

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: February 10, 2022

TIME: 7:00 P.M.

PLACE: Zoom Webinar

MEMBERS ATTENDING

VIA ZOOM: Jane Billman, Andrew Fell, Lew Hopkins, Debarah McFarland,

MEMBER ATTENDING

AT CITY BUILDING: Dustin Allred

MEMBERS EXCUSED: Karen Simms, Jonah Weisskopf, Chenxi Yu

STAFF PRESENT: UPTV Camera Operator; Marcus Ricci, Planner II; Kat Trotter, Planner I

PUBLIC PRESENT: Susan Burgstrom, Chris Graham, Steve Halfar, Drew Jones, Rena Wilson Jones, Kirk Sanders, Ryan Shosted, Chris Skaar, Steve Sligar, Lois Steinberg, Maggie Wachter, Christa Weiss and some unnamed persons

1. CALL TO ORDER, ROLL CALL AND DECLARATION OF QUORUM

Chair Allred called the meeting to order at 7:09 p.m. Roll call was taken, and there was a quorum of the members present.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

The minutes of the September 23, 2021 regular Plan Commission meeting were presented for approval. Mr. Hopkins moved that the Plan Commission approve the minutes as written. Mr. Fell seconded the motion. Roll call on the motion was as follows:

Ms. Billman	-	Yes	Mr. Fell	-	Yes
Mr. Hopkins	-	Yes	Ms. McFarland	-	Yes
Mr. Allred	-	Yes			

The minutes were approved by unanimous vote.

4. COMMUNICATIONS

The following communications regarding Case No. CCZBA-014-AT-21 were received after the meeting packet was sent:

- Email from John Hall, Director of Champaign County Planning & Zoning, dated 02-08-2022 with staff report corrections and additional information.
- Email from Chris Graham dated 02-09-2022 in opposition
- Email from David Oliver-Holder dated 02-09-2022 in opposition

5. CONTINUED PUBLIC HEARINGS

Plan Case No. 2425-T-21 – A request by the Urbana Zoning Administrator to amend the Urbana Zoning Ordinance with changes to Article II (Definitions), Article V (Use Regulations), and Article VI (Development Regulations), and other relevant sections, to facilitate solar energy system installation.

Chair Allred continued this case to the March 10, 2022 regular meeting at the request of City staff.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

There were none.

8. NEW BUSINESS

Case No. CCZBA-014-AT-21 – Amend the Champaign County Zoning Ordinance to establish beekeeping requirements.

Chair Allred opened this item on the agenda. Marcus Ricci, Planner II, presented the staff report. He began by noting the changes/corrections to the written staff report, which included the following:

1. Petitions – 24 people signed a petition supporting an amendment regulating beekeeping; 561 people signed a petition opposing any amendment additionally regulating beekeeping
2. Clarification – Champaign County does not regulate beekeeping because it is considered agriculture, which is currently exempt from County zoning and allowed anywhere without limits.

Mr. Ricci, then summarized the staff report. He noted the purpose of the proposed text amendment and reviewed Champaign County's timeline for the case. He reviewed the proposed changes to the Champaign County Zoning Ordinance language and talked about the benefits of the amendment to Champaign County. He discussed Champaign County's and the City of Urbana's zoning and the implications of the proposed changes on development within the City's Extra-Territorial Jurisdiction (ETJ). He talked about how the proposed changes relate to the 2005 Urbana Comprehensive Plan and read the options of the Plan Commission. He presented staff's

recommendation to not protest the proposed amendment. He noted that Susan Burgstrom, from Champaign County, was present to answer any questions.

Chair Allred asked if any members of the Plan Commission had questions for staff.

Mr. Hopkins stated if any County parcel is annexed into the City of Urbana, there is an easy zoning transfer equivalent to the City's categories. He asked if the proposed amendment is approved, would it apply to City residential zoning when properties are annexed. Mr. Ricci replied no. The City could incorporate it into an annexation agreement if it was a revenue generating enterprise though. There are currently no regulations on beekeeping in the City of Urbana, so it could happen in any capacity in the City.

With no further questions for staff, Chair Allred opened the item for comments from the applicant's representative.

Susan Burgstrom raised her hand to speak. She stated that she was available to answer any questions. There were none.

There was discussion between City staff and the Plan Commission members as to whether public input should be a part of the County text amendment case since it was not a public hearing. Even though there are no recorded/implemented procedures for this in the Plan Commission Bylaws, the Plan Commission was in agreement to allow the public to speak.

Chair Allred asked if there were any members of the public who wished to speak in favor of the proposed text amendment. There were none.

Chair Allred asked if there were any members of the public who wished to speak in opposition of the proposed text amendment.

Chris Graham raised her hand to speak in opposition. She thanked Mr. Ricci for responding to her email. She stated that this is basically an amendment to restrict beekeeping in three subdivisions, which is being prejudiced. She added that it is unclear how the case is forwarded from the Champaign County Environmental Land Use Committee to the City of Urbana and back to the Champaign County Board. She thanked the Plan Commission for their time.

Mr. Ricci explained that the Illinois State law allows municipalities to review zoning map and text amendments that occur in the County with regards to how they will impact the municipalities. In this case, the proposed text amendment has no impact on the City of Urbana because it would only be regulating beekeeping for properties located in the County. Even if a property was annexed into the City, the City does not currently regulate beekeeping in the City, so there would be no impact.

Ryan Shosted raised his hand to speak in opposition. He stated that he is a resident of Urbana and a local beekeeper. He is also a former officer of the Central Illinois Beekeepers Association. He stated that his has been a long and arduous process for members of the beekeeping community. He said that they have been trying to defend a harmless and environmentally beneficial activity for a while. He stated that he believed once the regulation of beekeeping in Champaign County becomes law, it will eventually impact beekeeping within the City of Urbana, and the proposed text amendment would become pretext for future amendments in the City. The proposed boundaries for regulations are confusing and complex, which is one of the reasons why the County Board defeated the original proposal. He expressed his concern that the proposed amendment has and will

discourage local beekeepers in the future because of a single dispute in one subdivision. He asked the Plan Commission to recommend protest of the proposed text amendment to the City Council on the following grounds:

1. Once enacted, the amendment will become a precedent and make it easier for future regulation of beekeeping within the City of Urbana and elsewhere in the County;
2. The uncertainty regarding the proposed amendment and all of its various incarnations is already depressing and will continue to depress local beekeeping activities;
3. The Ordinance is confusing in so far as the proposed zones and uses are scattered and have complex boundaries. Because of this, the Ordinance is ripe for future standardization and will ultimately impact beekeeping throughout the City and County.
4. The justification for targeting a number of different areas around the outskirts of the City is unclear.

Ms. Billman asked if Mr. Shosted was currently a beekeeper in Urbana. Mr. Shosted said yes. He is located in the City, not in the County. He stated that he has never had any neighbors complain. His neighbors support his beekeeping activity because they love their flowers and enjoy the bees' pollination.

Christa Weiss raised her hand to speak in opposition. She stated that she heartily agree with Mr. Shosted. She mentioned that she is also a beekeeper in the City of Urbana and has been for six years. She stated that she believes that our future exists only with the help of the insects on the planet.

Ms. Weiss stated that there is confusion as to why this even became an issue. Urbana is an agricultural area. The process for protesting and supporting the amendment is confusing. Mr. Hopkins' questions and staff's responses about annexing of properties helped clarify that the properties would no longer be regulated by County ordinances.

Ms. Weiss stated that if the City had similar regulations as those being proposed, it would make it impossible for her to continue her beekeeping activity. She noted that she has never had issues with her neighbors. Most beekeepers are respectful and considerate of other people. She expressed her concern that if the County regulates beekeeping, then the City would follow.

Kirk Sanders raised his hand to speak in opposition. He stated that he is a resident of the City of Urbana. While he is not a beekeeper, he stated that he would like to see the City protest the proposed amendment. He felt that there is always pressure towards standardization within the County and the City. He did not see a need for the ordinance or that it is responding to real issues on the ground. If it is adopted in the County, then it will put pressure on the City to standardize, which seems like a backhanded way of pushing for similar restrictions in the City of Urbana. If we don't want to see these regulations in the City, then we should protest this and force a super majority vote by the Champaign County Board.

Ms. Burgstrom raised her hand to speak and address some of the confusion of the County's process. She reiterated that the County's process can be overwhelming and confusing. She explained that at the December meeting, the Champaign County Zoning Board of Appeals made a recommendation for denial; however, they do not have the power to deny a text amendment. This was the first step in the process. The second step was for the text amendment to go to ELUC, who also made a recommendation to deny the proposed text amendment because there is no need to regulate beekeeping. ELUC is required to have two meetings for a case. The second meeting of ELUC is

being held at the same time as this meeting. The third step would be for the full Champaign County Board to consider the case. She pointed out that if any municipality or other entity protests, then it comes into play to require a super majority vote. Since the CCZBA and ELUC have both recommended denial, it is unlikely that the County Board will vote for approval. She did not believe that it was necessary for the City of Urbana to protest to require a super majority vote and make for a more complicated voting since the case will likely be denied anyway.

Mr. Hopkins asked for clarification in that by protesting, it only changes the criteria for adopting the proposed amendment. Ms. Burgstrom confirmed this to be true.

Mr. Ricci clarified that it would require a three-quarter majority vote to approve the proposed amendment if [a municipality] protests.

With there being no further comments from the public, Chair Allred closed the input portion of this item and opened up for Plan Commission discussion.

Mr. Fell stated that he cares about what happens in the ETJ area. The City cares what happens in the ETJ area or else he would not be on the Plan Commission. As a member from the ETJ area, he encouraged beekeeping in his part of the County. He understands that the proposed amendment would make the County staff's job easier; however, that is not the role of the City, and he believed that the Plan Commission should protest the proposed amendment.

Mr. Hopkins stated that he understood why the proposed amendment is before the Plan Commission. Even though the County process is heading towards rejection of the proposed amendment, the case still has to come to the City by state law as part of the process going forward.

He stated that he also understood staff's recommendation because the proposed amendment does not fit the usual concerns for a County text amendment. He mentioned that his son is a beekeeper in another city. He went on to talk about what concerns him with the proposed amendment. The mix of what is in the City, what is out of the City, what might be annexed, what might not be annexed, and the strategy of the Urbana Comprehensive Plan of how we intend to treat the northeast edge of the City of Urbana, beekeeping would be completely compatible, if not essential, for that area of town. There is a reason and some backing in the Comprehensive Plan to say that this kind of ordinance really does affect the City's ability to plan and manage, which gives them the logic to protest the proposed amendment.

Lastly, Mr. Hopkins commented that there are several problems with the proposed ordinance. One problem is that it defines beekeeping as a home occupation. Many beekeepers are not doing it as a home occupation. This link is flawed.

Mr. Hopkins moved that the Plan Commission forward Case No. CCZBA-014-AT-01 to the City Council with a recommendation to protest. Mr. Fell seconded the motion. Roll call on the motion was as follows:

Mr. Fell	-	Yes	Mr. Hopkins	-	Yes
Ms. McFarland	-	Yes	Mr. Allred	-	Yes
Ms. Billman	-	Yes			

The motion passed by unanimous vote. Mr. Ricci stated that this case would be forwarded to City Council on Monday, February 14, 2022.

9. AUDIENCE PARTICIPATION

Chris Graham raised her hand to speak. She stated that she really appreciated the Plan Commission having common sense and using it.

10. STAFF REPORT

There was none.

11. STUDY SESSION

There was none.

12. CLOSED SESSION

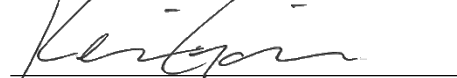
To Consider Security Procedures, Pursuant to 5 ILCS 120/2(c)(8)

Chair Allred announced that this item on the agenda was continued to the next in-person meeting of the Plan Commission.

13. ADJOURNMENT OF MEETING

The meeting was adjourned at 8:18 p.m.

Respectfully submitted,



Kevin Garcia, Secretary
Urbana Plan Commission