

CITY OF WASHINGTON, ILLINOIS

Planning and Zoning Commission Meeting

Wednesday, November 1, 2023 at 6:30 P.M.

Washington Fire Department Training Room - 200 N. Wilmor Road, Washington

Call to Order Chairman Mike Burdette called the regular meeting of the City of Washington, Planning and Zoning Commission to order at 6:30 p.m. A quorum was established.

Roll Call *Present:* Commissioners Burdette, Milot, Reeder, Scott, Shelton, Williams
Absent: Commissioner Ritter
Also present: Planning and Development Director Oliphant, Planner Boyer and City Clerk Brod

Approve Minutes Commissioner Milot motioned to accept the minutes of the October 4, 2023 meeting; Commissioner Reeder seconded.

City Attorney Miller asked for the following changes:

1. Under public hearing portion, in the first paragraph, change CE to C-2
2. Under public hearing portion, in the second paragraph, change the wording to read "he stated"
3. On the second page, change the sentence where Mr. Oliphant stated that the meeting was not advertised to rezone the property to a C-2, to read "for a special use". Clerk Brod confirmed that the minutes are correct.
4. In the Adjournment section, swap "move" and "Ritter".

Commissioner Milot amended his motion to accept the changes requested by Attorney Miller; Commissioner Reeder seconded.

Motion passed by voice vote.

Public Comments None provided.

Public Hearing At 6:30 p.m., Commissioner Burdette opened the public hearing to consider the proposed amendment to the Washington City Zoning Code, specifically, Section 154.727 "Ground Mount and Roof Mount Solar Energy Systems", for the purpose of adding or deleting text.
Item A: Proposed amendment to City Zoning Code, Section 154.727 "Ground Mount and Roof Mount Solar Energy Systems" Planning and Development Director, Jon Oliphant shared that this was first discussed in August and this would allow for both non-residential and residential uses. He shared that staff has looked at several existing ground mount regulations in the state. He shared that the ordinance presented at the August meeting had already looked at other area ordinances and now they took a closer look, especially at ground mounts. Mr. Oliphant shared that we have received two requests and noted that some neighbors have come forward to express concerns. The draft ordinance is weighted conservatively by addressing the minimum lot size on the residential side but also takes a small step towards the allowance of ground mounts for both residential and non-residential properties. Mr. Oliphant shared the following items in the draft ordinance:

1. Maximum height for non-residential would be 10 feet and residential would be 8 feet
2. Setback for non-residential would be 5 feet from the side and rear yard property lines and residential would be 30 feet and neither would be allowed in the front yard
3. Minimum lot size for non-residential would be $\frac{3}{4}$ acre and residential would be 2 acres
4. Any ground mount cannot exceed half of the building footprint of the principal structure
5. Would be exempt from impervious surface calculations if the soil is not compacted and maintained in vegetation.
6. They could not be placed on a property without a principal structure
7. Residential uses must have 6-foot-tall privacy fence around side and rear yard and there are no other communities with this regulation to help shield the array

Mr. Oliphant shared that there are only about 3.5% of properties zoned that would meet those classifications so staff recommends a minimum lot size no greater than 2 acres.

Commissioner Burdett opened the meeting for public comments. Tom H. of Sunnydale Estates shared that they live in a duplex and there isn't enough room to put in a solar panel on the roof or ground. He shared that he is investigating a company called "Next Amp" which sells participation as an investment into a solar farm. He stated they would get a discount on a portion of their utility bill and they are located in Boston. He contacted the company to ask for references who have participated with them but they haven't responded yet. He said this will be put into effect after their solar farm is completed. They also have an address of 101 Wacker Drive Suite 200 in Chicago. He feels people may need to know about this. Commissioner Burdette shared that he also received the mailer but has not followed up on it.

At 6:42 p.m. Commissioner Burdette closed the public hearing. Commissioner Scott motioned to accept the amendment; Commissioner Reeder seconded.

Commissioner Scott wondered if non-residential properties have the same restriction of footprint size and Mr. Oliphant clarified that it would be no more than half the size of the principal structure. Commissioner Scott used Core and Main as an example of a smaller office with a bigger attached building which would be considered the principal structure. Commissioner Scott asked if there is a fence requirement for non-residential and Mr. Oliphant replied that there is not. Commissioner Scott suggested an amendment that a 6-foot fence is good but if you have more than 2 acres, could there be an "and/or" clause allowing a higher

fence around the solar array and not the entire lot line. Mr. Oliphant shared that they discussed having an additional fence around the array. Commissioner Scott and Mr. Oliphant confirmed that a variance could be requested if they wish to not put it on the property line. Commissioner Reeder agreed. Commissioner Burdette noted a fence could create a snow barrier. He feels a fence around the actual solar panels could shield it better, especially if they have a neighbor that sits higher. Commissioner Scott is okay with it as presented, noted a variance request could be used if needed and suggested that an option might include a 6-foot fence around property or 10-foot fence around the array. Mr. Oliphant noted language could include a requirement for a higher fence only to block a solar array. Attorney Miller suggested reviewing the code.

Commissioner Burdette expressed concern for shading the solar panels. Commissioner Milot noted the need to block the view of the panels and/or obstruct reflections. Mr. Oliphant shared that he found no other ordinances in the area that put requirements with facing. Commissioners Reeder and Burdette noted variance requests could set a precedent. Commissioner Scott noted setback requirements for fences that will affect property lines. He stated that their choice could be a 6-foot fence around entire property or an 8-foot fence around the array so long as the fence also fits the setback requirements. Mr. Oliphant noted the size of fence needed on a 2-acre minimum lot and expressed concern for heavily wooded properties. Commissioner Burdette clarified that the 30 feet would limit where to put the panels. Commissioner Milot would like the text to be in the ordinance so they are not inundated with variance requests. He asked if there are requirements of the angle of the array. Commissioner Scott said it depends on the site, location and type of array noting that they are typically around 10 degrees plus or minus a few degrees.

Commissioner Milot wants everyone to understand what maximum design tilt is. General consensus was to adjust the language.

Commissioner Scott amended his motion to include a 6-foot fence around the property or an 8-foot fence around the array to meet the setback requirements; Commissioner Reeder seconded.

Commissioner Milot asked about the type of material for the fences. He wonders if a chain link with slat would be allowed. Commissioner Scott would also say prevent the array from being viewed "through" the fence. Commissioner Burdette noted that it says a "solid fence". Commissioners Milot, Shelton and Scott like the word "restricts" instead of "prevents". Attorney Miller shared that the last portion of the sentence can be removed and we can define the word "privacy fence". General consensus is to eliminate the last line and have it say "6-foot-tall privacy fence". Commissioner Milot expressed concern for the use of chain link fencing.

Commissioner Scott amended his motion to include the removal of last sentence and add "or an 8-foot fence meeting the array setbacks"; Commissioner Reeder seconded.

On roll call the vote was:

6 Ayes: Burdette, Milot, Reeder, Scott, Shelton, Williams

0 Nays:

Motion carried.

New Business
*Protea Place
Subdivision Prelim. Plat
and Private Street Req.*

Mr. Oliphant shared that Protea Place was rezoned from C-2 to R-2 and they would like to have 56 residential units. This will subdivide the property which now include five parcels. He shared that parcels one through five would be about 1.1-1.3 acres in size and lot six, which is mostly zoned R-2 would be more than 4 acres. Mr. Oliphant explained that two outlots would be created. One would provide access to Lakeshore, Cummings and BUS 24 and would be a right-in/right-out intersection which would be under IDOTs jurisdiction. The request is for Outlot #1 to be a private drive which we would ordinarily require 60-feet of frontage adjacent to a public street which a private drive would not meet that requirement. He noted that this will just serve this development and the future commercial piece. Mr. Oliphant further explained that Outlot #2 on the far southeast corner of the property would be the detention areas on the site. He noted that aside from the private drive request, everything else meets current code.

No public comment was provided.

Commissioner Scott motioned to approve; Commissioner Shelton seconded.

Commissioner Scott asked if lots #3 and #4 can be accessed from the private drive. Mr. Oliphant shared that they can. He explained that the Code requirements to access a non-residential property are less restricted than residential. There is no requirement for frontage on an adjacent to a public street for non-residential lots. Commissioner Scott expressed concern for allowing entrance on lots #3 and #4 as soon as you make the turn off BUS 24, noting it could cause congestion. Mr. Oliphant shared that there will be more information on the intersection in the next step that include a stub to access the property. He noted that it doesn't perfectly line up and thinks IDOT is on board with this design as they have already approved the redesign of Lakeshore Drive. Commissioner Burdette asked if there was a median on BUS 24 and Mr. Oliphant confirmed that there is.

**Comm'r/Staff
Comments**

Mr. Oliphant shared that there will not be a December meeting.

Adjournment

At 7:15 p.m. Commissioner move Milot; Commissioner Reeder seconded to adjourn.
Motion carried by voice vote.



Valeri L. Brod, City Clerk