

**CHAMPAIGN COUNTY BOARD
COMMITTEE OF THE WHOLE – Highway/Facilities/ELUC Agenda
County of Champaign, Urbana, Illinois
Tuesday, September 7, 2010 – 7:00 p.m.**

*Lyle Shields Meeting Room, Brookens Administrative Center
1776 East Washington Street, Urbana, Illinois*

	<u>Page Number</u>
I. <u>Call To Order</u>	
II. <u>Roll Call</u>	
III. <u>Approval of County Board Resolution to Meet as Committee of the Whole</u>	
IV. <u>Approval of Minutes</u>	
A. August 3, 2010	*1-12
V. <u>Approval of Agenda/Addenda</u>	
VI. <u>Public Participation</u>	
VII. <u>Communications</u>	
VIII. <u>County Facilities</u>	
A. <u>Courthouse Exterior/Clock & Bell Tower Renovation Project</u>	
1. Project Update	*13
B. <u>Facilities Director</u>	
1. Physical Plant Monthly Reports	*14-18
2. Approval of Release of RFP 2010-005 for Design Build of Coroner/Physical Plant Maintenance/County Storage Facility (<i>Separate Attachment</i>)	
3. Approval of Lease with Niemann Foods for Downtown Employee Parking	*19-22
C. <u>Chair's Report</u>	
1. Approval of RFP 2010-005 Selection Committee	
2. Courthouse News Stands (<i>Photos available in a Separate Attachment</i>)	
3. Approval of Hosting a Traveling Lincoln Exhibit & Outgoing Loan Agreement with the Abraham Lincoln Presidential Library & Museum (<i>Photos available in a Separate Attachment</i>)	*23-25
D. <u>County Administrator</u>	
1. Closed Session Pursuant to 5 ILCS 120/2(c)6 to Discuss the Setting of Price for Sale or Lease of Property Owned by Champaign County	
E. <u>Other Business</u>	
F. <u>Designation of Items to be Placed on County Board Consent Agenda</u>	

IX. Highway & Transportation:

A. Monthly Reports

1. County & Township Motor Fuel Tax Claims – June 2010, July 2010, & August 2010 *26-28

B. County Engineer

1. Resolution Appropriating \$25,032.00 from County Motor Fuel Tax Funds for Champaign County's Share of the Champaign-Urbana Urban Area Transportation System – Section #10-00000-00-ES *29-30
2. Ordinance for the Establishment of an Altered Speed Zone in Philo Township *(To Be Distributed)*
3. Olympian Drive Project: Discussion and Direction

C. Other Business

D. Chair's Report

E. Designation of Items to be Placed on County Board Consent Agenda

X. Environment & Land Use

A. Zoning Ordinance Amendment

1. Final Recommendation to Amend Champaign County Zoning Ordinance Zoning Case 668-AT-10 Petitioner: Champaign County Zoning Administrator *31-33

B. Draft Habitability Ordinance *34-41

C. Zoning Case 671-AM-10 *42-80

Request: Amend the Zoning Map to Change the District Designation from the AG-2 Agriculture Zoning District to the B-4 General Business Zoning District to Allow Triad Shredding to Construct a New Facility as Requested in Related Zoning Case 672-S-10

D. Changing the Zoning Ordinance Requirements for Coal Mining *81

E. Direction to Zoning Administrator Regarding Proposed Zoning Ordinance Text Amendments

1. Amend the Champaign County Zoning Ordinance Requirements for Dwellings That Are Nonconforming Uses by (1) Removing the Limit on Annual Maintenance and (2) Authorizing Reconstruction *82-98

2. Request to Amend the Champaign County Zoning Ordinance to Implement Land Resource Management Policies 4.1.5, 4.1.7, and 4.1.9 as part of the FY2010 RPC Planning Contract *99-110

- 3. Request to Amend the Champaign County Zoning Ordinance to Implement Land Resource Management Policies 4.1.6 and 4.3.1-4.3.4 as part of the FY2010 RPC Planning Contract *111-117
- 4. Request to Amend the Champaign County Zoning Ordinance to Implement Land Resource Management Objective 4.4 as Part of the FY2010 RPC Planning Contract *118-124
- F. RPC FY2011 County Planning Contract Work Plan *125-142
- G. Monthly Report – *(To Be Distributed)*
- H. Other Business
- I. Chair’s Report
- J. Designation of Items to be Placed on County Board Consent Agenda
- XI. Closed Session Minutes**
 - A. Approval of August 3, 2010 Closed Session Minutes
 - B. Semi-Annual Review of Closed Session Minutes *143-147
- XII. Adjournment**

1
2
3
4
5
6
7
8
9

**CHAMPAIGN COUNTY BOARD
COMMITTEE OF THE WHOLE MINUTES**

10
11
12
13
14
15

**Highway & Transportation/County Facilities/Environment & Land Use
Tuesday, August 3, 2010
Lyle Shields Meeting Room, Brookens Administrative Center
1776 E. Washington St., Urbana, Illinois**

16
17
18

MEMBERS PRESENT: Jan Anderson, Steve Beckett, Ron Bensyl, Thomas Betz, Lorraine Cowart, Chris Doenitz, Matthew Gladney, Stan James, John Jay, Brad Jones, Alan Kurtz, Ralph Langenheim, Brendan McGinty, Diane Michaels, Alan Nudo, Steve O'Connor, Giraldo Rosales, Larry Sapp, Jonathan Schroeder, C. Pius Weibel, Barbara Wysocki

19
20
21
22
23

MEMBERS ABSENT: Carol Ammons, Lloyd Carter, Greg Knott, Steve Moser, Michael Richards, Samuel Smucker

24
25
26
27
28
29

OTHERS PRESENT: Kat Bork (Administrative Assistant), Deb Busey (County Administrator), John Hall (Planning & Zoning Director), Christina Papavasiliou (Assistant State's Attorney), Alan Reinhart (Facilities Director)

30
31
32
33

CALL TO ORDER

34
35
36

Wysocki called the meeting to order at 6:00 p.m.

37
38
39
40
41

ROLL CALL

42
43
44
45
46

Bork called the roll. Anderson, Beckett, Bensyl, Betz, Doenitz, Gladney, James, Jay, Jones, Kurtz, McGinty, Nudo, O'Connor, Sapp, Schroeder, and Wysocki were present at the time of roll call, establishing the presence of a quorum.

APPROVAL OF COUNTY BOARD RESOLUTION TO MEET AS COMMITTEE OF THE WHOLE

MOTION by Betz to approve the County Board Resolution to meet as a Committee of the Whole; seconded by Beckett. **Motion carried.**

Cowart entered the meeting at 6:01 p.m.

APPROVAL OF MINUTES

MOTION by James to approve the Committee of the Whole minutes of June 8, 2010; seconded by Jay. **Motion carried as amended with unanimous support.**

47 **APPROVAL OF AGENDA/ADDENDA**

48

49 **MOTION** by Kurtz to approve the agenda; seconded by Anderson.

50

51 Beckett's request to move the closed session under Facilities to the end of the meeting was
52 met with agreement by all Board members. Betz suggested moving the Zoning Ordinance
53 amendment for the residential recovery center forward on the agenda because of a large group was
54 present for the discussion.

55

56 **Motion carried as amended with unanimous support.**

57

58 Weibel and Rosales entered the meeting at 6:03 p.m.

59

60 **PUBLIC PARTICIPATION**

61

62 Wysocki stated the 5-minute per person rule and 1-hour total time rule for public
63 participation would be enforced due to numerous speakers. She encouraged speakers to avoid
64 repetition in order to allow everyone the opportunity to address the Board.

65

66 Michaels entered the meeting at 6:04 p.m.

67

68 Heather Soder expressed disappointment in way Sunrise Coal has handled information about
69 their potential coal mining project. She has received no information about how it could affect the
70 Broadlands area and her water supply. She was concerned Sunrise Coal was trying to fly under the
71 radar and wanted them to be upfront with citizens regarding environmental impact. Contacting
72 Sunrise Coal resulted in speaking to an employee who was not able to answer her questions. She
73 hopes the County Board will investigate the impact of coal mining on the community before any
74 zoning changes are enacted.

75

76 Carl Webber spoke in favor of the zoning amendment to allow the residential recovery
77 center, emphasizing that it is not a treatment center. The recovery center Wysocki confirmed are
78 trying to stay off drugs or alcohol and are weekly tested. He advised that the residents are disabled
79 as defined by the Fair Housing Act, comparing the center to the McKinley Foundation on campus or
80 a dormitory. Webber included a letter in the amended materials presented to Board tonight.
81 Webber requested the Board listen to those who have concerns about the amendment, believing the
82 Board would realize those concerns are unfounded.

83

84 Randall Brown gave a written copy of his speech to the County Administrator for the record.
85 He has lived on High Cross Road for 5 years and has observed many recovery center residents
86 walking along High Cross Road where there are no sidewalks or bike lanes. The center's residents
87 walk in the road without yielding to cars, causing the opposing traffic to enter the opposite lane or
88 slow to a near stop until the right-of-way is opened. This activity endangers the drivers and
89 pedestrians. It was apparent that the infrastructure of High Cross Road does not support the safety
90 or general welfare of the recovery center residents. Brown has also asked the Illinois Department of
91 Human Services Drug & Alcohol Licensing Division to investigate the Lifeline Connect facility at

92 the Apostolic Life Church in regards to licensure. Brown is not convinced the facility's actual use
93 is what is stated in the amendment. Brown asked for a stay of action on the amendment and special
94 uses until the facility's use is proven to comply with the amendment. Brown claimed the Zoning
95 Administrator told him that the County has taken no action to respond to 4 complaints filed on July
96 12th relative to unauthorized use at 2107 High Cross Road because the County lacks the time. He
97 seeks immediate action to prevent unauthorized use of the property.
98

99 Chris Doxtator, a Lifeline Connect resident, spoke about the program's significant positive
100 impact on his life and asked the Board to support the Zoning Ordinance amendment.
101

102 Jeffrey Branson encouraged the Board to pass the Zoning Ordinance amendment. He spoke
103 about the benefits of programs like Lifeline Connect as a graduate of a similar type of recovery
104 program.
105

106 Roy Lane described the positive changes he has witnessed in people's lives as a volunteer
107 with the Lifeline Connect program. He feels the center's residents are very trustworthy and urged
108 the Board to support the amendment.
109

110 David Rogers encouraged the County Board to pass the zoning amendment because a need
111 exists for residential recovery centers to provide a social service to help people recover from the
112 destruction of substance abuse. Residential recovery centers are part of the solution and have
113 positive influences on communities. He spoke about communities that have adopted zoning laws to
114 accommodate faith based recovery centers that help addicts become productive members of society
115 again.
116

117 Chad May, a former resident of a program similar to Lifeline Connect, spoke in support of
118 such programs. He urged the Board to pass the zoning amendment because more residential
119 recovery centers are needed, not less.
120

121 Randy Brown, the Lifeline Connect Director, described working in the ministry and with
122 individuals facing substance abuse problems for 17 years. Programs like Lifeline Connect provide a
123 safe, drug-free environment for residents and the church community offers a safe place to develop
124 positive relationships. He has witnessed the success of many men in these programs. Brown
125 stressed the program has received no disturbance complaints from neighbors in years. He
126 understood the concern of the speaker about the safety of the center's residents walking along High
127 Cross Road, but wondered why the person did not express his concerns for residents until now.
128 Brown further spoke about the efficiency and useful nature of offering services to more men, which
129 is being considered in the amendment. He thanked the County Board for listening to this issue.
130

131 Thomas Martin urged the Board to vote in favor of the zoning amendment and spoke about
132 how a residential rehab program changed his life.
133

134 Renee Pride, the daughter of Pastor David Rogers, supported the zoning amendment for the
135 residential recovery center. She noted the citizens against the amendment could have raised their
136 concerns with the church as neighbors and learned the facts of the situation. She objected to the

137 way those in opposition have gone about it. She encouraged the Board to listen and question any
138 data or accusations.

139
140 McGinty and Bensyl exited the meeting at 6:39 p.m.

141
142 Roger Eaton, Director of Operations of the residential recovery center, spoke about the
143 center's positive impact on people's lives and how lives have been saved by such centers.

144
145 Les Cotton, a faith-based recovery center graduate, supported the zoning amendment and
146 spoke about how faith-based residential recovery centers function better than other treatments by
147 teaching residents the tools to manage their lives and finances.

148
149 McGinty and Bensyl re-entered the meeting at 6:42 p.m.

150
151 John Grubb, who has passed the residential recovery center residents walking on the road,
152 said he has had no issues or problems with the recovery center in the 11 years he has lived on Shelly
153 Court. He felt it was important for the County Board to pass the zoning amendment to help people.

154
155 Langenheim entered the meeting at 6:47 p.m.

156
157 Helen Miron supported passing the zoning amendment. She has hired recovery center
158 residents and found them to be hardworking and motivated. She stated people who succeed in
159 recovery will become productive members of the community and pay taxes, putting resources back
160 into the community.

161
162 Cowart and Jones exited the meeting at 6:49 p.m.

163
164 Germaine Light, a High Cross Road resident, said the church should host a meeting to let the
165 neighbors ask questions. She congratulated those who have completed the program, but the center
166 should function in accordance with zoning laws. She claimed the yard waste clean-up has been
167 operating in a non-legal way and wanted it to cease and desist. Light said the County Board has not
168 responded to her complaint and wanted to know why. Wysocki explained the County Board cannot
169 respond to questions during public participation.

170
171 Cowart returned to the meeting at 6:50 p.m. and Jones returned at 6:51 p.m.

172
173 Wysocki concluded public participation after confirming no one else wished to speak.

174
175 **COMMUNICATIONS**

176
177 Kurtz spoke about attending a meeting with the Director of the U.S. Department of
178 Agriculture about the new strategy to meet the bio-fuel goals of the renewable fuels standards by
179 2022. He gave copies of the report to the Farm Bureau and Deb Busey. County Board members
180 who wanted to know more can obtain the report from Busey.

181

182 **COUNTY FACILITIES**

183 **Courthouse Exterior/Clock & Bell Tower Renovation Project**

184 **Project Update**

185
186 **MOTION** by James to receive and place on file the project update; seconded by
187 Langenheim.

188
189 Reinhart announced all stone work has been completed. Beckett inquired if the County had
190 received the appropriate maintenance instructions to preserve the building. Reinhart said the
191 instructions will come with the final close-out documents.

192
193 **Motion carried with unanimous support.**

194
195 Nudo exited the meeting at 7:21 p.m.

196
197 **Facilities Director**

198 **Gill Building Replacement Planning – Update on RFP for Design/Build**

199
200 Beckett explained the Board should have the RFP document in hand by August 19th and
201 could possibly take action at the full Board meeting. He expressed this is the first time the County
202 has approached a project in this way and it was important to do it right.

203
204 Nudo returned to the meeting at 7:23 p.m. and Gladney exited at 7:23 p.m.

205
206 Reinhart said soil samples have been taken onsite and he is waiting on documents to put the
207 RFP together.

208
209 **Building Efficiency Summary**

210
211 Reinhart was asked a year ago to provide a building efficiency summary, targeting Brookens
212 and the Courthouse. Page 20 documents that the Courthouse's actual costs per square foot have
213 increased this year and Reinhart attributed this to the building being under construction. The actual
214 costs at Brookens have dropped 0.32 this year.

215
216 Bensyl returned to the meeting at 7:24 p.m.

217
218 **MOTION** by Cowart to receive and place on file the building efficiency summary;
219 seconded by Jay. **Motion carried with unanimous support.**

220
221 **Physical Plant Monthly Report – May 2010**

222
223 **MOTION** by James to receive and place on file the Physical Plant May 2010 monthly
224 report; seconded by Rosales.

225

226 Michaels asked about the 27% increase to the electric bill. Reinhart said that increase was
227 normal for the summertime.

228
229 Gladney returned to the meeting at 7:26 p.m.

230
231 **Motion carried with unanimous support.**

232
233 Update – Courthouse Electric Efficiency Grant - \$5,799.46 – Received 7/6/2010

234
235 There were no comments on about this item.

236
237 **County Administrator**
238 Closed Session pursuant to 5 ILCS 120/2(c)5 to Consider the Lease of Real Property for the Use of
239 the Public Body

240
241 **MOTION** by Betz to enter into closed session pursuant to 5 ILCS 120/2(c)5 to Consider the
242 Lease of Real Property for the Use of the Public Body. He further moved the following individuals
243 remain present: the County Administrator and the Recording Secretary. The motion was seconded
244 by James. **Motion carried with a roll call of 18 to 0.** Anderson, Beckett, Bensyl, Betz, Cowart,
245 Doenitz, Gladney, James, Jay, Kurtz, Langenheim, McGinty, Nudo, O'Connor, Rosales, Sapp,
246 Weibel, and Wysocki voted in favor of the motion. The Board entered into closed session at 8:03
247 p.m. and resumed open session at 8:07 p.m. Schroeder returned during the closed session at 8:04
248 p.m.

249
250 **Other Business**

251
252 There was no other business.

253
254 **Chair's Report**

255
256 There was no Chair's report.

257
258 **Designation of Items to be Placed on County Board Consent Agenda**

259
260 No items were designated for the consent agenda.

261
262 **ENVIRONMENT & LAND USE**
263 **Recreation and Entertainment Licenses**
264 The Stop, 3515 North Cunningham Avenue, Urbana, IL

265
266 **MOTION** by Schroeder to approve the recreation and entertainment license for The Stop,
267 3515 North Cunningham Avenue, Urbana, IL from June 24, 2010 through December 29, 2010;
268 seconded by Kurtz. **Motion carried with unanimous support.**

269
270

271 **Invitation to Participate in the Kaskaskia Basin Water Supply Study**

272
273 Wysocki said anyone interested in participating in the Kaskaskia Basin Water Supply Study
274 should submit the appropriate documents.

275
276 Jones exited the meeting at 8:00 p.m.

277
278 **Zoning Ordinance Amendment**

279 **Preliminary Recommendation to Amend Champaign County Zoning Ordinance Zoning Case 668-**
280 **AT-10 Petitioner: Champaign County Zoning Administrator**

281
282 **MOTION** by Betz to approve the text amendment for Case 668-AT-10; seconded by Sapp.

283
284 Bensyl requested a roll call vote on this matter and the request was granted by Wysocki.

285
286 Anderson asked Hall to comment about Light's complaints made during public
287 participation. Hall did not recall a complaint asking for a response and apologized if he overlooked
288 a request made for a response. He has never known this County Board to ask for any unauthorized
289 use to be shut down. He explained the Board does not have the power to shut anyone down. An
290 injunction has to be granted from the courts. Any immediate threat to public health or safety is
291 brought to ELUC to ask for guidance. In this insistence, Hall is not aware of any immediate threat
292 to public health or safety. The residential recovery center may be operating unlawfully, but the
293 County could be on shaky legal grounds attempting to stop something that consists of 5 unrelated
294 individuals living together, particularly if the people are disabled and it is being conducted by a
295 church. He told Randall Brown in the last week how the County operates and that he would have
296 the State's Attorney's Office verify the state licensure issue by the September Count Board meeting.
297 Brown proceeded to contact the relevant state department himself. The concern about people
298 walking along High Cross Road will be good discussion topic when this particular use is requested
299 for authorization. This case goes to the planning commission meetings in both cities this week.
300 The City of Champaign had no protest and the City of Urbana's issues were resolved today. The
301 Board should be ready to adopt the amendment as recommended by ZBA in September.

302
303 Nudo liked Hall's thorough report and asked about the reasons behind the City of Urbana
304 Planner's request to downsize the project to a 16-person occupancy instead of 30. He noted no state
305 or federal money is being used for this program. This is a situation of kind people helping others
306 and he strongly supports this type of project. Hall answered the occupancy could be set at 30. He
307 realized the municipality was viewing this matter as being similar to a community living facility,
308 which has a maximum of 16.

309
310 **MOTION** by Nudo to suspend rules to allow a church representative to explain the
311 reasoning behind the requested number of units; seconded by Beckett. **Motion carried with**
312 **unanimous support.**

313
314 Webber said there is an advantage to having more people in the center because some are at
315 later stages of recovery and can help newer residents. This creates more of a chance at connection

316 in the organization amongst the residents. The church is also looking towards a number that could
317 financially support the center. It currently operates with volunteers now and this might not last
318 forever. Motels were used as model for the number 30. The church was passionate about the
319 amendment passing and heard lowering the number might help, hence the change was made.
320 Because of the program's natural flow, the center will not reach the maximum occupancy at a given
321 time. A larger occupancy would enable the center to help more people. He thanked the Board for
322 their consideration of this matter.

323
324 **MOTION** by Nudo to amend the occupancy number to 30; seconded by Kurtz.

325
326 Beckett called for a point of order and questioned if the correct procedure would be to
327 determine the findings of fact were in error instead of amending the findings. Hall replied that was
328 legal question exceeding his knowledge.

329
330 Nudo was willing to have the amendment be considered friendly and take whatever steps are
331 necessary to make it right without legal consequences. Betz suggested amending Nudo's motion to
332 disagree with the ZBA findings of fact and Beckett agreed.

333
334 **Nudo and Kurtz agreed to a friendly amendment to the motion expressing**
335 **disagreement with the ZBA findings of fact.**

336
337 Rosales exited the meeting at 7:19 p.m.

338
339 The Board discussed the increase to a 30-person occupancy and possible objections from the
340 two cities. Schroeder asked if there was any protest from the Village of Savoy. Hall stated the
341 zoning amendment is only allowable within home rule entities and would only affect Champaign
342 and Urbana. Schroeder and Hall agreed the Board has amended findings of fact in the past.

343
344 Rosales returned to the meeting at 7:21 p.m.

345
346 Betz announced Nudo's amendment would be considered friendly to his original motion.

347
348 **Motion carried with a roll call vote of 21 to 0 to approve the text amendment Case 668-**
349 **AT-10 with an amendment to increase the maximum occupancy to 30 and expressing**
350 **disagreement with the ZBA findings of fact.** Anderson, Beckett, Bensyl, Betz, Cowart, Doenitz,
351 Gladney, James, Jay, Jones, Kurtz, Langenheim, McGinty, Michaels, Nudo, O'Connor, Rosales,
352 Sapp, Schroeder, Weibel, and Wysocki voted in favor of the motion.

353
354 **Notice and Enforcement of State Requirement for Compliance with Commercial Building**
355 **Code**

356
357 **MOTION** by Beckett to authorize the Zoning Administrator to provide notice to all relevant
358 permit applicants that Public Act 096-0704 requires all new commercial building be inspected and
359 certified by a qualified inspector prior to occupancy; seconded by Rosales.

360

361 O'Connor wanted to know what triggered this request. Hall explained the State of Illinois,
362 via Public Act 096-0704, mandates all commercial buildings be certified by a qualified inspector
363 prior to occupancy. This becomes effective July 1, 2011. Hall wants to make builders are aware of
364 this requirement by providing a handout a year in advance of the effective date. Schroeder asked
365 who would enforce this requirement. Hall said any zoning use applicant is responsible for getting
366 the building inspected by a qualified inspector.

367
368 Weibel exited the meeting at 7:30 p.m.

369
370 Schroeder asked if this would apply to agricultural buildings. Hall thought agricultural uses
371 were exempted. A building will be constructed and hopefully it will then be certified according to
372 the code to obtain an occupancy permit. Schroeder asked if this requirement would be enforced
373 through the Sheriff. Hall hoped that does not happen. Sapp inquired whether qualified inspectors
374 are readily available in the community. Hall confirmed inspectors were in the area. Jay wanted to
375 be sure the proper inspectors were available to avoid the County entering an area it cannot control
376 or getting caught in the State's trap. Hall agreed to survey inspectors and develop a list.

377
378 Weibel returned to the meeting at 7:32 p.m.

379
380 Wysocki questioned if an ordinary home inspector would be qualified to provide this
381 certification. Hall was not sure, but thought they would be if certified by a national organization.
382 Nudo added there is now a state licensure procedure for home inspectors. Hall and Nudo would
383 look into the qualifications.

384
385 **Motion carried with unanimous support.**

386
387 **Changing the Zoning Ordinance Requirements for Coal Mining**

388
389 **MOTION** by McGinty to suspend the rules in order to defer the item; seconded by Beckett.

390
391 Sapp inquired about the purpose of the proposed deferral. Beckett stated any action taken
392 now is too much too fast. The Board is slowly getting information about coal mining and he wants
393 to read more information before have a discussion. McGinty remarked the Board does not yet know
394 what options or jurisdiction it has in this matter. The Board needs to clearly understand its
395 jurisdiction before having any significant discussion.

396
397 Kurtz was hoping to discuss coal mining because he has received phone calls about it. He
398 wanted to get what is happening with coal mining in Champaign County out into the light of day.
399 Sunrise Coal does not want to have any discussions about their intentions.

400
401 Beckett called for a point of order because the discussion must be limited to the motion to
402 suspend the rules in order to defer.

403

404 Several other Board members spoke in support of deferring the issue until more information
405 is known about how other counties handle coal mining. Langenheim stated the Board needs to be
406 concerned with not preventing private property owners from selling their mineral rights.
407

408 Beckett called for a point of order and Wysocki confirmed the discussion should be
409 restricted to the motion on the floor. In answering a question, Beckett confirmed the intention was
410 to defer the issue for a month.
411

412 **Motion carried.** The issue was deferred to September.
413

414 Kurtz asked to direct Hall to collect information about coal mining. Hall said he would
415 proceed as directed by the County Board. Schroeder asked Hall to obtain information from the coal
416 mining industry as well, not just the opposition. Weibel asked Schroeder to clarify his request. The
417 mining company could lease property and then not mine it. Gladney suggested deferring this item
418 until Sunrise Coal applies for a permit. O'Connor wanted to have a short, concise letter of intent
419 from the coal mining company in regards to Champaign County. Weibel was willing to write a
420 letter as the Board Chair. Wysocki and Hall would work on identifying the information to be
421 collected.
422

423 **Draft Amendment to Nuisance Ordinance**
424

425 **MOTION** by Betz to approve the amendment to the Nuisance Ordinance; seconded by
426 James.
427

428 Doenitz exited the meeting at 7:46 p.m.
429

430 James felt this Nuisance Ordinance amendment was definitely needed in rural areas. Nudo
431 asked if the amendment will require another vote after the one taken tonight to be approved and
432 Hall confirmed that was correct.
433

434 **Motion carried with unanimous support.**
435

436 **Draft Habitability Ordinance**
437

438 **MOTION** by Betz to approve the draft Habitability Ordinance; seconded by Beckett
439

440 Nudo commented the draft Habitability Ordinance was very credible and he understood the
441 intention was to use state law to enforce a lease agreement between a landlord and tenant. The lack
442 of third party arbitration worried Nudo. He pointed out how the ordinance as written gives a
443 landlord no way to arbitrate before rent is reduced, even if the damage could be caused by a tenant.
444 The landlord has no recourse except going to court. Nudo recommended making revisions to the
445 ordinance to include third party arbitration.
446

447 Betz stated he has worked on behalf of tenants as an attorney for years. The City of Urbana
448 has a repair and deduct ordinance and Betz has seen repair and deduct cases less than 20 times in 26

449 years because it is an involved process requiring a bonded repair person. This law exists to
450 encourage landlords to make repairs. The County's ordinance would actually limit tenants' rights
451 versus the case law.

452
453 Doenitz re-entered the meeting at 7:51 p.m.

454
455 James was pleased the Board was looking at a draft Habitability Ordinance and did not think
456 it will generate a lot of claims. Nudo supported having an ordinance; however, he wanted it to
457 focus on true life safety issues, not minutiae. He suggested the language be tightened up and
458 include an arbitration process instead of being all encompassing. James agreed some tightening up
459 of the language on heating and other items would be useful. Beckett supported approving the draft
460 ordinance to move it to the full Board meeting. Nudo could present an amended proposal at the
461 County Board so the members would have the proposed revisions in writing. The Board continued
462 to discuss the draft ordinance.

463
464 **Motion carried.**

465
466 Wysocki confirmed the draft ordinance was approved with the intention to tweak its
467 language for the full Board meeting in August. She expressed appreciation for the members' input.
468 Hall will prepare an ordinance based on the discussion and other recommended changes he receives
469 from the Board. Busey suggested placing the ordinance approved tonight in the County Board
470 agenda packet with the revised version being mailed as a separate attachment.

471
472 Monthly Report – June & July 2010

473
474 **MOTION** by Langenheim to receive and place on file the Planning & Zoning Department
475 reports for June and July 2010; seconded by Rosales. **Motion carried with unanimous support.**

476
477 Other Business

478
479 There was no other business.

480
481 Chair's Report

482
483 Wysocki drew the Board's attention to the flyers for this Saturday's Countywide Residential
484 Electronics Collection Event at 3202 Apollo Drive, Champaign.

485
486 Designation of Items to be Placed on County Board Consent Agenda

487
488 Agenda item IX.F was designated for the consent agenda.

489
490 APPROVAL OF CLOSED SESSION MINUTES

491
492 **MOTION** by Beckett to approve the closed session minutes of June 8, 2010; seconded by
493 Kurtz. **Motion carried with unanimous support.**

494 **ADJOURNMENT**

495
496 **MOTION** by Kurtz to adjourn; seconded by James. **Motion carried with unanimous**
497 **support.**

498
499 The meeting was adjourned at 8:07 p.m.

500
501 Respectfully submitted,

502
503 Kat Bork
504 Administrative Assistant

505
506 *Secy's note: The minutes reflect the order of the agenda and may not necessarily reflect the order of business conducted at the meeting.*

COURTHOUSE MASONRY STABILIZATION & RESTORATION PROJECT

Prepared By: E Boatz September 7, 2010

	ORIGINAL CONTRACT	CHANGE ORDERS	CONTRACT TOTAL	PAYMENTS THIS MONTH	PAYMENTS YEAR TO DATE	BALANCE TO FINISH
Original Project Budget	\$6,747,552.14					
Current Budget w/Change Orders	\$7,213,877.05					
<i>Architect Fees-White & Borgognoni</i>						
Basic Service	\$425,641.74			\$0.00	\$418,343.11	\$7,298.63
Amend #1-Option 4 Tower		\$43,425.00		\$0.00	\$42,740.15	\$684.85
Amend #2-Temp Cool/Jury Assembly		\$853.40		\$0.00	\$853.40	\$0.00
Amend #3-Tower Exit		\$6,221.74		\$0.00	\$6,221.74	\$0.00
Amend #4-Security Camera		\$4,130.73		\$0.00	\$4,130.73	\$0.00
Amend #5-Clk Face Stone;Lightning Prot		\$10,129.12		\$0.00	\$10,129.12	\$0.00
Amend #6-Bollard Security/Crthse Plaza		\$2,845.00		\$0.00	\$2,845.00	\$0.00
Amend#7-South Security; Energy Mod		\$23,388.00		\$0.00	\$23,388.00	\$0.00
Amend #8-Pathways & landscaping		\$11,738.20		\$0.00	\$11,738.20	\$0.00
Amend #9 - Emergency Masonry Repair		\$3,077.50		\$0.00	\$3,077.50	\$0.00
Amend #10 - Test/Balance Existing HVAC		\$2,143.05		\$0.00	\$2,143.05	\$0.00
Total Architect Fees	\$425,641.74	\$107,951.74	\$533,593.48	\$0.00	\$525,610.00	\$7,983.48
<i>Reimbursables-White & Borgognoni</i>						
Analysis/Testing; On-site Observation	\$98,092.72			\$0.00	\$86,657.53	\$11,435.19
Amendment #1 - Option 4 Tower		\$7,494.18	\$105,586.90			\$7,494.18
Miscellaneous Reimbursable Expenses	\$39,839.50			\$0.00	\$36,078.09	\$3,761.41
Amendment #1- Option 4 Tower		\$20,593.82	\$60,433.32	\$0.00	\$1,737.90	\$18,855.92
Total Reimbursable Expenses	\$137,932.22	\$28,088.00	\$166,020.22	\$0.00	\$124,473.52	\$41,546.70
<i>Building Const - Roessler Const</i>						
Existing Building	\$2,787,950.00	\$350,817.72	\$3,138,767.72	\$117,496.87	\$3,131,476.59	\$7,291.13
Tower	\$2,804,150.00	\$352,855.57	\$3,157,005.57	\$118,179.39	\$3,149,296.70	\$7,708.87
Owner Items			\$174,490.06	\$0.00	\$174,490.06	
Contingency	\$591,878.18	-\$111,795.11	\$0.00			\$0.00
Total Building Construction	\$6,183,978.18	\$703,673.29	\$6,470,263.35	\$235,676.26	\$6,455,263.35	\$15,000.00
<i>Additional Contracts</i>						
Todd Frahm - Gargoyles		\$44,000.00	\$44,000.00	\$0.00	\$44,000.00	\$0.00
Total Additional Contracts	\$0.00	\$44,000.00	\$44,000.00	\$0.00	\$44,000.00	\$0.00
PROJECT TOTAL	\$6,747,552.14	\$291,834.85	\$7,213,877.05	\$235,676.26	\$7,149,346.78	\$64,530.18

% of Project Paid to Date

99.11%

Physical Plant Monthly Expenditure Report
July, 2010

EXPENDITURE ITEM	FY2009 YTD 7/31/2009	FY2009 ACTUAL 11/30/2009	FY2009 YTD as % of Actual	FY2010 ORIGINAL BUDGET	FY2010 BUDGET 7/31/2010	FY2010 YTD 7/31/2010	FY2010 YTD as % of Budget	FY2010 Remaining Balance
Gas Service	\$325,162	\$410,906	79.13%	\$547,793	\$538,793	\$295,916	54.92%	\$242,877
Electric Service	\$470,919	\$879,648	53.53%	\$974,737	\$974,737	\$375,109	38.48%	\$599,628
Water Service	\$26,650	\$47,286	56.36%	\$57,000	\$57,000	\$29,614	51.95%	\$27,386
Sewer Service	\$23,544	\$41,186	57.17%	\$35,800	\$35,800	\$20,313	56.74%	\$15,487
All Other Services	\$177,189	\$261,866	67.66%	\$241,743	\$251,222	\$153,064	60.93%	\$98,158
Cths R & M	\$24,718	\$39,649	62.34%	\$30,113	\$36,258	\$29,790	82.16%	\$6,468
Downtown Jail R & M	\$24,106	\$52,714	45.73%	\$26,498	\$23,449	\$6,632	28.28%	\$16,817
Satellite Jail R & M	\$34,989	\$54,266	64.48%	\$27,342	\$25,342	\$20,245	79.89%	\$5,097
1905 R & M	\$11,130	\$13,601	81.84%	\$10,075	\$10,075	\$7,104	70.51%	\$2,971
Brookens R & M	\$21,513	\$27,275	78.87%	\$31,020	\$26,819	\$11,696	43.61%	\$15,123
JDC R & M	\$5,426	\$6,037	89.88%	\$11,366	\$10,743	\$1,742	16.21%	\$9,001
1701 E Main R & M	\$20,818	\$26,980	77.16%	\$45,000	\$38,030	\$11,485	30.20%	\$26,545
Other Buildings R & M	\$3,084	\$13,676	22.55%	\$7,520	\$14,189	\$8,050	56.74%	\$6,139
Commodities	\$59,762	\$69,679	85.77%	\$64,207	\$64,035	\$46,664	72.87%	\$17,371
Gas & Oil	\$4,040	\$6,369	63.44%	\$10,810	\$10,792	\$4,911	45.51%	\$5,881
1701 - South Garage Remodel	\$106,256	\$108,755	97.70%	\$0	\$5,299	\$16	0.31%	\$5,283
Totals	\$1,339,308	\$2,059,894		\$2,121,024	\$2,122,583	\$1,022,353		\$1,100,230

Prepared by:
Ranae Wolken
8/27/2010

This report does not include information on personnel, intergovernmental loans and capital projects.

Electric Utilities - FY2010

Period	Courthouse	204 E Main	502 S Lierman	JDC	1905 E Main	1701 E Main Rear EMA/METCAD	Nite Lite	Brookens	ITC	1705 E Main North Garage	1705 E Main South Garage	Monthly Totals
December	\$15,098.34	\$7,346.38	\$8,776.98	\$4,351.68	\$4,371.47	\$149.44	\$254.17	\$5,172.19	\$7,225.78	\$80.68	\$117.27	\$52,944.38
January	\$15,939.57	\$6,879.57	\$9,520.51	\$4,741.26	\$5,302.29	\$154.44	\$248.64	\$6,972.73	\$7,481.97	\$65.21	\$144.95	\$57,451.14
February	\$14,835.64	\$6,674.54	\$8,309.10	\$4,067.02	\$4,387.50	\$130.23	\$243.57	\$9,124.23	\$6,340.91	\$60.75	\$112.50	\$54,112.74
March	\$17,583.26	\$6,710.69	\$9,004.40	\$3,706.08	\$4,346.92	\$123.51	\$229.13	\$8,746.31	\$5,803.86	\$54.55	\$99.70	\$56,254.16
April	\$23,488.94	\$7,296.74	\$11,944.26	\$4,369.40	\$5,070.46	\$116.15	\$221.00	\$12,493.38	\$6,896.33	\$53.44	\$71.23	\$71,896.66
May	\$27,073.52	\$7,532.80	\$12,503.10	\$4,569.01	\$5,579.12	\$121.83	\$185.31	\$13,429.61	\$7,101.37	\$49.94	\$56.74	\$78,095.67
June	\$38,668.52	\$8,384.98	\$17,146.48	\$5,749.11	\$7,699.49	\$167.92	\$168.87	\$17,095.94	\$9,852.03	\$55.17	\$83.95	\$104,933.34
July	\$32,804.74	\$9,479.04	\$17,331.22	\$6,367.64	\$8,419.67	\$127.05	\$167.07	\$15,816.22	\$8,358.64	\$65.32	\$67.15	\$99,003.76
August												\$0.00
September												\$0.00
October												\$0.00
November												\$0.00
Total to Date	\$185,492.53	\$60,304.74	\$94,536.05	\$37,921.20	\$45,176.92	\$1,090.57	\$1,717.76	\$88,850.61	\$59,060.89	\$485.06	\$753.49	\$575,389.82

Prepared by Ranae Wolken
8/27/2010

Denotes billing from Integrys

Gas Utilities - FY2010

Period	Courthouse	204 E Main	502 S Lierman	JDC	1905 E Main	1701 E Main		Brookens	ITC	1705 E Main	1705 E Main	Monthly Totals
						Rear	EMA/METCAD			North Garage	South Garage	
December	\$12,146.91	\$2,768.92	\$7,849.04	\$2,036.89	\$1,370.26	\$366.53	\$3,500.41	\$14,358.77	\$376.97	\$164.02	\$44,938.72	
January	\$17,577.70	\$3,790.73	\$12,163.62	\$3,198.80	\$1,808.75	\$648.46	\$6,322.46	\$23,179.19	\$583.06	\$1,151.07	\$70,423.84	
February	\$17,116.01	\$3,649.78	\$10,514.45	\$2,874.68	\$1,654.72	\$464.97	\$5,531.14	\$18,285.82	\$561.63	\$954.72	\$61,607.92	
March	\$13,817.44	\$2,654.20	\$7,097.29	\$1,523.73	\$1,433.01	\$275.89	\$3,170.57	\$17,035.11	\$372.23	\$572.40	\$47,951.87	
April	\$12,963.80	\$682.47	\$8,195.81	\$863.02	\$1,561.30	\$132.35	\$2,511.79	\$5,361.76	\$194.05	\$214.00	\$32,272.30	
May	\$12,432.92	\$445.10	\$6,370.42	\$568.45	\$1,295.86	\$85.57	\$1,438.75	\$343.34	\$77.37	\$99.48	\$23,157.26	
June	\$9,198.57	\$360.55	\$3,426.04	\$178.37	\$1,229.67	\$77.66	\$581.15	\$317.61	\$65.57	\$81.71	\$15,516.90	
July	\$8,579.18	\$356.24	\$3,492.70	\$151.65	\$1,266.61	\$77.33	\$143.81	\$316.25	\$65.57	\$80.48	\$14,529.82	
August											\$0.00	
September											\$0.00	
October											\$0.00	
November											\$0.00	
Total to date	\$103,832.53	\$14,707.99	\$59,109.37	\$11,395.59	\$11,620.18	\$2,128.76	\$23,200.08	\$79,197.85	\$2,296.45	\$3,317.88	\$310,806.68	

Prepared by Ranae Wolken
8/27/2010

Building/Grounds Maintenance work hour comparison

FY2010

Weekly Period	Repair & Maintenance	Scheduled Maintenance	Nursing Home	Special Project	Grounds Maintenance	Other Tenants	TOTAL
11/29/09-12/5/09	384.00	2.00	0.00	17.00	0.00	0.00	403.00
12/6/09-12/12/09	342.00	0.00	0.00	48.00	14.50	0.00	404.50
12/13/09-12/19/09	268.75	0.00	0.00	113.00	0.50	0.00	382.25
12/20/09-12/26/09**	197.50	0.00	5.00	15.00	37.25	0.00	254.75
12/27/09-1/2/10*	202.50	0.00	5.00	0.00	87.25	0.00	294.75
1/3/10-1/9/10	284.75	0.00	3.25	0.00	151.25	0.00	439.25
1/10/10-1/16/10	304.75	0.00	2.00	36.50	19.50	4.50	367.25
1/17/10-1/23/10*	212.75	0.00	5.00	0.00	47.50	15.00	280.25
1/24/10-1/30/10	342.75	23.00	9.50	0.00	24.00	0.00	399.25
1/31/10-2/6/10	309.75	0.00	1.75	0.00	39.50	0.00	351.00
2/7/10-2/13/10	324.75	0.00	5.00	2.00	101.25	2.00	435.00
2/14/10-2/20/10*	234.25	0.00	1.75	0.00	59.00	10.50	305.50
2/21/10-2/27/10	298.25	14.00	0.00	0.00	50.75	7.50	370.50
2/28/10-3/6/10	288.50	77.75	0.00	0.00	30.00	0.00	396.25
3/7/10-3/13/10	345.00	0.00	0.00	0.00	43.00	25.00	413.00
3/14/10-3/20/10	270.00	34.00	4.50	22.75	45.50	7.00	383.75
3/21/10-3/27/10	285.00	40.00	0.00	0.00	74.00	0.00	399.00
3/28/10-4/3/10*	210.00	39.25	0.00	7.75	52.25	18.50	327.75
4/4/10-4/10/10	287.00	44.50	0.00	5.00	66.00	7.25	409.75
4/11/10-4/17/10	205.75	46.00	3.00	0.00	51.50	0.00	306.25
4/18/10-4/24/10	258.50	0.00	0.00	72.00	71.50	0.00	402.00
4/25/10-5/1/10	266.75	0.00	0.00	48.00	74.25	0.00	389.00
5/2/10-5/8/10	202.75	0.00	3.25	80.00	68.75	0.00	354.75
5/9/10-5/15/10	261.50	0.00	0.00	71.50	70.50	0.00	403.50
5/16/10-5/22/10	296.50	0.00	3.00	18.00	55.50	0.00	373.00
5/23/10-5/29/10	260.50	0.00	3.50	12.00	68.00	0.00	344.00
5/30/10-6/5/10*	247.00	0.00	15.00	0.00	52.50	0.00	314.50
6/6/10-6/12/10	312.75	0.00	4.50	0.00	59.50	0.00	376.75
6/13/10-6/19/10	342.75	0.00	9.00	0.00	67.50	0.00	419.25
6/20/10-6/26/10	265.75	16.00	3.00	0.00	67.50	0.00	352.25
6/27/10-7/3/10	292.00	25.00	1.50	0.00	59.00	0.00	377.50
7/4/10-7/10/10*	231.25	0.00	0.00	0.00	45.00	0.00	276.25
7/11/10-7/17/10	209.75	0.00	8.75	40.00	74.25	2.00	334.75
7/18/10-7/24/10	276.25	20.00	2.00	31.50	44.50	0.00	374.25
7/25/10-7/31/10	321.50	0.00	0.00	0.00	60.00	0.00	381.50
8/1/10-8/7/10	256.75	0.00	0.00	35.50	67.50	0.00	359.75
8/8/10-8/14/10	239.75	4.50	10.25	0.00	67.50	0.00	322.00

Building/Grounds Maintenance work hour comparison

FY2010

8/15/10-8/21/10	272.25	19.50	16.00	0.00	69.25	0.00	377.00
-----------------	--------	-------	-------	------	-------	------	--------

*week includes a holiday
One work week: 435.00 hours with regular staff

There are currently 250.50 comp time hours available to the maintenance staff

Total comp time hours earned in FY10 to date- 2588.09

Total spent to date on overtime in FY09 - \$1,616.47 (Original Budgeted Amount - \$3,000)

Prepared by: Ranae Wolken
8/30/2010

LEASE RENEWAL AGREEMENT

1. **PARTIES:** This lease renewal, is made and entered into this 1st day of October, 2010, by and between Niemann Foods, Inc. "Lessor" and Champaign County Administrative Services, "Lessee".
2. **PREMISES:** Niemann Foods, Inc. agrees to lease to Champaign County Administrative Services, 50 parking spaces located at 220 North Broadway, Urbana, Illinois as further set out on "Exhibit A", attached hereto and made a part hereof.
3. **USE:** This space is to be used by the Lessee as parking spaces for 50 Champaign County employees, and is not intended for any type of retail or commercial uses. Spaces are being rented on a Monday through Friday, 7:30 a.m. – 5:30 p.m., 5 days a week time frame.
4. **TERM:** This lease shall be for the term of two years, beginning October 1st, 2010, and ending September 30, 2012.
5. **RENT:** Rent will be \$13,800 per year, payable at the rate of \$23.00 per space per month, to be paid to Niemann Foods, Inc., 1501 North 12th Street, Quincy, Illinois, 62301 by Lessee by the first day of each calendar month.
6. Lessee is responsible for any charges associated with the removal of 20 existing parking signs, chains, and sign poles; and any charges associated with the maintenance and repairs of the remaining 50 above noted items through the term of the lease. Upon the expiration of this lease, these improvements shall become Lessor's property unless Lessor gives Lessee a notice to remove them, whereupon Lessee shall remove them at Lessee's expense.
7. **INSURANCE:** Lessee shall carry general liability insurance coverage during the term of this lease with the following limits: coverage of \$1 million combined single limit, with Niemann Foods, Inc. named as additional insured. A copy of insurance certificate evidencing such coverage shall be furnished and delivered to Linda Rudicil at Niemann Foods, Inc., 1501 North 12th Street, Quincy, Illinois, 62301
8. Lessee will mark each space and have associates park in spaces designated on attached site plan Exhibit A. Lessor retains the right to alter the plan or reduce the number of spaces available with a 30 day written notice to Lessee. In such event, the rent shall be reduced on a pro-rata basis.
9. Lessor retains the right to approve (within Lessor's sole discretion) all signage or material changes before installation by Lessee.
10. Lessee is responsible, at Lessee's sole expense, for restriping of spaces on a yearly basis.

11. This lease agreement may be cancelled by either party through a 60 day prior written notice to the other party.

12. In the event Lessee defaults pursuant to the terms of this lease, upon written notice from Lessor to Lessee, this lease may be terminated and Lessor may maintain its claim for damages. In such event, Lessee shall immediately vacate the leased premises. In addition, in the event of Lessee's default, Lessor shall be entitled to any and all other remedies at law and in equity and shall include Lessor's right to enforce against Lessee its claim for rent owed pursuant to this lease and other charges as to attorney's fees and costs of suit incurred by it in connection with Lessee's default. In the event Lessor is in default on this lease, Lessee shall be entitled to all remedies at law and in equity, including the right to recoup its attorney's fees and costs of suit in relation thereto.

13. This lease shall be subordinate to any mortgage lien against the leased premises, whether now existing or hereafter arising, but, regarding any subsequent mortgages, Lessee's leasehold interest in the premises shall only be subordinate to such mortgages upon the mortgagee's execution of a non-disturbance agreement, pursuant to which mortgagee agrees not to disturb Lessee's leasehold interest or possession of the leased premises as long as Lessee is in compliance with the terms of this lease.

14. Any notices under this lease shall be personally delivered or mailed by certified mail, return receipt requested, and placed in the U.S. mail or faxed. Notices personally delivered shall be effective upon personal delivery. Notices which are mailed, shall be effective upon being deposited in the U.S. mail, postage prepaid, and mailed to the addresses set out below. Notices which are faxed shall be effective upon the sender's receipt of written confirmation thereof.

Lessor:
Niemann Foods, Inc.
1501 North 12th Street
P.O. Box C-847
Quincy, IL 62306-0847
Attn: Shan Clevenger
Phn: 217-221-5661
Fax: 217-221-5920

Lessee:
Champaign County Board
1776 East Washington
Urbana, IL 61801
Attn: Pius Weibel
Phn: 217-384-3776
Fax: 217-384-3896

Copy to:
Ted M. Niemann
Schmiedeskamp Robertson
Neu & Mitchell
525 Jersey
P.O. Box 1069
Quincy, IL 62306
Phn: 217-223-3030
Fax: 217-223-1005

Copy to:
David DeThorne
Champaign County State's Atty. Office
Civil Division
1776 East Washington Street
Urbana, IL 61802
Phn: 217-384-3776
Phn: 217-384-3896

Any address for the above mentioned parties may be changed through notice to the other party pursuant to the terms of this lease.

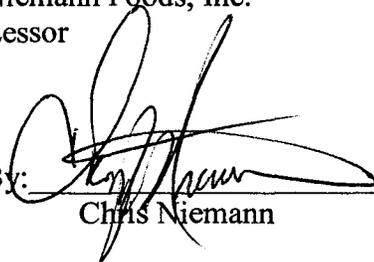
15. In the event any provision of this lease is held to be invalid or enforceable, the remaining terms of this lease shall remain in full force and effect. This lease shall be binding upon and inure to the benefit of the parties hereto, their heirs, legal representatives, successors and assigns. This lease shall be construed under and enforced under the laws of the State of Illinois. This lease may only be amended in writing and signed by the party against whom it is sought to be enforced. This lease is subject to all restrictions and covenants to which the leased premises are subject, whether or not of record.

Champaign County Board
Lessee

By: _____

(print) _____
It's County Board Chair

Niemann Foods, Inc.
Lessor

By:  _____
Chris Niemann

Its Exec. Vice President / CFO

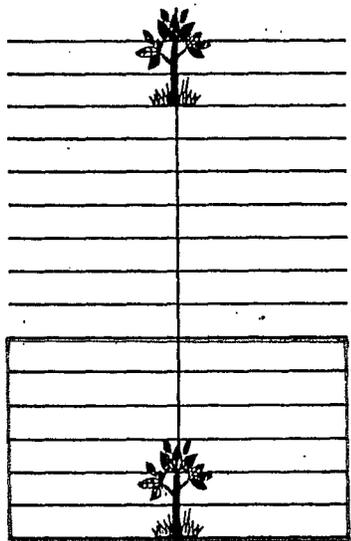
Cunningham



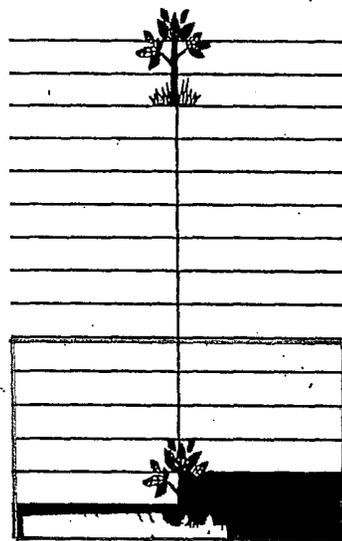
County Market

North

Spaces



14 Spaces



14 Spaces

6 Spaces

16 Spaces

Civic Center



Water Street

Bus Stop



Broadway

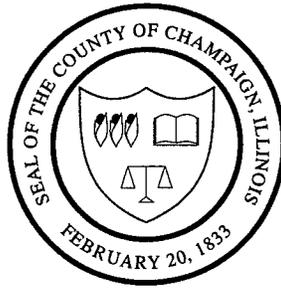
Broadway



50 spaces allotted to Champaign County Board

C. Pius Weibel
Chair
email: cweibel@co.champaign.il.us

Thomas Betz
Vice-Chair



Brookens Administrative Center
1776 East Washington Street
Urbana, Illinois 61802
Phone (217) 384-3772
Fax (217) 384-3896

**Office of
County Board
Champaign County, Illinois**

September 23, 2010

A PROPOSAL

The Champaign County Board, in conjunction with the Lincoln Exhibits Committee, is proposing to host the traveling exhibit *Lincoln in Illinois* at the Champaign County Courthouse. The dates we'd like are March 4, 2011 through May 31, 2011 with approximately a week to ten days on either side of the showing for installation and packing.

These dates enable Champaign County to appropriately celebrate the sesquicentennial of Lincoln's First Inaugural as President of the United States. We are planning a public opening event on March 4th, featuring a Lincoln historian. These dates will also encourage end of the school year field trips so that students can view both the traveling and the permanent displays. The photos will hang on the walls of a courthouse corridor and in a foyer that leads to the permanent Lincoln Exhibit which has now been open since August, 2009.

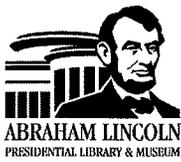
Installation will be in the hands of Champaign County through its Physical Plant Department. Since the exhibit will be contained in one wing of the Courthouse, it will benefit from the security provided by trained security officers of the Champaign County Sheriff's Department. The exhibit will only be opened when the courthouse is open and secured. We are very confident that the collection will be in an environment that is safe, well-lit, and easily accessible to the public.

Cooperating agencies involved with *Lincoln in Illinois* are the Champaign County Board, the Lincoln Exhibits Committee, the Early American Museum, the Champaign County Forest Preserve District, the Urbana Free Library Archives, the City of Urbana, and the Regional Office of Education.

Pending approval, a concerted effort will be undertaken to plan and publicize the presence of the exhibit. We will make every effort to keep the Abraham Lincoln Association and ALPLM updated and will extend invitations to members to attend Lincoln events surrounding this occasion.

Yours truly,

Barbara Wysocki
Champaign County Board District 9
Lincoln Exhibits Committee Chair



Abraham Lincoln Presidential Library and Museum
 212 N. 6th Street, Springfield, Illinois 62701
 Registrar Office: (217) 558-8925 Fax: (217) 558-1559



Outgoing Loan Agreement

Please complete and sign on reverse. Return original and retain a copy for your records.

Date Prepared: August 13, 2010 Art X Object _____
 Borrower: Champaign County Telephone: (217) 384-3776
 Institution Contact: Deb Busey Email: dbusey@co.champaign.il.us
 Address: 1776 East Washington
 City: Urbana State: IL Zip Code: 61802
 Place of Use: Champaign County Courthouse
 Responsible Person: Alan Reinhart Telephone: (217) 384-3765
 Purpose/Exhibit Title: Temporary Exhibit: Lincoln in Illinois
 Exhibit Dates: From: March 1, 2011 To: May 31, 2011
 Loan Dates: From: February 14, 2011 To: June 10, 2011

Object List attached.

Credits: Credit line as it should appear in exhibition related materials:

Courtesy of The Abraham Lincoln Presidential Library and Museum and the Abraham Lincoln Association

Photography: Except for loan-related publicity and documentation purposes, the borrower may **not** photograph or reproduce the borrowed objects in any way without written permission.

Insurance: To be carried by the ALPLM _____ To be carried by the borrower X Waived _____

Total Insurance value in U.S. Currency \$43,610

Breakdown: Photographs (ALA) - \$350 each (\$24,500); Frames/Mat/Glass (APLM) – \$273 each (\$19,110)

The borrower must provide adequate continuous insurance for the borrowed items. The coverage must be an all-risk, wall-to-wall, fine arts policy, covering the materials from the moment they leave ALPLM custody, during transit, and until they have been examined and returned to their proper location in their home institution

Shipping Arrangement:

____ Contracted Shipper, Company Name: _____

____ ALPLM Staff Transport, Contact Name/Phone: _____

X Borrowing Institution Transport, Contact Name/Phone: _____

Special Instructions:

Special instructions for packing, transporting and installing below:

Works should be wrapped in a cushioned material such as bubble wrap or some other wrap to prevent damage in transport.

Signatures:

I hereby state that the information in this agreement and all attachments are complete and correct and that no false or misleading information or false statements have been given. I have the full authority to represent the borrower and the project described. I hereby acknowledge understanding and accepting the terms and condition of this agreement and will comply with all policies, rules, and guidelines of the Illinois Historic Preservation Agency and the Abraham Lincoln Presidential Library and Museum.

Signature & Title of Borrower _____ Date _____

Recommended

Signature & ALPLM Title _____ Phone _____ Date _____

Signature & ALA Title _____ Phone _____ Date _____

Request & Approval

All outgoing loans, except those for conservation treatment, require the approval of the IHPA Board of Trustees, which meets quarterly.

Requests for loans must be made in writing to the ALPM or ALPL at least three months in advance. The request must provide: reason for the loan, exhibit details, proposed loan dates, proposed travel/shipping arrangements, insurance arrangements, list of any other participating institutions.

Borrowers must prove that they can adequately care for a loan, including proper environment, security, and transportation. This proof will be requested in writing or by the submission of an American Association of Museums Standard Facility Report. All information submitted will be kept in the strictest confidence.

The IHPA may decline to loan certain materials because of their condition, institutional and exhibit needs, or conflict with the mission.

Special restrictions may be placed upon especially rare, scarce, fragile or significant artifacts. Restrictions will be decided upon in a case-by-case basis.

Environmental Conditions and Security

Borrowed items must be given special care at all times to ensure against loss, damage, or deterioration. Objects must be protected from the hazards of fire, exposure to extreme or deteriorating light, extremes of temperature and relative humidity, insects, vermin and other pests, vandalism, theft, and all other conditions that may cause harm.

Under no circumstances should the borrower undertake any type of conservation or restoration treatment of the object. Evidence of damage or loss must be reported immediately to the ALPLM contact listed on the Loan Agreement.

Restrictions

The IHPA/ALPLM may decline to loan certain materials because of their condition, institutional and exhibit needs, or conflict with the mission. Special restrictions may be placed upon especially rare, scarce, fragile or significant artifacts. Restrictions will be decided upon in a case-by-case basis.

Extensions

Extensions may be granted in six-month increments. They must be requested in writing at least 30 days prior to the end of the original loan period. The borrower may be asked to update its American Association of Museums Standard Facility Report before the loan is renewed. A

Transportation

No objects will be transported until the loan is approved, signed by all parties, and in hand, including all insurance documentation.

Unless agreed upon in advance, the borrower is responsible for all shipping costs.

The borrower must comply with any shipping and packing instructions provided by the ALPLM.

Condition Reporting

Condition reports should be completed on all outgoing loans.

Recall

The IHPA/ALPLM reserves the right to recall any loan at any time.

Liability

If a loan is granted the borrower agrees to assume, without limitation, all risk of loss and all liabilities, demands, claims, suits, losses, damages, causes of action, fines or judgments, including costs, attorneys' and witnesses' fees, and expenses incident thereto, relating to bodily injuries to persons (including death) and for loss of, damage to, or destruction of real and/or tangible personal property (including property of the State) resulting from the negligence or misconduct of borrower, its employees, agents, contractors, or subcontractors in the performance under the loan.

Indemnity

The borrower uses all materials at its own risk and agrees to indemnify and hold harmless the State of Illinois and the IHPA, its officers, employees, and agents (appointed and elected) and volunteers from any and all costs, expenses, losses, claims, damages, liabilities, settlements, and judgments, including reasonable value of the time spent by the Attorney General's Office, and the costs and expenses and reasonable attorneys' fees of other counsel required to defend the State of Illinois.

Costs

The ALPLM does not charge a fee for loans. All loan-related costs are the responsibility of the borrower, including but not limited to site inspection, packing, shipping, photography, conservation, insurance appraisal, courier travel and related expenses.

Governing Law

This permit shall be governed by the laws of the State of Illinois and the copyright laws of the United States of America.

CHAMPAIGN COUNTY HIGHWAY DEPARTMENT

JEFF BLUE
COUNTY ENGINEER

1605 E. MAIN STREET

(217) 384-3800
FAX (217) 328-5148

URBANA, ILLINOIS 61802

September 7, 2010

COUNTY MOTOR FUEL TAX CLAIMS FOR JUNE

Req No.	Payee	Description	Amount
43	Hanson Aggregates, Inc.	60.87 T. CA-6/10	547.83
44	Allied Municipal Supply	10 Ft. Posts	3,416.00
45	Open Road Asphalt Company	11.78 T. Cold Mix	1,119.10
46	Sodemann & Associates	Engineering Fees - CH. 18 (Monticello Rd) Section #07-00419-01-RS	92.24
47	Allied Municipal Supply	Final Payment - Sign Program Section #09-00470-00-SG	10,254.60
			<hr/> \$ 15,429.77 <hr/>

TOWNSHIP MOTOR FUEL TAX CLAIMS FOR JUNE

Req No.	Payee	Description	Amount
31	Tuscola Stone Company	Ayers- 399.05 Ton CA-15 F&D	5,778.28
32	Grosso Trucking, Inc	Harwood- 1,057.80 Ton CA-16 F&D - 216.82 Ton CA-10 F&D	19,332.00
33	Tuscola Stone Company	Colfax- 1,019.68 Ton CA-15 F&D	15,274.82
34	Illiana Construction Co.	Champaign - 982 Gal HF-P F&S	2,671.04
35	Illiana Construction Co.	Ayers - 15,021.27 Gal HFE-90 F&S	33,347.22
36	Illiana Construction Co.	Raymond- 37,757.93 Gal HFE-90 F&S	83,822.60
			<hr/> \$160,225.96 <hr/>

CHAMPAIGN COUNTY HIGHWAY DEPARTMENT

JEFF BLUE
COUNTY ENGINEER

1605 E. MAIN STREET

(217) 384-3800
FAX (217) 328-5148

URBANA, ILLINOIS 61802

September 7, 2010

COUNTY MOTOR FUEL TAX CLAIMS FOR JULY

Req No.	Payee	Description	Amount
48	Allied Municipal Supply	Sign Material	570.78
49	Hanson Aggregates, Inc.	Various Aggregates	2,487.48
50	Open Road Paving	Pay Estimate #1 - CH. 18 (Monticello Rd) Section #07-00419-01-RS	786,348.00
51	University of Illinois	Registration & Lunch - Illinois Traffic Engineering & Safety Conf. 10/20-10/22/10	125.00
52	Jeff Blue	NCUTCD Expenses - Chicago 6/29-7/2/10	904.95
53	Illinia Construction Company	Furnish & Spread - 20,475 gal. HFE-90 Spread - 520 T. Boiler Slag on CH. 20	47,300.50
54	Champaign County Treasurer	Engineering - County Engineering Forces 1/1/10-6/30/10	50,474.94
			<hr/> \$ 888,211.65 <hr/>

TOWNSHIP MOTOR FUEL TAX CLAIMS FOR JULY

Req No.	Payee	Description	Amount
37	Illiana Construction Company	S. Homer- 21,567.57 Gal HFE-90 F&S	47,880.00
38	Summers Trucking	Condit- 324.47 Ton CA-15 F&D	5,431.63
39	Illiana Construction Company	Hensley- 5,874.00 Gal HFE-90 F&S	13,040.28
40	Illiana Construction Company	Pesotum- 31,161.06 Gal HFE-90 F&S	71,397.55
41	Illiana Construction Company	Sadorus- 14,973.00 Gal HFE-90 F&S	33,240.06
42	Champaign County Treasurer	Engineering Fees for Highway Fund 083	79,133.43
43	Illiana Construction Company	Scott- 29,348.60 Gal HFE-90 F&S	65,153.89
			<hr/> \$315,276.84 <hr/>

CHAMPAIGN COUNTY HIGHWAY DEPARTMENT

JEFF BLUE
COUNTY ENGINEER

1605 E. MAIN STREET

(217) 384-3800
FAX (217) 328-5148

URBANA, ILLINOIS 61802

September 7, 2010

COUNTY MOTOR FUEL TAX CLAIMS FOR AUGUST

Req No.	Payee	Description	Amount
55	Allied Municipal Supply	Signs	350.33
56	Champaign County Treasurer	County Equipment Rental - January & February	70,599.97
57	Hanson Aggregates, Inc.	101.15 T. CA6/10	910.35
58	Christian Co. Highway Dept.	805 T. Screened Slag	2,938.25
59	Open Road Paving	Pay Estimate #2 - CH. 18 (Monitcello Rd) Section #07-00419-01-RS	204,682.00
60	Hanson Aggregates, Inc.	56.14 T. Aggregate Materials	774.73
			<hr/> <hr/> \$ 280,255.63

TOWNSHIP MOTOR FUEL TAX CLAIMS FOR AUGUST

Req No.	Payee	Description	Amount
44	Illiana Construction Co.	St Joseph- 26,895.66 Gal HFE-90 F&S	59,708.36
45	Illiana Construction Co.	Urbana- 10,009.39 Gal HFE-90 F&S	22,220.84
46	Illiana Construction Co.	Stanton- 30,023.67 Gal HFE-90 F&S	66,652.55
47	Illiana Construction Co.	Brown- 23,571.39 Gal HFE-90 F&S	52,328.48
48	Illiana Construction Co.	Ludlow- 40,108.11 Gal HFE-90 F&S	89,040.00
49	Illiana Construction Co.	East Bend- 55,232.39 Gal HFE-90 F&S	122,615.04
50	Langley Trucking	Compromise- 162.87 Ton Turkey Grit F&D	2,206.89
51	Illiana Construction Co.	Compromise- 8,781.00 Gal HFE-90 F&S	19,493.82
52	Illiana Construction Co.	Condit- 21,648.00 Gal HFE-90 F&S - 650 Ton Rock Spread	50,366.06
53	Illiana Construction Co.	Kerr- 1,870.42 Gal MC-30 F&S - 9,510.00 Gal HFE-90 F&S	27,471.60
54	Illiana Construction Co.	Ogden - 18,717.00 Gal HFE-90 F&S	41,551.74
55	Illiana Construction Co.	Mahomet - 18,560.80 Gal CM-300 F&S	63,106.70
56	Illiana Construction Co.	Sadorus- 14,119.49 Gal HFE-90 F&S	31,345.27
			<hr/> <hr/> \$648,107.35

RESOLUTION NO.

RESOLUTION APPROPRIATING \$25,032.00 FROM
COUNTY MOTOR FUEL TAX FUNDS FOR
CHAMPAIGN COUNTY'S SHARE OF THE
CHAMPAIGN-URBANA URBANIZED AREA TRANSPORTATION STUDY
SECTION #10-00000-00-ES

WHEREAS, The County Board of Champaign County is desirous of entering into a contract to have the following study performed under the Illinois Highway Code, designated at Section #10-00000-00-ES:

CHAMPAIGN-URBANA URBANIZED AREA TRANSPORTATION
STUDY; and

WHEREAS, the proposed study consists of the County of Champaign's annual contribution to the Champaign County Regional Planning Commission and its share of funding the above mentioned study.

NOW, THEREFORE, BE IT RESOLVED, That there is hereby appropriated the sum of Twenty-five Thousand Thirty-two Dollars (\$25,032.00) from County Motor Fuel Tax Funds for the County's share; and

BE IT FURTHER RESOLVED, That the County Clerk is hereby directed to transmit two (2) certified copies of this resolution to Mr. Joseph E. Crowe, District Engineer, Illinois Department of Transportation, Paris, Illinois.

PRESENTED, ADOPTED, APPROVED and RECORDED this 23rd day of September A.D., 2010.

C. Pius Weibel, Chair
Champaign County Board

ATTEST: _____
Mark Shelden, County Clerk and
ex-Officio Clerk of the County Board

Prepared by: Jeff Blue
County Engineer

I, Mark Sheldon, County Clerk in and for said County, in the State aforesaid, and keeper of the records and files thereof as provided by statute, do hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the County Board of Champaign county, at its County Board meeting held at Urbana, Illinois on September 23, 2010.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said County at my office in Urbana in said County, this _____ day of _____ A.D. 2010.

(SEAL)

County Clerk

APPROVED

Date

Department of Transportation

District Engineer

Champaign
County
Department of

**PLANNING &
ZONING**

Brookens
Administrative Center
1776 E. Washington Street
Urbana, Illinois 61802

(217) 384-3708

To: **Champaign County Board Committee of the Whole**
From: **JR Knight, Associate Planner**
John Hall, Zoning Administrator

Date: **August 30, 2010**

RE: **Final Recommendation for Zoning Ordinance text amendment Case 668-AT-10**

-
- Request **Amend the Champaign County Zoning Ordinance as follows:**
1. **In Section 3, add RESIDENTIAL RECOVERY CENTER as a defined term.**
 2. **In Section 4.2.1 C. authorize RESIDENTIAL RECOVERY CENTER as a second principal use on a lot with a church or temple in the AG-2 District.**
 3. **In Section 5.2, add "RESIDENTIAL RECOVERY CENTER" to the Table of Authorized Principal Uses as a use allowed by Special Use Permit only, subject to standard conditions, in the AG-2 Agriculture Zoning District, and indicate a new footnote.**
 4. **Add RESIDENTIAL RECOVERY CENTER to Section 6.1.3 with standard conditions of approval, including but not limited to:**
 - (1) **The property must be served by public transportation; and**
 - (2) **A limit on the number of residents equal to 10% of the occupancy of the worship area of the associated church, but no more than 25; and**
 - (3) **Supervision by a responsible and qualified staff person, 24 hours per day, seven days per week; and**
 - (4) **The use must be operated in accordance with the Alcoholism and Other Drug Abuse and Dependency Act.**
 5. **In Section 7.4.1, add new paragraph C.3.i. indicating parking for a RESIDENTIAL RECOVERY CENTER is only required for vehicles proposed as part of the Special Use Permit application.**

Petitioner **Zoning Administrator**

STATUS

Last month the Committee voted for a preliminary recommendation of approval of the proposed text amendment.

The Champaign City Council defeated a resolution of protest for the proposed amendment on August 17, 2010.

The Urbana City Council approved a resolution of conditional protest on August 16, 2010. There were two conditions of the protest:

1. That the adopted limit for the number of residents for a Residential Recovery Center does not exceed 10% of the occupancy of the worship area of the associated church or temple, or 30 residents, whichever is less; and
2. That the Residential Recovery Center shall only be allowed when operated by and located on the same property as the church or temple with which it is affiliated.

The proposed amendment currently meets all conditions, so there is no protest from Urbana.

ATTACHMENT

A Proposed Ordinance

1. In Section 3, add RESIDENTIAL RECOVERY CENTER as a defined term, as follows:

RESIDENTIAL RECOVERY CENTER: A living facility in which occupants live as a single, cooperative housekeeping unit while receiving support and training to assist them in recovering from the effects of chemical and alcohol dependency.

2. Amend Subparagraph 4.2.1 C., as follows:

(Underline indicates text to be added to the existing Zoning Ordinance.)

C. It shall be unlawful to erect or establish more than one MAIN or PRINCIPAL STRUCTURE or BUILDING per LOT or more than one PRINCIPAL USE per LOT in the AG-1, Agriculture, AG-2, Agriculture, CR, Conservation-Recreation, R-1, Single Family Residence, R-2, Single Family Residence, and R-3, Two Family Residence DISTRICTS other than in PLANNED UNIT DEVELOPMENTS except as follows:

1. Mortuary or funeral home may be authorized as a Special Use Permit in the AG-2, Agriculture Zoning DISTRICT, when it is on a lot under common management with a cemetery.
2. RESIDENTIAL RECOVERY CENTER may be authorized as a Special Use Permit in the AG-2 Agriculture Zoning DISTRICT in accordance with Section 5.2.

3. In Section 5.2, add RESIDENTIAL RECOVERY CENTER to the Table of Authorized Principal Uses as a use allowed by Special Use Permit subject to standard conditions only in the AG-2 Agriculture Zoning District and indicate a new footnote, as follows:

Principal USES	Zoning DISTRICTS					Zoning DISTRICTS									
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2
Residential Uses															
RESIDENTIAL RECOVERY CENTER			S ¹⁸												

4. In Section 5.2 add the new footnote, as follows:

18. RESIDENTIAL RECOVERY CENTER is only allowed as a Special Use in the AG-2 DISTRICT when:
- (a) Located within one and one-half miles of a home-rule municipality with an adopted comprehensive plan; and
 - (b) Operated by and located on the same property as a church or temple.

Attachment A Proposed Ordinance

JULY 29, 2010

5. Add RESIDENTIAL RECOVERY CENTER to Section 6.1.3 with standard conditions of approval, as follows:

SPECIAL USES or USE Categories	Minimum Fencing Required ⁶	Minimum LOT Size		Maximum HEIGHT		Required YARDS (feet)					Explanatory or Special Provisions
		AREA (Acres)	Width (feet)	Feet	Stories	Front Setback from STREET Centerline ²			SIDE	REAR	
						MAJOR	COLLECTOR	MINOR			
RESIDENTIAL RECOVERY CENTER in the AG-2 DISTRICT in accordance with Section 5.2	(1)	See #3. below	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	*See below
	<ol style="list-style-type: none"> 1. The proposed RESIDENTIAL RECOVERY CENTER must be located as follows: <ol style="list-style-type: none"> a. The subject property must be served by public transportation; and b. The associated church or temple must occupy a building which predominantly existed on October 10, 1973. 2. The maximum number of residents allowed at one time shall be the smaller of the following numbers: <ol style="list-style-type: none"> a. 10% of the maximum occupancy of the main worship area of the associated church or temple; or b. 25. 3. The minimum required lot area shall be: <ol style="list-style-type: none"> a. 20,000 square feet if served by a connected PUBLIC SANITARY SEWER SYSTEM; or b. 30,000 square feet plus 7,000 square feet per resident if not served by a connected PUBLIC SANITARY SEWER SYSTEM. 4. The proposed RESIDENTIAL RECOVERY CENTER shall be operated as follows: <ol style="list-style-type: none"> a. A responsible and qualified staff person must be onsite to provide supervision 24 hours per day, seven days per week; and b. All onsite food service shall be compliant with the Champaign County Health Ordinance; and c. The RESIDENTIAL RECOVERY CENTER must be operated in conformance with the <i>Alcoholism and Other Drug Abuse and Dependency Act</i> (20 ILCS 301/) including obtaining any required license. 5. No person may occupy a RESIDENTIAL RECOVERY CENTER until a qualified inspector (as defined in 20 ILCS 3105/10.09-1) files a certification that the building complies with the 2006 edition of the International Building Code. 										

6. Add new paragraph 7.4.1 C.3.i., as follows:

- i. Parking spaces for a RESIDENTIAL RECOVERY CENTER shall only be required for the number of vehicles proposed to be authorized in the Special Use Permit application.

Champaign
County
Department of

**PLANNING &
ZONING**

**Brookens
Administrative Center**
1776 E. Washington Street
Urbana, Illinois 61802

(217) 384-3708

TO: **Champaign County Board Committee of the Whole**
FROM: **John Hall, Director & Zoning Administrator**
DATE: **August 27, 2010**
RE: **Draft Habitability Ordinance**

FOR RECOMMENDATION TO THE FULL BOARD

The County Board deferred this item and sent it back to the Committee at the August 19, 2010, Board meeting.

Board members Barbara Wysocki, Alan Nudo, and Stan James met with the County Administrator, State's Attorney, and the Zoning Administrator on August 24, 2010, and resolved all outstanding issues with the Habitability Ordinance.

The attached Ordinance is ready for a recommendation to the full Board.

BACKGROUND

The County Board considered this item at the August 19, 2010, meeting. There were unresolved questions about enforcement provisions at the meeting and this item was sent back to the Committee. At the time it was agreed that interested Board members would have an Ordinance for review by the Committee of the Whole at the September meeting.

On August 24, 2010, Board members Barbara Wysocki, Alan Nudo, and Stan James met with the County Administrator, Susan McGrath of the State's Attorney Office, and the Zoning Administrator. At that meeting the group reviewed the Residential Tenants' Right to Repair Act (765 ILCS 742 et seq) and compared the Habitability Ordinance and the amended Nuisance Ordinance. All outstanding issues were resolved and agreement was reached on the following items:

- **The Habitability Ordinance is as "strong" as it can be.** The Habitability Ordinance is only intended to support tenants' claims under the Residential Tenants' Right to Repair Act (765 ILCS 742 et seq; see attached) and that Act provides no enforcement authority for the County.
- **The County has very strong enforcement powers under the Nuisance Ordinance and the August amendment added important life safety enforcement provisions.** State law very much limits what the County can enforce under the Nuisance Ordinance. The amended Nuisance Ordinance that was adopted in August added significant new provisions to protect the public. Even though the amended Nuisance Ordinance is a very important advance in ensuring life safety it is not the same as adopting a Building Code and a Property Maintenance Code.

DRAFT HABITABILITY ORDINANCE

The Draft Habitability Ordinance is included as Attachment B. The Draft Ordinance is unchanged from the August County Board meeting.

ATTACHMENTS

- A Residential Tenants' Right to Repair Act**
- B Draft Habitability Ordinance (unchanged from August 19, 2010)**

Illinois Compiled Statutes

Information maintained by the Legislative Reference Bureau

Updating the database of the Illinois Compiled Statutes (ILCS) is an ongoing process. Recent laws may not yet be included in the ILCS database, but they are found on this site as [Public Acts](#) soon after they become law. For information concerning the relationship between statutes and Public Acts, refer to the [Guide](#).

Because the statute database is maintained primarily for legislative drafting purposes, statutory changes are sometimes included in the statute database before they take effect. If the source note at the end of a Section of the statutes includes a Public Act that has not yet taken effect, the version of the law that is currently in effect may have already been removed from the database and you should refer to that Public Act to see the changes made to the current law.

PROPERTY

(765 ILCS 742/) Residential Tenants' Right to Repair Act.

(765 ILCS 742/1)

Sec. 1. Short title. This Act may be cited as the Residential Tenants' Right to Repair Act.

(Source: P.A. 93-891, eff. 1-1-05.)

(765 ILCS 742/5)

Sec. 5. Repair; deduction from rent. If a repair is required under a residential lease agreement or required under a law, administrative rule, or local ordinance or regulation, and the reasonable cost of the repair does not exceed the lesser of \$500 or one-half of the monthly rent, the tenant may notify the landlord in writing by registered or certified mail or other restricted delivery service to the address of the landlord or an agent of the landlord as indicated on the lease agreement; if an address is not listed, the tenant may send notice to the landlord's last known address of the tenant's intention to have the repair made at the landlord's expense. If the landlord fails to make the repair within 14 days after being notified by the tenant as provided above or more promptly as conditions require in the case of an emergency, the tenant may have the repair made in a workmanlike manner and in compliance with the appropriate law, administrative rule, or local ordinance or regulation. Emergencies include conditions that will cause irreparable harm to the apartment or any fixture attached to the apartment if not immediately repaired or any condition that poses an immediate threat to the health or safety of any occupant of the dwelling or any common area. After submitting to the landlord a paid bill from an appropriate tradesman or supplier unrelated to the tenant, the tenant may deduct from his or her rent the amount of the bill, not to exceed the limits specified by this Section and not to exceed the reasonable price then customarily charged for the repair. If not clearly indicated on the bill submitted by the tenant, the tenant shall also provide to the landlord in writing, at the time of the submission of the bill, the name, address, and telephone number for the tradesman or supplier that provided the repair services. A tenant may not repair at the landlord's expense if the condition was caused

by the deliberate or negligent act or omission of the tenant, a member of the tenant's family, or another person on the premises with the tenant's consent.

(Source: P.A. 93-891, eff. 1-1-05.)

(765 ILCS 742/10)

Sec. 10. Exceptions.

(a) This Act does not apply to public housing as defined in Section 3(b) of the United States Housing Act of 1937, as amended from time to time, and any successor Act.

(b) This Act does not apply to condominiums.

(c) This Act does not apply to not-for-profit corporations organized for the purpose of residential cooperative housing.

(d) This Act does not apply to tenancies other than residential tenancies.

(e) This Act does not apply to owner-occupied rental property containing 6 or fewer dwelling units.

(f) This Act does not apply to any dwelling unit that is subject to the Mobile Home Landlord and Tenant Rights Act.

(Source: P.A. 93-891, eff. 1-1-05.)

(765 ILCS 742/15)

Sec. 15. Tenant liabilities and responsibilities. The tenant is responsible for ensuring that:

(1) the repairs are performed in a workmanlike manner in compliance with the appropriate law, administrative rule, or local ordinance or regulation;

(2) the tradesman or supplier that is hired by the tenant to perform the repairs holds the appropriate valid license or certificate required by State or municipal law to make the repair; and

(3) the tradesman or supplier is adequately insured to cover any bodily harm or property damage that is caused by the negligence or substandard performance of the repairs by the tradesman or supplier.

The tenant is responsible for any damages to the premises caused by a tradesman or supplier hired by the tenant. A tenant shall not be entitled to exercise the remedies provided for in this Act if the tenant does not comply with the requirements of this Section.

(Source: P.A. 93-891, eff. 1-1-05.)

(765 ILCS 742/20)

Sec. 20. Defense to eviction. A tenant may not assert as a defense to an action for rent or eviction that rent was withheld under this Act unless the tenant meets all the requirements provided for in this Act.

(Source: P.A. 93-891, eff. 1-1-05.)

(765 ILCS 742/25)

Sec. 25. Mechanics lien laws. For purposes of mechanics lien laws, repairs performed or materials furnished pursuant to this Act shall not be construed as having been performed or furnished pursuant to authority of or with permission of the landlord.

(Source: P.A. 93-891, eff. 1-1-05.)

(765 ILCS 742/30)

Sec. 30. Home rule. A home rule unit may not regulate residential lease agreements in a manner that diminishes the rights of tenants under this Act. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

(Source: P.A. 93-891, eff. 1-1-05.)

Top

Attachment B. Draft Rental Habitability Ordinance of Champaign County, Illinois
AUGUST 27, 2010

1. Title. This ordinance shall be known as the “Rental Habitability Ordinance of Champaign County, Illinois”.
2. Purpose. The provisions of this ordinance shall apply to all residential rental properties and shall constitute the minimum maintenance requirements necessary to ensure adequate habitability of residential rental buildings except for any additional relevant requirements in the Champaign County Nuisance Ordinance.
3. Applicability. The provisions of this ordinance shall not apply to any of the requirements for residential rental property maintenance that are included herein that are identified as the **responsibility of the tenant** in a written lease except requirement 7.I. that is non-transferable by lease.
4. Enforcement. The minimum maintenance requirements for habitability established by this ordinance are not enforced by Champaign County but are specifically intended to be relevant to tenant claims under the Residential Tenants’ Right to Repair Act (765 ILCS 742 et seq) and to further the authority granted by 55 ILCS 5/5-1063 related to building maintenance.
5. Standard of maintenance quality. Repairs, maintenance work, alterations or installations required by this ordinance shall be performed in a reasonable manner and in compliance with any relevant manufacturer’s requirements.

6. Definitions.

HABITABLE is any space for human occupation and use such as vestibules, hallways, stairways, corridors, living rooms, bedrooms, kitchens, pantries, bathrooms, closets, and storage spaces.

RENTAL UNIT is any dwelling unit, rooming unit, dormitory room, guestroom, or portion of a building that is that is rented, leased, or let.

OWNER is an individual, firm, association, syndicate, partnership, corporation, company, organization, trust, or any other legal entity having a proprietary interest in a building, property, lot, or tract of land.

ROOM is any interior HABITABLE space that is larger than 70 square feet and with a minimum horizontal dimension of eight feet.

TENANT is the person or persons that occupy a RENTAL UNIT.

7. Minimum maintenance requirements for habitability. The OWNER of any RENTAL UNIT is hereby required to maintain the premises and to promptly perform all needed repairs to any building containing a RENTAL UNIT and to each RENTAL UNIT including but not limited to repairs, maintenance, and services of the following types:

Attachment B. Draft Rental Habitability Ordinance of Champaign County, Illinois
AUGUST 27, 2010

- A. Building exterior. The building exterior shall be maintained in a structurally sound and weatherproof condition and free from holes, or defects that allow rain or weather to enter.
- B. Exterior and interior stairs. All stairways shall meet the minimum egress requirements of the Illinois State Fire Marshal's Life Safety Code and be structurally sound and maintained in good repair.
- C. Doors. All exterior doors, door assemblies, and hardware shall be maintained in good condition. Locks at all entrances to any RENTAL UNIT shall tightly secure the door.
- D. Deadbolt locks. Doors providing access to any RENTAL UNIT shall be equipped with a deadbolt lock. Deadbolt locks shall have a minimum lock throw of at least 1-inch. A sliding bolt shall not be considered an acceptable deadbolt lock. Deadbolt locks shall be properly installed according to manufacturer's specifications and maintained in good working condition. All required deadbolt locks shall be designed and installed in such a manner so as to be operable from inside of the RENTAL UNIT by only a knob.
- E. Building interior.
 - (1) All HABITABLE interior areas shall be maintained in good repair, structurally sound and in a sanitary condition.
 - (2) All interior surfaces, including windows and doors, shall be maintained in good repair and sanitary condition.
 - (3) Paint that is peeling, chipping, flaking, or abraded shall be repaired.
 - (4) Cracked or loose surfaces shall be repaired.
- F. Windows and skylights. Windows and skylights shall be maintained in good repair, and shall be structurally sound and weather tight.
 - (1) Glazing. All glazing materials shall be maintained free from cracks and holes.
 - (2) Openable windows. Windows that are not fixed windows shall be easily openable and with hardware capable of holding the window in an open position.
 - (3) Insect screens. Between May 14 to September 15 of every year each openable window in each HABITABLE room shall be provided a tightly fitting screen of not less 16 mesh per inch.

Attachment B. Draft Rental Habitability Ordinance of Champaign County, Illinois
AUGUST 27, 2010

- G. Garbage facilities and service.
- (1) Every occupied RENTAL UNIT shall be provided covered outdoor garbage containers for use by the tenant however multiple tenants may be provided with a single covered container provided it is of adequate size.
 - (2) Every occupied RENTAL UNIT shall be provided with regular and timely removal (pickup) of normal daily household waste.
- H. Plumbing and plumbing fixtures.
- (1) All plumbing shall meet the requirements of the Illinois Plumbing Code.
 - (2) Plumbing fixtures including hot water heaters shall be properly installed and maintained in good working condition, and shall be kept free from obstructions, leaks, and defects.
- I. Heating. Each RENTAL UNIT shall be supplied with heat during the period from September 15 to May 15 of every year and sufficient to maintain a temperature of not less than 65° in all habitable rooms. This requirement shall be non-transferable by lease.
- J. Appliances. All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances (including refrigerator), and water heating appliances shall be properly installed and maintained in a good working condition and all necessary services (gas, electrical, etc.) required for operation shall be provided and in good working order.
- K. Electrical system and equipment.
- (1) Each RENTAL UNIT shall be provided with an electrical system including electrical equipment, wiring, and appliances that shall be properly installed and maintained in a safe working condition.
 - (2) Each occupied RENTAL UNIT shall be provided with a working electrical service.
 - (3) Electrical outlets. Each habitable space shall be served by at least two separate and remote receptacle outlets except only one outlet shall be required per bathroom.
- L. Each building containing a RENTAL UNIT and each RENTAL UNIT shall be provided with smoke and carbon monoxide detectors as required by the Illinois State Fire Marshal's Life Safety Code.
- M. Each RENTAL UNIT shall be provided with a mailbox meeting the requirements of the U.S. Postal Service.

Attachment B. Draft Rental Habitability Ordinance of Champaign County, Illinois
AUGUST 27, 2010

8. Severability, Publication, and Effective Date.
 - A. Severability. Should any part of this ordinance be declared invalid by a court of competent jurisdiction, such declaration shall not affect the validity of the remaining portions of this ordinance.
 - B. Publication. Within 15 days of the adoption of this ordinance the County Clerk shall cause notice to be published in a newspaper of general circulation within the County stating that this ordinance has been adopted including the effective date of the ordinance and the availability of copies in the office of the Zoning Administrator.
 - C. Effective Date. This ordinance shall be in full force and effect ten days after the date of the publication.

Champaign
County
Department of

**PLANNING &
ZONING**

Brookens
Administrative Center
1776 E. Washington Street
Urbana, Illinois 61802

(217) 384-3708

To: **Champaign County Board Committee of the Whole**
From: **JR Knight, Associate Planner**
John Hall, Zoning Administrator

Date: **August 30, 2010**

RE: **Recommendation for rezoning Case 671-AM-10**

Request **Amend the Zoning Map to change the district designation from the AG-2 Agriculture Zoning District to the B-4 General Business Zoning District to allow Triad Shredding to construct a new facility as requested in related Zoning Case 672-S-10.**

Petitioner **Zoning Administrator**

STATUS

The Zoning Board of Appeals voted to "RECOMMEND ENACTMENT" for this proposed rezoning at their August 12, 2010, meeting. At the same meeting they approved the related Special Use Permit (Zoning Case 672-S-10) contingent on the County Board's approval of this proposed rezoning. Relevant maps are attached to the memo. The approved Finding of Fact is attached.

The zoning map amendment is intended to provide for the relocation of Triad Shredding Corporation which is currently located in the Rantoul Business Center. This is the first rezoning to come before the ZBA since the adoption of the Land Resource Management Plan, and the ZBA found that the rezoning achieved or conformed to all relevant Goals, Objectives, and Policies from that plan.

The subject property has historically been in business use, see below for further discussion.

Several special conditions of approval have been recommended. The rationale behind the conditions is reviewed below, and the conditions are listed in Attachment

This case is not located within any municipal ETJ, and no formal protests have been received from neighboring land owners.

HISTORIC BUSINESS USE OF SUBJECT PROPERTY

The historic business use of the subject property was significant in the ZBA's recommendation. The history of the subject property as shown in Item 6.C. of the Finding of Fact is, as follows:

- Earl Smith, Assessor for Harwood Township, in a phone discussion with Lori Busboom, Zoning Technician, on July 29, 2010, indicated that Werner Roessler purchased the subject property in 1964.
- The existing building on the subject property was built in 1966, based on the Supervisor of Assessment tax records.
- Miller's Meat Market was established on the subject property before October 10, 1973.
- The 1972 Supervisor of Assessment aerial photographs show that the property was partially in agricultural production at that time.

- A meat market is believed to have operated on the property into the late 1980's.
- The property was purchased by Robert Glazik in 1987, which is also when the property was taken out of production, based on the Supervisor of Assessment tax records.
- Tony Delio purchased the property in 1995, and there were two Nuisance Violation cases during his ownership of the property. The second nuisance violation was ongoing when Triad Shredding purchased the property.

RATIONALE FOR SPECIAL CONDITIONS

The recommended special conditions of approval are intended to ensure the following:

1. Conformance with LRMP Goals, Objectives, and Policies. (Condition #1)
2. Public health concerns related to the blanket rezoning to B-4. (Conditions #2, #3, #4, and #5)
3. IDOT approval of driveway entrance to US 136. (Condition #6)

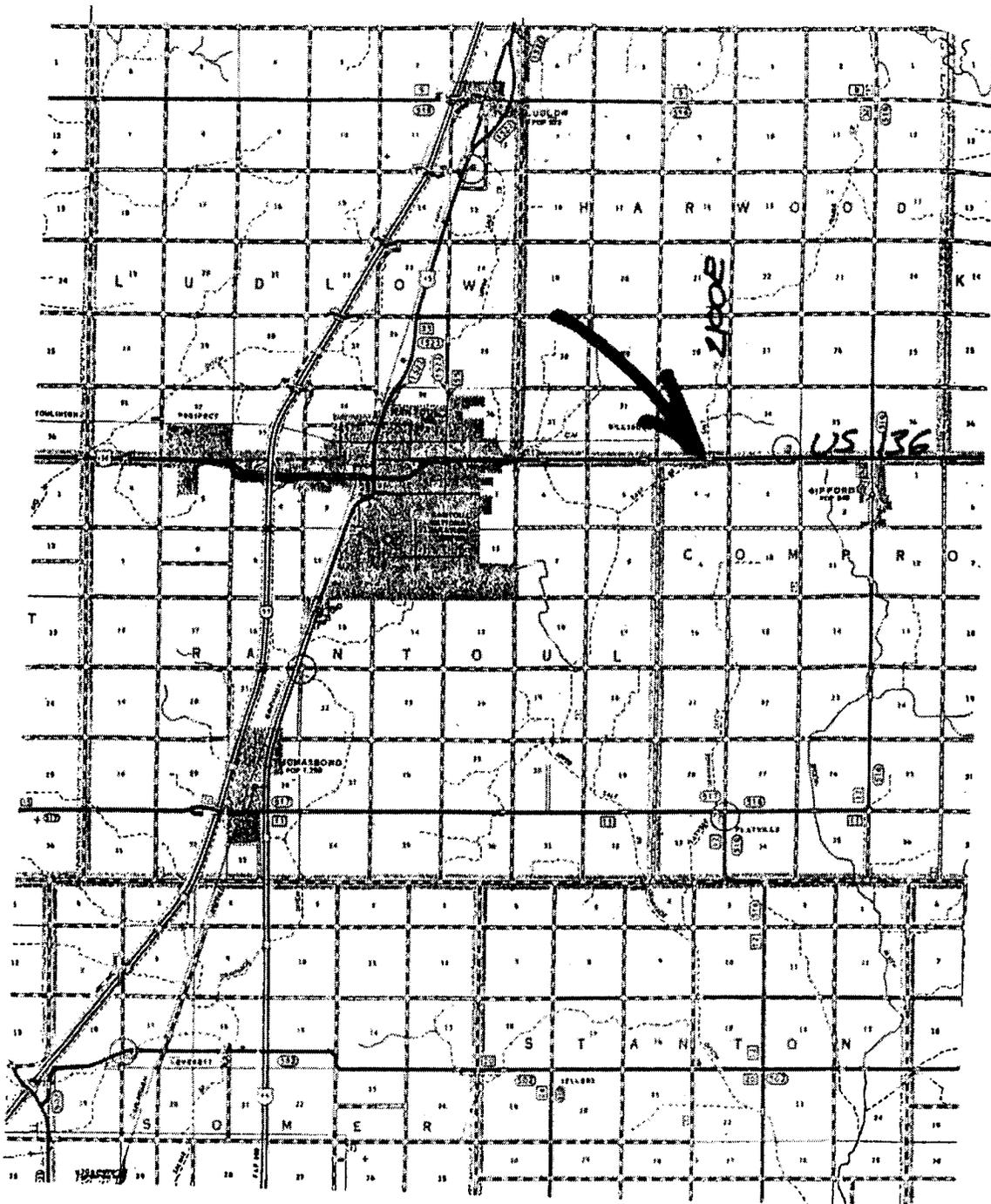
ATTACHMENTS (excerpted from the Documents of Record)

- A Case Maps for Cases 671-AM-10 & 672-S-10
- B Proposed Site Plan
- C Recommended Special Conditions of Approval
- D As Approved Finding of Fact for Case 671-AM-10

ATTACHMENT A. LOCATION MAP

Cases 671-AM-10 and 672-S-10

JULY 29, 2010

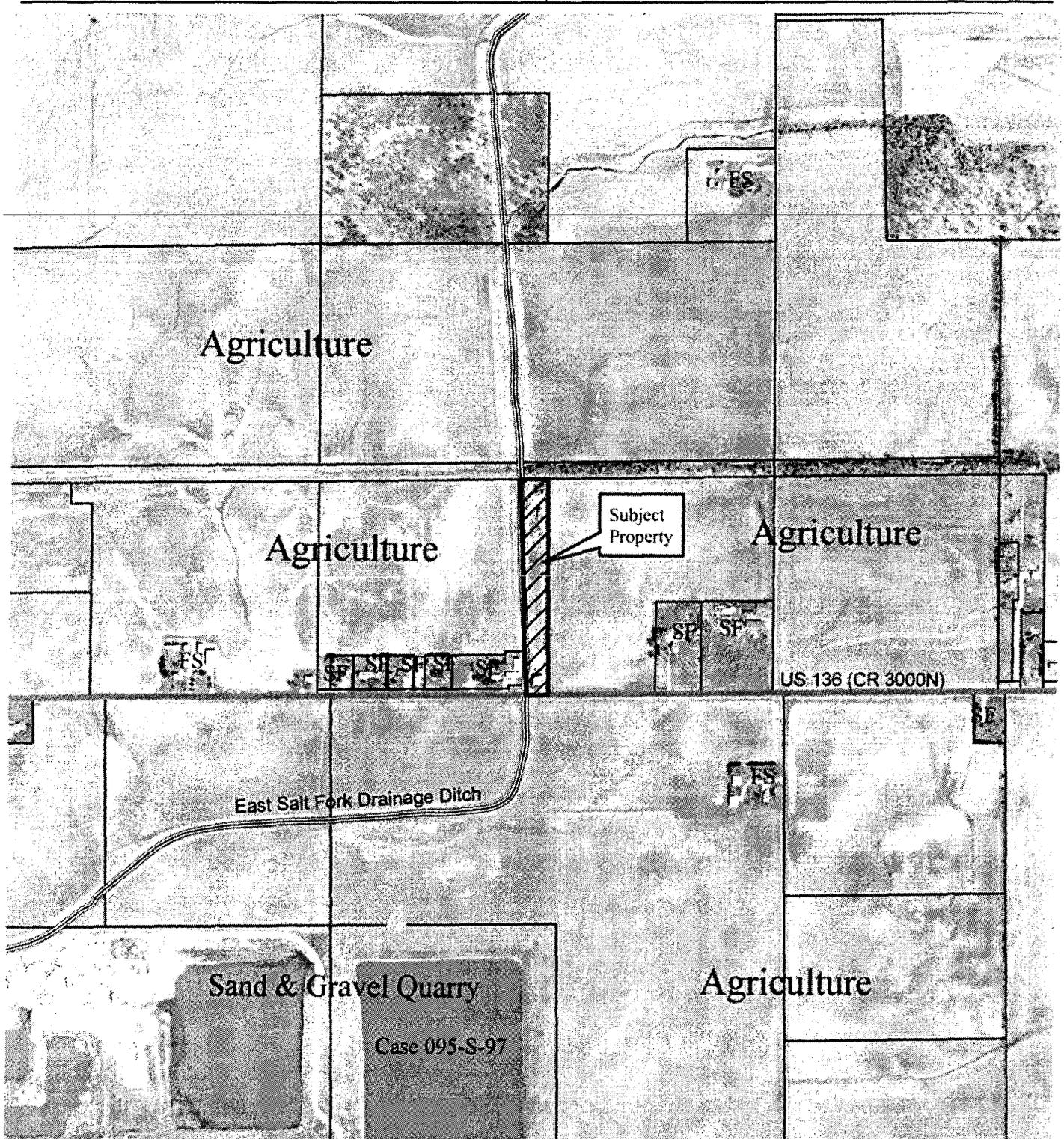


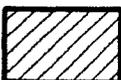
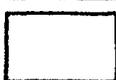
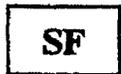
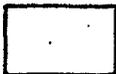
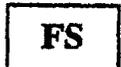
Champaign
County
Department of
**PLANNING &
ZONING**

ATTACHMENT A. LAND USE MAP

Cases 671-AM-10 and 672-S-10

JULY 29, 2010



	Area of Concern	
	Single Family	
	Farmstead	



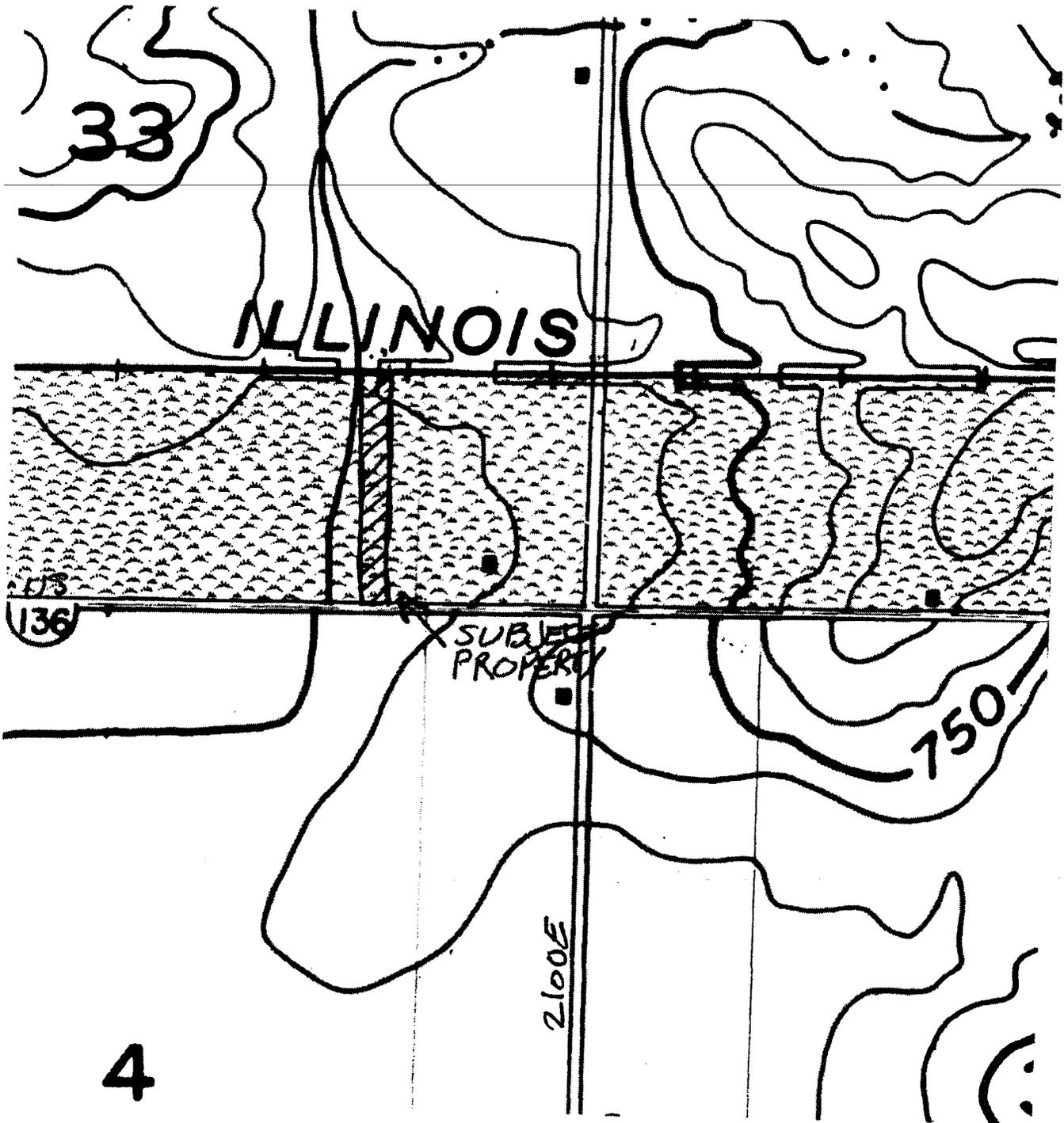
1 inch = 800 feet

Champaign
County
Department of
**PLANNING &
ZONING**

ATTACHMENT A. ZONING MAP

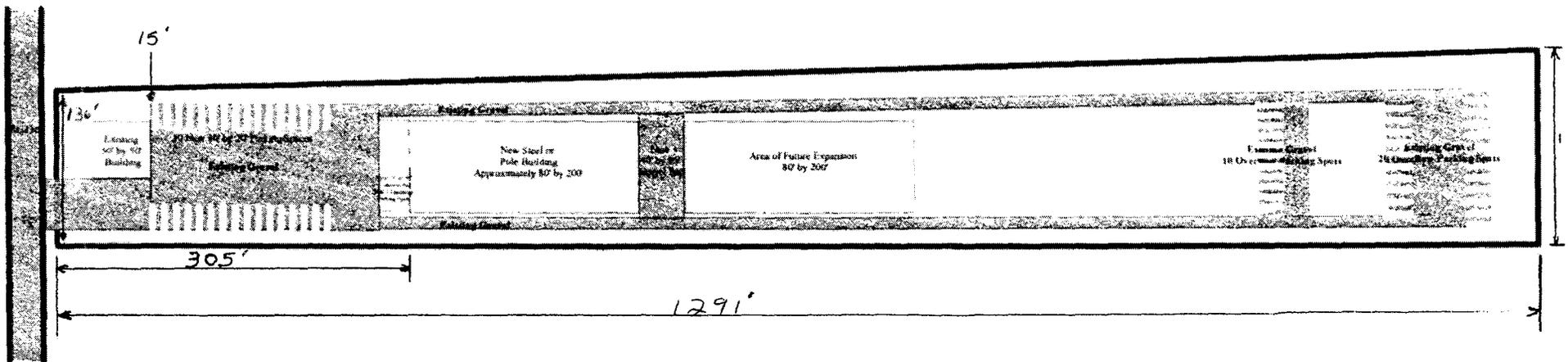
Cases 671-AM-10 and 672-S-10

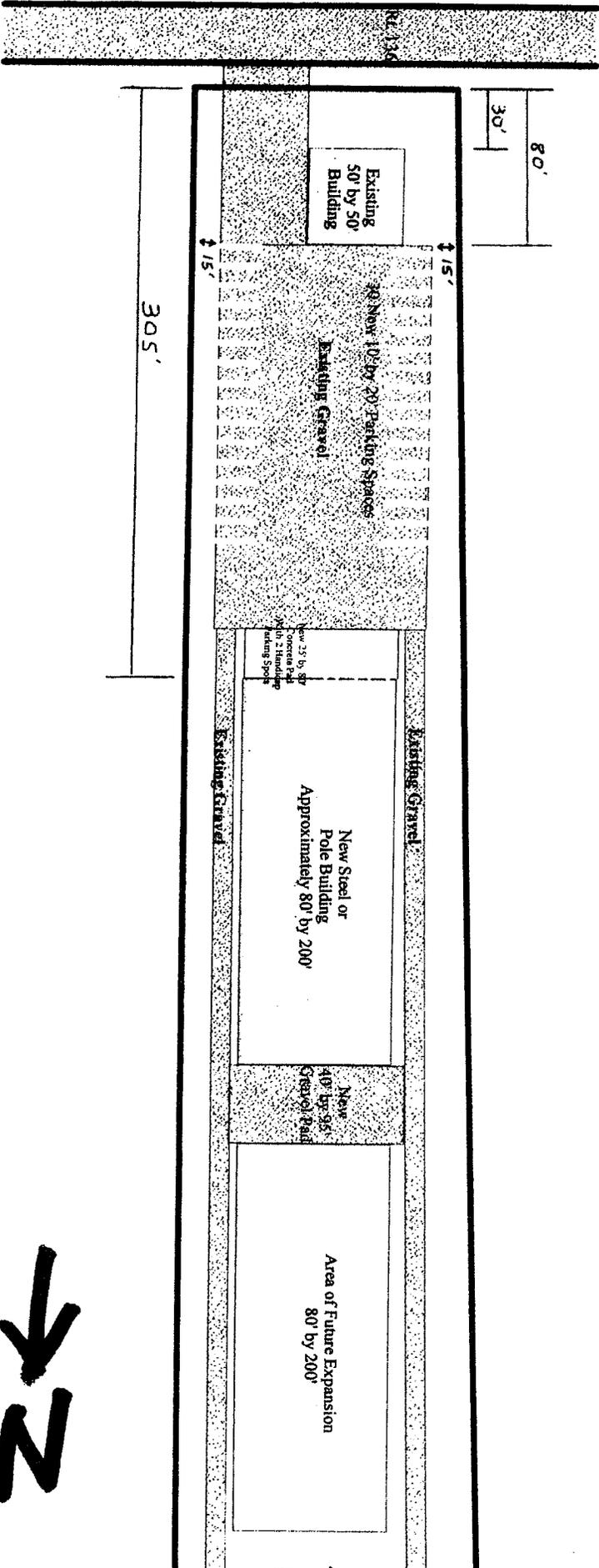
JULY 29, 2010



1 inch equals 800 feet

AG-1 Agriculture	R-1 Single Family Residence	R-4 Multiple Family Res.	B-2 Neighborhood Business	B-5 Central Business	NORTH Champaign County Department of PLANNING & ZONING
AG-2 Agriculture	R-2 Single Family Residence	R-5 Mobile Home Park	B-3 Highway Business	I-1 Light Industry	
CR Conservation- Recreation	R-3 Two-family Residence	B-1 Rural Trade Center	B-4 General Business	I-2 Heavy Industry	





RECOMMENDED SPECIAL CONDITIONS OF APPROVAL

1. The owners of the subject property hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.
2. Business use of the entire property shall not generate more wastewater than the equivalent of a three bedroom dwelling as specified in the *Illinois Private Sewage Disposal Licensing Code*.
3. The Zoning Administrator shall not approve a Zoning Use Permit on the subject property without a letter from the Champaign County Health Department certifying as follows:
 - (a) The proposed use will not generate more wastewater than a three bedroom dwelling; and
 - (b) In the case that a new onsite wastewater disposal system is installed, the owner has consulted with the County Health Department and has identified the most appropriate location on the property for a wastewater treatment and disposal system and said location will be fenced and protected during other construction activities; or
 - (c) In the case that an existing wastewater treatment and disposal system is used, the owner has consulted with the County Health Department and has determined whether the existing system is adequate for the proposed use of the property, identified the location of the existing system, and that said location will be fenced and protected during construction activities.
4. The Zoning Administrator shall not approve any Zoning Use Permit on the subject property unless the Zoning Use Permit Application includes floor plans for all buildings that explicitly indicate whether floor drains will be provided.
5. The Zoning Administrator shall not approve a Zoning Compliance Certificate without the following documentation:
 - (a) Any floor drain must have been approved by the Illinois Plumbing Code Inspector.
 - (b) If the Certificate is approved after July 1, 2011, there must be a certification that the building complies with the 2006 edition of the International Building Code as required by 20 ILCS 3105/10.09-1.
6.
 - (1) The petitioners shall provide IDOT with all information necessary to either approve the existing driveway for the proposed use or to determine what improvements are necessary to meet IDOT standards.
 - (2) The Zoning Administrator shall not approve a Zoning Use Permit for the subject property without documentation of IDOT's approval of either the existing driveway entrance or the existing driveway with necessary improvements.
 - (3) The Zoning Administrator shall not issue a Zoning Compliance Certificate without documentation of IDOT's approval of any newly constructed driveway entrance including any necessary as-built engineering drawings.

AS APPROVED

671-AM-10

**FINDING OF FACT
AND FINAL DETERMINATION
of**

Champaign County Zoning Board of Appeals

Final Determination: **RECOMMEND ENACTMENT**

Date: August 12, 2010

Petitioner: James Finger, President, and Lisa M. Feig, Vice President, d.b.a. Triad Shredding Corp.

Request: Amend the Zoning Map to change the district designation from the AG-2 Agriculture Zoning District to the B-4 General Business Zoning District to allow Triad Shredding to construct a new facility as requested in related Zoning Case 672-S-10.

FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **July 29, 2010 and August 12, 2010**, the Zoning Board of Appeals of Champaign County finds that:

- 1.* The petitioners' business, Triad Shredding Corp, recently purchased the subject property. The petitioners have requested a Special Use Permit to construct a new facility for Triad Shredding on the subject property in related Zoning Case 672-S-10.
- 2.* The subject property is a 4.35 acre tract in the East Half of the East Half of the Southwest Quarter of the Southeast Quarter of Section 33 of Harwood Township and commonly known as the Triad Shredding property at 2074 CR 3000N (US 136), Rantoul.
- 3.* The subject property is not located within the one and one-half mile extraterritorial jurisdiction of municipality with zoning.
4. Regarding comments by petitioners, when asked on the petition what error in the present Ordinance is to be corrected by the proposed change, the petitioner has indicated:

“We intend to rectify current zoning violations as well as construct a new building for our shredding operations.”
5. Regarding comments by the petitioner when asked on the petition what other circumstances justify the rezoning the petitioner has included a letter, which indicates they intend to build a facility to expand their existing business, and they will possibly refurbish the existing building on the site.

*Same evidence as in related Zoning Case 672-S-10

GENERALLY REGARDING LAND USE AND ZONING IN THE IMMEDIATE VICINITY

- 6.* Regarding the history, current use, and zoning of the subject property:
- A. The subject property is zoned AG-2 Agriculture and is proposed to be rezoned to B-4 General Business in this case.
 - B. The subject property is proposed to be the site of a new facility for Triad Shredding in related Zoning Case 672-S-10.
 - C. Regarding the history of the subject property:
 - (1) Earl Smith, Assessor for Harwood Township, in a phone discussion with Lori Busboom, Zoning Technician, on July 29, 2010, indicated that Werner Roessler purchased the subject property in 1964.
 - (2) The existing building on the subject property was built in 1966, based on the Supervisor of Assessment tax records.
 - (3) Miller's Meat Market was established on the subject property before October 10, 1973.
 - (4) The 1972 Supervisor of Assessment aerial photographs show that the property was partially in agricultural production at that time.
 - (5) A meat market is believed to have operated on the property into the late 1980's.
 - (6) The property was purchased by Robert Glazik in 1987, which is also when the property was taken out of production, based on the Supervisor of Assessment tax records.
 - (6) Tony Delio purchased the property in 1995, and there were two Nuisance Violation cases during his ownership of the property. The second nuisance violation was ongoing when Triad Shredding purchased the property.
- 7.* Land use and zoning in the vicinity of the subject property are as follows:
- A. Land on the east and west of the subject property is zoned AG-2 Agriculture. Land on the west is in use as a single family dwelling with two accessory storage buildings, and land on the east is in use as agriculture. The subject property is located in the only isolated area of AG-2 zoning in the county; between CR 1900E and one-quarter mile east of 2200E with 40 acres of I-2 zoning at the west end and approximately 20 acres of B-3 zoning at the east end.
 - B. Land to the north of the subject property is zoned AG-1 Agriculture and is in use as agriculture.
 - C. Land to the south of the subject property is zoned AG-1 Agriculture and is in use as agriculture.
8. There have been no zoning cases in the vicinity of the subject property.

*Same evidence as in related Zoning Case 672-S-10

GENERALLY REGARDING THE EXISTING AND PROPOSED ZONING DISTRICTS

9. Regarding the existing and proposed zoning districts:
- A. Regarding the general intent of zoning districts (capitalized words are defined in the Ordinance) as described in Section 5 of the Ordinance:
- (1) The AG-2, Agriculture DISTRICT is intended to prevent scattered indiscriminate urban development and to preserve the AGRICULTURAL nature within areas which are predominately vacant and which presently do not demonstrate any significant potential for development. This DISTRICT is intended generally for application to areas within one and one-half miles of existing communities in the COUNTY.
 - (2) The B-4, General Business DISTRICT is intended to accommodate a range of commercial USES and is intended for application only adjacent to the urbanized areas of the COUNTY.
- B. Regarding the general locations of the existing and proposed zoning districts:
- (1) The AG-2 District is generally a belt that surrounds the larger municipalities and villages. The subject property in this case is located in the only isolated AG-2 District in the county that is not co-located with a city or village and is surrounded by land zoned AG-1.
 - (2) There is no easy generalization to describe where the B-4 General Business Zoning District was originally established except to say that with a few large exceptions it does not occur very often outside of the fringe of urbanized areas. There has been a trend in recent years to change B-3 zoned areas to B-4.
- C. Regarding the different uses that are authorized in the existing and proposed zoning districts by Section 5.2 of the Ordinance:
- (1) There are 12 different types of uses authorized by right in the AG-2 District and there are 115 different types of uses authorized by right in the B-4 District:
 - (a) The following 6 uses are authorized by-right in both districts:
 - SUBDIVISION totaling three or fewer lots; and
 - AGRICULTURE, including customary ACCESSORY USES; and
 - Minor RURAL SPECIALTY BUSINESS; and
 - Plant Nursery; and
 - Christmas Tree Sales Lot; and
 - TEMPORARY USES
 - (b) The following 28 uses are authorized by-right in the B-4 District but may only be authorized by Special Use Permit in the AG-2 District:
 - HOTEL with no more than 15 LODGING UNITS; and
 - Major RURAL SPECIALTY BUSINESS; and
 - Commercial greenhouse; and
 - Greenhouse (not exceeding 1,000 sq.ft.); and

*Same evidence as in related Zoning Case 672-S-10

AS APPROVED

ITEM 9.C. (1)(B) (CONTINUED)

- Garden Shop; and
- Church, Temple or church related TEMPORARY USES on church PROPERTY; and
- Municipal or GOVERNMENT BUILDING; and
- Police station or fire station; and
- Library, museum or gallery; and
- Public park or recreational facility; and
- Radio or television station; and
- Telephone exchange; and
- MOTOR BUS Station; and
- Truck Terminal; and
- Roadside Produce Sales Stand; and
- Feed and Grain (sales only); and
- Artist Studio; and
- Antique Sales and Service; and
- Bait Sales; and
- Lodge or private club; and
- Outdoor commercial recreational enterprise (except amusement park); and
- Private Indoor Recreational Development; and
- Commercial Fishing Lake; and
- VETERINARY HOSPITAL; and
- Self-Storage Warehouses, not providing heat and utilities to individual units; and
- Contractors Facilities with Outdoor STORAGE and/or Outdoor OPERATIONS; and
- SMALL SCALE METAL FABRICATING SHOP

(c) There are 81 uses that are authorized by-right in the B-4 District but are not authorized by any means in the AG-2 District. They are summarized either by specific use or by types of uses, as follows:

- HOTEL with over 15 LODGING UNITS; and
- Institution of an Educational, Philanthropic, or Eleemosynary Nature; and
- PARKING GARAGE or LOT; and
- Telegraph Office; and
- Personal Service Types of Uses; and
- Farm Equipment Sales and Service; and
- Business, Private, Educational, and Financial Services Types of Uses; and
- Food Sales and Service Types of Uses; and
- AUTOMOBILE Sales and Service Types of Uses; and
- Retail Trade Types of Uses; and

*Same evidence as in related Zoning Case 672-S-10

ITEM 9.C. (1)(C) (CONTINUED)

- Billiard Room; and
 - Bowling Alley; and
 - Dancing academy or hall; and
 - Indoor THEATER; and
 - Wholesale Business; and
 - Warehouse; and
 - Self-storage Warehouses, providing heat and utilities to individual units;
 - Auction House (non-animal); and
 - OFF-PREMISES SIGN; and
 - SEXUALLY ORIENTED BUSINESS
- (2) There are 72 different types of uses authorized by Special Use Permit (SUP) in the AG-2 District and there are 10 different types of uses authorized by Special Use Permit in the B-4 District.
- (a) The following 6 uses may be authorized by SUP in both districts:
- Adaptive Reuse of GOVERNMENT BUILDINGS for any USE Permitted by Right; and
 - Private or commercial transmission and receiving towers (including antennas) over 100' in HEIGHT; and
 - Electrical Substation; and
 - HELIPORT-RESTRICTED LANDING AREA; and
 - Amusement Park; and
 - KENNEL
- (b) The following four uses may be authorized by SUP in the B-4 District but are not authorized by any means in the AG-2 District:
- HOSPITAL; and
 - Bakery (more than 2,500 SF); and
 - Recycling of non-hazardous materials (all storage and processing indoors) (Note: this is the proposed use in related Zoning Case 672-S-10); and
 - LIGHT ASSEMBLY

GENERALLY REGARDING WHETHER THE SUBJECT PROPERTY IS WITHIN A MUNICIPAL ETJ AREA

10. The subject property is not located within the one and one-half mile extraterritorial jurisdiction (ETJ) of a municipality with zoning.

*Same evidence as in related Zoning Case 672-S-10

GENERALLY REGARDING THE LRMP GOALS, OBJECTIVES, AND POLICIES

11. The *Champaign County Land Resource Management Plan (LRMP)* was adopted by the County Board on April 22, 2010. The LRMP Goals, Objectives, and Policies were drafted through an inclusive and public process that produced a set of ten goals, 42 objectives, and 100 policies, which are currently the only guidance for rezoning land under the *Champaign County Zoning Ordinance*, as follows:
 - A. The Purpose Statement of the LRMP Goals, Objectives, and Policies is as follows:

It is the purpose of this plan to encourage municipalities and the County to protect the land, air, water, natural resources and environment of the County and to encourage the use of such resources in a manner which is socially and economically desirable.
 - B. The LRMP defines Goals, Objectives, and Policies as follows:
 - (1) Goal: an ideal future condition to which the community aspires
 - (2) Objective: a tangible, measurable outcome leading to the achievement of a goal
 - (3) Policy: a statement of actions or requirements judged to be necessary to achieve goals and objectives
 - C. The Background given with the LRMP Goals, Objectives, and Policies further states, “Three documents, the *County Land Use Goals and Policies* adopted in 1977, and two sets of *Land Use Regulatory Policies*, dated 2001 and 2005, were built upon, updated, and consolidated into the LRMP Goals, Objectives and Policies.”
 - D. LRMP Objective 1.1 is entitled “Guidance on Land Resource Management Decisions”, and states, “Champaign County will consult the LRMP that formally establishes County land resource management policies and serves as an important source of guidance for the making of County land resource management decisions.”
 - E. Goal 1 of the LRMP is relevant to the review of the LRMP Goals, Objectives, and Policies in land use decisions (see Item 6.D. above), but is otherwise not relevant to the proposed rezoning. The Goals for Governmental Coordination (Goal 2), Prosperity (Goal 3), and Cultural Amenities (Goal 10) and their subsidiary Objectives and Policies also do not appear to be relevant to the proposed rezoning.

REGARDING LRMP GOAL 4 AGRICULTURE

12. LRMP Goal 4 is entitled “Agriculture” and is relevant to the proposed rezoning because the proposed rezoning includes land currently zoned AG-2 and proposed to be zoned B-4. Goal 4 states, “Champaign County will protect the long term viability of agriculture in Champaign County and its land resource base.”

*Same evidence as in related Zoning Case 672-S-10

ITEM 12. (CONTINUED)

The proposed rezoning **ACHIEVES** Goal 4 because of the following:

- A. Goal 4 includes nine subsidiary Objectives. Objectives 4.4, 4.5, 4.6, 4.7, 4.8, and 4.9 do not appear to be relevant to the proposed rezoning.
- B. Objective 4.1 is entitled “Agricultural Land Fragmentation and Conservation” and states, “Champaign County will strive to minimize the fragmentation of the County’s agricultural land base and conserve farmland, generally applying more stringent development standards on best prime farmland.”

The proposed rezoning **ACHIEVES** Objective 4.1 because of the following:

- (1) Objective 4.1 includes nine subsidiary policies. Policies 4.1.2, 4.1.4, 4.1.5, 4.1.7, 4.1.8, and 4.1.9 do not appear to be relevant to the proposed rezoning.
- (2) Policy 4.1.1 states, “Commercial agriculture is the highest and best use of land in the areas of Champaign County that are by virtue of topography, soil and drainage, suited to its pursuit. The County will not accommodate other land uses except under very restricted conditions or in areas of less productive soils.”

The proposed rezoning **CONFORMS** to Policy 4.1.1 because the subject property was only partially in production before the adoption of the Zoning Ordinance, and has not been in agricultural production since before 1988.

- (3) Policy 4.1.3 does not appear to be relevant to any specific rezoning.
- (4) Policy 4.1.6 is as follows:

Provided that the use, design, site and location are consistent with County policies regarding:

- i. Suitability of the site for the proposed use;
- ii. Adequacy of infrastructure and public services for the proposed use;
- iii. Minimizing conflict with agriculture;
- iv. Minimizing the conversion of farmland; and
- v. Minimizing the disturbance of natural areas; then
 - a) On best prime farmland, the County may authorize discretionary residential development subject to a limit on total acres converted which is generally proportionate to tract size and is based on the January 1, 1998 configuration of tracts, with the total amount of acreage converted to residential use (inclusive of by-right development) not to exceed three acres plus three acres per each 40 acres (including any existing right-of-way), but not to exceed 12 acres in total; or
 - b) On best prime farmland, the County may authorize non-residential discretionary development; or

*Same evidence as in related Zoning Case 672-S-10

AS APPROVED

ITEM 12.B.(4) (CONTINUED)

- c) The County may authorize discretionary review development on tracts consisting of other than best prime farmland.

The proposed rezoning **CONFORMS** to Policy 4.1.6 because of the following:

- (a) A letter was received on July 27, 2010, from Bruce Stickers, Resource Conservationist, Champaign County Soil and Water Conservation District that indicated no Natural Resource Report was necessary because the subject property had not been in agricultural production in over 20 years.
- (b) The soil on the subject property is best prime farmland overall and consists primarily of Drummer silty clay soil which has an LE score of 98.
- (c) The proposed use requires a Special Use Permit in the B-4 General Business District, which allows consideration of site suitability, adequacy of public infrastructure and public services, conflict with agriculture, conversion of farmland, and disturbance of natural areas as part of the criterion regarding, “injurious to public health, safety, and welfare.”
- (d) The subject property was only partially in production before the adoption of the Zoning Ordinance, and has not been in agricultural production at all since before 1988.

- C. Objective 4.2 is entitled “Development Conflicts with Agricultural Operations” and states, “Champaign County will require that each discretionary review development will not interfere with agricultural operations.”

The proposed rezoning **ACHIEVES** Objective 4.2 because of the following:

- (1) Policy 4.2.1 states, “The County may authorize a proposed business or other non-residential discretionary review development in a rural area if the proposed development supports agriculture or involves a product or service that is provided better in a rural area than in an urban area.”

The proposed rezoning **CONFORMS** to Policy 4.2.1 because of the following:

- (a) The proposed use is “recycling of non-hazardous waste materials (confidential paper shredding and recycling)” with all processing and storage of materials taking place indoors and is discussed in related zoning case 672-S-10.
- (b) The proposed development does not support agriculture.
- (c) The proposed use can operate from this rural location and can make very productive use of the subject property which has not been in agricultural production since before 1988 and was in a business use when the Zoning Ordinance was adopted on October 10, 1973.

*Same evidence as in related Zoning Case 672-S-10

ITEM 12.C.(1) (CONTINUED)

- (e) At the July 29, 2010, public hearing, co-petitioner Jim Finger testified as follows:
- i. They have been searching for a new location for approximately five years and one of the biggest problems that they have incurred is finding a site that has access to a state highway, has three-phase electrical service and a loading dock.
 - ii. They would like to stay in the Rantoul area because Rantoul is where they were born and raised but they have not had any luck finding an appropriate location.
 - iii. They have looked at several other locations and they had even considered constructing a building on his residential property, which is one-half mile from the subject property, but installing three-phase electrical service was cost prohibitive.
 - iv. The appearance of the proposed buildings will be similar to a large pole barn.
- (f) At the July 29, 2010, public hearing, co-petitioner Lisa Feig testified as follows:
- i. Security is one factor that must be highlighted and how it relates to the property and the business.
 - ii. The business's traffic will be low because they do not invite every individual that they do business with to come to the facility because everyone's confidentiality is held the same.
 - iii. Their roots grow very deep in the County and they have exhaustively attempted to find a location in Rantoul because they wanted to stay in Rantoul therefore an added attraction to this property is the fact that it has a Rantoul address.
 - iv. The properties that they looked at either did not have dock space, availability of three-phase electricity or a location where a semi-truck could safely maneuver.
 - v. There are other locations that other businesses could be perfectly fine at but for their business they needed a location that was appropriate for their traffic.
 - vi. Being in a rural area is perfect for their business.
 - vii. They are aware that people who live in rural communities look after each other and they look forward to that rural benefit.

*Same evidence as in related Zoning Case 672-S-10

AS APPROVED

ITEM 12.C.(1) (CONTINUED)

- (g) In a phone call with J.R. Knight, Associate Planner, on August 4, 2010, co-petitioner Lisa Feig indicated the following:
 - i. The petitioners discussed locating their business in the Rantoul Industrial Park, but the Village did not want to locate a business such as Triad Shredding on any available properties.
 - ii. The petitioners discussed locating their business on properties in the former Chanute Air Base, but those properties are not under the Village of Rantoul's jurisdiction yet.

(2) Policy 4.2.2 is, as follows:

The County may authorize discretionary review development in a rural area if the proposed development:

- a. Is a type that does not negatively affect agricultural activities; or
- b. Is located and designed to minimize exposure to any negative effect caused by agricultural activities; and
- c. Will not interfere with agricultural activities or damage or negatively affect the operation of agricultural drainage systems, rural roads, or other agriculture-related infrastructure.

The proposed rezoning **CONFORMS** to Policy 4.2.2 because of the following:

- (a) The proposed use will take place entirely indoors, and will not create a significant traffic impact on US 136.
- (b) The proposed use will not interfere with agricultural activities or negatively affect the operation of agricultural drainage systems, rural roads, or other agriculture-related infrastructure.
- (c) The proposed use will have minimal exposure to any negative effect caused by agricultural activities.

(3) Policy 4.2.3 states, "The County will require that proposed discretionary development explicitly recognize and provide for the right of agricultural activities to continue on adjacent land."

The proposed rezoning **CONFORMS** to Policy 4.2.3 because a special condition has been proposed to require any use established on the subject property to explicitly recognize and provide for the right of agricultural activities on adjacent land.

*Same evidence as in related Zoning Case 672-S-10

ITEM 12.C. (CONTINUED)

- (4) Policy 4.2.4 states, "To reduce the occurrence of agricultural land use and non-agricultural land use nuisance conflicts, the County will require that all discretionary review consider whether a buffer between existing agricultural operations and the proposed development is necessary."

The proposed rezoning **CONFORMS** to Policy 4.2.4 because of the following:

- (a) The proposed use requires a Special Use Permit in the B-4 District, which will allow for consideration of any necessary buffering.
- (b) No buffering is necessary on the north side of the subject property because there is 100 feet of railroad right-of-way between the subject property and other properties.
- (c) The subject property is only 136 feet wide and no meaningful buffering can be required on such a narrow property other than the minimum 10 feet wide side yards that are ordinarily required in both the AG-2 District (the current zoning district) and the B-4 District (the proposed district).

- D. Objective 4.3 is entitled "Site Suitability for Discretionary Review Development" and states, "Champaign County will require that each discretionary review development is located on a suitable site."

The proposed rezoning **ACHIEVES** Objective 4.3 because of the following:

- (1) Policy 4.3.1 does not appear to be relevant to the proposed rezoning.
- (2) Policy 4.3.2 states, "On best prime farmland, the County may authorize a discretionary review development provided the site with proposed improvements is well-suited overall for the proposed land use."

The proposed rezoning **CONFORMS** to Policy 4.3.2 because of the following:

- (a) The land is best prime farmland and consists primarily of Drummer silty clay soil that has a Land Evaluation score of 98.
- (b) The subject property fronts and has access to U.S. Route 136 which is a state highway.
- (c) The subject property is not served by sanitary sewer.
- (d) The existing building on the subject property was in business use when the Zoning Ordinance was adopted on October 10, 1973.
- (e) The subject property has not been in agricultural production since before 1988.

*Same evidence as in related Zoning Case 672-S-10

AS APPROVED

ITEM 12.D.(2) (CONTINUED)

- (f) The property has adequate area for reasonable business growth and maneuvering of semi trucks;
- (g) The property has triple phase electrical power which is required for the business;
- (h) The subject property is zoned AG-2 and is located in an area of AG-2 that is not located around a city or village. This isolated island of AG-2 is the only area like it in Champaign County because the subject property, and all other lots located in this area of AG-2 zoning, are located between US Route 136, a state highway, and an old railroad right-of-way.
- (i) The proposed use is “recycling of non-hazardous waste materials (confidential paper shredding and recycling)” with all processing and storage of materials taking place indoors and is discussed in related zoning case 672-S-10. Relevant considerations related to this use are the following:
 - i. This is an existing business that serves other businesses within a 100-mile radius and is therefore not dependent upon a single location so much as good transportation accessibility.
 - ii. The proposed use should not be considered urban development because there is no wastewater generated by the recycling process. There will also be very little need for potable water from the well.
 - iii. The buildings housing the proposed use will appear to be very similar to large farm buildings.
 - iv. The proposed use is proposed to have an enclosed dock area which should eliminate the possibility of blown litter into the adjacent farm fields.
 - v. The proposed hours of operation are 8 AM to 6 PM Monday through Friday.
- (3) Policy 4.3.3 states, “The County may authorize a discretionary review development provided that existing public services are adequate to support to the proposed development effectively and safely without undue public expense.”

The proposed rezoning **CONFORMS** to Policy 4.3.3 because of the following:

- (a) The subject property is located 2.8 miles from the Gifford Fire Protection District Station.

*Same evidence as in related Zoning Case 672-S-10

ITEM 12.D.(3) (CONTINUED)

(b) In a phone conversation with J.R. Knight, Associate Planner, on August 9, 2010, Chief Rich McFadden of the Gifford Fire Protection District indicated that the Triad Shredding property had been discussed at an officer’s meeting of the fire department and no issues or concerns were raised.

(4) Policy 4.3.4 states, “The County may authorize a discretionary review development provided that existing public infrastructure, together with proposed improvements, is adequate to support the proposed development effectively and safely without undue public expense.”

The proposed rezoning **CONFORMS** to Policy 4.3.4 because the subject property has access to US 136.

(5) Policy 4.3.5 is as follows:

On best prime farmland, the County will authorize a business or other non-residential use only if:

- a. It also serves surrounding agricultural uses or an important public need; and cannot be located in an urban area or on a less productive site; or
- b. the use is otherwise appropriate in a rural area and the site is very well suited to it.

The proposed rezoning **CONFORMS** to Policy 4.3.5 because of the following:

- (a) The proposed use is otherwise appropriate in a rural area based on the discussion of Policy 4.2.1 regarding whether the service is better provided in a rural area.
- (b) The subject property is very well suited based on the discussion of Policy 4.3.2.

REGARDING LRMP GOAL 5 URBAN LAND USE

13. LRMP Goal 5 is entitled “Urban Land Use” and is relevant to the proposed rezoning because the subject property is proposed to be rezoned B-4 General Business. Goal 5 states, “Champaign County will encourage urban development that is compact and contiguous to existing cities, villages, and existing unincorporated settlements.”

The proposed amendment **ACHIEVES** Goal 5 because of the following:

A. Objective 5.1 is entitled “Population Growth and Economic Development” and states “Champaign County will strive to ensure that the preponderance of population growth and economic development is accommodated by new urban development in or adjacent to existing population centers.”

The proposed rezoning **ACHIEVES** Objective 5.1 because of the following:

- (1) Objective 5.1 includes nine subsidiary policies. Policies 5.1.2, 5.1.3, 5.1.4, 5.1.7, 5.1.8, and 5.1.9 do not appear to be relevant to the proposed amendment.

*Same evidence as in related Zoning Case 672-S-10

AS APPROVED

ITEM 13.A. (CONTINUED)

- (2) Policy 5.1.1 is “The County will encourage new urban development to occur within the boundaries of incorporated municipalities.

The proposed rezoning **CONFORMS** to Policy 5.1.1 because of the following:

- (a) The subject property is not served by sanitary sewer.
- (b) The Appendix to Volume 2 of the LRMP defines “urban development” as the construction, extension, or establishment of a land use that requires or is best served by a connection to a public sanitary sewer system and “urban land use” as generally, land use that is connected and served by a public sanitary sewer system.
- (c) As explained in related Zoning Case 672-S-10 the proposed use is “recycling of non-hazardous waste materials (confidential paper shredding and recycling) with all processing and storage of materials taking place indoors. The shredding and recycling process uses no process water so there is no wastewater produced by the proposed recycling operations.
- (d) The proposed use is not urban development because the proposed use generates no process-related wastewater and could be very adequately served by an onsite septic system.
- (e) The B-4 District contains many uses that can be considered urban development as defined by the LRMP such as laundry and restaurant and any use which generates a substantial wastewater load.
- (f) A special condition has been proposed to limit uses on the subject property to uses that generate no more wastewater than the equivalent of a three bedroom dwelling as specified in the *Illinois Private Sewage Disposal Licensing Act and Code* (77 IAC 905). The *Act* specifies that the wastewater load of a three bedroom dwelling is 600 gallons per day. The subject property could be redeveloped with a three bedroom dwelling under the current AG-2 designation. The following is review of authorized uses in the B-4 District and indicate the size limit that would result from the limit of 600 gallons of wastewater per day:
- i. A restaurant without bar generates 10 gallons of wastewater per day per customer so a 600 gallon limit equates to only 60 customers which is probably too few customers to support a restaurant.
 - ii. A laundry generates 50 gallons of wastewater per day so a 600 gallon limit equates to only about 12 customers.
 - iii. An office generates 15 gallons of wastewater per day per employee so a 600 gallon limit equates to about 40 employees.

*Same evidence as in related Zoning Case 672-S-10

ITEM 13.A.(2) (CONTINUED)

(g) Co-Petitioner Jim Finger testified at the August 12, 2010, public hearing that the petitioners have looked at 54 properties in the past five years in the Rantoul vicinity and none were adequate or as well suited to the proposed use as the subject property.

(3) Policy 5.1.5 states, “The County will encourage urban development to explicitly recognize and provide for the right of agricultural activities to continue on adjacent land.”

The proposed rezoning **CONFORMS** to Policy 5.1.5 because a special condition has been proposed to require any use established on the subject property to explicitly recognize and provide for the right of agricultural activities on adjacent land.

(4) Policy 5.1.6 is, “To reduce the occurrence of agricultural land use and non-agricultural land use nuisance conflicts, the County will encourage and, when deemed necessary, will require discretionary development to create a sufficient buffer between existing agricultural operations and the proposed urban development.”

The proposed rezoning **CONFORMS** to Policy 5.1.2 based on the discussion of Policy 4.2.4.

B. Objective 5.2 is entitled, “Natural Resources Stewardship” and states, “When new urban development is proposed, Champaign County will encourage that such development demonstrates good stewardship of natural resources.”

The proposed amendment **ACHIEVES** Objective 5.2 because of the following:

(1) Policy 5.2.1 is, “The County will encourage the reuse and redevelopment of older and vacant properties within urban land when feasible.”

The proposed rezoning **CONFORMS** to Policy 5.2.1 because of the following:

(a) The petitioners, Jim Finger and Lisa Feig, testified at the July 29, 2010, ZBA meeting that they had been searching for a suitable property in the Village of Rantoul for five years and had not found a suitable property.

(b) The proposed use is not urban development based on the discussion of Policy 5.1.1.

(c) In a phone call with J.R. Knight, Associate Planner, on August 4, 2010, co-petitioner Lisa Feig indicated the following:

i. The petitioners discussed locating their business in the Rantoul Industrial Park, but the Village did not want to locate a business such as Triad Shredding on any available properties.

*Same evidence as in related Zoning Case 672-S-10

AS APPROVED

ITEM 13.B.(1)(C) (CONTINUED)

- ii. The petitioners discussed locating their business on properties in the former Chanute Air Base, but those properties are not under the Village of Rantoul's jurisdiction yet.

(2) Policy 5.2.2 is as follows:

The County will:

- a. ensure that urban development proposed on best prime farmland is efficiently designed in order to avoid unnecessary conversion of such farmland; and
- b. encourage, when possible, other jurisdictions to ensure that urban development proposed on best prime farmland is efficiently designed in order to avoid unnecessary conversion of such farmland.

The proposed rezoning **CONFORMS** to Policy 5.2.2 because of the following:

- (a) The existing building on the subject property was in business use when the Zoning Ordinance was adopted on October 10, 1973.
- (b) The subject property was only partially in production before the adoption of the Zoning Ordinance, and has not been in agricultural production since before 1988.
- (c) The subject property is not proposed to be increase in size and no additional best prime farmland is proposed to be taken out of production.

(3) Policy 5.2.3 is as follows:

The County will:

- a. require that proposed new urban development results in no more than minimal disturbance to areas with significant natural environmental quality; and
- b. encourage, when possible, other jurisdictions to require that proposed new urban development results in no more than minimal disturbance to areas with significant natural environmental quality.

The proposed rezoning **CONFORMS** to Policy 5.2.3 because of the following:

- (a) There are no areas with significant natural environmental quality on the subject property and there were none in when the Zoning Ordinance was adopted on October 10, 1973.

*Same evidence as in related Zoning Case 672-S-10

ITEM 13.B.(3) (CONTINUED)

(b) An EcoCAT report from the Illinois Department of Natural Resources indicated there are no endangered species or Illinois Natural Areas Inventory (INAI) sites in the vicinity of the subject property.

C. Objective 5.3 is entitled “Adequate Public Infrastructure and Services” and states, “Champaign County will oppose proposed new urban development unless adequate utilities, infrastructure, and public services are provided.”

The proposed amendment **ACHIEVES** Objective 5.3 because of the following:

(1) Policy 5.3.1 is as follows:

The County will:

- a. require that proposed new urban development in unincorporated areas is sufficiently served by available public services and without undue public expense; and
- b. encourage, when possible, other jurisdictions to require that proposed new urban development is sufficiently served by available public services and without undue public expense.

The proposed rezoning **CONFORMS** to Policy 5.3.1 because the only public service provided other than law enforcement is fire protection. In a phone conversation with J.R. Knight, Associate Planner, on August 9, 2010, Chief Rich McFadden of the Gifford Fire Protection District indicated that the Triad Shredding property had been discussed at an officer’s meeting of the fire department and no issues or concerns were raised.

(2) Policy 5.3.2 is as follows:

The County will:

- a. require that proposed new urban development, with proposed improvements, will be adequately served by public infrastructure, and that related needed improvements to public infrastructure are made without undue public expense; and
- b. encourage, when possible, other jurisdictions to require that proposed new urban development, with proposed improvements, will be adequately served by public infrastructure, and that related needed improvements to public infrastructure are made without undue public expense.

*Same evidence as in related Zoning Case 672-S-10

ITEM 13.C.(2) (CONTINUED)

The proposed rezoning **CONFORMS** to Policy 5.3.1 because the only public infrastructure serving the subject property is US 136 which is a state highway and the low traffic generated by the proposed use will have no impact on US 136.

- (3) Policy 5.3.3 does not appear to be relevant to the proposed rezoning.

REGARDING LRMP GOAL 6 PUBLIC HEALTH AND SAFETY

- 14. LRMP Goal 6 is entitled “Public Health and Public Safety” and is relevant to the proposed rezoning. Goal 6 states, “Champaign County will ensure protection of the public health and public safety in land resource management decisions.”

The proposed rezoning **ACHIEVES** Goal 6 because of the following:

- A. Goal 6 includes four subsidiary Objectives. Objectives 6.2, 6.3, and 6.4 do not appear to be relevant to the proposed rezoning.
- B. Objective 6.1 is entitled “Protect Public Health and Safety” and states, “Champaign County will seek to ensure that development in unincorporated areas of the County does not endanger public health or safety.”

The proposed rezoning **ACHIEVES** Objective 6.1 because of the following:

- (1) Policy 6.1.1 does not appear to be relevant to the proposed rezoning.
- (2) Policy 6.1.2 states, “The County will ensure that the proposed wastewater disposal and treatment systems of discretionary development will not endanger public health, create nuisance conditions for adjacent uses, or negatively impact surface or groundwater quality.”

The proposed rezoning **CONFORMS** to Policy 6.1.2 because of the following:

- (a) The County Health Department should be notified of any development, by-right or otherwise, on the subject property to ensure that a proper wastewater treatment system is in place before any construction occurs.
- (b) The proposed use is not of a type to require processing of large amounts of wastewater and a special condition has been proposed that will ensure that any business use generates no more wastewater than a typical home.
- (c) A special condition has been proposed which requires the Champaign County Public Health Department to approve any proposed or existing onsite wastewater disposal system.

*Same evidence as in related Zoning Case 672-S-10

ITEM 14.B. (CONTINUED)

- (3) Policy 6.1.3 states, “The County will seek to prevent nuisances created by light and glare and will endeavor to limit excessive night lighting, and to preserve clear views of the night sky throughout as much of the County as possible.”

The proposed rezoning **CONFORMS** to Policy 6.1.3 because of the following:

- (a) The proposed use requires a Special Use Permit in the B-4 General Business District, which requires that the use meet the standard condition for all Special Use Permits regarding outdoor lighting on the subject property.
- (b) Co-petitioner Jim Finger testified at the July 29, 2010, public meeting that the proposed use is always closed by 6 PM.
- (c) The Zoning Ordinance should probably be amended to require by-right uses to comply with policy 6.1.3.
- (4) By-right uses are required to comply with the County Nuisance Ordinance.
- (4) Policy 6.1.4 is not relevant to the proposed rezoning.

REGARDING LRMP GOAL 7 TRANSPORTATION

- 15. LRMP Goal 7 is entitled “Transportation” and is relevant to the proposed rezoning because the subject property accesses US 136. Goal 7 states, “Champaign County will coordinate land use decisions in the unincorporated area with the existing and planned transportation infrastructure and services.”

The proposed rezoning **ACHIEVES** Goal 7 because of the following:

- A. Goal 7 includes two subsidiary Objectives. Objective 7.2 does not appear to be relevant to the proposed rezoning.
- B. Objective 7.1 is entitled “Traffic Impact Analyses” and states, “Champaign County will consider traffic impact in all land use decisions and coordinate efforts with other agencies when warranted.”

The proposed rezoning **ACHIEVES** Objective 7.1 because of the following:

- (1) Policy 7.1.1 states, “The County will include traffic impact analyses in discretionary review development proposals with significant traffic generation.”

The proposed rezoning **CONFORMS** to Policy 7.1.1 because of the following:

- (a) The petitioners have testified that the proposed use will not generate a large amount of traffic.
- (b) The subject property is located on US 136, a state highway.

*Same evidence as in related Zoning Case 672-S-10

ITEM 15.B.(1) (CONTINUED)

- (c) A condition has been proposed to require the petitioners to meet any IDOT requirements regarding their driveway entrance to US 136.

REGARDING LRMP GOAL 8 NATURAL RESOURCES

- 16. LRMP Goal 8 is entitled, "Natural Resources" and is relevant to the proposed rezoning. Goal 8 states, "Champaign County will strive to conserve and enhance the County's landscape and natural resources and ensure their sustainable use."

The proposed rezoning **ACHIEVES** Goal 8 because of the following:

- A. Goal 8 includes nine subsidiary Objectives. Objectives 8.3, 8.7, 8.8, and 8.9 do not appear to be relevant to the proposed rezoning.
- B. Objective 8.1 states, "Champaign County will strive to ensure adequate and safe supplies of groundwater at reasonable cost for both human and ecological purposes."

The proposed rezoning **ACHIEVES** Objective 8.1 because of the following:

- (1) Objective 8.1 has nine subsidiary Policies. Policies 8.1.2, 8.1.3, 8.1.4, 8.1.5, 8.1.6, and 8.1.9 do not appear to be relevant to the proposed rezoning.
- (2) Policy 8.1.1 states, "The County will not approve discretionary development using on-site water wells unless it can be reasonably assured that an adequate supply of water for the proposed use is available without impairing the supply to any existing well user."

The proposed rezoning **CONFORMS** to Policy 8.1.1 because of the following:

- (a) The subject property is not located in the area of limited groundwater availability.
- (b) The proposed use in related Zoning Case 672-S-10 does not use a large amount of water.
- (c) A special condition has been proposed that will limit wastewater discharge on the subject property will also limit withdrawal of water on the subject property.
- (3) Policy 8.1.7 states, "The County will ensure that existing and new developments do not pollute the groundwater supply."

The proposed rezoning **CONFORMS** to Policy 8.1.7 because of the following:

- (a) A special condition has been proposed that will limit wastewater discharge on the subject property.
- (4) Policy 8.1.8 states, "The County will protect community well heads, distinct aquifer recharge areas and other critical areas from potential sources of groundwater pollution."

*Same evidence as in related Zoning Case 672-S-10

ITEM 16.B.(4) (CONTINUED)

The proposed rezoning **CONFORMS** to Policy 8.1.8 because there are no community well heads, distinct aquifer recharge areas, or other critical areas in the vicinity of the subject property.

- C. Objective 8.2 states, “Champaign County will strive to conserve its soil resources to provide the greatest benefit to current and future generations.”

The proposed rezoning **ACHIEVES** Objective 8.2 because of the following:

- (1) Objective 8.2 has one subsidiary Policy.
- (2) Policy 8.2.1 states, “The County will strive to minimize the destruction of its soil resources by non-agricultural development and will give special consideration to the protection of best prime farmland. Best prime farmland is that comprised of soils that have a Relative Value of at least 85 and includes land parcels with mixed soils that have a Land Evaluation score of 85 or greater as defined in the LESA.”

The proposed rezoning **CONFORMS** to Policy 8.2.1 because the subject property was only partially in agricultural production before 1972 and has not been in production since before 1988.

- D. Objective 8.4 states, “Champaign County will work to ensure that new development and ongoing land management practices maintain and improve surface water quality, contribute to stream channel stability, and minimize erosion and sedimentation.”

The proposed rezoning **ACHIEVES** Objective 8.4 because of the following:

- (1) Objective 8.4 has six subsidiary Policies. Policies 8.4.1, 8.4.3, 8.4.4, 8.4.5, and 8.4.6 do not appear to be relevant to the proposed rezoning.
- (2) Policy 8.4.2 states, “The County will require stormwater management designs and practices that provide effective site drainage, protect downstream drainage patterns, minimize impacts on adjacent properties and provide for stream flows that support healthy aquatic ecosystems.”

The proposed rezoning **CONFORMS** to Policy 8.1.1 because all construction on the subject property is required to conform to the Stormwater Management Policy.

- E. Objective 8.5 states, “Champaign County will encourage the maintenance and enhancement of aquatic and riparian habitats.”

The proposed rezoning **ACHIEVES** Objective 8.5 because of the following:

- (1) Objective 8.5 has five subsidiary Policies. Policies 8.5.1, 8.5.3, 8.5.4, and 8.5.5 do not appear to be relevant to the proposed rezoning.

*Same evidence as in related Zoning Case 672-S-10

ITEM 16.E. (CONTINUED)

- (2) Policy 8.5.2 states, “The County will require in its discretionary review that new development cause no more than minimal disturbance to the stream corridor environment.”

The proposed rezoning **CONFORMS** to Policy 8.5.2 because of the following:

- (a) An EcoCAT report from the Illinois Department of Natural Resources indicated there are no Illinois Natural Areas Inventory (INAI) sites in the vicinity of the subject property.
- (b) The proposed use will not affect the stream corridor, which is under the jurisdiction of the Dillsburg Special Drainage District.

- F. Objective 8.6 states, “Champaign County will encourage resource management which avoids loss or degradation of areas representative of the pre-settlement environment and other areas that provide habitat for native and game species.”

The proposed rezoning **ACHIEVES** Objective 8.6 because of the following:

- (1) Objective 8.6 has six subsidiary Policies. Policies 8.6.1, 8.6.5, and 8.6.6 do not appear to be relevant to the proposed rezoning.
- (2) Policy 8.6.2 is as follows:
- a. For new development, the County will require land use patterns, site design standards and land management practices to minimize the disturbance of existing areas that provide habitat for native and game species, or to mitigate the impacts of unavoidable disturbance to such areas.
- b. With regard to by-right development on good zoning lots, or the expansion thereof, the County will not require new zoning regulations to preserve or maintain existing onsite areas that provide habitat for native and game species, or new zoning regulations that require mitigation of impacts of disturbance to such onsite areas.

The proposed rezoning **CONFORMS** to Policy 8.6.2 because of the following:

- (a) An EcoCAT report from the Illinois Department of Natural Resources indicated there are no threatened or endangered species in the vicinity of the subject property.
- (b) An EcoCAT report from the Illinois Department of Natural Resources indicated there are no INAI sites in the vicinity of the subject property.

*Same evidence as in related Zoning Case 672-S-10

ITEM 16.F. (CONTINUED)

- (3) Policy 8.6.3 states, “For discretionary development, the County will use the Illinois Natural Areas Inventory and other scientific sources of information to identify priority areas for protection or which offer the potential for restoration, preservation, or enhancement.”

The proposed rezoning **CONFORMS** to Policy 8.6.3 because an EcoCAT report from the Illinois Department of Natural Resources indicated there are no INAI sites in the vicinity of the subject property.

- (4) Policy 8.6.4 states, “The County will require implementation of IDNR recommendations for discretionary development sites that contain endangered or threatened species, and will seek to ensure that recommended management practices are maintained on such sites.”

The proposed rezoning **CONFORMS** to Policy 8.6.4 because an EcoCAT report from the Illinois Department of Natural Resources indicated there are no endangered or threatened species in the vicinity of the subject property.

REGARDING LRMP GOAL 9

- 17. LRMP Goal 9 is entitled, “Energy Conservation” and is relevant to the proposed rezoning. Goal 9 states, “Champaign County will encourage energy conservation, efficiency, and the use of renewable energy sources.”

The proposed rezoning **ACHIEVES** Goal 9 because of the following:

- A. Goal 9 includes five subsidiary Objectives. Objectives 9.1, 9.2, 9.3, and 9.5 do not appear to be relevant to the proposed rezoning.
- B. Objective 9.4 states, “Champaign County will promote efficient resource use and re-use and recycling of potentially recyclable materials.”

The proposed rezoning **ACHIEVES** Objective 9.4 because the proposed “recycling of nonhazardous materials with all storage and processing of materials taking place indoors” that is requested in related Zoning Case 672-S-10 is a business that recycles potentially recyclable materials.

REGARDING LRMP GOAL 10

- 18. LRMP Goal 10 is entitled “Cultural Amenities” and does not appear to be relevant to the proposed rezoning.

*Same evidence as in related Zoning Case 672-S-10

REGARDING SPECIAL CONDITIONS OF APPROVAL

19. The ZBA reviewed a condition that would have required that if the Zoning Ordinance is amended to allow recycling of non- hazardous materials in the AG-2 District at similar locations, the zoning district designation of the subject property shall revert back to AG-2, but decided against recommending the condition for the following reasons:
- A. The evidence indicating that the subject property was very well suited not just for the proposed use but also for any business use that does not generate wastewater which requires a sanitary sewer, based on the following:
- (1) There was a business use on the subject property at the time of adoption of zoning;
 - (2) The property has access to U.S. 136 which is a state highway but does not generate a lot of traffic;
 - (3) Even though this is best prime farmland, agriculture has not occurred on the property since before 1988;
 - (4) The property has adequate area for reasonable business growth and maneuvering of semi trucks;
 - (5) The property has triple phase electrical power which is required for the business;
 - (6) The petitioners have looked for suitable property inside the Village of Rantoul for five years and have not found any suitable property inside the Village and this location will allow the business to retain a Rantoul address which is where the owners have lived their entire lives;
 - (7) The proposed use will have an enclosed loading dock to ensure confidentiality of all processes but which will help ensure no blowing litter into adjacent farmland;
 - (8) The proposed use uses no water for the recycling process and so a sewer is not necessary;
 - (9) A rural location like this is ideal for the proposed use which must have a secure location from which to conduct confidential paper shredding and recycling.
- B. The petitioner's concerns about future property value if in the long run the recycling business does not survive even though the property will have been improved and the value of the property with improvements will probably be greater with the B-4 designation (even considering the restriction on wastewater) than with AG-2 designation.
20. Regarding proposed special conditions of approval:
- A. Policies 4.2.3 and 5.1.5 require discretionary development and urban development to explicitly recognize and provide for the right of agricultural activities to continue on adjacent land. The following condition is intended to provide for that:

*Same evidence as in related Zoning Case 672-S-10

ITEM 20.A. (CONTINUED)

The owners of the subject property hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.

The above special condition is necessary to ensure the following:

Conformance with policies 4.2.3 and 5.1.5.

- B. Even if the proposed rezoning achieves both Goal 4 and Goal 5 and all other relevant goals, a blanket rezoning of this property to the B-4 General Business Zoning District would authorize a large number of uses by-right that may be inappropriate to the rural setting of the subject property and to using an onsite wastewater disposal system.

Business use of the entire property shall not generate more wastewater than the equivalent of a three bedroom dwelling as specified in the Illinois Private Sewage Disposal Licensing Code.

The above stated special condition is necessary to ensure the following:

No use that is otherwise allowed in the B-4 General Business Zoning District, but is not appropriate in a rural setting or best served by public sanitary sewer, is established on the subject property.

- C. Coordinating discretionary development with the Champaign County Public Health Department is a necessary process that has not been consistent in past cases. The following condition makes it clear that any use established on the subject property must coordinate installation of a new onsite wastewater disposal system or use of an existing system with the Public Health Department.

The Zoning Administrator shall not approve a Zoning Use Permit on the subject property without a letter from the Champaign County Health Department certifying as follows:

- (1) **The proposed use will not generate more wastewater than a three bedroom dwelling; and**
- (2) **In the case that a new onsite wastewater disposal system is installed, the owner has consulted with the County Health Department and has identified the most appropriate location on the property for a wastewater treatment and disposal system and said location will be fenced and protected during other construction activities.**
- (3) **In the case that an existing wastewater treatment and disposal system is used, the owner has consulted with the County Health Department and has determined whether the existing system is adequate for the proposed use of the property,**

*Same evidence as in related Zoning Case 672-S-10

ITEM 20.C.(3) (CONTINUED)

identified the location of the existing system, and that said location will be fenced and protected during construction activities.

The above stated special condition is necessary to ensure the following:

The use of an existing onsite wastewater treatment and disposal system or the installation of a new system complies with all relevant and necessary requirements enforced by the Champaign County Public Health Department.

- D. The Champaign County Public Health Department recommends that floor drains should not be connected to onsite wastewater treatment and disposal systems because those systems are not typically designed to accommodate the types of materials that wash down floor drains. The following condition allows the Zoning Administrator to review if any proposed building on the subject property will have floor drains.

The Zoning Administrator shall not approve any Zoning Use Permit on the subject property unless the Zoning Use Permit Application includes floor plans for all buildings that explicitly indicate whether floor drains will be provided.

The above stated special condition is necessary to ensure the following:

The Zoning Administrator is able to review building plans for floor drains and ensure that proper procedures are followed in their installation.

- E. The Zoning Ordinance does not include any general requirements for code compliance. However, there are two circumstances which require certification of code compliance. If floor drains are installed in any proposed building, they should be certified as complying with the Illinois Plumbing Code, and if a proposed building is completed after July 1, 2011, 20 ILCS 3105/10.09-1 requires that such construction will comply with the 2006 edition of the International Building Code.

The Zoning Administrator shall not approve a Zoning Compliance Certificate without the following documentation:

- (a) **Any floor drain must have been approved by the Illinois Plumbing Code Inspector.**
- (b) **If the Certificate is approved after July 1, 2011, there must be a certification that the building complies with the 2006 edition of the International Building Code as required by 20 ILCS 3105/10.09-1.**

- F. The subject property fronts a State Highway. IDOT should approve the existing driveway or determine if any improvements need to be made to the existing driveway. The Zoning Ordinance does not require approval of driveway access to a state highway. The following conditions will ensure that the driveway access is approved by IDOT:

*Same evidence as in related Zoning Case 672-S-10

ITEM 20.F. (CONTINUED)

- (1) **The petitioners shall provide IDOT with all information necessary to either approve the existing driveway for the proposed use or to determine what improvements are necessary to meet IDOT standards.**
- (2) **The Zoning Administrator shall not approve a Zoning Use Permit for the subject property without documentation of IDOT's approval of either the existing driveway entrance or the existing driveway with necessary improvements.**
- (3) **The Zoning Administrator shall not issue a Zoning Compliance Certificate without documentation of IDOT's approval of any newly constructed driveway entrance including any necessary as-built engineering drawings.**

The special conditions stated above are required to ensure the following:

All traffic related to the proposed use can safely enter and exit the subject property with adequate visibility and regardless of weather conditions.

*Same evidence as in related Zoning Case 672-S-10

DOCUMENTS OF RECORD

1. Application for rezoning submitted by James Finger and Lisa Feig on June 21, 2010, with attachments:
 - A Letter from James Finger and Lisa Feig
 - B Triad Shredding List of References
 - C Petitioner photographs of subject property
 - D Letter from Sue Campbell, Rantoul Area Chamber of Commerce, dated June 17, 2010
 - E Letter from Gary Hardin, dated May 27, 2010
 - F Letter from Darrell Brandt, dated June 8, 2010
 - G Letter from Martin Alblinger, Economic Development Officer, Village of Rantoul, dated June 11, 2010

2. Preliminary Memorandum for Case 671-AM-10, dated July 23, 2010, with attachments:
 - A Case Maps for Cases 671-AM-10 & 672-S-10 (Location, Land Use, Zoning)
 - B Site Plan for subject property
 - C Letter from James Finger and Lisa Feig
 - D Triad Shredding List of References
 - E Letter from Sue Campbell, Rantoul Area Chamber of Commerce, dated June 17, 2010
 - F Letter from Gary Hardin, dated May 27, 2010
 - G Letter from Darrell Brandt, dated June 8, 2010
 - H Letter from Martin Alblinger, Economic Development Officer, Village of Rantoul, dated June 11, 2010
 - I 1972 Supervisor of Assessments aerial photograph of subject property
 - J 1988 Supervisor of Assessments aerial photograph of subject property
 - K 2008 GIS Consortium aerial photograph of subject property
 - L Excerpt from FEMA Flood Insurance Rate Map Community Panel No. 170894 0075 B
 - M IDOT Map showing Average Annual Daily Traffic
 - N Preliminary Draft Finding of Fact for Case 671-AM-10
 - O Petitioner photographs of subject property (included separately)

3. Supplemental Memorandum for Cases 671-AM-10 & 672-S-10, dated July 29, 2010, with attachments:
 - A Case Maps for Cases 671-AM-10 & 672-S-10 (Location, Land Use, Zoning)
 - B Section 905.Appendix A of the *Illinois Private Sewage Disposal Licensing Act and Code* (77 IAC 905)
 - C Appendix Defined Terms from the Champaign County Land Resource Management Plan
 - D Letter from Bruce Stickers, CC Soil & Water Conservation District, received on July 27, 2010

4. Figure 12-6 Existing Generalized Zoning-2003 from the Champaign County Land Resource Management Plan adopted April 22, 2010

5. Supplemental Memorandum for Cases 671-AM-10 & 672-S-10, dated August 6, 2010 with attachments:
 - A Champaign County Resolution 3425 Right To Farm Resolution
 - B Revised Draft Finding of Fact for Case 471-AM-10

*Same evidence as in related Zoning Case 672-S-10

DOCUMENTS OF RECORD (CONTINUED)

- C Revised Draft Summary of Evidence for Case 472-S-10
- 6. Supplemental Memorandum for Cases 671-AM-10 and 672-S-10, dated August 12, 2010, with attachment:
 - A EcoCat Report for subject property, obtained on August 9, 2010
- 7. Revised Item #9.E. in Case 672-S-10, handout distributed at the August 12, 2010, public hearing
- 8. Special Use Permit Application from Jim Finger and Lisa M. Feig received on June 21, 2010, with attachments:
 - A Site plan for subject property
 - B Letter from James Finger and Lisa Feig
 - C Triad Shredding List of References
 - D Petitioner photographs of subject property
 - E Letter from Sue Campbell, Rantoul Area Chamber of Commerce, dated June 17, 2010
 - F Letter from Gary Hardin, dated May 27, 2010
 - G Letter from Darrell Brandt, dated June 8, 2010
 - H Letter from Martin Ablinger, Economic Development Officer, Village of Rantoul, dated June 11, 2010
- 9. Preliminary Memorandum for Case 672-S-10, with attachments:
 - A Preliminary Draft Summary of Evidence for Case 672-S-10
- 10. Supplemental Memorandum for Case Numbers 671-AM-10 & 672-S-10, dated July 29, 2010, with attachments:
 - A Case Maps for Cases 671-AM-10 & 672-S-10 (Location, Land Use, Zoning
 - B Section 905. Appendix A of the *Illinois Private Sewage Disposal Licensing Act and Code* (77 IAC 905)
 - C Appendix Defined Terms from the Champaign County Land Resource Management Plan
 - D Letter from Bruce Stickers, CC Soil & Water Conservation District, received on July 27, 2010

*Same evidence as in related Zoning Case 672-S-10

FINAL DETERMINATION

Pursuant to the authority granted by Section 9.2 of the Champaign County Zoning Ordinance, the Zoning Board of Appeals of Champaign County determines that:

The rezoning requested in Case 671-AM-10 should **BE ENACTED** by the County Board in the form attached hereto.

SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS:

- A. The owners of the subject property hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.
- B. Business use of the entire property shall not generate more wastewater than the equivalent of a three bedroom dwelling as specified in the *Illinois Private Sewage Disposal Licensing Code*.
- C. The Zoning Administrator shall not approve a Zoning Use Permit on the subject property without a letter from the Champaign County Health Department certifying as follows:
 - (1) The proposed use will not generate more wastewater than a three bedroom dwelling; and
 - (2) In the case that a new onsite wastewater disposal system is installed, the owner has consulted with the County Health Department and has identified the most appropriate location on the property for a wastewater treatment and disposal system and said location will be fenced and protected during other construction activities.
 - (3) In the case that an existing wastewater treatment and disposal system is used, the owner has consulted with the County Health Department and has determined whether the existing system is adequate for the proposed use of the property, identified the location of the existing system, and that said location will be fenced and protected during construction activities.
- D. The Zoning Administrator shall not approve any Zoning Use Permit on the subject property unless the Zoning Use Permit Application includes floor plans for all buildings that explicitly indicate whether floor drains will be provided.
- E. The Zoning Administrator shall not approve a Zoning Compliance Certificate without the following documentation:
 - (1) Any floor drain must have been approved by the Illinois Plumbing Code Inspector.
 - (2) If the Certificate is approved after July 1, 2011, there must be a certification that the building complies with the 2006 edition of the International Building Code as required by 20 ILCS 3105/10.09-1.

*Same evidence as in related Zoning Case 672-S-10

- F. (1) **The petitioners shall provide IDOT with all information necessary to either approve the existing driveway for the proposed use or to determine what improvements are necessary to meet IDOT standards.**
- (2) **The Zoning Administrator shall not approve a Zoning Use Permit for the subject property without documentation of IDOT's approval of either the existing driveway entrance or the existing driveway with necessary improvements.**
- (3) **The Zoning Administrator shall not issue a Zoning Compliance Certificate without documentation of IDOT's approval of any newly constructed driveway entrance including any necessary as-built engineering drawings.**

The foregoing is an accurate and complete record of the Findings and Determination of the Zoning Board of Appeals of Champaign County.

SIGNED:

Doug Bluhm, Chair
Champaign County Zoning Board of Appeals

ATTEST:

Secretary to the Zoning Board of Appeals

Date

*Same evidence as in related Zoning Case 672-S-10

Champaign
County
Department of

**PLANNING &
ZONING**

**Brookens
Administrative Center**
1776 E. Washington Street
Urbana, Illinois 61802

(217) 384-3708

TO: Champaign County Board Committee of the Whole
FROM: John Hall, Director & Zoning Administrator
DATE: August 30, 2010
RE: Changing the Zoning Ordinance Requirements for Coal Mining

REQUESTED ACTION

This item was deferred from the August meeting.

Shortly after the August meeting the State's Attorney found an Attorney General's opinion stating there is no county jurisdiction over surface (including underground coal mining) mining. Unless the Attorney General issues a different opinion, the County has no jurisdiction over coal mining.

Champaign
County
Department of

**PLANNING &
ZONING**

Brookens
Administrative Center
1776 E. Washington Street
Urbana, Illinois 61802

(217) 384-3708

To: **Champaign County Board Committee of the Whole**

From: **John Hall, Director & Zoning Administrator**

Date: **August 30, 2010**

RE: **Direction to Zoning Administrator Regarding a Proposed Zoning Ordinance Text Amendment**

Requested Action:

Amend the Champaign County Zoning Ordinance Requirements for Dwellings that are Nonconforming Uses by (1) Removing the Limit on Annual Maintenance and (2) Authorizing Reconstruction

BACKGROUND

A front page article in the Sunday, July 25, 2010, edition of *The News Gazette* was about Wilber Heights (a residential and industrial area immediately east of Market Place Mall) and the problems that the Champaign County Zoning Ordinance has caused for the residents. The problems discussed in the article exceed the jurisdiction of the Zoning Ordinance but the Zoning Ordinance seems to be at the heart of the major concerns of Wilber Heights residents.

ELUC last discussed zoning problems in Wilber Heights in August of 1992 and the memo from that time still serves as a good introduction (see attached memo). The relevant portion of the minutes from the August 13, 1992, ELUC meeting are also attached.

However, two important zoning problems were not mentioned in the August 6, 1992, memo and they are (1) the prohibition on reconstruction of a dwelling that is a nonconforming use (subsection 8.4.1 of the Ordinance) and (2) the annual limit on ordinary repairs to no more than 10% of current replacement value for a dwelling that is nonconforming use (subsection 8.6 of the Ordinance). These problems were a primary focus of the News Gazette article and are the focus of this memorandum and the subject of the proposed text amendment. These problems are not limited only to Wilber Heights but that neighborhood is probably the largest single part of the County zoning jurisdiction that is affected by these concerns.

LIMIT ON NORMAL MAINTENANCE AND RECONSTRUCTION ARE COUNTER TO THE PURPOSE OF THE ORDINANCE

One of the stated purposes of the Zoning Ordinance is to conserve the value of land, buildings, and structures throughout the County (see paragraph 2.(b) of the Ordinance). And, like all zoning ordinances, the Ordinance has rules for uses and buildings that were legal before the Ordinance was adopted but which would be prohibited under the Ordinance. The term for such uses and buildings is "nonconforming" and the rules for nonconformities are found in Section 8 of the Champaign County Zoning Ordinance.

Zoning Administrator
Zoning Ordinance Text Amendment To Address Dwellings That Are Nonconforming Uses
AUGUST 30, 2010

The annual limit on ordinary repairs to no more than 10% of current replacement value for a dwelling that is a nonconforming use (subsection 8.6 of the Ordinance) is exceedingly restrictive and prevents older homes from being modernized.

The prohibition on reconstruction of a dwelling that is a nonconforming use (subsection 8.4.1 of the Ordinance) typically means that insurance cannot protect this major investment. Both rules mean that the value of dwellings like those in Wilber Heights is being degraded and not being conserved.

This is not an unintended consequence. Both of these provisions were part of the original Ordinance. The introductory narrative to Section 8 of the Ordinance makes it clear that the Ordinance is not intended to encourage the survival of nonconformities.

Neither of these requirements are subject to variance although in the past there have been improper variances granted for the replacement of dwellings that were a nonconforming use.

CHAMPAIGN COUNTY IS MORE RESTRICTIVE THAN SIMILAR COUNTIES

The zoning ordinance requirements for nonconformities for McLean, Macon, Sangamon, Peoria, and Rock Island counties were compared to the Champaign County Zoning Ordinance as background for this memo.

Of these five counties, Macon County is the only other county that has an annual limit on ordinary repairs and it too has a limit of no more than 10% of current replacement value for a dwelling that is a nonconforming use.

All of these counties prohibit the reconstruction of a dwelling that is a nonconforming use.

PROPOSED AMENDMENT

Attachment D is the proposed amendment and it consists of the following changes:

1. Revise and clarify subsection 8.2.1. The revision will increase the allowable expansion of a nonconforming dwelling from 200 square feet to 25% of the building floor area, or whichever is greater. This subsection will also be changed to use more standard wording to describe a dwelling that is a nonconforming use.
2. Revise subsection 8.4.1 to recognize the expansion authorized by subsection 8.2.1. and to allow reconstruction of a dwelling that is a nonconforming use.
3. Revise subsection 8.6 to recognize the expansion authorized by subsection 8.2.1. and to eliminate the limit on repair of a dwelling that is a nonconforming use.

ATTACHMENT

- A *Not Going Anywhere* from the Sunday, July 25, 2010, edition of *The News Gazette*
- B August 6, 1992, memorandum to ELUC
- C Excerpt of approved minutes of August 13, 1992, ELUC meeting
- D Proposed amendment

Mobile

Network

- [LOGIN](#)
- [Create new account](#)
- [Login problems?](#)

Search:

 Search in: Everything

 [BROWSE THE BUSINESS DIRECTORY](#)

Find a business:

The News-Gazette

SERVING EAST CENTRAL ILLINOIS

[News](#) | [Sports](#) | [Entertainment](#) | [Multimedia](#) | [Community](#) | [Forum](#) | [Classified](#) | [Shop](#) | [Subscribe](#) | [Help](#)



FurnitureRow.com

Labor Day SALE

*** Plus...2 Years No Interest ***

*W.A.C. to qualified buyers. See Stores for Details.

[Home](#)

Wilber Heights: Neighborhood hangs on against the odds



Photo by: Robin Scholz/The News-Gazette

Eddie Cook Jr., center, and his stepson Trystyn Schoonover, 12, and son Hunter Cook, 8, walk up Paul Street in Wilber Heights in Champaign. Cook said his sons and another child are the only children left in the neighborhood.



Other Related Content

- [A short history of Wilber Heights](#)

Sun, 07/25/2010 - 11:00am

By LIZ CLANCY LERNER/For The News-Gazette

Editor's note: This report is part of a joint project of The News-Gazette and the University of Illinois Department of Journalism, in an ongoing examination of poverty and its related issues in Champaign County. The project is funded by the Marajen Stevick Foundation, a News-Gazette foundation; a matching grant from the John S. and James L. Knight Foundation, a journalism foundation based in Miami; and contributions from the UI. The project also has a [website](#) for this and other material, including user-generated content. You can find an interactive map of Wilber Heights [on the site here](#).

It doesn't take much to get Tom Lemke fired up.

Just ask him about his neighborhood – a place he has called home for 63 years – and his frustration is evident.

"They say we're a slum – run down. That's the way we've always been treated," Lemke said as he takes a deep breath from his oxygen mask, a treatment for chronic bronchitis. "We have really been abused ... and we have really tried to take care of the area."

Lemke, 64, lives in Wilber Heights. It's a neighborhood where, according to Champaign County Planning and Zoning documents, homes "are not encouraged to survive."

Champaign County passed an ordinance in 1973 intending to turn the neighborhood into a strictly industrial region. The regulation prohibits the rebuilding of or substantial repair to any home.

However, almost 40 years later, houses and residents still remain.

In Wilber Heights, abandoned homes sit next to recycling plants, which sit next to trash-filled lots that are adjacent to mobile homes – all within 36 acres.

"This wasn't a properly thought-out thing in the first place and it's so complicated that it's difficult to resolve at any time," said John Hall, the Champaign County planning and zoning director.

It is so complicated that even the spelling of the neighborhood is controversial. Residents have always known it as "Wilbur" Heights, with a "u." County documents and a 1960 newspaper article deem the correct spelling "Wilber."

Clyde Forrest is a professor emeritus in planning and zoning at the University of Illinois and has known about the zoning issues in Wilber Heights for 30 years.

"I wouldn't categorize it as a terrible slum," said Forrest. "But it's an area that's not going to attract first-class residential development."

Residential development isn't the goal of the ordinance, which is why it contains rules against maintaining and rebuilding homes in Wilber Heights.

The restrictions

Lemke, a retired mechanic, and his wife Velma raised their three children in Wilber Heights. Their home is a well-maintained two-story structure, which at one time was the source of a lot of trouble for them.

Eleven years ago, a driver lost control of his car, crashing into the home's front porch and destroying it. Lemke was about to rebuild his porch when the Champaign County planning and zoning department told him he couldn't.

The zoning ordinance prohibits any resident in Wilber Heights from adding on or renovating more than 10 percent of a home's square footage. (The entire zoning ordinance is [online here](#), an 853KB pdf.)

So if a fire were to burn down a house in Wilber Heights, the homeowner could not legally rebuild on his lot. And in Lemke's case, he could not legally replace his porch. So, following ordinance rules, he kept the renovation to 10 percent.

Three concrete steps now lead to the front door of his house. It's not what he wanted, but it is what the county demanded.

The restrictions also affect home prices, because residents cannot substantially improve their homes. According to a 1992 planning and zoning document from a former Champaign County zoning administrator, Frank DiNovo, "They are also unlikely to be able to realize a market value of their property very much greater than its current use value as a dwelling."

The size of the lots also prevents individuals from selling for much higher industrial property prices.

"Industrial property is typically worth five times more than residential, but the homeowners would have to sell at the same time. If they sold one at a time, that wouldn't happen," said Forrest. But lifelong residents are not likely to move at the same time.

Yet, commercial properties have not been selling as well as residential properties because – as with residential mortgages – loans for commercial properties have not been as available as they once were, said Fred McDonald, president of the Champaign County Association of Realtors.

While federal stimulus money has been used to help jump-start residential property sales, it's not been available for commercial property, McDonald said.

"Commercial (property) now is a bigger concern," he said.

Wilber Heights and the surrounding area has been a good draw for business with its proximity to Interstates 74, 57 and 72, said Matt Wavering, a real estate agent with Coldwell Banker Commercial Devonshire Realty.

Because of that transportation hub, the city has pushed for higher industrial use in the area, he said.

And as the area has developed into warehousing and industrial uses, property values have become low, Wavering said.

Houses in Wilber Heights have sold for less than \$50,000, he said.

Further, industrial property is the least valuable of commercial property, Wavering said.

Typically, industrial land in an industrial park will sell for between \$1.50 and \$2 a square foot compared to retail property, which can sell for up to \$15 a square

foot, he said.

Wilber Heights and Market Street are the cutoff between retail and industrial property, Wavering said.

"On the industrial side, values are lower," he said.

If one of the area's rental properties stops generating rental income, then "the land becomes worth more than the house," Wavering said.

Housing for workers

Wilber Heights was developed as a single-family residential neighborhood in 1928, primarily to give workers from the Clifford-Jacobs Forging Company a place to live. Its main roads, Wallace, Wilber and Paul avenues, intersect First through Fifth streets and sit just east of Champaign's Market Place Mall.

When the area was built, there was no zoning in place outside the city limits. When the county zoning ordinance was approved, in 1973, Wilber Heights was split into two categories, both industrial.

The ordinance acknowledges that some buildings already in existence didn't match the zoning – they were "non-conforming uses."

"It is the intent of this ordinance to permit these non-conformities to continue until they are removed," the ordinance says. "It is further the intent of this ordinance that such non-conforming uses ... shall not be enlarged upon, expanded, or extended."

The area east of Fourth Street is zoned for heavy industry; the area west of Fourth, for light industry.

In 1982, while millions of dollars were being poured into construction of Market Place Mall, residents of Wilber Heights watched as the county ordinance stifled the neighborhood's growth and maintenance.

While no numbers are easily available, it is estimated that at its peak, Wilber Heights was home to close to 200 residents, many of them families.

Now there are about 60 residents, most of them senior citizens.

They have called the neighborhood home, raised their children there, and formed roots in Wilber Heights for over 60 years. A few, like Otto Pruett and his wife Iverna – both in their 80s – say they're too old to move, while others say they couldn't afford to do it.

None of the residents asked for the ordinance change, and none of 14 who were interviewed for this report recalled being told it was going to happen.

Lemke remembers feeling helpless when he first heard of the ordinance just after it was passed in 1973.

"We did not know (anything) about it until it was all said and done," he said.

He's not the only one who remembers it that way. With her husband Virgil, Susie Roderick raised her three sons in Wilber Heights. She said she never received notification of the zoning change, either.

"Wouldn't you think that something that important, we would have gotten something in the mail instead of a little thing in the newspaper?" said Roderick, who has lived in Wilber Heights for more than 50 years. "We didn't know anything about it."

John Hall said the county commission did all it was supposed to do at the time.

"At a bare minimum, the county is only required to put a notice in the paper," he said. Even now, some zoning matters require only a notice to be published in the newspaper, but others require everyone living within 250 feet of a proposed change to receive a formal notice individually by mail. He added that zoning staff will keep in touch with residents who ask to be notified of any proposed change in their zoning.

While he was not the director at the time of the change, Hall agrees that the current zoning in Wilber Heights is a problem.

"Right now our ordinance is causing properties to go into disrepair and that is counter to everything in a zoning ordinance," said Hall.

Effects of the zoning

The consequences of the zoning are obvious. It began as a slow, steady deterioration of the neighborhood that continues today.

Residents began moving out, industrial businesses began moving in, and houses that weren't sold were abandoned.

The core group in the neighborhood that remains deals with far more than ordinance-restricting maintenance and rebuilding.

Lemke said it also discourages county, city and township government from maintaining their roads and listening to their complaints.

Lemke believes the local governments see the neighborhood as a lost cause because "they think we'll be out of here soon anyway, why spend the time and

money?"

Other residents echo his sentiment.

As part of a group interview, 12 residents gathered in Susie Roderick's back yard to discuss their concerns.

With sounds of forging equipment pounding in the background, residents started naming the struggles they face. But the noise from the surrounding industries was not on that list.

"The noise don't bother us. We're used to it," said Mike Roderick, who is Susie's son. He was raised in Wilber Heights and now owns a home a few houses away from where grew up.

"It don't bother us as much as those big semis that drop and tear up the road," he said.

Many of the trucks that Roderick speaks of go in and out of Clifford-Jacobs, the forging company that has been in the neighborhood since 1923, five years before the residents began to build. But the addition of more industry, including a recycling company, concrete plant and portable toilet company, means more traffic.

Of the dozen intersections in the neighborhood, only a few contain stop signs.

Ken Mathis, the supervisor for Somer Township, said "By practice we don't place stop signs or speed limit signs."

He said, "it is an issue that should be discussed with the county sheriff's office."

Therein lies another major problem in Wilber Heights.

Who is responsible?

The majority of the roads in Wilber Heights are under Somer Township jurisdiction, while one of the roads is technically in the city of Champaign.

Lemke said when he has a problem, he gets "the run-around."

He said the township will say it's a county issue, the county will say it is a city issue, and back and forth it goes.

"If it takes a mediator to get between the city of Champaign and the county and the township to iron this out, then so be it," said Lemke.

Stan James is the Champaign County Board member who represents Wilber Heights. He has visited the neighborhood thinks the situation needs to be fixed.

"We owe this to these folks. We allowed this to occur in their neighborhood. We, the politicians, the one who make the decisions, are the one to blame," said James.

Though the issue has yet to be discussed at a county board meeting, James said he will continue to help find a solution.

What's next

Forrest was vocal in his concern over the ordinance change back in 1973, and today looks at the situation and sees three possibilities.

"They (the county) can regulate, they can tax and they can buy up land through eminent domain," he said. "The county could undertake a study to find the neighborhood blighted and could buy and clear the neighborhood and they could create a relocation plan, or they could do nothing."

There hasn't been much pressure to do anything in recent years.

"There are legally acceptable ways to deal with an area like this," said Forrest. "But I haven't heard of anything that is really pushing the county to specifically push this."

When asked what it would take to make progress, he said, "the neighbors coming together."

Ultimately, it is up to the county board to make changes. John Hall wants what is best for the residents and said he would be willing to change the wording in the current language on non-conforming uses to give residents the opportunity to renovate and rebuild their homes.

"Please note that the ordinance limits annual renovation to no more than 10 percent of the replacement value, but we only require permits for new construction and so we have no idea when someone is remodeling or renovating," Hall said in a recent e-mail.

He said he plans to propose a change to the ordinance at the August county board meeting.

He plans to let the residents know when this will happen so that "they can be a part of the discussion." Otherwise, "it's a waste of time" said Hall.

Between now and the August meeting, Hall said he is "still reviewing ordinances from similar counties to see what rules they have" and will ask the state's attorney what legally can be done.

Lenke is waiting for that day. He said he's sick of the strict rules and back and forth with the county and township. After 63 years, he's starting to think about living elsewhere – which means the county would be one home closer to getting its original wish.

[Login](#) or [register](#) to post comments



Categories (3): [News](#), [C-U Citizen Access](#), [Politics and Government](#)

Location (3): [Champaign County](#), [Champaign](#), [Local](#)

Tags (3): [Champaign County](#), [Wilber Heights](#), [zoning](#)

Comments

The News-Gazette prides itself on being your most reliable, local news source, and we embrace discussion of both community and world issues. We welcome you to contribute your ideas, opinions and comments, but we ask that you avoid personal attacks, vulgarity and hate speech. The News-Gazette reserves the right to remove any comment at its discretion, and we will block repeat offenders' accounts. To post comments, you must first be a registered News-Gazette.com user, and your username will appear with any comment you post. Happy posting.

[Login](#) or [register](#) to post comments

#1

[jhsmith400](#) wrote 1 hour 3 min ago

order viagra [viagra cheap](#) , buy cialis cheap [cialis without prescription](#) , buy cialis [buy cialis](#) , prednisone online [buy prednisone no prescription](#)

[Login](#) or [register](#) to post comments

#2

[jhsmith400](#) wrote 1 hour 4 min ago

buy viagra without prescription [viagra online](#) , buy cialis online [buy cialis](#) , generic cialis [order cialis without prescription](#) , buy prednisone without prescription [order prednisone](#)

[Login](#) or [register](#) to post comments

#3

[ctyboy58](#) wrote on July 25, 2010 at 8:07 pm

Zoning ordinances, getting permits and obtaining inspections are a joke here in the city of Urbana. I live in a beautiful single family residential neighborhood of large brick ranch homes built in the late 50s and early 60s. My next door neighbor has turned the basement of her single family ranch into a rental apartment which is against Zoning for this stretch of Pennsylvania Ave. Gas pipes moved, water lines added, a bathroom added.... all without permits or inspections and done by someone who lives there who isn't the owner and isn't licensed for plumbing. When I complained, yes someone from Building Safety for the City of Urbana did come out, to this home.... no one answered the door and the issue died. I tried on several occasions to contact the Building Safety division for the City and all calls and emails go unanswered. I guess the City of Urbana would rather turn a blind eye to what's going on than respond to a property owner who pays a large property tax bill each year on time.

[Login](#) or [register](#) to post comments

#4

[jourtegrity](#) wrote on July 25, 2010 at 8:07 pm

Nice story, but frustrating of course. I feel for these people. The bureaucracy can't just throw up their hands on this. Something needs to be done. Lord knows the various local governments have acted more quickly and judiciously on much lesser issues.

[Login](#) or [register](#) to post comments

Search News Stories



Mobile

- [LOGIN](#)
- [Create new account](#)
- [Login problems?](#)

Network



Search:



Search in: Everything



[BROWSE THE BUSINESS DIRECTORY](#)

Find a business:

The News-Gazette

SERVING EAST CENTRAL ILLINOIS

- [News](#)
- [Sports](#)
- [Entertainment](#)
- [Multimedia](#)
- [Community](#)
- [Forum](#)
- [Classified](#)
- [Shop](#)
- [Subscribe](#)
- [Help](#)

[Home](#)



Let go. We've already done the work. i do. Your Premier East Central Illinois Wedding Planning Resource. www.gazette.com

A short history of Wilber Heights

Other Related Content

- [Wilber Heights: Neighborhood hangs on against the odds](#)

Sun, 07/25/2010 - 11:00am | [The News-Gazette](#)

1928: Wilber Heights developed as a single-family residential development. No zoning in place when homes are built.

1973: County zoning ordinance takes effect; Wilber Heights zoning is split between light industry and heavy industry. Homes become nonconforming and limits are placed on renovation and rehabilitation.

1977: The zoning of the Wilber Heights neighborhood was reconsidered in a zoning map amendment case. It sought to rezone the entire neighborhood to residential. The 1977 rezoning was denied due to its impact on the numerous commercial and industrial uses in the neighborhood by rendering them nonconforming.

1977: The Eastern Prairie Fire Department petitions the Planning and Zoning Committee to change status of Wilbur Heights to residential. Petition was denied on all counts.

1977: County briefly considers and subsequently abandons and effort to find a third alternative by creating a "Transition to Industrial" zoning district. It would have legalized all existing uses in the area.

1991: Then-county zoning official Frank DiNovo proposes a "limited interim measure which would enhance the use value of residential property in Wilber Heights without substantially contributing to the survival of the existing nonconforming uses." That measure fails.

- LIZ CLANCY LERNER

[Login](#) or [register](#) to post comments



Categories (3): [News](#), [C-U Citizen Access](#), [Politics and Government](#)

Location (3): [Champaign County](#), [Champaign](#), [Local](#)

Champaign
County
Department of

**PLANNING &
ZONING**

1303 N. Cunningham Ave.
Urbana, Illinois 61801
(217) 384-3708
FAX (217) 328-2426

TO: Environment and Land Use Committee
FROM: Frank DiNovo
DATE: August 6, 1992
RE: Zoning Treatment of Nonconforming Residential Uses in the Wilbur Heights Area

REQUESTED ACTION

Approve general outline of a Zoning Ordinance text amendment to be filed by the Zoning Administrator regarding expansion of nonconforming residential uses.

BACKGROUND

The Wilbur Heights neighborhood is an area of approximately 36 acres located in Section 31 of Somer Township. The area is bounded by Market Street on the west, Wallace Avenue and the Reifsteck Tract on the north, 5th Street and Clifford Jacob's Forge on the east and Wilbur Avenue on the south (see attached map). Somewhat over half of the perimeter of the area is contiguous to the City of Champaign on the north, west, and south.

Wilbur Heights is characterized by highly intermixed residential commercial and industrial land uses. The area was developed as a single family residence development in 1928 in what was then a semi-rural location. The present pattern of use developed prior to the adoption of zoning. Under the City of Champaign's 1961 zoning ordinance existing single family residences were made nonconforming but mobile homes were permitted in the City's industrial classifications.

The County zoned the western 3/4ths of the area I-1, Light Industry and the eastern 1/4th I-2, Heavy Industry in 1973 following the pattern established by the City of Champaign. The County Zoning Ordinance is an "exclusive use district" type ordinance which does not permit dissimilar or incompatible uses in a single district; it does not permit residential uses in industrial districts. The County's decision to zone the area industrial extended the nonconforming status of the residential uses in Wilbur Heights.

Nonconforming uses may not be expanded or relocated on a lot. Consequently homeowners may not add to their residences or construct accessory buildings or structures. Although they may undertake interior remodeling and maintenance of their homes including replacing of heating, plumbing and electrical systems, re-roofing and making interior structural modifications.

The intent of these restrictions on nonconforming uses is to discourage their survival so that will sooner or later they will be abandoned and the land converted to more appropriate conforming land uses.

The zoning of the Wilbur Heights neighborhood was reconsidered in a Zoning Map Amendment Case filed in 1977 (236-AM-77). That case sought to rezone the entire neighborhood to R-2, Single Family Residence. The 1977 rezoning was denied due its impact on the numerous commercial and industrial uses in the neighborhood by rendering them nonconforming.

CURRENT STATUS

Although site-built residences were made nonconforming 30 years ago and mobile homes made nonconforming in 1973 many residential uses survive in the area. Abandonment and conversion of these nonconformities is proceeding very slowly. This is likely due to the poor condition of infrastructure in the area, the lack of sanitary sewer and the very small size of the residential lots, many of which are only 25 or 50 feet wide - a size unsuitable for most industrial uses. This small 36 acre area is entirely surrounded by land, developed or zoned for intense commercial or industrial use.

This situation leaves the area homeowners and the County in a difficult situation. Homeowners must contend with a neighborhood with inadequate infrastructure and many blighting influences. They also are unlikely to be able to realize a market value of their property very much greater than its current use value as a dwelling. The use value is also diminished by the inability to expand, even slightly, their nonconforming residential uses.

The County, on the other hand, is faced with difficult choices. The County could retain the industrial classification leaving the homes nonconforming and the homeowners disadvantaged. Alternately the area could be rezoned to a residential classification making the businesses nonconforming and creating a small enclave of residential zoning completely surrounded by commercial and industrial zoned areas. The area would also still have inadequate infrastructure, an admixture of incompatible commercial and industrial uses (which would remain legally until abandoned) and would have to share its streets with truck traffic serving the surrounding industrial areas.

In 1977 the County briefly considered and subsequently abandoned an effort to find a third alternative by creating a "Transition to Industrial" zoning district. This would have had the effect of legalizing all the existing uses in the area, essentially freezing it in its current condition indefinitely until market forces changed the mix of land uses.

PROPOSAL

Staff is not proposing a comprehensive solution to the problems posed by Wilbur Heights at this time. Current information on the neighborhood is lacking since the County has not seriously considered this question for 15 years. The demographic makeup, land uses, building condition, and land use trends in the area are not known clearly. It may also be preferable for local governments (the County and the City of Champaign) to take a more active role in shaping events in the area. This could be done, perhaps, by instituting a program to buy-out residences and consolidate the small parcels to be more readily marketable for industrial use and, possibly, undertaking infrastructure improvements to make it more developable. The pros and cons of this approach deserve careful consideration particularly with respect to how such an effort would be financed. In any case, a comprehensive solution awaits the time and resources required to develop alternatives.

In the meantime staff proposes a limited interim measure which would enhance the use value of residential property in Wilbur Heights without substantially contributing to the survival of the existing nonconforming uses. Specifically staff proposes a Zoning Ordinance Text Amendment that would.

1. permit a one-time expansion of existing nonconforming dwellings (excluding replacement of nonconforming mobile homes) up to the lesser of 100 sq. ft. or 20% of the gross first floor area; and
2. permit the construction of a single accessory building or addition to an existing accessory building up to, say, 300 sq. ft. (equivalent to a one car garage).

An alternative proposal could also permit larger expansions and/or expansions of other nonconforming uses otherwise permitted in the R-1 district (churches, schools, etc.) by Special Use Permit. Larger expansions, however, will go farther to encourage the survival of nonconforming uses. It might be appropriate to require that the ZBA make an explicit finding that the expansion would not tend to encourage survival of the nonconforming use or that the petitioner agree to an amortization period at the end of which the nonconforming use would cease.

This amendment certainly would not put these nonconforming residences on an equal footing with other residences. It would, however, make life in Wilbur Heights and a few similarly situated properties elsewhere somewhat easier until a comprehensive, long term solution can be developed.

1 responsibility to shut it down immediately. The motion was approved by a voice vote of 8-2.
2 Mr. Flessner and Mr. Crozier opposing.

3

4 E. One Day Recreation and Entertainment License for Champaign County Fire
5 Chiefs Association Rodeo, Champaign County Fairgrounds

6

7 Mr. Wolf moved, seconded by Mr. Smith, to approve the request for a one day recreation and
8 entertainment license for Champaign County Fire Chief's Association Rodeo at the
9 Champaign County Fairgrounds on September 5 and 6, 1992. The motion was approved by
10 a voice vote.

11

12 F. Nonconforming Residential Uses in Wilbur Heights Neighborhood

13

14 Mr. DiNovo stated that Wilbur Heights has been a difficult problem for the County for a long
15 time; it is a neighborhood with mixed industrial and commercial uses. Recently they have
16 received two separate requests to improve non-conforming uses in the area. One was a house
17 and another was a request to add on to an existing church. In cases of non-conforming uses,
18 if they are abandoned or destroyed beyond more than 50% of their value, the ordinance does
19 not allow their reconstruction. In theory, over time, because of the restrictions, non-
20 conforming uses in Wilbur Heights will "go away" and succeeding uses will conform to the
21 requirements of the district and be compatible to its neighbors. In Wilbur Heights, there is
22 an intermixture of uses. The area was platted into small residential lots but individual
23 properties are usually too small to be used for permitted commercial or industrial uses, so
24 this keeps people from selling their individual property for these uses, and realizing the full
25 value of their property unless someone was able to assemble a number of these parcels to
26 offer for commercial or industrial use. Even minor additions are not permissible for the
27 residents of this area.

28

29 Mr. DiNovo noted that he has discussed this with the City of Champaign, but no proposals
30 for a long-term solution have been found. However, in the interim it seems reasonable to
31 provide for a limited expansion of residential non-conforming uses or potentially non-
32 conforming uses that are otherwise permitted by right (i.e., the church) so people could get
33 more use value out of their property but still not improve it so much as to encourage the
34 survival of a non-conforming use, until a final resolution is developed. Mr. DiNovo is
35 proposing to permit by right a one-time expansion up to 100 square feet or 20% of the gross
36 square feet area, whichever is less (one 10X10 addition to a residence) and to allow up to a
37 300 square foot accessory building (i.e., a single car garage). This would accommodate a
38 person's need to get their car under cover versus accommodating a larger garage which would
39 make the house more attractive for resale for residential use in the market. Mr. DiNovo
40 stated that it may be that the County may have to consider a plan to purchase land on a
41 volunteer basis one by one, and assemble the land into realistic parcels for resale for
42 commercial or industrial uses in order to utilize this area properly.

43

44 Mr. Barker stated that we need to look at this carefully. In response to Mr. Barker's
45 question, Mr. DiNovo stated that Champaign has a pyramid type zoning ordinance, but these
46 uses would still be non-conforming in Champaign unless each annexation agreement
47 specifically allowed for it. Mr. Barker stated that Champaign has been playing with its
48 annexation agreements to allow whatever is in this area by right when they are annexed, and
49 he feels the ELUC must look at our Zoning Ordinance, and if this is allowed by right from

1 one classification to another classification, he feels we will get protests from both Champaign
2 and Urbana. If the County wants to take care of this, we will have to have the votes to
3 override the protests.

4

5 Ms. McGrath asked if these improvements are allowed, and if the County decides to go
6 ahead with a plan to purchase these properties, will the improvements make the property
7 more valuable, and therefore, cost the County more money to purchase? Mr. DiNovo stated
8 that it might, and the buy-out is a speculative project in that no funding source for such a
9 program has been identified. Mr. Barker agreed this is a dream that probably will never
10 occur. Mr. Barker reminded members that 10-12 years ago there was a federal program
11 where the County could buy people's property and relocate them. However, most people
12 were not interested in leaving the area. Mr. Lyke stated that he has previously been in favor
13 of having residential areas that are next to the cities being annexed. Mr. DiNovo stated that
14 the City of Champaign is willing to annex this area. Mr. Flessner stated that since we did
15 nothing in 1977, he feels we should allow these people to make minor improvements to their
16 property. In response to Mr. Smith's questions, Mr. Flessner stated that Somer Township
17 maintains the streets in this area, and the drainage is poor.

18

19 Mr. Lyke stated that it is inconsistent when we consider the future of Champaign for the
20 County to make improvements to this area where we may end up with a bigger problem in
21 terms of infrastructure. He would rather not spend the money on something that is or should
22 be or will be Champaign's problem to deal with.

23

24 Mr. Barker stated that what is really being requested here is to allow a person to put a
25 shower in his bathroom. Mr. DiNovo discussed the proposed dimensions with the City of
26 Champaign staff, and they did not have problems with this, as it allows a limited amount of
27 improvement. This would give people a limited degree of flexibility to allow them to enclose
28 a porch, build an air-lock entrance to the house, construct a small garage, etc. Ms. Putman
29 asked if there have been other requests in addition to the two mentioned. Ms. McGrath
30 questioned whether this would encourage people to stay in the area, and it appears that some
31 people have illegally constructed improvements without permits. She wondered if at some
32 point we could get rid of the houses, for example, which have a dirt floor. Mr. DiNovo stated
33 that this would displace people and we have no specific program to relocate them.

34

35 Ms. Putman stated that this nation, State or County do not have a program to provide low
36 cost suitable housing for people, and until that happens, she cannot see displacing people
37 from their home, regardless of how humble that dwelling is. Ms. Chato asked if this would
38 apply to all areas, and not just to Wilbur Heights area, and Mr. DiNovo stated that he was
39 proposing this as a text amendment. Mr. DiNovo stated that in 1977 there was discussion
40 about creating an industrial transitional zoning district which would allow for a mix of
41 residential, industrial and commercial uses. This is conceivable, but extremely tricky. Mr.
42 Wolf stated that he is inclined to agree with Jennifer, that people should be allowed to make
43 improvements to their property.

44

45 Mr. Barker stated that the proposed standards need to be discussed. Mr. Flessner stated that
46 an accessory building might have some industrial use in the future and would like to see this
47 larger. Mr. Lyke stated that he doesn't believe we should pump life or money into this area.
48 Mr. Barker asked if we could say that within the mile and a half jurisdiction certain things
49 are allowed; this would allow our rural community flexibility. Mr. DiNovo stated that we

1 have AG-1 U and AG-1 R and the boundary line is the mile and a half; this could be
2 amended; however, the mile and a half boundary is constantly changing, and it would be
3 better to designate a specific boundary. He believes that Champaign would not object to this
4 proposal. Wilbur Heights is an obstruction to development for the City of Champaign, and
5 it has been identified in the new comprehensive plan as a study area. Mr. DiNovo stated that
6 there are two ways to look at this. One is the question of keeping uniform districts with
7 compatible uses in them, and keeping incompatible uses separated, and to allow people to
8 realize the value of their property by eliminating mutual nuisance problems. Another way
9 is to look at what happens to people who own this property, because the individual properties
10 are not attractive enough for there to be a real market, so the market value is severely
11 depressed. No one in Wilbur Heights will be able to sell their property for its full value and
12 they may not get enough for their property to make it economically worthwhile to move.

13

14 Mr. Barker asked what the feasibility would be of putting a boundary on the area. Mr.
15 DiNovo stated that whatever is done, he would like to do it "by right." It might be possible
16 to allow the basic expansion and to allow a larger one by variance or special use permit on
17 a case by case basis.

18

19 Mr. Lyke stated that if we are going to enforce the ordinance, it should also be enforced in
20 Wilbur Heights and now we are talking about making it easier for people to want to remain
21 in the area, and he is opposed to it because of the future of the area.

22

23 Ms. McGrath stated that with the recent census conducted, it would be helpful to have
24 demographic information about the Wilbur Heights area, and help determine if this is an area
25 which houses extremely poor people who have no means to move or simply people who do
26 not want to move. Ms. Putman stated that she would like to know more about this area and
27 the community and its residents. Mr. Lyke stated that the "big picture" and the future of the
28 way the City of Champaign is going to go, he feels the City of Champaign should pay for this
29 area and he would like to see us work something out with the City of Champaign.

30

31 Mr. Barker stated that the reality is that a decision needs to be made tonight on whether to
32 allow Mr DiNovo to continue with this requested text amendment in order to allow the few
33 people who have requested these improvements to do so. Mr. Flessner asked where the
34 boundaries are, and Mr. DiNovo stated that the City has this area approximately 2/3rds
35 surrounded.

36

37 Ms. McGrath stated that unfortunately this area was not planned for residential and industrial
38 as Crestwood, which was mentioned by Ms. Chato. Ms. Chato stated that we are not
39 proposing to do anything with the infrastructure, and therefore she does not believe we would
40 be increasing the property value. Mr. Barker feels we will receive an official reaction from
41 the City of Champaign, and this would be good. Ms. McGrath stated that she would like to
42 have some demographic data available at the time the text amendment is proposed to the
43 Zoning Board of Appeals. Mr. DiNovo agreed.

44

45 Mr. Flessner moved, seconded by Ms. Chato, to instruct Mr. DiNovo to prepare a text
46 amendment to permit a one-time expansion of existing nonconforming dwellings (excluding
47 replacement of nonconforming mobile homes) up to the lesser of 100 sq. ft. or 20% of the
48 gross first floor area; and permit the construction of a single accessory building or addition

1 to an existing accessory building up to 650 square feet. The motion was approved by a vote
2 of 9-1 with Ms. McGrath's the single no vote.

3

4 **G. FY 1993 Planning and Zoning Contract**

5

6 Mr. Barker stated that Mr. Soltau was going to be present to discuss this issue, but the dates
7 of the meeting have been changed and therefore, Mr. Soltau cannot be present.

8

9 Mr. Barker noted that the Budget Committee discussed the Planning and Zoning budget, and
10 the engineer has been deleted from the present tentative budget; however, the Budget
11 Committee put nothing else back in other than what Mr. Herlofsky presented. There will be
12 a special Budget Committee meeting on August 31, 1992 to discuss the budget. Other items
13 of major concern was an additional person for the Public Defender and an additional clerical
14 person, and the long-range planning study and a nurse for the jail. Mr. Lyke asked if there
15 was anything for the Circuit Clerk's Office and Mr. Barker stated no.

16

17 This item will be carried over until next month's meeting.

18

19 **H. Other New Business**

20

21 **6. Old Business**

22

23 **A. County Participation in Joint County-City of Champaign Enterprise Zone**

24

25 Mr. Barker observed that the Enterprise Zone evaluation notes that the value of enterprise
26 zone projects to date is \$19 million, and he finds this hard to believe. He said he was
27 unaware that we had abated taxes on this amount of assessed evaluation. He does have a
28 meeting with Mr. Herlofsky, but he brings this issue up to start discussion on the Enterprise
29 Zone. We are talking about a great amount of tax abatement, and he doesn't believe we are
30 getting jobs or benefits from it. He doesn't feel it is a full abating district because the schools
31 are not involved in it. If an industry wanted to come into this community that would bring
32 economic benefit to this community, the County Board has full authority to abate the taxes
33 for this new industry, and he feels this is an important issue.

34

35 Mr. Lyke stated that he is in favor of getting out of the program, and would like to know how
36 we can do this. Ms. McGrath stated that Mr. Barker raised a good point in that the school
37 districts are not participating anyway. She also does not believe that an industry will come
38 or not come because of the tax abatement. Mr. DiNovo stated that if you look at the value
39 of these abatements only in relationship to construction costs, they are a small percentage of
40 the total but over time the total value of the abatement compared to the annual operating
41 costs of a business is minuscule.

42

43 Ms. Putman stated that she is concerned that no one from the City of Champaign is present
44 to discuss this. She feels strongly about this issue, and she called Bruce Knight several weeks
45 ago to discuss it. She would have appreciated hearing from them. Mr. DiNovo stated that
46 he has met with City of Champaign staff, and they were not prepared at a staff level to
47 establish a position on behalf of the City, and they wanted an opportunity to discuss it with
48 the Council before they make their position known. Mr. DiNovo stated that there were some
49 legal and technical questions to be answered, i.e. from DCCA. The first question is what is
50 our obligation with respect to businesses already in the enterprise zone. The answer is that

Proposed Ordinance Amendment
AUGUST 30, 2010

1. Revise and clarify subsection 8.2.1 as follows:

8.2.1 Expansion of NONCONFORMING USE

- A. No such NONCONFORMING USE of land shall be enlarged, increased, or extended to occupy a greater area of land than was occupied on the effective date of adoption or amendment of this ordinance except as provided below.
- B. ~~NONCONFORMING SINGLE FAMILY DWELLINGS~~ A STRUCTURE that otherwise conforms to the R-1 DISTRICT requirements and that is a NONCONFORMING DWELLING may be expanded by no more than 200 square feet or no more than 25% of the building floor area, whichever is greater, and by construction of no more than one new ACCESSORY BUILDING or addition to an existing ACCESSORY BUILDING provided that the total area of such ACCESSORY BUILDING is not more than 650 square feet.
- C. NONCONFORMING nonresidential USES which are permitted as of right in the R-1, Single Family Residence District and are not otherwise permitted by Special Use Permit may be expanded by no more than 25% of building floor area and height, lot coverage, and off-street parking and loading area only if a VARIANCE is granted by the BOARD in accordance with Section 9.1.9.

2. Revise subsection 8.4.1 as follows:

8.4.1 No existing STRUCTURE devoted to a USE not permitted by this ordinance in the DISTRICT in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or ALTERED except in changing the USE of such STRUCTURE to a USE permitted in the DISTRICT in which it is located, except as follows:

- A. As provided in subsection 8.2.1.
- B. A STRUCTURE that otherwise conforms to the R-1 DISTRICT requirements and that is a NONCONFORMING DWELLING may be reconstructed in the existing location subject to the requirement of a Zoning Use Permit. The reconstruction may include the one time expansion as authorized in subsection 8.2.1.

3. Revise subsection 8.6 as follows:

8.6 Repairs or Maintenance

On any STRUCTURE devoted in whole or in part to any NONCONFORMING USE, or which itself is NONCONFORMING, work may be done in a period of 365 consecutive days on ordinary repairs or on repair or replacement of non-bearing walls, fixtures, wiring, or plumbing, to an extent not to exceed 10% of the then current replacement value of the STRUCTURE, provided that the volume of such BUILDING or the size of such STRUCTURE as it existed at the effective date of the adoption, or amendment, of this ordinance shall not be increased except as follows:

Proposed Ordinance Amendment

AUGUST 30, 2010

A. As provided in subsection 8.2.1.

B. For a STRUCTURE that otherwise conforms to the R-1 DISTRICT requirements but that is a NONCONFORMING DWELLING, there is no limit on the value of the repair or replacement other than as provided in subsection 8.2.1 and the replacement may include bearing walls.

Nothing in this ordinance shall be deemed to prevent the strengthening or restoring to a safe condition of any STRUCTURE or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

Date: August 27, 2010

To: Champaign County Board Committee of the Whole Members

From: Susan Monte, CCRPC Planner
John Hall, Director, Champaign County Department of Planning & Zoning

Regarding: Direction to Zoning Administrator Regarding Proposed Zoning Ordinance Text Amendment

Request: Conduct a Champaign County Zoning Ordinance Text Amendment implementing Policies 4.1.5, 4.1.7 and 4.1.9 of the Land Resource Management Plan

Background

On April 22, 2010, the Board adopted the Champaign County Land Resource Management Plan (LRMP). On June 8, 2010, the Committee of the Whole approved the remaining FY 2010 planning contract work plan. The remaining FY 2010 work plan includes the task of amending the *Champaign County Zoning Ordinance* to include provisions of the following specific LRMP objectives and policies: Policies 4.1.5 and 4.1.6; Policy 4.1.9; Policies 4.3.1 - 4.3.4 and Objective 4.4.

This memorandum describes the proposed zoning text amendments intended to represent the minimum changes to the Zoning Ordinance needed to implement LRMP Policies 4.1.5, 4.1.7 and 4.1.9. If authorized by the Committee, the proposed zoning ordinance text amendments will proceed to public hearing review to be held by the ZBA.

<i>LRMP Policy</i>	<i>Brief Description</i>
Policy 4.1.5	by right development limit
Policy 4.1.7	by right maximum lot size limit on best prime farmland
Policy 4.1.9	minimum lot size requirement for farm residence

Attachment A includes the complete text of Policies 4.1.5, 4.1.7 and 4.1.9, as well as the text of the directly relevant LRMP Goal 4 and Objective 4.1.

Specific Issues Related to Policies

Policies 4.1.5 and 4.1.7

The existing Zoning Ordinance includes a 3-acre maximum lot size limit on Best Prime Farmland in the rural zoning districts. In some instances, implementing Policy 4.1.5 could result in lots larger than 3 acres. Proposed zoning ordinance provision 4.3.4G contains an exemption for those instances.

Policy 4.1.9

The existing Zoning Ordinance allows that a farm dwelling will pay no zoning permit fees. The basis of the decision of whether to allow an agricultural exemption from zoning permit fees should be the lot size at which the dwelling becomes accessory to the farming. A new zoning ordinance provision for a large minimum lot size for a farm dwelling is proposed to address this concern in Footnote 15 of Table 5.3 and Item 5.4.2 A.1.

Attachments

- A Relevant Policies
- B Diagrams Comparing By Right Lots Authorized by Existing Zoning Ordinance and as Authorized by Policy 4.1.5
- C Alternatives for Minimum Lot Size for Farm Dwellings
- D Strike-Out Version of Draft Zoning Ordinance Text Amendment

Attachment A

Relevant Policies

LRMP Policies 4.1.5 and 4.1.9 are policies under the LRMP Goal 4 and Goal 4 Objective 4.1, as stated below:

LRMP Goal 4 Champaign County will protect the long term viability of agriculture in Champaign County and its land resource base.

LRMP Objective 4.1 Champaign County will strive to minimize the fragmentation of the County's agricultural land base and conserve farmland, generally applying more stringent development standards on best prime farmland.

LRMP Policy 4.1.5

a. The County will allow landowner *by right development* that is generally proportionate to tract size, created from the January 1, 1998 configuration of tracts on lots that are greater than five acres in area, with:

- 1 new lot allowed per parcel less than 40 acres in area;
- 2 new lots allowed per parcel 40 acres or greater in area provided that the total amount of acreage of *best prime farmland* for new *by right* lots does not exceed three acres per 40 acres; and
- 1 authorized land use allowed on each vacant *good zoning lot* provided that public health and safety standards are met.

b. The County will not allow further division of parcels that are 5 acres or less in size.

LRMP Policy 4.1.7

To minimize the conversion of *best prime farmland*, the County will require a maximum lot size limit on new lots established as *by right development* on *best prime farmland*.

LRMP Policy 4.1.9

Establish a minimum lot size standard for a farm residence on agricultural land.

Attachment B

**Diagrams Comparing By Right Lots Authorized by Existing Zoning Ordinance
and as Authorized by Policy 4.1.5**

The substance of much of LRMP Policy 4.1.5 is already in place in the existing Zoning Ordinance. The primary Zoning Ordinance change necessary to implement Policy 4.1.5 is to limit the number of new lots allowed to be created by right on the January 1, 1998 configuration of tracts based on the limits indicated in Policy 4.1.5.

The example diagrams below illustrate the existing Zoning Ordinance by right lot creation allowance and the proposed zoning amendment to limit the by right lot creation allowance to implement LRMP Policy 4.1.5. All parcels shown are assumed to be in the configuration existing on January 1, 1998.*

5 ACRE PARCEL



Existing Zoning Ordinance (ZO):

- no lot division permitted

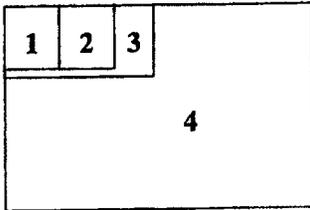
5 ACRE PARCEL



Proposed ZO:

- no lot division permitted

39 ACRE PARCEL

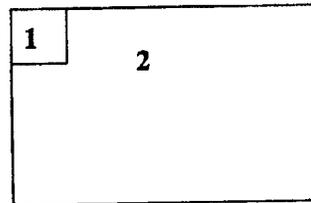


Existing ZO:

- 3 new lots can be created
- the leftover acreage counts as 1 lot

TOTAL # of potential by right lots: **4 lots**

39 ACRE PARCEL



Proposed ZO:

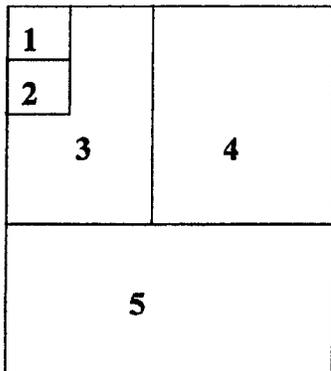
- 1 new lot can be created
- the leftover acreage counts as 1 lot

TOTAL # of potential by right lots: **2 lots**

* *Diagrams intended as illustrations only and are not drawn to scale*

Diagrams* (continued)

80 ACRE PARCEL

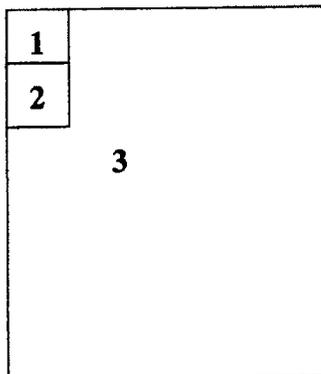


Existing ZO:

- 2 new lots can be created
- the leftover acreage counts as 1 lot
- plus two 35-acre (or larger) lots

TOTAL # of potential by right lots: **5 lots**

80 ACRE PARCEL

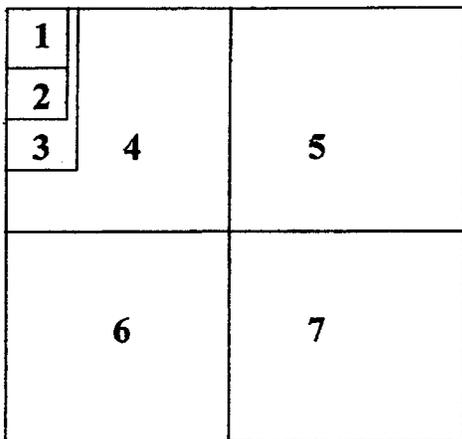


Proposed ZO:

- 2 new lots can be created
- the leftover acreage counts as 1 lot

TOTAL # of potential by right lots: **3 lots**

160 ACRE PARCEL

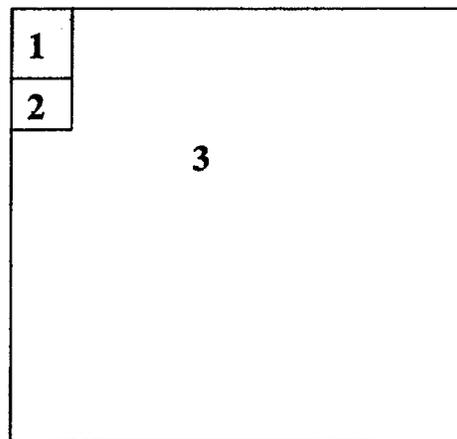


Existing ZO:

- 2 new lots can be created
- the leftover acreage counts as 1 lot
- plus four 35-acre (or larger) lots

TOTAL # of potential by right lots: **7 lots**

160 ACRE PARCEL



Proposed ZO:

- 2 new lots can be created
- the leftover acreage counts as 1 lot

TOTAL # of potential by right lots: **3 lots**

** Diagrams intended as illustrations only and are not drawn to scale*

Attachment C

Alternatives for Minimum Lot Size for Farm Dwellings

Under the existing Zoning Ordinance, new home construction can occur by right on a 35-acre or larger parcel of land, with no need to request County approval of a Rural Residential Overlay District (RRO). The existing Zoning Ordinance allows any number of 35-acre lots to be created for residential land use.

The existing zoning provision that allows any number of 35-acre lots to be created is not required by LRMP Policy 4.1.5. Someone wealthy enough to afford to purchase a 35-acre parcel of farmland in order to place a home on that parcel could claim the home is a farm dwelling and therefore an agriculture use, and then be exempted from the need for an RRO.

To best implement LRMP Policies 4.1.5 and 4.1.9, the County will need to establish a large minimum lot size for a farm dwelling. State law grants counties the authority to "...establish a minimum lot size for residences on land used for agricultural purposes" (55 ILCS 5/5-12001). The large minimum lot size for a farm dwelling would be the lot size on which a proposed farm dwelling is determined to be accessory to the agriculture land use.

Farmers will not be affected by the minimum lot size provision. The establishment of a dwelling for a farmer will continue to be exempt from the need to obtain an RRO.

Anyone who receives farming income from the tract of land on which they plan to build a home can try to claim the agriculture exemption and if the agriculture exemption is granted, the only zoning ordinance requirement that applies is the street setback. No permit fees can be charged for a farm dwelling.

Table C-1 describes various options for a proposed large minimum lot size for a farm residence. Staff recommends the County Board consider a minimum lot size for a farm dwelling that is larger than 35 acres, such as 40, 60, 70, or 80 acres.

Table C-1: Alternatives for Farm Dwelling Minimum Lot Size

35 Acres	<ul style="list-style-type: none"> ▶ A 35-acre lot size standard would allow a farm dwelling to be constructed on a vacant "remainder" portion of a parcel that previously was 40 acres in area as of January 1, 1998 and which, since then, has had the maximum of 3 new by right lots already created from it. ▶ 6,738 35-acre or larger tracts exist in Champaign County, as per the Champaign County database of existing parcels as of January 1, 2009.
40 Acres	<ul style="list-style-type: none"> ▶ A 40-acre minimum lot size requirement for a farm dwelling would represent a new standard. ▶ Forty acres is an easy-to-remember, round number ▶ more restrictive than current 35 acre exemption and would result in somewhat fewer claims for farm dwellings ▶ 5,985 40-acre or larger tracts exist in Champaign County, as per the Champaign County database of existing parcels as of January 1, 2009.

continued

Table C-1: Alternatives for Farm Dwelling Minimum Lot Size (continued)

70 Acres	<ul style="list-style-type: none"> ▶ A 70-acre minimum lot size requirement for a farm dwelling would represent a new standard. ▶ more restrictive than current 35 acre exemption and would result in fewer claims for farm dwellings ▶ 3,426 70-acre or larger tracts exist in Champaign County, as per the Champaign County database of existing parcels as of January 1, 2009.
80 Acres	<ul style="list-style-type: none"> ▶ An 80-acre minimum lot size requirement for a farm dwelling would represent a new standard. ▶ 80 acres is a size at which the traffic generated by the residence is small enough to not be a problem on any rural road. ▶ 80 acres is a size at which the number of driveways will be greatly minimized (only eight driveways per square mile). ▶ 80 acres is a size at which the density of dwellings is very low and drainage concerns should be minimal. ▶ 80 acres is a size at which the number of dwellings that result will be very few and there will be fewer conflicts with agriculture. ▶ 80 acres is more than twice as large as the current exemption and so it will reduce the number of lots that are exempt from the Ordinance. This is not related to the impacts of a dwelling, but is an added benefit and it means that not many lots will be exempt from paying fees. ▶ 2,650 80-acre or larger tracts exist in Champaign County, as per the Champaign County database of existing parcels as of January 1, 2009.

Attachment D

Strikeout Version of Draft Zoning Ordinance Text Amendment

1. Add a definition for 'best prime farmland', 'farmstead', 'parcel', and 'remainder area lot'.

Section 3.0 Definitions

BEST PRIME FARMLAND: Soils identified in the Champaign County Land Evaluation and Site Assessment (LESA) System with a Relative Value of 85 or greater and tracts of land with mixed soils that have a LESA System Land Evaluation rating of 85 or greater.

FARMSTEAD: That portion of a LOT that is or was occupied in 1988 by a lawful DWELLING and/or any ACCESSORY BUILDINGS and STRUCTURES or existing foundations thereof; and including any required YARD for any existing BUILDING or existing STRUCTURE that is or will no longer be in AGRICULTURE use; and also including any existing mature trees or lawn areas that were not in agricultural production in 1988. The area of a FARMSTEAD is the minimum dimensions required to encompass all BUILDINGS, STRUCTURES, foundations, mature trees, and lawn areas within a simple rectangular area.

PARCEL: A designated tract of land entered as a separate item on the real estate tax assessment rolls for the purpose of taxation.

REMAINDER AREA LOT: A 'remainder area lot' is that portion of a tract which existed as of January 1, 1998, that is BEST PRIME FARMLAND, and that is located outside of the boundaries of a LOT that is exempt from the requirement for establishment of the Rural Residential OVERLAY Zoning DISTRICT.

2. Add a Paragraph 4.3.4 G that consolidates existing and new zoning ordinance requirements for residential lots in the rural districts.

Subsection 4.3.4

G. Special requirements for residential LOTS in the AG-1, AG-2, and CR DISTRICTS that are not used for AGRICULTURE

1. LOTS created after June 22, 1999, in the AG-1, AG-2, and CR DISTRICTS shall conform to the requirements of Subsection 5.4.3 in regards to the requirement for the establishment of the Rural Residential Overlay District.
2. Minimizing the amount of BEST PRIME FARMLAND used for non-AGRICULTURE residential LOTS in the CR, AG-1 and AG-2 DISTRICTS
 - a. Any residential LOT on BEST PRIME FARMLAND in the CR, AG-1 and AG-2 DISTRICTS that is not used for AGRICULTURE shall not exceed a maximum of three acres in LOT AREA except as follows:
 - (1) Any LOT created out of any PARCEL that was 40 acres or larger and existed in the same dimensions and configurations on January 1, 1998,

may exceed three acres in LOT AREA provided that the total amount of BEST PRIME FARMLAND that is used for such LOTS shall not exceed three acres per 40 acres. Any FARMSTEAD area shall not count towards the three acres per 40 acre limit.

- (2) Any LOT created from a LOT that had a LOT AREA of 12 acres or less as of January 1, 1998.
- (3) Any LOT that includes a FARMSTEAD within the LOT AREA provided that the LOT AREA is no larger than the area of the FARMSTEAD.
- (5) Any LOT that is part of a Rural Residential Overlay District.
- (6) Any REMAINDER AREA LOT. No BY RIGHT CONSTRUCTION or BY RIGHT USE that requires a Zoning Use Permit shall be permitted on a REMAINDER AREA LOT.

- b. The total amount of BEST PRIME FARMLAND that can be used for non-AGRICULTURE residential LOTS in the CR, AG-1 and AG-2 DISTRICTS that are also in the Rural Residential Overlay DISTRICT shall not exceed a maximum of three acres plus three acres per 40 acres of the PARCEL from which the LOTS are created and that existed in the same dimensions and configurations as on January 1, 1998. Any FARMSTEAD area shall not count towards the three acres per 40 acre limit.

3. Revise the categories of "SUBDIVISIONS" under 'Residential Uses' in Section 5.2 as follows:

SUBDIVISION(S) of one lot from less than 40 acres or no more than two lots from 40 acres or greater totaling three LOTS or less

SUBDIVISION(S) of more than one lot from less than 40 acres or more than two lots from 40 acres or greater totaling more than three LOTS or with new STREETS or PRIVATE ACCESSWAYS

4. Revise Footnotes 9 and 10 in Section 5.2 as follows:

- 9. SUBDIVISION(S) of a PARCEL that existed on January 1, 1998, into no more than one lot per PARCEL that is less than 40 acres in area or no more than two lots per PARCEL that is 40 acres or greater in area. See also subsection 5.4.2. No more than three LOTS in total (in any number of subdivisions involving LOTS that are less than 35 acres in area) are allowed to be platted per parcel except as provided in Section 5.4.2.
- 10. SUBDIVISION(S) of a PARCEL that existed on January 1, 1998, into more than one lot per PARCEL that is less than 40 acres in area or more than two lots per PARCEL that is 40 acres or greater in area or with new STREETS or PRIVATE ACCESSWAYS. See also subsection 5.4.2. No SUBDIVISION shall be created

unless a Rural Residential OVERLAY DISTRICT has been created except as provided in Section 5.4.2

5. In Section 5.3, revise Footnote 13 to reference revised Paragraph "4.3.4 G" and add Footnote 15.

Section 5.3 Schedule of Area, Height and Placement Regulations by District

Zoning DISTRICTS	Minimum LOT Size ^{12, 15}		Maximum HEIGHT ^{4, 11}		Required YARDS (feet)					Maximum LOT COVERAGE	Special Provisions
	Area (square feet)	Average Width (feet)	Feet	Stories	Front Setback from STREET Centerline ³			SIDE ⁷	REAR ⁶		
					STREET Classification						
					MAJOR	COLLECTOR	MINOR				
AG-1 AGRICULTURE	1 Acre	200	50	NR ¹⁰	85	75	55	15	25	20%	(5), (13), (14)
AG-2 AGRICULTURE	20,000	100	50	NR ¹⁰	85	75	55	10	20	25%	(5), (13)
CR Conservation-Recreation	1 Acre	200	35	2 1/2	85	75	55	15	25	20%	(5), (13)
R-1 Single FAMILY Residence	9,000	80	35	2 1/2	85	75	55	10	20	30%	(5), (8)
R-2 Single FAMILY Residence	6,500	65	35	2 1/2	85	75	55	10	20	30%	(5), (8)
R-3 Two FAMILY Residence	6,500 for 1st d.u. ¹ 2,500 per additional d.u.	65	35	2 1/2	85	75	55	5	20	30%	(5)
R-4 Multiple FAMILY Residence	6,500 for 1st d.u. ¹ 2,000 per additional d.u.	65	50	NR ¹⁰	85	75	55	5	15	40%	(5), (9)
R-5 MANUFACTURED HOME PARK	SEE SPECIAL STANDARDS SECTION 6.2										
B-1 Rural Trade Center	6,500	65	NR ¹⁰	NR ¹⁰	85	75	55	10	20	50%	
B-2 Neighborhood Business	6,500	65	35	2 1/2	85	75	55	10	20	35%	(2)
B-3 Highway Business	6,500	65	40	3	85	75	55	5	20	40%	(2)
B-4 General Business	6,500	65	35	2 1/2	85	75	55	10	20	40%	(2)
B-5 Central Business	NR ¹⁰	NR ¹⁰	35	2 1/2	0	0	0	0	0	100%	(2)
I-1 Light Industry	10,000	100	75	NR ¹⁰	85	75	55	10	20	50%	(2)
I-2 Heavy Industry	20,000	150	150	NR ¹⁰	85	75	55	20	30	65%	(2)

Footnotes

1 - 12. [no changes proposed]

13. ~~The following maximum LOT AREA requirements apply in the CR, AG-1 and AG-2 DISTRICTS:~~
- A) ~~LOTS that meet all of the following criteria may not exceed a maximum LOT AREA of three acres:~~
- ~~1) The LOT is RRO exempt;~~
 - ~~2) The LOT has a Land Evaluation score greater than or equal to 85 on the County's Land Evaluation and Site Assessment System; and~~
 - ~~3) The LOT is created from a tract that had a LOT AREA greater than or equal to 12 acres as of January 1, 1998.~~
- B) ~~LOTS that meet both of the following criteria may not exceed an average maximum LOT AREA of two acres:~~
- ~~1) The LOT is located within a Rural Residential OVERLAY DISTRICT; and~~
 - ~~2) The LOT has a Land Evaluation score of greater than or equal to 85 on the County's Land Evaluation and Site Assessment System.~~
- C) ~~The following LOTS are exempt from the three acre maximum LOT AREA requirement indicated in Paragraph A:~~
- ~~1) A 'Remainder Area Lot.' A 'Remainder Area Lot' is that portion of a tract which existed as of January 1, 1998 and that is located outside of the boundaries of a RRO exempt LOT less than 35 acres in LOT AREA. No CONSTRUCTION or USE that requires a Zoning Use Permit shall be permitted on a 'Remainder Area Lot.'~~
 - ~~2) Any LOT greater than or equal to 35 acres in LOT AREA.~~

Refer to Paragraph 4.3.4 G for maximum LOT AREA limits on BEST PRIME FARMLAND in the CR, AG-1 and AG-2 DISTRICTS

14. [retain Footnote 14 as is]

15. The minimum lot size for a farm DWELLING that is used principally for AGRICULTURE is { 35 / 40 / 60 / 80 } acres.

7. Revise Subsection 5.4.2 as follows:

5.4 Rural Residential OVERLAY Zoning DISTRICT

5.4.2 Exemptions

- A. The following may be permitted in the CR, AG-1 and AG-2 DISTRICTS without the creation of a Rural Residential OVERLAY DISTRICT:
1. The creation of any number of LOTS greater than 35 that are each { 35 / 40 / 60 / 80 } acres or greater in area.
 2. ~~The creation of the first three LOT(S) ...area~~ created out of any PARCEL of land that existing existed in the same dimensions and configurations as on January 1, 1998, ~~provided...LOTS.~~ and that comply with the following limits:

- a. One new LOT out of any PARCEL that was more than five acres but less than 40 acres in area on January 1, 1998.
- b. No more than two new LOTS out of any PARCEL that was 40 acres or greater in area provided that the total amount of BEST PRIME FARMLAND occupied by the new LOTS does not exceed three acres per 40 acres of PARCEL existing in the same dimensions and configurations as on January 1, 1998.
- c. The leftover acreage of any PARCEL that existed on January 1, 1998, after the division of LOTS authorized in either (a) or (b) above and that conforms to all other requirements.
- d. Any LOT that is created pursuant to a mortgage for any reason must either conform to the requirements above or be in an established Rural Residential OVERLAY Zoning DISTRICT.

(NOTE: Proposed Item d (above) is recommended to close a loophole in the current Ordinance related to lots that are created to meet mortgage underwriting requirements that limit the acreage allowed to be included in a home mortgage. If this change is not made the loophole will continue to exist.)

3. ——— No lot that is 5 acres or less in area may be further divided.

(NOTE: The proposed deletion of Item 3 (above) is minor editing. This requirement has been relocated to Section 4 under the revised paragraph 4.3.4 G.)

4. 3. The creation of any number of LOTS contained in a SUBDIVISION having received preliminary plat approval prior to June 22, 1999 for which preliminary plat approval remains in effect.
4. Any LOT that was lawfully created prior to {effective date} that was in full conformance with similar limits that were in affect at the time the LOT was created.

(NOTE: Proposed Item 4 (above) is not specifically related to any new policy, but is recommended because it clarifies that lots that were lawfully created under all previous limits are grandfathered. This is not a change from practice.)

Date: August 30, 2010

To: Champaign County Board Committee of the Whole Members

From: Susan Monte, CCRPC Planner
John Hall, Director, Champaign County Department of Planning & Zoning

Regarding: Direction to Zoning Administrator Regarding Proposed Zoning Ordinance Text Amendment

Request: Conduct a Champaign County Zoning Ordinance Text Amendment implementing Policies 4.1.6 and 4.3.1 - 4.3.4 of the Land Resource Management Plan

Background

On April 22, 2010, the Board adopted the Champaign County Land Resource Management Plan (LRMP). On June 8, 2010, the Committee of the Whole approved the remaining FY 2010 planning contract work plan. The remaining FY 2010 work plan includes the task of amending the *Champaign County Zoning Ordinance* to include provisions of the following specific LRMP objectives and policies: Policies 4.1.5 and 4.1.6; Policy 4.1.9; Policies 4.3.1 - 4.3.4 and Objective 4.4.

This memorandum describes the proposed zoning text amendments intended to represent the changes to the Zoning Ordinance needed to implement LRMP Policies 4.1.6 and 4.3.1 - 4.3.4. If authorized by the Committee, the proposed zoning ordinance text amendments will proceed to public hearing review to be held by the ZBA.

<i>LRMP Policy</i>	<i>Brief Description</i>
Policy 4.1.6	discretionary residential development limit on best prime farmland
Policy 4.3.1	'suited overall' site suitability standard for discretionary review on other than best prime farmland
Policy 4.3.2	'well suited overall' site suitability standard for discretionary review on best prime farmland
Policy 4.3.3	'adequate public services' site suitability criteria for discretionary review
Policy 4.3.4	'adequate public infrastructure' site suitability criteria for discretionary review

Attachment A includes the complete text of Policies 4.1.6 and Policies 4.3.1 - 4.3.4, and text of the directly relevant LRMP Goal 4 and Objective 4.1.

Specific Issues Related to Policies

Policy 4.1.6

Policy 4.1.6 introduces a guiding concept 'minimizing the conversion of farmland' which is somewhat similar to the existing review factor that '...proposed residential development should be compatible with surrounding agriculture.' A new guiding concept introduced in Policy 4.1.6 is 'minimizing the disturbance of natural areas'.

LRMP Policy 4.1.6 calls for the establishment of a limit regarding the amount of best prime farmland (BPF) conversion that may occur with residential discretionary development. The limit on the amount of BPF converted for residential development is 3 acres, inclusive of by right lots created, plus 3 acres for each 40 acres, inclusive of by right lots created, with an overall cap of 12 acres. Attachment B provides a description of the Policy 4.1.6 limits as applied to various parcel sizes.

Policies 4.3.1 - 4.3.4

LRMP Policies 4.3.1 - 4.3.4 specifically address site suitability standards and are relevant to the LRMP Policy 4.1.6 proposed guiding concepts that are intended to serve as a basis for County review of discretionary development:

- ▶ suitability of the site for the proposed use
- ▶ adequacy of infrastructure and public services for the proposed use
- ▶ minimizing conflict with agriculture
- ▶ minimizing the conversion of farmland
- ▶ minimizing the disturbance of natural areas

Attachments

- A Relevant Policies
- B Limits on Total Numbers of Potential Residential Lots and on Conversion of Best Prime Farmland
- C Strike-Out Version of Draft Zoning Ordinance Text Amendment

Attachment A

Relevant Policies

LRMP Policies 4.1.6 and 4.3.1 - 4.3.4 are policies under the LRMP Goal 4 and Goal 4 Objective 4.1, and Objective 4.3, as stated below:

LRMP Goal 4 Champaign County will protect the long term viability of agriculture in Champaign County and its land resource base.

LRMP Objective 4.1 Champaign County will strive to minimize the fragmentation of the County's agricultural land base and conserve farmland, generally applying more stringent development standards on best prime farmland.

LRMP Policy 4.1.6

Provided that the use, design, site and location are consistent with County policies regarding:

- i. suitability of the site for the proposed use;
- ii. adequacy of infrastructure and public services for the proposed use;
- iii. minimizing conflict with agriculture;
- iv. minimizing the conversion of farmland; and
- v. minimizing the disturbance of natural areas,

then,

a) on *best prime farmland*, the County may authorize discretionary residential development subject to a limit on total acres converted which is generally proportionate to tract size and is based on the January 1, 1998 configuration of tracts, with the total amount of acreage converted to residential use (inclusive of *by-right development*) not to exceed three acres plus three acres per each 40 acres (including any existing right-of-way), but not to exceed 12 acres in total; or

b) on *best prime farmland*, the County may authorize non-residential *discretionary development*; or

c) the County may authorize *discretionary review* development on tracts consisting of other than *best prime farmland*.

LRMP Objective 4.3 Champaign County will require that each *discretionary review* development is located on a suitable site.

LRMP Policy 4.3.1

On other than *best prime farmland*, the County may authorize a *discretionary review* development provided that the site with proposed improvements is *suited overall* for the proposed land use.

LRMP Policy 4.3.2

On *best prime farmland*, the County may authorize a *discretionary review* development provided the site with proposed improvements is *well-suited overall* for the proposed land use.

LRMP Policy 4.3.3

The County may authorize a *discretionary review* development provided that existing public services are adequate to support to the proposed development effectively and safely without undue public expense.

LRMP Policy 4.3.2

The County may authorize a *discretionary review* development provided that existing public infrastructure, together with proposed improvements, is adequate to support the proposed development effectively and safely without undue public expense.

Attachment B

Proposed Total Numbers of Potential Residential Lots and Limits on Conversion of Best Prime Farmland

The proposed limits are proportionate to the size of a tract as it existed on January 1, 1998, with an upper cap of 12 acres in total of BPF that could be converted to residential use (either by right or discretionary) on parcels 120 acres or larger.

Table B-1: Proposed Total Numbers of Potential Residential Lots and Limits on Conversion of Best Prime Farmland

Parcel Size ¹ (acres)	Proposed zoning amendment to implement LRMP Policies 4.1.5 and 4.1.6 (1 + 1 per 40 with cap of 2 By Right lots and limited RRO ² lots on BPF ²) to result in the following total numbers of potential residential lots and limits on BPF conversion:
10	1 lot by right, plus leftover acreage as a second lot, plus 2 potential RRO lots if approved 3 acres total is the maximum conversion of best prime farmland allowable
20	1 lot by right, plus leftover acreage as a second lot, plus 2 potential RRO lots if approved 3 acres total is the maximum conversion of best prime farmland allowable
30	1 lot by right, plus leftover acreage as a second lot, plus 2 potential RRO lots if approved 3 acres total is the maximum conversion of best prime farmland allowable
40	2 lots by right, plus leftover acreage as a third lot, plus 3 potential RRO lots ³ if approved 6 acres total is the maximum conversion of best prime farmland allowable
50	2 lots by right, plus leftover acreage as a third lot, plus 3 potential RRO lots ³ if approved 6 acres total is the maximum conversion of best prime farmland allowable
60	2 lots by right, plus leftover acreage as a third lot, plus 3 potential RRO lots ³ if approved 6 acres total is the maximum conversion of best prime farmland allowable
80	2 lots by right, plus leftover acreage as a third lot, plus 6 potential RRO lots ³ if approved 9 acres total is the maximum conversion of best prime farmland allowable
100	2 lots by right, plus leftover acreage as a third lot, plus 6 potential RRO lots ³ if approved 9 acres total is the maximum conversion of best prime farmland allowable
120	2 lots by right, plus leftover acreage as a third lot, plus 9 potential RRO lots ³ if approved 12 acres total is the maximum conversion of best prime farmland allowable
160	2 lots by right, plus leftover acreage as a third lot, plus 9 potential RRO lots ³ if approved 12 acres total is the maximum conversion of best prime farmland allowable

Table B-1 Notes:

1. Based on parcel configuration as of January 1, 1998.
2. RRO = Rural Residential Overlay District and BPF = Best Prime Farmland
3. When a new street is required on a parcel, the number of potential RRO lots on parcels 40 acres and greater would be reduced by at least one potential RRO lot.

Attachment C

Strikeout Version of Draft Zoning Ordinance Text Amendment

1. Add a definition for 'best prime farmland', 'suited overall', and 'well suited overall'..

3.0 Definitions

BEST PRIME FARMLAND: Soils identified in the Champaign County Land Evaluation and Site Assessment (LESA) System with a Relative Value of 85 or greater and tracts of land with mixed soils that have a LESA System Land Evaluation rating of 85 or greater.

SUITED OVERALL: A discretionary review performance standard to describe the site on which a development is proposed. A site may be found to be 'suited overall' if the site meets these criteria:

- the site features or site location will not detract from the proposed use;
- the site will not create a risk to the health, safety or property of the occupants, the neighbors or the general public;
- the site is not clearly inadequate in one respect even if it is acceptable in other respects;
- necessary infrastructure is in place or provided by the proposed development; and
- available public services are adequate to support the proposed development effectively and safely.

WELL SUITED OVERALL: A discretionary review performance standard to describe the site on which a development is proposed. A site may be found to be 'well-suited overall' if the site meets these criteria:

- the site is one on which the proposed development can be safely and soundly accommodated using simple engineering and common, easily maintained construction methods with no unacceptable negative affects on neighbors or the general public; and
- the site is reasonably well-suited in all respects and has no major defects.

2. Add new Subsection 5.4.3 with limits as outlined in LRMP Policy 4.1.6

5.4 Rural Residential OVERLAY Zoning DISTRICT

5.4.3 Limit on Amount of BEST PRIME FARMLAND Acres Converted

- A. On BEST PRIME FARMLAND, the County may authorize discretionary residential development subject to a limit on total acres converted which is generally proportionate to tract size and is based on the January 1, 1998 configuration of tracts, with the total amount of acreage converted to residential USE (inclusive of BY RIGHT development) not to exceed three acres, plus three acres per each additional 40 acres of PARCEL (including any existing RIGHT-OF-WAY), but not to exceed 12 acres in total.
- B. Any FARMSTEAD area shall not count towards the three acres per 40 acre limit.

3. Revise Subsection 5.4.4 to include factors described in LRMP Policies 4.3.1-4.3.4

5.4.3 4 Establishment of the Rural Residential OVERLAY Zoning DISTRICT

C. BOARD Findings

1. The BOARD shall make the following findings before forwarding a recommendation to the GOVERNING BODY with respect to a map amendment case to create a Rural Residential OVERLAY DISTRICT:
 - a. That the proposed site is or is not suitable for the development of the specified maximum number of residences.
 - b. That the proposed residential development will or will not be compatible with surrounding AGRICULTURE.
2. In making findings, the BOARD shall consider the following factors:
 - a. The adequacy and safety of roads providing access to the site and infrastructure (e.g., drainage systems, culverts, bridges) to support the proposed development;
 - b. Effects on nearby farmland and farm operations;
 - c. Effects of nearby farm operations on the proposed residential development;
 - d. The LESA score of the subject site;
 - e. Effects on drainage both upstream and downstream including road drainage facilities;
 - f. The suitability of the site for onsite subsurface soil absorption or surface discharge wastewater systems;
 - g. The availability of water supply to this site;
 - h. ~~The availability of emergency services to the site;~~ adequacy of available public services (i.e., police protection, fire protection, and emergency ambulance service) to support the proposed development;
 - i. The flood hazard status of the site;
 - j. ~~The amount of disturbance to~~ Effects on wetlands, historic or archeological sites, natural or scenic areas or wildlife habitat;
 - k. The presence of nearby natural or man-made hazards; and
 - l. The amount of land to be converted from agricultural USES versus the number of DWELLING UNITS to be accommodated.

4. *Add Special Use criteria to Subsection 9.1.11 that include the standards of LRMP Policies 4.3.1 - 4.3.4*

9.1.11 SPECIAL USES

B. SPECIAL USE Criteria

A SPECIAL USE Permit shall not be granted by the BOARD unless the public hearing record and written application demonstrate:

1. that it is necessary for the public convenience at that location;
2. that it is so designed, located, and proposed as to be operated so that it will not be injurious to the DISTRICT in which it shall be located or otherwise detrimental to the public welfare;
3. that the subject property is on BEST PRIME FARMLAND and the site with proposed improvements is WELL SUITED OVERALL for the proposed SPECIAL USE; or the subject property is on other than BEST PRIME FARMLAND and the site with proposed improvements is SUITED OVERALL for the proposed SPECIAL USE;
4. that existing public services are adequate to support the proposed SPECIAL USE effectively and safely without undue public expense;
5. that existing public infrastructure, together with proposed improvements, is adequate to support the proposed development effectively and safely without undue public expense;
3. 6. that it conforms to the applicable regulations and standards of and preserves the essential character of the DISTRICT in which it shall be located, except where such regulations and standards are modified by Section 6.
4. 7. that granting the SPECIAL USE is in harmony with the general purpose and intent of this ordinance.
5. 8. that, in the case of an existing NONCONFORMING USE, it will make such USE more compatible with its surroundings.
6. 9. approval of a SPECIAL USE Permit shall authorize USE, CONSTRUCTION and operation only in a manner that is fully consistent with all testimony and evidence submitted by the petitioner or petitioner's agent(s).

Date: August 31, 2010

To: Champaign County Board Committee of the Whole Members

From: Susan Monte, CCRPC Planner
John Hall, Director, Champaign County Department of Planning & Zoning

Regarding: Direction to Zoning Administrator Regarding Proposed Zoning Ordinance Text Amendment

Request: Conduct a Champaign County Zoning Ordinance Text Amendment implementing Objective 4.4 of the Land Resource Management Plan

Background

On April 22, 2010, the Board adopted the Champaign County Land Resource Management Plan (LRMP). On June 8, 2010, the Committee of the Whole approved the remaining FY 2010 planning contract work plan. The remaining FY 2010 work plan includes the task of amending the *Champaign County Zoning Ordinance* to include provisions of the following specific LRMP objectives and policies: Policies 4.1.5 and 4.1.6; Policy 4.1.9; Policies 4.3.1 - 4.3.4 and Objective 4.4.

This memorandum describes the proposed zoning text amendments intended to represent the changes to the Zoning Ordinance needed to implement LRMP Objective 4.4. If authorized by the Committee, the proposed zoning ordinance text amendments will proceed to public hearing review to be held by the ZBA.

<i>LRMP Objective 4.4</i>	<i>Brief Description</i>
	special use added to discretionary review for rural residential overlay

Attachment A includes the complete text of Objective 4.4, and text of the directly relevant LRMP Goal 4.

Specific Issues Related to Objective 4.4

State's Attorney Review

The existing Rural Residential Overlay District (RRO) zoning provisions were found by the State's Attorney to be potentially susceptible to legal challenges for the following reasons:

- 1) The existing RRO review procedure involves obtaining a zoning map amendment (a rezoning). The ability to impose conditions on a rezoning request is very limited. A condition of rezoning (conditional zoning) must be carefully constructed in order to be considered as valid. The validity of a condition is questionable in each of the following circumstances: if a condition is specific and not general; if there is nothing about a particular site that makes it uniquely suited to a residence; if there is not an overall public benefit to be gained; if the proposed zoning is inconsistent with a comprehensive plan; if it appears that the County is engaged in negotiations with a property owner for concessions in exchange for a zoning classification (e.g, contract zoning); or if a condition improperly delegates County zoning authority to a private party (e.g., if the property owner is required to enter into a restrictive covenant as a condition of RRO).

2) The existing RRO zoning provisions were found by the State's Attorney to be potentially susceptible to legal challenges because, over time, the RRO system of review may result in a pattern of land use which, if taken alone, could suggest that spot zoning is occurring. A special use review – either in lieu of or in conjunction with a rezoning – could more effectively assure that a residential subdivision is compatible with the surrounding area. For example, if a special use is granted to allow a residence, findings will have been made that the proposed residence is compatible with the surrounding land uses.

The limitations of the existing RRO zoning provisions outlined by the State's Attorney can be specifically addressed by proposing that a Special Use be required in addition to a rezoning. This additional special use requirement: 1) allows more flexibility in imposing standard or special conditions; 2) more effectively assures that proposed residential development is compatible with the surrounding area; 3) allows for clearly defining landowners rights at each stage of the approval process, and 4) facilitates a more streamlined approval process by limiting the cases that have to go to the County Board by meshing with the subdivision approval process.

County Board Special Use or ZBA Special Use

At the September 7 Committee of the Whole meeting, members will be asked to consider whether the Special Use to be required for a Rural Residential Development should be what is referred to as a "County Board Special Use" or a Special Use that can be approved by the ZBA.

Special Use Standard Conditions

Staff proposes certain standard conditions for a Special Use request for a Rural Residential Development. (Refer to Attachment C.) The standard conditions serve to alert the applicant to potential costs that may need to be incurred should specific site conditions warrant.

Attachments

- A Relevant Policies
- B Proposed Special Use Standard Conditions for a Rural Residential Overlay
- C Strike-Out Version of Draft Zoning Ordinance Text Amendment

Attachment A

Relevant Policies

LRMP Objective 4.4 is an objective under the LRMP Goal 4, as stated below:

LRMP Goal 4 Champaign County will protect the long term viability of agriculture in Champaign County and its land resource base.

LRMP Objective 4.4

Champaign County will update County regulations that pertain to *rural residential discretionary review* developments to best provide for site specific conditions by 2010.

Attachment B

Proposed Special Use Standard Conditions for a Rural Residential Development

The following proposed special use standard conditions address potential needs, only if they are applicable to the proposed Rural Residential Development:

1. Each residential LOT in the Rural Residential Development shall have at least one acre of buildable area that is not in the Special Flood Hazard Area.
2. More than two residential LOTS that are no larger than six acres in aggregate area shall front a new STREET that shall meet the standards of the relevant SUBDIVISION jurisdiction.
3. LOTS that front on and have access to existing STREETS shall have driveways co-located with other driveways as much as possible and each pair of co-located driveways shall not be closer than {600} feet to other driveways in the same Rural Residential Development that front existing STREETS.
4. Any DWELLING located more than {140} feet from a STREET shall have a minimum 20 feet wide driveway consisting of a minimum of six inches of gravel or similar all weather surface that shall be maintained with a vertical clearance of 13 feet six inches and with a minimum 20 feet by 40 feet turnaround area for emergency vehicles.
5. If so advised by the Illinois State Water Survey (ISWS) Center for Groundwater Science, the applicant shall contract the services of the ISWS to conduct or to provide a review the results of a recent groundwater investigation to determine if adequate groundwater resources exist on the site for the proposed RRO, without endangering groundwater availability for the existing neighboring residences.
6. If the proposed RRO is located in a 'high probability area' as defined as defined in the Illinois State Agency Historic Resources Preservation Act (20 ILCS 3420/), the applicant shall notify the Illinois State Historic Preservation Agency (ISHPA) to request information regarding whether the proposed site is a known cemetery or human burial site, and shall provide a copy of the ISHPA response.
7. If, upon notification regarding the proposed RRO, the Illinois Department of Natural Resources (IDNR) determines that potential adverse effects are possible to endangered or threatened species that may be present as a result of the proposed RRO and requests additional information about the proposed RRO, the applicant shall provide the additional requested information.

Attachment C

Strikeout Version of Draft Zoning Ordinance Text Amendment

1. *Revise Section 5.4.3 to establish requirement for a { County Board Special Use / Special Use } in addition to a rezoning for a Rural Residential Overlay District.*

5.4.3 4 Establishment of the Rural Residential OVERLAY Zoning DISTRICT

- A. The establishment of the Rural Residential OVERLAY Zoning DISTRICT is an amendment to the *Champaign County Zoning Ordinance* and shall be implemented in accord with the provisions of Subsection 9.2 as modified herein.
- B. A { County Board Special Use / Special Use } approval for a Rural Residential Development is also required and shall be implemented in accordance with the provisions of Subsection 9.1.11 as modified herein.
- C. The Rezoning Approval and Special Use Approval stages must occur concurrently.
- B. D. The adoption of Rural Residential OVERLAY Zoning shall augment the provisions of the underlying DISTRICT but shall not alter any requirement otherwise applicable to the tract of land except as provided by this section.
- € E. BOARD Findings

2. Add { County Board Special Use / Special Use } requirement for a Rural Residential Development Subdivision

Section 5.2 Table of Authorized Principal USES

Principal USES	Zoning DISTRICTS										Zoning DISTRICTS				
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2
Residential Uses															
BOARDING HOUSE								S							
DWELLING, SINGLE FAMILY														7	
DWELLING, TWO-FAMILY			S	S	S										
DWELLING, MULTI-FAMILY															
Fraternity, Sorority, or Student Cooperative															
Dormitory															
Home for the aged			S												
NURSING HOME			S												
MANUFACTURED HOME PARK									S						
HOTEL - No more than 15 LODGING UNITS	S	S	S							S				S	
HOTEL - over 15 LODGING UNITS															
TRAVEL TRAILER Camp			S												
Residential PLANNED UNIT DEVELOPMENT		S	S	S	S	S	S	S							
MANUFACTURED HOME in MANUFACTURED HOME PARK															
<u>SUBDIVISION(S) of one lot from less than 40 acres or no more than two lots from 40 acres or greater totaling three LOTS or less</u>	g	g	g												
<u>SUBDIVISION(S) of more than one lot from less than 40 acres or more than two lots from 40 acres or greater totaling more than three LOTS or with new STREETS or PRIVATE ACCESSWAYS</u>	B ¹⁰	B ¹⁰	B ¹⁰												

3. Revise Footnote 10 in Section 5.2 as follows:

- No SUBDIVISION(S) of a PARCEL that existed on January 1, 1998, into more than one lot per PARCEL that is less than 40 acres in area or more than two lots per PARCEL that is 40 acres or greater in area or with new STREETS or PRIVATE ACCESSWAYS shall be created unless a Rural Residential OVERLAY DISTRICT has been created and a Rural Residential Development County Board Special Use Permit has been authorized.. See Section 5.4. No SUBDIVISION shall be created unless a Rural Residential OVERLAY DISTRICT has been created except as provided in Section 5.4.2

4. Add Special Use Standard Conditions for the category 'Rural Residential Development County Board Special Use'

6.1.3 Schedule of Requirements and Standard Conditions

The numbers in parentheses within Table 6.1.3 indicate Footnotes at the conclusion of Table 6.1.3.

SPECIAL USES or USE Categories	Minimum Fencing Required ⁶	Minimum LOT Size		Maximum HEIGHT		Required YARDS (feet)					Explanatory or Special Provisions
		AREA (Acres)	Width (feet)	Feet	Stories	Front Setback from STREET Centerline ²			SIDE	REAR	
						STREET Classification					
					MAJOR	COLLECTOR	MINOR				
<u>Rural Residential Development County Board Special Use Permit</u>	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	See below
<p><u>1. Each residential LOT in the Rural Residential Development shall have at least one acre of buildable area that is not in the Special Flood Hazard Area.</u></p> <p><u>2. More than two residential LOTS that are no larger than six acres in aggregate area shall front a new STREET that shall meet the standards of the relevant SUBDIVISION jurisdiction.</u></p> <p><u>3. LOTS that front on and have access to existing STREETS shall have driveways co-located with other driveways as much as possible and each pair of co-located driveways shall not be closer than { 600 } feet to other driveways in the same Rural Residential Development that front existing STREETS.</u></p> <p><u>4. Any DWELLING located more than {140} feet from a STREET shall have a minimum 20 feet wide driveway consisting of a minimum of six inches of gravel or similar all weather surface that shall be maintained with a vertical clearance of 13 feet six inches and with a minimum 20 feet by 40 feet turnaround area for emergency vehicles.</u></p> <p><u>5. If so advised by the Illinois State Water Survey (ISWS) Center for Groundwater Science, the applicant shall contract the services of the ISWS to conduct or to provide a review the results of a recent groundwater investigation to determine if adequate groundwater resources exist on the site for the proposed RRO, without endangering groundwater availability for the existing neighboring residences.</u></p> <p><u>6. If the proposed RRO is located in a 'high probability area' as defined as defined in the Illinois State Agency Historic Resources Preservation Act (20 ILCS 3420/), the applicant shall notify the Illinois State Historic Preservation Agency (ISHPA) to request information regarding whether the proposed site is a known cemetery or human burial site, and shall provide a copy of the ISHPA response.</u></p> <p><u>7. If, upon notification regarding the proposed RRO, the Illinois Department of Natural (IDNR) determines that potential adverse effects are possible to endangered or threatened species that may be present as a result of the proposed RRO and requests additional information about the proposed RRO, the applicant shall provide the additional requested information.</u></p>											



Date: May 28, 2010
To: ELUC/Committee of the Whole Members
From: Susan Chavarria, Regional Planning Manager
Regarding: Proposed FY11 County Planning Contract Work Plan
Action Requested: Approval

Champaign County has an annually renewed contract with Champaign County Regional Planning Commission for planning and technical services. The contract amount since 2008 has remained steady at \$76,169. From FY 2008 through FY2010, this contract was used primarily for creating the Land Resource Management Plan and for coordinating countywide recycling activities. Starting in FY11, the focus moves toward implementing the LRMP and other tasks such as sustainability, continued recycling coordination, grant writing and research, and miscellaneous requests. Attachment A to this memo contains the proposed FY11 work plan.

Attachment B contains the proposed work plan specific to LRMP implementation for the remainder of FY10 and for FY11. The proposed work plan was completed in coordination with John Hall, Zoning Director. As per the request of County Board members, cost and time estimates are provided for each proposed task. FY10 includes nine activities that we believe can be achieved based on staff availability. It is possible that approval processes for the work the planner does in each task will not be finalized by the end of the fiscal year. For FY11, there are over 20 activities that we propose to undertake.

CCRPC staff would appreciate your input and finalization of the county planning contract work plan, including the LRMP implementation work tasks that will take us through November 2011.

COUNTY PLANNING CONTRACT FOR FY11

December 1, 2010 through November 30, 2011

Proposed Tasks for FY11	Hours	Cost
LRMP Implementation Working with ELUC and county staff, priority implementation items will be identified that CCRPC planners can implement given time and resources. <i>Typical activities: See Attachment B</i>	875	\$43,750
County Sustainability Initiative County staff members have expressed interest in making our facilities more sustainable. CCRPC's sustainability coordinator can help implement the County's sustainability plan. <i>Typical activities: monitoring sustainability efforts and helping county departments achieve their sustainability goals as established in the County Sustainability Plan that is currently in progress</i>	200	\$9,000
General Planning Support CCRPC staff members provide general planning support for tasks identified by County committees or County Departments that CCRPC planners can research or implement. <i>Typical activities: annual update of the County's Multi-jurisdictional Natural Hazard Mitigation Plan, research on topics of importance to the County Board and/or County Departments, Solid Waste Plan</i>	150	\$7,500
Recycling Events Coordination Countywide recycling collection initiatives with growing support of municipalities and partnerships with local entities have been spearheaded through the County contract for the last couple of years. Current challenges include seeking means to accommodate the ongoing need for household hazardous waste collections. <i>Typical activities: In 2010, quarterly recycling events coordination and working with other municipalities</i>	150	\$7,500
Funding Sources Research County Board and/or County departments may solicit research for funding sources. CCRPC staff can research and in many cases write grant applications to remove some burden from County staff. <i>Typical activities: 2007 Hazard Mitigation Plan grant application, searching for county facilities improvement funding</i>	100	\$5,000
Administration (budgeting, work plan)	25	\$1,419
Non-staff expenses (Supplies, Services, Capital Outlay) <i>Typical expenses: printing finished documents such as the LRMP, purchasing research materials, office supplies, yearly subscriptions/memberships, etc.</i>		\$2,000
TOTAL	1500	\$76,169

Under the proposed work plan, the county would not be limited to working with one planner; rather, it will have the varied experience of several RPC planners to complete tasks. For FY11, the work plan proposes providing approximately 1,500 hours in planning services for the County. No increase in the planning contract has occurred since 2008. Estimated costs include fringe and indirect expenses.

County Board members may direct staff toward other tasks by reducing hours or removing tasks from above at the time of approval, or by adding tasks during the year under the "Miscellaneous County Requests" item to which 150 hours are proposed. Other tasks which Board members may like to consider, but are not limited to, include:

- Formulating a scope of services for a countywide transportation plan (40 hours, \$2,366)
- Completing research on topics of interest to the County Board and/or County departments (\$50/hour)

Recommended priorities from LRMP for remaining FY10

ONGOING TASKS FOR COUNTY PLANNER

These are items which the County Planner is already doing and that should continue.

1. Priority Item 9.4a - Develop Champaign County webpage to achieve provisions of Objective 9.4: *Champaign County will promote efficient resource use and re-use and recycling of potentially recyclable materials.*

Estimated planner hours to implement: **30**
 Estimated cost to implement: **\$1,500 plus \$750 for IT Department work = \$2,250**
 Resources needed to implement:
County planner will create content and preliminary layout for web pages; IT department will create pages from existing county template, insert text that planner creates, and finalize content with planner and County administration

Estimated hours to administer once implemented: **5 per year plus 5 County IT hours**
 Estimated cost to administer: **\$236 plus \$250 = \$486**
 Resources needed to administer:
Changes will be made as new information becomes available.

2. Multiple Priority Items - Monitor and pursue potential funding opportunities to achieve provisions of GOPs.

Estimated planner hours to implement: **75**
 Estimated cost to implement: **\$3,750**
 Resources needed to implement:
Cost assumes researching funding sources and responding to one average grant opportunity. If more funding applications become available, each is unique and will consume a unique amount of time by the county planner; grant applications will require approval of County Committee of the Whole and full County Board.

Estimated hours to administer once implemented: **If a grant is received, assume 30 hours to administer grant**
 Estimated cost to administer: **\$1,500**
 Resources needed to administer:
Potential budget amendment and setting up account.

3. Identifying LRMP implementation tasks for upcoming fiscal year.

Estimated planner hours to implement: **40**
 Estimated cost to implement: **\$2,000**
 Resources needed to implement: **This task assumes that the planning contract will be renewed between the County and CCRPC. Input from Committee of the Whole and approval by full County Board will be necessary.**

Estimated hours to administer once implemented: **none**
 Estimated cost to administer: **none**
 Resources needed to administer: **none**

ONGOING FOR OTHERS, NEW TASKS FOR COUNTY PLANNER –

These are items which will be included in current and future annual planning contract work plans.

4. Priority Item 7.2.4b - Participate in the Greenways and Trails Committees that are coordinated by CCRPC.

Estimated planner hours to implement: **15**
 Estimated cost to implement: **\$750**
 Resources needed to implement: **Cost assumes quarterly meetings.**

Estimated hours to administer once implemented: **none**
 Estimated cost to administer: **none**
 Resources needed to administer: **none**

5. Priority Item 8.4.1b - Maintain an inventory of local and regional watershed plans to provide to the CCDPZ for review of applicable recommendations of local and regional watershed plans in *discretionary review* of new development.

Estimated planner hours to implement: **15**
 Estimated cost to implement: **\$750**
 Resources needed to implement: **none**

Estimated hours to administer once implemented: **none**
 Estimated cost to administer: **none**
 Resources needed to administer: **none**

6. Priority Item 5.3.3 - Submit a proposal to ELUC, County Board and CCRPC regarding County participation in a regional cooperative approach to identifying and assessing incremental costs of public utilities and services imposed by new development.

(Note: CCRPC is currently undertaking an analysis of locally funded infrastructure projects; this priority item should include County Planner time in reviewing the CCRPC work and documents and reporting back to the County for any necessary input.)

Estimated planner hours to implement: **10**
 Estimated cost to implement: **\$500**
 Resources needed to implement: **none**

Estimated hours to administer once implemented: **none**
 Estimated cost to administer: **none**
 Resources needed to administer: **none**

NEW TASKS FOR COUNTY PLANNER

7. Priority Item 3.1b - Review fees of similar Illinois counties and propose adjustments to Champaign County fees, as appropriate.

(Note: This is a zoning ordinance amendment suggested for immediate implementation, based on previous recommendation of assistant state's attorney and some work having already been done on the ordinance amendment several years ago.)

Estimated planner hours to implement: **100**

Estimated cost to implement: **\$5,000**

Resources needed to implement:

All zoning ordinance amendments must go through Committee of the Whole, full County Board, and Zoning Board of Appeals. This particular proposed amendment is not anticipated to be controversial, so proposed costs are less than average.

Estimated hours to administer once implemented: **none**

Estimated cost to administer: **none**

Resources needed to administer: **none**

8. Amend *Champaign County Zoning Ordinance* to include provisions of GOPs.
- Policy 4.1.5 –
 - a. *The County will allow landowner by right development that is generally proportionate to tract size, created from the January 1, 1998 configuration of tracts on lots that are greater than five acres in area, with:*
 - *1 new lot allowed per parcel less than 40 acres in area;*
 - *2 new lots allowed per parcel 40 acres or greater in area provided that the total amount of acreage of best prime farmland for new by right lots does not exceed three acres per 40 acres; and*
 - *1 authorized land use allowed on each vacant good zoning lot provided that public health and safety standards are met.*
 - b. *The County will not allow further division of parcels that are 5 acres or less in size.*
 - Policy 4.1.6 – *Provided that the use, design, site and location are consistent with County policies regarding:*
 - i. *suitability of the site for the proposed use;*
 - ii. *adequacy of infrastructure and public services for the proposed use;*
 - iii. *minimizing conflict with agriculture;*
 - iv. *minimizing the conversion of farmland; and*
 - v. *minimizing the disturbance of natural areas,*

then,

 - a) *on best prime farmland, the County may authorize discretionary residential development subject to a limit on total acres converted which is generally proportionate to tract size and is based on the January 1, 1998 configuration of tracts, with the total amount of acreage converted to residential use (inclusive of by-right development) not to exceed three acres plus three acres per each 40 acres (including any existing right-of-way), but not to exceed 12 acres in total; or*
 - b) *on best prime farmland, the County may authorize non-residential discretionary development; or*

c) the County may authorize discretionary review development on tracts consisting of other than best prime farmland.

- Policy 4.1.9 - *The County will set a minimum lot size standard for a farm residence on land used for agricultural purposes.*
- Policy 4.3.1 – *On other than best prime farmland, the County may authorize a discretionary review development provided that the site with proposed improvements is suited overall for the proposed land use.*
- Policy 4.3.2 - *On best prime farmland, the County may authorize a discretionary review development provided the site with proposed improvements is well-suited overall for the proposed land use.*
- Policy 4.3.3 - *The County may authorize a discretionary review development provided that existing public services are adequate to support to the proposed development effectively and safely without undue public expense.*
- Policy 4.3.4 - *The County may authorize a discretionary review development provided that existing public infrastructure, together with proposed improvements, is adequate to support the proposed development effectively and safely without undue public expense.*
- Priority Item 4.4 – *Amend the Champaign County Zoning Ordinance to implement Objective 4.4: Champaign County will update County regulations that pertain to rural residential discretionary review developments to best provide for site specific conditions by 2010.*

Estimated planner hours to implement: **275**

Estimated cost to implement: **\$13,750 plus Zoning Department and Administrative Assistant time, plus advertising, mailing, and printing costs**

Resources needed to implement:

All zoning ordinance amendments must go through Committee of the Whole, full County Board, and Zoning Board of Appeals. This particular proposed amendment is anticipated to be controversial, so proposed costs are higher than an estimated average.

The County Zoning Department will direct this proposed task. The Zoning Director believes that these eight items can be lumped into one coordinated change rather than multiple approval processes. Administrative Assistant time will be necessary for meetings, publicizing advertisements, and mailings.

Estimated hours to administer once implemented: **none; these changes will not require additional processing beyond what is already required.**

Estimated cost to administer: **none**

Resources needed to administer: **none**

9. Priority Item 4.5a - Submit a proposal to ELUC for Champaign County review of recommended changes to the Site Assessment portion of LESA.

Estimated planner hours to implement: **30**
 Estimated cost to implement: **\$1,500**
 Resources needed to implement: **This task will require consideration of the proposal by the Committee of the Whole and the full County Board. The cost listed above is independent of the cost of completing the recommended changes to LESA, which is outlined in the FY11 proposed work program.**

Estimated hours to administer once implemented: **none**
 Estimated cost to administer: **none**
 Resources needed to administer: **none**

FY 2010 SUMMARY		
Item	Estimated Hours	Estimated Up-Front Cost
1	30	\$2,250
2	75	\$3,750
3	40	\$2,000
4	15	\$750
5	15	\$750
6	10	\$500
7	100	\$5,000
8	275	\$13,750
9	30	\$1,500
Total	590	\$30,250

Recommended priorities from LRMP for FY11

Yearly reports/updates – *These are items which will be included in all future work plans for implementing LRMP.*

1. Update Champaign County webpage to achieve provisions of Objective 9.4: *Champaign County will promote efficient resource use and re-use and recycling of potentially recyclable materials.*

Estimated planner hours to implement: **5**
 Estimated cost to implement: **\$250 plus \$250 for IT Department work = \$500**
 Resources needed to implement:
County planner will update content about recycling events and new relevant information; IT department will update pages and finalize content with planner and County administration

Estimated hours to administer once implemented: **5 per year plus 5 County IT hours**
 Estimated cost to administer: **\$250 plus \$250 = \$500**
 Resources needed to administer:
Changes will be made as new information becomes available. This is a permanent item in the County planner work plan as long as the County prioritizes recycling events.

2. Develop information package for public dissemination regarding Objective 9.4 – *“Champaign County will promote efficient resource use and re-use and recycling of potentially recyclable materials”.*

Estimated planner hours to implement: **45**
 Estimated cost to implement: **\$2,250 plus printing and postage**
 Resources needed to implement: **printing costs, postage costs (if on paper media)**

Estimated hours to administer once implemented: **none**
 Estimated cost to administer: **none**
 Resources needed to administer: **none**

3. Monitor and pursue potential funding opportunities to achieve provisions of GOPs.

Estimated planner hours to implement: **75**
 Estimated cost to implement: **\$3,750**
 Resources needed to implement:
Cost assumes researching funding sources and responding to one average grant opportunity. If more funding applications become available, each is unique and will consume a unique amount of time by the county planner; grant applications will require approval of County Committee of the Whole and full County Board.

Estimated hours to administer once implemented: **If a grant is received, assume 30 hours to administer grant**
 Estimated cost to administer: **\$1,500**
 Resources needed to administer:
Potential budget amendment and setting up account. This is a permanent item in the County Planner work plan.

4. Priority Item 7.2.4b - Participate in the Greenways and Trails Committees that are coordinated by CCRPC.

Estimated planner hours to implement: **15**
 Estimated cost to implement: **\$750**
 Resources needed to implement: **Cost assumes quarterly meetings.**

Estimated hours to administer once implemented: **none**
 Estimated cost to administer: **none**
 Resources needed to administer: **none**

5. Priority Item 8.4.1b - Maintain an inventory of local and regional watershed plans to provide to the CCDPZ for review of applicable recommendations of local and regional watershed plans in *discretionary review* of new development.

Estimated planner hours to implement: **5**
 Estimated cost to implement: **\$250**
 Resources needed to implement: **none**

Estimated hours to administer once implemented: **none**
 Estimated cost to administer: **none**
 Resources needed to administer: **This is a permanent item in the County Planner work plan.**

6. Priority Item 1.2.1 - Prepare a report that informs County Board members of trends or new development with regard to land resource management conditions within the County each year.
7. Priority Item 1.3.1 - Based on the annually prepared report of trends and new developments (refer to Priority Item 1.2.1), provide a recommendation to ELUC regarding minor LRMP map changes each year. Provide public notice of LRMP changes and invite public input regarding proposed changes.
8. Priority Item 2.1.1 - Review municipal limits and contiguous urban growth area boundaries with municipal representatives on a regular basis in order to update LRMP Future Land Use Map and Land Management Area Map boundaries. Complete review and revisions to LRMP maps in time for preparation of the annual report to be provided to the County Board each January.

Items 6, 7 and 8 can be grouped as permanent annual updates to the LRMP.

Estimated planner hours to implement: **40 + 30 + 30 = 100**
 Estimated cost to implement: **\$2,000 + \$1,500 + \$1,500 = \$5,000**
 Resources needed to implement: **none**

Estimated hours to administer once implemented: **none**
 Estimated cost to administer: **none**
 Resources needed to administer: **none**

New tasks for County Planner – *These are items that have not been a part of the County Planner’s work to date but are now recommended as part of the LRMP implementation.*

9. Priority Item 4.5b - Prepare changes to the Site Assessment portion of LESA and submit changes for public review and approval by ELUC and County Board.

<p>Estimated planner hours to implement: 220 Estimated cost to implement: \$11,000 Resources needed to implement: none</p> <p>Estimated hours to administer once implemented: none Estimated cost to administer: none Resources needed to administer: This is a permanent item in the County Planner work plan.</p>

10. Priority Item 5.1.8 - Monitor and bring to the attention of ELUC relevant legislation for any necessary action by the County regarding Policy 5.1.8, which states “*The County will support legislative initiatives or intergovernmental agreements which specify that property subject to annexation agreements will continue to be under the ordinances, control, and jurisdiction of the County until such time that the property is actually annexed, except that within 1-1/2 miles of the corporate limit of a municipality with an adopted comprehensive land use plan, the subdivision ordinance of the municipality shall apply.*”

<p>Estimated planner hours to implement: 5 Estimated cost to implement: \$250 Resources needed to implement: none</p> <p>Estimated hours to administer once implemented: none Estimated cost to administer: none Resources needed to administer: This is a permanent item in the County Planner work plan.</p>
--

11. Priority Item 5.1.8b - Assess and report to ELUC the feasibility of developing an intergovernmental agreement with each municipality that has adopted a municipal comprehensive land use plan that includes Policy 5.1.8: *The County will support legislative initiatives or intergovernmental agreements which specify that property subject to annexation agreements will continue to be under the ordinances, control, and jurisdiction of the County until such time that the property is actually annexed, except that within 1-1/2 miles of the corporate limit of a municipality with an adopted comprehensive land use plan, the subdivision ordinance of the municipality shall apply.*

<p>Estimated planner hours to implement: 40 Estimated cost to implement: \$2,000 Resources needed to implement: Meetings with each municipality with a comprehensive plan will require travel expenses in some cases.</p> <p>Estimated hours to administer once implemented: none Estimated cost to administer: none Resources needed to administer: none</p>

12. Amend *Champaign County Zoning Ordinance* to include provisions of Policy 4.1.1 – *Commercial agriculture is the highest and best use of land in the areas of Champaign*

County that are by virtue of topography, soil and drainage, suited to its pursuit. The County will not accommodate other land uses except under very restricted conditions or in areas of less productive soils.

13. Amend Champaign County Zoning Ordinance to include provisions of Policy 4.2.1 - *The County may authorize a proposed business or other non-residential discretionary review development in a rural area if the proposed development supports agriculture or involves a product or service that is provided better in a rural area than in an urban area.*
14. Amend Champaign County Zoning Ordinance to include provisions of Policy 4.2.2 - *The County may authorize discretionary review development in a rural area if the proposed development:*
 - a. is a type that does not negatively affect agricultural activities; or*
 - b. is located and designed to minimize exposure to any negative affect caused by agricultural activities; and*
 - c. will not interfere with agricultural activities or damage or negatively affect the operation of agricultural drainage systems, rural roads, or other agriculture-related infrastructure.*
15. Amend Champaign County Zoning Ordinance to include provisions of Policy 4.2.3 - *The County will require that each proposed discretionary development explicitly recognize and provide for the right of agricultural activities to continue on adjacent land.*
16. Amend Champaign County Zoning Ordinance to include provisions of Policy 4.2.4 - *To reduce the occurrence of agricultural land use and non-agricultural land use nuisance conflicts, the County will require that all discretionary review consider whether a buffer between existing agricultural operations and the proposed development is necessary.*
17. Amend Champaign County Zoning Ordinance to include provisions of Policy 4.3.5 - *On best prime farmland, the County will authorize a business or other non-residential use only if:*
 - a. it also serves surrounding agricultural uses or an important public need; and cannot be located in an urban area or on a less productive site; or*
 - b. the use is otherwise appropriate in a rural area and the site is very well suited to it.*

Items 12-17 can be combined into one comprehensive change process.

Estimated planner hours to implement: **120**
 Estimated cost to implement: **\$6,000**
 Resources needed to implement: **All zoning ordinance amendments must go through Committee of the Whole, full County Board, and Zoning Board of Appeals. This particular proposed amendment is anticipated to be controversial, so proposed costs are higher than an average zoning ordinance amendment.**

The County Zoning Department will direct this proposed task. Administrative Assistant time will be necessary for meetings, publicizing advertisements, and mailings.

Estimated hours to administer once implemented: **More in-depth consideration by Zoning staff of some discretionary development reviews will be necessary.**
 Estimated cost to administer: **none**
 Resources needed to administer: **none**

18. Amend *Champaign County Zoning Ordinance* to include provisions of Policy 6.2.1 - *The County will require public assembly, dependent population, and multifamily premises built, significantly renovated, or established after 2010 to comply with the Office of State Fire Marshal life safety regulations or equivalent.*

Estimated planner hours to implement: **80**
 Estimated cost to implement: **\$4,000**
 Resources needed to implement: **All zoning ordinance amendments must go through Committee of the Whole, full County Board, and Zoning Board of Appeals. This particular proposed amendment is not anticipated to be controversial, so proposed costs are for an average zoning ordinance amendment.**

The County Zoning Department will direct this proposed task. Administrative Assistant time will be necessary for meetings, publicizing advertisements, and mailings.

Estimated hours to administer once implemented: **none**
 Estimated cost to administer: **none**
 Resources needed to administer: **none**

19. Amend *Champaign County Zoning Ordinance* to include provisions of GOPs for Policy 8.6.3 and 8.6.4.
- o Policy 8.6.3 - *For discretionary development, the County will use the Illinois Natural Areas Inventory and other scientific sources of information to identify priority areas for protection or which offer the potential for restoration, preservation, or enhancement.*
 - o Policy 8.6.4 - *The County will require implementation of IDNR recommendations for discretionary development sites that contain endangered or threatened species, and will seek to ensure that recommended management practices are maintained on such sites.*

Estimated planner hours to implement: **80**
 Estimated cost to implement: **\$4,000**
 Resources needed to implement: **All zoning ordinance amendments must go through Committee of the Whole, full County Board, and Zoning Board of Appeals. This particular proposed amendment is not anticipated to be controversial, so proposed costs are for an average zoning ordinance amendment.**

The County Zoning Department will direct this proposed task. Administrative Assistant time will be necessary for meetings, publicizing advertisements, and mailings.

Estimated hours to administer once implemented: **none**
 Estimated cost to administer: **none**
 Resources needed to administer: **none**

New Items to Monitor – *These are items for staff to monitor and implement if the County Board prioritizes them; measures will become perpetual annual work plan items once they begin.*

20. Priority Item 4.6.2 - Monitor and bring to the attention of ELUC and County Board any relevant legislation for any necessary action by the County regarding Policy 4.6.2: *The County will support legislation that promotes the conservation of agricultural land and*

related natural resources in Champaign County provided that legislation proposed is consistent with County policies and Ordinance, including those with regard to landowners' interests.

Estimated planner hours to implement: **5**
 Estimated cost to implement: **\$250**
 Resources needed to implement: **none**

Estimated hours to administer once implemented: **none**
 Estimated cost to administer: **none**
 Resources needed to administer: **This will become a permanent work plan item.**

21. Priority Item 7.2.2a - Establish and maintain contact with railroad systems with lines and services in Champaign County. Request to be notified regarding proposed grade crossing improvements at locations throughout Champaign County. Notify ELUC regarding proposed grade crossing improvements. Request County Board written support in the form of a letter be provided on a timely basis.

Estimated planner hours to implement: **30**
 Estimated cost to implement: **\$1,500**
 Resources needed to implement: **none**

Estimated hours to administer once implemented: **none**
 Estimated cost to administer: **none**
 Resources needed to administer: **This will become a permanent work plan item.**

22. Priority Item 7.2.2b - Monitor Transportation Service Board petitions for abandonments, mergers throughout Champaign County. Notify ELUC regarding such petitions. Request that County Board written comment in the form of a letter or resolution be provided on a timely basis.

Estimated planner hours to implement: **10**
 Estimated cost to implement: **\$500**
 Resources needed to implement: **none**

Estimated hours to administer once implemented: **none**
 Estimated cost to administer: **none**
 Resources needed to administer: **This will become a permanent work plan item.**

23. Priority Item 8.1.9 - Monitor IEPA annual reports and available data from IEPA and the MAC to identify contaminated land or groundwater areas requiring remediation in Champaign County. Submit proposal regarding Champaign County action or response for ELUC review and County Board adoption.

Estimated planner hours to implement: **40**
 Estimated cost to implement: **\$2,000**
 Resources needed to implement: **none**

Estimated hours to administer once implemented: **none**
 Estimated cost to administer: **none**
 Resources needed to administer: **This will become a permanent work plan item.**

FY 2011 SUMMARY

<u>Item</u>	<u>Estimated Hours</u>	<u>Estimated Up-Front Cost</u>
1	5	\$500
2	45	\$2,250
3	75	\$3,750
4	15	\$750
5	5	\$250
6	40	\$2,000
7	30	\$1,500
8	30	\$1,500
9	220	\$11,000
10	5	\$250
11	40	\$2,000
12-17	120	\$6,000
18	80	\$4,000
19	80	\$4,000
20	5	\$250
21	30	\$1,500
22	10	\$500
23	40	\$2,000
<u>Total</u>	<u>875</u>	<u>\$44,000</u>

The following are the remainder of items that staff recommends implementing within the first three years or as funding and staff resources allow. If the County Board desires, items from above can be replaced with items in this list or from longer-term Priority Items listed in the LRMP.

- Priority Item 6.2.2 - Amend County Liquor Ordinance to reflect Policy 6.2.2: *The County will require CC Liquor Licensee premises to comply with the Office of State Fire Marshal life safety regulations or equivalent by 2015.*
- Priority Item 6.2.3 - Amend County Recreation and Entertainment Ordinance to reflect Policy 6.2.3: *The County will require Champaign County Recreation and Entertainment Licensee premises to comply with the Office of State Fire Marshal life safety regulations or equivalent by 2015.*
- Priority Item 8.1.2a - Submit proposal CCRPC Commissioners to review CCRPC capability of providing funds or other support to MAC as it seeks to implement a regional water supply plan.
- Priority Item 8.1.2b - Submit proposal to ELUC, Champaign County Finance Committee and County Board to review Champaign County capability to contribute funds to MAC to implement a regional water supply plan.
- Priority Item 8.1.3 - As they become available, review MAC recommendations regarding measures to ensure that withdrawals from the Mahomet Aquifer and other aquifers in Champaign County do not exceed the long-term sustainable yield, as described in Policy 8.1.3. Amend relevant Champaign County ordinances (e.g., Zoning, Subdivision, etc.).
- Priority Item 8.1.4 - Monitor progress toward identification and mapping of distinct recharge areas in and adjacent to Champaign County. In the event that such areas are identified, amend relevant Champaign County ordinances (e.g., Zoning, Subdivision, etc.).
- Priority Item 8.7.4 - As a cooperative and adjunct effort to any similar action of the Champaign County Forest Preserve District or the Champaign County Soil and Water Conservation District, develop an information package regarding voluntary establishment of public-private partnerships to conserve woodlands and other significant areas of natural environmental quality in Champaign County.
- Priority Item 8.4.5a - Complete required revisions to Phase II National Pollutant Discharge Elimination System (NPDES) Storm Water Management Program.
- Priority Item 8.7.6 - As a cooperative and adjunct effort to any similar action of the Champaign County Forest Preserve District or the Champaign County Soil and Water Conservation District, develop an information package regarding site-specific natural resource management guidelines that landowners in CC may voluntarily adopt.
- Priority Item 9.1.1b - Develop proposal to identify historic structures, places and landscapes in the County. Submit proposal to ELUC, County Facilities Committee and County Board for review and approval.

- Develop information package for public dissemination regarding Policy 9.1.2 – *The County will promote energy efficient building design standards.*
- Multiple Priority Items – Amend *Champaign County Zoning Ordinance* to include provisions of GOPs.
 - Objective 1.1 - *Champaign County will consult the LRMP that formally establishes County land resource management policies and serves as an important source of guidance for the making of County land resource management decisions.*
 - Policy 5.1.1 - *The County will encourage new urban development to occur within the boundaries of incorporated municipalities.*
 - Policy 5.1.2 –
 - a. *The County will encourage that only compact and contiguous discretionary development occur within or adjacent to existing villages that have not yet adopted a municipal comprehensive land use plan.*
 - b. *The County will require that only compact and contiguous discretionary development occur within or adjacent to existing unincorporated settlements.*
 - Policy 5.1.3 - *The County will consider municipal extra-territorial jurisdiction areas that are currently served by or that are planned to be served by an available public sanitary sewer service plan as contiguous urban growth areas which should develop in conformance with the relevant municipal comprehensive plans. Such areas are identified on the 2030 Future Land Use Map.*
 - Policy 5.1.4 - *The County may approve discretionary development outside contiguous urban growth areas, but within municipal extra-territorial jurisdiction areas only if:*
 - a. *the development is consistent with the municipal comprehensive plan and relevant municipal requirements;*
 - b. *the site is determined to be well-suited overall for the development if on best prime farmland or the site is suited overall, otherwise; and*
 - c. *the development is generally consistent with all relevant LRMP objectives and policies.*
 - Policy 5.1.5 - *The County will encourage urban development to explicitly recognize and provide for the right of agricultural activities to continue on adjacent land.*
 - Policy 5.1.6 - *To reduce the occurrence of agricultural land use and non-agricultural land use nuisance conflicts, the County will encourage and, when deemed necessary, will require discretionary development to create a sufficient buffer between existing agricultural operations and the proposed urban development.*
 - Policy 5.1.7 - *The County will oppose new urban development or development authorized pursuant to a municipal annexation agreement that is located more than one and one half miles from a municipality’s corporate limit unless the Champaign County Board determines that the development is otherwise consistent with the LRMP, and that such extraordinary exercise of extra-territorial jurisdiction is in the interest of the County as a whole.*
 - Policy 5.2.1 - *The County will encourage the reuse and redevelopment of older and vacant properties within urban land when feasible.*

- Policy 5.2.2 – *The County will:*
 - a. *ensure that urban development proposed on best prime farmland is efficiently designed in order to avoid unnecessary conversion of such farmland; and*
 - b. *encourage, when possible, other jurisdictions to ensure that urban development proposed on best prime farmland is efficiently designed in order to avoid unnecessary conversion of such farmland.*
- Policy 5.2.3 - *The County will:*
 - a. *require that proposed new urban development results in no more than minimal disturbance to areas with significant natural environmental quality; and*
 - b. *encourage, when possible, other jurisdictions to require that proposed new urban development results in no more than minimal disturbance to areas with significant natural environmental quality.*
- Policy 5.3.1 - *The County will:*
 - a. *require that proposed new urban development in unincorporated areas is sufficiently served by available public services and without undue public expense; and*
 - b. *encourage, when possible, other jurisdictions to require that proposed new urban development is sufficiently served by available public services and without undue public expense.*
- Policy 5.3.2 - *The County will:*
 - a. *require that proposed new urban development, with proposed improvements, will be adequately served by public infrastructure, and that related needed improvements to public infrastructure are made without undue public expense; and*
 - b. *encourage, when possible, other jurisdictions to require that proposed new urban development, with proposed improvements, will be adequately served by public infrastructure, and that related needed improvements to public infrastructure are made without undue public expense.*
- Policy 6.1.1 – *The County will establish minimum lot location and dimension requirements for all new rural residential development that provide ample and appropriate areas for onsite wastewater and septic systems. (Note: The priority item C for this policy seeks to amend the Champaign County Zoning Ordinance to reflect the requirements of the Champaign County Health Ordinance, and vice versa.)*
- Policy 6.1.3 - *The County will seek to prevent nuisances created by light and glare and will endeavor to limit excessive night lighting, and to preserve clear views of the night sky throughout as much of the County as possible.*
- Policy 8.1.1 - *The County will not approve discretionary development using on-site water wells unless it can be reasonably assured that an adequate supply of water for the proposed use is available without impairing the supply to any existing well user.*
- Policy 8.3.1 - *The County will allow expansion or establishment of underground mineral and energy resource extraction operations only if:*
 - a) *the operation poses no significant adverse impact to existing land uses;*

- b) the operation creates no significant adverse impact to surface water quality or other natural resources; and*
- c) provisions are made to fully reclaim the site for a beneficial use.*

- *Policy 8.4.2 - The County will require stormwater management designs and practices that provide effective site drainage, protect downstream drainage patterns, minimize impacts on adjacent properties and provide for stream flows that support healthy aquatic ecosystems.*
- *Policy 8.4.3 - The County will encourage the implementation of agricultural practices and land management that promotes good drainage while maximizing stormwater infiltration and aquifer recharge.*
- *Policy 8.5.1 - For discretionary development, the County will require land use patterns, site design standards and land management practices that, wherever possible, preserve existing habitat, enhance degraded habitat and restore habitat.*
- *Policy 8.5.2 - The County will require in its discretionary review that new development cause no more than minimal disturbance to the stream corridor environment.*
- *Policy 8.6.2 –*
 - a. For new development, the County will require land use patterns, site design standards and land management practices to minimize the disturbance of existing areas that provide habitat for native and game species, or to mitigate the impacts of unavoidable disturbance to such areas.*
 - b. With regard to by-right development on good zoning lots, or the expansion thereof, the County will not require new zoning regulations to preserve or maintain existing onsite areas that provide habitat for native and game species, or new zoning regulations that require mitigation of impacts of disturbance to such onsite areas.*
- *Policy 8.7.1 - The County will require that the location, site design and land management of discretionary development minimize disturbance of the natural quality, habitat value and aesthetic character of existing public and private parks and preserves.*
- *Policy 8.7.3 - The County will require that discretionary development provide a reasonable contribution to support development of parks and preserves.*
- *Policy 8.7.5 - The County will implement, where possible, incentives to encourage land development and management practices that preserve, enhance natural areas, wildlife habitat and/or opportunities for hunting and other recreational uses on private land.*
- *Policy 8.8.1 - The County will require compliance with all applicable Illinois Environmental Protection Agency and Illinois Pollution Control Board standards for air quality when relevant in discretionary review development.*
- *Policy 9.1.1 - The County will promote land use patterns, site design standards and land management practices that minimize the discharge of greenhouse gases.*
- *Policy 9.2.1 - The County will enforce the Illinois Energy Efficient Commercial Building Act (20 ILCS 3125/1).*
- *Objective 9.3 - Champaign County will encourage land use and transportation planning policies that maximize energy conservation and efficiency.*

**Closed Meeting Minutes Review – Committee of the Whole
Highway & Transportation/County Facilities/Environment & Land Use
September 2010**

Is it necessary to protect the public interest or privacy of an individual?

Date of Minutes	Yes, Keep Confidential	No, Place in Open Files
-----------------	------------------------	-------------------------

Highway & Transportation Committee

December 20, 1989 <i>Performance Appraisal Subcommittee</i>		
January 16, 1991 <i>Performance Appraisal Subcommittee</i>		
January 22, 1992 <i>Performance Appraisal Subcommittee</i>		
November 20, 1992 <i>Performance Appraisal Subcommittee</i>		
April 5, 1994 <i>Performance Appraisal Subcommittee</i>		
September 17, 1996		
November 22, 1996 <i>Search Subcommittee for County Engineer</i>		
November 26, 1996 <i>Search Subcommittee for County Engineer</i>		
January 24, 1997 <i>Contract Negotiations Subcommittee</i>		
February 19, 1997 <i>Salary Negotiations Subcommittee</i>		
February 3, 1999 <i>Performance Appraisal Subcommittee</i>		
February 5, 1999		
May 7, 1999		
September 10, 1999		
October 15, 1999		
December 10, 1999		
January 14, 2000		
March 29, 2000		

April 7, 2000		
August 11, 2000		
September 8, 2000		
September 19, 2000		
October 24, 2000		
November 27, 2000		
December 19, 2000		
July 6, 2001 – 9:20 a.m.		
July 6, 2001 – 9:40 a.m.		
October 11, 2002		
November 7, 2003		
June 7, 2004 <i>County Engineer Selection Committee</i>		
June 14, 2004 <i>County Engineer Selection Committee</i>		
June 21, 2004 <i>County Engineer Selection Committee</i>		
June 29, 2004 <i>County Engineer Selection Committee</i>		
July 8, 2004 <i>County Engineer Selection Committee</i>		
July 8, 2004		
July 30, 2004 <i>County Engineer Search Committee</i>		
August 5, 2004		
August 23, 2005 <i>Performance Appraisal Subcommittee</i>		
August 31, 2005 <i>Performance Appraisal Subcommittee</i>		
October 7, 2005		
August 31, 2006 <i>Performance Appraisal Subcommittee</i>		

September 14, 2006 <i>Performance Appraisal Subcommittee</i>		
October 6, 2006		
August 17, 2007 <i>Performance Appraisal Subcommittee</i>		
September 17, 2007 <i>Performance Appraisal Subcommittee</i>		
October 12, 2007		
November 9, 2007		
February 8, 2008		
March 7, 2008		
June 6, 2008		
August 26, 2008 <i>Performance Appraisal Subcommittee</i>		
September 12, 2008 <i>Performance Appraisal Subcommittee</i>		
April 17, 2009		

County Facilities Committee

April 26, 1990 <i>Performance Appraisal Subcommittee</i>		
November 12, 1992 <i>Performance Appraisal Subcommittee</i>		
July 7, 1993 <i>Search Subcommittee for Physical Plant Director</i>		
November 6, 2001 – 7:48 p.m.		
November 6, 2001 – 8:21 p.m.		
December 10, 2002		
January 6, 2004		
May 4, 2004		
June 8, 2004		
August 25, 2004 <i>Performance Appraisal Subcommittee</i>		

September 15, 2004 <i>Performance Appraisal Subcommittee</i>		
October 5, 2004		
May 10, 2005		
August 23, 2005 <i>Performance Appraisal Subcommittee</i>		
August 31, 2005 <i>Performance Appraisal Subcommittee</i>		
October 12, 2005		
February 7, 2006		
May 2, 2006		
June 13, 2006		
August 22, 2006		
August 24, 2006 <i>Performance Appraisal Subcommittee</i>		
September 14, 2006 – #1 <i>Performance Appraisal Subcommittee</i>		
September 14, 2006 – #2 <i>Performance Appraisal Subcommittee</i>		
October 3, 2006		
November 21, 2006		
August 10, 2007 <i>Performance Appraisal Subcommittee</i>		
October 1, 2007 <i>Performance Appraisal Subcommittee</i>		
May 6, 2008		
August 26, 2008 <i>Performance Appraisal Subcommittee</i>		
September 12, 2008 <i>Performance Appraisal Subcommittee</i>		
November 12, 2008		
August 11, 2009 – 7:17 p.m.		
August 11, 2009 – 7:30 p.m.		

Environment & Land Use Committee

January 25, 2000		
December 12, 2005		
August 24, 2006 <i>Performance Appraisal Subcommittee</i>		
September 14, 2006 <i>Performance Appraisal Subcommittee</i>		
October 16, 2006		
August 17, 2007 <i>Performance Appraisal Subcommittee</i>		
September 17, 2007 <i>Performance Appraisal Subcommittee</i>		
September 20, 2007		
November 13, 2007		
August 26, 2008 <i>Performance Appraisal Subcommittee</i>		
*September 12, 2008 <i>Performance Appraisal Subcommittee</i>		
October 14, 2008		

Committee of the Whole

*June 8, 2010		
---------------	--	--

***Minutes not previously approved in semi-annual review.**

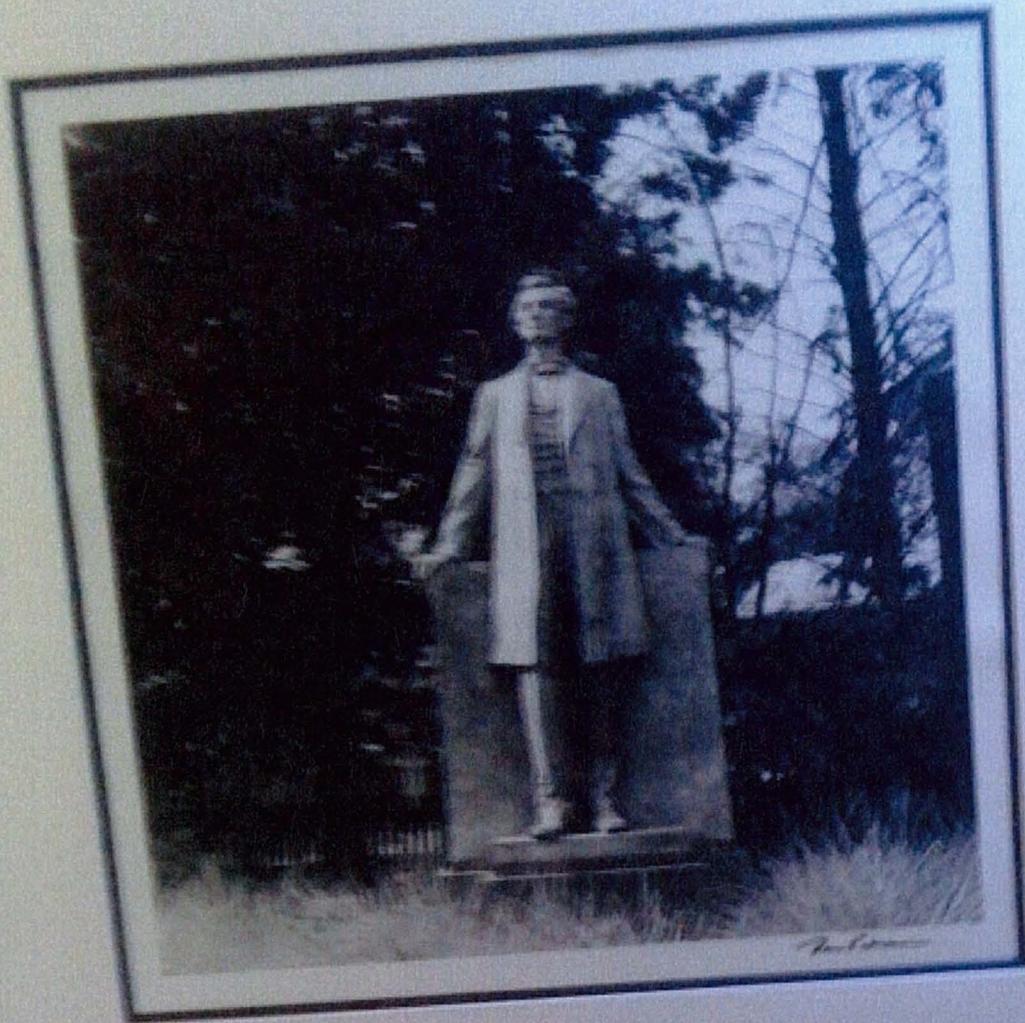
Photos for County Facilities Items
Committee of the Whole
September 7, 2010

1. Courthouse News Stands
County Facilities Item VIII.C.2 under Other Business
Pages 1-2
 2. *Lincoln in Illinois* - The Traveling Lincoln Exhibit
County Facilities Item VIII.C.3 under Other Business
Pages 3-5
-







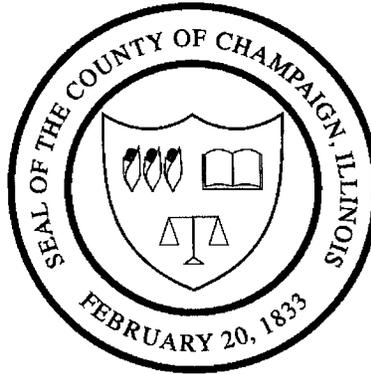


Small rectangular label with illegible text.

Small rectangular label with illegible text.



CHAMPAIGN COUNTY ADMINISTRATIVE SERVICES



REQUEST FOR PROPOSAL: 2010 - 005

CHAMPAIGN COUNTY ADMINISTRATIVE SERVICES
202 ART BARTELL ROAD
Design/Build Services

Sealed Proposals Due Date: 1:45 P.M., October 12, 2010

REQUEST FOR PROPOSAL: 2010 - 005

CHAMPAIGN COUNTY ADMINISTRATIVE SERVICES
202 ART BARTELL ROAD
Design/Build Services

On behalf of the Champaign County Board, I invite you to furnish a proposal in accordance with the guidelines for the Design-Build Services outlined herein. Carefully read the attached documents and follow the procedures as outlined in order to be considered for this project.

All information is required to be submitted as outlined. Receipt of your response must be received on or before Tuesday, ***October 12, 2010***. Forward your response to the following address:

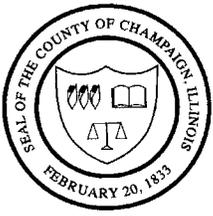
Attn.: Debra Busey
Brookens Administration Center
1776 E. Washington St.
Urbana, Illinois 61802
T: (217) 384 - 3776
E-mail: dbusey@co.champaign.il.us

Questions regarding this project are directed to Alan Reinhart at (217)-384-3765.

Cordially yours,



Deb Busey,
County Administrator



CHAMPAIGN COUNTY ADMINISTRATIVE SERVICES

NOTICE TO VENDORS

RFP DATA

PROPOSAL NUMBER: 2010-005

TITLE: 202 ART BARTELL ROAD
Design/Build Services

CONTACT: Alan Reinhart

PHONE #: 217-384-3765

FAX #: 217-384-3896

E-MAIL: areinhart@co.champaign.il.us

PROPOSAL DUE DATE/TIME

DUE DAY/DATE: Tuesday, October 12, 2010

TIME: 1:45 P.M.

MAILING ADDRESS: Brookens Administration Center

Attn.: Alan Reinhart, Facilities Director
1776 E. Washington Street
Urbana, Illinois 61802

DIRECTIONS: In Urbana, take Main Street east to Lierman Ave. Turn right (south) on Lierman Ave. At stop sign, turn left (east) on Washington St. ½ Block turn left into Brookens Parking lot.

Proceed to main entrance and Reception Counter.

NOTICE TO VENDORS – AMENDMENTS

Notice is hereby given that sealed information responses will be received in the Champaign County Brookens Administration Center, 1776 E. Washington St., Urbana, Illinois 61802 until 1:45 P.M., (Local Time) on:

Tuesday, October 12, 2010

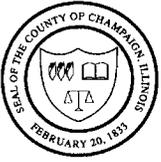
The purpose of this RFP is to solicit responses from qualified Contractor/Architectural Teams to furnish a Design/Build facility for Champaign County. There may be one or more amendments to this document. If you desire to receive copies or notices of any such amendments, you must provide the information requested below to Champaign County Administrator. Please send this information to Alan Reinhart, via fax at 217-384-3896 or by e-mail to areinhart@co.champaign.il.us. Champaign County will send amendments only to those firms that timely complete and return this form via fax or provide the requested information by timely e-mail.

RFP number	2010 - 005
Vendor name	
Mailing address	
Phone number	
Fax number	
Contact person	
E-mail address	
WE WILL NOT BE ABLE TO SUBMIT A PROPOSAL FOR THIS PROJECT DUE TO THE FOLLOWING REASONS:	

Send amendments by (check one): fax e-mail

E-mailed amendments may be sent in a Microsoft Word format. Any alterations to the document made by the Vendor are grounds for rejection of proposal, cancellation of any subsequent award, or any other legal remedies available to Champaign County Board.

Amendments also will be posted on the Champaign County Government web site www.co.champaign.il.us.



CHAMPAIGN COUNTY ADMINISTRATIVE SERVICES

1776 EAST WASHINGTON
URBANA, IL 61802
(217) 384-3776
(217) 384-3765 – PHYSICAL PLANT
(217) 384-3896 – FAX
(217) 384-3864 – TDD
Website: www.co.champaign.il.us

ADMINISTRATIVE SUPPORT
DATA PROCESSING
MICROGRAPHICS
PURCHASING
PHYSICAL PLANT
SALARY ADMINISTRATION

REQUEST FOR PROPOSAL: 2010 - 005

SECTION 1. GUIDELINES & OVERVIEW

PROJECT SCOPE:

1. **GENERAL:** Champaign County Administrative Services, on behalf of the Champaign County Board, is soliciting proposals from professional Design-Build services from a qualified and experienced company specializing in cost effective pre-engineered metal building systems. The Design-Builder shall provide turn-key services for a complete project for the county of Champaign. The new building will be approximately 25,000 square feet (+/-) which shall be situated on approximately 1-1/2 acres of County property located at 202 Art Bartell Road, Urbana, IL. The proposed minimum scope of work is as indicated within this RFP including Paragraph No. 20, Outline Specifications, Paragraph No. 21, Section 13121 - Pre-Engineered Buildings and on the attached Drawings SD.1 - Concept Site Plan and A.1 - Concept Floor Plan. The Project shall otherwise meet or exceed minimum applicable Building Code Standards. Also attached are a Geotechnical Engineering Report and Survey of the Site for information only.
2. **ADDENDA:** Addenda are written instruments issued by Administrative Services prior to the date of receipt of information, which modify or interpret the RFP by addition, deletions, clarifications, or corrections. In the event a Vendor discovers any ambiguity, conflict, discrepancy, or other error in the Request for Proposal, it shall immediately notify Administrative Services of such error in writing and request modification, clarification, explanation, interpretation or correction of the document. Administrative Services will make modifications by issuing a written revision, addenda, and will give written notice to all parties who have submitted the "Notice to Vendors" to Champaign County Administrative Services.
 - A. Each vendor shall ascertain prior to submitting a proposal that all addenda issued have been received, and by submission of a proposal, such act shall be taken to mean that such Vendor has received and understands fully the contents of the addenda. The County will not be responsible for any statements, clarifications, representations, explanations or interpretations of the proposal documents not in written addenda.
 - B. Any inquiries regarding this RFP should be referred to the following individual:

ATTEN: Alan Reinhart
Brookens Administration Center
1776 E. Washington St.
Urbana, Illinois 61802
Telephone: (217) 384-3765/Fax: (217) 384-3896
e-mail: areinhart@co.champaign.il.us
 - C. E-mail and fax are acceptable; e-mail is preferable. Responses will be issued by the County in the form of an Addendum to this RFP.

3. **RESPONSES:** Response must be submitted in a sealed envelope labeled "**RFP: 2010 - 005, 202 Art Bartell Road**"

Opening Date/Time - Tuesday, October 12, 2010 @ 2 P.M.. Response not submitted in the proper format will be considered unqualified, unresponsive, and will not be considered for award of contract.

- A. **Vendor Failure:** Failure to provide detailed responses will result in the vendor being eliminated from consideration. The unreasonable failure of a vendor to promptly supply information in connection with respect to responsibility may be grounds for a determination of being non-responsive.
- B. **Signature:** The responding party must sign in the firm or corporate name and must bear the original longhand signature of a principal legally authorized to sign contracts. The name of each person signing should be typed or printed below the signature. Both issues must be in compliance for the proposal to be accepted and considered valid.
- C. **Corrections:** The individual signing the document for the proposing financial organization shall initial all erasures or corrections.
- D. **Variations/Exceptions:** All variations to the County specifications must be described in detail (free from ambiguity) on the "Exceptions to Specifications" sheet. Variations to specifications not listed will not be accepted.
- E. **Illinois Business License:** All Vendors must be appropriately licensed and authorized to conduct business within the State of Illinois.
- F. **Vendor Cost:** The County is not liable for any costs incurred by the vendor in preparation, submission, and presentation of his/ her information. These costs may not be due to the County as part of the services provided.
- G. **Clarifications:** Champaign County reserves the right to request clarifications or corrections to information. Requests for clarification of technical response must be in writing.
- H. **Addenda:** Any addenda issued during the time of the process shall become part of the response.

4. **SUBMISSION OF RESPONSE & CLOSING DATE:** Sealed responses are due on or before but no later than 1:45 P.M., **Tuesday, October 12, 2010.** Champaign County will not accept any response received after 1:45 P.M. and shall return such late response to the Vendor.

Sealed responses are to be delivered to the following address:

Champaign County Brookens Administration Center
1776 E. Washington
Urbana, Illinois 61802
ATTN: Alan Reinhart, Facilities Director

- A. **Comprehensive Response:** The Vendor shall carefully examine the RFP. The Vendor shall familiarize himself with all the local conditions affecting this project. Response shall provide a straightforward, concise delineation of your capabilities to satisfy the requirements of this request. Emphasis should be on completeness and clarity of content. Any proposal which is incomplete, conditional, obscure, or which contains additions not called for or irregularities of any kind, may be the cause for rejection of the proposal, at the discretion of the County Administrator.
- B. **Late Responses.** Response must be received by the date/time shown. ***Requests for time extensions will not be granted.*** Late Requests for response will not be considered. Responses or unsolicited amendments to proposals received by the County after the closing date will not be considered.
 - i. Vendors mailing response should allow for normal mail time to ensure receipt of their response by Administrative Services prior to the time fixed for the receipt of the proposal. The vendor shall bear all risks associated with delays in the U.S. mail or delivery service.

- C. **Project Contract Documents:** Vendors at the time of the submission of information must include in their response package all applicable contract documents in which Champaign County and vendor could potentially use as a contract.
- i. The contents of the response submitted and this RFP will become a part of any contract awarded as a result of these specifications.
- D. **Response Withdrawal:** Vendors **may provide written request** to withdraw their response *after* the RFP closing date and any time prior to selection and notice of award. Written request shall detail explanation for said appeal. The County shall have sole authority to grant or deny such a request.
- i. **Prior to Opening Date/Time:** Vendor may withdraw their response any time *prior* to the RFP closing date. The following parameters must be followed:
 - ii. Withdrawal of a response by telegraphic or electronic transmission is **NOT** acceptable. A response must be withdrawn in person by the Vendor or authorized representative. Identification must be supplied and a receipt will be provided for the information response, but only if the withdrawal is made prior to the exact time set for receipt.
 - iii. All material submitted regarding this RFP becomes the property of the County and will only be returned to the vendor at the County's option.
 - iv. Any person may review all vendors' responses after final selection and award.
 - v. Negligence on the part of the vendor in preparing the proposal confers no right of withdrawal after the time fixed for the receipt of the information.
- E. **County/Vendor Discussions.** Discussions may be conducted with Vendors who submit response determined to have a reasonable likelihood of being selected for award. However, response may be accepted without such discussions. Therefore, all information requested and necessary for the County to evaluate this RFP should be included in your response.
- F. **Vendor Errors:** Vendor will be responsible for all errors resulting from failure or neglect to comply with these instructions.
- G. **County Provided Information:** All information provided by the County in this RFP is offered in good faith and without liability. Individual items are subject to change at any time. The County makes no certification that any item is without error. The County is not responsible or liable for any use of the information, or for any claims attempted to be asserted.
- i. The County of Champaign does not provide a guarantee, either expressed or implied, that the conditions indicated are representative of those existing throughout the work area, or that unanticipated developments may not occur.
- H. **Proprietary Information.** If the vendor needs to submit proprietary information with their packet, the Vendor shall ensure that it is enclosed in a separate envelope and that it is clearly designated and conspicuously labeled as such. Proprietary status shall not affect the County's right of use; provided, however, that the County will, in good faith, honor any Vendor information that is clearly designated and conspicuously labeled as proprietary, and the County concurs that the information is proprietary, that trade secrets or other proprietary data contained in the proposal documents shall be maintained as confidential in accordance with limitations in Illinois or Federal law. Pricing information cannot be considered proprietary. The County shall not be liable in any manner or in any amount for disclosing proprietary information if such information is not clearly so designated and conspicuously so labeled. The County shall likewise not be liable if it did not know or could not have reasonably known that such information was proprietary.
- I. **Vendor Expenses:** Champaign County shall not be financially responsible for any cost(s) incurred by vendors in the preparation of this information, demonstration, and presentation or resulting contracts.

6. **RFP RESPONSE OPENING:** The County Administrator or its designee will open and read the responses at **2:00 P.M., Tuesday, October 12, 2010.** Sealed responses received after the designated proposal due time and date will not be accepted for consideration. Responses that are not withdrawn and returned prior to award of contract become the property of Champaign County, Illinois.
7. **GENERAL TERMS & CONDITIONS:** The following minimal terms and conditions will apply specifically to enterprise management software.

A. Award of Contract

The Champaign County Board intends to award this contract in whole to the lowest responsive and responsible vendor that is in compliance with all specifications, terms and conditions contained herein. The Vendor shall have specific experience supplying similar products, on a satisfactory basis, to other government/institutional clients of similar size and facility requirements. The Champaign County Board reserves the right to consider services, fees/charges, references, successful service history, financial capability, qualifications, value added services and other related factors in the award decision. The Champaign County Board reserves the right to request additional information subsequent to the award date for evaluation purposed.

B. Use of County Name

The awarded vendor shall not use the County name in advertising unless the request is received in writing by the County Board. Approval, if granted, will be approved in writing by the County Board Chair or County Administrator with an agreed upon amount of compensation to the County.

C. Transfer of ownership or assignment of contract

Awarded Vendor shall not transfer the resulting contract or performance of contract to another individual or firm; nor shall the awarded Vendor change or sub contract any portion of the awarded contract, during the contract period. Both parties in writing must agree upon any change in personnel assigned to the project. The County of Champaign shall have right of first refusal.

The terms and conditions of this contract shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

D. Champaign County Board Rights

Champaign County reserves the right; to reject any or all proposals, waive any or all irregularities, to negotiate for the modification of any proposal with the mutual consent of the Vendor, to re-advertise for response if desired, and to accept the proposal which in the judgment of the Champaign County Board provides the best solution and in the best interest of the County consistent with applicable law.

- i. Champaign County retains the authority to eliminate any service features that are deemed too costly or unnecessary.
- ii. The County may seek clarification from a Vendor at any time and failure to respond promptly is cause for rejection.
- iii. The County may require submission of best and final offers. The County reserves the absolute right to conduct such investigations as it deems necessary to assist in the evaluation of any proposal and to establish the experience, responsibility, reliability, references, reputation, business ethics, history, qualifications and financial ability of the proposed awarded Vendor. The purpose of such investigation is to satisfy the County that the Vendor has the experience, resources and commercial reputation necessary to perform its obligations under the Contract.

E. Additional General Conditions

- i. Champaign County requires all Vendors (s) to comply with the Equal Opportunity Affirmative Action and Fair Employment Practices regulations of the County of Illinois and Federal Government.
- ii. **Tax Exempt Status:** Champaign County is exempt from federal excise and transportation taxes.

Champaign County is also exempt from payment of Illinois Sales Tax.

TAX EXEMPTION IDENTIFICATION NUMBER: E9998-5942-06.

(A copy of the Tax Exemption Letter will be provided to the awarded Vendor).

- iii. **Prevailing Wage Act:** For applicable projects, the awarded Vendor and any sub-awarded Vendor associated with this project must pay applicable prevailing wages as dictated by the Prevailing Wage Ordinance adopted by the Champaign County Board. The current ordinance is provided. Awarded Vendor shall pay all current and applicable City, County, State and Federal Taxes, licenses and assessments, including Federal Excise Taxes, due on this project including those required by the Federal Insurance Contributions Act and the Federal and County Unemployment Tax Acts.
 1. If the Champaign County Board has not determined the prevailing wage for any job classification which will be affected by the award of for any job classification which will be affected by the award of contract, all contracts for this project will be drawn in accordance with prevailing wage requirements of the Prevailing Wage Act, 820 ILCS 130/0.01 et seq.
- iv. **Recycle Policy:**
 1. **Procurement:** The Administrative Services/Purchasing Division is encouraged to cooperate to the greatest extent feasible with other government bodies in the joint procurement of recycled products and products designed to be recycled, and in the procurement or sale of other goods and services, upon approval of the Champaign County Board.
 2. **Awarding Purchase Orders/Proposals-Proposals/Contracts:** It is the policy of the Champaign County Board to help maintain stable markets for recycled and recyclable products.
- v. **Vendor Competency:** The Champaign County Board reserves the right to determine whether a Vendor has the ability, capacity, and resources necessary to perform in full any contract resulting from this RFP. The County may request from Vendors', information it deems necessary to evaluate such Vendors' qualifications and capacities to deliver the products and/or services sought hereunder. The County may reject any Vendor's proposal for which such information has been requested but which the Vendor has not provided. To allow the County to evaluate the competency and financial responsibility of a Vendor, the vendor shall, when requested by the County, furnish the following information sworn to under oath:
 1. Financial resources
 2. Personnel resources
 3. Physical resources
 4. Internal financial, operating, quality assurance, and other similar controls and policies
 5. Resumes of key executives, officers, and other personnel pertinent to the requirements of the RFP
 6. Customer references.
 7. Disclosures of complaints or pending actions, legal or otherwise, against the Vendor
 8. Address and description of Vendors place of business.
 9. Name and/or Articles of co-partnership of incorporation.
 10. Itemized list of equipment available for use on the Vendors' awarded project.
 11. Such additional information as may be required that will satisfy the County that the Vendor is adequately prepared in technical experience, or otherwise to fulfill the contract.
 12. Documents to ensure that the Vendor is in compliance with the current Fair Employment Practice requirement of the County.

- vi. **Disqualification of Vendors:** Any of the following may be considered sufficient for the disqualification of an Vendor and the rejection of his/her proposal(s):
1. Evidence of collusion among Vendors.
 2. Lack of expertise and poor workmanship as shown by performance history.
 3. Uncompleted work under other contracts which in the judgment of the County, might hinder or prevent the prompt completion of additional work is awarded.
 4. Being in arrears on existing contracts, in litigation with the County, or having defaulted on a previous contract.

F. **Termination of Contract:** Either party may terminate contract by providing sixty (60) days written notification. Written notification must detail reason for termination. In case of such termination, the Awarded Vendor shall be entitled to receive payment from the County for work completed to the termination date in accordance with the terms and conditions of this contract. In the event that this Contract is terminated due to Awarded Vendor's default, the County shall be entitled to purchase substitute items and/or services elsewhere and charge the Awarded Vendor with any or all losses incurred, including attorney's fees and expenses.

- i. **Convenience.** The County reserves the right to terminate the Contract in whole or in part at any time when in the best interests of the County without penalty or recourse. Upon receipt of the written notice, the Successful Vendor shall immediately stop all work as directed in the notice, notify all awarded Vendors of the effective date of the termination and minimize all further costs to the County. In the event of termination under this provision, all documents, data and reports prepared by the Successful Vendor under the Contract shall become the property of and delivered to the County. The contracted Vendor shall be entitled to receive just and equitable compensation for work in progress, work completed and materials accepted before the effective date of termination. Such compensation shall be the contracted Vendors sole remedy against the County in the event of termination under this provision.
- ii. **Default.** The County reserves the right to terminate the Contract in whole or in part due to the failure of the awarded Vendor to comply with any term or condition of the Contract, to acquire and maintain all required insurance policies, bonds, licenses and permits, or to make satisfactory progress in performing the Contract. The County shall provide written notice of the termination and the reasons therefore to the contracted Vendor. Upon termination under this provision, all goods, materials, documents, data and reports prepared by the contracted Vendor under the Contract shall become the property of and be delivered to the County on demand. The County may, upon termination of the Contract, procure, on terms and in the manner that it deems appropriate, materials or services to replace those under the Contract. The contracted Vendor shall be liable to the County for any excess costs incurred by the County in re-procuring the materials or services.
- iii. **Gratuities.** The County may, by written notice to the awarded Vendor , cancel the Contract if it is discovered by the County that gratuities, in the form of entertainment, gifts or other were offered or given by the contracted Vendor, or any agent or representative of the contracted Vendor, to any officer or employee of the County with a view toward securing a Contract or securing favorable result with respect to the awarding or amending, or the making of any determinations with respect to the performing of such Contract. In the event the Contract is canceled by the County pursuant to this provision, County shall be entitled, in addition to any other rights and remedies, to recover or withhold the amount of the cost incurred by contracted Vendor in providing such gratuities.
- iv. **Insolvency.** The County shall have the right to terminate the Contract at any time in the event awarded Vendor files a bankruptcy petition; or is adjudicated bankrupt; or if a bankruptcy petition is filed against Successful Vendor and not due within thirty (30) days; or if awarded Vendor becomes insolvent or makes an assignment for the benefit of its creditors or an arrangement pursuant to any bankruptcy law; or if a receiver is appointed for awarded Vendor or its business.

- v. **Lack of Funding.** The Contract may be canceled without further obligation on the part of the Champaign County Board in the event that sufficient appropriated funding is unavailable to assure full performance of the terms. The contracted Vendor shall be notified in writing of such non-appropriation as soon as reasonably possible. No penalty shall accrue to the Champaign County Board in the event this cancellation provision is exercised. This cancellation provision shall not be construed so as to permit the County to terminate the Contract in order to acquire similar equipment, material, supplies or services from another party.

- vi. **Suspension or Debarment.** The County may by written notice to the contracted Vendor immediately terminate the Contract if the County determines that the contracted Vendor has been debarred, suspended or otherwise lawfully prohibited from participating in any public procurement activity, including but not limited to, being disapproved as an awarded Vendor.

- vii. **Continuation of Performance through Termination.** The contracted Vendor shall continue to perform, in accordance with the requirements of Contract, up to the date of termination, as directed in the termination notice.

- viii. **Cancellation:** The County reserves the right to cancel the whole or any part of this contract (1) upon 60 day written notice, without cause, or (2) upon 60 day written notice due to failure by the Vendor to carry out any obligation, term or condition of this contract. The County will issue written notice to the Vendor for acting or failing to act as in any of the following:
 - 1. The Vendor fails to adequately perform the services set forth of this contract
 - 2. The Vendor fails to complete the work required or to furnish the materials required within the time stipulated in the contract;
 - 3. The Vendor provides material that does not meet the specifications of this contract;
 - 4. The Vendor fails to progress in the performance of this contract and/or gives the County reason to believe that the Vendor will not or cannot perform the requirements of the contract.
 - 5. Upon receipt of the written notice of concern, the Vendor shall have ten (10) days to provide a satisfactory, written response to the County. Failure on the part of the Vendor to adequately address all issues of concern may result in the County resorting to any single or combination of the following remedies:
 - a. Cancel the contract;
 - b. Reserve all rights or claims of damage for breach or any covenants of the contract;

- G. **Project Payments** - Payment to awarded Vendor will be made in accordance with the Local Government Prompt Payment Act. (50 ILCS 505/1 et sec)

- H. **Drug Free Workplace:** The Awarded Vendor (whether an individual or Vendor) agrees to provide a drug free workplace as provided for in 30 ILCS 580/1 et sec.

- I. **Force Majeure:** The County of Champaign shall not hold Awarded Vendor liable for an extraordinary interruption of events, or damage of County property, by a natural cause that cannot be reasonably foreseen or prevented; i.e. droughts, floods, severe weather phenomena, etc.

- J. **Law Governing:** All State of Illinois and/or Federal Laws shall be hereby specifically made a part of this contract as set forth herein. Jurisdiction and venue shall be exclusively found in the 6th Judicial Circuit Court, Champaign County of Illinois

- K. Commencement of Work:** The successful Vendor must not commence any billable work prior to the County's execution of the contract or until any required documents have been submitted. Work done prior to these circumstances shall be at the Vendor's risk.
- L. Indemnification:** The awarded Vendor shall indemnify, defend, and hold harmless the Champaign County Board, its officers, agents, and employees from any and all claims, demands, suits, actions, proceedings, loss, cost, and damages of every kind and description, including attorneys' fees and/or litigation expenses, which may be brought or made against or incurred on account of loss of or damage to any property or for injuries to or death of any person, caused by, arising out of, or contributed to, in whole or in part, by reasons of any act, or Information Technology, professional error, fault, or negligence of awarded Vendor, its employees, agents, representatives, or awarded Vendors, their employees, agents, or representatives in connection with or incident to the performance of the contract, or arising out of Workers Compensation claims, Unemployment Compensation claims, or Unemployment Disability Compensation claims of employees of awarded Vendor and/or its awarded Vendors of claims under similar such laws and obligations. The awarded Vendor obligation under this provision shall not extend to any liability caused by the sole negligence of the Champaign County Board or its officers, agents, and employees. Such indemnification shall specifically include infringement claims made against any and all intellectual property supplied by the awarded Vendor and third parties.
- M. Facility Inspections & Examination/Audit of Records:** The County reserves the right to visit and inspect the records and operation of any Vendor.
- i. Examination of Records.** The Awarded Vendor's records which shall include, but not be limited to, accounting records (hard copy, as well as computer readable data), written policies and procedures, awarded Vendor files, indirect cost records, overhead allocation records, correspondence, instructions, drawings, receipts, vouchers, memoranda, and any other data relating to this contract shall be open to inspection and subject to audit and/or reproduction by the County Auditor, or a duly authorized representative from the County, at the County's expense. The awarded Vendor shall preserve all such records for a period of three years, unless per Information Technology to destroy them is granted by the County, or for such longer period as may be required by law, after the final payment. Information regarding the awarded Vendors operations obtained during audits will be kept confidential.
- N. Sub Vendor:** No sub Vendor shall be used.
- O. Third Party Contract:** The County shall not enter into a third party contract and reserves the right to disqualify a Vendor so proposing.
- P. Change in Ownership/Financial Viability Status:** The awarded Vendor shall notify Champaign County immediately of any change in its status resulting from any of the following: (a) Vendor is acquired by another party; (b) Vendor becomes insolvent; (c) Vendor, voluntarily or by operation law, becomes subject to the provisions of any chapter of the Bankruptcy Act; (d) Vendor ceases to conduct its operations in normal course of business. Champaign County shall have the option to terminate its contract with the Vendor immediately on written notice based on any such change in status.
- Q. Collusion/Conflict of Interest Prohibited:** Vendor collusion with other Vendors or employees thereof, or with any employee of the County, is prohibited and may result in Vendor disqualification and/or cancellation of award. Any attempt by the Vendor, whether successful or not, to subvert or skirt the principles of open and fair competition may result in Vendor disqualification and/or cancellation of award. Such disqualification and/or cancellation shall be at no fault or liability whatsoever to the County.

No officer, employee, or their dependent or person residing in and sharing the expenses of their household, shall have a financial interest in the sale to the County of any real or personal property, equipment, material, supplies, or services. This rule also applies to subcontracts with the County. Soliciting or accepting any gift, gratuity favor, entertainment, kick-back or any items of monetary value from any person who has or is seeking to do business with the County of Champaign is prohibited. Any Vendor aware of this type of activity is encouraged to report to the County Administrator. In connection with this RFP each Vendor shall ensure that no improper, unethical, or illegal conflict of interest exists between or among the Vendor, the County, and any other party to this RFP.

The County reserves the right to determine the materiality of such relationships, when discovered or disclosed, whether intended or not; and to determine whether or not Vendor disqualification and/or cancellation of award shall result. Such disqualification and/or cancellation shall be at no fault or liability whatsoever to the County.

- R. **Confidentiality**: After award of the contract, all responses, documents, and materials submitted by Vendor pertaining to this RFP will be considered public information and will be made available for inspection, unless otherwise determined by the County Administrator. All data, documentation and innovations developed as a result of these contractual services shall become the property of the County. Based upon the public nature of these RFPs, a Vendor must inform the County, in writing, of the exact materials in the offer which cannot be made a part of the public record in accordance with the Illinois Freedom of Information Act.
- S. **Non-Discrimination**: Awarded Vendor shall comply with the Illinois Human Rights Act, 775 ILCS 5/1-101 et seq., as amended and any rules and regulations promulgated in accordance therewith, including, but not limited to the Equal Employment Opportunity Clause, Illinois Administrative Code, Title 44, Part 750 (Appendix A), which is incorporated herein by reference. Furthermore, the Awarded Vendor shall comply the Public Works Employment Discrimination Act, 775 ILCS 10/0.01 et seq., as amended.
- T. **Americans with Disabilities Act** It shall be a condition that any Vendor, firm or corporation supplying goods or services, must be in compliance with the appropriate areas of the Americans With Disabilities Act of 1990 as enacted, and from time to time amended, and any other applicable Federal regulation. A signed, written certificate stating compliance with the Americans with Disabilities Act may be required, upon request by the County.
- U. **No Waiver of Rights** In the event the Champaign County Board should waive an awarded Vendor breach of their contract, it shall not be construed as a waiver of future breach(s). The Champaign County Board will continue to insist on strict performance of all tenets of the contract.
- V. **Independent Awarded Vendor** The awarded Vendor will be an independent awarded Vendor. The awarded Vendor is not, and will not be, an employee or agent of Champaign County.

8. **SCHEDULE OF EVENTS**

- A. September 8, 2010RFP Available
- B. September 22, 2010 ...Pre-Proposal Meeting, 2:00P.M. Lyle Shields Meeting Room, Brookens Admin. Building
- C. October 12, 2010RFP due 1:45 P.M. , Brookens Administration Building
- D. October 12, 2010Proposal Opening, 2:00P.M. Lyle Shields Meeting Room, Brookens Administration Building
- E. October 15, 2010Evaluation Committee Recommendation to the County Board
- F. October 21, 2010Award of Contract, Champaign County Board

9. **MINORITY PARTICIPATION**

- A. The Champaign County Board is committed to promoting the broadest possible participation of contractors, subcontractors, or material suppliers for its construction projects. Minority-Owned Business Enterprises or Female-Owned Business Enterprises are encouraged to participate in this project. To be complete, each Proposal shall be accompanied by a "Minority Participation Documentation" form. This document is required as an informational tool only to review the bidding process after a contract is awarded. It shall be submitted in a separate, sealed envelope, and shall not be opened or considered until after the contract is awarded. The Champaign County Board is an Equal Opportunity Employer.

10. **PROCUREMENT OF GREEN PRODUCTS AND TECHNOLOGIES**

- A. It is in the interest of public health, safety and welfare and the conservation of energy and natural resources to use and promote environmentally responsible products. The County should strive to influence private purchases through the

example of using government specifications and standards that are green or environmentally friendly when making its purchases.

- B. Whenever available and cost-justified, the County should purchase those materials including the purchase of recycled products containing post-consumer materials rather than residual materials resulting from the processing of manufacturing from another product. To the extent practicable, all products standards shall emphasize functional or performance criteria which do not discriminate against the use of recycled materials.

11. **PROCUREMENT OF PRODUCTS THAT ARE ENERGY STAR QUALIFIED**

- A. Champaign County shall select, where life cycle and cost-effective, ENERGY STAR and other energy efficient products, when acquiring energy-using products. This information will be required by the awarded Vendor in their design and construction document submittals.

12. **EVALUATION CRITERIA** The evaluation committee selected and approved by the Champaign County Board will make its recommendation for award of contract on the following criteria:

- A. Total Project cost.
- B. Project Completion Date
- C. Proposed Site Plan, Floor Plan, Building Sections and Elevations
- D. References of Work Done of a Similar Nature and Size
- E. Design-Build Team Experience

13. **BID BOND:** Bidders will be required to provide a **Bid Bond**, certified check, or a cashier's check, drawn on a bank authorized to do business in Illinois, in a dollar amount of not less the **five percent (5%)** of the sum of the computed total amount of the proposal.

14. **PERFORMANCE ASSURANCE:** A **Performance and Payment Bond** will be required by the accepted Proposer as described below.

- A. Payment and Performance Bond shall be in the amount of 110% of the propose value. Any additional scope value during the project must be covered by the Payment and Performance Bond.
- B. Oblige is County of Champaign, project owner for the Payment and Performance Bonds.
- C. Payment and Performance Bonds must be signed by an official of the bonding company and accompanied by the bonding agents' written Power of Attorney.
- D. Three (3) copies of each of the bonds and the Power of Attorney must be provided in order that one copy of each may be attached to each copy of the contract agreement. Bonds must be submitted to Champaign County within two (2) weeks on the notice of award, if start of construction is sooner, then bonds must be submitted a minimum of two (2) days prior.
- E. Date of Agreement and Dates of Payment and Performance Bonds shall be the same.
- F. Such Payment and Performance Bonds shall be issued by a surety listed on the Department of Treasury's listing as approved sureties with an A.M. Best Rating of "A" or better which is licensed in the State of Illinois and must be acceptable to the design-builder.

15. **BUILDING PERMITS:** Champaign County will be responsible for applying for and purchasing the Building Permit from the City of Urbana. The **Design-Build Contractor** shall be responsible for the expediting of all other required permits for the construction and completion of this project up to and including final inspections to secure the **Occupancy Permit**.
16. **DESIGN, DOCUMENTATION AND BUDGETING:** The Design-Build Contractor will be responsible to provide Champaign County with Design and Construction documents clearly depicting the approved scope of work to date. The plans shall include but not be limited to; Storm Water Management Plan, Storm Water Pollution Prevention Plan, Site and Civil Engineering Plans, Floor Plans, Structural Plans, Sections and Details, Fire Protection, Plumbing, HVAC and Electrical Plans, Specifications and any other documentation required to accurately convey the complete scope of work. In addition, total project cost budgets shall be presented to and approved by the County prior to the approval of the Design and Construction Document phases respectively.
17. **CONSTRUCTION ADMINISTRATION:** The Design-Builder shall be required to schedule and administrate project coordination meetings. These meetings shall be scheduled at intervals determined at the start of construction as agreed to by the Design-Builder and the County, and as needed as project conditions and complexity dictate. The Design-Builder shall provide a complete set of Project Close-out Documents to the County at the end of the job and as further delineated in the Outline Specifications in Paragraph No. 20 below.
18. **WARRANTY FOLLOW-UP:** The Design-Builder shall provide and coordinate a follow-up visit/inspection of the facility with the County approximately ten (10) months after substantial completion. The premise of this follow-up inspection is to review, document and correct any warranty items found prior to their expiration after the first year of service.
19. **SUBMITTAL REQUIREMENTS:** Interested companies shall submit a concise statement of the company's qualifications, which includes the following information:
- A. **Proposal Sheet** (included herein)
 - i. **Acknowledgement of Addenda**
 - ii. **Anticipated Project Schedule**
 - B. **Reference Page** (included herein)
 - C. **Experience Page:** Design-Builder generated list of at least three similar projects with construction costs in excess of \$500,000.00. Include project name, location, cost, date completed, images/photos and Owner contact information.
 - D. **Bid Bond**
 - E. **Statement of Non-Collusion** (included herein)
 - F. **Efforts to Utilize Minority and Female Subcontractors/Suppliers** (separate sealed envelope)
 - G. **Proposed Site Plan, Floor Plan, Building Sections and Elevations**
20. **PRE-RFP MEETING:** A Pre-RFP meeting will be held on September 22, 2010, at 2:00 p.m. (CST). The meeting shall begin at the Brookens Administrative Center, 1776 East Washington Street, Urbana, IL in the Lyle Shields Meeting Room. A visit to the Project Site will follow for those interested. Attendance at the Pre-RFP meeting is recommended but not mandatory.

21. **OUTLINE SPECIFICATIONS**

DIVISION 01 - GENERAL REQUIREMENTS

- A. Provide and update construction schedule for biweekly meetings
- B. Provide shop drawings, product data, samples, and other submittals as required for review and approval by the

- Owner.
- C. Install, remove and pay all use charges for needed temporary facilities.
 - D. Perform project close out procedures including substantial completion and final completion inspections with the County, establish warranty dates, and final cleaning.
 - E. Maintain one set of clean and legible Record Documents at the Project site including additions, deletions or revisions and mark-up accordingly to record actual construction prior to concealment of any work.
 - F. At the end of the job, provide one hard copy of all close out submittals including Record Drawings, Record Specifications, Record Shop Drawings, Record Product Data, Testing Results, Operations and Maintenance Manual and other Miscellaneous Record Submittals to the County.

DIVISION 02 - SITEWORK

- A. Soil boring data included for information only. At Design-Builder's own expense perform additional subsurface investigation as needed.
- B. Site Clearing
- C. Earthwork
- D. Utility Services
 - 1. Extend domestic water service from 6" main in Bartell Drive.
 - 2. Extend fire service from 6" main in Bartell Drive.
 - 3. Extend gas service from Bartell Drive.
 - 4. Connect to sanitary service from 10" main in Bartell Drive.
 - 5. Extend gas service from Bartell Drive.
 - 6. Extend new underground electrical service from Bartell Drive.
 - 7. Existing underground telephone service located in footprint of new building is abandoned.
 - 8. Extend conduit from source to the building for fiber and switch provided by the County.
- E. Storm Drainage
 - 1. Roof Water/Downspouts: Pipe west face of East Wing and south face of West Wing to storm sewer.
- F. Concrete Paving
 - 1. Concrete paving for driveways, parking and walks.
 - 2. Provide an alternate proposal for bituminous paving.
 - 3. Parking and driveway paving required to support semi-tractor trailer traffic.
- G. Grading, Fertilizing, Seeding and Mulching
 - 1. Final grade and seed areas disturbed by construction.

DIVISION 03 - CONCRETE

- A. Cast-In-Place Concrete
 - 1. Provide steel reinforcement as required in interior and exterior concrete slabs as required to support high way truck loads on exterior slabs, and 250 psf and fork lift loads on all interior slabs. Provide 6" minimum thickness for interior slab. Design slab in conformance with recommendations contained in the Soils Report performed for the Owner by GEOCON Engineering, Inc. (hence GEOCON). All design, including contraction joints and sealants shall be located and specified by a Structural Engineer licensed in the State of Illinois. Submit sealed record calculations to Owner.
 - 2. All exposed interior concrete surfaces shall be treated with an alkaline silicate solution to harden, seal and densify the exposed concrete, with a reduction of abrasion greater than 50% per ASTM C-779, applied by an Approved Applicator providing a 10 year warranty.
 - 3. All exposed interior concrete surfaces shall be treated with an alkaline silicate solution to harden, seal and densify the exposed concrete, with a reduction of abrasion greater than 50% per ASTM C-779, applied by an Approved Applicator providing a 10 year warranty.
 - 4. All concrete work shall conform to ACI standards.

DIVISION 04 - MASONRY (NOT USED)

DIVISION 05 - METALS

- A. Structural Metal Framing
- B. Metal Framing

DIVISION 06 - WOODS AND PLASTICS

- A. Wall blocking as required.

DIVISION 07 - THERMAL AND MOISTURE PROTECTION

- A. Thermal Protection
 - 1. Minimum R-15 for walls.
 - 2. Minimum R-30 for the roof.
 - 3. Connect gas to existing gas line.
- B. Roofing and Siding Panels
 - 1. Minimum 20 year paint/rust warranty on wall panels and roofing panels.
- C. Sheet Metal Flashing and Trim
- D. Joint Sealers

DIVISION 08 - DOORS AND WINDOWS

- A. Steel Doors and Frames
- B. Sectional Overhead Doors
- C. Sheet Metal Flashing and Trim
- D. Metal Operable Windows
- E. Door Hardware

DIVISION 09 - FINISHES

- A. Non-Load Bearing Steel Framing
- B. Gypsum Board Assemblies
- C. Acoustical Tile Ceilings in West Wing except for Garage and Drive-Through.
- D. Resilient Floor Tile, Base and Accessories at Bathrooms, Break Room and Prep room.
- E. Carpet
 - 1. Supplied by Owner, Installed by Contractor
 - 2. Carpet at Offices, Conference Room, Entry and Corridor
- F. Painting and Coatings
 - 1. Use low VOC paints, adhesives on all interior finishes.

DIVISION 10 - SPECIALTIES

- A. Signage
 - 1. Provide signage as minimally required by governing codes.
- B. Fire Protection Specialties
- C. Toilet and Bath Accessories
 - 1. HNDCP Grab Bars
 - 2. Mirror
 - 3. Soap Dispenser (By Owner)
 - 4. Paper Towel Dispense (By Owner)
 - 5. Waste Receptacle (By Owner)
 - 6. Toilet Tissue Dispenser (By Owner)

DIVISION 11 - EQUIPMENT (NOT USED)

- A. Note: All movable equipment provided by the County including Coroner's Cooler. No autopsies will be conducted at this facility.

DIVISION 12 - FURNISHINGS

- A. Note: All movable furniture and furnishings will be provided by the County.

DIVISION 13 - SPECIAL CONSTRUCTION

- A. Pre-Engineered Structures
 - 1. See also following specification Section 13121, Pre-Engineered Buildings, Paragraph 21.
- B. Security System(s) provided by Owner utilizing other contractors during construction.

DIVISION 14 – CONVEYING SYSTEMS (NOT USED)

DIVISION 15 – MECHANICAL

- A. Basic Mechanical Materials and Methods
 - 1. All electric motors per NEMA and 2009 International Energy Conservation Code.
 - 2. Provide minimum 3-1/2" thick reinforced concrete bases under equipment installed on building floors.
 - 3. Provide 4" thick poured concrete floating pad for ground-mounted equipment. Reinforce with 6x6-W1.4 welded wire mesh. Set pad on 4" thick sand bed. Excavate surrounding soil so that completed pad is two inches above finish grade. Turn edges of pad down so sand bed is contained.
 - 4. Confirm exact location of utilities both publicly and privately owned. Hire a private utility locating service.
 - 5. Excavations made through existing streets, sidewalks, parking areas, curbs or other finished surfaces shall be replaced with material and reinforcing steel, where required, to match.
 - 6. A factory-trained engineer shall perform start-up, check-out and calibration of the rooftop units and mixing valve(s).
 - 7. Take note of future expansion footprint. Set all inverts accordingly. Locate new utilities accordingly.
- B. Mechanical Insulation
 - 1. All insulation for piping and ductwork shall be applied in accordance with MICA "Commercial and Industrial Insulation Standards".
 - 2. No duct lining.
- C. Sprinkler System
 - 1. Provide a complete, operational sprinkler system in accordance with NFPA, state and local codes and Owner's Insuring Authority including:
 - a. Branch mains.
 - b. Sprinkler heads.
 - c. Supervisory switches.
 - d. Alarm bells.
 - e. Flow alarm devices.
 - f. Fire department connection.
 - 2. Installed by a contractor qualified to do sprinkler work in the State of Illinois.
 - 3. Submit calculations and contractor-prepared drawings to all authorities having jurisdiction for approval before installation of the system.
 - 4. Contractor shall obtain water flow and pressure test information from the proper authorities and from a recent test of the existing main to which connection will be made. Test location shall be as close as possible to the intended point of connection. Do not use a fire pump.
 - 5. Sprinkler Contractor shall connect to backflow preventer inside building.
 - 6. All control valves shall be electrically supervised.
 - 7. Locate fire department connection per request of Urbana Fire Department.
 - 8. See wiring of supervisory switches in Division 16, fire alarm scope.
- D. Plumbing
 - 1. Provide hot, recirculation and cold water supply systems.
 - 2. Provide drain, waste and vent piping system.
 - 3. Provide natural gas piping system.
 - 4. Provide plumbing fixtures.
 - 5. PVC interior sanitary piping system.
 - 6. PVC interior vent piping system.
 - 7. Contractor shall use matching roof jacks on metal roof systems.
 - 8. Take outside sanitary sewer(s) to 10" sanitary on west side of Art Bartell Drive.
 - 9. Take outside storm sewer(s) to manhole in Art Bartell Drive.
 - 10. Interior water piping shall be Type L hard copper pipe with wrought fittings joined to pipe with no-lead 95-5 solder.
 - 11. Buried domestic water piping shall be Type K copper with wrought fittings and joined together with 95-5 solder or silver solder.
 - 12. Furnish and install separate domestic water main and separate fire protection service main.
 - 13. Domestic water service sized per ISPC and shall accommodate 30% more fixture units than shown on the concept drawings.

14. Fire service shall be 6".
 15. Ameren will furnish and install a gas service complete with regulator and meter. Utility company's regulator will regulate from utility pressure down to 7" WC. Utility company shall provide, in writing, certification of gas pressure before firing any appliances.
 16. Install all gas piping per latest edition of NFPA 54. Pipe shall be schedule 40 black seamless pipe with fittings to be 125# black malleable.
 17. Provide ball valves for all piping systems in main and branch lines and at equipment.
 18. Back flow preventer assemblies shall be provided for the domestic and fire services - 1"-8" (reduced pressure unit), fire protection systems, valves shall be supervised.
 19. Provide two (2) flush-mounted frost-proof sill cocks, one on west face of West Wing, one on south face of East Wing.
 20. Provide one catch basin in the small parking lot and two in the big parking lot.
 21. Water meter with remote reader by Utility Company.
 22. Test interior and exterior sewer, water and gas systems. Disinfect water systems.
- E. Plumbing Fixtures
1. Provide supplies to all fixtures with chromium plated pipe with loose key stops, including exposed flush valves with integral stops.
 2. Install chromium-plated traps when the fixture drainage connections are exposed in finished rooms.
 3. Provide floor-mounted concealed carriers for all wall hung water closets and lavatories.
 4. Water closets shall be wall-hung, siphon jet, flush valves.
 5. Lavatories shall be wall-hung with centerset faucet fittings by Chicago Faucet or Owner-approved equal.
 6. Faucets shall not allow the backflow of cold water into hot water supply piping or vice-versa. It shall be Contractor's responsibility to install back checks into supply lines if necessary.
 7. All public use fixtures requiring hot water shall have the hot water temperature set to a maximum of 110 degrees F. Where required by code, and when a master mixing valve is not installed, a thermostatic or pressure balance valve (ASSE 1016) shall be installed to limit such temperature to 110 degrees F at each fixture or battery of fixtures as required by manufacturer.
 8. Provide 24" x 24" wall-hung fiberglass slop sink similar to Fiat in Maintenance, location to be determined.
 9. Provide drop-in stainless steel convenience sink in Break Room.
 10. Provide 4" finished floor drain at Coroner's Prep Room and Cooler Room, location to be determined.
 11. Provide 4" heavy duty floor drains in Garage, and at overhead doors at Drive Through, Staging/Storage and Nursing Home Storage.
 12. Provide oil interception if required by code.
- F. Heating, Ventilating and Air Conditioning
1. Provide condensate drain piping.
 2. All above grade condensate drain piping shall be schedule 40 DWV PVC or type DWV copper piping with copper drainage fittings.
 3. All drains shall be trapped. Traps shall be designed to withstand the maximum (positive or negative) pressure imposed on them by service without ponding or retaining water in the pans.
 4. All drain lines shall slope uniformly to termination point at slope of 1/8" per foot.
- G. Heat Transfer
1. Provide electric unit heaters (cabinet type) at entry vestibule(s) and entry corridor(s).
 2. Provide gas-fired unit heaters for storage areas, Garage, Maintenance, and Drive Through.
 3. Provide ducted combustion air and vented flues similar to Sterling.
 4. Design for -10 degrees F outside air temperature.
- H. Air Handling
1. Provide rooftop air handling units set on pads at grade including fans and accessories.
 2. Provide gas-fired rooftop units with DX cooling for west wing.
 - a. Minimum one zone for Coroner and minimum one zone for County Clerk.
 3. Provide power ventilators.
 - a. Rooftop power ventilators for toilet exhaust.
 - b. Large wall-mounted fan for Maintenance.
 4. Provide destratification propeller fans similar to Leading Edge in maintenance area. Provide one fan-speed switch per fan.
 5. Provide small, all season cooling system for Network Room and Maintenance Break Room.
 6. Design for 95 degrees F, db/75 degrees F, wb outside summer temperature.
 7. Design for -10 degrees F outside winter temperature.
- I. Air Distribution
1. Provide complete supply, return and exhaust sheet metal ductwork systems including filters, low pressure ductwork, volume dampers, flex duct and grilles and diffusers in compliance with NVPA 90A.

2. Provide disposable fiberglass filters.
3. Ductwork shall be hot galvanized steel sheets.
4. All seams shall be Pittsburg type locked and hammered flat and made air-tight. Lap joints with inside lap in direction of air travel. Snap-lock seams shall not be used.
5. Construction of low pressure ductwork in compliance with latest edition of SMACNA Duct Construction Standards - Metal and Flexible.
6. Low pressure duct leakage shall not exceed 10%.

J. Temperature Control

1. Provide thermostats, wiring, coordination with equipment suppliers and start-up assistance.
2. Thermostats shall be solid state, programmable single stage heating and cooling compatible with controlled equipment
3. Provide duct-mounted smoke detectors on all air handling units requiring detectors including all power wiring to detectors, all unit shutdown wiring and all wiring to fire alarm system. \
4. In garage, storage and shop areas, provide locking Lexan ventilated stat guards.
5. Provide solid state, programmable time clock.
6. Equipment to be controlled includes:
 - a. Rooftop units with programmable thermostats by the manufacturer.
 - b. Toilet exhaust fans controlled by time clock.
 - c. Electric unit heaters controlled by integral thermostats.
 - d. Gas-fired unit heaters controlled by heat-only, round thermostats.
 - e. Propeller fans controlled by fan speed switches.

K. Air Systems Testing Adjusting and Balancing

1. Test, adjust and balance air systems to be performed by an independent firm specializing in such work including a report submitted to the Owner.

DIVISION 16 - ELECTRICAL

A. Basic Electrical Materials and Methods

1. Provide a complete system of raceways and conduit including hangers and supports, conduit fittings, boxes and covers, cable and wire (copper conductors).
2. Provide electrical wiring devices and device plates.
3. Provide room rough-in for telecommunications system with empty conduit from rough-in boxes to accessible ceilings.
4. Provide zinc-coated or galvanized steel 4"x4" station outlet boxes, 2-1/8" deep with 3/4" knockouts for each outlet fitted with appropriate plaster ring.
5. J-Hooks provided by Owner's network/phone wiring installer.
5. Where flush-mounted electrical panels are used, provide at least four 3/4" empty conduits up to the ceiling above for future expansion.
6. Provide receptacles as follows:
 - a. One each wall in Offices, Waiting, Viewing, and Electronics Storage.
 - b. Two each wall in Conference and Break.
 - c. 25' on center in Hallways.
 - d. 10' on center in Garages.
 - e. 20' on center in Elections Storage.
 - f. 15' on center in Set-Up/Testing.
 - g. 40' on center in Staging/Storage.
 - h. 20' on center in Nursing Home Storage.
 - i. None in Shop - installed by Owner.
7. Provide phone/network rough-ins as follows:
 - a. Two per Office, Reception, Viewing.
 - b. Four in Break.
 - c. One in Waiting, Garages, Small Storage Rooms, Nursing Home Storage.
 - d. Two in Staging/Storage.
 - e. 15' on center in Set-up/Testing.
8. Provide CATV outlets as follows:
 - a. One per Office, Reception, Break, Conference.

B. Service and Distribution (600 Volt & Below)

1. Provide underground primary conductors to a pad-mounted dry type transformer plus underground 120/208 volt, 3 phase, 4 wire electrical service of appropriate size per AmerenIP requirements.

2. Provide single distribution panel board with a single main circuit breaker. All sub-panels shall be fed by single circuit breakers from this panel.
 3. Lay out service entrance with enough space and junction boxes that a 3 phase manual transfer switch could be added in the future.
This would be operated in conjunction with a portable generator that would be purchased by the Owner in the future.
 4. Provide sub panels as follows:
 - a. 100 amp, 120/208 volt, 3 phase in Maintenance Area.
 - b. In Election Equipment Storage Area.
 - c. In Coroner Area (allow 100 amp, 3 phase load for coolers provided and installed by Owner)
 - d. In Staging/Storage Area.
 5. Provide transient voltage surge suppression device for distribution panel.
 6. Prepare electrical service size calculations and submit to Owner. Allow for 30% growth in building load. Size service at 125% of extrapolated load.
 7. Provide following facilities per AmerenIP requirements:
 - a. Two underground conduits for primary conductors (one conduit is a spare). Take from AmerenIP overheads along Art Bartell Drive.
 - b. Transformer vault, poured concrete.
 - c. Secondary conduits to the distribution panel. Provide three spare conduits.
 - d. Secondary conductors.
 - e. Metering provisions.
 8. Utility Company will provide the following:
 - a. Primary conductors and connections.
 - b. Pad-mounted transformer.
 - c. Secondary connections at transformer.
 - d. Meter.
 9. All cost chargeable to the project by AmerenIP for their work shall be paid directly by the Owner.
 10. Provide electrical service grounding as follows:
 - a. Use the steel conduit system as the ground conductor on all branch circuits, all feeders, panelboard feeders and motor circuits. If PVC conduit is used for underground or underfloor feeds then provide full size grounding conductor.
 - b. Electrical service grounding electrode system shall consist of separate ground cables from the ground bus of the main distribution panelboard to the following:
 - Metal underground water mains (both of them) with bonded jumper around water meter.
 - Metal frame of the building.
 - Ground field.
- C. Lighting
1. Provide complete lighting system including fixtures and controls in compliance with IECC-2009 and International Energy conservation Code – 2009.
 2. Use recessed fluorescent fixtures in all areas with lay-in ceilings. Fluorescent strip light fixtures with metal guards shall be used in Garages, Setup/Testing, Election Equipment , Maintenance and storage areas in West Wing. Use high bay fluorescent with metal guards in Staging/Storage and Nursing Home Storage.
 3. Minimum lighting levels as follows:

a. Offices, Conference	50 Footcandles.
b. Corridors	25 Footcandles.
c. Election Equipment	50 Footcandles.
d. Set-Up/Testing	50 Footcandles.
e. Garages	25 Footcandles.
f. Wait/Reception	50 Footcandles.
g. Staging/Storage	20 Footcandles
h. Nursing Home Storage	20 Footcandles.
i. Maintenance	50 Footcandles.
 4. Provide metal halide wall packs with full shielding to prevent any light trespass off the site as follows:
 - a. One at south end of East Wing.
 - b. Two at west end of West Wing.
 - c. One at corridor entry from east parking lot.
 5. Incandescent fixtures shall not be used.
 6. Fluorescent lamps shall be T5 or T8.
 7. Provide shoebox-type parking lot fixtures with cut-off so no light trespasses off the site. 20' aluminum poles on round concrete bases projecting 30' above grade. Provide one footcandle illumination level in

- both lots. Provide one fixture for east drive to building.
- 8. Control of interior lights shall allow an occupant to traverse the building from one end to the other with out being in darkness.
- 9. Exterior lighting shall be photocell on/timer off. Control separately West and East lots and East driveway.
- D. Communications
 - 1. Provide empty boxes and raceway for phone, network, CATV and fiber optic wiring that will be provided by Owner under separate contract.
 - 2. Provide telephone terminal board fastened to wall consisting of 8'-0" high x 4'-0" wide x 3/4" thick ply wood, good one side.
 - 3. Provide an empty 2" PVC conduit (with pull string) from Comcast pull box north of the site to network equipment room inside the building for cable TV service. CATV wiring and equipment by Comcast.
 - 4. Provide and installed by others under separate contract with Owner.
 - 5. Provide an empty 2" PVC conduit from pull box located north of the proposed building to network equipment room for fiber optic cable. Fiber optic cable and equipment by others under separate contract with Owner.
- E. Fire Alarm System
 - 1. Provide complete addressable fire alarm system complying with ADA.

22. SECTION 13121 - PRE-ENGINEERED BUILDINGS

PART I GENERAL

1.01 SECTION INCLUDES

- A. Pre-engineered, shop-fabricated structural steel building frame.
- B. Insulated metal wall and roof panels including gutters and downspouts.
- C. Exterior doors, windows, overhead doors, and louvers.
- D. Provide interior metal liner panel to minimum 8' high at the following locations at Staging/Storage, Maintenance, Telecom, Drive-Through, Garage and Storage Areas.

1.02 REFERENCE STANDARDS

- A. AISC 360 - Specifications for structural Steel Buildings; American Institute of Steel Construction, Inc.; 2005.
- B. ASTM A 36 / A 36M - Standard Specification for Carbon Structural Steel; 2005.
- C. ASTM A 153 / A 153M - Standard Specification for Zinc Coating (Hot-Dip) on Iron and Steel Hardware; 2005.
- D. ASTM A 307 - Standard Specification for Carbon Steel Bolts and Studs, 60,000 PSI Tensile Strength; 2007b.
- E. ASTM A 325 - Standard Specification for Structural Bolts; Steel, Heat Treated, 120/105 ksi Minimum Tensile Strength; 2009.
- F. ASTM A 490 - Standard Specification for Structural Bolts, Alloy Steel, Heat Treated, 150 ksi Minimum Tensile Strength; 2008b.
- G. ASTM A 500/A 500M - Standard Specification for Cold-Formed Welded and Seamless Carbon Steel Structural Tubing in Rounds and Shapes; 2007.
- H. ASTM A 501 - Standard Specification for Hot-Formed Welded and Seamless Carbon Steel Structural Tubing; 2007
- I. ASTM A 529/A 529M - Standard Specification for High-Strength Carbon-Manganese Steel of Structural Quality; 2005.
- J. ASTM A 653/A 653M - Standard Specification for Steel Sheet, Zinc-Coated (Galvanized) or Zinc-Iron Alloy-Coated (Galvannealed) by the Hot-Dip Process; 2007.
- K. ASTM A 792/A 792M - Standard Specification for Steel Sheet, 55% Aluminum-Zinc Alloy-Coated by the Hot-Dip Process; 2006a.
- L. ASTM A 992/A 992M - Standard Specification for Structural Steel Shapes; 2006a.
- M. ASTM C 665 - Standard Specification for Mineral-Fiber Blanket Thermal Insulation for Light Frame Construction and Manufactured Housing; 2006.
- N. ASTM C 991 - Standard Specification for Flexible Glass Fiber Insulation for Metal Buildings; 2008.
- O. ASTM C 1107/C 1107M - Standard Specification for Packaged Dry, Hydraulic-Cement Grout (Non-shrink); 2008.
- P. ASTM E 84 - Standard Test Method for Surface Burning Characteristics of Building Materials; 2008.
- Q. AWS A2.4 - Standard Symbols for Welding, Brazing, and Nondestructive Examination; American Welding Society; 2007.
- R. AWS D 1.1/D1.1M - Structural Welding Code - Steel; American Welding Society; 2008.

- S. MBMA (LR) - Low Rise Building Systems Manual; Metal Building Manufacturers Association; 2006.
- T. SSPC-Paint 20 - Zinc-Rich Primers (Type I, "Inorganic," and Type II, "Organic"); Society for Protective Coatings; 2002 (Ed. 2004).
- U. UL 580 - Standard for Tests for Uplift Resistance of Roof Assemblies; Underwriters Laboratories Inc.; 2006.

1.03 DESIGN REQUIREMENTS

- A. Installed Thermal Resistance of Wall System: Minimum R value of 15.
- B. Installed Thermal Resistance of Roof System: Minimum R value of 30.
- C. Design members to withstand all dead loads, applicable snow load, and design loads due to pressure and suction of wind calculated in accordance with applicable code. Include effects of all concentrated loads, including, but not limited to, overhead door supports, sprinkler headers and laterals, lighting, electrical, mechanical and ceiling suspension systems where provided.
- D. Design members to withstand UL 580 Uplift Class 60.
- E. Exterior wall and roof system shall withstand imposed loads with maximum allowable deflection of 1/180 of span.
- F. Provide drainage to exterior for water entering or condensation occurring within wall or roof system.
- G. Water penetration for Metal Roof Panels.
 - 1. No water penetration when tested according to ASTM 1646 at test pressure difference of (137 Pa 2.86 lbf/sq. ft.).
- H. Water Penetration for Metal Wall Panels.
 - 1. No water penetration when tested according to ASTM E 331 at a minimum differential pressure of 20 per cent of inward-acting, wind load design pressure of not less than 300 Pa 6.24 lbf/sq. ft. and not more than 575 Pa 6.24 lbf/sq. ft.
- I. Air Infiltration for Metal Roof Panels.
 - 1. Air leakage through assembly must not exceed (0.06 cfm/sq. ft.) of roof area when tested according to ASTM E 168 at negative test pressure difference of (75 Pa lbf/sq. ft.)
- J. Air Infiltration for Metal Wall Panels.
 - 1. Air leakage through assembly of not more than (0.6 cfm/sq. ft.) of wall area when tested accordingly to ASTM E 283 at static air pressure difference of (300 Pa 6.24 lbf/sq. ft.)
- K. Size and fabricate wall and roof systems free of distortion or defects detrimental to appearance or performance.

1.04 SUBMITTALS

- A. Product Data: Provide data on profiles, component dimensions, fasteners.
- B. Shop Drawings: Indicate assembly dimensions, location of structural members, connections, attachments, openings, cambers, and loads; wall and roof system dimensions, panel layout, general construction details, anchorages and method of anchorage, installation; framing anchor bolt settings, sizes, and locations from datum, foundation loads, indicate welded connections with AWS A2.4 welding symbols; indicate net weld lengths; submit drawings to the Owner approved and sealed by a Structural Engineer licensed in the State of Illinois.
- C. Samples: Submit two samples of pre-coated metal panels for each color selected, 3x3 inch in size illustrating color and texture of finish.
- D. Manufacturer's Instructions: Indicate preparation requirements, anchor bolt placement.
- E. Erection Drawings: Indicate members by label, assembly sequence, and temporary erection bracing.
- F. Project Record Documents: Record actual locations of concealed components and utilities.

1.05 QUALITY ASSURANCE

- A. Design structural components, develop shop drawings, and perform shop and site work under direct supervision of a Professional Structural Engineer experienced in design of this Work.
 - 1. Design Engineer Qualifications: Licensed in Illinois.
 - 2. Conform to applicable code for submission of design calculations and reviewed shop and erection drawings as required for acquiring permits.
 - 3. Cooperate with regulatory agency or authority and provide data as requested.
- B. Perform work in accordance with AISC 360 - Specification for Structural Steel Buildings.
 - 1. Maintain one copy on site.
- C. Perform welding in accordance with AWS D1.1.
- D. Manufacturer Qualifications: Company specializing in manufacturing the Products specified in this section with minimum three years documented experience.
- E. Erector Qualifications: Company specializing in performing the work of this section with minimum 3 years

experience.

1.06 WARRANTY

- A. Correct defective Work within a five year period after Date of Substantial Completion.
- B. Provide five year manufacturer warranty for but not limited to the items listed below.
 - 1. Include coverage for exterior pre-finished surfaces to cover pre-finished color coat against chipping, cracking or crazing, blistering, peeling, chalking, or fading. Include coverage for weather tightness of building enclosure elements after installation.

PART 2 PRODUCTS

2.01 MANUFACTURERS

- A. Pre-Engineered Buildings:
 - 1. Butler Manufacturing Company: www.butlermfg.com.
 - 2. Ceco Building Systems: www.cecobuildings.com.
 - 3. Kirby Building Systems: www.kirbybuildingsystems.com.
 - 4. VP Buildings: www.vp.com.
 - 5. Other Pre-Engineered Building Manufacturers approved equal by the County.

2.02 PRE-ENGINEERED BUILDING

- A. Single span rigid frame.
- B. Bay Spacing: To be determined.
- C. Primary Framing: Rigid frame of girders and columns, braced end frames, end wall columns and wind-bracing in walls and roof plane.
- D. Secondary Framing: Purlins and Girts, and other items detailed.
- E. Wall System: Preformed metal panels of an undetermined profile, with sub-girt framing/anchorage assembly, insulation, and liner sheets, and accessory components.
- F. Roof System: Preformed metal panels oriented parallel to slope, with sub-girt framing/anchorage assembly, insulation, and liner panels, and accessory components.
- G. Roof Slope: Manufacturer's standard to match design loads and water infiltration requirements.
- H. Eave Height: Minimum eave height required to accommodate 14" tall over head doors (typical).

2.03 MATERIALS - FRAMING

- A. Structural Steel Members: ASTM A 572/A 572M, Grade 50.
- B. Structural Tubing: ASTM A 500, Grade B cold-formed.
- C. Plate or Bar Stock: ASTM A 529/A 529M, Grade 50.
- D. Anchor Bolts: ASTM A 307, galvanized to ASTM A 153/A 153M.
- E. Bolts, Nuts, and Washers: ASTM A 325 (ASTM A 325M), Type 1, galvanized to ASTM A 153/A 153M, Class C.
- F. Welding Materials: Type required for materials being welded.
- G. Primer: SSPC-Paint 20, zinc rich.
- H. Grout: ASTM C 1107/C 1107M, Non-shrink type, premixed compound consisting of non-metallic aggregate, cement, water reducing and plasticizing agents, capable of developing minimum compressive strength of 2400 psi (17 MPa) in two days and 7000 psi (48 MPa) in 28 days.

2.04 MATERIALS - WALLS AND ROOF

- A. Steel Sheet: Hot-dipped galvanized steel sheet, ASTM A 653/A 653M, SS Grade 33/230, with G90/Z275 coating.
- B. Steel Sheet: ASTM A 792/A 792M aluminum-zinc alloy coated to AZ50/AZM150.
- C. Insulation: Batt glass fiber type, faced with reinforced white vinyl, ASTM E 84 flame spread index of 25 or less where exposed, friction fit, thickness shall be dependent on R-value requirements.
- D. Fasteners: Manufacturer's standard type, galvanized to comply with requirements of ASTM A 153/A 153M, finish to match adjacent surfaces when exterior exposed.
- E. Bituminous Paint: Asphaltic type.
- F. Sealant: Manufacturer's standard type.
- G. Metal Mesh: Galvanized steel wire, woven.
- H. Trim, Closure Pieces, Caps, Flashings, Rain Water Diverter: Same material, thickness and finish as exterior sheets; brake formed to required profiles.

2.05 COMPONENTS

- A. Doors and Frames: Painted Hollow Metal interior. Painted galvanized exterior.
- B. Overhead Doors and Frames: Manufacturer's standard.
- C. Windows: Manufacturer's standard.
- D. Ventilators: As required.
- E. Wall Louvers: type Z blade design, same finish as adjacent material, with steel mesh insect screen and frame, black sheet metal at unused portions.

2.06 FABRICATION - FRAMING

- A. Fabricate members in accordance with AISC Specification for plate, bar, tube or rolled structural shapes.
- B. Anchor Bolts: Formed with bent shank, assembled with template for casting into concrete.
- C. Provide framing for skylight and ventilator openings. (If required).

2.07 FABRICATION - WALL AND ROOF PANELS

- A. Siding: Minimum .050 inch metal thickness, profile to be determined, lapped edges fitted with continuous gaskets.
- B. Roofing: Minimum .050 inch metal thickness, 1-1/2 inch rib profile, male/female edges fitted with continuous gaskets.
- C. Girts/Purlins: Rolled formed structural shape to receive siding, roofing and liner sheet.
- D. Internal and External Corners: Same material thickness and finish as adjacent material, profile shop cut and factory mitered to required angles. Back brace mitered internal corners with .050 inch thick sheet.
- E. Expansion Joints: Same material and finish as adjacent material where exposed, .050 inch thick, manufacturer's standard brake formed type, of profile to suit system.
- F. Flashings, Closure Pieces, Fascia: Same material and finish as adjacent material, profile to suit system.
- G. Fasteners: To maintain load requirements and weather tight installation, same finish as cladding, non-corrosive type.

2.08 FABRICATION - GUTTERS AND DOWNSPOUTS

- A. Fabricate of same material and finish as roofing metal.
- B. Form sections in maximum possible lengths. Hem exposed edges. Allow for expansion at joints.
- C. Fabricate support straps of same material and finish as roofing metal, color as selected.

2.09 FINISHES

- A. Framing Members: Clean, prepare, and shop prime. Do not prime surfaces to be field welded.
- B. Exterior Surfaces of Wall Components and Accessories: Pre-coated enamel on steel of modified silicone finish, color as selected from manufacturer's standard range. Low VOC paint is recommended.
- C. Interior Surfaces of Wall Components and Accessories: Pre-coated enamel on steel of modified silicone finish, color as selected from manufacturer's standard range. Low VOC paint is recommended.

PART 3 EXECUTION

3.01 EXAMINATION

- A. Verify that foundation, floor slab, mechanical and electrical utilities, and placed anchors are in correct position.

3.02 ERECTION - FRAMING

- A. Erect framing in accordance with AISC 360 - Specification for Structural Steel Buildings.
- B. Provide for erection and wind loads. Provide temporary bracing to maintain structure plumb and in alignment until completion of erection and installation of permanent bracing. Locate braced bays as indicated.
- C. Set column base plates with non-shrink grout to achieve full plate bearing.
- D. Do not field cut or alter structural members without approval.
- E. After erection, prime welds, abrasions, and surfaces not shop primed.

3.03 ERECTION - WALL AND ROOF PANELS

- A. Install in accordance with manufacturer's instructions.
- B. Exercise care when cutting prefinished material to ensure cuttings do not remain on finish surface.
- C. Fasten cladding system to structural supports, aligned level and plumb.

- D. Locate end laps over supports. End laps minimum 2 inches (50 mm). Place side laps over bearing.
- E. Provide expansion joints where required by local codes.
- F. Use concealed fasteners.
- G. Install sealant and gaskets to prevent weather penetration.

3.04 ERECTION - GUTTERS AND DOWNSPOUTS

- A. Rigidly support and secure components. Join lengths with formed seams sealed watertight. Flash and seal gutters to downspouts.
- B. Slope gutters minimum of 1/16 inch per foot.
- C. Install splash pads under each downspout.

3.05 INSTALLATION - ACCESSORIES

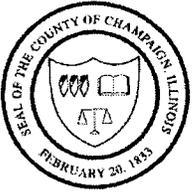
- A. Install door frames, doors, overhead doors, and windows and glass in accordance with manufacturer's instructions.
- B. Seal wall and roof accessories watertight and weather tight with sealant in accordance with Section 07900.

3.06 TOLERANCES

- A. Framing Members: 1/4 inch (6mm) from level; 1/8 inch (3 mm) from plumb.
- B. Siding and Roofing: 1/8 inch (3 mm) from true position.

END OF SECTION 13 121

23. **FORM OF AGREEMENT:** AIA Document A141-2004, Standard Form Agreement Between Owner and Design-Builder including AIA Document A141 - 2004, Exhibit A Terms and Conditions shall be the form of agreement used on the Project. A sample copy of the Agreement is attached with a copy of the Terms and Conditions available on request.



1776 EAST WASHINGTON
URBANA, IL 61802
(217) 384-3776
(217) 384-3765 – PHYSICAL PLANT
(217) 384-3896 – FAX
(217) 384-3864 – TDD
Website: www.co.champaign.il.us

ADMINISTRATIVE SUPPORT
DATA PROCESSING
MICROGRAPHICS
PURCHASING
PHYSICAL PLANT
SALARY ADMINISTRATION

STATEMENT OF NON-COLLUSION

The undersigned affirms that they are dully authorized to submit requested information, that this Vendor, corporation, firm, partnership or individual has not prepared this “RFP” in collusion with any other respondent, and that the contents of this “RFP” have not been communicated by the undersigned nor by any employee or agent to any other person engaged in this type of business prior to the official opening of this RFP.

Date _____

Vendor _____

Address _____

Phone/Fax _____

Respondent

(Signature) _____

(Print Name) _____

Position with Vendor _____

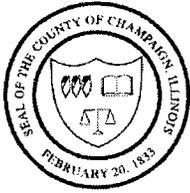
Signature of Official Authorizing This Information: _____

(Print Name) _____

Official Position _____

SUBMIT “STATEMENT OF NON-COLLUSION” FORM WITH RESPONSE PACKAGE

LATE INFORMATION CANNOT BE ACCEPTED



**CHAMPAIGN COUNTY
PROPOSAL SHEET
2010-005**

PROPOSAL FROM:

(name)

(address)

(date)

STIPULATED SUM BID: Bidder agrees to perform all Work shown or specified in the bidding documents for the sum of:

_____ DOLLARS
(Written)
(\$ _____)

ESTIMATED START DATE AFTER AWARD OF CONTRACT # _____ DAYS

ESTIMATED TIME OF COMPLETION # _____ DAYS

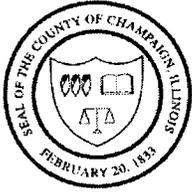
ACKNOWLEDGE OF ADDENDA:
No. _____, Dated _____
No. _____, Dated _____
No. _____, Dated _____
No. _____, Dated _____
No. _____, Dated _____

BY: _____
(name)

If by Corporation: Attest _____

(Seal)

(bidder's representative, signature and title)



**CHAMPAIGN COUNTY
BIDDERS REFERENCES SHEET**

2010-005

ENTITY: _____

ADDRESS: _____

CITY, STATE, ZIP CODE: _____

TELEPHONE NUMBER: _____

CONTACT PERSON: _____

ENTITY: _____

ADDRESS: _____

CITY, STATE, ZIP CODE: _____

TELEPHONE NUMBER: _____

CONTACT PERSON: _____

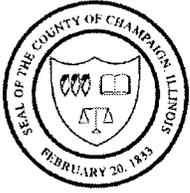
ENTITY: _____

ADDRESS: _____

CITY, STATE, ZIP CODE: _____

TELEPHONE NUMBER: _____

CONTACT PERSON: _____



1776 EAST WASHINGTON
URBANA, IL 61802
(217) 384-3776
(217) 384-3765 – PHYSICAL PLANT
(217) 384-3896 – FAX
(217) 384-3864 – TDD
Website: www.co.champaign.il.us

ADMINISTRATIVE SUPPORT
DATA PROCESSING
MICROGRAPHICS
PURCHASING
PHYSICAL PLANT
SALARY ADMINISTRATION

CHAMPAIGN COUNTY INSURANCE GUIDELINES

1. Binder/Certificates of Endorsements/ Endorsements/ Coverage Verification:

All vendors submitting bids must provide binders or certificates of endorsement insurance forms as completed by authorized agent or broker. (Use our forms – attached). The certificates for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. Champaign County reserves the right to require complete, certified copies of all required insurance policies at any time. If subcontractors are to be utilized, vendors shall include them as insured's and shall furnish separate certificates of insurance and endorsements for each subcontractor.

2. Adjustments to Insurance Policy:

Each insurance policy required by this clause shall be endorsed to state that coverage shall not be suspended, voided, cancelled by either party, reduced in coverage or in limits except after twenty (20) days prior written notice by certified mail, return receipt requested, has been given to Champaign County.

3. Minimum Limits of Insurance:

Vendors shall maintain each category of insurance and its corresponding minimums –

a. Broad Form Comprehensive General Liability:

\$1,000,000 combined single limit per occurrence for bodily injury, personal injury and property damage, Contractual Liability, Broad Form Property Damage, Products and Completed Operations Liability insurance is to be carried in sufficient aggregate value as to sufficiently cover this project.

4. Policies are to contain the following provisions:

- a. Champaign County, its officials and employees shall be covered as insured for: liability arising out of activities performed by or on the behalf of the vendor; products and completed operations of the vendor, or all automobiles utilized by the vendor. The coverage shall contain no special limitations on the scope of protection afforded to Champaign County, its officials or employees.
- b. The vendor's insurance coverage shall be primary insurance for Champaign County, its officials and employees. Any insurance issued to Champaign County, its officials or employees shall be in excess of that vendor's insurance and shall in no way reduce the Venders Liability.



CHAMPAIGN COUNTY ADMINISTRATIVE SERVICES

CERTIFICATE OF INSURANCE

RETURN CERTIFICATE TO:

BID PROPOSAL 2010-005

BROOKENS ADMINISTRATIVE CENTER
 ADMINISTRATIVE SERVICES
 1776 EAST WASHINGTON STREET
 URBANA, ILLINOIS 61802-4581
 ATTN: DEBRA BUSEY, COUNTY ADMINISTRATOR

This certifies that the following policies have been issued to the Insured named below and are in at this time.

INSURED: _____ ADDRESS: _____

Description of operations / locations / products insured: (Provide Contract Name / Number)

POLICIES & INSURERS	LIMITS	BODILY INJURY	PROPERTY DAMAGE	POLICY NO.	EXP. DATE
WORKERS' COMPENSATION _____ (NAME OF INSURER) BEST'S RATING (CHECK POLICY TYPE)	EMPLOYERS LIABILITY: \$ _____				
COMPREHENSIVE GENERAL LIABILITY: _____ OR COMMERCIAL GENERAL LIABILITY: _____ (NAME OF INSURER) BEST'S RATING:	CLAIMS MADE: OCCURRENCE: EACH OCCURRENCE: AGGREGATE OR COMBINED SINGLE LIMIT: AGGREGATE:	_____ _____ _____ _____	_____ _____ _____ _____		
BUSINESS AUTO POLICY LIABILITY COVERAGE SYMBOL: COMMERCIAL GENERAL LIABILITY: _____ (NAME OF INSURER) BEST'S RATING:	EACH PERSON EACH ACCIDENT: OR COMBINED SINGLE LIMIT: AGGREGATE:	_____ _____ _____	_____ _____ _____		
UMBRELLA LIABILITY _____ (NAME OF INSURER) BEST'S RATING:	CLAIMS MADE: OCCURRENCE: OCCURRENCE/ AGGREGATE: SELF-INSURED RETENTION:	_____ _____ _____	_____ _____ _____		



CHAMPAIGN COUNTY ADMINISTRATIVE SERVICES
202 ART BARTELL ROAD
BID / PROPOSAL 2010-005

THE FOLLOWING COVERAGE OR CONDITIONS ARE IN EFFECT:

YES NO

	YES	NO
1. The Agency, its officials, and employees are named on all liability policies described above as insured's as respects: (a) Activities performed for the Agency by or on behalf of the named insured, (b) Products and completed operations of the Named Insured and (c) Premises, owned leased or used by the Named Insured		
2. Products and completed Operations.		
3. Cross Liability Clause (or equivalent wording).		
4. Personal Injury, Perils A, B, and C.		
5. Broad Form Property Damage.		
6. X, C, U Hazards included		
7. Contractual Liability Coverage applying to this Contract.		
8. Liquor Liability		
9. Coverage afforded the Agency, it's officials, employees and volunteers as insured applies as primary and not excess or contributing to any insurance used in the name of the Agency.		
10. Waive of subrogation from Workers' Compensation insurer.		
11. The undersigned will mail to the Agency 30 days written notice of cancellation or reduction of coverage of limits.		

This certificate is issued as a matter of information. This certificate is not an insurance policy and does not amend, extend or alter the coverage afforded by the policies listed herein. Notwithstanding any requirement, term, or condition of any contract or other document with respect to which this certificate of insurance may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the term, exclusions and conditions of such policies.

 Brokerage or Agency

 Address

 Person to be Contacted

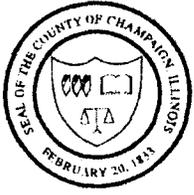
 Telephone Number

 Insurance Company

 Home Office

 Authorized Signature

 Date



MINORITY PARTICIPATION DOCUMENTATION FORM

202 ART BARTELL ROAD
BID / PROPOSAL 2010-005

ENCLOSE THIS DOCUMENT IN A SEPARATE SEALED ENVELOPE

EFFORTS TO UTILIZE MINORITY AND FEMALE SUBCONTRACTOR/SUPPLIERS

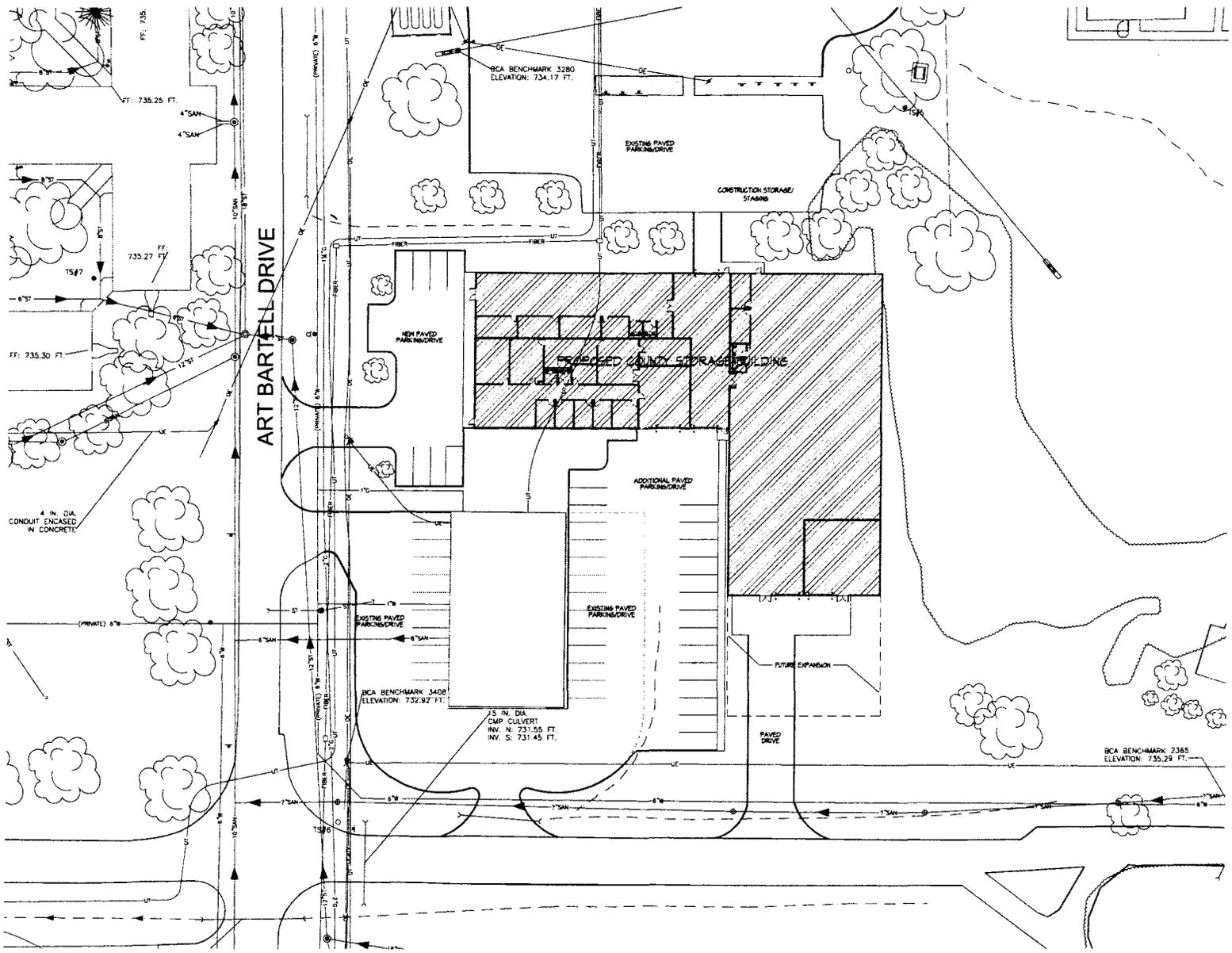
The Bidder is utilizing the following MBE/FBE Subcontractor/Supplier Firms in regard to this Contract
(make additional copies of this page if needed to list all MBE/FBE Firms):

Name of MBE/FBE
(Street & Mailing Address, City, State)

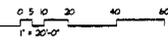
Telephone Number

MBE/FBE Denotation
(Indicate MBE or FBE, and
Subcontractor or Supplier)

<u>Name of MBE/FBE</u> (Street & Mailing Address, City, State)	<u>Telephone Number</u>	<u>MBE/FBE Denotation</u> (Indicate MBE or FBE, and Subcontractor or Supplier)



CONCEPT SITE PLAN



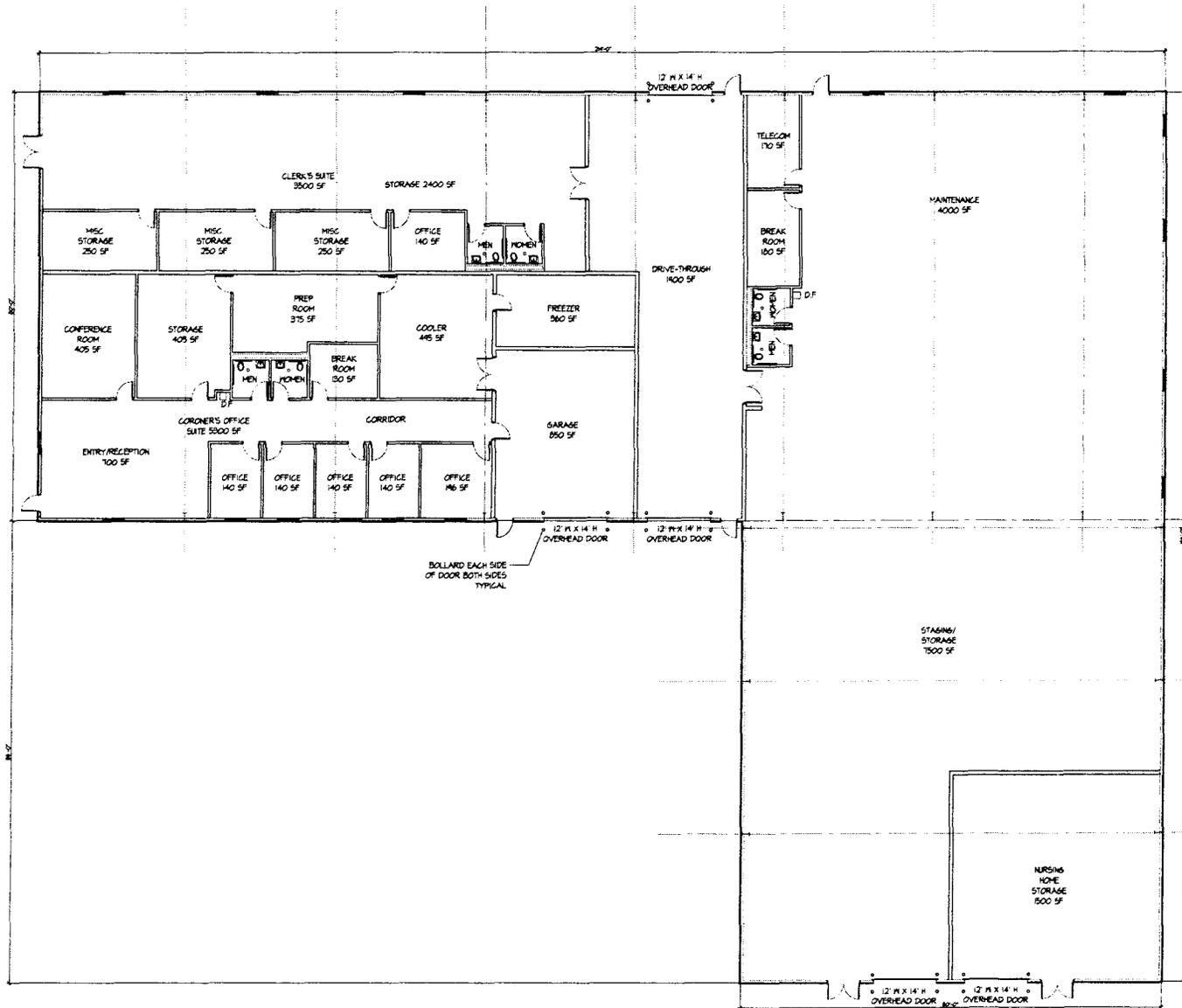
REVISIONS		DATE	BY	APPV	REMARKS

ESPAÑOL PLENUM ARCHITECTS, LLC
 114 WEST MAIN STREET • 217.228.1381
 URBANA, ILLINOIS 61801 • 217.228.1481

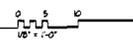


CONCEPT SITE PLAN
 CHAMPAIGN COUNTY
 CHAMPAIGN COUNTY STORAGE BUILDING
 URBANA, ILLINOIS

FILE NO.
 DATE: 02/20/20
SD1



CONCEPT FLOOR PLAN



REVISIONS		DATE	BY	APP'D
NO.	DATE	BY	APP'D	

1547201 GERRIM WAGNER, LLC
 114 WEST MAIN STREET
 URBANA, ILLINOIS 61801



217.328.1331
 217.328.1401

CONCEPT FLOOR PLAN
 CHAMPION COUNTY STORAGE BUILDING
 CHAMPAIGN COUNTY
 URBANA, ILLINOIS

FILE: 008

DATE: 8/28/09

A1.1