

Resolution

COUNTY BOARD OF COUNTY OF VERMILION, ILLINOIS

RESOLUTION NO. 21-0502

A RESOLUTION CALLING FOR THE GOVERNOR AND GENERAL ASSEMBLY TO PROTECT LOCAL CONTROL OF ZONING AND LAND USE

WHEREAS, Counties are authorized by the Counties Code (55 ILCS 5/1-1001 *et seq.*) to adopt and develop zoning regulations; and

WHEREAS, Section 5-12001 of the Counties Code provides “the county board or board of county commissioners, as the case may be, of each county, shall have the power to regulate and restrict the location and use of buildings, structures and land” and “to regulate and restrict the intensity of such uses, to establish building or setback lines on or along any street, trafficway, drive, parkway or storm or floodwater runoff channel or basin outside the limits of cities, villages and incorporated towns which have in effect municipal zoning ordinances” (55 ILCS 5/5-12001); and

WHEREAS, consistent with their zoning authority, numerous Counties throughout the state of Illinois have adopted zoning and setback regulations related to wind energy facilities such as the model ordinance prepared by the Chicago Environmental Law Clinic and have made substantial revisions over time to suit the needs of their Counties and the residents of their Counties; and

WHEREAS, Senate Bill 1602 was filed in the Illinois Senate on February 26, 2021 and seeks to mandate very specific timelines and procedural requirements regarding siting approval or a special use permits for commercial wind energy facilities; and

WHEREAS, Senate Bill 1602 also mandates substantive changes including setback requirements, blade tip height limitations, and sound limitations; and

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WHEREAS, Senate Bill 1602 requires that any currently-existing county zoning ordinances pertaining to wind farms be amended within 120 days to comply with the requirements of the bill and prohibits a county from adopting any future restrictions on the installation or use of a commercial wind energy facility that are inconsistent with the provisions of the bill; and

WHEREAS, the changes contained in Senate Bill 1602 ignore differences that occur locally from county to county across the State of Illinois and remove a county board's ability to regulate those local differences and address the concerns of their residents; and

WHEREAS, Senate Bill 1602 further undermines local control in that it substitutes state level legislative determination for the local control exercised by county zoning commissions, zoning boards of appeals, and county boards; and

WHEREAS, the County Board is the best entity to support the needs, interests, and safety of its residents due to direct feedback and understanding of the County's needs, while State officials or industry leaders who do not reside in these Counties may not be aware of the most relevant and current information.

NOW, THEREFORE, BE IT RESOLVED by the members of the Board of Vermilion County, Illinois as follows:

1. The County Board opposes Senate Bill 1602 or any similar legislation that would undermine the County Board's local zoning authority.
2. The County Board urges the Illinois General Assembly to abandon any efforts to advance Senate Bill 1602.
3. The County Board urges Governor Pritzker to veto Senate Bill 1602 or any similar bill should the General Assembly pass such legislation.

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4. The Clerk is hereby directed to send copies of this Resolution to Governor Pritzker, the legislative leaders of both chambers of the Illinois General Assembly, and the representatives and senators representing this County.

Passed by the Board of Vermilion County this 11 day of May, 2021.

AYES:	<u>19</u>
NAYS:	<u>0</u>
PRESENT:	<u>0</u>
ABSTAIN/ABSENT:	<u>8</u>



Chairman

ATTEST:

Cathy Jenkins (w)
County Clerk

APPROVED BY Executive and Legislative Committee:

Larry Baughn, Jr. Y N A 05/10/21
Chairman

Kevin Green Y N A

Steven Fourez Y N A

Steve Miller Y N A

Joe Eakle Y N A

Robert Boyd Y N A

Becky Stark Y N A