

Documents Distributed to the County Board at the Meeting

Committee of the Whole

March 1, 2011

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RESOLUTION NO.

RESOLUTION SUPPORTING OLYMPIAN DRIVE "PROJECT A"

WHEREAS, A Phase I Design Study for Olympian Drive was completed in 1997; and

WHEREAS, The approved alignment of Olympian Drive between Apollo Drive and Lincoln Avenue is commonly referred to as "Project A"; and

WHEREAS, It is in the best interest of the citizens of Champaign County to design and construct "Project A";

NOW, THEREFORE, BE IT RESOLVED By the Champaign County Board that the purpose and need for "Project A" are valid; and

BE IT FURTHER RESOLVED That the Champaign County Board supports the design and construction of "Project A".

PRESENTED, ADOPTED, APPROVED, AND RECORDED this 17th day of March, A.D. 2011.

C. Pius Weibel, Chair
Champaign County Board

ATTEST: _____
Gordy Hulten, County Clerk
and ex-officio Clerk of the
Champaign County Board

RESOLUTION NO.

RESOLUTION SUPPORTING THE RE-ALIGNMENT OF LINCOLN AVENUE

WHEREAS, Champaign County supports the design and construction of Olympian Drive "Project A"; and

WHEREAS, The existing Lincoln Avenue is deficient in geometry and structure to accommodate proper development along the corridor; and

WHEREAS, Due to the deficient nature of the existing roadway, the alignment of Lincoln Avenue needs to be improved between Saline Court and Olympian Drive;

NOW, THEREFORE, BE IT RESOLVED That the Champaign County Board supports the re-alignment of Lincoln Avenue between Saline Court and Olympian Drive

PRESENTED, ADOPTED, APPROVED, AND RECORDED this 17th day of March, A.D. 2011.

C. Pius Weibel, Chair
Champaign County Board

ATTEST: _____
Gordy Hulten, County Clerk
and ex-officio Clerk of the
Champaign County Board

RESOLUTION NO. _____

**RESOLUTION OF SUPPORT FOR THE “SWEEPING S” OR “GREEN ALIGNMENT”
LINCOLN AVENUE CONNECTION TO OLYMPIAN DRIVE**

WHEREAS, the Champaign County Board has stated that the purpose and need for “Project A” are valid; and the Champaign County Board has approved the design and construction of “Project A” in Resolution No. (*Agenda Item VII.B.4*); and

WHEREAS, the Champaign County Board has approved the re-alignment of Lincoln Avenue between Saline Court and Olympian Drive in Resolution No. (*Agenda Item VII.B.5*); and

WHEREAS, the Champaign County Board approves the alignment of Lincoln Avenue known in the 1999 Design Study as the recommended alternative from the Lincoln Avenue location study, also known as the “Sweeping S” or “Green Alignment”;

NOW, THEREFORE, BE IT RESOLVED by the Champaign County Board that the County Board approves the alignment of Lincoln Avenue known in the 1999 Design Study as the recommended alternative from the Lincoln Avenue location study, also known as the “Sweeping S” or “Green Alignment”.

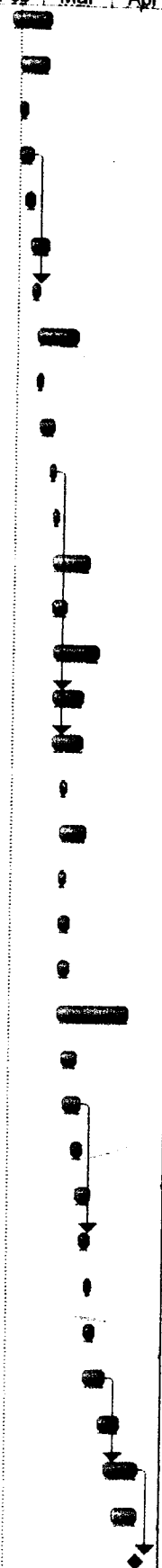
Presented, Adopted, Approved, and Recorded this 17th Day of March, A.D. 2011.

C. Pius Weibel, Chair
Champaign County Board

ATTEST:

Gordy Hulten, County Clerk and
Ex-Officio Clerk of the County Board

ID	Task Name	Duration	Start	Finish	4th Quarter			1st Quarter			2nd Q
					Oct	Nov	Dec	Jan	Feb	Mar	Apr
18	Above Ceiling Mechanical West Section	15 days	Mon 2/14/11	Fri 3/4/11							
4	Complete Metal Building Sheathing and Roofing	10 days	Fri 2/18/11	Thu 3/3/11							
5	Interior Wall Framing (Includes Metal Door Frames) West Section	2 days	Fri 2/18/11	Mon 2/21/11							
17	Rough Mechanical in Walls West Section	5 days	Fri 2/18/11	Thu 2/24/11							
2	Under Floor Mechanical Maintenance Area	5 days	Mon 2/21/11	Fri 2/25/11							
20	Drywall (Includes Tape, Mudding, Ready for Paint)	7 days	Thu 2/24/11	Fri 3/4/11							
19	Insulation for Interior Walls	2 days	Fri 2/25/11	Mon 2/28/11							
1	Complete Site Utilities	15 days	Mon 2/28/11	Fri 3/18/11							
14	Overhead Doors West Section	3 days	Mon 2/28/11	Wed 3/2/11							
3	Concrete Floor Maintenance Area	5 days	Wed 3/2/11	Tue 3/8/11							
21	Prime / First Coat Paint	3 days	Mon 3/7/11	Wed 3/9/11							
6	Interior Wall Framing (Includes Metal Door Frames) Maintenance Area	3 days	Wed 3/9/11	Fri 3/11/11							
16	Electrical Maintenance Area	13 days	Wed 3/9/11	Fri 3/25/11							
26	Ceiling Grid Systems (Includes Tile Cuts)	5 days	Wed 3/9/11	Tue 3/15/11							
7	Sprinkler System Maintenance Area	15 days	Thu 3/10/11	Wed 3/30/11							
22	Doors and Hardware West Section	10 days	Thu 3/10/11	Wed 3/23/11							
23	Case Work West Section	10 days	Thu 3/10/11	Wed 3/23/11							
13	Overhead Door Maintenance Area	3 days	Mon 3/14/11	Wed 3/16/11							
15	HVAC Maintenance Area	10 days	Mon 3/14/11	Fri 3/25/11							
25	Plumbing Fixtures West Section	3 days	Mon 3/14/11	Wed 3/16/11							
27	Lighting West Section	5 days	Mon 3/14/11	Fri 3/18/11							
28	Grills and Diffusers West Section	5 days	Mon 3/14/11	Fri 3/18/11							
32	Site Concrete	25 days	Mon 3/14/11	Fri 4/15/11							
24	Flooring West Section	5 days	Wed 3/16/11	Tue 3/22/11							
8	Drywall Maintenance Area	6 days	Thu 3/17/11	Thu 3/24/11							
30	Mechanical Trim-Out West Section	5 days	Mon 3/21/11	Fri 3/25/11							
29	Ceiling Tile West Section	5 days	Wed 3/23/11	Tue 3/29/11							
9	Prime and First Coat Paint Maintenance Area	3 days	Fri 3/25/11	Tue 3/29/11							
10	Ceiling Grid Maintenance Area	3 days	Mon 3/28/11	Wed 3/30/11							
11	Flooring Maintenance Area	5 days	Mon 3/28/11	Fri 4/1/11							
31	Final Paint	8 days	Mon 3/28/11	Wed 4/6/11							
12	Casework / Doors / Hardware Maintenance Area	8 days	Mon 4/4/11	Wed 4/13/11							
34	Close Out Project	12 days	Thu 4/7/11	Fri 4/22/11							
33	Final Grading	10 days	Mon 4/11/11	Fri 4/22/11							
35	Project Completion Date	0 days	Fri	Fri							



202 ART BARLELL CONSTRUCTION PROJECT

Physical Plant Monthly Expenditure Report
January, 2011

EXPENDITURE ITEM	FY09/10 YTD 1/31/2010	FY09/10 ACTUAL	FY09/10 as % of Actual	FY10/11 ORIGINAL BUDGET	FY10/11 BUDGET 1/31/2011	FY10/11 YTD 1/31/2011	FY10/11 as % of Budget	FY10/11 Remaining Balance
Gas Service	\$44,939	\$400,422	11.22%	\$400,000	\$400,000	\$11,984	3.00%	\$388,016
Electric Service	\$56,509	\$898,374	6.29%	\$900,000	\$900,000	\$55,780	6.20%	\$844,220
Water Service	\$6,351	\$67,215	9.45%	\$67,373	\$67,373	\$4,768	7.08%	\$62,605
Sewer Service	\$3,433	\$46,741	7.34%	\$43,190	\$43,190	\$3,644	8.44%	\$39,546
All Other Services	\$44,708	\$237,132	18.85%	\$243,530	\$243,530	\$46,044	18.91%	\$197,486
Cths R & M	\$9,571	\$48,905	19.57%	\$30,113	\$30,113	\$12,538	41.64%	\$17,575
Downtown Jail R & M	\$1,293	\$9,255	13.97%	\$26,498	\$26,498	\$1,921	7.25%	\$24,577
Satellite Jail R & M	\$2,472	\$32,744	7.55%	\$27,342	\$27,342	\$452	1.65%	\$26,890
1905 R & M	\$2,069	\$9,690	21.35%	\$10,075	\$10,075	\$1,233	12.24%	\$8,842
Brookens R & M	\$3,272	\$35,390	9.24%	\$31,020	\$91,944	\$4,499	4.89%	\$87,445
JDC R & M	\$39	\$6,662	0.58%	\$11,366	\$11,366	\$753	6.63%	\$10,613
1701 E Main R & M	\$4,468	\$15,607	28.63%	\$45,000	\$45,000	\$2,535	5.63%	\$42,465
Other Buildings R & M	\$2,212	\$8,287	26.69%	\$7,520	\$7,520	\$1,828	24.31%	\$5,692
Commodities	\$17,787	\$62,286	28.56%	\$64,207	\$64,207	\$17,824	27.76%	\$46,383
Gas & Oil	\$670	\$7,940	8.44%	\$10,810	\$10,810	\$1,150	10.64%	\$9,660
Totals	\$199,791	\$1,886,650		\$1,918,044	\$1,978,968	\$166,953		\$1,812,015

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

Prepared by:
Ranae Wolken
2/25/2011

Electric Utilities - FY2011

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	\$15,611.23	\$7,314.97	\$8,923.56	\$4,266.86	\$3,967.14	\$141.28	\$211.08	\$8,680.03	\$6,589.50	\$68.41	\$135.07	\$55,909.13
January	\$15,934.81	\$6,380.42	\$8,397.25	\$3,329.37	\$4,805.99	\$160.58	\$199.76	\$9,686.60	\$7,555.01	\$66.09	\$162.74	\$56,678.62
February												\$0.00
March												\$0.00
April												\$0.00
May												\$0.00
June												\$0.00
July												\$0.00
August												\$0.00
September												\$0.00
October												\$0.00
November												\$0.00
Total to Date												\$0.00

Prepared by Ranae Wolken
2/28/2011

Nite Lites are billed by Ameren - all other electric is provided by Integrys Energy

Gas Utilities - FY2011

Period	Courthouse	204 E Main	502 S Lierman	JDC	1905 E Main	1701 E Main Rear EMA/METCAD	Brookens	ITC	1705 E Main North Garage	1705 E Main South Garage	Monthly Totals
December - Ameren	\$3,452.38	\$730.03	\$1,967.17	\$598.61	\$372.17	\$135.73	\$1,067.44	\$3,291.70	\$128.29	\$240.75	\$11,984.27
December - Integrys	\$10,972.68	\$2,871.84	\$5,890.51	\$2,304.47	\$1,327.16	\$306.48	\$4,328.27	\$10,422.87	\$274.33	\$759.79	\$39,458.40
January - Ameren	\$3,577.15	\$757.15	\$3,092.73	\$593.19	\$374.08	\$141.96	\$1,118.94	\$3,363.48	\$132.08	\$324.90	\$13,475.66
January - Integrys	\$11,573.18	\$3,034.33	\$9,890.33	\$2,315.81	\$1,355.64	\$338.48	\$4,619.78	\$10,830.91	\$295.13	\$1,140.10	\$45,393.69
February - Ameren											\$0.00
February - Integrys											\$0.00
March - Ameren											\$0.00
March - Integrys											\$0.00
April - Ameren											\$0.00
April - Integrys											\$0.00
May - Ameren											\$0.00
May - Integrys											\$0.00
June - Ameren											\$0.00
June - Integrys											\$0.00
July - Ameren											\$0.00
July - Integrys											\$0.00
August - Ameren											\$0.00
August - Integrys											\$0.00
September - Ameren											\$0.00
September - Integrys											\$0.00
October - Ameren											\$0.00
October - Integrys											\$0.00
November - Ameren											\$0.00
November - Integrys											\$0.00
Total to date											\$0.00

Ameren - gas delivery and tax charges
 Integrys - gas usage

Prepared by Ranae Wolken
 2/28/2011

Building/Grounds Maintenance work hour comparison

FY2011

Weekly Period	Repair & Maintenance	Scheduled Maintenance	Nursing Home	Special Project	Grounds Maintenance	Other Tenants	TOTAL
11/28/10 to 12/4/10	280.75	0.00	2.00	14.00	78.00	0.00	374.75
12/5/10 to 12/11/10	270.25	0.00	3.75	38.00	73.50	0.00	385.50
12/12/10 to 12/18/10	327.75	0.00	2.50	0.00	82.75	0.00	413.00
12/19/10 to 12/25/10**	183.25	0.00	1.25	24.00	33.00	0.00	241.50
12/23/10-1/1/11*	153.25	0.00	0.00	12.00	45.00	0.00	210.25
1/2/11-1/8/11	279.50	0.00	3.50	40.00	30.00	0.00	353.00
1/9/11-1/15/11	227.00	0.00	7.00	86.50	66.25	0.00	386.75
1/16/11-1/22/11*	180.75	0.00	10.00	44.00	71.50	0.00	306.25
1/23/11-1/29/11	233.25	7.50	2.00	65.00	15.00	0.00	322.75
1/30/11-2/5/11	164.75	7.50	0.00	21.00	190.75	0.00	384.00
2/6/11-2/12/11	216.25	0.00	0.00	55.00	35.50	0.00	306.75
2/13/11-2/19/11	242.50	0.00	0.00	74.50	8.00	0.00	325.00

*week includes a holiday

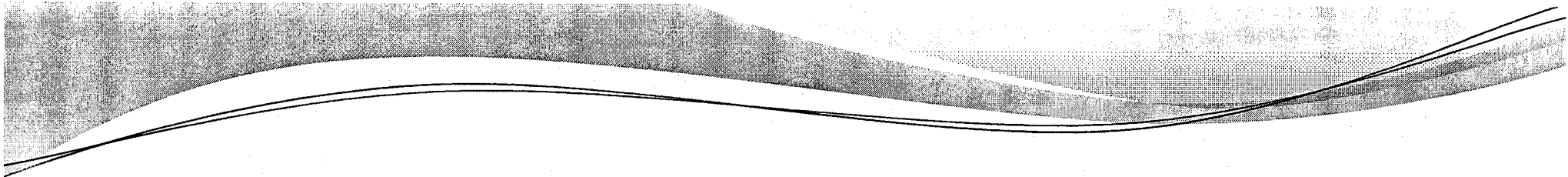
One work week: 435.00 hours with regular staff

There are currently 331.44 comp time hours available to the maintenance staff

Total comp time hours earned in FY11 to date- 350.16

Total spent to date on overtime in FY10 - \$0 (Original Budgeted Amount - \$0)

Prepared by: Ranae Wolken
2/28/2011



Using QBS A Qualifications-Based Selection Process

**Champaign County Board Committee of the Whole – *County
Facilities***

March 1, 2011



What is QBS?

- Qualifications-Based Selection (QBS) is an **objective, flexible procedure** for obtaining architectural, engineering, surveying and other related **professional services** on public projects.
- QBS provides a selection process that is **straight forward and easy to implement**, is **well documented**, and open to audit.



Federal Brooks Law

Public Law 92-582 (Brooks Bill) was passed in 1972 and establishes a Federal Policy to select architects and engineers based on competence and qualifications.



Illinois

In 1987, the Legislature enacted the Local Government Professional Services Selection Act (50 ILCS 510) establishing a local government policy to select architects, engineers and land surveying services on the basis of qualifications and to negotiate contracts that are fair and reasonable.



Illinois Local Government Professional Services Selection Act Requirements

- Applies to all units of local government except home rule units and units with population over 3 million.
- Allows firms to annually submit statements of qualifications.
- Requires local governments to notify firms of projects by mail or by advertising in newspaper.
- Requires local governments to evaluate qualifications of firms and authorize interview or public presentations.
- Requires local governments to rank a minimum of three firms in order of preference and begin negotiations with only the top ranked firm.



Illinois Local Government Professional Services Selection Act Requirements (cont.)

- Requires the local government to prepare a written scope of work for negotiations.
- If unable to reach a contractual agreement, the top ranked firm must be dropped from consideration and negotiations should begin with the next ranked firm, and so on until a satisfactory agreement is reached.
- Except for the negotiation process, ***the requirements of this Act do not have to be met by a local government if they have a satisfactory relationship with one or more firms***, or an emergency exists and a firm must be selected in an expeditious manner, or the costs of the services are expected to be less than \$25,000.



How Does QBS Work?

1. Owner identifies general scope of work and the projected time frame is established.
2. Public notice is given to professional design firms.
3. A Selection Committee is appointed.
4. Statements of Qualifications are requested and received from interested firms.
5. After evaluation, a shortlist of firms is established.
6. A tour of the site may be arranged for short-listed firms.
7. Interviews are conducted with short-listed firms.
8. Three firms are ranked in order of qualifications.



How Does QBS Work? (cont.)

9. All firms involved receive post-selection communications.

10. Negotiations are conducted relative to actual scope, services, fee payment schedule and contract. If an agreement cannot be satisfactorily negotiated with the top-ranked firm, negotiations are terminated and the owner enters into negotiations with the second-ranked firm, and so on down the line.




1 - Developing the Scope of Work

- Owner must identify the general scope and particular needs of the project.
 - Owner
 - Project Name
 - Project Location, Contact Person
 - Identification of involvement of groups in the project (boards, committees, citizen groups)
 - Description of completed studies, surveys and/or feasibility work relevant to the project
 - Requirements for further feasibility studies before development of plans or design work
 - Project outline & general anticipated requirements (demolition, renovation, new construction, land use, etc.)
 - Anticipated project time frame




2 – Public Notice

- Public Notices of Projects in newspapers
 - Can result in a large number of responses
 - Identify contact person to obtain information package
- Maintain a Prequalification List of design professional firms
 - Appropriate to maintain a list of professional firms who have indicated an interest in agency's projects
- Professional organization directories
 - Can assist owners in identifying firms with specific experience/expertise



3 – Appointing a Qualified Selection Committee

- Selection Committee will evaluate qualifications, interview candidates and rank firms
- Committee members may include:
 - Representative from department responsible for administration of the contract
 - Representative from the department responsible for the project's functions
 - Stakeholders in the success of the project



3 – Appointing a Qualified Selection Committee

- Owners often do not have staff with expertise for the project – may be beneficial to enlist assistance to serve as members on the selection committee from:
 - Known experts from surrounding public owners
 - Private consultants
 - Volunteers from design professional associations



4 – What to Ask For

- Statement of Qualifications

- Many public agencies request annually and maintain on file for reference when a project arises – statements of qualifications for design professional firms
 - This approach is typically done in public agencies with staff resources to develop a sophisticated pre-qualification process
- Owner may also choose to seek Statements of Qualifications for each project

- Letter of Interest

- Owner may choose to request only Letter of Interest for specific project
- This process is useful when an owner already has on file Statements of Qualifications from numerous design professional firms



4 – What to Ask For

- Request for Technical Proposals
 - Technical proposals are detailed plans on how a design professional firm will approach a project
 - Usually reserved for large projects where it is worth the extra effort for owners to formulate, and design professional firms to respond to the technical proposal.
 - The process of using technical proposals will add several weeks and commensurate cost to the preparation time for shortlisted firms.
 - The owner will need technically-experienced staff and several additional weeks to review the technical proposals.



5 – Evaluating & Short-listing Firms

- Number of firms to be included on shortlist and interviewed will vary with project – in Illinois – no less than 3 firms to be selected, usually no more than 5
- Selection Committee should evaluate all responses using an evaluation form to review and assess each firm's qualifications
- References should be checked between receipt of proposals and time the Selection Committee will create the short list
- After Committee has developed short list – all firms who submitted proposals should be contacted – both the selected firms, and those who were not selected
- Selected firms should be sent complete information regarding interview process and requirements, including evaluation criteria to be used for interview scoring system



6 – Tour of Site

- In major or complex projects, a site tour can be beneficial
- Typically offered only to the short-listed firms
- Can be individual – with owner’s representative conducting tour
- Group tour for all firms – again with owner’s representative conducting tour
- Benefit of Tours – provides interested firms with better first-hand knowledge of the specifics of the project



7 – Interviews of Short-Listed Firms

- Schedule adequate times – 30 minutes for presentation and Q&A, followed by 15 minutes to allow private discussion by evaluating committee
- Schedule interviews on same day or consecutive days to permit the Committee to compare while information is fresh
- Provide evaluation criteria for the interview scoring system to the firms in advance of the interview
- Appropriate questions during the interview will focus on the firm's approach to the project – but should not be expected to include specific design solutions, or discussion regarding fees or cost



7 – Interviews of Short-Listed Firms

- Notify all firms of the time frame for selection – recommended that the Committee’s decision be made on the same date as the interviews
- Use an evaluation form that includes a weight and a score for each criteria/question
- Each interviewer should evaluate each firm independently during the presentation & interview
- When interviews are concluded, the selection committee’s individual score sheets should be collected and compiled
- Based upon the combined scores, it is recommended the selection committee reach consensus regarding the rankings

Evaluation Form Example

PROPOSAL RATING FORM

FIRM: _____

EVALUATOR: _____

CRITERIA	RATING VALUE	EVALUATOR RATING	WEIGHT	SCORE
1 Related project Experience	1-5		10	
2 Firm's ability and capacity to perform the work: (a) Key personnel committed to this project; (b) Local office	1-5		10	
3 Grasp of the project requirements; (a) Studies; (b) Design; (c) Knowledge of the community; (d) Understanding of project	1-5		10	
4 Method to be used to fulfill the required services	1-5		8	
5 Management approach for technical requirements	1-5		5	
6 Use of consultants that may work on the project (a) Discuss in-house resources; (b) outside resources	1-5		6	
7 Time schedule planned for this project - availability	1-5		3	
TOTAL		0		0

Rating Value - 1 - Does not meet expectations
3 - Meets expectations
5 - Exceeds Expectations



8 -Scoring & Ranking Firms

- Each firm should be evaluated and scored separately by each interviewer
- Chair should compile individual score sheets for the record
- It is recommended that the interview committee attempt to achieve a consensus once evaluations are tabulated of the ranking of the top 3 firms.



9 – Post Selection Communications

- After interviews and rankings are completed, a post-selection memo should be prepared and mailed to all firms that participated in the process.
- After a contract is awarded, a debriefing for each shortlisted firm may be provided upon request.



10 - Negotiating a Detailed Scope of Work with Selected Firm

- Normally not difficult to reach an agreement since QBS process facilitates an early understanding of the project scope and requirements
- The work plan should list responsibilities of firm and owner and any third party involvement such as sub-consultants
- Once scope of work agreement is obtained, the firm should submit its proposal for compensation to initiate and complete fee negotiations
- A written contract should be used. Standard form documents are available from the Engineers Joint Contract Documents and the American Institute of Architects.
- Advise all firms of the final selection



QBS PROCESS

Questions
&
Answers

Date: February 24, 2011

To: Champaign County Board Committee of the Whole Members

From: Susan Monte, CCRPC Planner

Regarding: Request to Amend the Champaign County Zoning Ordinance to Implement Land Resource Management Plan Policies 4.1.5, 4.1.7, and 4.1.9

Request: Identify Preferred Version of LRMP Policy 4.1.5 & 4.1.7 and Approve Proceeding

The Committee of the Whole March 1st packet includes my February 23, 2011 memorandum to the Committee, with a comparison and lot diagrams of three different versions of Policy 4.1.5 which are:

- **Adopted** LRMP Policy 4.1.5 and
Draft Zoning Ordinance Text Amendments intended to Implement LRMP Policies 4.1.5, 4.1.7 and 4.1.9
- **Alternative** Draft LRMP Policy 4.1.5 and
Draft Zoning Ordinance Text Amendments intended to Implement LRMP Policies 4.1.5, 4.1.7 and 4.1.9
- **Compromise** Draft LRMP Policy 4.1.5 and
Draft Zoning Ordinance Text Amendments intended to Implement LRMP Policies 4.1.5, 4.1.7 and 4.1.9

The actual draft text for each of the three versions are provided as attachments to this memorandum.

ADOPTED 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.

Defined LRMP terms:

best prime farmland

'Best prime farmland' consists of 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.

by right development

'By right development' is a phrase that refers to the limited range of new land uses that may be established in unincorporated areas of the County provided only that subdivision and zoning regulations are met and that a Zoning Use Permit is issued by the County's Planning and Zoning Department. At the present time, 'by right' development generally consists of one (or a few, depending on tract size) single family residences, or a limited selection of other land uses. Zoning Use Permits are applied for 'over-the-counter' at the County Planning & Zoning Department, and are typically issued—provided the required fee.

good zoning lot (commonly referred to as a 'conforming lot')

A lot that meets all County zoning, applicable County or municipal subdivisions standards, and other requirements in effect at the time the lot is created.

Adopted LRMP Policy 4.1.5 Draft Zoning Ordinance Text CLEAN COPY

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

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 or 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: That portion of a tract which existed as of January 1, 1998, on which the permitted establishment of an authorized USE or CONSTRUCTION other than AGRICULTURE may occur only provided the BEST PRIME FARMLAND maximum use limit is not exceeded and provided that a County Board Special Use and a Zoning Map Amendment for a Rural Residential OVERLAY Zoning DISTRICT are approved.

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

SUBSECTION 4.3.4

G. Special Requirements for LOTS in the AG-1, AG-2, and CR DISTRICTS

1. A LOT with AGRICULTURE as its principal USE shall have a minimum LOT AREA of { 35 / 40 / 60 / 80 } acres and a DWELLING may be established as a second principal USE. AGRICULTURE will not be the principal USE on any LOT of less than { 35 / 40 / 60 / 80 } acres in LOT AREA.
2. By Right USE or CONSTRUCTION on a LOT in the AG-1, AG-2, or CR DISTRICTS
 - a. On a new LOT, an authorized principal USE or CONSTRUCTION other than AGRICULTURE may be permitted by right without the creation of a Rural Residential OVERLAY DISTRICT, provided that:
 - (1) The BEST PRIME FARMLAND maximum use limit established in Item 3 of this Paragraph may not be exceeded.
 - (2) No LOT that is five acres or less in area may be further divided.
 - (3) One new LOT may be created out of any PARCEL greater than five acres and less than 40 acres in area that existed in the same dimensions and configuration on January 1, 1998.
 - (4) Two new LOTS may be created out of any PARCEL greater than 40 acres that existed in the same dimensions and configuration on January 1, 1998.
 - b. On an existing LOT, an authorized principal USE or CONSTRUCTION other than AGRICULTURE may be permitted by right without the creation of a Rural Residential OVERLAY DISTRICT, provided that the LOT meets one of the following provisions:
 - i. The LOT was contained in a SUBDIVISION having received preliminary plat approval prior to June 22, 1999 for which preliminary plat approval remains in effect.
 - ii. The LOT was lawfully created prior to {effective date} and at the time the LOT was created it was in full conformance with the Ordinance.
 - iii. The LOT is comprised of the leftover undivided acreage of a PARCEL that existed on January 1, 1998, after the creation of LOTS authorized in Item 2(a) of this Paragraph and the LOT is in full conformance with the Ordinance.

3. Limits for Non-Agricultural use of BEST PRIME FARMLAND in the AG-1, AG-2, and CR DISTRICTS
 - a. The total amount of BEST PRIME FARMLAND that may be used for the by right establishment of a new LOT shall not exceed three acres per 40 acres on any PARCEL that existed in the same dimensions and configuration on January 1, 1998.
 - b. The total amount of BEST PRIME FARMLAND that may be used for discretionary residential development approved as a Rural Residential OVERLAY Zoning DISTRICT shall include the amount of BEST PRIME FARMLAND already used for the establishment of a non-AGRICULTURE USE or CONSTRUCTION on a new LOT (as indicated in Item 3a above) and shall not exceed the following limits:
 - (1) three acres from any PARCEL less than or equal to 40 acres in area that existed in the same dimensions and configuration on January 1, 1998; or
 - (2) three acres plus three acres per each 40 acres of a PARCEL, but not to exceed 12 acres in total, from any PARCEL larger than 40 acres that existed in the same dimensions and configuration on January 1, 1998.
 - c. Exceptions to the limits of the above Items 3(a) and 3(b) are:
 - (1) Any FARMSTEAD;
 - (2) Any LOT that includes a FARMSTEAD within the LOT AREA provided that the LOT AREA is no larger than the area of the FARMSTEAD;
 - (3) Any LOT created from a LOT that had a LOT AREA of 12 acres or less as of January 1, 1998; and
 - (4) Any LOT lawfully created prior to July 22, 2004.
 - d. Measurements of the area of BEST PRIME FARMLAND used for any non-AGRICULTURE authorized USE or CONSTRUCTION shall be generalized to a rectangular shape of not less than one acre.
 - e. BEST PRIME FARMLAND included as part of the LOT AREA of any new LOT created shall reduce the total amount of BEST PRIME FARMLAND available for both by right USE and CONSTRUCTION and discretionary residential development on that portion of the PARCEL that is leftover.

4. Restrictions regarding a REMAINDER AREA
 - a. No authorized principal USE or CONSTRUCTION other than AGRICULTURE shall be permitted by right on a REMAINDER AREA.
 - b. An authorized principal USE or CONSTRUCTION other than AGRICULTURE may be permitted on a REMAINDER AREA only provided that:
 - (1) BEST PRIME FARMLAND maximum use limits established in Item 3 of this Paragraph are not exceeded; and
 - (2) Subsection 5.4 requirements for the establishment of the Rural Residential OVERLAY Zoning DISTRICT are met.
5. Any LOT that is created pursuant to a mortgage for any reason must either conform to the requirements of this Paragraph or be in an established Rural Residential OVERLAY Zoning DISTRICT.

3. Revise 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. These SUBDIVISIONS are limited to:
 - (a) SUBDIVISION of a PARCEL existing in the same dimensions and configuration on January 1, 1998 as more than 5 acres and less than 40 acres in area into one new LOT in accordance with Paragraph 4.3.4 (G) limits regarding use of BEST PRIME FARMLAND and that do not include a new STREET or PRIVATE ACCESSWAY; or
 - (b) SUBDIVISION of a PARCEL existing in the same dimensions and configuration on January 1, 1998 as 40 acres or more in area into no more than two new LOTS in accordance with Paragraph 4.3.4 (G) limits regarding use of BEST PRIME FARMLAND and that do not include a new STREET or PRIVATE ACCESSWAY.
10. These SUBDIVISIONS are limited to:
 - (a) SUBDIVISION of a new LOT that complies with Paragraph 4.3.4 (G) limits regarding BEST PRIME FARMLAND and that requires the establishment of a Rural Residential OVERLAY Zoning DISTRICT for an authorized non-AGRICULTURE USE or CONSTRUCTION; or

(b) SUBDIVISION in compliance with Paragraph 4.3.4 (G) limits regarding BEST PRIME FARMLAND and that includes a new STREET or PRIVATE ACCESSWAY.

5. Revise Section 5.3 Footnote 13 to reference revised Paragraph "4.3.4 G"

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

Zoning DISTRICTS	Minimum LOT Size ¹²		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 ½	85	75	55	15	25	20%	(5), (13)
R-1 Single FAMILY Residence	9,000	80	35	2 ½	85	75	55	10	20	30%	(5), (8)
R-2 Single FAMILY Residence	6,500	65	35	2 ½	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 ½	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 ½	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 ½	85	75	55	10	20	40%	(2)
B-5 Central Business	NR ¹⁰	NR ¹⁰	35	2 ½	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. Refer to Paragraph 4.3.4 (G) limits regarding establishing a non-agricultural authorized land USE on existing LOTS, creation of new LOTS, and limits regarding use of BEST PRIME FARMLAND.
14. [no changes proposed]

6. *Revise Subsection 5.4.2 as follows:*

5.4 Rural Residential OVERLAY Zoning DISTRICT

5.4.2 Exemptions

Only LOTS in compliance with the requirements of Paragraph 4.3.4(G) may be permitted in the AG-1, AG-2, and CR DISTRICTS without the creation of a Rural Residential OVERLAY DISTRICT:

7. *Revise Existing Subsection 5.4.4*

5.4.4 Limit Non-Agricultural Use of BEST PRIME FARMLAND

LOTS within a Rural Residential OVERLAY DISTRICT must comply with the Paragraph 4.3.4 (G) limits regarding amount of BEST PRIME FARMLAND for non-AGRICULTURE use.

8. *Add provision (e) (2) to Subsection 9.1.2 regarding required inclusion of Best Prime Farmland area on Zoning Use Permit application*

SUBSECTION 9.1.2

B. Application for Zoning Use Permit

1. Applications for Zoning Use Permits shall be filed in written form with the Zoning Administrator on such forms as the Zoning Administrator shall prescribe, and shall:
 - a. state the location, including township, street number, lot, block, and/or tract comprising the legal description of the PROPERTY;
 - b. state the name and address of the OWNER, the applicant, and the contractor, if known;
 - c. state the estimated cost;
 - d. describe the USES to be established or expanded;
 - e. be accompanied by a plan in duplicate, or duplicate prints thereof, drawn approximately to scale, showing the;

- (1) actual dimensions of the LOT to be built upon;
 - (2) the area of BEST PRIME FARMLAND to be used for the establishment of a new LOT in the AG-1, AG-2 or CR DISTRICT, generalized to a rectangular shape of not less than one acre;
 - (3) size, shape, and locations of the USE to be established or the STRUCTURE or ACCESSORY STRUCTURE to be CONSTRUCTED;
- ⋮

ALTERNATIVE LRMP Policy 4.1.5 Draft, Strike Out Copy

- 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 5 acres in area, with:
- ~~1 new lot allowed per parcel less than 40 acres in area;~~
 - ~~2 new lots~~ One new lot 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 and new authorized uses 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; and
 - any new non-farm land use established on a lot that is best prime farmland and that existed prior to July 22, 2004, must use no more than three acres of best prime farmland per 40 acres.
- b. The County will not allow further division of parcels that are 5 acres or less in size.

About the ALTERNATIVE LRMP Policy 4.1.5

The 'Alternative' is a revised version of LRMP Policy 4.1.5 and draft Zoning Ordinance text amendments that would achieve the results suggested by the Champaign County Farm Bureau at the February 8 County Board Study Session.

The Alternative version includes limits on the creation of new lots that are more restrictive than the adopted LRMP Policy 4.1.5.

The Alternative version does not guarantee that a new use can be established by right on each vacant *good zoning lot*, and provides that a use may be established on a vacant *good zoning lot* only provided that the use of Best Prime Farmland does not exceed 3 acres per 40 acres limit.

ALTERNATIVE Draft Zoning Ordinance Text CLEAN COPY

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

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 or 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: That portion of a tract which existed as of January 1, 1998, on which the permitted establishment of an authorized USE or CONSTRUCTION other than AGRICULTURE may occur only provided the BEST PRIME FARMLAND maximum use limit is not exceeded and provided that a County Board Special Use and a Zoning Map Amendment for a Rural Residential OVERLAY Zoning DISTRICT are approved.

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

SUBSECTION 4.3.4

G. Special Requirements for LOTS in the AG-1, AG-2, and CR DISTRICTS

1. A LOT with AGRICULTURE as its principal USE shall have a minimum LOT AREA of { 35 / 40 / 60 / 80 } acres and a DWELLING may be established as a second principal USE. AGRICULTURE will not be the principal USE on any LOT of less than { 35 / 40 / 60 / 80 } acres in LOT AREA.
2. By Right USE or CONSTRUCTION on a LOT in the AG-1, AG-2, or CR DISTRICTS
 - a. On a new LOT, an authorized principal USE or CONSTRUCTION other than AGRICULTURE may be permitted by right without the creation of a Rural Residential OVERLAY DISTRICT, provided that:
 - (1) The BEST PRIME FARMLAND maximum use limit established in Item 3 of this Paragraph may not be exceeded.
 - (2) No LOT that is five acres or less in area may be further divided.
 - (3) One new LOT may be created out of any PARCEL greater than 40 acres that existed in the same dimensions and configuration on January 1, 1998.
 - b. On an existing LOT, an authorized principal USE or CONSTRUCTION other than AGRICULTURE may be permitted by right without the creation of a Rural Residential OVERLAY DISTRICT, provided that:
 - (1) The BEST PRIME FARMLAND maximum use limit established in Item 3 of this Paragraph may not be exceeded.
 - (2) The LOT meets one of the following provisions:
 - i. The LOT was contained in a SUBDIVISION having received preliminary plat approval prior to June 22, 1999 for which preliminary plat approval remains in effect.
 - ii. The LOT was lawfully created prior to {effective date} and at the time the LOT was created it was in full conformance with the Ordinance.
 - iii. The LOT is comprised of the leftover undivided acreage of a PARCEL that existed on January 1, 1998, after the creation of LOTS authorized in Item 2(a) of this Paragraph and the LOT is in full conformance with the Ordinance.

3. Limits for Non-Agricultural use of BEST PRIME FARMLAND in the AG-1, AG-2, and CR DISTRICTS
 - a. The total amount of BEST PRIME FARMLAND that may be used for the by right establishment of new LOT shall not exceed three acres per 40 acres on any PARCEL that existed in the same dimensions and configuration on January 1, 1998.
 - b. The total amount of BEST PRIME FARMLAND that may be used for discretionary residential development approved as a Rural Residential OVERLAY Zoning DISTRICT shall include the amount of BEST PRIME FARMLAND already used for the by right establishment of a new LOT (as indicated in Item 3a above) and shall not exceed the following limits:
 - (1) three acres from any PARCEL less than or equal to 40 acres in area that existed in the same dimensions and configuration on January 1, 1998; or
 - (2) three acres plus three acres per each 40 acres of a PARCEL, but not to exceed 12 acres in total, from any PARCEL larger than 40 acres that existed in the same dimensions and configuration on January 1, 1998.
 - c. Exceptions to the limits of the above Items 3(a) and (3b) are:
 - (1) Any FARMSTEAD;
 - (2) Any LOT that includes a FARMSTEAD within the LOT AREA provided that the LOT AREA is no larger than the area of the FARMSTEAD; and
 - (3) Any LOT created from a LOT that had a LOT AREA of 12 acres or less as of January 1, 1998.
 - (4) Any LOT lawfully created prior to July 22, 2004; and
 - (5) The BEST PRIME FARMLAND area of a LOT used for a permitted non-AGRICULTURE authorized USE or CONSTRUCTION prior to *{effective date}* and measured in accordance with Item d below.
 - d. Measurements of the area of BEST PRIME FARMLAND used for any non-AGRICULTURE authorized USE or CONSTRUCTION shall be generalized to a rectangular shape of not less than one acre.
 - e. BEST PRIME FARMLAND included as part of the LOT AREA of any new LOT created shall reduce the total amount of BEST PRIME FARMLAND available for both the further by right establishment of new LOTS and discretionary residential development on that portion of the PARCEL that is leftover.

4. Restrictions regarding a REMAINDER AREA
 - a. No authorized principal USE or CONSRUCTION other than AGRICULTURE shall be permitted by right on a REMAINDER AREA.
 - b. An authorized principal USE or CONSTRUCTION other than AGRICULTURE may be permitted on a REMAINDER AREA only provided that:
 - (1) BEST PRIME FARMLAND maximum use limits established in Item 3 of this Paragraph are not exceeded; and
 - (2) Subsection 5.4 requirements for the establishment of the Rural Residential OVERLAY Zoning DISTRICT are met.
5. Any LOT that is created pursuant to a mortgage for any reason must either conform to the requirements of this Paragraph or be in an established Rural Residential OVERLAY Zoning DISTRICT.

3. *Revise 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. These SUBDIVISIONS are limited to:
 - (a) SUBDIVISION of a PARCEL existing in the same dimensions and configuration on January 1, 1998 as more than 5 acres and less than 40 acres in area into one new LOT in accordance with Paragraph 4.3.4 (G) limits regarding use of BEST PRIME FARMLAND and that do not include a new STREET or PRIVATE ACCESSWAY; or
 - (b) SUBDIVISION of a PARCEL existing in the same dimensions and configuration on January 1, 1998 as 40 acres or more in area into no more than two new LOTS in accordance with Paragraph 4.3.4 (G) limits regarding use of BEST PRIME FARMLAND and that do not include a new STREET or PRIVATE ACCESSWAY.
10. These SUBDIVISIONS are limited to:
 - (a) SUBDIVISION of a new LOT that complies with Paragraph 4.3.4 (G) limits regarding BEST PRIME FARMLAND and that requires the establishment of a Rural Residential OVERLAY Zoning DISTRICT for an authorized non-AGRICULTURE USE or CONSTRUCTION; or
 - (b) SUBDIVISION in compliance with Paragraph 4.3.4 (G) limits regarding BEST PRIME FARMLAND and that includes a new STREET or PRIVATE ACCESSWAY.

5. Revise Section 5.3 Footnote 13 to reference revised Paragraph "4.3.4 G"

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

Zoning DISTRICTS	Minimum LOT Size ¹²		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 ½	85	75	55	15	25	20%	(5), (13)
R-1 Single FAMILY Residence	9,000	80	35	2 ½	85	75	55	10	20	30%	(5), (8)
R-2 Single FAMILY Residence	6,500	65	35	2 ½	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 ½	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 ½	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 ½	85	75	55	10	20	40%	(2)
B-5 Central Business	NR ¹⁰	NR ¹⁰	35	2 ½	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. Refer to Paragraph 4.3.4 (G) limits regarding establishing a non-agricultural authorized land USE on existing LOTS, creation of new LOTS, and limits regarding use of BEST PRIME FARMLAND.

14. [no changes proposed]

6. Revise Subsection 5.4.2 as follows:

5.4 Rural Residential OVERLAY Zoning DISTRICT

5.4.2 Exemptions

Only LOTS in compliance with the requirements of Paragraph 4.3.4(G) may be permitted in the AG-1, AG-2, and CR DISTRICTS without the creation of a Rural Residential OVERLAY DISTRICT:

7. Revise Existing Subsection 5.4.4

5.4.4 Limit Non-Agricultural Use of BEST PRIME FARMLAND

LOTS within a Rural Residential OVERLAY DISTRICT must comply with the Paragraph 4.3.4 (G) limits regarding amount of BEST PRIME FARMLAND for non-AGRICULTURE use.

8. Add provision (e) (2) to Subsection 9.1.2 regarding required inclusion of Best Prime Farmland area on Zoning Use Permit application

SUBSECTION 9.1.2

B. Application for Zoning Use Permit

1. Applications for Zoning Use Permits shall be filed in written form with the Zoning Administrator on such forms as the Zoning Administrator shall prescribe, and shall:
 - a. state the location, including township, street number, lot, block, and/or tract comprising the legal description of the PROPERTY;
 - b. state the name and address of the OWNER, the applicant, and the contractor, if known;
 - c. state the estimated cost;
 - d. describe the USES to be established or expanded;

- e. be accompanied by a plan in duplicate, or duplicate prints thereof, drawn approximately to scale, showing the;
 - (1) actual dimensions of the LOT to be built upon;
 - (2) the area of BEST PRIME FARMLAND to be used for the establishment of a new LOT in the AG-1, AG-2 or CR DISTRICT, generalized to a rectangular shape of not less than one acre;
 - (3) size, shape, and locations of the USE to be established or the STRUCTURE or ACCESSORY STRUCTURE to be CONSTRUCTED;
 - ⋮

COMPROMISE LRMP Policy 4.1.5 Draft, Strike Out Copy

- 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 5 acres in area, with:
- 1 new lot allowed per parcel less than 40 acres in area; and
 - 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; and
 - provided that the total amount of acreage of best prime farmland used for both new by right lots and other authorized land use does not exceed three acres per 40 acres.
- b. The County will not allow further division of parcels that are 5 acres or less in size.

About the COMPROMISE LRMP Policy 4.1.5

The 'Compromise' is a revised version of LRMP Policy 4.1.5 and draft Zoning Ordinance text amendments that is intended to represent a compromise between the adopted LRMP Policy 4.1.5 and the Champaign County Farm Bureau suggested limits on by right development in the rural districts.

The Compromise version is nearly identical to the adopted LRMP Policy 4.1.5, except for a limit that potentially impacts the ability to create a new lot or to establish a use on an existing lot. The added limit is that a new lot may not be created, or that a new use may not be established on a vacant good zoning lot unless the use of Best Prime Farmland does not exceed the 3 acres per 40 acres limit.

COMPROMISE Draft Zoning Ordinance Text CLEAN COPY

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

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 or 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: That portion of a tract which existed as of January 1, 1998, on which the permitted establishment of an authorized USE or CONSTRUCTION other than AGRICULTURE may occur only provided the BEST PRIME FARMLAND maximum use limit is not exceeded and provided that a County Board Special Use and a Zoning Map Amendment for a Rural Residential OVERLAY Zoning DISTRICT are approved.

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

SUBSECTION 4.3.4

G. Special Requirements for LOTS in the AG-1, AG-2, and CR DISTRICTS

1. A LOT with AGRICULTURE as its principal USE shall have a minimum LOT AREA of { 35 / 40 / 60 / 80 } acres and a DWELLING may be established as a second principal USE. AGRICULTURE will not be the principal USE on any LOT of less than { 35 / 40 / 60 / 80 } acres in LOT AREA.
2. By Right USE or CONSTRUCTION on a LOT in the AG-1, AG-2, or CR DISTRICTS
 - a. On a new LOT, an authorized principal USE or CONSTRUCTION other than AGRICULTURE may be permitted by right without the creation of a Rural Residential OVERLAY DISTRICT, provided that:
 - (1) The BEST PRIME FARMLAND maximum use limit established in Item 3 of this Paragraph may not be exceeded.
 - (2) No LOT that is five acres or less in area may be further divided.
 - (3) One new LOT may be created out of any PARCEL greater than five acres and less than 40 acres in area that existed in the same dimensions and configuration on January 1, 1998.
 - (4) Two new LOTS may be created out of any PARCEL greater than 40 acres that existed in the same dimensions and configuration on January 1, 1998.
 - b. On an existing LOT, an authorized principal USE or CONSTRUCTION other than AGRICULTURE may be permitted by right without the creation of a Rural Residential OVERLAY DISTRICT, provided that:
 - (1) The BEST PRIME FARMLAND maximum use limit established in Item 3 of this Paragraph may not be exceeded.
 - (2) The LOT meets one of the following provisions:
 - i. The LOT was contained in a SUBDIVISION having received preliminary plat approval prior to June 22, 1999 for which preliminary plat approval remains in effect.
 - ii. The LOT was lawfully created prior to {effective date} and at the time the LOT was created it was in full conformance with the Ordinance.
 - iii. The LOT is comprised of the leftover acreage of a PARCEL

that existed on January 1, 1998, after the creation of LOTS authorized in Item 2(a) of this Paragraph and the LOT is in full conformance with the Ordinance.

3. Limits for Non-Agricultural use of BEST PRIME FARMLAND in the AG-1, AG-2, and CR DISTRICTS
 - a. The total amount of BEST PRIME FARMLAND that may be used for the by right establishment of a non-AGRICULTURE USE or CONSTRUCTION on a new or existing LOT shall not exceed three acres per 40 acres on any PARCEL that existed in the same dimensions and configuration on January 1, 1998.
 - b. The total amount of BEST PRIME FARMLAND that may be used for discretionary residential development approved as a Rural Residential OVERLAY Zoning DISTRICT shall include the amount of BEST PRIME FARMLAND already used for the establishment of a non-AGRICULTURE USE or CONSTRUCTION on a new or existing LOT (as indicated in Item 3a above) and shall not exceed the following limits:
 - (1) three acres from any PARCEL less than or equal to 40 acres in area that existed in the same dimensions and configuration on January 1, 1998; or
 - (2) three acres plus three acres per each 40 acres of a PARCEL, but not to exceed 12 acres in total, from any PARCEL larger than 40 acres that existed in the same dimensions and configuration on January 1, 1998.
 - c. Exceptions to the limits of the above Items 3(a) and 3(b) are:
 - (1) Any FARMSTEAD;
 - (2) Any LOT that includes a FARMSTEAD within the LOT AREA provided that the LOT AREA is no larger than the area of the FARMSTEAD; and
 - (3) Any LOT created from a LOT that had a LOT AREA of 12 acres or less as of January 1, 1998.
 - (4) Any LOT lawfully created prior to July 22, 2004; and
 - (5) The BEST PRIME FARMLAND area of a LOT used for a permitted non-AGRICULTURE authorized USE or CONSTRUCTION prior to *{effective date}* and measured in accordance with Item d below.

- d. Measurements of the area of BEST PRIME FARMLAND used for any non-AGRICULTURE authorized USE or CONSTRUCTION shall be generalized to a rectangular shape of not less than one acre.
 - e. BEST PRIME FARMLAND included as part of the LOT AREA of any new LOT created shall reduce the total amount of BEST PRIME FARMLAND available for both by right USE and CONSTRUCTION and discretionary residential development on that portion of the PARCEL that is leftover.
4. Restrictions regarding a REMAINDER AREA
- a. No authorized principal USE or CONSTRUCTION other than AGRICULTURE shall be permitted by right on a REMAINDER AREA.
 - b. An authorized principal USE or CONSTRUCTION other than AGRICULTURE may be permitted on a REMAINDER AREA only provided that:
 - (1) BEST PRIME FARMLAND maximum use limits established in Item 3 of this Paragraph are not exceeded; and
 - (2) Subsection 5.4 requirements for the establishment of the Rural Residential OVERLAY Zoning DISTRICT are met.
5. Any LOT that is created pursuant to a mortgage for any reason must either conform to the requirements of this Paragraph or be in an established Rural Residential OVERLAY Zoning DISTRICT.
3. *Revise 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. These SUBDIVISIONS are limited to:
 - (a) SUBDIVISION of a PARCEL existing in the same dimensions and configuration on January 1, 1998 as more than 5 acres and less than 40 acres in area into one new LOT in accordance with Paragraph 4.3.4 (G) limits regarding use of BEST PRIME FARMLAND and that do not include a new STREET or PRIVATE ACCESSWAY; or
 - (b) SUBDIVISION of a PARCEL existing in the same dimensions and configuration on January 1, 1998 as 40 acres or more in area into no more than two new LOTS in accordance with Paragraph 4.3.4 (G) limits regarding use of BEST PRIME FARMLAND and that do not include a new STREET or PRIVATE ACCESSWAY.

10. These SUBDIVISIONS are limited to:
 - (a) SUBDIVISION of a new LOT that complies with Paragraph 4.3.4 (G) limits regarding BEST PRIME FARMLAND and that requires the establishment of a Rural Residential OVERLAY Zoning DISTRICT for an authorized non-AGRICULTURE USE or CONSTRUCTION; or
 - (b) SUBDIVISION in compliance with Paragraph 4.3.4 (G) limits regarding BEST PRIME FARMLAND and that includes a new STREET or PRIVATE ACCESSWAY.

5. Revise Section 5.3 Footnote 13 to reference revised Paragraph "4.3.4 G"

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

Zoning DISTRICTS	Minimum LOT Size ¹²		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 ½	85	75	55	15	25	20%	(5), (13)
R-1 Single FAMILY Residence	9,000	80	35	2 ½	85	75	55	10	20	30%	(5), (8)
R-2 Single FAMILY Residence	6,500	65	35	2 ½	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 ½	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 ½	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 ½	85	75	55	10	20	40%	(2)
B-5 Central Business	NR ¹⁰	NR ¹⁰	35	2 ½	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. Refer to Paragraph 4.3.4 (G) limits regarding establishing a non-agricultural authorized land USE on existing LOTS, creation of new LOTS, and limits regarding use of BEST PRIME FARMLAND.

14. [no changes proposed]

6. Revise Subsection 5.4.2 as follows:

5.4 Rural Residential OVERLAY Zoning DISTRICT

5.4.2 Exemptions

Only LOTS in compliance with the requirements of Paragraph 4.3.4(G) may be permitted in the AG-1, AG-2, and CR DISTRICTS without the creation of a Rural Residential OVERLAY DISTRICT:

7. Revise Existing Subsection 5.4.4

5.4.4 Limit Non-Agricultural Use of BEST PRIME FARMLAND

LOTS within a Rural Residential OVERLAY Zoning DISTRICT must comply with the Paragraph 4.3.4 (G) limits regarding amount of BEST PRIME FARMLAND for non-AGRICULTURE use.

8. Add provision (e) (2) to Subsection 9.1.2 regarding required inclusion of Best Prime Farmland area on Zoning Use Permit application

SUBSECTION 9.1.2

B. Application for Zoning Use Permit

1. Applications for Zoning Use Permits shall be filed in written form with the Zoning Administrator on such forms as the Zoning Administrator shall prescribe, and shall:
 - a. state the location, including township, street number, lot, block, and/or tract comprising the legal description of the PROPERTY;
 - b. state the name and address of the OWNER, the applicant, and the contractor, if known;
 - c. state the estimated cost;
 - d. describe the USES to be established or expanded;

- e. be accompanied by a plan in duplicate, or duplicate prints thereof, drawn approximately to scale, showing the;
 - (1) actual dimensions of the LOT to be built upon;
 - (2) the area of BEST PRIME FARMLAND to be used for the establishment of a new LOT or for any non-AGRICULTURE USE or CONSTRUCTION in the AG-1, AG-2 or CR DISTRICT, generalized to a rectangular shape of not less than one acre;
 - (3) size, shape, and locations of the USE to be established or the STRUCTURE or ACCESSORY STRUCTURE to be CONSTRUCTED;
 - ⋮

FIRST QUARTER OF FISCAL YEAR 2011 SUMMARY REPORT

The First Quarter of FY11 compares favorably to the three previous first quarters (FY10 through FY08) as follows:

- (1) **Current Planning cases in FY11 appear to be reduced** because only two zoning case applications have been received in the first quarter compared to an average of 4.7 cases per first quarter for FY08 through FY10.

Several zoning case applications are under preparation at this time however and the apparent decrease may be a peculiarity of these cases rather than an indication of the economic activity in this fiscal year.

- (2) **Permitting has exceeded the average of the three previous first quarters** with 11 non-agricultural construction applications received so far in FY11 compared to an average of 9.7 applications for the three previous first-quarter periods.
- (3) **Enforcement has kept pace with the complaints received** with 11 complaints received and 11 complaints resolved so far in FY11 compared to an average of 15 complaints received in the first quarters for FY08 through FY10 and an average of 21 cases resolved in the same period.

Initial investigation inquiries (calls and inspections) in the first quarter of FY11 have totaled 47 and exceed the average of 43 first investigations in the first quarters for the period FY08 through FY10.

MONTHLY REPORT for FEBRUARY 2011¹

Zoning Cases

Champaign
County
Department of

**PLANNING &
ZONING**

Brookens

Administrative Center
1776 E. Washington Street
Urbana, Illinois 61802

(217) 384-3708

The distribution of cases filed, completed, and pending is detailed in Table 1. No zoning cases were filed in February and one was filed in February 2010. The average number of cases filed in the preceding five Februarys was 2.4.

One ZBA meeting was held in February and two cases were finalized. Three ZBA meetings were held in February 2010 and 3 cases were completed. The average number of cases finalized in the preceding five Februarys was 2.0.

By the end of February there were 3 cases pending. By the end of February 2010 there were 7 cases pending.

Table 1. Zoning Case Activity in February 2011

Type of Case	February 2011 1 ZBA meeting		February 2010 3 ZBA meetings	
	Cases Filed	Cases Completed	Cases Filed	Cases Completed
Variance	0	1	0	2
SFHA Variance	0	0	0	0
Special Use	0	0	1	0
Map Amendment	0	0	0	0
Text Amendment	0	1	0	1
Change of Non-conforming Use	0	0	0	0
Administrative Variance	0	0	0	0
Interpretation / Appeal	0	0	0	0
TOTALS	0	2	1	3
Total cases filed (fiscal year to date)	2 cases		5 cases	
Total cases completed (fiscal year to date)	6 cases		4 cases	
Case pending*	3 cases		7 cases	
* Cases pending includes all cases continued and new cases filed				

¹ Note that approved absences, 2.0 sick days, and the continued loss of an Associate Planner resulted in an average staffing of 72% or the equivalent of 3.6 staff members (of the 5 authorized) present for each of the 19 work days in February.

Subdivisions

There was no County subdivision approval in February and no applications. No municipal subdivisions were reviewed for compliance with County zoning in February.

Zoning Use Permits

A detailed breakdown of permitting activity appears in Table 2. A list of all Zoning Use Permits issued for the month is at Appendix A. Permitting activity in February can be summarized as follows:

- There were 9 permits received for 6 structures in February compared to 6 permits for 4 structures in February 2010. The five-year average for permits in February is 8.
- This is the fourth month in the last 24 months (in addition to January 2011, September 2010, and September 2009) that exceeded the five-year average for number of permits.
- The average turnaround (review) time for complete initial residential permit applications in February was 4.00 days.
- The reported value for construction authorized in permits for February was \$576,007 compared to \$109,856 in February 2010. The five-year average reported value for authorized construction in February is \$486,818.
- Only three other months (August and May 2010 and February 2009) in the last 26 months have equaled or exceeded the five-year average for reported value of construction.
- The County collected \$706 in fees for February compared to \$97 in February 2010. The five-year average for fees collected in February is \$896.
- Fees equaled or exceeded the five-year average for collected permit fees in only three months (August 2010 and December and February 2009) in the last 23 months.
- There were also 14 lot split inquiries and 227 other zoning inquiries in February.
- Permitting staff made up for the absence of an Associate Planner in February in review of a proposed cemetery expansion; a new veterinary clinic; expansion of a township building; and a rezoning and special use permit for a proposed RLA and a proposed RRO rezoning for three lots.
- Pamphlet versions of the amended Nuisance Ordinance and the new Habitability Ordinance were completed and are on the website.

Zoning Compliance Inspections

A list of the Zoning Compliance Certificates approved in February is included as Appendix B. Compliance inspection activity in February can be summarized as follows:

TABLE 2. PERMIT ACTIVITY FEBRUARY, 2011

PERMITS	CURRENT MONTH			FISCAL YEAR TO DATE		
	#	Total Fee	\$ Value	#	Total Fee	\$ Value
AGRICULTURAL: Residential		N.A.		1	N.A.	400,000
Other	2	N.A.	130,312	4	N.A.	192,214
SINGLE FAMILY Residential:						
New - Site Built	1	300	435,000	3	1,554	905,000
Manufactured						
Additions	1	81	3,000	2	386	246,800
Accessory to Residential	1	97	6,495	5	614	39,295
TWO-FAMILY Residential						
Average turn-around time for permit approval			4 days			
MULTI - FAMILY Residential						
HOME OCCUPATION:						
Rural	1	33	0	1	33	0
Neighborhood	1	N.A.	0	3	N.A.	0
COMMERCIAL:						
New						
Other	1	97	1,200	1	97	1,200
INDUSTRIAL:						
New						
Other						
OTHER USES:						
New						
Other						
SIGNS						
TOWERS (Includes Acc. Bldg.)						
OTHER PERMITS	1	98	0	1	98	0
TOTAL	9/6	\$706	\$576,007	21/16	\$2,782	\$1,784,509

* 9 permits were issued for 6 structures during February, 2011

◇ 21 permits have been issued for 16 structures since December, 2010 (FY 12/2010 - 11/2011)

NOTE: Home occupations and other permits (change of use, temporary use) total 5 since December, 2010, (this number is not included in the total # 6f structures).

Planning & Zoning Monthly Report
FEBRUARY 2011

- Letters were mailed to 23 landowners in the Special Flood Hazard Area (100-year floodplain) requesting documentation of the elevation of the completed construction.
- 5 compliance inspections were made in February for a total of 23 inspections so far in FY2011.
- 10 compliance certificates were issued in February. Note that a compliance certificate should be authorized no longer than 12 months after the permit was issued so this compares to the total of 4 permits for structures in February 2010. Thus, the backlog of compliance inspections decreased slightly in February.
- Inspections have cleared compliance for a total of 30 permits so far this fiscal year (since December 1, 2010) which averages to 2.4 completed compliance inspections per week for FY2011. The FY2011 budget anticipates a total of 516 compliance inspections for an average of 9.9 inspections per week.

Zoning and Nuisance Enforcement

Table 3 contains the detailed breakdown of enforcement activity for February 2011 that can be summarized as follows:

- 3 new complaints were received in February compared to 9 in February 2010. No complaint was referred to other agencies in February and one was referred in February 2010.
- 23 enforcement inspections were conducted in February compared to 36 in February 2010.
- One contact was made prior to written notification in February and 6 were made in February 2010.
- 24 initial investigation inquiries were made in February for an average of 6.9 per week in February and 2.4 per week for the fiscal year. The FY2011 budget had anticipated an average of 6.5 initial investigation inquiries per week.
- 3 First Notices and one Final Notice were issued in February compared to 10 First Notice and no Final Notices in February 2010. The FY2011 budget had anticipated a total of 60 First Notices and so far there has been a total of 11 First Notices (18% of that total) by the end of the February.
- No new case was referred to the State's Attorney in February and two cases were referred in February 2010.
- 10 cases were resolved in February compared to 28 cases that were resolved in February 2010.
- 553 cases remain open at the end of February compared to 563 open cases at the end of February 2010. Recently the number of cases was as low as 539 in May 2010.

APPENDICES

A Zoning Use Permits Authorized

B Zoning Compliance Certificates Issued

TABLE 3. ENFORCEMENT ACTIVITY FOR FEBRUARY, 2011

	FY 2010 Enforcement	December, 2010	January, 2011	February, 2011	TOTALS FOR FY 11
Complaints Received	99	2	6	3	11
Initial Complaints Referred to Other Agencies	15	0	0	0	0
TOTAL CASES INCLUDING PREVIOUS YEARS					
Inspections	347	8	15	23	46
Phone or On-Site Contact Prior to Written Notification	24	0	0	1	1
1st Notices Issued	40	2	2	3	7
Final Notices Issued	14	0	0	1	1
Referrals to State's Attorney's Office	5	1	0	0	1
Cases Resolved ¹	119	1	0	10	11
Open Cases ²	553	554	560	553	553**/**

¹Resolved cases are cases that have been inspected, notice given, and violation is gone, or inspection has occurred and no violation has been found to occur on the property.

²Open Cases are unresolved cases, and include any cases referred to the State's Attorney's Office or new complaints not yet investigated.

*Open Cases include the previous number of open cases plus the number of new complaints received in the current month less the number of cases resolved in that same month.

**The 553 open cases include 27 cases that have been referred to the State's Attorney's Office, 15 cases that involve properties where kennels are being operated and will be addressed in the Zoning Ordinance revision process, and 8 cases that involve floodplain matters which brings the total of open cases to 503.

APPENDIX A. ZONING USE PERMITS AUTHORIZED DURING FEBRUARY, 2011

<u>NUMBER</u>	<u>LOCATION</u>	<u>NAME</u>	<u>DATE IN/ DATE OUT</u>	<u>PROJECT</u>
111-05-01	Pending Special Use Permit			
221-05-01	Pending resolution of violation RHO			
345-05-01	Under review			
26-06-02	Under review			
88-06-01	More information needed RHO			
118-06-02	Under review			
277-06-02	More information needed FP			
82-07-01	Need IDNR response FP			
192-07-02	More information needed FP			
219-07-01	More information needed			
219-07-02	More information needed RHO			
250-07-02	More information needed			
320-07-01	More information needed FP			
18-08-01	Under review			
137-08-01	Under review			
187-08-02	Under review			
200-08-01	Lots 2, 3, 4 & 5, Block 1, Original Town of Penfield, Section 4, Compromise Township; 105 Main Street, Penfield, Illinois PIN: 06-12-04-303-001 & 013	Sheri Rawlings/Last Call for Alcohol	07/18/10 02/16/11	place a covered shelter for a beer garden addition to an existing bar
B-5				
235-08-01	More information needed, possible Variance			
235-08-02	More information needed, possible Variance			

APPENDIX A. ZONING USE PERMITS AUTHORIZED DURING FEBRUARY, 2011

237-08-01	Under review			
266-08-01	Variance needed			
310-08-01	Under review, possible RRO, subdivision issues			
12-09-01	Under review			
147-09-01	Under review			
357-09-01	Under review			
RHO				
41-10-01	Pending Special Use Permit			
54-10-01	Under review			
251-10-01	Variance needed			
13-11-02	A tract of land being a part of the NW 1/4 of the NE 1/4 of the SE 1/4 of Section 25, Somer Township; 4109 East Oaks Road, Urbana, IL PIN: 25-15-35-400-004	Gregory and Margaret Stanton	01/13/11 01/20/11 (additional fees received 2/07/11)	construct a single family home with attached garage and authorize construction of a detached storage shed
AG-2				
26-11-02	Lot 42, Rolling Hills Estates 4, Section 12, Mahomet Township; 1214 Partridge Court, Mahomet, Illinois PIN: 15-13-12-130-010	Donald and Beverly Marvin	01/26/11 02/01/11	construct an addition to an existing single family home
R-1				
28-11-01	Two tracts of land comprising 120 acres being the E 1/2 of the SE 1/4 and the E 1/2 of the W 1/2 of the SE 1/4 of Section 28, Sadorus Township; 147 CR 300E, Sadorus, Illinois PIN: 22-31-28-400-003 & 006	Elaine and Matti Aaltonen	01/28/11 02/03/11	construct a detached storage shed for agriculture equipment
AG-1				
03-11-01	Zoning Case required			

APPENDIX A. ZONING USE PERMITS AUTHORIZED DURING FEBRUARY, 2011

03-11-03 RHO AG-1	A tract of land located in the E ½ of Fractional NE 1/4 of Section 3, Hensley Township; 997 CR 2400N, Champaign, IL PIN: 12-14-03-200-001	Richard A. Schrock	01/03/11 02/03/11	establish a Rural Home Occupation, Richard A. Schrock Mowing
10-11-01	More information required			
26-11-01	Under review			
45-11-01 AG-1	A tract of land located in the NW 1/4 of the NW 1/4 of Section 34, Colfax Township; 323 CR 700N, Sadorus, Illinois PIN: 05-25-34-100-005	Steve Stierwalt	02/14/11 02/24/11	a detached storage shed for agriculture equipment
47-11-01 B-4	The South ½ of Lot 26, of Carroll's Subdivision, Section 9, Urbana Township; 1105 N. Eastern Avenue, Urbana, Illinois PIN: 30-21-09-127-040	Kevin Gilbert	02/16/11 02/24/11	Change the Use to allow Auto Sales (Open Lot) in addition to Auto Repair & Painting business, dba E & M Custom Classics
47-11-02	Under review			
49-11-01 R-2	Lots 10 and 11 of Block 3, S.H. Busey's 6 th Addition, Section 4, Compromise Township; 419 S. Main Street, Penfield, Illinois PIN: 06-12-04-356-009	Brian Lile	02/17/11 02/24/11	construct a detached garage CASE: 678-V-10
55-11-01	Under review			

APPENDIX B: ZONING COMPLIANCE CERTIFICATES ISSUED DURING FEBRUARY, 2011

<u>DATE</u>	<u>LOCATION</u>	<u>PROJECT</u>
01/20/11 13-11-02	A tract of land being a part of the NW 1/4 of the NE 1/4 of the SE 1/4 of Section 25, Somer Township; 4109 East Oaks Road, Urbana, Illinois PIN: 25-15-35-400-004	a single family home with attached garage and a detached storage shed
01/20/11 206-07-01	A tract of land being a part of the NW 1/4 of the NE 1/4 of the SE 1/4 of Section 25, Somer Township; 4109 East Oaks Road, Urbana, Illinois PIN: 25-15-35-400-004	an addition to an existing single family home (This home was completely demolished and a new home constructed using the same footprint. See ZUPA 13-11-02)
02/07/11 264-10-01	Lot 4, Wildwood Estates Subdivision, Section 12, Mahomet Township; 1101 James Court, Mahomet, Illinois PIN: 15-13-12-176-004	a single family (manufactured) home
02/16/11 48-05-02	A tract of land being the North 1/2 of the NE 1/4 of the SW 1/4 of Section 34, East Bend Township; #1 Main Street, Dewey, Illinois PIN: 10-02-34-181-002; 10-02-34-182-002; 10-02-34-301-004; 10-02-34-326-001, 003, 005; 10-02-34-327-002; 10-02-34-328-001	a grain storage bin
02/16/11 66-06-01	A tract of land being the North 1/2 of the NE 1/4 of the SW 1/4 of Section 34, East Bend Township; #1 Main Street, Dewey, Illinois PIN: 10-02-34-181-002; 10-02-34-182-002; 10-02-34-301-004; 10-02-34-326-001, 003, 005; 10-02-34-327-002; 10-02-34-328-001	a 725,000 bushel grain storage bin

APPENDIX B: ZONING COMPLIANCE CERTIFICATES ISSUED DURING FEBRUARY, 2011

02/16/11 121-06-01	A tract of land being the North ½ of the NE 1/4 of the SW 1/4 of Section 34, East Bend Township; #1 Main Street, Dewey, Illinois PIN: 10-02-34-181-002; 10-02-34-182-002; 10-02-34-301-004; 10-02-34-326-001, 003, 005; 10-02-34-327-002; 10-02-34-328-001	truck scales
02/16/11 254-06-01	A tract of land being the North ½ of the NE 1/4 of the SW 1/4 of Section 34, East Bend Township; #1 Main Street, Dewey, Illinois PIN: 10-02-34-181-002; 10-02-34-182-002; 10-02-34-301-004; 10-02-34-326-001, 003, 005; 10-02-34-327-002; 10-02-34-328-001	a storage shed/shop building
02/16/11 10-07-02	A tract of land being the North ½ of the NE 1/4 of the SW 1/4 of Section 34, East Bend Township; #1 Main Street, Dewey, Illinois PIN: 10-02-34-181-002; 10-02-34-182-002; 10-02-34-301-004; 10-02-34-326-001, 003, 005; 10-02-34-327-002; 10-02-34-328-001	a grain bin and a grain storage ring
02/16/11 49-11-01	Lots 10 and 11 of Block 3, S. H. Busey's 6 th Addition to the Town of Penfield, Section 4, Compromise Township; 419 S. Main Street, Penfield, Illinois PIN: 06-12-04-356-009	a detached garage
02/17/11 200-08-01	Lots 2, 3, 4, and 5, Block 1 of the Original Town of Penfield, Section 4, Compromise Township; 105 Main Street, Penfield, Illinois PIN: 06-12-04-303-001 & 013	a covered shelter for a beer garden to an existing bar

MONTHLY REPORT for JANUARY 2011¹

Champaign
County
Department of

**PLANNING &
ZONING**

Brookens

Administrative Center
1776 E. Washington Street
Urbana, Illinois 61802

(217) 384-3708

Zoning Cases

The distribution of cases filed, completed, and pending is detailed in Table 1. Two zoning cases were filed in January and two were filed in January 2010. The average number of cases filed in the preceding five Januarys was 3.4.

Two ZBA meetings were held in January and two cases were finalized. One ZBA meeting was held in January 2010 and no case was completed. The average number of cases finalized in the preceding five Januarys was 1.4.

By the end of January there were 5 cases pending (one was a text amendment). By the end of January 2010 there were 9 cases pending.

Table 1. Zoning Case Activity in January 2011

Type of Case	January 2011 2 ZBA meetings		January 2010 1 ZBA meeting	
	Cases Filed	Cases Completed	Cases Filed	Cases Completed
Variance	1	0	1	0
SFHA Variance	0	0	0	0
Special Use	1	0	0	0
Map Amendment	0	0	0	0
Text Amendment	0	2	0	0
Change of Non-conforming Use	0	0	0	0
Administrative Variance	0	0	1	0
Interpretation / Appeal	0	0	0	0
TOTALS	2	2	2	0
Total cases filed (fiscal year to date)	2 cases		4 cases	
Total cases completed (fiscal year to date)	4 cases		1 cases	
Case pending*	5 cases**		9 cases	
* Cases pending includes all cases continued and new cases filed				
** Cases 542-AM-06 and 629-V-08 were also removed from the docket in January 2011				

¹ Note that approved absences, 5.5 sick days, and the loss of the Associate Planner resulted in an average staffing of 72% or the equivalent of 3.6 staff members (of the 5 authorized) present for each of the 20 work days in January.

Subdivisions

There was no County subdivision approval in January and no applications but there was one inquiry. No municipal subdivisions were reviewed for compliance with County zoning in January.

Zoning Use Permits

A detailed breakdown of permitting activity appears in Table 2. A list of all Zoning Use Permits issued for the month is at Appendix A. Permitting activity in January can be summarized as follows:

- There were 6 permits received for 5 structures in January compared to no permits in January 2010. The five-year average for permits in January is 5.4.
- This is the third month in the last 23 months (in addition to September 2010 and September 2009) that exceeded the five-year average for number of permits.
- The average turnaround (review) time for complete initial residential permit applications in January was 3.00 days.
- The reported value for construction authorized in permits for January was \$312,702 compared to \$0 in January 2010. The five-year average reported value for authorized construction in January is \$353,484.
- Only three other months (August and May 2010 and January 2009) in the last 25 months have equaled or exceeded the five-year average for reported value of construction.
- The County collected \$964 in fees for January compared to \$0 in January 2010. The five-year average for fees collected in January is \$1,306.
- Fees equaled or exceeded the five-year average for collected permit fees in only three months (August 2010 and December and January 2009) in the last 22 months.
- There were also 8 lot split inquiries and 176 other zoning inquiries in January.
- Permitting staff made up for the missing Associate Planner in January involving a complicated combined Minor Rural Specialty Business and Home Occupation in Hensley Township and an existing property with multiple proposed uses that will require a zoning map amendment and special use permit.

Zoning Compliance Inspections

A list of the Zoning Compliance Certificates approved in January is included as Appendix B. Compliance inspection activity in January can be summarized as follows:

- 6 compliance inspections were made in January for a total of 18 compliance inspections so far in FY2011.

TABLE 2. PERMIT ACTIVITY JANUARY, 2011

PERMITS	CURRENT MONTH			FISCAL YEAR TO DATE		
	#	Total Fee	\$ Value	#	Total Fee	\$ Value
AGRICULTURAL:						
Residential		N.A.		1	N.A.	400,000
Other	1	N.A.	31,902	2	N.A.	61,902
SINGLE FAMILY Residential:						
New - Site Built	1	513	250,000	2	1,254	470,000
Manufactured						
Additions				1	305	243,800
Accessory to Residential	3	451	30,800	4	517	32,800
TWO-FAMILY Residential						
Average turn-around time for permit approval			3 days			
MULTI - FAMILY Residential						
HOME OCCUPATION:						
Rural						
Neighborhood	1	N.A.	0	2	N.A.	0
COMMERCIAL:						
New						
Other						
INDUSTRIAL:						
New						
Other						
OTHER USES:						
New						
Other						
SIGNS						
TOWERS (Includes Acc. Bldg.)						
OTHER PERMITS						
TOTAL	6/5	\$964	\$312,702	12/10	\$2,076	\$1,208,502

* 6 permits were issued for 5 structures during January, 2011

◇ 12 permits have been issued for 10 structures since December, 2010 (FY 12/2010 - 11/2011)

NOTE: Home occupations and other permits (change of use, temporary use) total 2 since December, 2010, (this number is not included in the total # of structures).

Planning & Zoning Monthly Report
JANUARY 2010

- 8 compliance certificates were issued in January. Note that a compliance certificate should be authorized no longer than 12 months after the permit was issued so this compares to the total of 0 permits for structures in January 2009. Thus, the backlog of compliance inspections decreased slightly in January.
- Inspections have cleared compliance for a total of 20 permits so far this fiscal year (since December 1, 2010) which averages to 2.4 completed compliance inspections per week for FY2011. The FY2011 budget anticipates a total of 516 compliance inspections for an average of 9.9 compliance inspections per week.

Zoning and Nuisance Enforcement

Table 3 contains the detailed breakdown of enforcement activity for January 2011 that can be summarized as follows:

- 6 new complaints were received in January compared to 2 in January 2010. No complaint was referred to other agencies in January and one was referred in January 2010.
- 15 enforcement inspections were conducted in January compared to 7 inspections in January 2010.
- No contacts were made prior to written notification in January and none were made in January 2010.
- 15 initial investigation inquiries were made in January for an average of 3.8 per week in January and 2.7 per week for the fiscal year. The FY2011 budget had anticipated an average of 6.5 initial investigation inquiries per week.
- 2 First Notices and no Final Notice were issued in January compared to no First Notice and 1 Final Notice in January 2010. The FY2011 budget had anticipated a total of 60 First Notices and so far there has been a total of 4 First Notices (less than 1% of that total) by the end of the January.
- No new case was referred to the State's Attorney in January and two cases were referred in January 2010.
- No case was resolved in January compared to 3 cases that was resolved in January 2010.
- 560 cases remain open at the end of January compared to 582 open cases at the end of January 2010. Recently the number of cases was as low as 539 in May 2010 but have increased every month since.

APPENDICES

- A Zoning Use Permits Authorized**
- B Zoning Compliance Certificates Issued**

TABLE 3. ENFORCEMENT ACTIVITY FOR JANUARY, 2011

	FY 2010 Enforcement	December, 2010	January, 2011	TOTALS FOR FY 11
Complaints Received	99	2	6	8
Initial Complaints Referred to Other Agencies	15	0	0	0
TOTAL CASES INCLUDING PREVIOUS YEARS				
Inspections	347	8	15	23
Phone or On-Site Contact Prior to Written Notification	24	0	0	0
1st Notices Issued	40	2	2	4
Final Notices Issued	14	0	0	0
Referrals to State's Attorney's Office	5	1	0	1
Cases Resolved ¹	119	1	0	1
Open Cases ²	553	554	560	560*/**

¹Resolved cases are cases that have been inspected, notice given, and violation is gone, or inspection has occurred and no violation has been found to occur on the property.

²Open Cases are unresolved cases, and include any cases referred to the State's Attorney's Office or new complaints not yet investigated.

*Open Cases include the previous number of open cases plus the number of new complaints received in the current month less the number of cases resolved in that same month.

**The 560 open cases include 27 cases that have been referred to the State's Attorney's Office, 15 cases that involve properties where kennels are being operated and will be addressed in the Zoning Ordinance revision process, and 8 cases that involve floodplain matters which brings the total of open cases to 510.

APPENDIX A. ZONING USE PERMITS AUTHORIZED DURING JANUARY, 2011

<u>NUMBER</u>	<u>LOCATION</u>	<u>NAME</u>	<u>DATE IN/ DATE OUT</u>	<u>PROJECT</u>
111-05-01		Pending Special Use Permit		
221-05-01		Pending resolution of violation		
RHO				
345-05-01		Under review		
26-06-02		Under review		
88-06-01		More information needed		
RHO				
118-06-02		Under review		
277-06-02		More information needed		
FP				
82-07-01		Need IDNR response		
FP				
192-07-02		More information needed		
FP				
219-07-01		More information needed		
219-07-02		More information needed		
RHO				
250-07-02		More information needed		
320-07-01		More information needed		
FP				
18-08-01		Under review		
137-08-01		Under review		
187-08-02		Under review		
200-08-01		Under review		
235-08-01		More information needed, possible Variance		
235-08-02		More information needed, possible Variance		
237-08-01		Under review		
266-08-01		Variance needed		
310-08-01		Under review, possible RRO, subdivision issues		

APPENDIX A. ZONING USE PERMITS AUTHORIZED DURING JANUARY, 2011

12-09-01	Under review			
147-09-01	Under review			
357-09-01	Under review			
RHO				
41-10-01	Pending Special Use Permit			
54-10-01	Under review			
251-10-01	Variance needed			
362-10-01	A tract of land located in the S ½ of the NE 1/4 of Section 27, Compromise Township; 2573 CR 2200E, Gifford, Illinois PIN: 06-10-27-200-004	Steve Buhr	12/28/10 01/05/11	construct a sunroom addition to an existing single family home
AG-1				
364-10-01	Lot 97, Edgewood 8 th Subdivision, Section 10, Urbana Township; 2408 John Drive, Urbana, IL PIN: 30-21-10-327-012	Jim Kelly	12/30/10 01/06/11	construct an in-ground swimming pool with a minimum 4' non-climbable fence with a self closing, self latching gate
R-1				
03-11-01	Zoning Case required			
03-11-02	A tract of land in the E ½ of Fractional NE 1/4 of Section 3, Hensley Township; Address to be assigned PIN: 12-14-03-200-001	Richard Schrock and Katie Schrock	01/03/11 01/28/11	construct a single family home with attached garage, a horse barn and a building for hay storage
AG-1				
03-11-03	Under review			
RHO				
03-11-04	A tract of land located in the SE Corner of the SE 1/4 of Section 33, Philo Township and Lot 6 of Walter Sandwell Second Subdivision, Section 33, Philo Township; 601 CR 1500E, Tolono, Illinois PIN: 19-27-33-400-005 & 019	Wesley Burk	01/03/11 01/06/11	construct a detached storage shed
AG-1				
10-11-01	More information required			

APPENDIX A. ZONING USE PERMITS AUTHORIZED DURING JANUARY, 2011

13-11-01	Lot 346, Lakeview Subdivision, Seventh Addition, Section 13, Mahomet Township; 1910 E. Juniper Drive, Mahomet, Illinois PIN: 15-13-13-101-025	Diana Hustedt	01/13/11 01/20/11	authorize construction of a previously constructed detached storage shed
R-1				
13-11-02	Additional fee required			
26-11-01	Under review			
28-11-01	Under review			

APPENDIX B: ZONING COMPLIANCE CERTIFICATES ISSUED DURING JANUARY, 2011

<u>DATE</u>	<u>LOCATION</u>	<u>PROJECT</u>
04/22/10* 311-00-03 313-00-01	The E ½ of the NE ¼ of Section 33, Kerr Township; 2775 CR 3075N, Penfield, Illinois PIN: 13-06-33-200-002	Change of Use to establish a private campground, a single family home with attached garage to be used as a proprietor's residence for the campground and a detached storage shed.
07/20/09* 206-07-01	A tract of land being a part of the NW ¼ of the NE ¼ of the SE ¼ of Section 25, Somer Township; 4109 East Oaks Road, Urbana, Illinois PIN: 25-15-35-400-004	an addition to an existing single family home
11/10/10 112-08-01	Lot 12, Country Acres Estates, Section 8, Champaign Township; 5105 Dudley Drive, Champaign, Illinois PIN: 03-20-08-102-005	a detached garage
11/22/10 13-11-01	Lot 346, Lakeview Subdivision, Seventh Addition, Section 13, Mahomet Township; 1910 E. Juniper Drive, Mahomet, Illinois PIN: 15-13-13-101-025	a detached storage shed
11/22/10 166-99-03	Lot 346, Lakeview Subdivision, Seventh Addition, Section 13, Mahomet Township; 1910 E. Juniper Drive, Mahomet, Illinois PIN: 15-13-13-101-025	a single family home with attached garage
01/19/11 224-10-01	Lot 34, Wildwood Estates Subdivision, Section 12, Mahomet Township; 2206 Olen Drive, Mahomet, Illinois PIN: 15-13-12-177-006	a detached garage
01/19/11 110-10-02	Lot 65, Rolling Hills Estates #4, Section 12, Mahomet Township; 2308 Robin Road, Mahomet, IL PIN: 15-13-12-126-015	a garage addition to an existing single family home
01/19/11 327-10-01	A tract of land located in the SW ¼ of Section 28, Urbana Township; 3605 S. Philo Road, Urbana, Illinois PIN: 30-21-28-300-007	a detached shed for agriculture storage



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March 1, 2011

Chair Pius Weibel and
Members of the Champaign County Board

RE: Olympian Drive and Lincoln Avenue Road Improvements

Dear Chair Weibel and Champaign County Board Members John Jay, Lawrence Sapp, Stephanie Holderfield, Ron Bensyl, Diane Michaels, Stan James, Alan Nudo, Brad Jones, Jonathan Schroeder, Steve O'Connor, Steve Moser, Lloyd Carter, Carol Ammons, Lorraine Cowart, Giraldo Rosales, Pattsy Petrie, Jan Anderson, Al Kurtz, Astrid Berkson, Tom Betz, Ralph Langenheim, Brendan McGinty, James Quisenberry and Chris Alix:

Thank you for your careful consideration of the Olympian Drive-Lincoln Avenue improvements. We especially thank those of you who took the time to meet with us.

One year ago Urbana agreed to re-open the public engagement process in response to concerns from some residents and some county board members. This lengthy public process cost over \$100,000 and yielded a compromise which Urbana agreed to: postpone completion of Olympian from Lincoln Avenue to U.S. 45 and build the Olympian and Lincoln Avenue connection first.

Opponents at first publicly encouraged and welcomed our re-opening public engagement. Then they yanked away the football and refused to participate. Now they want another study costing \$170,000 which would take 18 months.

Bottom Line: What do Champaign County Taxpayers owe homeowners who chose to locate near the legally adopted alignment for Lincoln Avenue?

Four couples who now oppose the approved alignment for Lincoln Avenue (the "Green Line") chose to locate near that alignment even though at least three of them knew exactly where the road would be built. Now they ask Champaign County taxpayers to spend hundreds of thousands of dollars to pick an alignment they prefer.

We don't owe them another study. We do owe them fair treatment. Urbana has given them every opportunity to work with us to minimize the impact of the road. Our offer to work with them is still open, whenever they are ready. For example, Mary Rose Atkinson writes in today's News-Gazette that she does not want a road 50 feet from her beautiful home. I want to reassure her that not only is the current Green alignment 200 feet from her home, but Urbana is willing to do its best to move the road another 50 feet west on their property so that the distance would be up to 250 feet.

Urbana is not willing, however, to accept any more delaying tactics, waste money duplicating studies that have already been done, or violate agreements with other landowners.

What does the County Board owe all the people who have built businesses based on your officially adopted Lincoln Avenue alignment? How will you compensate businesses that decided to invest millions of dollars because they trusted in your approved and carefully studied road alignments? How will you compensate all the people with jobs if that investment dries up? The biggest issue this country faces is unemployment. Do the preferences of a few outweigh the needs of everyone else?

Urbana will honor its commitments. We will honor our commitment to Shirley Squire. During the initial public engagement the Lincoln Avenue alignment was moved to avoid her home. The entire Olympian Drive project was carefully designed to avoid destroying homes. None of the opponents' homes will be destroyed or be less than hundreds of feet from Lincoln Avenue. We can move the Green Line 50 feet to widen the distance to the Behrens home to 250 feet.

Urbana will honor its commitments to the County. We are here for the duration. Founded with the County in 1833, Urbana understands the need to work together and help each other. We appreciate your efforts in the property tax lawsuit. Our tax base is your tax base. We promptly paid you the taxes we got from Provena, as I promised. And we will continue to do so as quickly as the case is settled. We appreciate your efforts to restore the courthouse to its original design. Urbana contributed to the Clock Tower restoration and to the courthouse Lincoln museum.

Urbana requests that the County Board honor its commitments.

We ask that you respect our rights and responsibilities to plan in the mile and a half beyond our city limits. Our Comprehensive Plan was adopted after 4 ½ years of input from thousands of people both in the city and in the mile and a half.

We ask that you respect and support the excellent transportation planning process you have created which works so well for all of us. We all benefit tremendously from intergovernmental planning efforts such as the Champaign-Urbana Urban Area Transportation Study (CUUATS). Instead of competing against each other for road projects we have jointly set priorities so each community receives its fair share of funding. This is how taxpayers want government to work.

The county board should be proud of what we have accomplished through CUUATS. We have been invited to an upcoming federal meeting to showcase our work—one of only six planning agencies in the country, out of a total of 315 nationwide. The quality of our local planning compares favorably with much larger cities. Rejection of an already adopted, well-designed plan undermines the excellent work of our planning agency and costs taxpayers unnecessarily.

The City of Urbana requests that you affirm your support of the already adopted “Green Line” alignment for Lincoln Avenue for the following reasons:

- a. Funding is available now. A \$2.2 million local match will yield \$20 million of road and bridge improvements which are vital to maintain existing jobs and create new jobs.
- b. Funds are available because this project has been repeatedly approved by local, state and federal governments after an extensive public engagement process.
- c. The County Board has already approved the “Green Line” three times—in 1999, 2004 and 2009-- as part of the Long Range Transportation Plan.
- d. We cannot afford to waste time and \$170,000 to duplicate studies that have already been done. Opponents of this project are trying to kill it using “paralysis by analysis.”
- e. By state law Urbana is responsible for planning in the mile and a half beyond our city limits. Urbana has included the Lincoln Avenue “Green Line” in its Comprehensive Plan used for subdivision plats and right-of-way dedication.
- f. Changing the approved alignment would interfere with private property owners who have abided by our lawfully adopted plans.

The opponent’s “Yellow Line” proposal makes no sense. The opponents want us to spend another \$170,000 for a new study. Their “Yellow Line” would cost \$1 million more to construct and also use up more farmland. Their idea is a non-starter because of significant traffic engineering and transportation planning flaws. It would result in two parallel roadways, since an improperly realigned Lincoln Avenue would not allow for closure of the existing roadway. This would saddle county taxpayers with millions of dollars extra for future maintenance.

- 1. A new study cannot be approved by the County Board alone. It would have to be approved by CUUATS as well as the state and federal governments. I believe there is a strong consensus that another study would be a huge waste of tax dollars.
- 2. A new study would cost an estimated \$170,000 and take an estimated 18 months. The City of Urbana strongly objects to such wasteful spending and delays. We cannot revise all the plans this project is linked to every time someone new moves here.
- 3. A more westerly alignment would destroy the industrial development potential of the Squire property by splitting it in half, leaving lot sizes that are too small.
- 4. A new study would have to be done by objective criteria. A final alignment cannot be picked in advance. The Green Line was selected in competition with about 10 other alignments. A new study would likely yield a similar result.

Characterizing this as a fight between urban and rural interests is short-sighted.

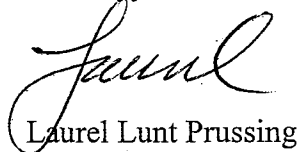
The opponents argue that their interests are superior to those of city residents. The truth is that urban and rural people need each other. Those leading the fight against Urbana moved here because of the job opportunities and amenities that this city offers. If they had wanted to live near a town or village with no growth potential they could have done so. But then they would not have had access to the University of Illinois, excellent hospitals and clinics, libraries, arts, entertainment and fine local restaurants and shops. Prairie Fruits Farm would not enjoy the customer base that enables them to prosper.

The News-Gazette February 27th editorial is an excellent summary of why it is time to move forward. This project has earned strong support from residents, farmers, businesses, industry and emergency service responders as well as the Champaign County Chamber of Commerce, Champaign County Economic Development Corporation, Somer Township, City of Champaign, Urbana School District, and other taxing districts.

Urbana asks that you continue your support for the currently adopted plans and policies of Champaign County and the City of Urbana by helping implement these important road projects. The current and future citizens will thank you for the increased livability and economic vitality of our community and for your wise stewardship of federal, state and local funds.

Please feel free to contact me or any of the professional staff from the various agencies who have worked hard to support this important project if you have questions or concerns about these roadway projects and the decisions that lie ahead.

Sincerely,



Laurel Lunt Prussing

Cc: Urbana City Council
 Mike Monson, Chief of Staff
 Bill Gray, City Engineer
 Libby Tyler, Community Development Director
 Jeff Blue, County Engineer
 Rita Black, Regional Transportation Planner
 Mayor Schweighart
 Mayor Williams
 Craig Rost, Champaign Economic Development
 Cameron Moore, RPC Director
 Laura Weis, Champaign County Chamber of Commerce
 John Dimit, Champaign County Economic Development Corporation
 Dennis Markwell, IDOT
 Betsy Tracy, Federal Highway Administration
 Ken Mathis, Somer Township
 Naomi Jakobsson, State Representative
 Mike Frerichs, State Senator
 Tim Johnson, U.S. Congressman

Olympian Drive/Lincoln Avenue Facts

The 26 landowners affected by the Olympian Drive development have, in good faith, offered reasonable compromises, even ones with which we are not happy. If these are rejected, we must go back to basics and ask the following five fundamental questions:

1. More Industrial and Commercial Land—who would need it?

When we began campaigning against Olympian Drive a year ago, 2096 acres of vacant commercial and industrial land were listed as being on the market. Today, the Champaign County Development Board lists 94 properties on the market, totaling 2393 acres. In addition, some 181 commercial and industrial buildings are on the market, millions of square feet of commercial space. There is no prospect of requiring more land to be opened up for commercial or industrial development in the foreseeable future.

2. Industrial Job Growth—what evidence is there?

Census data tells us, not surprisingly, that manufacturing employment in Urbana-Champaign continues on its path of long decline—17,394 people in 1990, to 14,394 in 2000, to 13,679 in 2008 (and these last data are before the recession set in). At least one major employer in Lincoln Avenue is in dire and unsustainable financial trouble.

3. The Sweeping ‘S’—who would use it?

It's longer, it takes you in the wrong direction, you have to take a sharp left turn and navigate several intersections before using Interstate 57. Anyone in the already-developed parts of Lincoln will use I74 to connect with I57 - because its shorter, faster and more logical.

4. The Uncounted Public Costs—must taxpayers pay?

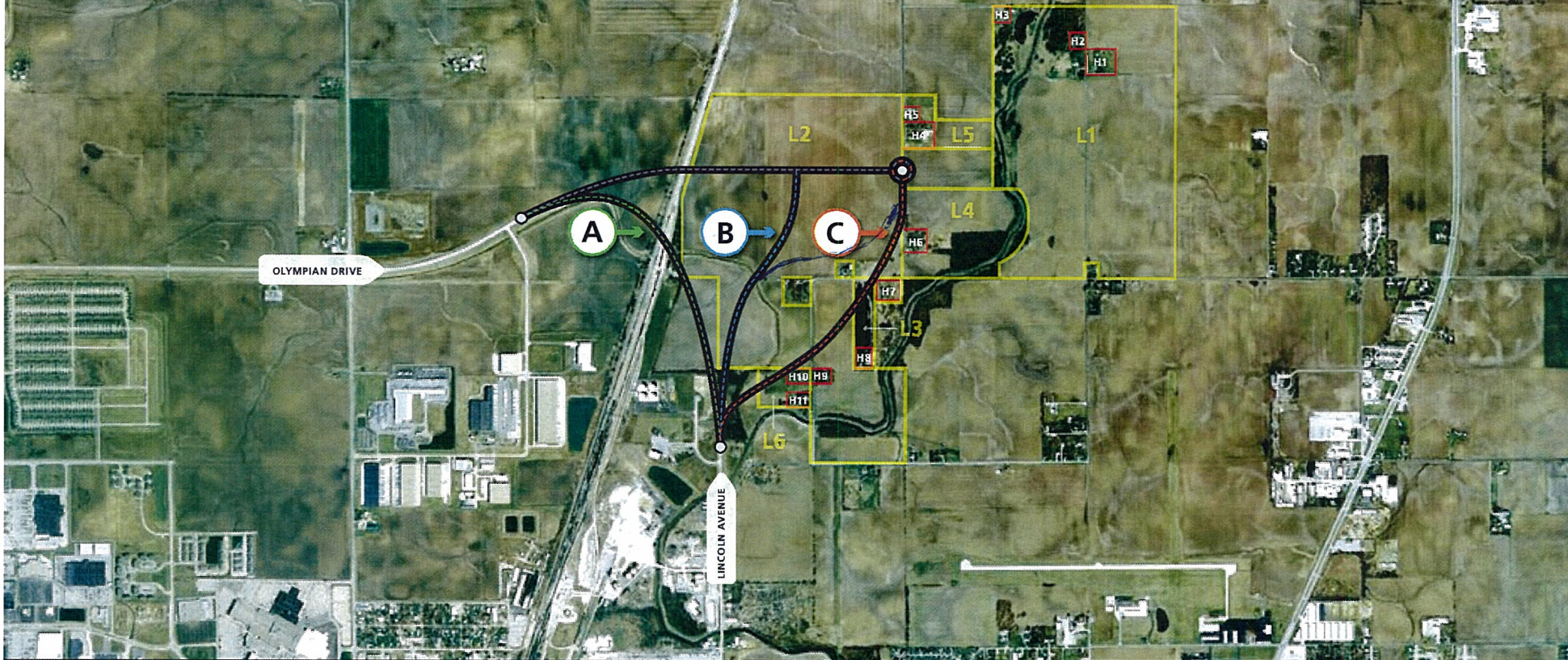
The problem is not just the cost of road construction, which will be funded 100% by taxpayer money whatever the source, but after that, the subsidies to attract people to use the land, maintenance costs, sewerage infrastructure etc. The TishlerBise report to Champaign City shows that new industrial and warehouse development produces a net deficit of taxes minus costs of \$63 per year.

5. Destroying Farmland—why are some kinds of businesses and jobs more valuable than others?

Let's be clear, the proponents of these roads see them as the first stage of a project to connect Olympian to Route 45 for industrial development. Our arguments about cutting up long-established family farms and doing damage farmland remain. Why would unproven hopes for industrial jobs be valued ahead of the livelihoods and jobs of our farm community?

OLYMPIAN DRIVE AND LINCOLN AVENUE — COST OF DOING BUSINESS

ROUTE A = .91 MILES (ONE WAY)	ROUTE B = 1.38 MILES (ONE WAY)	ROUTE C = 2 MILES (ONE WAY)
$(\text{GAS} + \text{WAGES}) \times \text{FLEET} \times \text{TRIPS (PER DAY)} \times \text{WORK DAYS (PER YEAR)} = \text{ANNUAL COST}$ $(.47 + .83) \times 300 \times 2 \times 280 = \$218,400$ COST PER TRIP = \$1.30 EXTRA MILE TRANSPORT	$(\text{GAS} + \text{WAGES}) \times \text{FLEET} \times \text{TRIPS (PER DAY)} \times \text{WORK DAYS (PER YEAR)} = \text{ANNUAL COST}$ $(.70 + 1.22) \times 300 \times 2 \times 280 = \$322,560$ COST PER TRIP = \$1.92 EXTRA MILE TRANSPORT ADDITIONAL COST A-vs-B = \$104,160	$(\text{GAS} + \text{WAGES}) \times \text{FLEET} \times \text{TRIPS (PER DAY)} \times \text{WORK DAYS (PER YEAR)} = \text{ANNUAL COST}$ $(1.02 + 1.72) \times 300 \times 2 \times 280 = \$460,320$ COST PER TRIP = \$2.74 EXTRA MILE TRANSPORT ADDITIONAL COST A-vs-C = \$241,920 ADDITIONAL COST B-vs-C = \$137,760



FARMLAND / PROPERTIES

- L1 Ziegler Farm
- L2 Squire Farm / Scharlau-Carlson
- L3 Cope-Kalantzis
- L4 Grierson Farm
- L5 Prairie Fruit Farm / Jarrell-Cooperband
- L6 Gayer-Dixon

CLIENT HOMES

- | | |
|--|---------------------------------------|
| H1 Bill & Virginia Ziegler | H7 Dave & Gayle McKay |
| H2 Mark, Cindy, & Douglas Ziegler | H8 Bill Cope & Mary Kalantzis |
| H3 Gene & Mary Ziegler | H9 Harold & Janet Scharlau |
| H4 Wes Jarrell & Leslie Cooperband | H10 Joe Behrends & Mary Rose Atkinson |
| H5 Steve & Kathy Dyson | H11 William "Pat" Gayer & Sandy Dixon |
| H6 Howard & Margaret Erlandson, Steve Grierson | |

KEY

- Proposed Routes
 - Possible Alternative Routes*
 - Property Lines
 - Client Homes
- * Routes for discussion purposes only. Not drawn to engineering or DOT specs.

When "SD" comes to your town

By Henry Lamb

"SD" is Sustainable Development, and it has probably already permeated your town, county, and state. It was conceived at the 1987 U.N. Conference on Environment and Development, and entered the world at the 1992 U.N. Conference on Environment and Development, in the form of Agenda 21. Since then, it has infested nearly 150 nations, including the United States.

The symptoms are unmistakable. Tell-tale terms begin appearing in local newspapers and local newscasts: urban sprawl; open space; brownfields; infill; bike paths; public transportation; visioning process; consensus; and "somethingorother-2000." Then there are reports about results of visioning process. Finally, there is a plan. Suddenly, your town is a "Sustainable Community."

Typically, the "plan" for your sustainable community will be named "Yourtown 2020," or something similar, it will embrace several political jurisdictions, involve a "commission" or "council" with some measure of authority to "oversee" the implementation of the plan, and it will contain several components that are remarkably similar to all the other "sustainable communities" around the country. Virtually all of the components come from recommendations contained in Agenda 21.

The plan is designed to limit urban sprawl; preserve open space; infill dilapidated brownfields with public/private partnership projects; provide bike paths and improve public transportation; and do it all in a coordinated fashion with all the other political jurisdictions in the region.

What could possibly be wrong with this objective or the process that brings it about?

Much! To begin with, the concept of sustainable development and sustainable communities, completely disregards a fundamental principle of freedom that has been honored in the United States since before our country was founded: a person should be able to live wherever he chooses to live. In a sustainable community, a person can live where he chooses to live - as long as it meets the approval of the governing body.

Many sustainable community plans go much further than defining where a person cannot live; they often define the size of the home, the type of materials that may be used to construct the home, and even the type of landscaping that may be used. These restrictions are imposed, ostensibly, to protect the environment.

The individual's right to live wherever he chooses is rarely given any value at all. When the question is raised, it is often disregarded in the belief that the so-called

"public good" outweighs the individual's rights.

This belief assumes that growth limits are a public good. We challenge this assumption. Growth in a community is evidence of economic expansion propelled by a free market. If a person chooses to live ten miles from town, he must acquire the land, build a home, provide transportation, and whatever services he requires.

The argument in support of a growth boundary says that if the person is required to build within the growth boundary, the public will be spared the expense of providing roads and utilities, and the avoided travel will reduce the demand for fossil fuels and the pollution from automobile use.

This argument sells well, but it is not valid. The roads and the utilities are paid for by the segment of the public that uses them - not the public at large. If people choose to live ten miles from town, they do so fully aware of the costs they must incur to satisfy their desire. Why should the desire of these people be less valid than the desire of others who think they should not live where they choose?

Open space is the great bugaboo. "We have to preserve open space for future generations," is the oft-quoted reason for growth limits. Open space is a wonderful asset for any town or community. The park systems in Chicago, and in many other cities can certainly be described as a public good. But should a city or county own land that is not a public park, just land - owned for no other reason than to insure that it is not developed?

The land acquisition fever that has descended upon federal, state, and local governments is not for the purpose of expanding parks and public areas; it is to insure that development cannot occur on that land. This is an extremely dangerous practice.

The practice interferes with a free market in real estate, and thereby forces development to occur only where the government thinks that it should occur. Once again, thwarting the free choice of individuals. More importantly, when land is acquired by government, it stops producing tax revenue, and thereby increases the tax burden on the remaining private property owners. What's even worse, the only way a government can get the money to acquire land is to force taxpayers to pay for it.

From this perspective, taxpayers are being forced to pay a higher tax than would otherwise be required, to enable a government to buy the land which will no longer produce tax revenue, insuring that the tax bill for the remaining private property owners will be higher than would otherwise be required.

Land acquisition has many faces. In some cases, it is an outright purchase by the government from a willing seller. In other cases, the government may use its power of eminent domain to force a private owner to sell. Increasingly, governments are resorting to the purchase of development rights, and conservation easements, and third-party arrangements with land conservancy organizations. The result is still an interference with a free real estate market, a

reduction in tax revenue, and government-managed development.

A procedure that is said to be for the benefit of future generations is actually a pox on future generations. The current generation of land managers is assuring that future generations are unable to use the land as they wish or deem necessary.

Look a hundred years into the future with the current government land acquisition fever unabated. Governments, which already own more than 40 percent of the total land area in the United States, will own a much higher percentage, that we, the taxpayers, have paid for. Perhaps more importantly, is the quality of the land that is owned by government, or its surrogate land conservancy organizations. The resources this land contains will be owned and controlled by government. When government owns the sources of production, it is a *defacto* socialist society.

Land acquisition and land use policies embraced by sustainable community plans dictate where people may or may not live. Sustainable community plans also seek to control how individuals live.

Getting people out of automobiles and into public transit, or onto bicycles and foot paths is another common component in the vision of a sustainable community. Using the flawed argument that automobiles contribute to global warming, community planners feel compelled to do everything possible to force people out of their cars. Thus, the urban boundary.

Many communities are using some variation of the "Community Unit" development concept. This idea requires that any proposed development set aside a specified percentage of the acreage in open space, sometimes as much as 50%, thereby doubling the price of the land for each dwelling. This concept also requires the inclusion of specified businesses, often with access by non-motorized vehicles, and quite often, even requires houses to be constructed of materials that meet certain "green" standards. These "unit" designs can also prescribe the number of houses that may be built within specified price ranges.

This is how governments are transforming what was a free society into a managed society - and calling it a sustainable community.

The sustainable community process says that free markets have produced unlivable communities and the visioners can design communities that are much better than the ones individuals have created on their own.

Sustainable development, sustainable communities, any activity preceded by the word "sustainable," means that some authority - not the private individual - decides what is or is not sustainable. The word "sustainable" should be replaced with the words "government-managed" when considering any proposal.

Government-managed development, and government-managed communities are not quite as inviting as sustainable development and sustainable communities. They are the same, however. You can't have one without the other.

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eco•logic Special Report

Sustainable Development: Transforming America

by Henry Lamb

Environmental Conservation Organization

Hollow Rock, Tennessee

December 1, 2005

As the "sustainable development" movement continues to gain momentum, it is worthwhile to step back and take a long look at the big picture, painted with a broad brush to reveal what the United States might look like as the movement's vision is more fully implemented over the next 50 years or so.

The picture painted here is based on official documents published by several government agencies and non-government organizations during the last decade. These documents were rarely reported in the news, and average working people have no idea what sustainable development really means, and even less knowledge of what is in store for the future. If the vision of sustainable development continues to unfold as it has in the last decade, life in the United States will be quite different in the future.

The Vision

Half the land area of the entire country will be designated "wilderness areas," where only wildlife managers and researchers will be allowed. These areas will be interconnected by "corridors of wilderness" to allow migration of wildlife, without interference by human activity. Wolves will be as plentiful in Virginia and Pennsylvania as they are now in Idaho and Montana. Panthers and alligators will roam freely from the Everglades to the Okefenokee and beyond.

Surrounding these wilderness areas and corridors, designated "buffer zones" will be managed for "conservation objectives." The primary objective is "restoration and rehabilitation." Rehabilitation involves the repair of damaged ecosystems, while restoration usually involves the reconstruction of natural or semi-natural ecosystems. As areas are restored and rehabilitated, they are added to the wilderness designation, and the buffer zone is extended outward.

Buffer zones are surrounded by what is called "zones of cooperation." This is where people live - in "sustainable communities." Sustainable

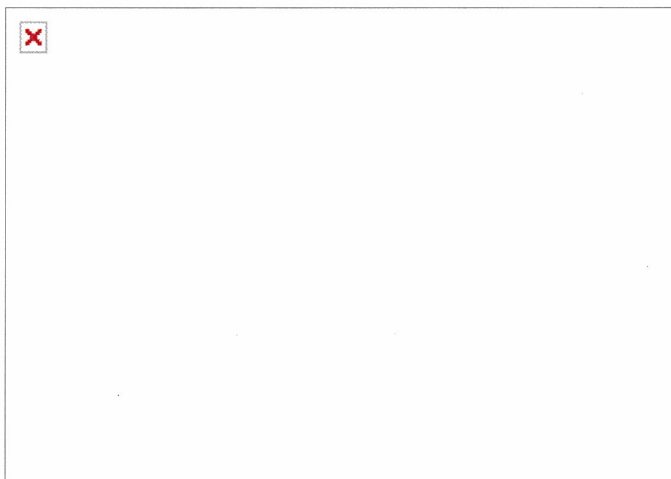
communities are defined by strict "urban growth boundaries." Land outside the growth boundaries will be managed by government agencies, which grant permits for activities deemed to be essential and sustainable. Open space, to provide a "viewshed" and sustainable recreation for community residents will abut the urban boundaries. Beyond the viewshed, sustainable agricultural activities will be permitted, to support the food requirements of nearby communities.

Sustainable communities of the future will bear little resemblance to the towns and cities of the 20th century. Single-family homes will be rare. Housing will be provided by public/private partnerships, funded by government, and managed by non-government "Home Owners Associations." Housing units will be designed to provide most of the infrastructure and amenities required by the residents. Shops and office space will be an integral part of each unit, and housing will be allocated on a priority basis to people who work in the unit - with quotas to achieve ethnic and economic balance. Schools, daycare, and recreation facilities will be provided. Each unit will be designed for bicycle and foot traffic, to reduce, if not eliminate, the need for people to use automobiles.

Transportation between sustainable communities, for people and for commodities, will be primarily by light rail systems, designed to bridge wilderness corridors where necessary. The highways that remain will be super transport corridors, such as the "Trans-Texas Corridor" now being designed, which will eventually reach from Mexico to Canada. These transport corridors will also be designed to bridge wilderness corridors, and to minimize the impact on the environment.

Government, too, will be different in a sustainable America. Human activity is being reorganized around ecoregions, which do not respect county or state boundaries. Therefore, the governing apparatus will be designed to regulate the activities within the entire region, rather than having multiple governing jurisdictions with services duplicated in each political subdivision. It is far more efficient to have regional governing authorities with centrally administered services.

The Sierra Club, one of hundreds of non-government organizations actively working to bring about this transformation, has suggested that North America be divided into 21



ecoregions, that ignore existing national, state, and county boundaries. In 1992, they published a special issue of their magazine which featured a map, and extensive descriptions of how these ecoregions should be managed.⁽¹⁾

The function of government will also change. The legislative function, especially at the local and state level, will continue to diminish in importance, while the administrative function will grow. Already, in some parts of the country, counties are combining, and city and county governments are consolidating. Regional governing authorities are developing; taking precedence over the participating counties, which will eventually evaporate. State governments will undergo similar attrition; as regulations are developed on an ecoregions basis, there will be less need for separate state legislation. The administrative functions of state governments will also collapse into a super-regional administrative unit, to eliminate unnecessary duplication of investment and services.

The Reality

This vision is quite attractive to many Americans, especially those born since 1970, who have been educated in the public school system. To these people, nothing is more important than saving the planet from the certain catastrophe that lies ahead, if people are allowed to continue their greedy abuse of natural resources. The public school system, and the media, have been quite successful in shaping new attitudes and values to support this vision of how the world should be.

This vision did not suddenly spring from the mind of a Hollywood screenwriter. It has been evolving for most of the last century. Since the early 1960s, it has been gaining momentum. The rise of the environmental movement became the magnet which attracted several disparate elements of social change, now coalesced into a massive global movement, euphemistically described as sustainable development.

The first Wilderness Act was adopted in 1964, which set aside nine million acres of wilderness so "our posterity could see what our forefathers had to conquer," as one Senator put it. Now, after 40 years, 106.5 million acres are officially designated as wilderness.⁽²⁾ At least eight bills have been introduced in the 109th Congress to add more wilderness to the system.⁽³⁾ And every year, Congress is asked to designate more and more land as wilderness. Most of this land is already a part of a global system of ecoregions, recognized internationally as "Biosphere Reserves."

In the United States, there are 47 Biosphere Reserves, so designated by

the United Nations Education, Science, and Cultural Organization,⁽⁴⁾ which are a part of a global network of 482 Biosphere Reserves. This global network is the basis for implementing the U.N.'s Convention on Biological Diversity,⁽⁵⁾ a treaty which the U.S. Senate chose not to ratify.⁽⁶⁾ The 1140-page instruction book for implementing this treaty, *Global Biodiversity Assessment*, provides graphic details about how society should be organized, and how land and resources should be managed, in order to make the world sustainable. This treaty was formulated by U.N. agencies and non-government organizations between 1981 and 1992, when it was formally adopted by the U.N. Conference on Environment and Development in Rio de Janeiro.

Consider this instruction from the *Global Biodiversity Assessment*:

"...representative areas of all major ecosystems in a region need to be reserved, that blocks should be as large as possible, that buffer zones should be established around core areas, and that corridors should connect these areas. This basic design is central to the recently proposed Wildlands Project in the United States."⁽⁷⁾

Now consider "this basic design" as described in the Wildlands Project:

"...that at least half of the land area of the 48 conterminous states should be encompassed in core reserves and inner corridor zones (essentially extensions of core reserves) within the next few decades.... Nonetheless, half of a region in wilderness is a reasonable guess of what it will take to restore viable populations of large carnivores and natural disturbance regimes, assuming that most of the other 50 percent is managed intelligently as buffer zones. Eventually, a wilderness network would dominate a region...with human habitations being the islands. The native ecosystem and the collective needs of non-human species must take precedence over the needs and desires of humans."⁽⁸⁾

Even though this treaty was not ratified by the United States, it is being effectively implemented by the agencies of government through the "Ecosystem Management Policy." The U.S. Forest service is actively working to identify and secure wilderness corridors to connect existing core wilderness areas.⁽⁹⁾

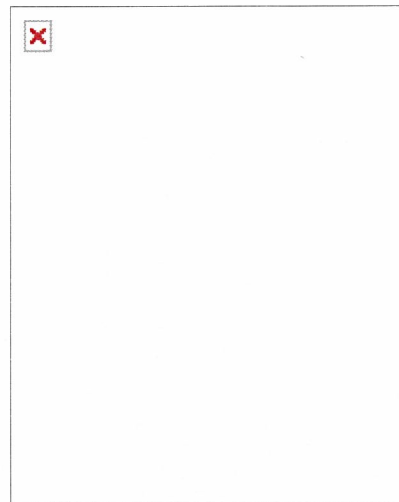
Both state and federal governments have enacted legislation in recent years to provide for systematic acquisition of "open space," land suitable for restoration and rehabilitation, to expand wilderness areas, and to provide "viewsheds" beyond urban boundaries.

In the last days of the Clinton Administration, the Forest Service adopted the "Roadless Area Conservation Rule," which identified 58.5 million acres from which access and logging roads were to be removed.

In the West, the Forest Service and the Bureau of Land Management are driving ranchers off the land by reducing grazing allotments to numbers that make profitable operations impossible. Inholders, people who have recreational cabins on federal land, are discovering that their permits are not being renewed. The Fish and Wildlife Service is forcing people off their land through designations of "wetlands," and "critical habitat" which render the land unusable for profit-making activities.

Much to the chagrin of the proponents of sustainable development, some of these policies have been slowed, but not reversed, by the Bush administration. Nevertheless, agencies of government, supported by an army of non-government organizations, continue to transform the landscape into the vision described in the Wildlands Project, and in the *Global Biodiversity Assessment*.

Other agencies of government are working with equal diligence, to create the "islands of human habitation," otherwise called sustainable communities. The blueprint for these communities was also adopted at the 1992 U.N. Conference in Rio de Janeiro. Its title is "*Agenda 21*." This 300-page document contains 40 chapters loaded with recommendations to govern virtually every facet of human existence. *Agenda 21* is not a treaty. It is a "soft law" policy document which was signed by President George H.W. Bush, and which does not require Senate ratification.



Blueprint for Sustainable Development

One of the recommendations contained in the document is that each nation establish a national council to implement the rest of the recommendations. On June 29, 1993, President Bill Clinton issued Executive Order Number 12852 which created the President's Council on Sustainable Development.⁽¹⁰⁾ Its 25 members included most Cabinet Secretaries, representatives from The Nature Conservancy, the Sierra Club and other non-government organizations, and a few representatives from industry.

The PCSD set out to implement the recommendations of *Agenda 21* administratively, where possible, and to secure new legislation when necessary. One of the publications of the Council is "*Sustainable Communities, Report of the Sustainable Communities Task Force*."⁽¹¹⁾ This document, in very generalized language, makes sustainable communities sound like the perfect solution to all the world's ills. Another document, however, describes in much more precise detail exactly what sustainable communities will be. This document was

prepared by the Department of Housing and Urban Development as a report to the U.N. Conference on Human Settlements in Istanbul, June, 1996.

This report says that current lifestyles in the United States will "...demolish much of nature's diversity and stability, unless a re-balance can be attained - an urban-rural industrial re-balance with ecology, as a fundamental paradigm of authentic, meaningful national/global human security." [\(12\)](#)

This highly detailed 25-page report goes on to describe the sustainable community of the future:

"...Community Sustainability Infrastructures [designed for] efficiency and livability that encourages: in-fill over sprawl: compactness, higher density low-rise residential: transit-oriented (TODs) and pedestrian-oriented development (PODs): bicycle circulation networks; work-to-home proximity; mixed-use-development: co-housing, housing over shops, downtown residential; inter-modal transportation malls and facilities ...where trolleys, rapid transit, trains and biking, walking and hiking are encouraged by infrastructures."

"For this hopeful future we may envision an entirely fresh set of infrastructures that use fully automated, very light, elevated rail systems for daytime metro region travel and nighttime goods movement, such as have been conceptualized and being positioned for production at the University of Minnesota in Minneapolis; we will see all settlements linked up by extensive bike, recreation and agro-forestry "E-ways" (environment-ways) such as in Madison, Wisconsin; we will find healthy, productive soils where there is [now] decline and erosion, through the widespread use of remineralization from igneous and volcanic rock sources (much of it the surplus quarry fines, or "rockdust", from concrete and asphalt-type road construction or from reservoir silts); we will be growing foods, dietary supplements and herbs that make over our unsustainable reliance upon foods and medicines that have adverse soil, environmental, or health side-effects. Less and less land will go for animal husbandry, and more for grains, tubers and legumes." [\(13\)](#)

Sustainable communities cannot emerge as the natural outgrowth of free people making individual choices in a free market economy. Nor can they be mandated in the United States, as they might be in nations that live under dictatorial rule. Therefore, the PCSD developed a strategy to entice or coerce local communities to begin the transition to sustainability.

The EPA provided challenge grants, and visioning grants to communities that would undertake the process toward sustainability.

Grants were also made available to selected non-government organizations to launch a visioning process in local communities. This process relies on a trained facilitator who uses a practiced, "consensus building" model to lead selected community participants in the development of "community vision." This vision inevitably sets forth a set of goals - each of which can be found in the recommendations of *Agenda 21* - that become the basis for the development of a comprehensive community plan.⁽¹⁴⁾

According to the International Council for Local Environmental Initiatives (ICLEI), 6,400 local communities in 113 countries have become involved in the sustainable communities Local Agenda 21 process since 1995.⁽¹⁵⁾ ICLEI is one of several international non-government organizations whose mission is to promote sustainable development and sustainable communities at the local level. Dozens of similar national NGOs are at work all across the United States. A cursory search on the term "sustainable communities" through Google or Yahoo will return a staggering number of responses.

The federal government deepened its involvement in the transformation of America by providing millions of dollars in grants to the American Planning Association to develop model legislation which embodies the principles of sustainable development. The publication, *Growing Smart Legislative Guidebook: Model Statutes for Planning and the Management of Change*, provides model legislation to be adopted by states. Typically, this legislation, when adopted, requires the creation of a statewide comprehensive land use plan that defines the administrative mechanisms for regional government agencies, and provides planning models for counties to use in creating county-wide land use plans. Municipalities within the county are required to produce a plan that conforms with, and is integrated into the county and state plans.⁽¹⁶⁾



Using the coercive power of the federal budget, which the PCSD describes as using "financial incentives and disincentives," the federal government had little trouble getting states to rush to adopt some form of the model legislation. The state of Wisconsin, for examples, says this about its comprehensive planning act:

"The Comprehensive Planning Law was developed in response to the widely held view that state planning laws were outdated and inconsistent with the current needs of Wisconsin communities. Commonly recognized as Wisconsin's "Smart Growth" legislation, significant changes to planning-related statutes were approved through the 1999-2001 state biennial budget. Under the new law, any program or action of a town, village, city, county,

or regional planning commission, after January 1, 2010, that affects land use must be guided by, and consistent with, an adopted Comprehensive Plan, s. 66. 1001, Wis. Stats."⁽¹⁷⁾

The APA's Legislative Guidebook offers several forms of the model legislation. States have considerable latitude in the legislation that is adopted. Consequently, each state's legislation may be different, and may impose different requirements on county and city governments. Regardless of the difference, however, they all contain the basic principles set forth in *Agenda 21*, and they all require the development of plans that result in the implementation of the recommendations contained in *Agenda 21*.

One of the fundamental elements of all the plans requires limiting development (growth) to certain areas within the county. Planners draw lines on maps, supposedly to prevent development in "environmentally sensitive" areas, but which, in fact, are often quite arbitrary and sometimes influenced by political considerations. The value of land inside the development areas skyrockets, while the value of land outside the development areas plummets - with no hope of future appreciation.

Another common element of these plans is to limit the activity that may occur within the various plan designations. In King County, Washington, for example, property owners in some parts of the county are required to leave 65% of their land unused, in its "natural" condition.

"Known as the 65-10 Rule, it calls for landowners to set aside 65 percent of their property and keep it in its natural, vegetative state. According to the rule, nothing can be built on this land, and if a tree is cut down, for example, it must be replanted. Building anything is out of the question."⁽¹⁸⁾

These plans also focus on reducing automobile use. Measures sometimes include making driving less convenient by constructing speed bumps and obstructive center diversions on residential streets, prohibiting single occupant use of certain traffic lanes, as well as a variety of extra "tax" measures for auto use. Oregon is experimenting with a mileage tax, based on miles driven. London has imposed a special tax on automobiles that enter a designated "high traffic area." Several U.S. cities are studying this idea. Santa Cruz, California's plan seeks to ban auto use in certain municipal areas. Hundreds of NGOs have popped up to form a "World Carfree Network"⁽¹⁹⁾ which lobbies local officials to reduce or eliminate auto use.

Alternative transportation is another common element of these plans. Light rail is a favorite, even in communities that have no hope of achieving economic viability. Proponents of sustainable development argue that even if a light rail system has to be subsidized forever, it is a bargain just to get automobiles off the streets. Bicycle paths and

"Trails" are always a substantial part of sustainable community plans.

Housing in sustainable communities presents special problems. Space limitations, imposed by growth boundaries, force higher densities and smaller housing units. The term "McMansions" has been coined to describe new homes that are larger than necessary, as determined by sustainable development enthusiasts. Multiple housing units are preferred over single-family structures. Since sustainable communities cannot grow horizontally, they must grow vertically - if they grow at all.

These problems have produced a variety of responses. Some of the new terms that are becoming common in sustainable communities are: Limited Equity Co-ops; Resident-controlled Rentals; Co-housing; Mutual Housing; and many others.⁽²⁰⁾ Invariably, these schemes are alternatives to the conventional single-family home. Most often, these schemes vest ownership in a corporation that owns the housing units, and residents may, but not always, own shares of the corporation. Living conditions are determined, not by the individual resident, but by the corporation. Financing for the construction of these units, typically requires construction to meet "sustainable" standards, if federal money is used, either directly or indirectly, as in a mortgage guarantee.

Single family homes and business structures that already exist when a community is transformed to sustainability are a special problem, since they rarely meet the criteria required by the comprehensive plan. APA's Legislative Guidebook offers a new solution for this problem: "Amortization of Non-Conforming Uses." This means that a city or county may designate a period of time in which existing structures must be brought into conformity with the new regulations.

"But for homeowners who live in a community that adopts the Guidebook's vision, the APA amortization proposal means the extinguishing, over time, of their right to occupy their houses, and without just compensation for loss of that property. How long they have before they must forfeit their homes would be completely up to the local government."⁽²¹⁾

Eminent domain is another tool used by government to bring their communities into compliance with the sustainable communities vision. With increasing frequency, governments have used this technique to take land, not for "public use," as required by the U.S. Constitution, but for whatever the government deems to be a "public benefit."⁽²²⁾ Governments may condemn and seize the private property of an individual, and then give, or sell it, to another private owner who promises to use the property in a way that satisfies the government's vision.

Plans adopted at the local level can have extremely detailed requirements. It is not unusual for these plans to specify the types of

vegetation that must be used for landscaping, the color of paint to be used - inside and outside the structure, and even the types of appliances and fixtures that must be used. Businesses can be required to use signs that conform in size and color to all the other signs in the neighborhood. There is virtually no limit to the restrictions that these plans may impose.

These comprehensive plans are often complicated by an assortment of sub-authorities, such as Historic Districts; Conservation Districts; Economic Development Districts; Scenic Highways and Byways; Scenic Rivers and Streams; and more. These quasi-government agencies are most often created by ordinance, and populated with political appointees. They are frequently given unwarranted authority to dictate the use of private property within their jurisdiction. Individuals caught up in conflict with these agencies are often frustrated by the indifference of elected officials, and financially drained by the legal costs required to resist their dictates.

In one form or another, sustainable development has reached every corner of the United States. It has impacted millions of Americans, most of whom have no idea that their particular problem is related to a global initiative launched more than 15 years ago, by the United Nations. Many, if not most of the bureaucrats at the local and state level, charged with implementing these policies, have no knowledge of their origin. What's worse, few people have considered the possible negative consequences of these policies.

Consequences of Sustainable Development

What is perhaps the most serious consequence of sustainable development is the least visible: the transformation of the policy-making process. The idea that government is empowered by the consent of the governed is the idea that set the United States apart from all previous forms of government. It is the principle that unleashed individual creativity and free markets, which launched the spectacular rise of the world's most successful nation. The idea, and the process by which citizens can reject laws they don't want, simply by replacing the officials who enacted them, makes the ballot box the source of power for every citizen, and the point of accountability for every politician.

When public policy is made by elected officials who are accountable to the people who are governed, then government is truly empowered by the consent of the governed. Sustainable development has designed a process through which public policy is designed by professionals and bureaucrats, and implemented administratively, with only symbolic, if any, participation by elected officials. The professionals and bureaucrats who actually make the policies are not accountable to the people who are governed by them.

This is the "new collaborative decisions process," called for by the

PCSD. ⁽²³⁾ Because the policies are developed at the top, by professionals and bureaucrats, and sent down the administrative chain of command to state and local governments, elected officials have little option but to accept them. Acceptance is further ensured when these policies are accompanied by "economic incentives and disincentives," along with lobbying and public relations campaigns coordinated by government-funded non-government organizations.

Higher housing costs are an immediate, visible consequence of sustainable development. Land within the urban growth boundary jumps in value because supply is limited, and continues to increase disproportionately in value as growth continues to extinguish supply. These costs must be reflected in the price of housing. Add to this price pressure, the regulatory requirements to use "green seal" materials; that is, materials that are certified, either by government or a designated non-government organization, to have been produced by methods deemed to be "sustainable."

Higher taxes are another immediate, visible, and inevitable consequence of sustainable development. Higher land values automatically result in higher tax bills. Sustainable development plans include another element that affects property taxes. Invariably, these plans call for the acquisition of land for open space, for parks, for greenways, for bike-and-hike trails, for historic preservation, and many other purposes. Every piece of property taken out of the private sector by government acquisition, forces the tax burden to be distributed over fewer taxpayers. The inevitable result is a higher rate for each remaining taxpayer.

Another consequence of sustainable development is the gross distortion of justice. Bureaucrats who draw lines on maps create instant wealth for some people, while prohibiting others from realizing any gain on their investments. In communities across the country, people who live outside the downtown area have lived with the expectation that one day, they could fund their retirement by selling their land to new home owners as the nearby city expanded. A line drawn on a map steals this expectation from people who live outside the urban growth boundary. Proponents of sustainable development are forced to argue that the greater good for the community is more important than negative impacts on any individual. There is no equal justice, when government arbitrarily takes value from one person and assigns it to another.

Nowhere is this injustice more visible than when eminent domain is used to implement sustainable development plans. The *Kelo vs. The City of New London* case brought the issue to public awareness, but in cities throughout the nation, millions of people are being displaced, with no hope of finding affordable housing, in the new, "sustainable" community. In Florida, this situation is particularly acute. Retirees have flocked to Florida and settled in mobile home parks to enjoy their remaining days, living on fixed incomes, too old or infirm to think about a new income producing career. Local governments across the

state are condemning these parks, and evicting the residents, in order to use the land for development that fits the comprehensive plan, and which produces a higher tax yield. These people are the victims of the "greater good," as envisioned by the proponents of sustainable development.

Less visible, but no less important, is the erosion of individual freedom. Until the emergence of sustainable development, a person's home was considered to be his castle. William Pitt expressed this idea quite powerfully in Parliament in 1763, when he said:

"The poorest man may in his cottage bid defiance to all the force of the crown. It may be frail - its roof may shake - the wind may blow through it - the storm may enter, the rain may enter - but the King of England cannot enter - all his force dares not cross the threshold of the ruined tenement."⁽²⁴⁾

No more. Sustainable development allows king-government to intrude into a person's home before it becomes his home, and dictate the manner and style to which the home must conform. Sustainable development forces the owner of an existing home to transform his home into a vision that is acceptable to king-government. Sustainable development is extinguishing individual freedom for the "greater good," as determined by king-government.

Conclusion

The question that must be asked is: will sustainable development really result in economic prosperity, environmental protection, and social equity for the current generation, without compromising the ability of future generations to meet their own needs?⁽²⁵⁾

Even in the early days of this century-long transition to sustainability, there is growing evidence that the fundamental flaws in the concept will likely produce the opposite of the desired goals. Forests that have been taken out of productive use in order to conform to the vision of sustainable development have been burned to cinders, annihilating wildlife, including species deemed to be "endangered," resulting in the opposite of "environmental protection." Government-imposed restrictions on resource use in land that is now designated "wilderness," or "buffer zones" have resulted in shortages, accompanied by rapid price increases that result in the opposite of "economic prosperity." In sustainable communities, it is the poorest of the poor who are cast out of their homes to make way for the planners' visions; these victims would not define the experience as "social equity."

Detailed academic studies show that housing costs rise inevitably as sustainable development is implemented. Traffic congestion is often worsened after sustainable development measures are installed.⁽²⁶⁾ And always, private property rights and individual freedom are diminished

or extinguished.

Sustainable development is a concept constructed on the principle that government has the right and the responsibility to regulate the affairs of people to achieve government's vision of the greatest good for all.

The United States is founded on the principle that government has no rights or responsibility not specifically granted to it by the people who are governed. These two concepts cannot long coexist. One principle, or the other, will eventually dominate. For the last 15 years, sustainable development has been on the ascendancy, permeating state and local governments across the land. Only in the last few years have ordinary people begun to realize that sustainable development is a global initiative, imposed by the highest levels of government. People are just beginning to get a glimpse of the magnitude of the transformation of America that is underway.

The question that remains unanswered is: will Americans accept this new sustainable future that has been planned for them and imposed upon them?. Or, as Americans have done in the past, will they rise up in defense of their freedom, and demand that their elected officials force the bureaucrats and professionals to return to the role of serving the people who pay their salaries, by administering policies enacted only by elected officials, rather than conspiring to set the policies by which all the people must live.

Endnotes

1. Sierra Club ecoregions: <http://www.sierraclub.org/ecoregions/>
2. Wilderness.net (<http://www.wilderness.net/index.cfm?fuse=NWPS&sec=fastFacts>), a project of the Wilderness Institute, the Arthur Carhart National Wilderness Training Center, and the Aldo Leopold Wilderness Research Institute. (October 27, 2005)
3. Campaign for America's Wilderness (http://www.leaveitwild.org/psapp/view_art.asp?PEB_ART_ID=397) (As of May 1, 2005)
4. See Eco-logic Powerhouse, November, 2005, and <http://eco.freedom.org/el/20020302/biosphere.shtml>
5. Agenda Item 1(7), Report of the First Meeting of the Subsidiary Body on Scientific, Technical and Technological Advice, Conference of the Parties to the Convention on Biological Diversity, Second Meeting, 6-17 November, Jakarta, Indonesia, (UNEP/CBD/COP2/5, September 21, 1995).

See also: <http://www.freedom.org/prc/legis/hr901test.htm>.

6. "How the Convention on Biological Diversity was Defeated," Sovereignty International, Inc, 1998 - <http://sovereignty.freedom.org/p/land/biotreatystop.htm> .
7. "Measures for conservation of biodiversity and Sustainable Use of its Components," Global Biodiversity Assessment, Cambridge University Press for the United Nations Environment Program, Section 13.4.2.2.3, p. 993.
8. Reed F. Noss, "The Wildlands Project," Wild Earth, Special Issue, 1992, pp.13- 15. (Wild Earth is published by the Cenozoic Society, P.O. Box 492, Canton, NY 13617).
9. Report to the Interagency Grizzly Bear Working Group on Wildlife Linkage Habitat, Prepared by Bill Ruediger, Endangered Species Program Leader, USDA Forest Service, Northern Region, Missoula, MT, February 1, 2001. See also: <http://www.eco.freedom.org/el/20020202/linkage.shtml>.
10. See: <http://clinton4.nara.gov/PCSD/>
11. See: http://clinton4.nara.gov/PCSD/Publications/suscomm/ind_suscom.html
12. "Community Sustainability; Agendas for Choice-making and Action," U.S. Department of Housing and Urban Development, September 22, 1995. See also: <http://eco.freedom.org/reports/sdagenda.html>
13. *Ibid*, pp 21f.
14. See <http://eco.freedom.org/col/?i=1997/9> And <http://www.sovereignty.net/p/sd/suscom.htm> For a discussion of the consensus process, and sustainable communities.
15. International Council for Local Environmental Initiatives web site, October 28, 2005 (<http://www.iclei.org/index.php?id=798>)
16. Summary of the Growing Smart Legislative Guidebook, 2002 Edition, (<http://www.planning.org/growingsmart/summary.htm>)
17. State of Wisconsin, Department of Administration web site: http://www.doa.state.wi.us/pagesubtext_detail.asp?linksubcatid=366
18. FoxNews.com, July 10, 2004 <http://www.foxnews.com/story/0,2933,124358,00.html>
19. See <http://www.worldcarfree.net/links/traf.php>.
20. See <http://www.worldcarfree.net/links/traf.php> for descriptions of

these housing alternatives.

21. "Forfeiting the American Dream: The HUD-Funded Smart Growth Guidebook's Attack on Homeownership," The Heritage Foundation (<http://www.heritage.org/Research/SmartGrowth/BG1565.cfm>), July 2, 2002.

22. "Eminent domain; eminent disaster," Eco-logic Powerhouse, August, 2005 (<http://www.eco.freedom.org/articles/maguire-805.shtml>), for a discussion on this issue.

23. President's Council on Sustainable Development, We Believe Statement #8 <http://sovereignty.freedom.org/p/sd/PCSD-webelieve.htm>

24. William Pitt, the elder, Earl of Chatham, speech in the House of Lords.--Henry Peter Brougham, Historical Sketches of Statesmen Who Flourished in the Time of George III, vol. 1, p. 52 (1839). (<http://www.bartleby.com/73/861.html>)

25. Sustainable Development as defined by the U.N.'s Brundtland Commission report, *Our Common Future*, (Oxford: Oxford University Press, 1987), p. 43

26. This website, <http://www.demographia.com/dbr-ix.htm> provides an abundance of reports and studies that challenge effectiveness of sustainable development.

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Article in *Range* magazine, November 2010.

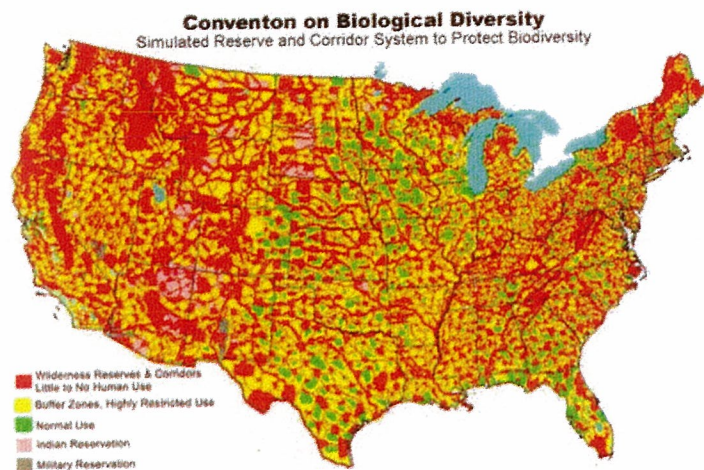
Livable Communities or Living Hell?

Michael S. Coffman, Ph.D.

The Living Communities and Clear Acts, likely to be up for vote during the Congress's Lame Duck Session, sound like motherhood and apple pie but are really key pieces of the dangerous UN Agenda 21 and the Biodiversity Treaty.

The heart of the Livable Communities Act is the United Nation's Agenda 21 and what is known as sustainable development, which I have been studying since it first was presented to the world at the Earth Summit in Rio de Janeiro in 1992. I have a Ph.D. in ecosystems analysis and climatology, and it was through my study of Agenda 21 that I tumbled on to the huge agenda to destroy private property rights and set aside up to one-half of the United States into wilderness in the United Nations Convention on Biological Diversity.

Along with 3 other men, I stopped the treaty one hour before the treaty's cloture vote was to be taken in the U.S. Senate on September 30, 1994. We presented the Senate with the needed documentation and a map (below), which I



had been drawing for two years depicting what the treaty would do to America. The map so shook up the Senate that the treaty was never voted on. (See Congressional Record S13790) How we did it is a [fantastic story](#)—a true miracle.

Agenda 21 was introduced by President Clinton's Council on Sustainable Development who published *Sustainable America* and a dozen sub-documents that changed the mission of federal agencies from serving the people of the United States to protecting nature from the people. Agenda 21 literally micromanages human activity across the world. The Livable Communities Act is just one piece of legislation designed to implement it. Global warming/Cap and trade is another. All of this and much more is explained in my new book [Rescuing a Broken America: Why America is Deeply Divided and How to Heal it Constitutionally](#).

The Livable Communities Act, sponsored by outgoing Chris Dodd (D-CT) sounds like motherhood and apple pie. It allegedly helps local governments to combat suburban

sprawl and traffic congestion by providing \$4 billion a year for comprehensive planning by local governments. **Local governments are your key to freedom – if you elect the right people to office!** Although independent of the Livable Communities Act, the CLEAN Act is sponsored by Susan Collins (R-ME) and Maria Cantwell (D-WA). Both bills serve as companion bills that fulfill several goals of the United Nations (UN) Agenda 21. Both have already passed the House of Representatives.

Agenda 21 is a 40 chapter UN document signed by President Bush at the Earth Summit in Rio de Janeiro in 1992. It quite literally lays out a global plan to micro-manage the human population, their property rights, what they can buy and sell, how they live, the energy they use and what kind of communities they should live in; all in the name of protecting the environment. It is widely discussed around the world – except in the United States. Google lists nearly 17 million documents on the web concerning Agenda 21. Yet, most Americans, including congressmen and women, have never heard of it and are called conspiratorists (or worse) if they mention it.

Agenda 21 has no legal basis to force nations to comply. Instead it relies on international treaties like the Kyoto Protocol for global warming and the Convention on Biological Diversity to legally impose its dictates at the global level. Failing that, legions of national and international environmental and social organizations use fierce pressure on Congress to pass national legislation to do the same thing. Most of the time the Congressmen and Senators sponsoring the bill for the activist groups don't even know it is directly linked to Agenda 21.

Agenda 21 was brought into the federal government by President Clinton's Council on Sustainable Development, of which Google lists over 125 thousand documents. The President's Council published *Sustainable America: A New Consensus for Prosperity, Opportunity and a Healthy Environment for the Future* in February 1996. A dozen more publications were printed in the following years that brought specificity to *Sustainable America*. These publications outline the strategy for bringing the United States into conformance with Agenda 21 and its goal of making Mother Earth the central organizing principle of the world. Rather than serving the American people, federal agencies (and increasingly state agencies) are now mandated to protect nature *from* the American people.

The shock troops to implement sustainable development are provided by the American Planning Association (APA) and the International Council for Local

Environmental Initiatives (ICLEI—now called Local Governments for Sustainability) and a host of smaller groups. The APA and ICLEI work closely together and have direct or indirect connections with the UN. They are heavily involved in providing smart growth and/or sustainable development planning templates for local communities to pass into their ordinances. Most people do not know that ICLEI initially called their planning efforts “Local Agenda 21” until the real intent of Agenda 21 began to be exposed.

Hundreds of towns, cities and counties belong to either the APA or ICLEI; not knowing that these plans cause severe harm to their citizens. Citizens in each city and county should check to see if their community belongs to ICLEI or has an association with the APA. If the community is associated with either or both organizations, learn what those connections are and organize an effort to disassociate the community from the organizations.

By playing on the seemingly altruistic emotional goal of creating open space, population limits, urban growth boundaries, light rail, greenways, green trails and many other catchy names, the APA, ICLEI and other groups create enthusiasm for comprehensive planning that is tailor-made to fulfill the goals of Agenda 21. It is advertised to reduce pollution and traffic congestion while increasing affordable housing and open space.

Smart growth/sustainable development do none of these things. Instead, it makes all of these supposed “benefits” far worse. Study after study shows pollution and traffic congestion actually worsen. Additionally, so-called sustainable development destroys individual property rights and increases the cost of housing by as much as 600 percent according to a Harvard University study! Residents are forced from stand-alone homes into crammed apartments so that open space can be created.

If passed, Senator Dodd’s Livable Communities Act will provide up to \$4 billion a year in grants to communities to implement the APA and ICLEI model of central planning. Of course, the APA and ICLEI, as well as other rent-seeking socialist NGOs, will directly benefit from most of the \$4 billion when local communities hire them for their plans and expertise. By definition, the APA/ICLEI top-down planning models must destroy property rights in order to control growth by preventing development, create vast areas of open space and force people out of their cars and into exorbitantly expensive mass transportation.

For instance, establishing an urban growth boundary through farmland can instantly increase its value, of say \$15,000 per acre, to hundreds of thousands of dollars per acre. A hundred feet away the value of the same farmland on the other side of the growth boundary will forever remain at \$15,000. Planning bureaucrats have incredible

powers to make millionaires or paupers depending on where they draw the line. Like all the other planning schemes of Agenda 21, smart growth/sustainable development are wide open to corruption. It is already happening.

Couple the Livable Communities Act with the CLEAR Act (Consolidated Land, Energy, and Aquatic Resources Act of 2010), and you have a one-two punch that will make the federal government sovereign over the states and the people living in them. Simply stated, the CLEAR Act is a massive extension of federal power that claims control of the oceans, Great Lakes and by extension many other waterways and freshwater resources, mineral mining, solar, geo-thermal and gas and oil conducted on land or in the oceans, in, on or near the continental United States.

The CLEAR Act also regulates oil drilling and production and institutes a stealth Cap and Trade scheme without calling it Cap and Trade. It establishes a monthly auction in which fuel producers would bid for “carbon credits.” To defray the impact of increased energy costs, every household family of four would receive \$1,100 per year back from the federal government. The problem is, that study after study shows this scheme will eventually cost the average family of four between \$5,000 and \$8,000 per year.

CLEAR also funds the Land and Water Conservation Fund (LWCF) at \$900 million per year from the royalties earned from oil production. The purpose of the LWCF is to buy private land for the purpose of creating open space. This is a direct link to the Livable Communities Act and The Wildlands Protect.

It is doubtful the sponsors of these two bills are aware of their direct link to Agenda 21, nor the unintended consequences they will impose on citizens. It is imperative that every effort is made by all citizens to call their Senators and tell them to vote NO on these two bills. Other dangerous bills which intertwine with the Livable Communities and CLEAR Acts that should be opposed if they come up during the Lame Duck session are:

The Clean Water Restoration Act (SB 787)
The Wildlife Corridors Conservation Act (HR 5101)
Clean Energy Technology Act (SB 3738)
Farm Bill Legislation (may include provision for creating wildlife corridors)

Dr. Michael Coffman is the author of *Rescuing a Broken America; Why America Is Deeply Divided and How to Heal it Constitutionally*. He is president of Environmental Perspectives, Inc. in Bangor Maine, and is a regular contributor to *Range*.

NOTICE

THIS IS TO BE ENTERED INTO PUBLIC RECORD
AND
FILED AT THE COUNTY CLERK'S OFFICE

From: Mark Thompson
564 B 2400 N
Dewey, Illinois
61840

March 1, 2011
Three pages

Champaign County, the City of Urbana and the City of Champaign are each a political subdivision of the State of Illinois. As such, you, the County Board, the City of Urbana and the City of Champaign as a whole are bound by your oath of office to support and defend the Constitution of the United States of America and the Constitution of the State of Illinois against all enemies, foreign and domestic. All City and County employees are subject to the same allegiance and prohibitions.

Under Article 1 Sec 10 of the US Constitution, states are prohibited from implementing foreign political initiatives through its prohibition by states of engaging in Treaties, Alliances or Confederations. Specifically, support and implementation of United Nations Agenda 21 Sustainable Development under direction of an NGO called ICLEI (International Council on Local Environmental Initiatives, now also known as ICLEI-Local Governments for Sustainability) violates constitutionally imposed limitations upon your legal authority, as would any other foreign NGO.

Additionally, voting on international matters under explicit orders from ICLEI also violates your oath of office. These actions constitute the crime of treason.

The following facts give rise to the condition of treasonous violation of Article 1 of the US Constitution:

- As a member of ICLEI, the ICLEI Charter is explicitly accepted. (Charter 2.5) Local government is authorized to operate under the Constitution of the State of Illinois, not the Charter of a UN accredited NGO.

Under the ICLEI Charter and By-Laws”

- Charter 1.6 Representation **Mandate**: “ICLEI shall serve as an international representative for its members and campaign participants by providing advocacy before national and international governments...”
- Charter 1.7 Adopt the Earth Charter Principles. The Earth Charter violates American principles including sovereignty, protection of unalienable rights, etc.
- ICLEI Declaration of Commitment reflects the key content of the Strategic Plan.

“We commit to address SOCIAL INJUSTICE”

At the United Nations Conference on Human Settlements HABITAT 1 Vancouver 1976 the globalist view of ‘Social Justice’ was defined:

“Land...cannot be treated as an ordinary asset, controlled by individuals.

Private land ownership is also a principal instrument of accumulation and concentration of wealth and therefore contributes to SOCIAL INJUSTICE.

Public control of land use is therefore indispensable.”

Accordingly you have violated your oath of office as you are implementing foreign policies that are clearly inconsistent with the Constitution of Illinois and of the US Constitution.

Article 1 and 10 of the Constitution of the United States of America states:

“NO STATE shall enter into any Treaty, Alliance, or Confederation...”

As a political subdivision of the state, you are bound by the same prohibition.

“Misprision of treason is the knowledge and concealment of treason, without otherwise assenting to or participation in the crime. It is punishable by imprisonment in the state prison.”

Consider this notice as legal notice of treasonous activities conducted through your offices and the County Board. You have accepted, by your oath of office, the responsibility of protecting the rights of the citizens of this County. Instead, you are engaged in a globalist conspiracy designed to abolish the political recognition of every individual’s natural rights including the right to use and enjoy private property.

To reverse this transgression the following actions needs to be taken.

1. Immediately sever all connections with ICLEI and or like NGO’s.
2. Immediately start the process of mitigating the damage caused by ICLEI policies, including stopping the implementation of this entire LRMP.

I and the citizens of this county appreciate your attention to this **major** issue. I am available to input further information regarding this matter if you find that necessary.

7. Request to Amend the Champaign County Zoning Ordinance to Implement Land Resource Management Plan Policies 4.1.5, 4.1.7, and 4.1.9
Agenda Item IX.B.1 under Environment & Land Use
Pages 32-57
8. Planning & Zoning Reports
Agenda Item IX.D under Environment & Land Use
Pages 58-77

Handouts from the Public:

9. Laurel Prussing Letter Re: Olympian Drive & Lincoln Avenue Projects
Pages 78-81
10. Documents from Group of Landowners Opposing Olympian Drive & Lincoln Avenue Projects
Pages 82-83
11. Documents from Mark Thompson Re: Land Use
Page 84-107