AGENDA
Land Use Committee
Monday, February 28, 2022
@ 4:00 PM
Peoria County Courthouse, Room 403

1. Call to Order

2. Approval of Minutes
   • January 13, 2022
   • January 24, 2022

3. Reports / Other Minutes / Updates
   • Tri County Regional Planning Commission minutes
   • Unsafe Structures
   • Development Summary

4. Zoning Cases
   • #ZBA-2022-000006, Petition of Briscoe Financial, LLC
   • #ZBA-2022-000007, Petition of Briscoe Financial, LLC
   • #ZBA-2022-000012, Petition of Cornwell Solar, LLC
   • #ZBA-2022-000013, Petition of Peoria County

5. Miscellaneous

6. Adjournment
MINUTES
LAND USE COMMITTEE SPECIAL
JANUARY 13, 2022 @ 5:30 P.M.
ROOM 403

MEMBERS PRESENT: James Dillon - Chairman; Eden Blair, Jennifer Groves Allison, Brian Elsasser (via teleconference), William Watkins, Jr., Sharon Williams

MEMBERS ABSENT:

OTHERS PRESENT: Jennie Cordis Boswell - State's Attorney's Office; Scott Sorrell, Shauna Musselman - County Administration; Kathi Urban, Andrew Braun, Sarah Cox - Planning & Zoning; Jack Walton – Management Analyst; James Fennell – Peoria County Board Member

Call to Order:
Mr. Dillon called the meeting to order at 5:30 p.m.

A motion to approve the participation of Mr. Elsasser via teleconference was made by Mr. Watkins and seconded by Dr. Blair. A vote was taken on the motion and carried. (5-0)

Zoning Cases:
ZBA-2021-000048, Petition of Peoria County:
Dr. Blair made a motion to approve the Map Amendment and was seconded by Ms. Williams.

Andrew Braun presented the case, a Map Amendment to zone parcels of approximately 53.24 acres and 36.19 acres, totaling two parcels of approximately 89.43 acres, to “A-2” Agriculture. The parcels are part of an island in the Illinois River in Chillicothe Township. The parcels currently have no zoning designation. The maps from 1974, 1986, 1996, and 2004 do not indicate a zoning designation for the parcels. There was no Future Land Use Plan designation in the 1992 Comprehensive Land Use Plan or the most recent 2009 Comprehensive Land Use Plan. The County has been assessing the parcels since January 1966. There is a series of islands, to the north of the subject island, that are all zoned “A-2” and it is consistent with the purpose of the “A-2” zoning. There are 4 consents and no objections on this case. The Department of Planning and Zoning recommends rezoning these parcels to “A-2” and the Zoning Board of Appeals unanimously supported that recommendation.

James Fennell commented that this is his district, and he lives across the river from the island. He enjoys the wildlife and feels that the “A-2” designation is good for protecting that wildlife.

Mr. Dillon thanked Mr. Fennell and Planning and Zoning Staff for their work on this case.

A vote was taken on the motion and carried (6-0).

Adjournment:
Mr. Dillon adjourned the meeting at 5:38 p.m.

Recorded by: Sarah Cox, ZBA Administrative Assistant
MINUTES
LAND USE COMMITTEE REGULAR
JANUARY 24, 2022 @ 4:00 P.M.

MEMBERS PRESENT: James Dillon – Chairperson, Eden Blair – Vice Chairperson, William Watkins, Sharon Williams, Jennifer Groves Allison, Brian Elsasser (via teleconference), Matthew Windish

MEMBERS ABSENT:

OTHERS PRESENT: Jennie Cordis Boswell - State's Attorney's Office; Scott Sorrel, Shauna Musselman - County Administration; Andrew Braun, Sarah Cox - Planning & Zoning; Jack Walton – Management Analyst, James Fennell – Peoria County Board Member

Call to Order:
Mr. Dillon called the meeting to order at 4:01 p.m.

A motion to approve the participation of Mr. Elsasser via teleconference was made by Ms. Allison and seconded by Dr. Blair. A vote was taken on the motion and carried. (6-0).

Mr. Dillon welcomed a new member to the committee, Matthew Windish.

Approval of Minutes:
A motion to approve the Land Use Committee minutes from January 3, 2022, was made by Mr. Windish and seconded by Mr. Watkins. A vote was taken, and the motion carried. (7-0).

Reports/Other Minutes/Updates:
Tri-County Regional Planning Commission Minutes: No questions or comments.

Unsafe Structures: No questions or comments.

Development Summary: No questions or comments.

Mr. Dillon moved to receive and file the reports.

Zoning Cases:
ZBA-2022-000001 Petition of Robert and Carol Meischner
Ms. Williams made a motion to approve the special use request and was seconded by Dr. Blair.

Mr. Braun summarized the case. A Special Use request from Section 20-6.2.1.1.b of the Unified Development Ordinance. This section allows for a special use when a proposed land split does not meet the 40 acre minimum lot size in the A-1 Agricultural Preservation Zoning District. The petitioner proposes to divide 1.5 acres from an existing 19.19 acre parcel in order to separate and
sell 2 existing buildings from the remaining agricultural use. This parcel is the site of the former Doubet Seed Company, on Farmington Road. There are about 19 acres of agricultural land, and the petitioner would like to split off the former Doubet Seed Company buildings. The petitioners will retain the agricultural land, and no crops will be taken out of production. The parcel is served by Illinois American Water and has an existing private septic system. The parcel has frontage on N. Taylor Rd., a primary County Highway, and W. Farmington Rd., a State Route. An easement off of N Taylor Rd., that will be recorded at the time of the split, will be utilized to access the remaining farmland. Staff recommends approval and the Zoning Board of Appeals recommended approval with a vote of 5-0.

A vote was taken on the motion, and the motion carried. (7-0).

ZBA-2022-000005 Petition of Peoria County
Mr. Dillon thanked Mr. Andrew Keyt, an attorney and member of the Zoning Board of Appeals, for his extra time and effort on this amendment.

Ms. Allison made a motion to approve the special use request and was seconded by Mr. Windish.

Mr. Braun presented the case. A Text Amendment to amend Chapter 20, Article 3, Section 3.5 ("Special Use Permits") and Article 11, Section 11.1 ("Definitions") of the Peoria County Code. Mr. Braun stated that this amendment addresses application requirements for special use permits. The amendments clarified the decisions available to the Zoning Board of Appeals and the Committee.

There is a section that specifies Wind Energy Conversion System Towers and how they can be voted on individually. The amendments also establish protections for the County from the continuous costs of land use regulations associated with development approvals. The amendments increase the amount of information required to file an application, which aids the Department of Planning & Zoning, the Zoning Board of Appeals, and the Peoria County Board, in the Special Use Permit decision making process. Additional requirements include bats being specifically named in the avian study requirement, location of emergency signage and contact information must be identified on the site plan, noise level certification is required, and increased liability insurance. These amendments ensure that the County and its citizens are adequately protected from end of project life or facility abandonment, both financially and structurally. The amendments outline detailed requirements for decommissioning plan, defines “turbine abandonment”, describes conditions for financial security, and requires the decommissioning agreement to be approved by a resolution of the County Board. The new definitions establish which properties are subject to certain setback regulations for WECS, and which properties are included in Special Use filing fees. Staff had discussions with 23 Illinois counties containing wind energy generation facilities. There were discussions with planners, building officials, road officials, fire departments, & attorneys about application requirements, restrictions, road use agreements, decommissioning plans, special use project area description, and fees.

Mr. Dillon asked if there were any questions or comments.

Mr. Elsasser asked Mr. Braun to clarify what was said about noise level certification.
Ms. Allison clarified that this was just to have the requirements in place should it be needed in the future.

A vote was taken on the motion, and the motion carried. (7-0).

Discussion:
Mr. Dillon stated that there would be a discussion regarding short-term rentals, Mr. Braun would give a presentation, there would be some public comment, and then an opportunity for the Board to give comments and recommendations.

Mr. Braun gave a presentation of the County’s classification of short-term rentals as defined in Section 20-7.8, Overnight Accommodations, and whether they are permitted or special uses for each zoning district. The presentation also detailed a map indicating short-term rental requests that have been filed with the County, and the total number of short-term rentals in the County. Staff researched best practices nationwide. Some of the themes are hosted vs. un-hosted, special use, occupancy, inspections, reporting and record keeping, density, parking regulations, licensing/registration, insurance, taxing, and use limits. Mr. Braun gave a list of pros and cons for short-term rentals.

Mr. Dillon stated that there had been some discussion about licensing, and that for the number of properties in the County’s jurisdiction, it wouldn’t be worth the effort to collect the fee. The County is already aware of the properties since they must apply for a special use permit.

Mr. Dillon opened the discussion to Board Members.

Mr. Fennell asked if a special use permit was granted, would the owner be able to use the property as both a short-term rental and a residential use.

Mr. Braun stated that the special use permit would allow a property to be used as a short-term rental but would not restrict it to that use.

Mr. Windish asked about the comments from Mr. Laukitis. Mr. Dillon read the comments/suggestions into the record.

Mr. Elsasser asked if Mr. Braun spoke about density in his presentation. Mr. Dillon stated that the City of Peoria has a density regulation that was mentioned.

Dr. Blair asked if any of the short-term rental operators were present and if they would be willing to talk about improvements that had been made to the properties, including flood protections.

John McCarthy thanked the Committee for the opportunity to speak, and thanked Mr. Braun for his presentation. Mr. McCarthy continued that the owners have invested large sums of money in the properties they are renting in order to attract guest. Airbnb and VRBO rentals offer advantages over a hotel. Mr. McCarthy stated that he and his clients feel the distance and density are arbitrary and would stymie competition. Mr. McCarthy also stated that the guest log is somewhat of a problem for the owners of the property to obtain. Mr. McCarthy stated that his client would address the flooding issue.
Jason Briscoe stated that all of the homes that he has purchased meet County standards for flood regulations. Mr. Briscoe stated that they recently had their first negative experience as Airbnb owners. They received a call from a neighbor at 1:15 a.m. stating that there were approximately 30 cars parked at the home. Mr. Briscoe stated that he called the non-emergency sheriff’s number and officers responded. He was thankful that no damage was done, but he understands why neighbors would be upset, and is open to more discussion regarding the issue.

Mr. Dillon stated that part of the demand for short-term rentals in this particular area is not just the river, but one of Peoria’s largest employers in the area, Caterpillar, is nearby. Also, there is a soccer complex and the Chillicothe Park District hosts sports tournaments. There aren’t many options for hotels in that area.

Mr. Briscoe stated that probably 80% of rentals are coming for a purpose, i.e., sporting events, concerts, or work.

Mr. Dillon brought up the issue of leaving emergency contact information with a neighbor. Mr. Braun stated that this was found to be a best practice nationwide.

Dr. Blair stated that she would like a restriction applied that would require contact information to be left with a neighbor or posted somewhere on the property.

Mr. Briscoe stated that he plans to put up a sign on his properties that will have the address of the property, owner name, and telephone number, placed where it can be seen. He stated that this will reduce confusion.

Mr. Briscoe also addressed density, and the fact that he has multiple properties in the same neighborhood. He stated that from the perspective of monitoring and maintaining the property, it is actually better. There are also many vacant lots in this area, so the neighborhood is not that dense.

Mr. Dillon asked if there was anyone else from the public that would like to speak. There was no one.

Mr. Dillon referenced a letter that was sent in which the commenter stated they were not opposed to the Airbnb, but felt there should be restrictions regarding distance, contact information, and complaints. Mr. Dillon stated that he didn’t feel that density was an issue at this point and there has been a restriction added to the special use permits stating that the permit could be revoked at any time. Mr. Dillon agreed that the contact information would be a good restriction and feels that the County should add it going forward.

Mr. Briscoe added that his concern with complaints and possible three strikes rules, is that neighbors that don’t want the Airbnb would make bogus complaints. Mr. Dillon stated that he thinks there is an understanding by the Board what a legitimate complaint versus a neighborly fight would be.

Dr. Blair asked where complaints would be made should there be any. Mr. Braun stated that complaints for any type of land use issue would come to the Department of Planning and Zoning,
and it would be thoroughly investigated by either a code enforcement officer or a planner before recommending revoking a special use permit. Dr. Blair asked if the recommendation to revoke could come from one or multiple complaints. Mr. Braun stated that there is currently no threshold, and the decision would be up to the Zoning Administrator, Kathi Urban.

Dr. Blair stated that having thought about this for a while, she thinks that the current restrictions are good and the only thing she would add would be the contact information. She believes that most problems between neighbors could be solved if they would just talk to each other, and this could eliminate escalating it to complaints and full investigations. Dr. Blair also stated that she is not a fan of putting in population density restriction, because she agrees that it is arbitrary.

Ms. Allison stated that she agrees with Dr. Blair, but also wanted to know if there was some sort of mailing that goes out to the neighborhood so that they know what is going on, who to contact, and what to look out for. Mr. Braun stated that currently the only notification that adjacent owners receive is sent out by Planning and Zoning when the special use request is filed. There is a notice of public hearing placed on the property, and a mailing goes out to adjacent owners. The Department could work on sending out such a notification or work with the owners to making sure the owners send out the notice. Ms. Allison said that it didn’t necessarily need to be taken on by the County, but it could be added as a restriction.

Mr. Dillon stated that of the four Airbnb cases that have already come before the Board, the first had the majority of the complaints, and the others had mostly proponents of the proposals. All of the neighbors had the owners’ contact information, but the neighbors on the first case just didn’t agree with the premise of an Airbnb in that location. The objectors have the Department of Planning and Zoning contact information and continue to call.

Dr. Blair thanked Ms. Urban and Mr. Braun for their hard work and research. She stated that she prefers to be proactive rather than reactive. Dr. Blair also stated that she is a proponent of small businesses and entrepreneurs and thinks that short-term rentals are more of a benefit than a detriment to the area.

Mr. Dillon asked Mr. Briscoe how the log portion of the restrictions are burdensome. Mr. Briscoe stated that on the Airbnb platform, you have the registrant’s name and contact information, but it does not provide the home address of the registered guest, nor the contact information for any guests whose names are not on the registry. Mr. Briscoe stated that he is asking for the information, but guests are hesitant to provide that information to the owners as they have already been vetted through the Airbnb website. Mr. Briscoe also stated that when a host cancels reservations, Airbnb penalizes the host by dropping their listings to the bottom of a search.

Mr. Dillon stated that what the County is requiring, is that everyone that is at the property is registered in the logbook. The book is not submitted on a regular basis, however, must be produced if the County asks for it. He stated that he would have Mr. Braun look into addressing those concerns.

**Miscellaneous:**
Mr. Dillon thanked Mr. Leonard Unes for his service to the Zoning Board of Appeals. Mr. Unes submitted his resignation letter and is retiring.
Adjournment:
Mr. Dillon adjourned the meeting at 5:10 p.m.

Recorded by: Sarah Cox, ZBA Administrative Assistant
Ways & Means Committee.......................... ........................................... 8:30 a.m., December 1, 2021
Full Commission/Executive Board (in lieu of Lack of Quorum) ...9:00 a.m., December 1, 2021

MINUTES

1. Call to Order, Welcome, Recognition of Audience
Chairman Mike Hinrichsen called the meeting to order at 9:03 a.m.

2. Roll Call

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3. Public Input:none

4. Motion to approve November 3, 2021, Commission minutes
Don White moved to approve November 2, 2021 Commission minutes and Pat Urich seconded. Motion carried.

5. Chair report- none

6. Executive Director report
Eric Miller reported we are continuing search for a planner.

7. **Ways and Means Report**
   
   a. **Motion to approve October Financial Statements and Billings (Resolution 22-20)**
      Don White moved to approve October Financial Statements and Billings (Resolution 22-20) and Patrick Urich seconded.
      Rebecca Eisele reported on the following:
      - End of month cash was $662k. Net cash increased in October by $204k. Operating Activities in October resulted in a surplus of $2k.
      - Accounts Receivable at the end of the month was $466k. Of the A/R, $276k was federal funds, $83k was state funds, and $107k was local funds.
      - Accounts Payable at the end of the month was $11k, and there were no unpaid pass-through expenses as of the end of October. The entire $11k A/P balance was for regular monthly bills, including, health, vision, dental, and life insurances.
      - Total Billings for October were $67.4k, less direct pass-throughs of $621, resulting in Operating Revenue of $66.7k. October included twenty-one regular working days, and no paid holidays.
      - Total Expenses for October were $65.5k, less direct pass-throughs of $621, resulting in Operating Expenses of $64.9k.
      - October ended with a surplus of $2k, and FY22 has a year-to-date surplus of $16k.
      
      Motion carried.

   b. **Motion to approve Fiscal Year 2021 Audit (Resolution 22-21)**
      John Kahl moved to approve Fiscal Year 2021 Audit (Resolution 22-21) and Ron Talbot seconded.
      Greg Douglas introduced himself and Garrett Kerr from Martin, Hood, LLC.
      Garrett Kerr reported on the following:
      - The opinion of the financial statements, in all material respects, the financial position of the Commission as of June 30, 2021, and the respective changes in financial position and cash flows for the year ended in accordance with accounting principles.
      - Reviewed Management Analysis
        - The financial reports of the Commission provide an overview for the public of the financial accountability the Commission maintains for the resources received.
        - Explained Financial statement
        - Notes which included Standard Accounting and New Standards
      - Greg Menold asked what is subject of Liability and Garrett Kerr said it is the technical series for multiple years with same audit process
      - Garrett Kerr continued to explain the single audit and Federal Compliance which includes and clean opinion on internal control compliances.
      - Greg Douglas and Garrett Kerr mentioned it was a pleasure collaborating with staff.

8. **Administration**
a. Motion to approve FY2022 meeting dates and times for Tri County Regional Planning Commission
   Barry Logan moved to approve FY22 meeting dates and times for Tri County Regional Planning Commission and John Kahl seconded. Motion carried.

b. Motion to approve contract for Planning & Zoning Services for Woodford County (Resolution 22-22)

b. Motion to approve contract for Planning & Zoning Services for Woodford County (Resolution 22-22)

b. Motion to approve contract for GIS services for Woodford County (Resolution 22-24)
   John Kahl moved to approve b, c, and d and James Dillon seconded.
   Eric Miller mentioned these are contract renewals we do yearly.
   Motion carried.

9. Planning
   a. Motion to approve Transportation Improvement Program Amendments-Attachments:
      • SS-22-20 Traffic Signal Mast Arm Replacement
      • SS-22-21 Bridge Deck Sealing
      • SS-22-22 Guardrail Repairs
   Barry Logan moved to approve all (3) Transportation Improvement Programs amendments and John Kahl seconded.
   Michael Bruner reported on the following:
      • SS-22-20 Traffic Signal Mast Arm Replacement is to replace Mast Arms located in various locations in Macomb, Pekin, and Peoria.
      • SS-22-21 Bridge Deck Sealing is in various locations in Tazewell County
      • SS-22-22 Guardrail Repairs is to repair guardrail due to motorists caused damage in various locations in IDOT District 4.
   Karen Dvorsky from IDOT had nothing to add.
   Motion carried.

b. Motion to approve Safety Performance Measures Target (Resolution 22-25)
   Ron Talbot moved to approve Safety Performance Measures Target (Resolution 22-25) and Greg Menold seconded.
      • Michael Bruner reported this is for the MPO to continue to support IDOT’s targets for Safety (2% reduction in all measures)
   Motion carried.

b. Motion to approve Safety Performance Measures Target (Resolution 22-25)
   Ron Talbot moved to approve Safety Performance Measures Target (Resolution 22-25) and Greg Menold seconded.
      • Michael Bruner reported this is for the MPO to continue to support IDOT’s targets for Safety (2% reduction in all measures)
   Motion carried.

c. Motion to approve Special Transportation Studies Requests
   John Kahl moved to approve Special Transportation Studies Requests and Gary Manier seconded.
      • Michael Bruner said we have received three studies: East Peoria Stormwater Planning Management for $80,000; Peoria Passenger Rail Planning Study for $50,000; and Peoria County Hanna City Trail Connection for $20,000. The selection Committee met and discussed the three studies received and decided on City of Peoria Passenger Rail Planning Study for $50,000 and Peoria Hanna City Trail Connection Study for $20,000 plus the remaining $10,000. The Committee determined that the project met many goals listed in the FAST Act and LRTP.
   Barry Logan asked who was on the selection committee and Michael Bruner said Hannah Martin, Conrad Moore, and Jon Oliphant. Motion carried.

11. Other
a. Presentation of Inter-Play Park concept (KDB Group)
   - Kim Blickenstaff from KDB Group introduced himself and explained the Inter-Play Park concept.
   - Theodore Hoerr mentioned the divided neighborhood and wants to stitch it back together and help with stormwater management and bring neighborhoods back together after IL-74 interstate broke apart. He then describe the different molecules that could be created in the park. It can bring tourism, and Urban future to the Peoria area.
   - Eric Miller asked if Senator LaHood is in support? Mike Bailey said yes.
   - Russ Crawford asked if streets in greenspace will remain the same.
   - Theodore Hoerr said yes there are many more studies to be completed.
   - Kim Blickenstaff added it will be a shared space.
   - Eric Miller added we would be involved in LRTP funding for $2 million. This is a regional project.
   - Mike Bailey added will get funding thru Federal infrastructure bill.
   - Eric Miller added where would we produce match?
   - Mike Bailey replied to it will be 80/20 and can be private funding component.
   - Greg Menold asked how are we to do maintenance on project?
   - Mike Bailey replied to set up donation account for maintenance.
   - Rick Powers asked about the total overall cost (air quality, redirect traffic, bypass, maintenance, pedestrian traffic)
   - Russ Crawford asked if there is support from the City of Peoria?
   - Rita Ali said it is high level of interest.
   - Patrick Urich said he had nothing to add.
   - Ron Talbot said he liked the idea but is concerned about revenue, parks do not get revenue
   - Theodore Hoerr said projects are developed to support. If you have a park, it will be a reason for restaurants, taxes, etc.
   - Mike Bailey added it will bring in investments (taxes, and restaurants)

12. Updates
   - Eric Miller updated that there is no need for PPUATS Technical meeting in December yet, so there will not be a Ways & Means or Full Commission in January. Will send out notice to confirm.

13. Adjournment
    Submitted by: Eric Miller, Executive Director
    Transcribed by: Debbie Ulrich, Office Manager
AGENDA BRIEFING

COMMITTEE: Land Use
MEETING DATE: February 28, 2022

LINE ITEM: Revenue:
            Expenditure:

ISSUE: Unsafe Structure Monthly Report

BACKGROUND/DISCUSSION:
Peoria County is enforcing the unsafe structure program. The following properties possess one or more structures that present a danger to public safety and are in the process to achieve compliance through the owner or demolishing the structure or being recommended for demolition by Planning and Zoning.

COUNTY BOARD GOALS:

HEALTHY VIBRANT COMMUNITIES

STAFF RECOMMENDATION:

COMMITTEE ACTION:

PREPARED BY: Adam Willard
DEPARTMENT: Planning & Zoning
DATE: 2/15/2022

ATTACHMENTS:

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GSCHWIND, Bernice – 1616 E Hendryx Ln – Medina Twp – Sec. 34 – (09-34-404-020) – Complaint #2018-017 – The house roof is sagging, has holes, and rotted wood. This property has been included in the Grant Application for demolition funding, and has been referred to the SAO for demolition order.

Maldonado, Nedys, previously known as DURHAM, Ronald – 713 N Cherry Ln – Limestone – Sec. 03 – (17-03-377-026) – Complaint #2019-333 & 2020-022 – House has failing walls and roofs due to significant deterioration and tree damage, there is not any foundation, and the house is not safe. The detached garage has collapsing walls and roof. Referred to SAO. The tarp has now been blown off the roof exposing the damage showing a giant hole through the 2nd story roof.

BEAL, Jeffrey & LOCKWOOD, Tiffany (Previous owners CR 2018 LLC, Robert Williams) - 3708 W Lincoln Ave - Limestone Twp - Sec. 12 - (17-12-383-001) - Complaint # 2019-100 is closed (prior #2014-195) – The house roof is sagging significantly, the foundation is failing, and the deck is unsafe. A 15-day notice was posted and mailed on March 6, 2019. This case has been sent to the SAO for a demolition order but has changed ownership. Permits were issued for repairing the house but will remain on the list until the unsafe structure has been repaired. Permits have been renewed.

HARPER, Elbert – 2305 S Skyway Rd – Limestone – Sec. 23 – (17-23-152-012) – Complaint # 2019-305 – The house has holes and is sagging. The Hearing Officer has issued her final order. The roof condition is getting worse with more holes and sagging. This property has been included in the Grant Application for demolition funding and has been referred to the SAO for demolition order.

SASSO, Michael – N. Beall Rd. – Princeville – Sec. 02--(02-29-400-005) – Complaint #2021-027- The roof is collapsing, and the foundation has many holes in it. This property has been included in the Grant Application for demolition funding and has been referred to the SAO for demolition order.

MAHER, James – W Laura Rd. – Princeville – Sec. 02 – (02-30-100-003) – Complaint #2021-022 – The porch roof is collapsing, and the house is missing part of the foundation causing the walls to start to collapse. One main structural post supporting the 2nd story is rotten. This property has been included in the Grant Application for demolition funding and has been referred to the SAO for demolition order.

PUNO, Jose – 20510 N Rt. 40 – Edelstein – Sec. 04 – (04-18-200-002) – Complaint #2021-034 – There are two separate foundations under the house. There is a portion of foundation missing on the east side of the house causing half the house to move. The main support beam and joists have rotted and broken causing the floor to collapse. This property has been included in the Grant Application for demolition funding and has been referred to the SAO for demolition order.

HENRY, Wesley – 1613 E Resthaven Rd. – Medina – Sec. 34 – (09-34-405-038) – Complaint #2021-020 – House is abandoned. The house has sustained substantial damage from numerous floods and is damaged beyond repair. This property has been included in the Grant Application for demolition funding, and has been referred to the SAO for demolition order.

SCHaub, Christopher – 21118 N North Hampton Rd. – Hallock – Sec. 12 – (04-12-300-005) – Complaint #2021-029 – House is abandoned. Holes on the exterior side of the house, door and windows are not secured and are broken or missing. This property has been included in the Grant Application for demolition funding and has been referred to the SAO for demolition order.
This house has a history of flooding issues as well. The structure has been demolished during the house fire. The house has been abandoned and left in disrepair with holes in the roof, large hole in roof and walls and a sagging roof causing it to be unfit for human occupancy. This property has been included in the Grant Application for demolition funding and has been referred to the SAO for demolition order.

Gschwind, Berniece - 1616 East Hendryx Ln.- Medina- Sec. 34 - (09-34-404-020)- Complaint #2021-00019- This house has been abandoned and left in disrepair with holes in the roof, many property maintenance issues. This property has a history of flooding issues as well causing it to be unfit for human occupancy. This property has been included in the Grant Application for demolition funding and has been referred to the SAO for demolition order.

Venzon, Richard - 3317 West Latrobe St.- Limestone- Sec. 13 - (17-13-426-015)- Complaint #2021-000201- This property has been abandoned with holes in the sides of the house allowing rodents and weather to deteriorate the interior and exterior of the house causing it to be unfit for human occupancy. This property has been included in the Grant Application for demolition funding and has been referred to the SAO for demolition order.

Henry, Wesley - 1613 East. Resthaven Rd.- Medina- Sec. 34 - (09-34-405-038)- Complaint #2021-00020 – This property has been abandoned with many property maintenance issues, holes in roof, broken windows and doors allowing interior and exterior to deteriorate and become unfit for human occupancy. This property also has a history of flooding. This property has been included in the Grant Application for demolition funding and has been referred to the SAO for demolition order.

Roberts, George - 17304 North Second St. - Chillicothe- Sec. 32 - (05-32-204-004)- Complaint #2021-00028- This property has been abandoned with broken windows, large hole in roof and walls and a sagging roof causing it to be unfit for human occupancy. This property also has a history of flooding. This property has been included in the Grant Application for demolition funding and has been referred to the SAO for demolition order.

Schaub, Christopher - 21118 North Hampton Rd. - Hallock- Sec. 12 - (04-12-300-005)- Complaint #2021-000098- This house has been abandoned with property maintenance issues, doors open and windows open allowing rodents and weather to deteriorate the interior and exterior of the house causing it unfit for human occupancy. This property has been included in the Grant Application for demolition funding and has been referred to the SAO for demolition order.

Patterson, Karen - 1636 N. Norwood Blvd- Limestone- Sec. 03 - (17-03-101-070)- Complaint #2021-000134 –The house is abandoned. The block foundation on the north side of the house has collapsed. The back fall is a walkout with holes in the plywood and the studs are rotting. This case went before the hearing officer on 11/3/21 was fined and closed by the Hearing Officer. A collection letter was sent on 2-10-22.

Frederick, Jonathon – 1307 N. Dempster Ln.- Limestone- Sec. 03 – (17-03-251-005)- Complaint #2021-000531 – This was a house fire. The entire roof structure is completely burnt and could collapse at any time. All windows are missing and many holes in the exterior walls.

Isaacson, Carrie – 19010 N Hakes Rd.- Hallock- Sec. 19 – (04-19-300-005) – Complaint #2022-000005 – This was a house fire. The entire house has significant fire damage with windows broken out and much of the soffit and siding are missing. A violation letter was sent on 2/15/22.

Walsh, Pamela—14229 W Farmington Rd.- Logan- Sec. 04- (16-04-400-014) Complaint #2022-000010- This was a house fire. The structure has been demolished during the fire and no part of the structure is standing. A violation letter will be sent out on 2-22-2022.

GLB Investments- 3601 W Farmington Rd.- Limestone- Sec. 01- (17-01-401-001) Complaint #2022-000033- This is a business that caught fire. The entire roof has burnt and collapsed. The exterior block walls are black in places from the fire and cracks throughout all the walls.
CASES IN THE HEARING OFFICER PROCESS

Warren, Helen - 3315 W. Lincoln Ave. – Limestone- Sec. 12 – (17-12-480-003) – Complaint #2021-000328 - This house is abandoned and has many property maintenance issues. Daylight can be seen numerous places in the roof and the ceilings inside in the front room have already collapsed. This case appeared in front of the Hearing officer on Jan. 5, 2022, and found it was in violation, issued a $900 fine and continued to March 2, 2022.

PROPERTIES IN COMPLIANCE FOR THE PAST FIVE YEARS

Compliance Year – 2017

HOUGLAND, Ryan & JA - 1506 S Sarah Drive - Limestone Twp - Sec. 13 - (17-13-406-001) - Complaint #13-496 - The demolition of the house, deck and garage was completed by Peoria County.

KLEIN, David - 10802 S Glasford Rd - Timber Twp - Section 27 - (19-27-151-001) - Complaint #2016-364 - The house was substantially burned. Demolition has been completed by the owner.

ECHTERLING, Eugene - 13334 River Beach Drive - Chillicothe - Medina Twp - Section 13 - (09-13-251-001) - Complaint #2015-079 - House damage originated from a house fire and then was damaged in flood waters. The structurally unsafe portions of the house have been repaired.

CAGLE, Lindon - 1622 N Moody Ct - Limestone Twp - Section 03 - (17-03-101-044) - Complaint #2017-034 - The house was badly burned and unsafe. Demolition has been completed by the owner.

BURKE-LLOYD, Arlene - 8921 W Farmington Road, Hanna City, Il - Limestone Twp - Sec. 08 - (17-08-101-010) - Complaint # 11-145 - Restaurant. Demolition permit 58573 has been completed by Peoria County.

SIEGEL, Francis - 10015 W Edwards St - Kickapoo Twp - Section 19 - (13-19-304-001) - Complaint #2016-085 - Demolition has been completed by the owner.

HANSEN, Sherry - 3214 W Malone St - Section 13 - (17-13-280-001) - Complaint #2017-057 - The house was badly burned and unsafe. Demolition permit 58594 has been completed by the owner.

PEORIA COUNTY - (Formerly ZALCMAN, Maurice) - 15016 N River Beach Dr - Rome Twp - Sec. 07 - (10-07-227-007) - Complaint #2013-379 - Substantial damage from 2013 and 2015 floods. House and garage are unsafe. This property has been transferred to Peoria County and the structure has been demolished utilizing grant funding.

SZENTES, Austin - 7009 W Lancaster Rd - Limestone Twp - Sec. 33 - (17-33-251-013) - Complaint #2015-168 - House was unsafe due to major foundation failure. On August 9, 2017, the owner removed the attached garage which was the unsafe portion of the house.

SOMOGYI, Justin - 1718 S Happ Ave - Limestone Twp - Section 13 - (17-13-378-003) - Complaint #2017-073 - The house was badly burned and was unsafe. Demolition has been completed by the owner.
EKVALL, Timothy - 7901 W Bridlebrook Dr - Hollis Twp - Section 08 - (20-08-227-004) - Complaint #2017-078 - The house was badly burned and was unsafe. Demolition has been completed by the owner.

ROEDELL, Brock - 10214 W Powdermill Rd - Kickapoo Twp - Sec. 19 - (13-19-306-003) - Complaint #2016-237 - Unsafe house due to the foundation collapsing into the basement from flood damage. This property has been transferred to Peoria County and the structure has been demolished utilizing grant funding.

SHUMAKER PROPERTIES LLC - 11705 N Old Galena Rd - Medina Twp - Sec. 09 - (09-23-351-012) – Complaint #2017-132 - Approximately 2/3 of the Midwest Fiber commercial building was fire damaged. A demolition permit was issued and the unsafe portion of the building has been removed by the owner.

MOREFIELD, Christopher - (formerly Hill) - 13625 W Southport Road, Brimfield - Rosefield Twp - Section 15 - (12-15-301-006) - Complaint #2017-112 - This property had a house and a shed that were deteriorated and collapsing. The owner has completed the demolition of the house and repaired the shed.

KOFOID, Ronald - 6233 W Conley Rd - Kickapoo Twp - Sec. 34 - (13-34-380-041) - Complaint #2015-070 was closed - Porch and garage roofs were collapsing. The unsafe collapsing sections were repaired and are no longer unsafe.

BAZHENOW, Steven - 4912 W Farmington Rd - Limestone Twp - Sec. 02 - (17-02-377-025) - Complaint #2016-054 - Unsafe shed. This property has been annexed into Bellevue.

**Compliance Year – 2018**

VAUGHN, Deanna – 1816 S Oakwood Ave – Limestone Twp – Sec. 13 – (17-13-478-006) – Complaint #2017-070 – The house roof was collapsing. Demolition has been completed by the owner.

SMITH, Carla – 5203 W Monroe Rd – Limestone Twp – Section 23 – (17-23-152-030) – Complaint #2017-116 – The garage roof was collapsing. Demolition has been completed by the owner.

CLAYTON, Sandra - 10129 W Powder Mill Rd - Edwards - Kickapoo Twp - Section 19 - (13-19-302-001) - Complaint #13-096 - Front porch is unsafe. This property has been transferred to Peoria County and the structure has been demolished utilizing grant funding.

COX, Chanell – 3112 W Latrobe St – Limestone Twp – Sec 13 – (17-13-429-009) – Complaint #2018-031 – Garage roof was collapsing. Demolition has been completed by the owner.

HAMM'S HARBOR INC. - 17620 N River Ln - Chillicothe Twp - Sec. 29 - (05-29-478-001) - Complaint #2015-297 - House is unsafe due to installing a foundation without building and flood permits and not to code. Rear roof support is inadequate and there is no safe egress out of the house. This property has been transferred to Peoria County and the structure has been demolished utilizing grant funding.

MULLENS, Clarence - 15623 W McDonald Rd - Logan Twp - Section 20 - (16-20-400-002) - Complaint #2017-062 – The unsafe house and shed have been removed.

COOMBES, Carlos – 1423 E Resthaven Rd - Medina Twp - Sec. 34 - (09-34-405-025) - Complaint #2018-058 - Demolition has been completed.

**Compliance Year – 2019**
MILLER, Alvie – 3005 W Main St – Hallock Twp – Section 18 – (04-18-151-005) – Complaint #2017-155 - The shed and detached garage have been demolished by a company hired by the bank.

SHYNK, Mary – 8005 N Blackbridge Rd – Kickapoo Twp - Sec 04 – (13-04-351-012) - Complaint #2018-240 – The unsafe and fire damaged parts of the house have been removed by the owner.

STEVENSON, Linda – 937 N Range Ln – Limestone Twp – Sec. 03 – (17-03-426-005) – Complaint #2018-061 – House interior was badly damaged by fire. Demolition has been completed by the owner.

GARNAND, James – 818 N Limestone Ln – Limestone Twp – Sec. 02 – (17-02-377-009) – Complaint #2018-258 – The fire damaged parts of the house have been repaired by the owner and are safe.

SNYDER, Anne – 7630 W Fernhill Ct – Kickapoo Twp – Sec. 04 – (13-04-301-027) – Complaint # 2019-183 – House was badly damaged by fire. Demolition has been completed by the owner.

BELLINGER, Andrew - 525 S Kickapoo Creek Rd - Limestone Twp - Section 12 - (17-12-352-006) - Complaint #2016-206 - The house was burned substantially and was unsafe. This case was sent to the SAO for a demolition order, the demolition permit was issued to Jimax Demolition, and the demolition has been completed.

COOPER, Deqarius – 3204 N Augustana Ave – Limestone Twp – Sec. 13 – (17-13-479-009) – Complaint #2017-159 – The house had a collapsing roof and holes in the foundation. This case was sent to the SAO for a demolition order. A demolition permit was issued to Schaefer & Son Excavating and the demolition was completed.

Compliance Year – 2020

MEADOWS, Cherryle – 1708 S West Ln – Limestone Twp – Sec. 13 – (17-13-456-003) – Complaint # 2019-242 – House roof had holes and was collapsing, and the foundation was failing. Demolition has been completed by the owner.

JANSZEN, Carol – 7014 W Lancaster Rd – Limestone Twp – Section 33 – (17-33-252-003) – Complaint #2018-004 – A detached garage was collapsing, and a shed had collapsed. Demolition has been completed by the owner.

ADKINS, James – 4827 W Farmington Rd – Limestone Twp - Sec. 02 - (17-02-405-001) - Complaint #2018-027 - Commercial building had a collapsing porch roof, failing foundation, and collapsing stairs. The unsafe parts have been removed or repaired.

CLAYTON, Sandra - 9912 W Layne St - Kickapoo Twp - Section 13 - (13-19-326-004) - Complaint #2017-123 - Two accessory buildings have collapsing roofs and other property maintenance violations. Permits were issued for repairing each building. The buildings have been repaired.

PLATTNER, Amy – 9511 W Goetz Rd – Kickapoo Twp – Sec. 31 – (13-31-251-013) – Complaint #2020-039 – The detached garage has collapsed. A demo permit has been issued and the garage has been removed.

JENNINGS, Codee - 2029 W Blackberry Ln – Medina Twp – Sec. 31 - (09-31-227-012) - Complaint # 2020-023 – The house has been severely burned and the remaining structure is unsafe and now has sewage in the basement. Demolition has been completed by the owner.

Rynearson, Jerry- 14529 W Devils Washboard RD – Timber Twp – Section 21 - (19-21-300-006) - Complaint #2020-138 – The house caught fire. Only a portion of the roof is left, and 3 walls. The house has been demolished.

BRIGGS, David – 8115 Pfeiffer Rd- Limestone Twp- Section 29 - (17-29-400-013) - Complaint #2020-154- House fire. The garage and living room have collapsed. Demo of the house is complete.
Compliance Year- 2021

DAVIS, Gerald – 13724 W Route 150 – Jubilee Twp – Sec. 34 – (07-34-100-003) – Complaint # 2019-054 – House has a collapsing roof and accessory structures have collapsing roofs and walls. A demo permit has been issued and the house has been removed.

HOLLOWAY, Brant – 1203 Maxwell Rd – Limestone - Sec. 03 - (17-15-176-009) Complaint #2020-198- Garage wall is collapsing causing roof to collapse as well. A permit has been issued for the repair.

HAUSAM, Nancy - 1004 N Oakleaf Rd - Limestone Twp - Sec. 02 - (17-02-406-007) - Complaint #2018-166 - Detached garage roof is collapsing. A permit has been issued for repaired.

KING, Jesse—2105 N Willow Rd. – Kickapoo – Sec. 34 – (13-34-305-030) – Complaint # 2020-286- The house caught on fire. Half of the house has collapsed and the roof on the rest is mainly burnt through. There was an occupancy prohibited posting posted on the house. House has been demolished and permit is closed.

CHALLACOMBE, Keith – 22013 N Jefferson St – Millbrook- Sec. 01 - (01-07-176-001)- Complaint # 2021-040- House was burnt significantly. Only 2 walls are left standing. There was an occupancy prohibited posting posted on the house. Demo permit 60776 was issued and the structure has been torn down and permit closed. The property is now in compliance.

HALIBURTON, Justin – 9619 N. Route 91 – Radnor Twp – Sec. 35 – (08-35-300-039) – Complaint # 2020-21886- The house was destroyed by fire. The house foundation and an in-ground swimming pool still remain on the property. Demo has been completed.

DAVIS, Gerald – 14112 W Route 150 – Jubilee Twp – Sec. 33 – (07-33-200-011) – Complaint # 2019-053 – The house roof is collapsing. This case has been continued to the September 1, 2021 Hearing Officer meeting. Building Permit has been issued and case has been closed.

HIBBERT, Douglas—11129 W. Timber Rd.- Timber—Sec. 24 - (19-24-300-007) - Complaint #2021-000159—this was a house fire. Garage is still standing, but the rest of the house is completely burnt. The foundation is block and has cracks everywhere and will require a structural engineer to view the damage in order to reuse it for new house. A demo permit was issued and completed for this structure. This case has been closed.

JOHNSON, Barbara (New owner Jeffery Harris) – 1617 S Crest Dr – Limestone Twp – Sec. 13 – (17-13-377-012) – Complaint #2017-175 – The house and attached garage roof is deteriorated and sagging. The garage door header supporting the roof is failing. A permit has been issued to the new owner for repairs. The owner states that he repaired the roof but everything was covered up when called for an inspection, so I was unable to verify that the work had been correctly completed.
AGENDA BRIEFING

COMMITTEE: Land Use Committee
MEETING DATE: February 28, 2022

LINE ITEM: Revenue:
Expenditure:

ISSUE: January 2022 Development Summary

BACKGROUND/DISCUSSION:

COUNTY BOARD GOALS:

EFFECTION SERVICE DELIVERY

STAFF RECOMMENDATION:

COMMITTEE ACTION:

PREPARED BY: Andrew Braun, Assistant Director
DEPARTMENT: Planning & Zoning
DATE: 2/1/2022

ATTACHMENTS:

<table>
<thead>
<tr>
<th>Description</th>
<th>Type</th>
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<tbody>
<tr>
<td>Development Summary</td>
<td>Backup Material</td>
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LAND USE COMMITTEE DEVELOPMENT SUMMARY
PERMITS ISSUED
(12/01/2021 TO 12/31/2021)

NON-RESIDENTIAL BUILDING

TELE-2022-000001  Type: Telecommunications
Issue Date: 1/24/2022
Main Address: N WHITTAKER RD
Parcel: 0615400009
Valuation: $15,000.00

Description: CO-LOCATE AND GENERATOR ON EXISTING TOWER

TOTAL VALUE FOR NON-RESIDENTIAL CONSTRUCTION THIS PERIOD: $15,000.00
RESIDENTIAL NEW HOME CONSTRUCTION

TOTAL VALUE FOR NEW HOME CONSTRUCTION THIS PERIOD: $0.00

ALL PERMITS

TOTAL NUMBER OF ALL PERMITS THIS PERIOD: 12
TOTAL VALUE OF ALL PERMITS THIS PERIOD: $340,664.00
AGENDA BRIEFING

COMMITTEE: Land Use  
MEETING DATE: February 28, 2022  

LINE ITEM: N/A  
AMOUNT: N/A

ISSUE: ZBA Case #ZBA-2022-000006. A Special Use request from Section 20-5.5.2.2.C which allows for Overnight Accommodations, provided that they meet the requirements set forth in Section 7.8 (Overnight Accommodations) and provided that no more than 5 rooms or suites of rooms are rented; and rooms are not rented for a period of more than 14 days. The petitioner proposes to provide overnight accommodations on a short-term rental basis.

BACKGROUND/DISCUSSION: This case is in District #13, which is County Board member Jim Fennell’s district. The petitioner, Briscoe Financial, LLC, requests a Special Use from Section 20-5.5.2.2.c of the Unified Development Ordinance, which allows for a Special Use for Overnight Accommodations. The petitioner requests to offer an entire single-family dwelling for rent on a short-term basis through the websites Airbnb and VRBO. The parcel is located at 16008 N. Front St. in the Northwest Quarter of Section 5 in Chillicothe Township. There are 2 consents and 3 objections on file. The parcel is zoned “R-2” Medium Density Residential and consists of a single-family dwelling and an attached garage. All surrounding parcels are zoned “R-2.” Single-family dwellings are located to the north, west, and southwest of the parcel, and the Illinois River is located to the east. The petitioner’s request is consistent with the mixed residential, commercial, and recreational character of the surrounding area. Development standards for all overnight accommodations are outlined in Section 20-7.8 of the UDO. No conditions were found that would cause the Peoria City/County Health Department to recommend denial of the request. The Department recommends that the property owner leave information on their water and wastewater systems for guests so that their systems are properly cared for and maintained. The Department also recommends that the property owner have guests notify them of any problems with these systems during their stay.

The parcel has frontage along the right of way of N. Front St., a township collector road. The Trip Generation Report shows a range of 4.81 to 19.39 trips on a weekday per single-family dwelling unit. The Report also cites an average of 2.65 trips per resident on a weekday, while the assisted living land use, similar to a residential care home, a permitted use in the R-2 District, shows an average of 4.14 trips on a weekday per occupied bed. The maximum number of 6 property guests would generate about 15.9 trips. The potential traffic generated by the proposed use is consistent with the observed rates for a single-family dwelling and less than the projected traffic generation for a residential care home. The County Highway Department will defer to the Chillicothe Township Road Commissioner, as Front St. is maintained by the road district. In comments received on February 9, 2022, the Chillicothe Township Road Commissioner stated that he is opposed to a special use for this property only, as, in his opinion, there is not enough room for 4 vehicles to park safely on this private property, and parking in and along the right of way of Washington St. and Front St. is forbidden due to the egress issues with properties to the north and the intersection of Washington and Front streets. The petitioner’s request is consistent with the Environmental Corridor and Unincorporated Center Land Use Form designations of the Peoria County Comprehensive Land Use Plan. The petitioner’s request is also consistent with the Peoria County Growth Strategy for Economic Development.

COUNTY BOARD GOALS:

STAFF RECOMMENDATION: Approval with the following restrictions:

1. The Special Use is null and void in the event that the subject parcel is no longer owned by Briscoe Financial, LLC.
2. No more than four (4) automobiles in total which are parked accessory to the single-family dwelling at the subject property may be parked outside at the subject property, or on an adjacent property under the same ownership, for a period of more than seventy-two (72) continuous hours, pursuant to Section 20-7.7.7.5 of the Unified Development Ordinance.
3. No parking shall be allowed in the shared private driveway.
4. No more than six (6) overnight guests may be present at the subject parcel at any one time.
5. The operator shall keep a log identifying the name, address, and telephone number of all guests. This log must be provided to the Zoning Administrator upon request.
6. The operator shall notify all adjacent property owners that Overnight Accommodations will be offered at the subject property by sending a letter through Certified Mail. This letter shall include the contact information of the operator. The operator must provide the Zoning Administrator with a copy of the letters sent and a verification receipt showing that each letter was delivered or that a delivery attempt was made.
7. Overnight accommodations may not be offered at the subject property until a Certificate of Occupancy has been issued by the Department of Planning and Zoning, per Section 20-7.8, “Overnight Accommodations,” of the Peoria County Unified Development Ordinance.
8. The Special Use Permit may be terminated by the Zoning Administrator upon violation of the above restrictions, per Section 20-3.5.9 of the Peoria County Unified Development Ordinance.

ZBA RECOMMENDATION: Approval with restrictions (4-2)

COMMITTEE ACTION:

PREPARED BY: Taylor Armbruster, Planner I
DEPARTMENT: Planning & Zoning
DATE: February 10, 2022
Report to the Zoning Board of Appeals for the February 10, 2022 Public Hearing

Date: February 1, 2022

Case/Petitioner: ZBA-2022-000006 Briscoe Financial, LLC (Jason Briscoe, Manager) / 8747 E. Hansel Rd., Channahon, IL 60410

Request: A Special Use request from Section 20-5.5.2.2.C which allows for Overnight Accommodations, provided that they meet the requirements set forth in Section 7.8 (Overnight Accommodations) and provided that no more than 5 rooms or suites of rooms are rented; and rooms are not rented for a period of more than 14 days. The petitioner proposes to provide overnight accommodations on a short-term rental basis.

Location: NW 1/4 Section 5, Chillicothe Township / 16008 N. Front St., Rome, IL 61562 / Parcel ID 10-05-129-013

Land Use Form: Environmental Corridor and Unincorporated Center

Current Zoning: “R-2” Medium Density Residential

Present Use: Residential

Size of Site: 0.34 acres

Surrounding Zoning: North: “R-2” Medium Density Residential
South: “R-2” Medium Density Residential
East: Illinois River
West: “R-2” Medium Density Residential

Surrounding Land Uses: North: Residential
South: Chillicothe Park District
East: Illinois River
West: Vacant with carport and pavilion

Public Services: Fire: Chillicothe Community FPD
Schools: Chillicothe IVC District #321
Water: Private well
Sewer: Private septic

Transportation: N. Front St., township collector road

Pertinent Zoning Cases
On Site: None.

Pertinent Zoning Cases
In Surrounding Area: Zoning Cases #ZBA-2021-000033, #ZBA-2021-000039, #ZBA-2021-000040, #ZBA-2021-000041, and #ZBA-2022-00007

Department of Planning and Zoning Recommendation: APPROVAL WITH RESTRICTIONS
Case Analysis

**Request and Location:** The petitioner, Briscoe Financial, LLC, requests a Special Use to provide Overnight Accommodations in the “R-2” Medium Density Residential Zoning District. Overnight accommodations may be established as a special use in the R-2 District provided that they meet the requirements set forth in Section 7.8 (“Overnight Accommodations”) and provided that no more than five rooms or suites of rooms are rented and that rooms are not rented for a period of more than fourteen days. The petitioner proposes to offer an entire single-family dwelling for rent on a short-term basis through the short-term rental websites Airbnb and VRBO. The subject parcel contains a single-family dwelling and an attached garage. The subject parcel is located at 16008 N. Front St. in the Northwest Quarter of Section 5 in Chillicothe Township.

**Pertinent Zoning Cases on Site:** None.

**Pertinent Zoning Cases in Surrounding Area:** Zoning case #ZBA-2021-000033 was a request for a Special Use to provide Overnight Accommodations at 13933 N. River Beach Dr., approximately 2.15 miles southwest of the subject property. The County Board approved this request with restrictions on November 11, 2021. Zoning case #ZBA-2021-000039 was a request for a Special Use to provide Overnight Accommodations at 11846 N. Riverview Rd., approximately 4.5 miles southwest of the subject property. The County Board approved this request with restrictions on January 13, 2022. Zoning case #ZBA-2021-000041 was also a request for a Special Use to provide Overnight Accommodations at 16212 N. Portage St., approximately 0.25 miles northwest of the subject property. The County Board approved this request with restrictions on January 13, 2022. In addition to the subject request, Briscoe Financial, LLC, is also the petitioner in cases #ZBA-2021-000040 and #ZBA-2022-000007, both requests to provide Overnight Accommodations in the “R-2” District. Case #ZBA-2021-000040 was located at 15414 N. River Beach Dr., approximately 0.50 miles southwest of the subject property. The County Board approved the request with restrictions on January 13, 2022. Case #ZBA-2022-000007 is located at 15326 N. River Beach Dr., approximately 0.55 miles southwest of the subject property. Case #ZBA-2022-000007 will receive a final vote at the March 10, 2022 County Board meeting.

**Surrounding Zoning and Land Use:** The subject parcel and all surrounding parcels are zoned “R-2” Medium Density Residential. The subject parcel contains a single-family dwelling and an attached garage. This single-family dwelling consists of 952 square feet of living space and 2 bedrooms. To the north and southwest of the subject property are single-family dwellings. To the west is a vacant lot used for personal storage. The Illinois River lies to the east, and the subject parcel has approximately 94 feet of frontage on the water. Single-family dwellings are the principal land use along this part of the Illinois River. The surrounding neighborhood also includes a mix of commercial uses, such as Sliders Pizza & Pub, and recreational uses, such as the Rome Youth Baseball Fields and riverfront property owned by the Chillicothe Park District, which is adjacent to the south of the subject property. The petitioner requests to offer the single-family dwelling at the subject property as an overnight accommodation on a short-term basis. The petitioner states that the house will be available for rent most weekends and weekdays varying on season, and the house would be occupied approximately 30-60% of available nights. The entire house will be rented rather than each room being rented individually, so the use of the property will be similar to that of a single-family dwelling. The petitioner’s request is consistent with the mixed residential, commercial, and recreational character of the surrounding area.

**Technical Adequacy:** The subject parcel is currently zoned “R-2” Medium Density Residential. Permitted uses in the “R-2” Medium Density Residential District include single-family detached and two-family dwellings, childcare homes, and small or medium residential care homes. A residential care home is defined as a dwelling in which staff persons provide care, education, and participation in community activities for a group of unrelated individuals who have long-term disabilities or handicaps with the primary goal of developing or exercising basic skills for daily living. Medium residential care homes may support up to eight (8) residents. Section 20-5.5.2.2.c of the Unified Development Ordinance (UDO) allows for a special use for overnight accommodations in the R-2 district, provided that: 1. no more than five (5) rooms or suites are rented and 2. rooms are not rented for a period of more than fourteen (14) days. Development standards for all overnight accommodations are outlined in Section 20-7.8 of the UDO, and Section 20-7.8.1 states that the section applies to all overnight accommodations in the County, regardless of whether they are considered a “bed and breakfast establishment,” “hotel,” “motel,” “boarding house,” “rooming house,” or any other type of commercial establishment where rooms are rented at a daily rate to the general public. Section 20-7.8.5 also requires that the operator keep a log identifying the name, address, and phone number of all guests, and Section 20-7.8.6 requires that overnight accommodations not begin operation until a Certificate of Occupancy has been issued by the Zoning Administrator. The petitioner requests to offer overnight accommodations beginning on July 1, 2021.
accommodations on a short-term basis through Airbnb and VRBO. According to the petitioner, the house will be rented to guests who usually consist of a single-family unit, and individual sleeping rooms will not be rented. The petitioner states that the home is anticipated to have, on average, 4 guests per visit with a maximum of 6 allowed. The average length of stay is 3 nights with a 2-night minimum and a 13-day maximum stay. The petitioner also states that check out time is before 10 AM and check in time is after 3 PM, and the home is equipped with security cameras and tech doors and locks to ensure safety of the guests and the surrounding premises. The petitioner’s proposal is consistent with the UDO’s overnight accommodation requirements.

**Environmental Impacts:** The subject parcel is located in an AE flood hazard area, which has a 1% chance of flooding each year. Assessments records show that the single-family dwelling and the attached garage at the property were built in 1950, so building permit records detailing the dwelling’s construction are not available. Any new construction or alterations at the subject property must meet floodplain development standards in accordance with Section 20-7.14 (“Floodplain Regulations”). At the time of the Peoria City/County Health Department’s review, no conditions were found that would cause the Department to recommend denial of the request. According to the Department’s records, the existing onsite wastewater treatment is more than 50 years old. It is a recommendation of the Department for the property owner to leave information regarding their onsite wastewater disposal or potable water system(s) for their guests so that their systems are properly cared for and maintained. It is also recommended that the property owner have their guests notify them immediately of any problems with either their onsite wastewater disposal or potable water systems during the duration of their stay. Provided the requirements of the Peoria City/County Health Department are met, the petitioner’s request to offer overnight accommodations at the subject parcel should have a minimal effect on the surrounding environment.

**Transportation Impacts:** The subject parcel has 83 feet of road frontage along the right of way of N. Front St., a township collector road. The subject property is accessed by a shared gravel driveway off N. Front St. Property records show this driveway to be 12 feet of even width, and the driveway is shared with four additional properties to the north. No new access points are proposed at this time. The 2017 IDOT Traffic Map does not show a vehicle trip count for N. Front St. The 8th Edition of the Trip Generation Report published by the Institute of Transportation Engineers cites an average rate of 9.44 vehicle trips on a weekday per single-family dwelling unit, and the rates observed in the study range from 4.81 trips to 19.39 trips. The Trip Generation Report also cites an average of 2.65 vehicle trips per resident on a weekday for the single-family detached housing land use. Were the maximum number of 6 guests to stay at the property, the approximate trip generation would be 15.9 trips, if each guest arrived in their own vehicle. Residential care homes are a permitted use in the “R-2” District. For the Assisted Living Land Use, the land use most similar in character to the Residential Care Home definition of the UDO, the Trip Generation Report cites an average of 4.14 vehicle trips on a weekday per occupied bed. Were an assisted living facility to support 6 residents, the weekday trip generation would be approximately 24.84 trips. Accordingly, the potential traffic generated by the proposed use is consistent with the observed rates for a single-family dwelling unit and less than the projected traffic generation for a residential care home, one of the R-2 district’s permitted land uses. The petitioner’s request should not have a negative impact on local traffic patterns. The County Highway Department will defer to the Chillicothe Township Road Commissioner, as N. Front St. is maintained by the road district. No comments have been received from the Chillicothe Township Road Commissioner.

**Land Use Form:** The Future Land Use Form Map in the Peoria County Comprehensive Land Use Plan designates this area as Unincorporated Center and Environmental Corridor. Unincorporated Centers have an almost entirely residential character, though small neighborhood commercial uses are occasionally present. The petitioner’s request is consistent with the Unincorporated Center Land Use Form, as the proposed accommodations will be similar in use to a single-family dwelling while also providing small-scale commercial lodging for visitors to the area. The Environmental Corridor Land Use Form recognizes the value of environmental corridors as recreational, residential, and economic attractions, and the Land Use Plan also notes that these resources are a major contributor to the economy via eco-tourism and visitor attraction. The Illinois River lies directly east of the subject property, and the subject property has approximately 94 feet of frontage on the water. This proximity to the Illinois River provides recreational and eco-tourism opportunities, making the petitioner’s request consistent with the goals of the Land Use Plan. The petitioner’s request is also consistent with the Peoria County Growth Strategy of generating economic opportunity and stability, as visitors to the area would have an additional option for lodging.
Conclusions

**Consistency with Adopted County Plan.** The request is consistent with the Unincorporated Center and Environmental Corridor Land Use designations of the Peoria County Future Land Use Form Map. Unincorporated Centers have an almost entirely residential character, though small neighborhood commercial uses are occasionally present. The petitioner’s request is consistent with the Unincorporated Center Land Use Form, as the proposed accommodations will be similar to a single-family dwelling while also providing small-scale commercial lodging. The Environmental Corridor Land Use Form recognizes the value of environmental corridors as recreational, residential, and economic attractions, and the Land Use Plan also notes that these resources are a major contributor to the economy via eco-tourism and visitor attraction. The petitioner’s request to offer overnight accommodations at the subject property is consistent with these goals, as the proximity to the Illinois River promotes visitor attraction through recreational and eco-tourism opportunities. The petitioner’s request is also consistent with the Peoria County Growth Strategy of generating economic opportunity and stability, as visitors to the area would have an additional option for lodging.

**Consistency with Community Character.** The subject parcel and all surrounding parcels are currently zoned “R-2” Medium Density Residential. The subject parcel contains a single-family dwelling and an attached garage. Single-family dwellings are the principal land use along this part of the Illinois River. The surrounding neighborhood also includes mixed commercial and recreational uses. The petitioner requests to offer the single-family dwelling at the subject property as a short-term rental for overnight accommodations. The entire house will be rented on a short-term basis rather than renting each room individually, so the use of the property will be similar to that of a single-family dwelling. The petitioner’s request will be consistent with the surrounding area.

**Minimizing Adverse Effects.** The subject single-family dwelling includes 2 bedrooms that can accommodate 6 guests. According to the petitioner, the house will be rented to guests who usually consist of a single-family unit, and individual sleeping rooms will not be rented. The home is anticipated to have, on average, 4 guests per visit with a maximum of 6 allowed. The average length of stay will be 3 nights with a 2-night minimum and a 13-day maximum stay. The petitioner also states that check out time is before 10 am and check in time is after 3 pm, and the home is equipped with security cameras and tech doors and locks to ensure safety of the guests and the surrounding premises. The design of the petitioner’s proposal will minimize adverse effects on adjacent properties.

**Presence of Natural/Historical Resources.** The request does not impact known natural or historical resources.

**Compliance with Additional Standards.** Building permits must be obtained for any future renovations at the property, and any new construction or alterations must meet floodplain development standards in accordance with Section 20-7.14 (“Floodplain Regulations”). Should the Special Use be granted, the proposed use must comply with the requirements for Overnight Accommodations listed in Section 20-7.8 of the Unified Development Ordinance. This includes Section 20-7.8.2, “Length of Stay,” which requires that guests at overnight accommodations shall stay no more than the time limit specified by these regulations for each district; in the “R-2” district, this time limit is no more than 14 days. This also includes Section 20-7.8.5, “Record of Guests,” which requires that the operator keep a log identifying the name, address, and telephone number of all guests, and Section 20-7.8.6, “Certificate of Occupancy,” which requires that overnight accommodations shall not begin operation until a certificate of occupancy has been obtained from the Zoning Administrator in accordance with the provisions of Section 3.3 (“Certificate of Occupancy”).
Staff Recommendation

Based on the above information, the Department recommends **approval with the following restrictions**:

1. The Special Use is null and void in the event that the subject parcel is no longer owned by Briscoe Financial, LLC.
2. No more than four (4) automobiles in total which are parked accessory to the single-family dwelling at the subject property may be parked outside at the subject property, or on an adjacent property under the same ownership, for a period of more than seventy-two (72) continuous hours, pursuant to Section 20-7.7.7.5 of the Unified Development Ordinance.
3. No parking shall be allowed in the shared private driveway.
4. No more than six (6) overnight guests may be present at the subject parcel at any one time.
5. The operator shall keep a log identifying the name, address, and telephone number of all guests. This log must be provided to the Zoning Administrator upon request.
6. The operator shall notify all adjacent property owners that Overnight Accommodations will be offered at the subject property by sending a letter through Certified Mail. This letter shall include the contact information of the operator. The operator must provide the Zoning Administrator with a copy of the letters sent and a verification receipt showing that each letter was delivered or that a delivery attempt was made.
7. Overnight accommodations may not be offered at the subject property until a Certificate of Occupancy has been issued by the Department of Planning and Zoning, per Section 20-7.8, “Overnight Accommodations,” of the Peoria County Unified Development Ordinance.
8. The Special Use Permit may be terminated by the Zoning Administrator upon violation of the above restrictions, per Section 20-3.5.9 of the Peoria County Unified Development Ordinance.

Respectfully submitted,

Taylor Armbruster  
Planner I

Kathi Urban  
Director
A meeting of the Peoria County Zoning Board of Appeals was held on Thursday, February 10, 2022. The meeting was called to order by Linda O’Brien – Chairperson at 9:00 a.m.

PRESENT: Linda O’Brien – Chairperson, Andrew Keyt – Vice Chairperson, Greg Happ, Jim Bateman, Robert Asbell, J. Greg Fletcher

ABSENT: John Harms, Justin Brown

STAFF: Kathi Urban – Director
Andrew Braun – Assistant Director
Taylor Armbruster – Planner I
Jack Weindel – Planner I
Dana Hughes – Civil Assistant State’s Attorney
Sarah Cox – ZBA Administrative Assistant

Case No. ZBA-2022-000006 at 9:00 a.m. Hearing to be held in room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of BRISCOE FINANCIAL, LLC (A limited liability company, Jason Briscoe – authorized agent, of 8747 E. Hansel Rd., Channahon, IL 60410, acting on its own behalf, a SPECIAL USE request from Section 20-5.5.2.2.C which allows for Overnight Accommodations, provided that they meet the requirements set forth in Section 7.8 (Overnight Accommodations) and provided that no more than 5 rooms or suites of rooms are rented; and rooms are not rented for a period of more than 14 days. The petitioner proposes to provide overnight accommodations on a short term rental basis in the “R-2” Medium Density Residential Zoning District.

FINDINGS OF FACT FOR SPECIAL USES
Section 20-3.5.4

When considering an application for a special use permit, the decision-making body shall consider the extent to which:

1. That the special use will be consistent with the purposes, goals, objectives, and standards of any officially adopted County plan and these regulations, or if not consistent, the factors which justify deviation;
   - The petitioner's request to offer overnight accommodations at the subject property is consistent with the Unincorporated Center and Environmental Corridor Land Use designations of the Peoria County Land Use Form Map. The proposed accommodations would be similar to that of a single-family dwelling, while providing small-scale commercial lodging. The proposed accommodations are in close proximity to the Illinois River and offer recreational, residential, and economic attractions, and in turn are a major contributor to the economy. Granting of the Special Use would allow visitors to the area an additional option for lodging.
2. That the special use will be consistent with the community character of the immediate vicinity of the parcel proposed for development, or if not consistent, the factors which justify the inconsistency:
   - The subject parcel and all surrounding parcels are zoned "R-2" Medium Density Residential. The subject parcel is a one-story 952 square foot single-family dwelling with a 280 square foot attached garage. Single-family dwellings are the principal land use along this stretch of the Illinois River. The entire house at the subject property will be rented rather than each room individually, so the use of. The property will be similar to that of other single-family dwellings in the area. The Special Use request is consistent with the community character of the area.

3. That the design of the proposed use will minimize adverse effects, including visual impacts on adjacent properties, except for land splits in the A-2 District and individual mobile homes;
   - The petitioners have stated that the 2-bedroom single family dwelling is anticipated to have an average of 4 guests per visit, with a maximum of 6 guests allowed. The average length of stay will be three nights, with a two-night minimum and a 13-day maximum. The petitioner has also stated that check-in time is after 3:00 pm and check-out time is before 10:00 am. The home is equipped with security cameras, as well as tech doors and locks to ensure safety of guests and surrounding premises. The design of the petitioner's proposal, as well as restrictions proposed by staff, will minimize adverse effects on adjacent properties.

4. That the development has been reviewed and approved by the Illinois Department of Natural Resources with regard to the presence of endangered species, and archaeological and/or historical resources, if applicable:
   - This request does not impact known natural or historical resources.

5. That the proposed use will comply with all additional standards imposed on it by the particular provision of these regulations authorizing such use and by all other applicable requirements of the ordinances of the County:
   - Building permits must be obtained for any future renovations at this property, and any new construction or alterations must meet floodplain development standards in accordance with Section 20-7.14. If the Special Use is granted, the proposed use must comply with the requirements for Overnight Accommodations listed in the Unified Development Ordinance, which includes "Length of Stay" which is no more than 14 days in the "R-2" district. Also included is "Record of Guests", which requires the operator to log names, addresses, and phone numbers of all guests. If the Special Use is granted, overnight accommodations shall not begin operation until a "Certificate of Occupancy" is obtained from the Zoning Administrator.

A motion to approve the Findings of Fact was made by Mr. Happ and seconded by Mr. Asbell. Six affirmative votes; (6-0)  A motion to approve the special use with restrictions was made by Mr. Happ and seconded by Mr. Keyt. A vote was taken, and the motion was approved; (4-2)

Meeting adjourned 11:45 a.m.
Respectfully submitted,

Sarah Cox
ZBA Administrative Assistant
TO THE HONORABLE COUNTY BOARD

COUNTY OF PEORIA, ILLINOIS

Your Land Use Committee does hereby recommend passage of the following Resolution:

RE: Approval of Special Use, Petition of Briscoe Financial, LLC.

RESOLUTION

WHEREAS, the County of Peoria has enacted a Unified Development Ordinance, Chapter 20 of the Peoria County Code; and

WHEREAS, said ordinance requires a Special Use for Overnight Accommodations, provided that they meet the requirements set forth in Section 7.8 (Overnight Accommodations) and provided that no more than 5 rooms or suites of rooms are rented, and rooms are not rented for a period of more than 14 days, in the R-2 Medium Density Residential District; and

WHEREAS, a hearing on said Special Use was held before the Zoning Board of Appeals (ZBA) on February 10, 2022 in Case No. ZBA-2022-000006; a copy of the deliberation minutes of said hearing and a legal description of the subject property are attached; and

WHEREAS, the ZBA deliberated its decision on February 10, 2022, and voted to recommend approval of the Special Use with restrictions; a copy of the ZBA’s findings of fact is attached; and

WHEREAS, your Committee met on February 28, 2022 to consider the ZBA’s recommendation and voted to approve the Special Use with restrictions.

NOW THEREFORE BE IT ORDAINED, by the County Board of Peoria County, that the Special Use in Case No. ZBA-2022-000006 is hereby approved with the following restrictions:

1. The Special Use is null and void in the event that the subject parcel is no longer owned by Briscoe Financial, LLC.
2. No more than four (4) automobiles in total which are parked accessory to the single-family dwelling at the subject property may be parked outside at the subject property, or on an adjacent property under the same ownership, for a period of more than seventy-two (72) continuous hours, pursuant to Section 20-7.7.7.5 of the Unified Development Ordinance.
3. No parking shall be allowed in the shared private driveway.
4. No more than six (6) overnight guests may be present at the subject parcels at any one time.
5. The operator shall keep a log identifying the name, address, and telephone number of all guests. This log must be provided to the Zoning Administrator upon request.
6. The operator shall notify all adjacent property owners that Overnight Accommodations will be offered at the subject property by sending a letter through Certified Mail. This letter shall include the contact information of the operator. The operator must provide the Zoning Administrator with a copy of the letters sent and a verification receipt showing that each letter was delivered or that a delivery attempt was made.
7. Overnight accommodations may not be offered at the subject property until a Certificate of Occupancy has been issued by the Department of Planning and Zoning, per Section 20-7.8, “Overnight Accommodations,” of the Peoria County Unified Development Ordinance.
8. The Special Use Permit may be terminated by the Zoning Administrator upon violation of the above restrictions, per Section 20-3.5.9 of the Peoria County Unified Development Ordinance.

NOTICE: Approval of this Special Use does not constitute approval of wells nor septic systems for the property required by the Peoria City/County Health Department.

RESPECTFULLY SUBMITTED,
LAND USE COMMITTEE
A tract or parcel of land described as follows: Beginning at a point in the break of the bank of the Illinois River on the County of Peoria side Easterly of the Southeast corner of Lot 1, Block 4, Original Town of Rome, at a cross in the concrete wall as shown on a survey of M.H. Birren, County Surveyor of Peoria County, Illinois, made on August 6, 1950, thence Westerly parallel to the South line of lot 1, 82 feet; thence Northerly parallel to the East line of said Lot 1, 94.67 feet to a point thence Easterly to the West edge of the waters of the Illinois River; thence in a Southerly direction along said edge of waters to a point opposite to said cross in said concrete wall; thence Westerly parallel to the Southerly line of said Lot 1 to the Place of Beginning, said tract consisting of 94.67 feet frontage on the Illinois River, together with the perpetual right to the river front, being a part of the Northwest Quarter of Section 5, Township 10 North, Range 9 East of the Fourth Principal Meridian, situated in the County of Peoria and State of Illinois.  

(Chillicothe Township 10-05-129-013)
AGENDA BRIEFING

COMMITTEE: Land Use
MEETING DATE: February 28, 2022
LINE ITEM: N/A
AMOUNT: N/A

ISSUE: ZBA Case #ZBA-2022-000007. A Special Use request from Section 20-5.5.2.2.C which allows for Overnight Accommodations, provided that they meet the requirements set forth in Section 7.8 (Overnight Accommodations) and provided that no more than 5 rooms or suites of rooms are rented; and rooms are not rented for a period of more than 14 days. The petitioner proposes to provide overnight accommodations on a short-term rental basis.

BACKGROUND/DISCUSSION: This case is in District #13, which is County Board member Jim Fennell’s district. The petitioner, Briscoe Financial, LLC, requests a Special Use from Section 20-5.5.2.2.c of the Unified Development Ordinance, which allows for a Special Use for Overnight Accommodations. The petitioner requests to offer an entire single-family dwelling for rent on a short-term basis through the websites Airbnb and VRBO. The parcel is located at 15326 N. River Beach Dr. in the Southwest Quarter of Section 5 in Chillicothe Township. There are 2 consents and 0 objections on file. The parcel is zoned “R-2” Medium Density Residential and consists of a single-family dwelling and an attached garage. All surrounding parcels are zoned “R-2.” Single-family dwellings are located to the north and west of the parcel, and vacant lots owned by Peoria County and the Chillicothe Park district are located to the south. The Illinois River is located to the east. The petitioner’s request is consistent with the residential character of the surrounding area. Development standards for all overnight accommodations are outlined in Section 20-7.8 of the UDO. No conditions were found that would cause the Peoria City/County Health Department to recommend denial of the request. The Department recommends that the property owner leave information on their water and wastewater systems for guests so that their systems are properly cared for and maintained. The Department also recommends that the property owner have guests notify them of any problems with these systems during their stay. The parcel has frontage on N. River Beach Dr., a township collector road. The Trip Generation Report shows a range of 4.81 to 19.39 trips on a weekday per single-family dwelling unit. The Report also cites an average of 2.65 trips per resident on a weekday, while the assisted living land use, similar to a residential care home, a permitted use in the R-2 District, shows an average of 4.14 trips on a weekday per occupied bed. The maximum number of 8 property guests would generate about 21.2 trips. An assisted living facility would generate about 33.12 trips. The potential traffic generated by the proposed use is consistent with the observed rates for a single-family dwelling unit and less than the traffic generated for a residential care home. The County Highway Department will defer to the Chillicothe Township Road Commissioner. The petitioner’s request is consistent with the Environmental Corridor and Unincorporated Center Land Use Form designations of the Peoria County Comprehensive Land Use Plan. The petitioner’s request is also consistent with the Peoria County Growth Strategy for Economic Development.

COUNTY BOARD GOALS:

STAFF RECOMMENDATION: Approval with the following restrictions:

1. The Special Use is null and void in the event that the subject parcel is no longer owned by Briscoe Financial, LLC.
2. No more than four (4) automobiles in total which are parked accessory to the single-family dwelling at the subject property may be parked outside at the subject property, or on an adjacent property under the same ownership, for a period of more than seventy-two (72) continuous hours, pursuant to Section 20-7.7.7.5 of the Unified Development Ordinance.
3. No more than eight (8) overnight guests may be present at the subject parcel at any one time.
4. The operator shall keep a log identifying the name, address, and telephone number of all guests. This log must be provided to the Zoning Administrator upon request.
5. The operator shall notify all adjacent property owners that Overnight Accommodations will be offered at the subject property by sending a letter through Certified Mail. This letter shall include the contact information of the operator. The operator must provide the Zoning Administrator with a copy of the letters sent and a verification receipt showing that each letter was delivered or that a delivery attempt was made.
6. Overnight accommodations may not be offered at the subject property until a Certificate of Occupancy has been issued by the Department of Planning and Zoning, per Section 20-7.8, “Overnight Accommodations,” of the Peoria County Unified Development Ordinance.
7. The Special Use Permit may be terminated by the Zoning Administrator upon violation of the above restrictions, per Section 20-3.5.9 of the Peoria County Unified Development Ordinance.

ZBA RECOMMENDATION: Approval with restrictions (6-0)

COMMITTEE ACTION:

PREPARED BY: Taylor Armbruster, Planner I
DEPARTMENT: Planning & Zoning
DATE: February 10, 2022
Report to the Zoning Board of Appeals for the February 10, 2022 Public Hearing

Date: February 1, 2022

Case/Petitioner: ZBA-2022-000007 Briscoe Financial, LLC (Jason Briscoe, Manager) / 8747 E. Hansel Rd., Channahon, IL 60410

Request: A Special Use request from Section 20-5.5.2.2.C which allows for Overnight Accommodations, provided that they meet the requirements set forth in Section 7.8 (Overnight Accommodations) and provided that no more than 5 rooms or suites of rooms are rented; and rooms are not rented for a period of more than 14 days. The petitioner proposes to provide overnight accommodations on a short-term rental basis.

Location: SW 1/4 Section 5, Chillicothe Township / 15326 N. River Beach Dr., Chillicothe, IL 61523 / Parcel ID 10-05-302-031

Land Use Form: Environmental Corridor and Unincorporated Center

Current Zoning: “R-2” Medium Density Residential

Present Use: Residential

Size of Site: 0.33 acres

Surrounding Zoning: North: “R-2” Medium Density Residential
                          South: “R-2” Medium Density Residential
                          East: Illinois River
                          West: “R-2” Medium Density Residential

Surrounding Land Uses: North: Residential
                         South: Vacant
                         East: Illinois River
                         West: Residential

Public Services: Fire: Chillicothe Community FPD  Water: Private well
                  Schools: Chillicothe IVC District #321  Sewer: Private septic

Transportation: N. River Beach Dr., township collector road

Pertinent Zoning Cases On Site: None.

Pertinent Zoning Cases In Surrounding Area: Zoning Cases #ZBA-2021-000033, #ZBA-2021-000039, #ZBA-2021-000040, #ZBA-2021-000041, and #ZBA-2022-00006

Department of Planning and Zoning Recommendation: APPROVAL WITH RESTRICTIONS
Case Analysis

Request and Location: The petitioner, Briscoe Financial, LLC, requests a Special Use to provide Overnight Accommodations in the “R-2” Medium Density Residential Zoning District. Overnight accommodations may be established as a special use in the R-2 District provided that they meet the requirements set forth in Section 7.8 (“Overnight Accommodations”) and provided that no more than five rooms or suites are rented and that rooms are not rented for a period of more than fourteen days. The petitioner proposes to offer an entire single-family dwelling for rent on a short-term basis through the short-term rental websites Airbnb and VRBO. The subject parcel contains a single-family dwelling and an attached garage. The subject parcel is located at 15326 N. River Beach Dr. in the Southwest Quarter of Section 5 in Chillicothe Township.

Pertinent Zoning Cases on Site: None.

Pertinent Zoning Cases in Surrounding Area: Zoning case #ZBA-2021-000033 was a request for a Special Use to provide Overnight Accommodations at 13933 N. River Beach Dr., approximately 1.61 miles southwest of the subject property. The County Board approved this request with restrictions on November 11, 2021. Zoning case #ZBA-2021-000039 was a request for a Special Use to provide Overnight Accommodations at 11846 N. Riverview Rd., approximately 4 miles southwest of the subject property. The County Board approved this request with restrictions on January 13, 2022. Zoning case #ZBA-2021-000041 was also a request for a Special Use to provide Overnight Accommodations at 16212 N. Portage St., approximately 0.78 miles to the northeast of the subject property. The County Board approved this request with restrictions on January 13, 2022. In addition to the subject request, Briscoe Financial, LLC, is also the petitioner in cases #ZBA-2021-000040 and #ZBA-2022-000006, both requests to provide Overnight Accommodations in the “R-2” District. Case #ZBA-2021-000040 was located at 15414 N. River Beach Dr., approximately 0.05 miles northeast of the subject property. The County Board approved the request with restrictions on January 13, 2022. Case #ZBA-2022-000006 is located at 16008 N. Front St., approximately 0.55 miles northeast of the subject property. Case #ZBA-2022-000006 will receive a final vote at the March 10, 2022 County Board meeting.

Surrounding Zoning and Land Use: The subject parcel and all surrounding parcels are zoned “R-2” Medium Density Residential. The subject parcel contains a single-family dwelling and an attached garage located below the living space. This single-family dwelling consists of 1,256 square feet of living space and 3 bedrooms. To the north and west of the subject property are single-family dwellings. The Illinois River lies to the east, and the subject parcel has approximately 63 feet of frontage on the water. Four vacant lots are located to the south of the subject property; three of the lots are owned by Peoria County while the fourth lot is owned by the Chillicothe Park District. Single-family dwellings are the principal land use along N. River Beach Drive and this part of the Illinois River. The petitioner requests to offer the single-family dwelling at the subject property as an overnight accommodation on a short-term basis. The petitioner states that the house will be available for rent most weekends and weekdays varying on season, and the house would be occupied approximately 30-60% of available nights. The entire house will be rented rather than each room being rented individually, so the use of the property will be similar to that of a single-family dwelling. The petitioner’s request is consistent with the single-family residential character of the surrounding area.

Technical Adequacy: The subject parcel is currently zoned “R-2” Medium Density Residential. Permitted uses in the “R-2” Medium Density Residential District include single-family detached and two-family dwellings, childcare homes, and small or medium residential care homes. A residential care home is defined as a dwelling in which staff persons provide care, education, and participation in community activities for a group of unrelated individuals who have long-term disabilities or handicaps with the primary goal of developing or exercising basic skills for daily living. Medium residential care homes may support up to eight (8) residents. Section 20-5.5.2.2.c of the Unified Development Ordinance (UDO) allows for a special use for overnight accommodations in the R-2 district, provided that: 1. no more than five (5) rooms or suites are rented and 2. rooms are not rented for a period of more than fourteen (14) days. Development standards for all overnight accommodations are outlined in Section 20-7.8 of the UDO, and Section 20-7.8.1 states that the section applies to all overnight accommodations in the County, regardless of whether they are considered a “bed and breakfast establishment,” “hotel,” “motel,” “boarding house,” “rooming house,” or any other type of commercial establishment where rooms are rented at a daily rate to the general public. Section 20-7.8.5 also requires that the operator keep a log identifying the name, address, and phone number of all guests, and Section 20-7.8.6 requires that overnight accommodations not begin operation until a Certificate of Occupancy has been issued by the Zoning Administrator. The petitioner requests to offer overnight accommodations on a short-term basis through Airbnb and VRBO. According to the petitioner, the house will be rented to
guests who usually consist of a single-family unit, and individual sleeping rooms will not be rented. The petitioner states that the home is anticipated to have, on average, 6 guests per visit with a maximum of 8 allowed. The average length of stay is 3 nights with a 2-night minimum and a 13-day maximum stay. The petitioner also states that check out time is before 10 AM and check in time is after 3 PM, and the home is equipped with security cameras and tech doors and locks to ensure safety of the guests and the surrounding premises. The petitioner’s proposal is consistent with the UDO’s overnight accommodation requirements.

Environmental Impacts: The subject parcel is located in an AE flood hazard area, which has a 1% chance of flooding each year. Building permit #55895 was issued by the Department of Planning and Zoning on July 16, 2012, to elevate the single-family dwelling at the subject property, build a new garage below the house, and add decks and a carport. The project received a Certificate of Occupancy from the Department of Planning and Zoning on August 8, 2013. Any new construction or alterations at the subject property must meet floodplain development standards in accordance with Section 20-7.14 (“Floodplain Regulations”). At the time of the Peoria City/County Health Department’s review, no conditions were found that would cause the Department to recommend denial of the request. It is a recommendation of the Department for the property owner to leave information regarding their onsite wastewater disposal or potable water system(s) for their guests so that their systems are properly cared for and maintained. It is also recommended that the property owner have their guests notify them immediately of any problems with either their onsite wastewater disposal or potable water systems during the duration of their stay. The Department found no files pertaining to the property’s onsite wastewater system. Provided the requirements of the Peoria City/County Health Department are met, the petitioner’s request to offer overnight accommodations at the subject parcel should have a minimal effect on the surrounding environment.

Transportation Impacts: The subject parcel has 60 feet of road frontage along N. River Beach Dr., a township collector road, and the subject property is accessed by an existing gravel driveway off N. River Beach Dr. No new access points are proposed at this time. The 2017 IDOT Traffic Map shows an average of 575 vehicle trips in a 24-hour period for this section of N. River Beach Dr. The 8th Edition of the Trip Generation Report published by the Institute of Transportation Engineers cites an average rate of 9.44 vehicle trips on a weekday per single-family dwelling unit, and the rates observed in the study range from 4.81 trips to 19.39 trips. The Trip Generation Report also cites an average of 2.65 vehicle trips per resident on a weekday for the single-family detached housing land use. Were the maximum number of 8 guests to stay at the property, the approximate trip generation would be 21.2 trips, if each guest arrived in their own vehicle. Residential care homes are a permitted use in the “R-2” District. For the Assisted Living Land Use, the land use most similar in character to the Residential Care Home definition of the UDO, the Trip Generation Report cites an average of 4.14 vehicle trips on a weekday per occupied bed. Were an assisted living facility to support 8 residents, the weekday trip generation would be approximately 33.12 trips. Accordingly, the potential traffic generated by the proposed use is consistent with the observed rates for a single-family dwelling unit and less than the projected traffic generation for a residential care home, one of the R-2 district’s permitted land uses. The petitioner’s request should not have a negative impact on local traffic patterns. The County Highway Department will defer to the Chillicothe Township Road Commissioner, as this portion of River Beach Dr. is maintained by the road district. No comments have been received from the Chillicothe Township Road Commissioner.

Land Use Form: The Future Land Use Form Map in the Peoria County Comprehensive Land Use Plan designates this area as Unincorporated Center and Environmental Corridor. Unincorporated Centers have an almost entirely residential character, though small neighborhood commercial uses are occasionally present. The petitioner’s request is consistent with the Unincorporated Center Land Use Form, as the proposed accommodations will be similar in use to a single-family dwelling while also providing small-scale commercial lodging for visitors to the area. The Environmental Corridor Land Use Form recognizes the value of environmental corridors as recreational, residential, and economic attractions, and the Land Use Plan also notes that these resources are a major contributor to the economy via eco-tourism and visitor attraction. The Illinois River lies directly east of the subject property, and the subject property has approximately 64 feet of frontage on the water. This proximity to the Illinois River provides recreational and eco-tourism opportunities, making the petitioner’s request consistent with the goals of the Land Use Plan. The petitioner’s request is also consistent with the Peoria County Growth Strategy of generating economic opportunity and stability, as visitors to the area would have an additional option for lodging.
Conclusions

Consistency with Adopted County Plan. The request is consistent with the Unincorporated Center and Environmental Corridor Land Use designations of the Peoria County Future Land Use Form Map. Unincorporated Centers have an almost entirely residential character, though small neighborhood commercial uses are occasionally present. The petitioner’s request is consistent with the Unincorporated Center Land Use Form, as the proposed accommodations will be similar to a single-family dwelling while also providing small-scale commercial lodging. The Environmental Corridor Land Use Form recognizes the value of environmental corridors as recreational, residential, and economic attractions, and the Land Use Plan also notes that these resources are a major contributor to the economy via eco-tourism and visitor attraction. The petitioner’s request to offer overnight accommodations at the subject property is consistent with these goals, as the proximity to the Illinois River promotes visitor attraction through recreational and eco-tourism opportunities. The petitioner’s request is also consistent with the Peoria County Growth Strategy of generating economic opportunity and stability, as visitors to the area would have an additional option for lodging.

Consistency with Community Character. The subject parcel and all surrounding parcels are currently zoned “R-2” Medium Density Residential. The subject parcel contains a single-family dwelling and an attached garage located below the living space. Single-family dwellings are the principal land use along N. River Beach Dr. and this part of the Illinois River. The petitioner requests to offer the single-family dwelling at the subject property as a short-term rental for overnight accommodations. The entire house will be rented on a short-term basis rather than renting each room individually, so the use of the property will be similar to that of a single-family dwelling. The petitioner’s request will be consistent with the surrounding area.

Minimizing Adverse Effects. The subject single-family dwelling includes 3 bedrooms that can accommodate 8 guests. According to the petitioner, the house will be rented to guests who usually consist of a single-family unit, and individual sleeping rooms will not be rented. The home is anticipated to have, on average, 6 guests per visit with a maximum of 8 allowed. The average length of stay will be 3 nights with a 2-night minimum and a 13-day maximum stay. The petitioner also states that check out time is before 10 am and check in time is after 3 pm, and the home is equipped with security cameras and tech doors and locks to ensure safety of the guests and the surrounding premises. The design of the petitioner’s proposal will minimize adverse effects on adjacent properties.

Presence of Natural/Historical Resources. The request does not impact known natural or historical resources.

Compliance with Additional Standards. Building permits must be obtained for any future renovations at the property, and any new construction or alterations must meet floodplain development standards in accordance with Section 20-7.14 (“Floodplain Regulations”). Should the Special Use be granted, the proposed use must comply with the requirements for Overnight Accommodations listed in Section 20-7.8 of the Unified Development Ordinance. This includes Section 20-7.8.2, “Length of Stay,” which requires that guests at overnight accommodations shall stay no more than the time limit specified by these regulations for each district; in the “R-2” district, this time limit is no more than 14 days. This also includes Section 20-7.8.5, “Record of Guests,” which requires that the operator keep a log identifying the name, address, and telephone number of all guests, and Section 20-7.8.6, “Certificate of Occupancy,” which requires that overnight accommodations shall not begin operation until a certificate of occupancy has been obtained from the Zoning Administrator in accordance with the provisions of Section 3.3 (“Certificate of Occupancy”).
Staff Recommendation

Based on the above information, the Department recommends **approval with the following restrictions:**

1. The Special Use is null and void in the event that the subject parcel is no longer owned by Briscoe Financial, LLC.
2. No more than four (4) automobiles in total which are parked accessory to the single-family dwelling at the subject property may be parked outside at the subject property, or on an adjacent property under the same ownership, for a period of more than seventy-two (72) continuous hours, pursuant to Section 20-7.7.7.5 of the Unified Development Ordinance.
3. No more than eight (8) overnight guests may be present at the subject parcel at any one time.
4. The operator shall keep a log identifying the name, address, and telephone number of all guests. This log must be provided to the Zoning Administrator upon request.
5. The operator shall notify all adjacent property owners that Overnight Accommodations will be offered at the subject property by sending a letter through Certified Mail. This letter shall include the contact information of the operator. The operator must provide the Zoning Administrator with a copy of the letters sent and a verification receipt showing that each letter was delivered or that a delivery attempt was made.
6. Overnight accommodations may not be offered at the subject property until a Certificate of Occupancy has been issued by the Department of Planning and Zoning, per Section 20-7.8, “Overnight Accommodations,” of the Peoria County Unified Development Ordinance.
7. The Special Use Permit may be terminated by the Zoning Administrator upon violation of the above restrictions, per Section 20-3.5.9 of the Peoria County Unified Development Ordinance.

Respectfully submitted,

Taylor Armbruster
Planner I

Kathi Urban
Director
A meeting of the Peoria County Zoning Board of Appeals was held on Thursday, February 10, 2022. The meeting was called to order by Linda O’Brien – Chairperson at 9:00 a.m.

PRESENT: Linda O’Brien – Chairperson, Andrew Keyt – Vice Chairperson, Greg Happ, Jim Bateman, Robert Asbell, J. Greg Fletcher

ABSENT: John Harms, Justin Brown

STAFF: Kathi Urban – Director  
Andrew Braun – Assistant Director  
Taylor Armbruster – Planner I  
Jack Weindel – Planner I  
Dana Hughes – Civil Assistant State’s Attorney  
Sarah Cox – ZBA Administrative Assistant

Case No. ZBA-2022-000007 at 9:00 a.m. Hearing to be held in room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of BRISCOE FINANCIAL, LLC (A limited liability company, Jason Briscoe – authorized agent, of 8747 E. Hansel Rd., Channahon, IL 60410, acting on its own behalf, a SPECIAL USE request from Section 20-5.5.2.2.C which allows for Overnight Accommodations, provided that they meet the requirements set forth in Section 7.8 (Overnight Accommodations) and provided that no more than 5 rooms or suites of rooms are rented; and rooms are not rented for a period of more than 14 days. The petitioner proposes to provide overnight accommodations on a short term rental basis in the “R-2” Medium Density Residential Zoning District.

FINDINGS OF FACT FOR SPECIAL USES

Section 20-3.5.4

When considering an application for a special use permit, the decision-making body shall consider the extent to which:

1. That the special use will be consistent with the purposes, goals, objectives, and standards of any officially adopted County plan and these regulations, or if not consistent, the factors which justify deviation;
   - The petitioner's request to offer overnight accommodations at the subject property is consistent with the Unincorporated Center and Environmental Corridor Land Use designations of the Peoria County Land Use Form Map. The proposed accommodations would be similar to that of a single-family dwelling while providing small-scale commercial lodging. The proposed accommodations are in close proximity to the Illinois River and offer recreational, residential and economic attractions, and in turn are a major contributor to the economy. Granting of the Special Use would allow visitors to the area an additional option for lodging.
2. That the special use will be consistent with the community character of the immediate vicinity of the parcel proposed for development, or if not consistent, the factors which justify the inconsistency:
   - The subject parcel and all surrounding parcels are zoned "R-2" Medium Density Residential. The subject parcel is a one-story, approximately 1,256 square foot single-family dwelling with an attached garage of the same size located below the living space. Single-family dwellings are the principal land use along this stretch of the Illinois River. The entire house at the subject property will be rented rather than each room individually, so the use of the property will be similar to that of other single-family dwellings in the area. The Special Use request is consistent with the community character of the area.

3. That the design of the proposed use will minimize adverse effects, including visual impacts on adjacent properties, except for land splits in the A-2 District and individual mobile homes:
   - The petitioners have stated that the 3-bedroom single family dwelling can accommodate 8 guests. The home is anticipated to have, on average, 6 guests per visit with a maximum of 8 allowed. The average length of stay will be three nights, with a two-night minimum and a 13-day maximum. The petitioner has also stated that check-in time is after 3:00 pm and check-out time is before 10:00 am. The home is equipped with security cameras, as well as tech doors and locks to ensure safety of guests and surrounding premises. The design of the petitioner's proposal, as well as restrictions proposed by staff, will minimize adverse effects on adjacent properties.

4. That the development has been reviewed and approved by the Illinois Department of Natural Resources with regard to the presence of endangered species, and archaeological and/or historical resources, if applicable:
   - This request does not impact known natural or historical resources.

5. That the proposed use will comply with all additional standards imposed on it by the particular provision of these regulations authorizing such use and by all other applicable requirements of the ordinances of the County:
   - Building permits must be obtained for any future renovations at this property, and any new construction or alterations must meet floodplain development standards in accordance with Section 20-7.14. If the Special Use is granted, the proposed use must comply with the requirements for Overnight Accommodations listed in the Unified Development Ordinance, which includes "Length of Stay" which is no more than 14 days in the "R-2" district. Also included is "Record of Guests", which requires the operator to log names, addresses, and phone numbers of all guests. If the Special Use is granted, overnight accommodations shall not begin operation until a "Certificate of Occupancy" is obtained from the Zoning Administrator.

A motion to approve the Findings of Fact was made by Mr. Fletcher and seconded by Mr. Bateman. Six affirmative votes; (6-0) A motion to approve the special use with restrictions was made by Mr. Happ and seconded by Mr. Keyt. A vote was taken, and the motion was approved; (6-0)
Meeting adjourned 11:45 a.m.

Respectfully submitted,

Sarah Cox
ZBA Administrative Assistant
TO THE HONORABLE COUNTY BOARD

COUNTY OF PEORIA, ILLINOIS

Your Land Use Committee does hereby recommend passage of the following Resolution:

RE: Approval of Special Use, Petition of Briscoe Financial, LLC.

RESOLUTION

WHEREAS, the County of Peoria has enacted a Unified Development Ordinance, Chapter 20 of the Peoria County Code; and

WHEREAS, said ordinance requires a Special Use for Overnight Accommodations, provided that they meet the requirements set forth in Section 7.8 (Overnight Accommodations) and provided that no more than 5 rooms or suites of rooms are rented, and rooms are not rented for a period of more than 14 days, in the R-2 Medium Density Residential District; and

WHEREAS, a hearing on said Special Use was held before the Zoning Board of Appeals (ZBA) on February 10, 2022 in Case No. ZBA-2022-000007; a copy of the deliberation minutes of said hearing and a legal description of the subject property are attached; and

WHEREAS, the ZBA deliberated its decision on February 10, 2022, and voted to recommend approval of the Special Use with restrictions; a copy of the ZBA’s findings of fact is attached; and

WHEREAS, your Committee met on February 28, 2022 to consider the ZBA’s recommendation and voted to approve the Special Use with restrictions.

NOW THEREFORE BE IT ORDAINED, by the County Board of Peoria County, that the Special Use in Case No. ZBA-2022-000007 is hereby approved with the following restrictions:

1. The Special Use is null and void in the event that the subject parcel is no longer owned by Briscoe Financial, LLC.
2. No more than four (4) automobiles in total which are parked accessory to the single-family dwelling at the subject property may be parked outside at the subject property, or on an adjacent property under the same ownership, for a period of more than seventy-two (72) continuous hours, pursuant to Section 20-7.7.7.5 of the Unified Development Ordinance.
3. No more than eight (8) overnight guests may be present at the subject parcels at any one time.
4. The operator shall keep a log identifying the name, address, and telephone number of all guests. This log must be provided to the Zoning Administrator upon request.
5. The operator shall notify all adjacent property owners that Overnight Accommodations will be offered at the subject property by sending a letter through Certified Mail. This letter shall include the contact information of the operator. The operator must provide the Zoning Administrator with a copy of the letters sent and a verification receipt showing that each letter was delivered or that a delivery attempt was made.
6. Overnight accommodations may not be offered at the subject property until a Certificate of Occupancy has been issued by the Department of Planning and Zoning, per Section 20-7.8, “Overnight Accommodations,” of the Peoria County Unified Development Ordinance.
7. The Special Use Permit may be terminated by the Zoning Administrator upon violation of the above restrictions, per Section 20-3.5.9 of the Peoria County Unified Development Ordinance.

NOTICE: Approval of this Special Use does not constitute approval of wells nor septic systems for the property required by the Peoria City/County Health Department.

RESPECTFULLY SUBMITTED,
LAND USE COMMITTEE
A part of Lot 3 of UNDERHILL'S SUBDIVISION OF ROME FARMS, and situated in the Southwest Quarter of Section 5, Township 10 North, Range 9 East of the Fourth Principal Meridian, described as a strip of ground of even width of 60 feet extending from State Bond Issue Route 29 to the Illinois River and lying adjacent to and bounded on the Southwesterly side by the Southwesterly line extended, to the Illinois River of the property deeded by Alfred S. Proctor and Elizabeth G. Proctor to Wallace J. Nash by Warranty Deed dated October 17, 1891 and recorded in the Recorder's Office of Peoria County, Illinois, in Book "GG" at page 31, situated in Peoria County, Illinois. (Chillicothe Township 10-05-302-031)
**AGENDA BRIEFING**

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**ISSUE:** ZBA Case #ZBA-2022-000012. A Special Use request from Section 20-5.1.3.2.f of the Unified Development Ordinance. This section allows for a special use in the “A-1” Agricultural Preservation Zoning District for a Solar Energy Generation Facility, provided that the conditions in Section 7.17 (“Ground Mounted Solar Energy Equipment”) of these regulations are met. The petitioner proposes to construct a 40mW utility-scale Solar Energy Generation Facility.

**BACKGROUND/DISCUSSION:** This case is in District #14, which is County Board member Brian Elsasser’s district. The petitioner, Cornwell Solar, LLC, requests a Special Use for a 40 MWac Solar Energy Generation Facility in the “A-1” Agricultural Preservation Zoning District, covering approximately 250 acres of the three parcels’ combined 272.5 acres. The parcels are located along W. Laura Rd. in the SE 1/4 of Section 21 and the N ½ of Section 28, Princeville Township. There are 2 consents and 0 objections on file. All three parcels are zoned “A-1” and consist of cropland. The request proposes to connect to the Ameren Monica Switching Station, located adjacent to the northern and eastern parcels on W. Laura Rd. The site plan shows that solar panels will cover the entirety of the eastern and western parcels and the part of the northern parcel south of the railroad. The petitioner states that, where feasible, the solar project will utilize pollinator-friendly landscaping, vegetation maintenance that limits runoff, and other management practices that are in keeping with the community, adjacent uses, and the local ecosystem. The proposed facility is intended to operate for at least 25 years. Section 20-5.1.3.2.f of the (UDO) allows for a special use for a Solar Energy Generation Facility in the “A-1” district, provided that the conditions in Section 20-7.17 are met. If granted, the petitioner must obtain building and stormwater and erosion control permits prior to construction. Section 20-7.17.5 (“Decommissioning Plan”) requires that the petitioner maintain a decommissioning plan with financial security. The plan must state how the facility will be removed, including restoring the land to a condition reasonably similar to its condition before the development and the replacement of topsoil. The LESA score was 207 out of 300, which is a medium rating for agricultural protection. The petitioner shall enter into an Agricultural Impact Mitigation Agreement with the Department of Agriculture outlining standards to preserve any agricultural land impacted by the request. No conditions were found that would cause the Health Department to recommend denial of the request. Following construction, the request will generate minimal traffic. The petitioner has provided correspondence from the Peoria County Highway Department and the Princeville Township Road Commissioner, and road use agreements for the repair of any damaged roads will be obtained from the appropriate road official prior to the start of construction. The Peoria County Future Land Use Form Map designates this area as Agriculture Preservation. Solar Energy Generation Facilities are not an identified use in the Peoria County Comprehensive Land Use Plan. The request will not disrupt adjacent agricultural operations. The request is also consistent with the Peoria County Growth Strategy for Rural Areas.

**COUNTY BOARD GOALS:**

**HEALTHY VIBRANT COMMUNITIES**

**STAFF RECOMMENDATION: Approval with the following restrictions:**

1. Ground under solar arrays shall be planted and maintained in perennial vegetative ground cover.
2. All transformers and inverters must be located at least 150 feet from the nearest existing residentially used property to mitigate the noise heard on adjacent residential properties.
3. Required permits, including building permits, electrical permits, fence permits, and stormwater and erosion control permits, must be obtained from the Peoria County Department of Planning and Zoning prior to construction.
4. The applicant must obtain all required overweight and access permits from the Peoria County Highway Department and the Princeville Township Road Commissioner.
5. The Solar Energy Generation Facility shall be required to have a decommissioning plan that meets the requirements of Section 20-7.17.5 (“Decommissioning Plan”) of the Unified Development Ordinance. Said plan shall be submitted and approved prior to the issuance of the building permit. Financial security must remain valid through the life of the project. Through the life of the project, the owner of the Solar Energy Generation Facility must provide the Zoning Administrator an updated decommissioning plan, including updated estimated costs and updated financial security, every four years.
6. Except during a valid permit period or scheduled maintenance, which may or may not require a permit, the special use does not include the outdoor storage of equipment or materials.
7. Execution of an Agricultural Impact Mitigation Agreement (AIMA) pursuant to the Renewable Energy Facilities Agricultural Impact Mitigation Act (505 ILCS 147) shall be required. A copy of this agreement shall be submitted to the Peoria County Department of Planning and Zoning prior to issuance of a building permit.

**ZBA RECOMMENDATION: Approval with restrictions (6-0)**

**COMMITTEE ACTION:**

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<th>PREPARED BY:</th>
<th>Taylor Armbruster, Planner I</th>
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<td>Planning &amp; Zoning</td>
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Date: February 2, 2022

Case/Petitioner: ZBA-2022-000012 / Cornwell Solar. LLC / P.O. Box 310, Highland Park, IL 60035
(owner, Harmon Farms, Inc., 11301 N. Brimfield Rd., Brimfield, IL 61517, and owner, Matthew A. Lauber, 1607 Greystone Ct., Chillicothe, IL 61523)

Request: A Special Use request from Section 20-5.1.3.2.f of the Unified Development Ordinance. This section allows for a special use in the "A-1" Agricultural Preservation Zoning District for a Solar Energy Generation Facility, provided that the conditions in Section 7.17 ("Ground Mounted Solar Energy Equipment") of these regulations are met. The petitioner proposes to construct a 40mW utility-scale Solar Energy Generation Facility.

Location: PIN 02-21-400-019 / Address not assigned / 118.123 acres / Northernmost parcel
PIN 02-28-100-007 / Address not assigned / 74.41 acres / Westernmost parcel
PIN 02-28-200-003 / Address not assigned / 80 acres / Easternmost parcel

Land Use Form: Agriculture Preservation

Current Zoning: “A-1” Agricultural Preservation

Present Use: Agriculture

Size of Site: 272.5 acres

South: “A-1” Agricultural Preservation
East: “A-1” Agricultural Preservation
West: “A-1” Agricultural Preservation

Surrounding Land Uses: North: Agriculture; Residential; Commercial Grain Facility
South: Agriculture
East: Agriculture
West: Agriculture

Public Services: Fire: Akron-Princeville FPD
Water: None
Schools: Princeville CUSD #326
Sewer: None

Transportation: N. Daily Rd., County non-primary highway; W. Laura Rd., County non-primary highway; W. Laura Rd., township collector road; N. Elliott Rd., township collector road

Pertinent Zoning Cases
On Site: None.

Pertinent Zoning Cases
In Surrounding Area: Zoning Case #2018-080-U

Department of Planning and Zoning Recommendation: APPROVAL WITH RESTRICTIONS
Case Analysis

Request and Location: The petitioner, Cornwell Solar, LLC, requests a Special Use to operate a 40 MWac Solar Energy Generation Facility in the “A-1” Agricultural Preservation Zoning District. Solar Energy Generation Facilities may be established as a special use in the “A-1” District provided that they meet the conditions of Section 20-7.17, “Ground Mounted Solar Energy Equipment.” According to the petitioner’s site plan, the proposed equipment requires approximately 250 acres of the three parcels’ combined approximately 272.5 acres. The petition states that Cornwell Solar, LLC is a wholly owned indirect subsidiary of Trajectory Energy Partners, LLC, which brings together communities, organizations, and landowners to develop clean energy projects with strong local support. The request includes three parcels: PIN 02-21-400-019, the northernmost parcel, comprises 118.123 acres and is owned by Harmon Farms, Inc.; PIN 02-28-100-007, the westernmost parcel, comprises 74.41 acres and is also owned by Harmon Farms, Inc.; and PIN 02-28-200-003, the easternmost parcel, comprises 80 acres and is owned by Matthew A. Lauber. The subject parcels are currently in agricultural production. The subject parcels are located along W. Laura Rd. in the Southeast Quarter of Section 21 and the North Half of Section 28 in Princeville Township.

Pertinent Zoning Cases on Site: None.

Pertinent Zoning Cases in Surrounding Area: Special use case #080-18-U was a special use request to operate a 4-megawatt Solar Energy Generation Facility in the “A-1” Agricultural Preservation Zoning District on approximately 55.3 acres of an 80-acre parcel. The subject parcel in case #080-18-U is located approximately 0.25 miles to the east of the easternmost subject parcel along W. Laura Rd. On December 13, 2018, the Zoning Board of Appeals recommended approval of the case with restrictions, and the County Board approved the request with restrictions on January 10, 2019. This proposed solar project has not yet been developed.

Surrounding Zoning and Land Use: The northernmost subject parcel (PIN 02-21-400-19) consists of approximately 118.123 acres and is zoned “A-1” Agricultural Preservation. This parcel is bisected by a railroad belonging to the AT&SF Railroad Company; the northern piece consists of approximately 22.23 acres while the southern piece consists of approximately 95.893 acres.

The northern piece is located west of N. Elliott Rd. and is currently in row-crop agricultural production. Surrounding parcels to the north, south, east, and west are zoned “A-1” Agricultural Production. To the north and east are agricultural fields, to the south is the AT&SF Railroad, and to the west is a single-family dwelling. Farther west from the northern piece is a 16.85-acre tract zoned “I-1” Light Industrial, and this is the location of the Monica Elevator Company, an agriculturally related business. Beyond the Monica Elevator Company, continuing west is the unincorporated Town of Monica. Based on the petitioner’s site plan, no solar panels are proposed on the 22.23-acre northern piece of parcel 02-21-400-019.

The southern piece is located north of W. Laura Rd. between N. Daily Rd. and N. Elliott Rd. and is currently in agricultural production. All surrounding parcels are zoned “A-1” Agricultural Preservation. To the north is the AT&SF Railroad and all surrounding agricultural fields are located to the south, west, and east. The Ameren Illinois Monica Switching Station, the proposed site of interconnection, is also immediately adjacent to this parcel to the southeast. Based on the petitioner’s site plan, solar panels would cover the entirety of this piece, excluding the required setback areas.

The westernmost subject parcel (PIN 02-28-100-007) is located on the south side of W. Laura Rd. between N. Kraft Rd. and N. Daily Rd. This parcel consists of approximately 74.41 acres and is currently in row-crop agricultural production. This parcel is zoned “A-1” Agricultural Preservation. All surrounding parcels are zoned “A-1” Agricultural Preservation. Two single-family dwellings are located adjacent along W. Laura Rd., and an additional single-family dwelling is located adjacent to the east. All other land uses surrounding this parcel are agricultural. Based on the petitioner’s site plan, solar panels would cover the entirety of the parcel excluding the required setback areas.

The easternmost subject parcel (PIN 02-28-200-003) is located on the south side of W. Laura Rd. between N. Daily Rd. and N. Elliott Rd. This parcel consists of approximately 80 acres and is currently in row-crop agricultural production. This parcel is zoned “A-1” Agricultural Preservation. All surrounding parcels are zoned “A-1” Agricultural Preservation. All surrounding land uses are agricultural. The Monica Switching Station is also located immediately adjacent to the north. Based on the petitioner’s site plan, solar panels would cover the entirety of the parcel excluding the required setback areas.

The petitioner requests to construct a 40-megawatt utility-scale solar facility covering approximately 250 acres of the three subject parcels’ combined approximately 272.5 acres. The petitioner states that the facility will include rows of photovoltaic cell panels mounted on posts driven into the ground, and the panels will be installed in a north-south configuration on a
mounting system that will rotate the panels to track the sun throughout the day. In order to minimize adverse impacts on neighboring residential properties, the panels will include an anti-reflective coating to minimize glare, and a 7-foot chain link fence will enclose all the panels and electrical equipment on site, which will be accessed by a locked gate. The petitioner also states that the solar panels are almost inaudible, and careful placement of the inverters and transformers in relation to any adjacent residential areas will make noise levels less than 50 decibels when measured at the applicable property line. This decibel level is comparable to a conversation. The petitioner also states that, where feasible, the solar project will utilize pollinator-friendly landscaping, vegetation maintenance that limits runoff, and other management practices that are in keeping with the community, adjacent uses, and the local ecosystem. The petitioner states that the proposed facility is intended to operate for a period of at least 25 years and will be constructed with solar panels with long-term warranties and very low expected rates of replacement. The petitioner also states that the solar project will benefit the community through new tax revenues for Peoria County, steady income to the subject landowners, economic activity through local construction, materials, and services, and production of clean, non-polluting electricity. The petitioner’s request is consistent with the agriculturally productive land uses and zoning of the surrounding area, as it will not disrupt adjacent agricultural operations.

**Technical Adequacy:** The subject parcels are currently zoned “A-1” Agricultural Preservation. Section 20-5.1.3.2.f of the Unified Development Ordinance (UDO) allows for a special use for a solar energy generation facility, provided that the conditions in Section 7.17 (“Ground Mounted Solar Energy Equipment”) are met. The UDO defines a solar energy generation facility as a facility consisting of ground mounted solar collectors and supplementary solar energy equipment used to produce electric power that is either the stand alone use or one of the principal uses for the parcel of land on which it is located. In a Solar Energy Generation Facility, the electric power may be used onsite, but its primary purpose is to generate electric power for offsite utility bill credit, subscription sale, retail sale, or wholesale. The petitioner requests to construct a 40-megawatt utility-scale solar energy generation facility.

Section 7.17.3 (“Standards for a Solar Energy Generation Facility”), sections 1-3, address the setbacks, height, and minimum conditions for a special use permit for a Solar Energy Generation Facility. The petitioner addresses these standards as listed here:

- **Setbacks.** All solar energy equipment and accessory structures of the facility, excluding perimeter fencing, must comply with road, side, and rear setbacks established in the underlying zoning district. In agricultural zoning districts, the setback for non-residential structures shall apply. The horizontal separation distance from the solar energy generation facility to the nearest principal residential dwelling shall be at least seventy-five (75) feet. The required road setbacks from N. Daily Rd. and W. Laura Rd., both non-primary County highways, is 125 feet from the center of the right of way. The required road setbacks from W. Laura Rd. and N. Elliott Rd., both township collector roads, is 65 feet from the right of way. The required side and rear setbacks are 30 feet. The petitioner’s site plan, attached within the petition as Exhibit A, demonstrates that the solar project will comply with road, side, and rear setback requirements, as well as the horizontal separation distance to the nearest residential dwelling.

- **Height.** All solar collectors, transformers, equipment or maintenance structures shall comply with the height restriction of the underlying zoning district. The petitioner states that the height of the solar panels will range from 12 to 20 feet at maximum tilt over the lifespan of the project, and the panels will be no higher than 20 feet at maximum tilt. This complies with the 36-foot height limit in the “A-1” district.

- **Design and Installation.** Solar collectors shall be designed and located to avoid glare or reflection toward any inhabited buildings on adjacent parcels. Solar collectors shall be designed and located to avoid glare or reflection toward any adjacent roadways and shall not interfere with traffic or create a traffic safety hazard. The petitioner states that the solar panels will be constructed with an anti-reflective coating to minimize glare or reflection toward any inhabited buildings on adjacent parcel from the solar project. The solar panels will track the sun throughout the day, and together with the anti-reflective coating, their east to west orientation, the neighboring land use and the existing setbacks, direct glare or reflection towards inhabited buildings will be prevented.

- **Lighting.** Lighting shall be limited to the extent required for security and safety purposes and to meet applicable federal, state, or local requirements. Except for federally required lighting, lighting shall be reasonably shielded from adjacent properties and, where feasible, directed downward to reduce light pollution. The petitioner states that the solar project does not require lighting, and no lighting will be installed.

- **Security Fencing:** Facility equipment and structures shall be fully enclosed and secured by a perimeter fence with a height of six (6) to eight (8) feet. Lock boxes and keys shall be provided at locked entrances for emergency personnel. The petitioner states that pursuant to the ordinance and National Electrical Code requirements, the solar
The project will be fully enclosed and secured with a 7 ft high chain link fence and will have a lock box and keys at the locked, gated entrance specified on the site plan.

- **Warning Signage.** A visible warning sign of "High Voltage" shall be posted at all points of site ingress and egress and along the perimeter fence of the facility, at a maximum of three hundred (300) feet apart. A sign that includes the facility's 911 address and 24-hour emergency contact number shall be posted near all entrances to the facility. The petitioner states that the solar project will comply with the warning signage requirements of the UDO.

- **Utility Connection.** The applicant shall submit with the special use application a copy of a letter from the electric utility company confirming the review of the application for interconnection has started. The petitioner has included Ameren Illinois’ pre-application report with the special use application. Based on this report, the likely substation to serve the proposed point of interconnection (POI) for this project is the Monica Switching Substation, and this Switching Station is fed from both the Fargo and Hallock Substations in a networked system. Ameren must still review the full interconnection, which will be completed prior to obtaining any building permits.

- **Fire Safety.** It is the responsibility of the applicant to coordinate with the local fire protection district. The applicant shall submit with the special use application an approval letter from the local fire protection district. The petitioner has included a letter from Chief Randy Haley of the Akron-Princeville Fire District stating that the District finds no cause for objection at this time for the proposed solar project.

- **Roads.** Any roads that will be used for construction purposes and egress or ingress shall be identified and approved by the road jurisdiction. All applicable road and bridge weight limits shall be met during construction and maintenance. All applicable permits shall be acquired from the road jurisdiction prior to start of construction. The applicant shall submit with the special use application an approval letter from the road jurisdiction(s). The petitioner has included a letter from County Engineer Amy McLaren stating that the County Highway Department does not have an objection to the solar project moving forward in the Peoria County Zoning process, but, before access to the subject property is granted, representatives from Trajectory Energy Partners will need to meet with Peoria County Highway Department staff for access permits and road use agreements. The petitioner has also included a letter from Princeville Township Highway Commissioner Darrell Fuchs stating that the Commissioner finds no cause for objection at this time to the proposed solar project.

- **Endangered Species and Wetlands.** Applicant shall seek natural resource consultation with the Illinois Department of Natural Resources (IDNR). The applicant shall submit with the special use application the results of the IDNR EcoCAT consultation. The cost of the EcoCAT consultation shall be paid by the applicant. The petitioner has included a copy of the results of the IDNR EcoCAT consultation. IDNR reviewed and terminated the consultation based on the results of such review.

- **Compliance with Additional Regulations.** It shall be the responsibility of the applicant to coordinate with the FAA or other applicable federal or state authority to attain any additional required approval for the installation of a solar energy generation facility. The applicant shall submit with the special use application an approval letter from any federal or state authority requiring permit or approval. The petitioner has included the receipt of notice submitted to the Federal Aviation Administration pursuant to 14 CFR Section 77.7. The Federal Aviation Administration conducted an aeronautical study of the solar project, and the study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation. In addition, the petitioner will work with Peoria County and the relevant federal and state authorities in connection with obtaining the required building permits.

Section 20-7.17.3.4, “Minimum Conditions for a Building Permit,” also requires that the petitioner obtain the necessary building permits and stormwater and erosion control permits. Additionally, an Illinois licensed professional engineer shall certify that the construction and installation of the solar energy generation facility meets or exceeds the manufacturer's construction and installation standards and the officially adopted codes of Peoria County.

Pursuant to Section 20-7.17.5, “Decommissioning Plan,” the petitioner must submit and maintain a decommissioning plan with financial security to ensure the solar project is properly removed upon the end of the project life or facility abandonment. The decommissioning plan shall include the removal of all structures, including solar energy equipment and fencing, and debris to a depth of four (4) feet, restoration of the soil, and restoration of vegetation within six (6) months of the end of project life or facility abandonment. The owner shall restore the land to a condition reasonably similar to its condition before the development of the solar project, including the replacement of topsoil. Additionally, financial security
must remain valid through the life of the project, and an updated decommissioning plan including estimated costs prepared by an Illinois licensed professional engineer and financial security must be submitted to the Zoning Administrator every four (4) years.

A LESA was conducted on the parcel. The site scored 85.8 out of 100 for the agland evaluation and 121.2 out of 200 for the site assessment component. The overall LESA score was 207 out of 300, which is a medium rating for agricultural protection. The ground will not be in agricultural production for the life of the project, which the petitioner proposes to be a period of at least 25 years.

Environmental Impacts: The proposed use was reviewed and approved by the Illinois Department of Natural Resources (IDNR) with regard to the presence of endangered species, archaeological resources, and/or historical resources. An EcoCAT (Ecological Compliance Assessment Tool) report was conducted on the subject property. According to the report, the Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location. The IDNR consultation was terminated, based on the results of the review. Per 505 ILCS 147, Renewable Energy Facilities Agricultural Impact Mitigation Act, the petitioner shall enter into an agricultural impact mitigation agreement with the Department of Agriculture outlining construction and deconstruction standards and policies designed to preserve the integrity of any agricultural land that is impacted by the solar project. According to the Cornwell Solar Screening Plan, which was made available to visitors of an open house on December 8, 2021, regarding the project, a vegetative buffer with native tall grass prairie species and trees will create a natural screening area along with the areas where the project borders residential homes. The petitioner also states that no well and septic systems exist at the subject properties. The petitioner’s request should not have a negative impact on the surrounding environment. At the time of the Peoria City/County Health Department’s review, no conditions were found that would cause the Department to recommend denial of the request.

Transportation Impacts: The northernmost subject parcel has road frontage along N. Daily Rd., a non-primary County highway, W. Laura Rd., a township collector road, and N. Elliott Rd., a township collector road. The westernmost subject parcel has road frontage along W. Laura Rd., a non-primary County highway. The easternmost subject parcel has road frontage along W. Laura Rd. and N. Elliott Rd., both township collector roads. The 2017 IDOT Traffic Map shows an average of 175 vehicle trips in a 24-hour period for this section of N. Daily Rd., 325 vehicle trips for the County portion of W. Laura Rd., and 375 vehicle trips for the township portion of W. Laura Rd. 3 new gravel driveways are proposed off W. Laura Rd. onto each subject parcel for access to the solar energy generation facility.

The petitioner anticipates that the total construction period for the solar project will be approximately 12 months with a peak construction period of approximately 6 months during which most of the construction-related activities will occur. Construction will require trucks to deliver materials to the site, and onsite equipment will be used to drive pilings into the ground and install the panels, supports, and tracking equipment. Concrete pads will be poured to support electrical equipment. The petitioner also states that the performance of the solar project will be continuously monitored, and engineers and maintenance technicians will visit the solar project periodically throughout the year for routine maintenance and any required repairs. Following construction, the solar project will generate minimal traffic, solely in connection with ongoing operations and maintenance.

The petitioner has included a letter from County Engineer Amy McLaren stating that the County Highway Department does not have an objection to the solar project moving forward in the Peoria County Zoning process. Before access to the subject property is granted, representatives from Trajectory Energy Partners will need to meet with Peoria County Highway Department staff for access permits and road use agreements. The petitioner has also included a letter from Princeville Township Highway Commissioner Darrell Fuchs stating that the Commissioner finds no cause for objection at this time to the proposed solar project. Prior to the start of construction of the solar project, representatives from Cornwell Solar, LLC will finalize and execute the draft road use agreement, contained within Exhibit D of the petition, regarding the use, repair, and maintenance of roadways and rights-of-way used by Cornwell Solar, LLC for the construction of the solar project within the Township’s jurisdiction. Given the existing traffic volumes along N. Daily Rd., W. Laura Rd., and N. Elliott Rd., the petitioner’s request should have a minimum impact on local traffic volumes. The petitioner has additionally been in contact with both the Peoria County Highway Department and Princeville Township, and road use agreements for the repair of any damaged roads will be obtained from the appropriate road official prior to the start of construction.

Land Use Form: The Future Land Use Form Map designates this area as Agriculture Preservation. Land Uses allowable in the Agriculture Preservation Land Use Form are Agriculture and Open Space. Solar Energy Generation Facilities are not
an identified Land Use in the Peoria County Comprehensive Land Use Plan, which was adopted in 2009. The petitioner’s request to operate a solar energy generation facility will keep all three subject parcels, comprising approximately 118 acres, 74 acres, and 80 acres, as intact agricultural parcels which can return to agricultural usage following the decommissioning of the project. As opposed to other forms of development which may permanently remove farmland from production, the solar project is expected to have minimal impact on the farmland during its operation, and the solar project will also provide the landowners with a steady source of income while their farmland is not in production. Additionally, the petitioner will be required to submit and maintain a decommissioning plan with financial security prior to the issuance of a building permit, and this decommissioning plan will ensure that the solar energy generation facility is properly removed at the end of the project life or facility abandonment and the land is restored to a similar condition to that prior to development. The petitioner’s request is consistent with the subject parcels’ designated Land Use Form, as the land can be returned to agricultural production. The petitioner’s request is also consistent with the Land Use Plan’s Environmental Stewardship Principle 1, which states that preservation and protection of the natural environment is a high priority in all new developments, and Environmental Stewardship Principle 3, which states that environmentally friendly technology that yields long term cost savings is utilized by the County and private entities. Environmental Stewardship Principle 3 includes the strategy of establishing incentives for renewable energy sources, such as geo-thermal, wind, and solar energy systems. The Land Use Plan also notes that Peoria County and Central Illinois are particularly well suited to capitalize on new sources of energy. The petitioner’s request is consistent with the Comprehensive Land Use Plan. The petitioner’s request is also consistent with the Rural Areas Growth Strategy of the Peoria County Board. One of the Rural Areas Growth Strategy’s goals is that when major infrastructure facilities pass through rural areas in Peoria County, they should be designed not to negatively impact the rural character of the area. The low-impact design of the proposed solar project will fit with the rural character of the surrounding area, as it will not disrupt adjacent agricultural operations.
Conclusions

**Consistency with Adopted County Plan.** The request is consistent with the Agricultural Preservation Land Use designation of the Peoria County Future Land Use Form Map. The Land Use Plan notes that Peoria County has a strong desire to help agricultural operators preserve the family farm, so preservation must be balanced with reasonable opportunities for new development. The petitioner’s request to operate a solar energy generation facility will keep all three subject parcels as intact agricultural parcels which can return to agricultural usage following the decommissioning of the project. The petitioner’s request is also consistent with the Land Use Plan’s Environmental Stewardship Principle 1, which states that preservation and protection of the natural environment is a high priority in all new developments, and Environmental Stewardship Principle 3, which states that environmentally friendly technology that yields long term cost savings is utilized by the County and private entities. The petitioner’s request is also consistent with the Growth Strategies of the Peoria County Board, as the petitioner’s request will collect solar energy for the production of clean, non-polluting electricity, and the low-impact design of the proposed solar project will be consistent with the rural character of the surrounding area.

**Consistency with Community Character.** The three subject parcels and almost all surrounding parcels are zoned “A-1” Agricultural Preservation. A 16.85-acre tract to the northwest of the northernmost parcel is zoned “I-1” Light Industrial, and this parcel is the location of the Monica Elevator Company, an agriculturally related business. All three subject parcels are currently in row-crop agricultural production. Row-crop agriculture is the predominant surrounding land use. The Town of Monica is located to the northwest of the northernmost subject parcel, and three single-family dwellings are located to the northeast and east of the westernmost subject parcel. The petitioner requests to construct a 40-megawatt utility-scale solar facility covering approximately 250 acres of the three subject parcels’ combined approximately 272.5 acres. The petitioner’s request is consistent with the agriculturally productive land uses and zoning of the surrounding area, as it will not disrupt adjacent agricultural operations.

**Minimizing Adverse Effects.** The petitioner’s request is designed to minimize adverse impacts on adjacent properties. The solar panels will include an anti-reflective coating to minimize glare, and a 7 ft chain link fence will enclose all of the panels and electrical equipment on site, which will be accessed by a locked gate. A vegetative buffer with native tall grass prairie species and trees will create a natural screening area along with the areas where the project borders residential homes. The project will also utilize pollinator-friendly landscaping and vegetation maintenance that limits runoff. The request will comply with right-of-way, side, rear, and residential setback requirements. No lighting will be installed. The petitioner must submit a decommissioning plan with financial security prior to the issuance of a building permit. The total construction period for the solar project will be approximately 12 months with a peak construction period of approximately 6 months. The petition states that following construction, the solar project will generate minimal traffic, solely in connection with ongoing operations and maintenance. The petitioner has been in contact with both the Peoria County Highway Department and Princeville Township, and road use agreements for the repair of any damaged roads will be obtained from the appropriate road official prior to the start of construction.

**Presence of Natural/Historical Resources.** The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location. The request should not impact any known natural or historical resources.

**Compliance with Additional Standards.** The petitioner’s site plan meets all requirements for a Solar Energy Generation Facility in accordance with the Unified Development Ordinance. Should the special use permit be granted, the petitioner is responsible for obtaining all building permits, electrical permits, and erosion control and stormwater permits necessary from the Department of Planning and Zoning. A decommissioning plan with financial security pursuant to Section 20-7.17.5 of the UDO must also be submitted prior to the issuance of a building permit. This decommissioning plan with financial security must be updated every four years. Access permits must also be obtained through the County Highway Department and Princeville Township, and the petitioner has submitted evidence of correspondence with both road jurisdictions.
Staff Recommendation

Based on the above information, the Department recommends approval with the following restrictions:

1. Ground under solar arrays shall be planted and maintained in perennial vegetative ground cover.
2. All transformers and inverters must be located at least 150 feet from the nearest existing residentially used property to mitigate the noise heard on adjacent residential properties.
3. Required permits, including building permits, electrical permits, fence permits, and stormwater and erosion control permits, must be obtained from the Peoria County Department of Planning and Zoning prior to construction.
4. The applicant must obtain all required overweight and access permits from the Peoria County Highway Department and the Princeville Township Road Commissioner.
5. The Solar Energy Generation Facility shall be required to have a decommissioning plan that meets the requirements of Section 20-7.17.5 (“Decommissioning Plan”) of the Unified Development Ordinance. Said plan shall be submitted and approved prior to the issuance of the building permit. Financial security must remain valid through the life of the project. Through the life of the project, the owner of the Solar Energy Generation Facility must provide the Zoning Administrator an updated decommissioning plan, including updated estimated costs and updated financial security, every four years.
6. Except during a valid permit period or scheduled maintenance, which may or may not require a permit, the special use does not include the outdoor storage of equipment or materials.
7. Execution of an Agricultural Impact Mitigation Agreement (AIMA) pursuant to the Renewable Energy Facilities Agricultural Impact Mitigation Act (505 ILCS 147) shall be required. A copy of this agreement shall be submitted to the Peoria County Department of Planning and Zoning prior to issuance of a building permit.

Respectfully submitted,

Taylor Armbruster
Planner I

Kathi Urban
Director
A meeting of the Peoria County Zoning Board of Appeals was held on Thursday, February 10, 2022. The meeting was called to order by Linda O'Brien – Chairperson at 9:00 a.m.

PRESENT: Linda O'Brien – Chairperson, Andrew Keyt – Vice Chairperson, Greg Happ, Jim Bateman, Robert Asbell, J. Greg Fletcher

ABSENT: John Harms, Justin Brown

STAFF: Kathi Urban – Director
Andrew Braun – Assistant Director
Taylor Armbruster – Planner I
Jack Weindel – Planner I
Dana Hughes – Civil Assistant State’s Attorney
Sarah Cox – ZBA Administrative Assistant

Case No. ZBA-2022-000012 at 10:00 a.m. Hearing to be held in room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of CORNWELL SOLAR, LLC (A limited liability company, P.O. Box 310, Highland Park, IL 60035), acting on behalf of HARMON FARMS, INC. (owner) and MATTHEW A. LAUBER (owner), a SPECIAL USE request from 20-5.1.3.2.f of the Unified Development Ordinance. This section allows for a special use in the "A-1" Agricultural Preservation Zoning District for a Solar Energy Generation Facility, provided that the conditions in Section 7.17 ("Ground Mounted Solar Energy Equipment"), of these regulations are met. The petitioner proposes to construct a 40mW utility-scale Solar Energy Generation Facility.

FINDINGS OF FACT FOR SPECIAL USES

Section 20-3.5.4

When considering an application for a special use permit, the decision-making body shall consider the extent to which:

1. That the special use will be consistent with the purposes, goals, objectives, and standards of any officially adopted County plan and these regulations, or if not consistent, the factors which justify deviation;
   • The Special Use request is consistent with the Agricultural Preservation Land Use designation of the Peoria County Future Land use form which indicates Peoria County has a strong desire to help agricultural operators in preserving the family farm while at the same time allow for reasonable opportunities for new development. The proposed solar project will allow all three subject parcels to remain agricultural, and following decommissioning, return to agricultural use. The requested Special Use is consistent with the Plan's Environmental Stewardship Principle' 1 which states preservation and protection of the environment is a high priority in all new developments. The request is also consistent with Principal 3 that states environmentally-friendly technology yields long-term cost savings which is utilized-
by County and private entities. The proposed solar project will provide clean energy
generation while minimizing impact on the landscape.

2. That the special use will be consistent with the community character of the immediate
vicinity of the parcel proposed for development, or if not consistent, the factors which
justify the inconsistency:
   - The three subject parcels and almost all surrounding parcels are zoned "A-1"
     Agricultural Preservation. The proposed solar project will consist of a 40-megawatt
     utility scale solar facility covering approximately 250 acres of the three subject
     parcels' combined approximately 272.5 acres. The petitioner's request is consistent
     with the agriculturally productive land uses and zoning of the area.

3. That the design of the proposed use will minimize adverse effects, including visual
   impacts on adjacent properties, except for land splits in the A-2 District and individual
   mobile homes;
   - The petitioner's request is designed to minimize adverse effects and visual impacts on
     adjacent properties. The solar panels will be constructed with an anti-reflective
     coating to minimize glare. A 7 ft chain link fence, with privacy screening, will
     surround all of the panels as well as electrical equipment, and will be secured with a
     locked gate. The project will also consist of pollinator-friendly landscaping and
     vegetation maintenance in order to limit runoff. The petitioner will comply with
     right-of-way, side, rear and residential setback requirements. No lighting will be
     installed. A decommissioning plan with financial security must be submitted prior to
     the issuance of a building permit. Construction of the solar project will take
     approximately 12 months, with peak construction lasting 6 months. The petitioner
     has stated that post-construction will generate minimal traffic, solely in connection
     with ongoing operations and maintenance. The petitioner has been in contact with
     the Peoria County Highway Department, as well as the Princeville Township, in
     regard to prior notification of construction travel and repair of any damaged roads.

4. That the development has been reviewed and approved by the Illinois Department of
   Natural Resources with regard to the presence of endangered species, and archaeological
   and/or historical resources, if applicable:
   - The Illinois Natural Heritage Database indicates there is no record of State-listed
     threatened or endangered species, Illinois Natural Inventory sites, dedicated Illinois
     Nature Preserves or registered Land and Water Reserves in the vicinity of the
     proposed project location. The request should have no bearing on any known natural
     or historical resources.

5. That the proposed use will comply with all additional standards imposed on it by the
   particular provision of these regulations authorizing such use and by all other applicable
   requirements of the ordinances of the County; and
   - The petitioner's site plan meets all requirements for a Solar Energy Generation
     Facility in accordance with the Unified Development Ordinance. Should the Special
     Use permit be granted, the petitioner will be responsible for obtaining all required
     permits from the department of Planning and Zoning, as well as the County Highway
     Department and Princeville Township. A decommissioning plan with financial
security must be submitted prior to the issuance of a building permit. If this special use is granted, the petitioner will also abide by the restrictions set for the by the Peoria County Department of Planning and Zoning.

A motion to approve the Findings of Fact was made by Mr. Keyt and seconded by Mr. Fletcher. Six affirmative votes; (6-0) A motion to approve the special use with restrictions was made by Mr. Happ and seconded by Mr. Bateman. A vote was taken, and the motion was approved; (6-0)

Meeting adjourned 11:45 a.m.

Respectfully submitted,

Sarah Cox
ZBA Administrative Assistant
TO THE HONORABLE COUNTY BOARD
COUNTY OF PEORIA, ILLINOIS

Your Land Use Committee does hereby recommend passage of the following Resolution:

RE: Approval of Special Use, Petition of Cornwell Solar, LLC.

RESOLUTION

WHEREAS, the County of Peoria has enacted a Unified Development Ordinance, Chapter 20 of the Peoria County Code; and

WHEREAS, said ordinance requires a Special Use for a Solar Energy Generation Facility, provided that the conditions in Section 7.17 (“Ground Mounted Solar Energy Equipment”) are met, in the “A-1” Agricultural Preservation Zoning District; and

WHEREAS, a hearing on said Special Use was held before the Zoning Board of Appeals (ZBA) on February 10, 2022 in Case No. ZBA-2022-000012; a copy of the deliberation minutes of said hearing and a legal description of the subject property are attached; and

WHEREAS, the ZBA deliberated its decision on February 10, 2022, and voted to recommend approval of the Special Use with restrictions; a copy of the ZBA’s findings of fact is attached; and

WHEREAS, your Committee met on February 28, 2022 to consider the ZBA’s recommendation and voted to approve the Special Use with restrictions.

NOW THEREFORE BE IT ORDAINED, by the County Board of Peoria County, that the Special Use in Case No. ZBA-2022-000012 is hereby approved with the following restrictions:

1. Ground under solar arrays shall be planted and maintained in perennial vegetative ground cover.
2. All transformers and inverters must be located at least 150 feet from the nearest existing residentially used property to mitigate the noise heard on adjacent residential properties.
3. Required permits, including building permits, electrical permits, fence permits, and stormwater and erosion control permits, must be obtained from the Peoria County Department of Planning and Zoning prior to construction.
4. The applicant must obtain all required overweight and access permits from the Peoria County Highway Department and the Princeville Township Road Commissioner.
5. The Solar Energy Generation Facility shall be required to have a decommissioning plan that meets the requirements of Section 20-7.17.5 (“Decommissioning Plan”) of the Unified Development Ordinance. Said plan shall be submitted and approved prior to the issuance of the building permit. Financial security must remain valid through the life of the project. Through the life of the project, the owner of the Solar Energy Generation Facility must provide the Zoning Administrator an updated decommissioning plan, including updated estimated costs and updated financial security, every four years.
6. Except during a valid permit period or scheduled maintenance, which may or may not require a permit, the special use does not include the outdoor storage of equipment or materials.
7. Execution of an Agricultural Impact Mitigation Agreement (AIMA) pursuant to the Renewable Energy Facilities Agricultural Impact Mitigation Act (505 ILCS 147) shall be required. A copy of this agreement shall be submitted to the Peoria County Department of Planning and Zoning prior to issuance of a building permit.

RESPECTFULLY SUBMITTED,
LAND USE COMMITTEE
PARCEL 1:
LOTS 1 AND 2 AND THE EAST HALF OF LOT 3 IN CORNWELL'S SUBDIVISION OF
THE SOUTHEAST QUARTER OF SECTION 21, IN TOWNSHIP 11 NORTH, RANGE 6
EAST, OF THE FOURTH PRINCIPAL MERIDIAN, EXCEPTING THE RIGHT-OF-WAY OF
THE CHICAGO, SANTA FE AND CALIFORNIA RAILROAD COMPANY. AND ALSO
EXCEPTING A TRACT LYING IN THE NORTHWEST CORNER OF SAID LOT 1
DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1, RUNNING THENCE
SOUTH 16 RODS, THENCE EAST 30 RODS, THENCE NORTH 16 RODS, THENCE WEST
30 RODS TO THE PLACE OF BEGINNING, AND ALSO EXCEPTING THAT PORTION OF
THE ABOVE DESCRIBED TRACT FALLING WITHIN THE FOLLOWING DESCRIBED TRACT:

A PART OF LOT 1 IN CORNWELL'S SUBDIVISION OF THE SOUTHEAST QUARTER OF
SECTION 21, TOWNSHIP 11 NORTH, RANGE 6 EAST, OF THE FOURTH PRINCIPAL
MERIDIAN, PEORIA COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS
FOLLOWS: COMMENCING AT AN IRON MONUMENT AT THE SOUTHEAST CORNER
OF THE SOUTHEAST QUARTER OF SAID SECTION 21, THENCE NORTH 00 DEGREES
04 MINUTES 00 SECONDS EAST, ALONG THE EAST LINE OF SAID SECTION 21, A
DISTANCE OF 2025.41 FEET, THENCE SOUTH 89 DEGREES 39 MINUTES 00 SECONDS
WEST, A DISTANCE OF 1735.63 FEET TO THE POINT OF BEGINNING OF THE TRACT
TO BE DESCRIBED; THENCE NORTH 0 DEGREES 50 MINUTES 41 SECONDS EAST, A
DISTANCE OF 151.18 FEET; THENCE NORTH 88 DEGREES 54 MINUTES 00 SECONDS
WEST, A DISTANCE OF 401.65 FEET; THENCE SOUTH, A DISTANCE OF 221.80 FEET;
THENCE NORTH 89 DEGREES 34 MINUTES 00 SECONDS EAST, A DISTANCE OF
398.13 FEET; THENCE NORTH 0 DEGREES 50 MINUTES 41 SECONDS EAST, A
DISTANCE OF 60 FEET TO THE POINT OF BEGINNING, SITUATED IN THE COUNTY
OF PEORIA, IN THE STATE OF ILLINOIS; AND FURTHER EXCEPTING THEREFROM:

A PART OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 11 NORTH,
RANGE 6 EAST, OF THE FOURTH PRINCIPAL MERIDIAN, PEORIA COUNTY,
ILLINOIS, MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS, AND
BEARINGS ARE ASSUMED FOR THE PURPOSE OF DESCRIPTION ONLY:
BEGINNING AT AN IRON ROD AT THE NORTHEAST CORNER OF THE WEST HALF
OF LOT 3 OF CORNWELL'S SUBDIVISION; THENCE SOUTH 88 DEGREES 54 MINUTES
00 DEGREES EAST ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF
SAID SECTION 21, A DISTANCE OF 60.01 FEET TO AN IRON ROD; THENCE SOUTH 0
DEGREES 08 MINUTES 00 SECONDS EAST PARALLEL TO AND 60 FEET
EQUIDISTANT FROM THE EAST LINE OF THE WEST HALF OF SAID LOT 3 OF
CORNWELL'S SUBDIVISION, A DISTANCE OF 604.04 FEET TO AN IRON ROD;
THENCE NORTH 88 DEGREES 54 MINUTES 00 SECONDS WEST PARALLEL TO AND
60 FEET EQUIDISTANT FROM THE SOUTH LINE OF SAID LOT 3 OF CORNWELL'S
SUBDIVISION, A DISTANCE OF 477.59 FEET TO AN IRON ROD; THENCE NORTH 0
DEGREES 50 MINUTES 41 SECONDS EAST, A DISTANCE OF 60.00 FEET TO AN IRON
ROD; THENCE SOUTH 88 DEGREES 54 MINUTES 00 SECONDS EAST, ALONG THE
SOUTH LINE OF SAID LOT 3 OF CORNWELL’S SUBDIVISION, A DISTANCE OF 416.55
FEET TO AN IRON ROD AT THE SOUTHEAST CORNER OF THE WEST HALF OF SAID
LOT 3 OF CORNWELL’S SUBDIVISION; THENCE NORTH 0 DEGREES 08 MINUTES 00
SECONDS WEST ALONG THE EAST LINE OF THE WEST HALF OF SAID LOT 3 OF
CORNWELL’S SUBDIVISION, A DISTANCE OF 544.03 FEET TO THE POINT OF
BEGINNING, CONTAINING 1.407 ACRES, MORE OR LESS.

AND ALSO FURTHER EXCEPTIONING THEREFROM, THE FOLLOWING DESCRIBED
REAL ESTATE:

A PART OF LOT NO. 2 OF "CORNWELLS SUBDIVISION" (PLAT RECORDED IN BOOK
B-2, PAGE 118, AT THE PEORIA COUNTY COURTHOUSE, PEORIA, ILLINOIS) OF THE
SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 11 NORTH, RANGE 6 EAST OF
THE FOURTH PRINCIPAL MERIDIAN, AND MORE PARTICULARLY DESCRIBED AS
FOLLOWS, TO WIT: COMMENCING AT AN IRON PIPE MARKING THE SOUTHEAST
CORNER OF SAID SECTION 21, ALSO BEING THE POINT OF BEGINNING OF THE
TRACT OF LAND TO BE DESCRIBED; THENCE NORTH 89 DEGREES 00 MINUTES
WEST ALONG THE SOUTH LINE OF SAID SECTION 21, A DISTANCE OF 241.71 FEET
TO A POINT; THENCE DUE NORTH A DISTANCE OF 111.25 FEET TO A PIPE; THENCE
CONTINUING DUE NORTH A DISTANCE OF 208.71 FEET TO A PIPE; THENCE SOUTH
89 DEGREES 00 MINUTES EAST A DISTANCE OF 208.71 FEET TO A PIPE ON THE
WEST RIGHT-OF-WAY LINE OF COUNTY ROAD; THENCE CONTINUING SOUTH 89
DEGREES 00 MINUTES EAST A DISTANCE OF 33.0 FEET TO A POINT ON THE EAST
LINE OF SAID SECTION 21; THENCE DUE SOUTH ALONG THE EAST LINE OF SAID
SECTION 21, A DISTANCE OF 319.96 FEET TO THE POINT OF BEGINNING,
CONTAINING 1.775 ACRES, MORE OR LESS.

PARCEL 2:

THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 11
NORTH, RANGE 6 EAST OF THE FOURTH PRINCIPAL MERIDIAN, PEORIA COUNTY,
ILLINOIS,

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED REAL ESTATE:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID
SECTION 28; THENCE WEST 905.77 FEET; THENCE SOUTH 268 FEET; THENCE EAST
908.3 FEET; THENCE NORTH 268 FEET; THENCE EAST 908.3 FEET; THENCE NORTH
268 FEET TO THE POINT OF BEGINNING. (Princeville Township 02-28-100-007 and 02-
21-400-019)
THE EAST HALF OF THE NORTH EAST QUARTER OF SECTION 28, TOWNSHIP 11 NORTH, RANGE 6 EAST OF THE FOURTH PRINCIPAL MERIDIAN, PEORIA COUNTY, ILLINOIS. (Princeville Township 02-28-200-003)
AGENDA BRIEFING

COMMITTEE: Land Use
LINE ITEM: N/A
MEETING DATE: February 28, 2022
AMOUNT: N/A

ISSUE:
Case #ZBA-2022-000013, A Text Amendment to amend Chapter 20, Appendix A “Fee Schedule” of the Peoria County Code.

BACKGROUND/DISCUSSION:
In February 2022, Peoria County adopted amended regulations for Special Use submittal requirements pertaining to Wind Energy Conversion Systems (WECS). The amendments clarified definitions within the Peoria County Unified Development Ordinance for the “participating property” and “project area” terminology used within in Section 20-3.5. As a result of a newspaper publication issue, the proposed amendment to Appendix A was not included in the original amendment.

These terms were defined to clarify the calculation of Special Use filing fees related to Wind Energy Conversion System projects. The proposed amendment is consistent with the intent of Article 1, Section 1.6 “Review Fees” of this ordinance, which is to ensure that the payment of fees defray the costs incurred by the County in reviewing the application. The proposed amendment will not adversely affect the County’s ability to attract Wind Energy Conversion System development and siting proposals as the fee is not being changed. The amendment provides clarification in determining the area used in the calculation of the Special Use filing fee.

COUNTY BOARD GOALS:

SAFE AND HEALTH COMMUNITY

STAFF RECOMMENDATION: Approval
ZBA RECOMMENDATION:

COMMITTEE ACTION:

PREPARED BY: Andrew Braun, Assistant Director
DEPARTMENT: Planning & Zoning
DATE: February 15, 2022
### Appendix A – Fee Schedule

<table>
<thead>
<tr>
<th>Special Use</th>
<th>Fee Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 100 acres</td>
<td>$690.00 plus recording fee</td>
</tr>
<tr>
<td>100 acres or greater</td>
<td>$690.00 plus recording fee, plus $7.00 per acre over 100 acres. For Wind Energy Conversion System projects, acreage is determined by project area as defined in Section 11.1 Definitions.</td>
</tr>
</tbody>
</table>
A meeting of the Peoria County Zoning Board of Appeals was held on Thursday, February 10, 2022. The meeting was called to order by Linda O’Brien – Chairperson at 9:00 a.m.

PRESENT: Linda O’Brien – Chairperson, Andrew Keyt – Vice Chairperson, Greg Happ, Jim Bateman, Robert Asbell, J. Greg Fletcher

ABSENT: John Harms, Justin Brown

STAFF: Kathi Urban – Director
Andrew Braun – Assistant Director
Taylor Armbruster – Planner I
Jack Weindel – Planner I
Dana Hughes – Civil Assistant State’s Attorney
Sarah Cox – ZBA Administrative Assistant

Case No. ZBA-2022-000013 at 10:00 a.m. Hearing to be held in room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of PEORIA COUNTY, acting on its own behalf, a TEXT AMENDMENT to amend Chapter 20, Appendix A (“Fee Schedule”) of the Peoria County Code.

FINDINGS OF FACT FOR TEXT AMENDMENTS

Section 20-3.6.4

In evaluating a proposed text amendment, the following factors shall be considered, not one of which shall be controlling:

1. The proposed amendment corrects an error or inconsistency or meets the challenge of some changing condition;
   • The proposed amendment corrects an inconsistency regarding the assessments of Special Use filing fees related to Wind Energy Conversion System projects. This amendment will clarify what area is specifically included in the acreage calculation for the Special Use filing fee.

2. The proposed amendment is consistent with the purpose and intent of this ordinance;
   • The proposed amendment is consistent with the intent of Article 1, Section 1.6 “Review Fees” of this ordinance, which is to ensure that the payment of fees defray the costs incurred by the County in reviewing the application.

3. The proposed amendment will not adversely affect health, safety, morals, and general welfare of the public;
   • The proposed amendment will not adversely affect health, safety, morals, and general welfare of the public.
4. The proposed amendment is required because of a change in State or Federal law;
   • The proposed amendment is not required because of a change in state or federal law.

A motion to approve the Findings of Fact was made by Mr. Happ and seconded by Mr. Keyt. Six affirmative votes; (6-0) A motion to approve the proposed text amendment was made by Mr. Fletcher and seconded by Mr. Keyt. A vote was taken, and the motion was approved; (6-0)

Meeting adjourned 11:45 a.m.

Respectfully submitted,

Sarah Cox
ZBA Administrative Assistant
TO THE HONORABLE COUNTY BOARD )
COUNTY OF PEORIA, ILLINOIS )

Your Land Use Committee does hereby recommend passage of the following Ordinance:

RE: Amendments to Chapter 20, Unified Development Ordinance, Peoria County Code

RESOLUTION

WHEREAS, the County of Peoria has adopted certain rules regarding land development in Peoria County found at Chapter 20, Unified Development Ordinance, Peoria County Code; and

WHEREAS, the proposed amended ordinance, attached hereto and incorporated herein, amends, Chapter 20, Appendix A ("Fees"); and

WHEREAS, the proposed amended ordinance, attached hereto and incorporated herein, ensures that the payment of fees defray the costs incurred by the County in reviewing the application; and

WHEREAS, the proposed amended ordinance, attached hereto and incorporated herein, does not change any fees, but rather provides clarification in determining the area used in the calculation of the Special Use filing fee; and

WHEREAS, your Committee met on February 28, 2022 and voted to approve the attached amendments to Chapter 20.

NOW THEREFORE BE IT ORDAINED, by the County Board of Peoria County that this 10th day of March, 2022, that Peoria County hereby adopts the attached amendment to Chapter 20 of the Peoria County Code, effective immediately.

RESPECTFULLY SUBMITTED,
LAND USE COMMITTEE