

DeKalb County Government
Sycamore, Illinois

Planning and Zoning Committee Special Meeting
(November 30, 2021)

The Planning and Zoning Committee of the DeKalb County Board met on November 30, 2021 at 5:00 pm in the DeKalb County Legislative Center, Gathertorium, in Sycamore, Illinois. In attendance were Committee Members: Tim Bagby, Steve Faivre, John Frieders, Jerry Osland, Craig Roman, and Larry West, and Community Development Department staff: Derek Hiland and Marcellus Anderson. Also in attendance were: County Board members Diane Leifheit and Ellingsworth Webb; Brian Gregory, DeKalb County Administrator; John Lyon; James Hutcheson; Brad Belanger; Katherine Androwski; John Lageman; Linda Tim; and, Katie Finlon, of the DeKalb County Chronicle.

Call to Order / Roll Call

Mr. Faivre, Planning and Zoning Committee Chair, called the meeting to order. Mr. Plote was absent, and Mr. Osland and Mr. Roman both arrived approximately fifteen minutes after the meeting began.

Approval of Agenda

Mr. West moved to approve the agenda, seconded by Mr. Bagby, and the motion carried unanimously.

Approval of Minutes

Mr. Bagby moved to approve the minutes of the October 27, 2021 Planning and Zoning meeting, seconded by Mr. Frieders, and the motion carried unanimously.

Public Comments

Brad Belanger voiced his beliefs regarding the inadequacy of the existing solar ordinance to address the sort of large-scale solar farms, such as the ones recently approved. He asked that the Committee amend the proposed “Solar Cap” text amendment to set a maximum total acreage available for solar farms and gardens to 10,000 instead of the 18,000, and to include existing and approved projects in that total. Additionally, he requested that they also restrict the total allowed acres in any one township to 640. He finished by suggesting that the County also look at revising the existing solar ordinance to comprehensively address all of the concerns that had been raised.

John Lyon read a statement in which he noted his belief that the recent decisions regarding large-scale solar installations have negatively affected the County and compared future impact of the recently approved solar farms to that of the wind farm approved in the southern part of the County. He also requested the same amendments suggested by Mr. Belanger.

John Lageman expressed his opinions concerning the County Board's recent decisions regarding large-scale solar projects, and stating his belief that the residents of the County were against such projects. He also requested the same amendments suggested by Mr. Belanger, and added his recommendation that any County Board members benefiting from solar to abstain from voting on solar issues.

Linda Timm also requested the same amendments suggested by Mr. Belanger, and also asked that the County revise the existing solar ordinance.

Katie Androwski reread her statement in which she states her concerns regarding the toxicity of solar panels, and the potential that the companies would leave abandoned solar farms to turn into brownfields. She voiced her concerns about Leeward's lack of experience in running such a facility. She also opined that the non-participating land owners get nothing from these projects.

Old Business -

none

New Business – Solar Cap Zoning Text Amendment

Mr. Hiland noted that the Committee packet contained a memorandum detailing the proposed text amendment. He explained that the County Board had directed staff to prepare a text amendment to the solar energy system ordinance adding a limit to the maximum number of acres countywide that could be devoted to commercial solar projects. He reported that a public hearing was held on October 7, and that Hearing Officer Dale Clark had forwarded his Findings of Fact to the Committee in which he recommended approval of the text amendment, as amended by staff. He noted that proposed text amendment calls for a maximum of 18,000 acres, not to include those projects already approved by the County Board.

Mr. Frieders inquired whether the County Board could just call a moratorium on future solar projects while the County Board conducts a comprehensive update of the Solar Energy Systems ordinance. Mr. Hiland recommended against taking such an action and explained why he did so. He also highlighted that process for a comprehensive review had not begun yet, and that it would require to do so sometime next year before any changes could be put in place. The Committee then had a brief discussion with Mr. Hiland comparing the process used to develop the wind farm regulations and the solar energy system regulations. Mr. West noted that he would prefer that a cap be put in place now, rather than waiting until an update of the solar energy system ordinance could be completed.

Mr. Roman moved to recommend approval of the proposed solar cap text amendment, as amended by the Hearing Officer, seconded by Mr. West.

Mr. West moved to amend the motion to change the maximum amount from 18,000 to 12,000, and to include existing/approved solar farms and gardens into this amount, seconded by Mr. Bagby.

The Committee clarified amongst themselves that Mr. West's amendment would include the existing solar farms and gardens, but would exclude ancillary and private solar uses. The Committee also noted the County Board could always revisit these amounts at any time in the future it wishes.

Mr. Bagby noted that the original proposed text amendment had a line calling out a date by which the County Board would review the effect of the new amendment in the future, and asked why it had been excised from the proposed text amendment. Mr. Hiland explained that the language for such reminders are more appropriate as a condition of approval listed in the adopting ordinance, rather than added as new text in the Zoning Ordinance.

Mr. Frieders inquired whether the County Code contained any mechanism to keep any future solar farm projects from locating close the unincorporated Village of Clare, maybe imposing a greater setback than what is currently allowed. Mr. Hiland explained that the Special Use process required for solar farms does allow the County Board to establish greater than setbacks than what is called for in the County Code, but that doing so would not be advisable without a clear and pressing reason to do so. He then elaborated more on the Special Use process and what would and likely would not be appropriate to do.

A roll call vote was taken on the motion to amend the motion of approval to change the maximum acreage to 12,000 and to include the existing and approved solar farms and gardens in this amount, and the motion was carried four (4) to two (2: Faivre, Roman).

Mr. Roman inquired how many solar farm or garden applications were currently in process. Mr. Hiland responded that there were two solar garden applications in process. When asked about the size of the projects, Mr. Hiland responded he did not know offhand, but that most such projects were average about fifteen (15) acres.

A roll call vote was taken on the amended motion of approval of the proposed text amendment forwarded by the Hearing Officer, and the motion was carried four (4) to two (2: Faivre, Roman).

Other Business –
none

Adjournment

Mr. Osland moved to adjourn the meeting, seconded by Mr. Frieders, and the motion carried unanimously.

Respectfully submitted,

Steve Faivre
Chairman, Planning and Zoning Committee