

## **Minutes of the Land Use and Development Committee Meeting**

The Land Use and Development Committee of the McLean County Board met on Thursday, November 7, 2019 at 3:30 p.m. in Room 400, Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Chuck Erickson, Members Laurie Wollrab, George Wendt, Jacob Beard, Sharon Chung and Shayna Watchinski

Members Absent: Member Lyndsay Bloomfield

Other Board Members Present:

Staff Present: Ms. Camille Rodriguez, County Administrator, Mr. Eric Schmitt, Assistant County Administrator, Ms. Cassy Taylor, Assistant County Administrator, Mr. Trevor Sierra, Assistant State's Attorney Civil Division

Department Heads/  
Elected Officials Present: Mr. Phil Dick, Director of Building and Zoning

Others Present: Mr. Michael Brown, Ecology Action Center

Chairman Erickson called the meeting to order at 3:30 p.m. declared a quorum and presented the minutes from the October 3, 2019 regular meeting for approval.

Motion by Wendt/Watchinski to approve the minutes from the October 3, 2019 regular meeting.  
Motion Carried.

Chairman Erickson confirmed there were no requests to appear by members of the public.

Chairman Erickson presented for action a request by the Ecology Action Center (EAC) to approve renewal of a three-year McLean County Solid Waste Program agreement between the EAC, McLean County, the City of Bloomington, and the Town of Normal. Mr. Brown stated this agreement has been in effect for 15 years. He indicated there were minor changes including a 20% increase in funding to cover increased needs and costs. Mr. Beard asked him how the Recycle Coach app worked for the three parties. Mr. Brown indicated there are three databases within Recycle Coach; one for Bloomington, one for Normal and one for Other McLean County. He stated he was originally told it would be \$65,000 a year and he negotiated a three-year contract starting at \$6,000 and maxing at \$17,500. Mr. Brown stated there are not too many options for this type of service and was bringing back for renewal because it has been very successful. Mr. Erickson asked how this would affect the budget. Ms. Rodriguez indicated the County's portion was included in the budget. Mr. Beard stated that plans lists assisting schools and businesses in adopting a recycle program and asked governmental entities would fall under this. Mr. Brown indicated they it would.

Motion by Chung/Watchinski to recommend approval of request by by the Ecology Action Center (EAC) to approve renewal of a three-year McLean County Solid Waste Program agreement between the EAC, McLean County, the City of Bloomington, and the Town of Normal.  
Motion Carried.

Chairman Erickson presented bills that had been reviewed and recommended by the County Auditor with a prepaid and fund total of \$1,947.44.

**MCLEAN COUNTY BOARD COMMITTEE REPORT**

PAGE 1 OF 2

AS OF 11/3/2019

**EXPENDITURE SUMMARY BY FUND**

**Land Use Committee**

FUND	FUND TITLE	PENDING TOTAL	PREPAID TOTAL	FUND TOTAL
0001	GENERAL FUND		\$1,947.44	\$1,947.44
			<hr/>	
			\$1,947.44	\$1,947.44



COMMITTEE CHAIRMAN

Motion by Wollrab/Chung to recommend approval of the Land Use and Development Committee bills prepaid total and fund total of \$1,947.44.  
Motion carried.

Mr. Brown presented the EAC Post Event Report for the September 2019 McLean County Household Hazardous Waste Collection event. He said he felt it was a success as there were no long wait times, but they added an appointment system to help with traffic. He indicated negative was a decrease in total turnout that could be attributed to appointment system, and some marketing that did not go out as planned. Ms. Chung stated she had volunteered was impressed with how smoothly it ran and the amount of donations that came in. Ms. Wollrab agreed and said she felt the amount of donations that came in showed that the community wants this event.

Mr. Brown presented the EAC second quarter 2019 solid waste and recycling education activity report detailing classroom programs and technical services and other education outreach. Chairman Erickson asked if there were questions or comments for Mr. Brown, hearing none, he thanked him.

Chairman Erickson indicated the next item was in response to questions the committee had about the windfarm projects. (16:09) Mr. Phil Dick, Director of Building and Zoning presented an update on the Bright Stalk Wind Farm and went over documents received. He also indicated he had reached out about information that will be needed before an occupation permit is granted. Mr. Beard thanked him for the information.

(19:00) Mr. Dick provided a document from Ancel Glink entitled "Is Your Community Ready for Recreational Cannabis?". Mr. Dick then went on to provide information on types of business he thought we might apply in McLean County and what we could do with applications. Mr. Wendt asked if anyone has contacted him about a facility. Mr. Dick indicated that no one has contacted them. Ms. Wollrab said she understood him to say we would only be interested in the growers, but she was not sure we should rule out the

transporters and processors business that could provide jobs and sales tax. Mr. Dick said he would not rule them out. Ms. Wollrab asked him to confirm they would not only look at growers. Mr. Dick confirmed. Mr. Beard stated that information that had been provided at other meetings indicated it would be unlikely that a dispensary outside of Bloomington Normal would be granted. Mr. Beard asked if no action by us is opting out. He also asked if zoning rules are clear enough that businesses would know what they need to do. Mr. Dick said if the County opts out then we would not take any applications. Mr. Sierra said that no action does not opt in. Mr. Wendt asked Mr. Sierra to confirm that if we don't want anything in the County we need to file an opt out. Mr. Sierra confirmed. Mr. Sierra stated that doing nothing is not an automatic opt in and applications would still need to go through the zoning process.

Mr. Wendt asked if the Board could come up with new rules that would apply to growing of marijuana. Mr. Sierra confirmed they could. Mr. Dick indicated that if the County decides to tax it would be a way of opting in. Mr. Wendt asked if there is a maximum tax, we can enforce. Mr. Erickson asked if we opt out could we get the tax. Mr. Sierra said the retail sales tax would go through Finance up to 3.25% on top of the Bloomington/Normal tax or if outside of municipalities then it would be our 3.25%. Mr. Erickson asked if we opt out could we still charge the tax. Mr. Sierra indicated we could opt out and still tax as one is a zoning issue and the other is a taxing issue. Mr. Wendt asked if the City could put a 3.25% on as well for a 6.5% total tax. Mr. Sierra confirmed they could and that would be in addition to the State taxes that would be assessed. Mr. Sierra stated that the maximum taxable rate would exceed a 44% tax if everyone that could tax did.

Mr. Beard stated Mr. Dick had mentioned greenhouse special use permit would be the most applicable and asked if current special use permits are adequate and straightforward for applicants to navigate. Mr. Dick indicated that special use allows them to add stipulations, so not having use standards in the ordinance to not stop them from adding restrictions or stipulations to special use. He said special use process has worked well for the Wind Farm application process. Mr. Wendt said he felt it would be wise for us to limit to special use so we could control it more. Mr. Dick indicated it would be something to consider. Ms. Wollrab said there are many stipulations in the state law about growing facilities, so she felt we might not need to list many stipulations. Mr. Sierra agreed there are many stipulations in the State law but if someone applied and met all of the state requirements and proposed to put the business in Commercial M1 or M2 district then it would be a permitted use process where you could not add stipulations. He indicated the County Board might want to make it a special use process so more consideration can be given to each particular case. Mr. Erickson agreed and asked for summary of restrictions and options for zoning. Mr. Erickson again asked them to confirm could opt out and still get the 3.25% tax. Mr. Sierra confirmed.

Mr. Beard asked if there are a limited number of licenses for other businesses such as growers and transportation. Mr. Sierra stated he was not sure about limitations on other businesses but could provide that information to the Committee. Mr. Erickson asked the process if Land Use Committee wanted to put special use stipulations on M1 and M2. Mr. Dick stated they could put forth a Text Amendment to the Board in December that would go to Zoning Board public hearing in February. There was discussion about timing and Mr. Erickson requested text amendment for the next meeting. Mr. Sierra indicated that by only

Minutes of the Land Use and Development Committee Meeting

November 7, 2019

Page 4 of 4

changing the M1 and M2 to special use for greenhouses then all greenhouses in that area would still have to go through same special use process. Mr. Dick stated they could make it more specific. Mr. Erickson stated he wanted a general special use. Mr. Wendt stated that he would want it to only apply to cannabis and not other agricultural greenhouses. Chairman Erickson asked if there were other questions or comments; hearing none, he moved to next item on the agenda.

Chairman Erickson indicated there were no positions filed under the purview of the Committee. He stated that the next meeting would be on Thursday, December 5, 2019 at 3:30 p.m.

Chairman Erickson asked if there was anything further for the Committee; hearing nothing, he asked for a motion to adjourn.

Motion by Wollrab/Beard to adjourn the October Land Use and Development Committee meeting.

Motion Carried.

Meeting adjourned at 4:16 p.m.

Respectfully Submitted,

*Julie A. Morlock*

Julie Morlock  
Recording Secretary