

Note: These minutes are not official until approved by the Planning & Zoning Committee at a subsequent meeting. Please refer to the meeting minutes when these minutes are approved to obtain any changes to these minutes.

DeKalb County Government
Sycamore, Illinois

Planning and Zoning Committee Minutes
(August 23, 2017)

The Planning and Zoning Committee of the DeKalb County Board met August 23, 2017 at 6:30 p.m. in the DeKalb County Administrative Building, Conference Room - East, in Sycamore, Illinois. In attendance were Committee Members: Kevin Bunge, Dan Cribben, Steve Faivre, Tracy Jones, Mark Pietrowski, Craig Roman, and Suzanne Willis. Also in attendance were: Jim Hutcheson; Jeff Kerner; Larry Smith; Kevin McArtor; Mr. & Mrs. Spychal; Kevin Buick; Greg Milburg, of the DeKalb County Farm Bureau; Ernst Nemeth and Laurel Bergren, of Arc Perspectives; County Board Members: John Frieders, Tim Hughes, and Jeff Whelan; and, Community Development Department staff: Derek Hiland and Marcellus Anderson.

Mr. Faivre, Planning and Zoning Chairman, called the meeting to order.

APPROVAL OF AGENDA

Mr. Roman moved to approve the agenda, seconded by Ms. Willis, and the motion carried unanimously.

APPROVAL OF MINUTES

Mr. Pietrowski moved to approve the minutes of the July 26, 2017 meeting, seconded by Ms. Willis, and the motion carried unanimously.

PUBLIC COMMENTS

Larry Smith, of South Grove Township, presented the Committee with a draft language for a potential solar energy ordinance for their consideration.

OLD BUSINESS

None.

NEW BUSINESS – SPECIAL USE PERMIT - KERNER

Mr. Hiland informed the Committee that Jeffery Kerner had submitted an application for a Special Use permit to allow the Myles Tree Service business to operate on property at 9954 State Route 23, Waterman, in Clinton Township. He told the Committee that Mr. Kerner owns the property, which contains an existing polebarn, which he would be leasing to the business for storage and maintenance of their vehicles and equipment. He noted that a public hearing was held on July 27, 2017, with the Hearing Officer recommending approval with conditions.

Mr. Cribben moved to recommend approval (with conditions) of the Special Use, seconded by Ms. Willis.

Mr. Jones noted that the DeKalb County Health Department had noted an issue with the existing septic system on the site. Mr. Kerner described the situation with the septic system and explained that he would either be plugging the outlet from the building or removing the septic field, depending on the outcome of a more indepth examination of the septic field.

Mr. Pietrowski inquired whether the tree service business was already in operation. Mr. Kerner informed the Committee about his attempt to annex the property into the Village of Waterman and what kept that from happening. He then explained that the business had been allowed start in anticipation of that goal. However, when it was determined that the annexation was not going to be able to proceed, he worked with County staff to get approval for the business.

The motion to recommend approval with conditions of the Special Use Permit was carried unanimously.

NEW BUSINESS – TEXT AMENDMENTS

Mr. Hiland informed the Committee that text amendments related to the following three (3) items had been put forward for County Board consideration: the production and consumption of alcoholic beverages; the use of private solar energy systems; and, the placement of signage related to local governmental bodies. Mr. Hiland informed the Committee that a public hearing was held on August 10, 2017. The Hearing Officer addressed each of the three (3) items separately and presented a separate recommendation for each. The Committee decided to likewise address each item separately.

Mr. Hiland explained that the first item would add “beer and Spirits” to the list of beverages allowed by special use permit to be produced and sold in the A-1 District, and that the language would also allow for the onsite consumption of all beverages produced in reliance of an approved special use permit in the A-1 District. He informed the Committee that the Hearing Officer recommended approval, but had amended to proposed text to address concerns raised at the Hearing; recommending that not less than fifty percent (50%) of the source ingredients come from the property. Mr. Hiland elaborated on the Hearing Officer’s recommendation and of the discussion for and against the text amendment that occurred at the hearing.

Mr. Jones motioned to recommend approval of the text amendment to amend the language to Section 4.02.C.1 of the DeKalb County Zoning Ordinance to include “beer and spirits” to the list of beverages and to add consumption to the list of uses, seconded by Mr. Cribben.

Mr. McArtor presented the Committee with a letter written in response to the Hearing Officer’s recommendation. He explained that Section 4.02.C.1 also lists sweet cider in addition to the various alcoholic beverages and that the Hearing Officer’s efforts to address the concerns regarding the alcoholic beverages would inadvertently also negatively impact their ability to produce sweet cider. He was therefore requesting a modification in the proposed language to address this concern.

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Ms. Willis suggested just removing sweet cider from the list of beverages. Mr. Hiland explained that doing so would also remove it as a use that may be permitted as a special use permit. He offered instead a friendly amendment that would just remove sweet cider from the fifty percent (50%) requirement. The Committee discussed the matter at length, with various other ideas presented. The following language was eventually purposed:

“Production of sweet cider, hard cider, ~~beer, spirits,~~ and wine (with regard to the above containing alcoholic content, not less than fifty percent (50%) of the primary source ingredients shall come from crops grown on the same property where such production ~~may take~~ takes place), and the tasting ~~and/or consumption,~~ and sale thereof at whole sale or retail. ~~In the event of conditions of catastrophic crop loss or necessity, holders of such a special use permit may seek exemption by petition of the fifty percent (50%) requirement referred above, with the approval of the Community Development Director.”~~”

Ms. Willis moved to amend the original motion to adopt the revised language, seconded by Mr. Roman, the motion carried unanimously.

The motion to recommend approval of the amended motion was carried unanimously.

Mr. Hiland explained that the second item would add solar energy additions as a permitted non-commercial improvement to a private property, and elaborated on the history and reasons behind this proposal.

Mr. Jones moved to recommend approval of the proposed text amendment, seconded by Ms. Willis.

Ms. Willis moved to amend the motion to remove “... or thermal energy” from the proposed language, seconded by Mr. Pietrowski, and the motion was carried unanimously.

The motion to recommend approval of the amended motion was carried unanimously.

Mr. Hiland informed the Committee that the third proposal was to amend the Zoning Ordinance to allow for the placement of off-premise governmental signs. He explained that recently a local municipality had inquired about the possibility of placing a “Welcome” sign on properties not located within the municipal boundaries, but that he had found that no language existed that would permit such signage.

Mr. Pietrowski moved to recommend approval of the proposed text amendment, seconded by Mr. Bunge, and the motion was carried unanimously.

OTHER BUSINESS – SOLAR TECHNOLOGY

Mr. Hiland noted that the Committee committed to a process to identify, evaluate, and perhaps implement a sustainability ordinance for DeKalb County regarding commercial wind / solar farms. He noted that the first step was the implementation of a moratorium on sustainable energy, which was

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approved by the County Board for an eighteen (18) month period (or upon the approval of a sustainable energy ordinance). At its July meeting, the Committee asked that solar energy systems be brought forth in a workshop forum prior to wind energy systems. Mr. Hiland informed the Committee that included in their packets were samples of ordinances addressing commercial solar installations from several other counties, additionally, provided a list of topics regarding the regulation of solar energy installations for them to consider.

The Committee had an extended discussion between themselves, staff, and several members of the audience regarding the issue. In particular, the following items were discussed at length: whether the “tone” of the ordinance should be encouraging or discouraging to solar development; whether or not such uses would be governed as special uses or permitted uses; whether the size of a proposed use would impact how it is governed.

The Committee ended the discussion by noting that the amount of material and information regarding solar farms and their regulations was quite extensive, and requested that Mr. Hiland prepare a draft ordinance that they could review and discuss. Mr. Hiland responded that he would do so.

ADJOURNMENT

Mr. Roman motioned to adjourn, seconded by Ms. Willis, and the motion carried unanimously.

Respectfully submitted,

Steve Faivre
Chairman, Planning and Zoning Committee

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