

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 Meeting

(January 22, 2020)

The Planning and Zoning Committee of the DeKalb County Board met January 22, 2020 at 6:30 p.m. in the DeKalb County Administrative Building, Conference Room-East, in Sycamore, Illinois. In attendance were Committee Members: Steve Faivre, John Frieders, Tracy Jones, Mark Pietrowski, Roy Plote, Craig Roman, and Suzanne Willis; and Community Development Department staff: Derek Hiland and Marcellus Anderson. Gary Hanson, DeKalb County Administrator was also in attendance.

CALL TO ORDER / ROLL CALL

Mr. Faivre, Planning and Zoning Chairman, called the meeting to order. Mr. Roman, Mr. Plote, and Mr. Frieders arrived shortly after the start of the meeting.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Mr. Jones moved to approve the minutes of December 9, 2019 Committee meeting, seconded by Ms. Willis, and the motion carried unanimously.

PUBLIC COMMENTS

None

OLD BUSINESS

Mr. Pietrowski noted that he had been asked about when the Committee would be addressing the proposed agricultural text amendment again, and asked about the status of that proposal. Mr. Faivre replied that he, Mr. Brown, and Mr. Millburg were working with Mr. Hiland and Mr. Anderson to arrange a time to meet with them to discuss their proposal. Mr. Faivre noted that he hoped to be ready to bring the matter back before the Committee in February.

NEW BUSINESS

RECREATIONAL CANNABIS ZONING TEXT AMENDMENT CONSIDERATION

Mr. Hiland reminded the Committee that staff had, under the direction and guidance of the Committee, developed a proposal to amend the DeKalb County Code to allow for and establish regulations for medical and adult-use cannabis related businesses in unincorporated DeKalb County. He explained that in order to change the County's codes and regulations, a Zoning Text Amendment had to be approved by the County Board, and that before the County Board could approve an amendment, a Public Hearing had to be held by

the DeKalb County Hearing Officer. He noted that said public hearing was held on January 9, 2020. Mr. Hiland described the events of the Hearing and informed the Committee that the Hearing Officer had recommended approval of the draft ordinance, with the change of what appeared to be three scrivener's errors. Mr. Hiland noted that the upon further review of the language and definitions used by the State, staff discovered that the language is actually consistent with how the State had drafted its language, and therefore suggested leaving the language unchanged to maintain that consistency.

Mr. Pietrowski moved to recommend approval of the drafted language, seconded by Mr. Roman.

Ms. Willis noted that the proposed setback distance for Cultivation Centers was 2,500 feet, while the proposed setback for the other used was 1,500 feet. She then presented an argument for why the setbacks for all the used should be uniform at 1,500 feet. The Committee discussed that matter and expressed general agreement with her position.

Mr. Pietrowski moved to amend the motion to change all references to a 2,500-foot setback for cultivation centers to 1,500 feet instead, seconded by Mr. Roman.

Mr. Pietrowski described the traffic and parking issues experienced by the dispensary located in North Aurora.

The motion to amend the motion to change the setbacks for cultivation centers to 1,500 feet was carried unanimously.

The amended motion to approve the drafted language was carried unanimously.

OTHER BUSINESS

Mr. Faivre inquired about the status of the community solar projects. Mr. Anderson informed the Committee that the Cortland site on North Avenue was almost finished with their Site Development Permit, and that the site on Tower Road had just submitted its Site Development Permit. He also noted that staff had been in contact with the companies regarding the other six sites, and hoped to be seeing application from them soon.

Mr. Plote inquired about whether there had been any word from the State regarding expanding the lottery to include other sites. Mr. Hiland noted that while it was generally expected that the State would be expanding the program at some time in the future, he had not heard anything new regarding that from the State. He also confirmed what Mr. Anderson had said, noting that about a third of the Sites were in process, about a third appeared to be making progress towards getting in process, and that he was unsure what the hold up was with the last third.

Mr. Frieders inquired whether Mr. Hiland felt any changes need to be made to the County's solar ordinance prior to the expected expansion of the State program. M. Hiland responded that there probably were some changes that should be changed, noting that there were elements that wound up being included in all of the Special Use Permits approved by the County that should be codified as language in the Code. He also noted

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that the County should address colocations, given that the State changed its rules regarding colocations shortly after the County adopted its regulations. He added that the changes should be made to coincide with the next round of State approvals, if they occur.

Mr. Jones noted that the County approved a lot of potential solar sites, but that the State only approved seven of them. He then inquired whether the Special Use permits for these other sites had an expiration date. Mr. Hiland replied that each of those Special Use Permits had an eighteen-month sunset date, from the time of approval. He noted that typically Special Use Permits had a one-year sunset date, but that they had built in a buffer of an additional six months. He noted that given the County's experiences, maybe a longer time should be considered, but that he hoped the State's process would go much quicker the next time. Mr. Frieders inquired whether a company which received a Special Use Permit that had expired would have to start completely from scratch. Mr. Hiland responded that yes, they would be applying for a new Special Use Permit.

The Committee then discussed the impact of interconnection fees on the viability of potential sites.

Mr. Jones talked about the slowness with which the State was moving in paying those involved in the State's Adjustable Block Program for the renewable energy credits (Recs) they were generating. Mr. Faivre suggested that maybe a resolution to the State be added to the next Committee meeting agenda, or maybe even just be presented directly to the County Board, that it live up to its obligations regarding its solar programs.

Mr. Plote related the experience that one business had where ComEd told them that they (ComEd) had no interest in buying the Recs generated by them. Mr. Plote noted his issue with how much power ComEd has in determining how the programs were implemented.

Mr. Pietrowski inquired as to the status of the County's effort to establish its own solar facility for its use. Mr. Hiland responded that he was unable to answer him at that time.

ADJOURNMENT

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

Respectfully submitted,

Steve Faivre
Chairman, Planning and Zoning Committee

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