

VILLAGE OF PHILO
R. E. FRANKS MEETING CENTER

RECEIVED

MAR 28 2023

CHAMPAIGN CO. P & Z DEPARTMENT

TO: Champaign County Department of Planning & Zoning
Brookens Administrative Center
1776 E. Washington St.
Urbana, IL 61802

RE: Champaign County Zoning Ordinance Text Amendment Case 086-AT-23

Dear County Office,

This letter is in response to a county memo from your office dated March 10, 2023 regarding the above case which grants affected jurisdictions, including Philo, with a right to protest the proposed text amendment. This letter constitutes the Village of Philo's formal protest of the above referenced proposed text amendment under 086-AT-23. In support of its protest the Village asserts as follows:

1. The Village of Philo previously established the Village of Philo Zoning Ordinance, the Village of Philo Subdivision Ordinance and a Village Comprehensive Plan encompassing the one-and-a-half-mile area outside of the Village.
2. Pursuant to ILCS 5/11-12-4, the Illinois Constitution, applicable case law and all other laws, the Village has extra-territorial jurisdiction over the territory extending 1.5 miles from the Village corporate limits.
3. 55 ILCS 5/5-12014 (b) provides that text amendments to a County Zoning Ordinance must be approved by a "...favorable vote of $\frac{3}{4}$ of all the members of the county board...in the case of a proposed text amendment to the Zoning Ordinance, by resolution of the corporate authorities of the zoned municipality with limits nearest adjacent, filed with the county clerk..."
4. The proposed text amendment affects all corporate authorities in the County of Champaign including, but not limited to, the Village of Philo, Illinois.
5. The proposed text amendment would affect Village of Philo's control of its extraterritorial jurisdiction.
6. Pursuant to 55 ILCS 5/5-12014 and other applicable law, the Village of Philo is entitled to provide this written protest of such text amendment thereby triggering said $\frac{3}{4}$ vote of all of the members of the County Board to approve said text amendment; and
7. In support of the within Village of Philo objection to the above referenced text amendment, the Village hereby asserts that the text amendment, as proposed, would do the following:
 - a. Redefine the separation of each wind farm tower to 1.1 times the maximum blade tip height to the nearest participating dwelling and 2.1 times the maximum blade tip height to the nearest non-participating dwelling or occupied community building thereby creating increased noise levels, noise intrusion, visual blight, diminished television, radio, and internet

reception, negative effects on birds and other wildlife, compromised public safety (particularly during storm events) and nuisances.

- b. Adds provisions relating to solar farms which establish separation of only 50 feet between solar farm fencing and the street centerline, establishes separation of only 50 feet from any solar farm component and the property line of any non-participating properties, establishes a separation of 150 feet from a solar farm to the nearest point on the outside wall of an occupied community building or non-participating dwelling all being insufficient to shield neighboring properties from noise, visual blight, and general nuisances.
- c. Create insufficient spacing of wind turbines and solar farms from residences and/or principal buildings regardless of whether they are participating or non-participating thereby exposing residences and buildings to noise, visual blight, visual intrusion, safety, compromised television, radio and internet reception, and nuisances.

In summary, the Village of Philo hereby enters its objection to the above proposed text amendment and files its formal protest of its approval thereby triggering a $\frac{3}{4}$ vote of all of the members of the Champaign County Board.

VILLAGE OF PHILO

BY: Larry R. Franks
L.R. Franks, President of the Board of Trustees

FILED IN PERSON THIS 28 day of MARCH 2023 with the County at the address listed above.

Larry R. Franks
Village of Philo Representative