban Planning, University of Wisconsin - Madison, (1991-present).

Department of Recreation Administration, University of North Carolina - Chapel Hill, (1982).

Department of City & Regional Planning, University of North Carolina - Chapel Hill, (1980-82).





# VANDEWALLE & ASSOCIATES INC.

## MEMORANDUM

TO: DeKalb County  
FROM: Michael A. Slavney, FAICP, Vandewalle & Associates  
RE: Regulation of Wind Energy Conversion System Uses  
DATE: March 18, 2009

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I have been requested by FPL Energy Illinois Wind, LLC to provide my professional opinion regarding the treatment and regulation of Wind Energy Conversion System (WECS) land uses by the DeKalb County Unified Comprehensive Plan (adopted December 17, 2003) and the DeKalb County Zoning Ordinance (adopted April 20, 2005).

I have been a full-time professional planner for 25 years, a Certified Planner since 1985, and a member of the College of the Fellows of Certified Planners since 2004. Throughout my planning career I have focused on preserving agricultural lands and economies, protecting natural resources, and creating vibrant villages and cities. I have written comprehensive plans for many counties and municipalities, and have authored 20 full zoning ordinances and associated jurisdiction-wide rezonings. I currently serve as the staff planner for a dozen communities – applying the zoning ordinances and implementing the plans I have written. I have been serving Illinois communities since 1985, and am the primary author of the current Boone County Comprehensive Plan, the current Lee County Comprehensive Plan and served as the primary consultant in the development and adoption of the Lee County Zoning Ordinance and county-wide rezoning effort.

I would like to offer the following professional opinions regarding FPL Energy Illinois Wind's current application for 119 turbines in unincorporated DeKalb County, all of which fall under the County's zoning jurisdiction.

1. **Comprehensive Plan:** The proposal is in harmony with the Unified Comprehensive Plan.
2. **Zoning:** In the A-1 Agricultural zoning district, WECS are a permitted special use under the category of Essential Service Structure.
3. **Special Use Criteria for the A-1 District:** The FPL Energy Illinois Wind proposal fully complies with the three special use criteria specific to the A-1 District.

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4. **Burden of Proof Criteria for All Special Uses:** The FPL Energy Illinois Wind proposal fully complies with the six Burden of Proof criteria used to evaluate all proposed special uses.

These professional opinions are explained in detail on the following pages.

## 1. Unified Comprehensive Plan

The proposal is in harmony with the Unified Comprehensive Plan.

A key overall theme of the Unified Comprehensive Plan is to accommodate substantial long-term population growth while maintaining the County's strong agricultural economy. The Plan forwards both of these objectives by focusing future development around existing population and employment centers, and away from large areas planned for long-term agriculture (page 23).

The proposed FPL Energy Illinois Wind project is located on lands designated in the Plan's Agricultural land use category and intended for long-term agricultural use. A key goal of the Comprehensive Plan and the overall purpose of the Plan's Agricultural land use category as listed on page 41 is "to protect the County's agricultural heritage and prevent the conversion of prime farm land to non-agricultural uses". The Plan places particular emphasis on the inappropriateness of further residential development in the portions of the County designated in the Agricultural land use category, stating that:

"Several isolated residential subdivisions are also included in the agricultural land use category. These subdivisions were approved prior to development of stronger County agricultural preservation policies. Expansion of existing isolated subdivisions and development of new isolated subdivisions and non-farm single-family residences is strongly discouraged in the Plan." (Page 41.)

The Plan further notes that the Future Land Use Plan Map "shows adequate opportunities for development of housing and employment in the County" in areas not designated in the Agricultural land use category (p. 41). In fact, the Plan notes that:

"if all areas are developed as illustrated on the Unified Future Land Use Plan, the County's population capacity would be approximately 250,700. Compared to the year 2000 population of 88,968, the Unified Future Land use Plan could support approximately 161,700 additional residents without development of any areas proposed to remain in agricultural use. (Page 40.)

In addition to the overall purpose of the Agricultural land use category and the location of that category on the Future Land Use Plan Map, the Unified Comprehensive Plan includes several other goals and objectives related to the FPL Energy Illinois Wind proposal:

- **Goal 1:** Preserve prime agricultural land while allowing for development and growth around municipalities (page 26);

- **Goal 1, Objective 2:** Limit residential growth in rural areas of the County to farm dwellings and subdivisions located in close proximity to municipal boundaries (page 26);
- **Goal 1, Objective 4:** Discourage non-agricultural development in areas designated on the Future Land Use Plan to remain in agricultural use (page 26);
- **Goal 4:** Develop policies which protect standard farm operations from encroaching development or unwarranted complaints made by adjacent residential areas against normal farming practices (page 27);
- **Goal 4: Objective 2:** Require acknowledgment on deeds and/or plats that certain areas of the County are agricultural production areas which may generate noise, odors, dust and equipment traffic (page 27);
- **Goal 7:** Promote appropriately located economic development throughout DeKalb County (page 27).

The FPL Energy Illinois Wind proposal is in harmony with the DeKalb County Unified Comprehensive Plan as follows:

1. WECS are highly compatible with row cropping soybeans and corn -- the predominant agricultural use of western DeKalb County. The FPL Illinois Energy Wind proposal has been designed to respond to landowner collaboration regarding turbine and access driveway placement in relation to the most efficient farming of each property. Planting, harvesting and crop dusting will all occur around the turbines with minimal disruption.
2. This proposal will provide a stable and diversified source of income to farmland owners, yet will only use an average of 1.57 acres of farmland per site for the combination of the tower footprint and access driveway. The total land area for the proposal amounts to 237 acres. This slight loss of farmland will be more than offset by the additional income to improve the quality of life for the partnering property owners, and in gains to the County's general welfare by injecting significant outside money into the local economy in the form of land rent payments, taxes and employment income.
3. This additional income is stable. A primary reason for farmland conversion is the desire for the income generated by selling land for development such as rural home sites (which are not compatible with the Unified Comprehensive Plan). The rental income from WECS competes well with land sales for development and will thus discourage additional residential intrusions into the area.
4. Finally, it should be noted that WECS are very compatible with other non-agricultural uses permitted in the A-1 Agricultural zoning district and the Agricultural areas of the Future Land Use Plan.
5. In a nutshell, this proposal will help keep farmers on the farm and help discourage additional non-farm housing from locating in planned agricultural areas -- the two key elements of any successful agricultural preservation strategy.

## 2. The A-1 Zoning District's Use Regulations:

In the A-1 Agricultural zoning district, WECS are a permitted special use under the category of Essential Service Structure.

WECS clearly belong within the "Essential Service Structure" land use group (Subsection 4.02.C.1.m.) This listing reads as:

"m. Essential service structure *including, but not limited to:* any new rights-of-way across farm land, telephone exchange or repeater buildings and towers, electrical station and substation buildings, gas regulator stations and regulator buildings *as well as* other structures and buildings related to essential or public services." [Italics added for emphasis.]

The term "including, but not limited to" clearly indicates that the explicitly listed land uses are not an exhaustive list, but rather examples of common "essential service structures". This approach of the listings as examples is confirmed by the use of the term "as well as other structures and buildings related to essential or public services". Therefore, the Ordinance acknowledges the existence of other essential service structures beyond the cited examples.

Although the term "essential service" is not defined by the Zoning Ordinance, it is clear from the listed example uses, particularly "electrical station and substation buildings" that the provision of electricity is considered an essential service. This would be consistent with standard zoning practice.

Finally, the WECS turbines and towers are clearly a structure, which the Zoning Ordinance does define as:

"any improvement of man-made material erection on land, the use of which requires more or less permanent location on or in the ground or attached to something having a permanent location on or in the ground, including by not limited to, buildings, fences, *towers*, antennae, freestanding signs, decks and swimming pools." [Italics added for emphasis.]

### 3. The A-1 Zoning District's Three Special Use Standards:

The FPL Energy Illinois Wind proposal fully complies with the A-1 Zoning District's three Special Use criteria.

Section 4.02.C.2.a.-c. of the DeKalb County Zoning Ordinance requires that all Special Uses meet three standards:

- a. The proposed use shall be sited upon lands which are less suitable for commercial agriculture than other agricultural lands within the district, or on lands designated for non-agricultural use by the County Comprehensive Plan.

WECS facilities are inherently dispersed due to numerous setback and separation criteria, and they must respond to the intensity and pattern of wind resources. Beyond these siting considerations, virtually all of the land within the project area is rated as "Prime Farmland" by the three farmland rating maps available on the County's web site. With such a uniform pattern of soils, the identification of the "lands which are less suitable for commercial agriculture" is most effectively defined by site specific farm operations, and can best be identified in close consultation with farm operators and farmland owners. This is the approach that FPL Energy Illinois Wind has used. Each of the proposed turbine sites has gained property owner approval as the most suitable location.

- b. The proposed use shall be sited upon a lot in a manner which minimizes the amount of productive land which is converted to the proposed use.

The FPL Energy Illinois Wind proposal converts an average of only 1.57 acres per turbine site for the combination of the tower base and the access driveway. This amounts to approximately one-half of one percent (0.5%) of the project area.

- c. The proposed use shall be located in close proximity to existing facilities providing agricultural services wherever possible and appropriate. The clustering on agribusinesses into agricultural service centers shall be encouraged and accomplished by special use permit.

As discussed above, WECS are not typical agri-business uses. By their nature, WECS must be sited in a pattern of small sites, rather than clustered. Given the numerous siting criteria involving setbacks, they should not be located in close proximity to existing facilities providing agricultural services. It should be noted that other permitted special uses in the A-1 District are most logically sited in a similar dispersed or segregated manner, including airstrips, quarrying, gun clubs, communication towers, and landfills.

#### 4. Burden of Proof Criteria Applicable to All Special Uses:

The FPL Energy Illinois Wind proposal fully complies with the six Burden of Proof criteria used to evaluate all proposed special uses.

Section 9.02.B.3.a.-f. of the DeKalb County Zoning Ordinance requires that all Special Uses meet six Burden of Proof Criteria:

**a. The proposed special use complies with all applicable provisions of the applicable district regulations.**

Section 4.02A, the Purpose and Intent of the A-1 Agricultural Zoning District, states: "The A-1 zoning district acknowledges that agriculture is a specialized form of industry characterized by the production, through biological and botanical processes, of saleable farm products as a result of the combination of raw materials (soils, seeds, plants, water, and nutrients), manpower (farm labor and machinery), and energy (solar and power equipment)." (p. 4-6).

Numerous non-agricultural uses are permitted either by right or as a special land use in the A-1 District. Many are similar to WECS in that they tend to either provide supplemental income to landowners or are similar in function (utilities and communication) or height. These non-agricultural uses include:

- Extraction and Related Uses such as earth removal, quarrying, aggregate processing, mining and related mineral extraction business, asphalt or concrete batch mix plant.
- Outdoor Recreation and Related Uses such as fairgrounds; gun clubs; recreational camps; roadside stands and "agritainment" (corn maze, u-pick orchards, gardens, hobby farms, etc.).
- Utilities and Communication Facilities such as radio, television, and communication transmitting or relay towers; electrical station and substation buildings; buildings related to essential or public services.
- Land uses involving Structures of Substantial Height such as aircraft hangar/tiedown, aircraft service and repair, airstrip/runway and heliport, communication towers, transmission and distribution lines.

Furthermore, because of the supplemental income provided to landowners, this proposal will help ensure that agricultural areas will be retained for the production of food and fiber.

Beyond these general compatibilities with the A-1 Zoning District:

- WECS are a permitted Essential Service Structure
- The proposal meets the 3 Special Use Standards specific to the A-1 District

- The proposal meets all A-1 District requirements, including lot area, setbacks, parking, loading and signage

**b. The proposed special use will not be unreasonably detrimental to the value of other property in the neighborhood in which it is to be located or the public welfare at large.**

- The Poletti & Associates Real Estate Study specific to Lee and DeKalb Counties is consistent with other studies including “Impacts of Windmill Visibility on Property Values in Madison County, New York “ (Hoen, 2006), “Eight Properties in Cooke and Montague Counties” (Crosson, 2008), “Do Wind Farms Affect Local Property Values” (Wiser & Hoen), and the proceedings from the RICS Rural Research Conference July 2008. All of these reports demonstrate no statistically measurable effect on property values of adjacent properties. Each of the proposed turbines has a very significant setback from existing homes. Further, I wish to emphasize that it is adopted County policy to discourage and prevent additional residential development in the vicinity of the proposed turbines.
- Mr. Tom Factor has provided testimony that indicates no unreasonable detriments to the public welfare related to noise, shadow flicker and icing.
- The proposal will provide substantial benefit to the public welfare in relation to bringing substantial property rent payment, tax revenue, and temporary and permanent employment salaries into the County.

The Comprehensive Plan is clear that within the Agricultural land use category, new residential development is strongly discouraged, because “One of the Plan’s themes is to protect the County’s significant agricultural heritage” (p. 41). The FPL proposal is consistent with the Agricultural land use category’s predominant farming practices. Furthermore, this WECS project may discourage some non-farm residential development. WECS create no adverse impacts on farming operations including crop dusting. Finally, there has been no evidence of any adverse public health impacts of WECS in connection with the existing Lee County facility.

**c. The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the special use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the special use will so dominate the immediate neighborhood, consideration shall be given to: (1) the location, nature and height of buildings, structures, walls, and fences on the site; and (2) the nature and extent of proposed landscaping and screening on the proposed site.**

While the current FPL proposal increases the number of proposed turbines, it locates them at a lower overall density than the FPL proposal that was previously approved by DeKalb County. Although “visual impact” or “aesthetics” are not typically referenced as review criteria in the model ordinances provided to me by Planners Advisory Service,

and although the aesthetics related to wind turbines is a judgment that varies with the observer, and although the DeKalb County Zoning Ordinance offers no objective standards related to the term "dominate", it should be noted that the current FPL proposal should be considered as having less visual impact than the previously approved project due to fewer turbines per square mile.

The Zoning Ordinance permits by right or allows by special use other tall structures in the A-1 District. In my opinion, due to the spacing criteria, the more efficient turbine placement pattern, the sleek physical design of the towers and turbines, and their proposed color, there is no evidence of visual dominance by the turbines in the current proposal. It should also be noted that this project will utilize underground, rather than overhead, transmission lines, thus further reducing visual impacts and allowing nearby properties to be used for agricultural purposes.

It should be emphasized that because the turbines are proposed within the Agricultural land use category and the A-1 zoning district, where the development of new residences is opposed by both the Unified Comprehensive Plan and the Zoning Ordinance, this proposal will not dominate the immediate area so as to prevent development and use of neighboring property in accordance with the applicable zoning regulations. In fact, a careful reading indicates that all of the permitted and special uses in the A-1 District will not be adversely impacted by the project, and are compatible with WECS.

Of note, FPL Energy Illinois Wind is proposing substantial setbacks from nearby roads and utility lines that are consistent with national practices. The minimum 1,400 feet setback from off-site residences is well beyond the national range of equal height up to 1,000 feet. The proposal is also compliant with the stringent State of Illinois noise regulations. Finally, it should be noted that the maximum proposed tower height is less than the 400-foot height imposed by DeKalb County on other similar structures.

**d. Off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations.**

The WECS turbines do not require any regularly-used parking or loading facilities. The access driveway will provide more than enough area for infrequent parking for vehicles associated with maintenance.

**e. Adequate utility, drainage, and other such necessary facilities have been or will be provided.**

The project will use a standard electrical service from existing electrical service lines. New electrical lines will be underground. All erosion control and drainage requirements will be met, and will receive proper Permits prior to site disruption.

**f. The proposed uses, where such developments and uses are deemed consistent with good planning practice, or can be operated in a manner that is not detrimental to the permitted developments and uses in the district; can be**

**developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; shall in all other respects conform to the applicable regulations of the district in which it is located; and are deemed essential or desirable to preserve and promote the public health, safety, and general welfare of DeKalb County.**

FPL Energy Illinois Wind WECS proposal is a permitted special use under the A-1 zoning district as detailed in subparagraph m. of the Special Land Use section. The proposal fully complies with the requirements of the A-1 zoning district. This WECS proposal is consistent with the Unified Comprehensive Plan's recommendations for the Agricultural area in being fully compatible with agricultural uses and by supplementing agricultural landowners' income. The low density spacing of the turbines will be visually compatible with the permitted uses in the environs, and will allow for the continuation and protection of existing agricultural and other permitted land uses. The clean renewable energy provided by the project will serve the general welfare of the County, as will the resulting tax revenues and both construction-related and long-term jobs.

In preparation for writing this memo, I requested that the Planner's Advisory Service (PAS) of the American Planning Association provide me with county zoning ordinances that contain model WECS regulations to confirm that the proposed project was consistent with "good planning practice". PAS provided me with 10 county zoning ordinances. I reviewed the approaches of these "model" ordinances and found that the typical approach employed by these recommended ordinances, and others I have experience with, is to regulate WECS as a special (or as called in many other states "conditional") use in the agricultural district. One of the PAS recommended ordinances regulated WECS through overlay zoning. A few ordinances regulated WECS as special/conditional uses in both the industrial and agricultural districts.

### **Conclusion:**

The FPL Energy Illinois Wind, LLC proposal meets the Burden of Proof criteria for all Special Uses and complies with the Special Use Criteria for the A-1 Agricultural District. The proposal improves upon the FPL proposal from 7 years ago that DeKalb County approved. The standards used by FPL Energy Illinois Wind in this proposal generally offer greater setbacks than a review of other County WECS regulations provided by the Planners Advisory Service (PAS) indicates. The proposed turbines will substantially supplement farmland owners' income, are compatible with the farming practices in the area, and may help discourage additional residential intrusions into the planned and zoned agricultural area. Finally, the project is consistent with the agricultural tradition that DeKalb County is noted for—forwarding the objectives of a strong agricultural economy with clean energy production.