

**VILLAGE OF NORTH UTICA**  
**248 W. Canal St, North Utica, IL 61373**  
**Planning Commission Meeting**  
**August 24, 2023**  
[www.utica-il.gov](http://www.utica-il.gov)

**AGENDA**

- I. **6:00 p.m.** - Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. **6:00 - Public Hearing:**
  1. For the purpose of considering and hearing Public Comment and Testimony as possible amendments to the Village of North Utica Zoning Ordinance. The proposed amendment to be discussed includes but is not limited to the following:
    - I. Consideration of potential amendments to the Village of North Utica Zoning Ordinance, Title 10, Chapter 19, including but not limited to provisions regarding amending Section 10-19-1.I, in regard to the consideration of whether, and in what circumstances, Ground-Mounted Solar Energy Systems may be allowed in Residential Districts. If so allowed, the consideration of what regulations regarding such installation, operation and maintenance will be required, assuring that such development is safe and minimizes any potential adverse effects on the Community, and considerations of any and all other matters related to the location, installation and operation of a Ground-Mounted Solar Energy System in Residential Districts.
      - A. It is proposed that the Village of North Utica Zoning Ordinance, Title 10, Chapter 19, including but not limited to provisions regarding amending Section 10-19-1.I, be amended to allow Ground-Mounted Solar Energy Systems in Residential Districts in the Village of North Utica, including regulations regarding such installation, operation and maintenance will be required;
      - B. It is proposed the Village of North Utica Zoning Ordinance, Title 10, Chapter 19, including but not limited to provisions regarding amending Section 10-19-1.I, be amended regarding such other considerations of any and all other matters related to the location, installation and operation of a Ground-Mounted Solar Energy System in Residential Districts in the Village of North Utica.
  2. Discussion and Possible Recommendations of the Planning Commission regarding such Hearing.
- V. Consideration and Possible Action on Planning Commission Meeting Minutes: 05-25-2023
- VI. Old / New Business
- VII. Public Comment
- VIII. Adjournment

**POSTED 08-21-2023**

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MINUTES

At 6:00 pm the meeting of the Planning Commission was called to Order by Village Clerk Laurie Gbur who then led the Pledge of Allegiance. Village Clerk Gbur recorded the meeting attendance. Present at the meeting were Planning Commission Members Bill Zens, Andy Skoog, Mark MacKay, Warren Munson and Doug Gift. Also present were Village Attorney Herb Klein, Village Engineer Kevin Heitz and Public Works Director Curt Spayer. Chairman Tom Guttilla and Member Mike Brown were absent from the meeting.

It was motioned by Member Skoog, seconded by Member Zens to nominate Member Gift to Chair the meeting.

All in Favor  
Motion Carried

The Public Hearing began at 6:05 pm. Village Attorney Klein provided a brief summary of the Legal Notice published for the Public Hearing, for the purpose of considering and hearing Public Comment and Testimony as possible amendments to the Village of North Utica Zoning Ordinance. The proposed amendment to be discussed includes but is not limited to the following:

- I. Consideration of potential amendments to the Village of North Utica Zoning Ordinance, Title 10, Chapter 19, including but not limited to provisions regarding amending Section 10-19-1.I, in regard to the consideration of whether, and in what circumstances, Ground-Mounted Solar Energy Systems may be allowed in Residential Districts. If so allowed, the consideration of what regulations regarding such installation, operation and maintenance will be required, assuring that such development is safe and minimizes any potential adverse effects on the Community, and considerations of any and all other matters related to the location, installation and operation of a Ground-Mounted Solar Energy System in Residential Districts.

Village Exhibit #1 -                    Legal Notice of Public Hearing published on August 8, 2023

Attorney Klein stated that in 2019 the Village of North Utica adopted an Ordinance regulating Solar Energy Systems in the Village. The Village has received inquiries regarding Ground-Mounted Solar Energy Systems. The current Ordinance provides that Ground-Mounted Solar Energy Systems require a Special Use however, they are prohibited in Residential Zoning districts.

Village President David Stewart was sworn in to provide Testimony.

Mayor Stewart stated that the Village had received an inquiry regarding a permit to install a Ground-Mounted Solar Energy System on his property. The property is a pre-annexed property located north of Rt. 6. The property is approximately three (3) acres. Mayor Stewart would like the Planning Commission to discuss amending the Solar Ordinance to require a Special Use for a Ground-Mounted Solar Energy System to be installed on larger residential properties in the Village. Currently they are prohibited in the Residential Zoning districts however, consideration could be given to the system being on larger properties in the community.

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MINUTES

Discussion was held among the Planning Commission regarding permitting Ground-Mounted Solar Energy Systems in Residential Zoning districts provided they are on a property consisting of a certain lot size / acreage.

Chairman Pro-Tem Gift asked if there are minimum setbacks to consider and whether a wooded property would be able to have a large Ground-Mounted Solar Energy System due to the tree coverage. Engineer Heitz stated that if the Village were to require a Special Use for the installation of this type of Solar Energy System, setbacks and percentage of property coverage of the system and location of property would all be considered at that time.

Village Attorney Klein stated that the Village could permit the Ground-Mounted Solar to be installed on larger properties if they seek a Special Use. The Village could also provide that an Administrative Variance could be granted by the Zoning Enforcement Officer. Engineer Heitz stated that in the event of an Administrative Variance, the neighboring properties could still be notified of the Petition for a Special Use to install a Ground-Mounted System.

Discussion was held regarding the size property and acreage that would apply to permitting a Ground-Mounted Solar Energy System in a residential district.

Member Skoog stated that Solar Energy is a good option for some properties. Member Zens stated that he agreed with Member Skoog. Member Zens also stated that he doesn't believe Administrative Variance should be granted, rather each property should be considered individually based on size and location and the overall size of the system.

Chairman Pro-Tem Gift asked if there were any questions or any further Testimony in favor or in opposition of the matter; There were none.

The Public Hearing was closed at 6:14 pm; Motioned by Member Skoog, seconded by Member Zens.  
All in Favor  
Motion Carried

It was then motioned by Member Skoog, seconded by Member Zens to approve Ground-Mounted Solar Energy Systems as a Special Use in all residential zoning districts for properties that are a minimum of three (3) acres; Administrative Variance being granted by the Zoning Enforcement Office could be added to the Ordinance at a later date if the Village deems it appropriate.  
4 Yes  
Motion Carried

Minutes: It was motioned by Member Munson, seconded by Member MacKay to approve the Minutes from the 5-25-23 Planning Commission meeting.  
4 Yes  
Motion Carried

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Old Business / New Business: NONE  
Public Comment: NONE

With no additional business, the meeting was adjourned at 6:17 pm. Motioned by Member Zens, seconded by Member Munson.

All in Favor  
Motion Carried

Respectfully submitted,

Laurie A. Gbur  
Village Clerk