



CHAMPAIGN COUNTY BOARD
COMMITTEE OF THE WHOLE – ELUC/ County Facilities
County of Champaign, Urbana, Illinois
Tuesday, June 5, 2012 – 6:00 p.m.

Lyle Shields Meeting Room, Brookens Administrative Center
1776 E. Washington Street, Urbana, Illinois

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I. <u>Call to Order</u>	
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- G. Final Recommendation to County Board for Zoning Ordinance Text Amendment – Request Preliminary Recommendation for Approval of a Text Amendment to the Champaign County Zoning Ordinance in Zoning Case 701-AT-11 to Amend Certain Wind Farm Standard Conditions 117-129
- H. Direction to Zoning Administrator Regarding Proposed Zoning Ordinance Text Amendment to Amend Limits on Vehicles and Equipment in Rural Home Occupations (deferred from March 6) 130-136
- I. Monthly Report - *to be distributed*
- J. Other Business
- K. Designation of Items to be Placed on Consent Agenda
- X. **Other Business**
 - A. Approval of Closed Session Minutes - May 8, 2012 (Session 1 & 2)
- XI. **Adjournment**

1 **CHAMPAIGN COUNTY BOARD**
2 **Committee of the Whole Minutes**

3
4 *Tuesday, May 8 – 6:00pm*
5 *Lyle Shields Meeting Room*
6 *1776 E. Washington St., Urbana, IL*
7

8 **MEMBERS PRESENT:** Alix, Ammons, Anderson, Bensyl, Berkson, Betz, Carter,
9 Cowart, Esry, Holderfield, James, Jay, Kibler, Kurtz, Langenheim, Maxwell, McGinty, Mitchell,
10 Moser, O'Connor, Petrie, Quisenberry, Richards, Rosales, Schroeder, Weibel
11

12 **MEMBERS ABSENT:** Michaels
13

14 **OTHERS PRESENT:** Deb Busey (County Administrator), Alan Reinhart (Facilities
15 Director), John Hall (Zoning Director), Jeff Blue (County Engineer), Susan Monte (RPC), Joe
16 Lamb, Janet Scharlau, other members of the public
17

18 **Call to Order**

19
20 Vice Chair Betz called the meeting to order at 6:05pm.
21

22 **Roll Call**

23
24 The secretary called the roll and the following were present: Alix, Ammons, Anderson,
25 Bensyl, Berkson, Betz, Carter, Cowart, Esry, Holderfield, James, Jay, Kibler, Kurtz, Langenheim,
26 Maxwell, McGinty, Mitchell, Moser, O'Connor, Petrie, Quisenberry, Richards, Rosales and
27 Schroeder were present. Michaels and Weibel were absent. Betz stated that Michaels had
28 notified the office she would not be present at tonight's meeting. Weibel arrived later in the
29 meeting.
30

31 **Approval of Minutes**

32
33 **Motion** by Rosales to approve the minutes of April 3, 2012; seconded by Esry. **Motion**
34 **carried unanimously.**
35

36 **Approval of Agenda/Addendum**

37
38 **Motion** by Carter to approve the agenda and two addenda for the meeting; seconded by
39 Ammons. **Motion carried unanimously.**
40

41 **Public Participation**

42
43 Joe Lamb, Open Road Asphalt and Open Road Paving, spoke about the Olympian Drive
44 Project. He said over the last decade the city and the county have made an effort to move the
45 industrial businesses to an area on north Lincoln Avenue. They moved out there and purchased
46 some land from the Squire trust. He wanted to point out to the board that 5 or 6 years ago they
47 purchased the land and paid more because of the Olympian project, yet the project does not seem
48 to be proceeding and those same land sellers are now opposing the Olympian Drive project.
49

50 Janet Scharlau spoke about the proposed roundabout on Olympian Drive and a letter from
51 the City of Urbana dated March, 2011. She said if a roundabout must be built, then wait until the
52 road is extended to Rt. 45.

53
54 **Communications**

55
56 Kurtz said he met last week with the mayors of Urbana, Champaign and Normal and they
57 have sent a letter concerning the opposition to the Clinton landfill. He said the deadline on the
58 application has been extended for the study.

59
60 Secondly, Kurtz said he received a letter from the state emergency response commission
61 that stated he's been appointed to the Champaign County Local Emergency Planning
62 Commission. On that committee

63
64 Ammons informed board members that a forum will be held by Citizens for Peace and
65 Justice on Friday, May 11 about the jail issue.

66
67 Holderfield said she had attended the ribbon cutting ceremony for the Champaign County
68 Visitors' Bureau and said it is a wonderful attribute for the county and that they now have their
69 own site. She encouraged everyone to go by and visit on Neil Street.

70
71 **County Facilities**

72 **Physical Plant Monthly Reports**

73
74 Petrie asked that since having done energy savings work, yet she sees on the report the
75 costs are higher than last year. Reinhart said there will be a discussion as noted on the agenda
76 about the energy consumption.

77
78 **Motion** by Richards to receive and place on file the monthly report of the Physical Plant;
79 seconded by James. **Motion carried unanimously.**

80
81 **202 Art Bartell Construction Project**
82 **Monthly Report**

83
84 **Motion** by Esry to receive and place on file the monthly report of the Art Bartell
85 Construction Project; seconded by Mitchell. **Motion carried unanimously.**

86
87 **2011-2012 Electric and Natural Gas Building Efficiency Comparison**

88
89 Reinhart directed the committee's attention to the comparison report for the Brookens
90 building and the Courthouse. He said the numbers compare the cost per square foot times the
91 daily degree temperature. He said there is a small savings and we're starting in the right
92 direction to savings.

93
94 **Motion** by Ammons to receive and place on file the 2011-2012 Electric and Natural Gas
95 Building Efficiency Comparison report; seconded by Rosales. **Motion carried unanimously.**

100 Detailed Report of Building Repair & Maintenance Line Items
101 Juvenile Detention Center, Downtown Correctional Center, Satellite Jail

102
103 Reinhart stated this information was provided due to a request at last month's meeting
104 and no action is required.

105
106 Draft Document to be Included in an RFP for Champaign County Capital Improvement Facilities
107 Master Planning Services

108
109 Reinhart said he attempted to put together a plan as to how to set up a master plan for
110 capital improvement and plan ahead for future repairs. He said the first thing to do is prepare a
111 condition assessment for all county buildings. He said there should be team established to do
112 that. He said this professional team would have the technical knowledge to determine what is
113 needed. After the building assessments are completed, they would determine a replacement
114 value. He said there are many formulas available and included in the attachment. One of the
115 formulas is taking the original cost multiplied by life expectancy and then multiplied by the
116 estimated replacement value. Along with that there would be other factors to be considered, such
117 as any technical advancements that may be available.

118
119 Betz asked, in terms of this process, roughly speaking, what is the money estimate at this
120 point. Reinhart said the buildings would have to be looked at first. He estimated the buildings
121 would take a couple of months to go through. Betz asked if other counties that have done this
122 and wondered if they have any idea how much this would cost. Busey stated most counties that
123 are comparable to Champaign County have done this long ago and the numbers may not be
124 relevant. Busey can contact those counties.

125
126 Ammons asked by Reinhart couldn't do this given he already has the formula. He said he
127 doesn't have the expertise that an architectural or engineering firm has, nor does he have the staff
128 to assist him in doing so. James said he remembered back that departments listed what they
129 wanted during the budget processes. He hoped there is a record somewhere of those requests.
130 He thinks a study is fine, but if it is done and it sits on a shelf, he would begrudge that money
131 being spent. He felt we need to look in-house first.

132
133 Petrie said we have the beginnings of an east campus comprehensive plan and working
134 on the jail issue, whatever that may be. She would like to see it pushed up to a macro level to
135 see the potential uses of the county buildings down the line. She suggested an alternative to
136 hiring a consultant, hiring a one-year employee to see the whole project through might be cheaper
137 than paying for a study. Petrie wanted to be sure to talk about obtaining grants. She also noted
138 there was nothing listed about putting an economic value to any of our buildings. Quisenberry
139 agreed with Petrie's comments about the long range plan. He also thinks it's an interesting
140 alternative to bring the expertise in-house for a year and we may find that bringing in an
141 employee for a year might bring more value.

142
143 Schroeder appreciates the work done by Reinhart and agrees, but the Board needs to
144 understand that we're going to have to have professional services eventually. We either pay
145 now or pay later, because of the City of Urbana to do any work, which by their policies require
146 architects and engineers. Alix stated he was unsure what the difference is between a consultant
147 and someone hired for a year. There should be some strategic aspect in the plan also. His
148 biggest concern with doing the study is that at some point we will need numbers and be able to
149 budget for any work that will be anticipated. He said we should start looking at expenses already

150 and could probably do some rough figuring to determine whether this will require a thousand
151 dollars a year, a hundred thousand a year or a million a year.

152
153 McGinty said the comparison to this proposed study is the Maximus IT study completed,
154 but there is no money available to be able to implement it. Betz asked Reinhart what he
155 projected or would like in regard to a timeline for action by the Board. Reinhart said it would
156 take roughly a year to put a model for funding this together. Busey added this could be stage as
157 the Board is comfortable. She said that most of the County's buildings have been built in the
158 last 15 years and we're maintaining them on a shoestring budget. She said if we go with
159 limited information and not comprehensive, we may be under-budgeting by half a million dollars.
160 That's why we need a more comprehensive look by professionals who know the technology.
161 Mitchell wondered if we could look at engineering students at the U of I.

162
163 Langenheim said if nothing is done we will find ourselves in the same situation with
164 the state telling we must close certain buildings. Holderfield said this is exactly what we've been
165 asking for so we have the opportunity to formulate a plan, and if the buildings are not maintained,
166 we will be looking for money. She said she was in favor of whatever consultant it takes to
167 come up with a more comprehensive plan. Ammons recommends the next Board uses the
168 graduate students and getting an assessment from them and it shouldn't cost anything. Kibler
169 asked if there was a way to put in the upcoming budget some planning for next year. Busey said
170 it is intended to be part of the FY2013 budget. Discussion continued briefly.

171
172 CCDI Inspection – Coalition of Citizens with Disabilities in IL

173
174 Reinhart said this is a copy of the inspection report given to him by the Regional
175 Planning Commission. He explained that the ADA standards had been updated and modified in
176 2010. Some of the minor things in the report are being taken care of in-house. He briefly
177 reviewed the report with the committee. He doesn't agree with all of the comments that some of
178 the items can be taken care of in 30 days. Regardless, he contacted some contractors to look at
179 the restrooms in Pod 100 only and is still waiting on some estimates for those 2010 ADA
180 Standards. Once more information is received on cost he will inform board.

181
182 Maxwell asked how close the County was to meeting ADA standards in the rest of the
183 county buildings. Reinhart believes we may be grandfathered in for many of the standards.
184 Reinhart also stated the amounts in memo are estimates from two different contractors. Petrie
185 inquired what this would do with the budget. Reinhart said it wasn't very good, and it is likely
186 he will have to approach the Board with a budget amendment. Kibler said we should take the
187 ADA standards into account with all of the buildings in the budget process. Busey said an audit
188 had been done last year and we are still waiting for a report. Brief discussion continued about
189 the concrete work.

190
191 Chair's Report

192
193 None.

194
195 Other Business

196
197 None.

198
199

200 **Environment & Land Use**

201 **Recreation & Entertainment License – Hammerdown Truck & Tractor Pull**

202

203 **Motion** by Kibler to approve the Recreation & Entertainment License for the
204 Hammerdown Truck & Tractor Pull, Champaign County Fair Association, June 2 & 3, 2012;
205 seconded by Esry. **Motion carried unanimously.**

206

207 **Recreation & Entertainment License – WBGL Radio**

208

209 **Motion** by Mitchell to approve the Recreation & Entertainment License for WBGL
210 Radio, Vacant lot west of 4101 Fieldstone, Champaign, June 29, 2012; seconded by Holderfield.
211 Rosales asked if there would be a problem with noise to which Mr. Hall stated there would be
212 none. **Motion carried unanimously.**

213

214 **Champaign County Building Code Feasibility Study and Implementation Strategies**

215

216 Susan Monte, Regional Planning Commission, informed the committee the information
217 provided contains only the basic information for the Board to begin the process of deciding
218 whether to implement a County building code. She said the report generally finds that County
219 implementation of a building code can provide the potential to achieve: improved protection of
220 public health, safety and welfare; environmental, and financial benefits associated with energy
221 efficient building design; and improved cost and availability of property insurance in
222 unincorporated areas of the County. These are the types of work plan items they need
223 considered for the 2013 work plan for the Regional Planning Commission. Kurtz said the
224 report is quite extensive and a lot of work was put into it.

225

226 Moser asked if we have looked at how many of the smaller towns have building codes in
227 their mile and a half and how many are being enforced, other than Mahomet. Monte said that
228 particular issue has not been examined yet. She said if the County did adopt a building code, it
229 would apply to the mile and a half, except for parcels with annexation agreement. Jay asked if
230 they do have the pre-annexation agreement, they could use the Urbana-Champaign building
231 codes. Jay also asked how many serious incidents or violations that caused either injury or
232 health hazards, excluding Cherry Orchard. Monte replied there have been previous concerns
233 expressed regarding some the entertainment license locations. Jay said though that there are fire
234 codes, etc and it is a matter of enforcement at this point. Monte said that is unknown at this time.
235 James said if we don't have the codes and end up in court, then we don't have something to back
236 the County's argument up.

237

238 Alix said his understanding at the time when this issue was first talked about being put on
239 the RPC work plan, there was conversation how a County building code would work with the
240 State building code. Monte said they have asked the State's Attorney's office to look into this.
241 Langenheim stated his concern about retrofit issue and which codes would apply. Monte said that
242 retrofits are a gray area. Petrie said the fees structure was also a concern of their caucus and
243 what it would raise in line of the budget. She also was interested how much time had been
244 spent and how much more would be expected to be spent on this project. Monte said that
245 would be addressed at the June COW meeting when the work plan is being addressed.
246 Schroeder said it would be beneficial to have some better understanding what the state statute
247 says about when there is no code, which code would be picked.

248

249 Moser wanted clarification on what a farm exemption would be. Monte said that farm
250 buildings and structures may be exempt if the County chooses to, except for sewage and water.
251 Jay said we shouldn't lose site of the fact that there are multiple building codes in this country
252 and until we see a building code in front of us, we won't know what we're talking about.
253 Ammons asked if a building code could be specific to certain localities in the county. Monte
254 said we can only do what the state law allows. Maxwell stated his concern in letting the County
255 citizens know what the fee schedules for building codes would be. Kurtz asked for a straw poll
256 on moving forward to putting the building code feasibility study on the 2013 RPC work plan.
257 The straw poll showed a majority voting to not include it.

258

259 Annual Review of Champaign County Multi-Jurisdiction Natural Hazard Mitigation Plan

260

261 No discussion. Provided for information only.

262

263 Request Preliminary Recommendation to County Board for Approval to the Champaign County
264 Zoning Ordinance in Zoning Case 701-AT-11 to Amend Certain Wind Farm Standard Conditions

265

266 **Motion** by Ammons to recommend approval of a preliminary recommendation to the
267 County Board for approval to the Champaign County Zoning Ordinance in Zoning Case 701-AT-
268 11 to Amend Certain Wind Farm Standard Conditions; seconded by Cowart. Kurtz said there
269 were changes made to the Ordinance that were recommended by the County Board and this is
270 correcting some of the inadequacies in that language. It gives the public and municipalities
271 opportunity for 30 days to comment on the changes.

272

273 **Motion** by Petrie to amend Section I.3 of the Ordinance; seconded by Rosales. **Petrie's**
274 **motion was ruled out of order because it was not on the agenda.**

275

276 Quisenberry wanted clarification on the intent of the motion which is a desire to get any
277 other concerns out of the way for a 30-day period. It was noted these are changes that were
278 made in January and are now back for reaffirmation. Kurtz then asked for a straw poll to place
279 this on the June COW meeting.

280

281 **Motion** by Quisenberry to defer to the June COW meeting; seconded by Michaels.
282 **Motion carried with one no vote.**

283

284 Monthly Report

285

286 **Motion** by Betz to receive and place on file the monthly report of the Zoning
287 Department; seconded by Quisenberry. **Motion carried unanimously.**

288

289 Other Business

290

291 None.

292

293 Highway & Transportation

294

294 County & Township Motor Fuel Tax Claims – April, 2012

295

296 **Motion** by Betz to receive and place on file the County & Township Motor Fuel Tax
297 Claims for April, 2012; seconded by Rosales. **Motion carried unanimously.**

298

299 Petition – Hensley Road District

300

301 **Motion** by Jay to recommend approval to the County Board of a Petition Requesting and
302 Resolution Approving Appropriation of Funds from the County Bridge Fund Pursuant to 605
303 ILCS 5/5-501 for Hensley Road District; seconded by Maxwell. Ammons asked who
304 determines the value of the cost. Blue said they have historical costs on amount of labor and
305 then obtain get quotes from different manufacturers. She also inquired where this falls in
306 importance of a replacement plan. Mr. Blue said the county bridge fund is, by statute, to aid
307 townships for replacement of these structures. He said a structure of this size is not inspected
308 routinely because of its size. He noted this is a heavily traveled township road. **Motion**
309 **carried unanimously.**

310

311 City of Urbana Philo Road Project

312

313 Blue said Mr. Gray from City of Urbana asked the County to participate in the
314 reconstruction of a portion of Philo Road. He provided a brief history of the Windsor Road
315 project and how it led to the fringe road agreement. He said that south portion of Philo Road is
316 in need of improvements, due to development in that area since 1996. He stated it is currently
317 an oil and chip type roadway and they plan to take that material and make up a new 12 inch
318 platform and stay within existing right of way. Their engineers in-house have come up with the
319 engineering and design and are ready to take the plans to IDOT. Their estimate is around a
320 million dollars. They felt they will receive favorable bids due to the lack of work right now.

321

322 **Motion** by Langenheim to recommend approval of an Agreement and Appropriating
323 Motor Fuel Tax Funds for the Philo Road Project; seconded by Ammons. Mr. Blue said the
324 intergovernmental agreement that was in the packet hadn't yet been sent to the State's Attorney's
325 office for review, but that can be done and most likely be ready to be approved by the County
326 Board meeting. Betz said it may be more procedurally proper to ask for a straw vote. Blue said
327 he had hoped to get some direction at this meeting. Betz asked Blue if he supported the 50/50
328 approach to the project. Blue reviewed that portion of the agreement and agreed the work on
329 the road does need to be done. He stated, as far as funding is concerned, the Windsor Road
330 project is nearly complete in payment and the Curtis Road project hasn't yet been fully paid for.
331 They would need to budget for this project in the motor fuel tax funds. Kurtz asked if the fringe
332 road agreement needed to be amended. Blue said the Philo Road agreement could be written to
333 include budgeting and repayment to the City of Urbana. He also said the FY2013 budget will
334 have to include funding for the Lincoln Avenue project and where we would see more availability
335 of funding for Philo Road would be in FY2015.

336

337 Maxwell said he was willing to work with his colleagues in County Board Districts 3 and
338 4 and the City of Urbana on this project, however, he said the suburban villages and other rural
339 areas have a backlog of projects that are needed. Quisenberry asked why the project didn't
340 continue all the way to Curtis Road. Gray said that portion of the road is in good condition with
341 the exception of the intersection. Quisenberry also asked about Race Street, which is not in
342 good condition and asked where Race Street fit in the long range plans. Blue stated that is not a
343 county road, but a township road. Quisenberry then asked what committing to this project
344 would affect other projects. Blue said it could be displacing some maintenance issues or small
345 overlays on roads but wouldn't affect any major improvement projects.

346

347 In response to some concerns, Gray stated there has been good cooperation between the
348 City and the County with respect to funding different projects on both sides. Petrie said she

349 needs a better understanding as to why this has popped to the top of the list of priorities, when
350 there are other roads that need improvement. Gray said Windsor Road was constructed in the
351 1980's and it has cancer, which has shown up in the Urbana and Champaign portion. They have
352 a better understanding now of different concrete mixes and said this is an issue that needs to be
353 addressed in the future. Ammons asked what the process is at this point with regard to getting
354 the agreement approved by the State's Attorney. Blue would like to bring it to the Board this
355 month. He said it would state in the intergovernmental agreement how the dollars would be
356 repaid to the City of Urbana. He said the City is ready to send to IDOT for approval. James
357 said he understands we need to help each other, but sometimes the roads the County has oversight
358 over seem to get overlooked and we really need to look at a plan for taking care of our own roads,
359 similarly to what is being considered at how we will take care of our buildings.

360
361 Schroeder says he uses the road often and can support this project, but wanted the City to
362 understand that projects like this can't be sprung on the County. Jay expressed his frustration
363 with the motor fuel tax and the cities get their own funding through that and the County is at the
364 bottom and we should maintain our roads as a priority. He said at some point we won't be able
365 to handle all of these commitments. Moser said he was on the Board in 1996 when the
366 agreement was approved. The original agreement was with Champaign, which started with an
367 area on Bloomington Road and led to the North Prospect Avenue, Windsor Road, North
368 Cunningham Avenue and more. He said the previous county engineer had committed more
369 than what was available and it seems the cities want more and more. He said it seems there is
370 no end to that. The Chair asked for a show of hands to bring this item to the full County
371 Board meeting, which showed a majority.

372

373 Roundabout Advisory Vote

374

375 Blue said this item was on the agenda based on the request by some board members. He
376 wanted to provide some information with regard to statistics to help determine in what direction
377 to proceed. Ammons ask if there is such a thing as an advisory vote. If not an actionable item,
378 she asked if a straw vote can be taken at all. Betz stated he doesn't see an action item, such as a
379 resolution on the agenda, it states it is a fact sheet. Weibel felt the item listed on the agenda
380 could be considered an action item because it specifically states advisory vote on the agenda.
381 Betz agreed that meets requirements of notice on an agenda. Brief discussion continued.

382

383 **Motion** by Quisenberry to advise the City of Urbana that the County does not support the
384 idea of a roundabout on North Lincoln Avenue and Olympian Drive; seconded by Holderfield.
385 Weibel requested an adjustment to the language.

386

387 Motion by Quisenberry to approve a Resolution to Advise the City of Urbana of its
388 support of a standard intersection at Olympian and Lincoln and not a roundabout; seconded by
389 Holderfield. Quisenberry said that while he believes in the idea of roundabouts, he doesn't feel
390 a roundabout at that intersection makes sense. McGinty said with respect to a parliamentary
391 standpoint this is a mess. His stated his concern about the fact sheet. He said he remembered
392 clearly during the public engagement earlier in the project, he said the urban representation
393 supported roundabouts, but the rural people and the landowners in that specific area did not
394 support the roundabout. He said he was surprised this issue was back on the agenda. He said
395 the entire corridor project should be further along before considering a roundabout there. He
396 also said no one on this County Board feels it is a good idea.

397

398 Langenheim said his position has evolved towards roundabouts and stated his credentials
399 with regard to roundabouts. He said he was originally opposed to roundabouts, he is convinced
400 they are less expensive, have less consumption of land and safer. He said the time for
401 roundabouts has come.

402
403 Blue confirmed for Alix that the County would be involved with condemnation of land
404 should the City decide to build a roundabout. Discussion continued about the negotiation
405 process for the area. He said that condemnation could be a big issue. He said the amount of
406 land is virtually the same for a roundabout that it is for a standard intersection. The total amount
407 of acquisition for a 4-lane intersection is approximately 16.6 acres. He said if going to 2-lanes it
408 cuts it by 4.8 acres. The County controls the condemnation of the entire corridor. Holderfield
409 said the rural community overwhelmingly does not want a roundabout in that area. She said it is
410 disrespectful of the rural residents and is discouraging. She said she has spoken to other city
411 planners outside of Champaign County and she said they all ask why a roundabout is being
412 considered in the rural area when it is not advantageous.

413
414 Moser said he knows farmers that have large equipment. He said he appreciates the City
415 of Urbana trying to make the case for large equipment in the roundabout, but he doesn't think it
416 can be designed large enough to accommodate the large equipment. Blue said this is a very
417 unusual situation.

418
419 **Motion** by Ammons to close debate on this issue; seconded by Richards. **Motion**
420 **carried with no votes.**

421
422 **A vote on the original motion to send a Resolution to the City of Urbana supporting**
423 **a standard intersection carried by roll call vote with Alix, Bensyl, Berkson, Esry,**
424 **Holderfield, James, Jay, Kibler, Kurtz, Maxwell, McGinty, Mitchell, Moser, Petrie,**
425 **Quisenberry, Schroeder and Weibel voting yes and with Ammons, Anderson, Betz, Carter,**
426 **Cowart, Langenheim, O'Connor, Richards and Rosales voting no.**

427
428 Chair's Report

429
430 None.

431
432 Other Business

433
434 Petrie requested an update of the recent ICC meeting and the status hearing that Blue
435 attended. Blue said the Status Hearing Administrative Law Judge came to decision to have a
436 tour. They laid out some boundaries how the tour was to be handled. The tour went up Lincoln
437 Avenue to Ford Harris Road to Market Street and then on to Olympian Drive. What he gathered
438 from the hearing the Administrative Law Judge is in charge of ruling if the bridge is an
439 appropriate thing the ICC should be voting on. Another pre-hearing is scheduled in the next
440 month and a hearing after that with testimony promoting the bridge over the tracks will be held.

441
442 Maxwell requested that a report at the next COW meeting be made on the conference he
443 attended out of state.

444
445 **Other Business**

446 Closed Session pursuant to 5 ILCS 120/2(c)11 to Consider Litigation which is Probable or
447 Imminent Against Champaign County

448 **Motion** by McGinty to enter into closed session at 9:03pm pursuant to 5 ILCS
449 120/2(c)11 to consider litigation which is probable or imminent against Champaign County;
450 seconded by Alix. **Motion carried by roll call vote with Alix, Anderson, Bensyl, Berkson,**
451 **Betz, Carter, Cowart, Esry, Holderfield, James, Jay, Kibler, Kurtz, Langenheim, Maxwell,**
452 **McGinty, Mitchell, Moser, O'Connor, Petrie, Quisenberry, Richards, Rosales, Schroeder**
453 **and Weibel voting yes.**

454

455 Meeting was reopened at 9:35pm.

456

457 Closed Session pursuant to 5 ILCS 120/2(c)1 to Consider the Employment, Compensation,
458 Discipline, Performance or Dismissal of Specific Employees of Champaign County

459

460 **Motion** by Jay to enter into closed session at 9:35pm pursuant to 5 ILCS 120/2(c)1 to
461 consider the employment, compensation, discipline, performance or dismissal of specific
462 employees of Champaign County; seconded by Alix. **Motion carried with Alix, Anderson,**
463 **Bensyl, Berkson, Betz, Carter, Cowart, Esry, Holderfield, Jay, Kibler, Kurtz, Langenheim,**
464 **Maxwell, McGinty, Mitchell, Petrie, Quisenberry, Richards, Rosales, Schroeder and Weibel**
465 **voting yes and with James and O'Connor voting no.**

466

467 Meeting was reopened at 9:40pm.

468

469 **ADDENDUM**

470 **Environment & Land Use**

471 Recreation & Entertainment License – Eastern IL ABATE

472

473 **Motion** by James to approve the Recreation & Entertainment License for Easter Illinois
474 ABATE, Rolling Acres Campground, Penfield, IL for June 1-3, 2012; seconded by Langenheim.
475 **Motion carried unanimously.**

476

477 **ADDENDUM II**

478 **Environment & Land Use**

479 Landscape Recycling Center Permit Notification for Request to Reorganize Compost Area

480

481 Weibel stated that any comments should be sent to the City of Urbana.

482

483 **Adjournment**

484

485 Chair Weibel declared the meeting adjourned at 9:41pm.

486

487 Respectfully submitted,

488

489 Ranae Wolken

490 Recording Secretary

491

492

493

494

495

496 *Secretary's note – The minutes reflect the order of the agenda and may not necessarily reflect the order of*
497 *business conducted at the meeting.*

202 SOUTH ART BARTELL ROAD CONSTRUCTION PROJECT

Prepared By: E Boatz June 5, 2012

	ORIGINAL CONTRACT	CHANGE ORDERS	CONTRACT TOTAL	PAYMENTS THIS MONTH	PAYMENTS YEAR TO DATE	BALANCE TO FINISH
Original Project Budget						
Current Budget w/Change Orders	\$1,945,722.00					
Design/Build						
Roesler Construction	\$1,355,005.00	-\$8,655.00		\$0.00	\$1,346,350.00	\$0.00
Total Design/Build	\$1,355,005.00	-\$8,655.00	\$1,346,350.00	\$0.00	\$1,346,350.00	\$0.00
Licensing & Permitting (includes Insurance)						
Owner Items for New Building	\$14,700.00			\$0.00	\$7,035.54	\$7,664.46
Maintenance Area Build-Out for New Building	\$46,000.00			\$0.00	\$35,409.22	\$10,590.78
Complete Fiber Optic Loop for East Campus	\$30,000.00			\$0.00	\$12,897.77	\$17,102.23
Generator Back-Up System for Brookens Facility	\$33,560.00			\$0.00	\$33,560.00	\$0.00
	\$14,000.00			\$0.00	\$4,866.01	\$9,133.99
ILEAS South Garage Lighting & Heating	\$5,000.00			\$0.00	\$4,149.25	\$850.75
East Campus Site Storm Water Project	\$447,457.00			\$1,290.94	\$63,902.40	\$383,554.60
Total Building Costs	\$590,717.00	\$0.00	\$590,717.00	\$1,290.94	\$161,820.19	\$428,896.81
PROJECT TOTAL	\$1,945,722.00	-\$8,655.00	\$1,937,067.00	\$1,290.94	\$1,508,170.19	\$428,896.81

% of Project Paid to Date

77.86%



STATE OF ILLINOIS
 Champaign County
 Application for: **FILED**
MAY 10 2012
 Recreation & Entertainment License

Gordy Hulten
 CHAMPAIGN COUNTY CLERK

Applications for License under County Ordinance No. 55 Regulating Recreational & Other Businesses within the County (for use by businesses covered by this Ordinance other than Massage Parlors and similar enterprises)

For Office Use Only

License No. 2012-ENT-28
 Date(s) of Event(s) Co Fair
 Business Name: CC Fair Assoc
 License Fee: \$ 100.00
 Filing Fee: \$ 4.00
 TOTAL FEE: \$ 104.00
 Checker's Signature: [Signature]

Filing Fees: Per Year (or fraction thereof): \$ 100.00
 Per Single-day Event: \$ 10.00
 Clerk's Filing Fee: \$ 4.00

Checks Must Be Made Payable To: Gordy Hulten, Champaign County Clerk

The undersigned individual, partnership, or corporation hereby makes application for the issuance of a license to engage a business controlled under County Ordinance No. 55 and makes the following statements under oath:

- A. 1. Name of Business: CHAMPAIGN COUNTY FAIR ASSOCIATION
 2. Location of Business for which application is made: _____
 3. Business address of Business for which application is made: 1302 N. Coler Avenue, Urbana IL 61801
P. O. Box 544, Urbana IL 61803-0544
 4. Zoning Classification of Property: _____
 5. Date the Business covered by Ordinance No. 55 began at this location: _____
 6. Nature of Business normally conducted at this location: Annual County Fair
 7. Nature of Activity to be licensed (include all forms of recreation and entertainment to be provided): Carnival / County Fair
 8. Term for which License is sought (specifically beginning & ending dates): _____
July 20-28 2012

(NOTE: All annual licenses expire on December 31st of each year)

9. Do you own the building or property for which this license is sought? YES
 10. If you have a lease or rent the property, state the name and address of the owner and when the lease or rental agreement expires: _____
 11. If any licensed activity will occur outdoors attach a Site Plan (with dimensions) to this application showing location of all buildings, outdoor areas to be used for various purposes and parking spaces. See page 3, Item 7.

INCOMPLETE FORMS WILL NOT BE CONSIDERED FOR A LICENSE
 AND WILL BE RETURNED TO APPLICANT

Recreation & Entertainment License Application
Page Two

- B. If this business will be conducted by a person other than the applicant, give the following information about person employed by applicant as manager, agent or locally responsible party of the business in the designated location:

Name: _____ Date of Birth: _____
Place of Birth: _____ Social Security No.: _____
Residence Address: _____
Citizenship: _____ If naturalized, place and date of naturalization: _____

If, during the license period, a new manager or agent is hired to conduct this business, the applicant MUST furnish the County the above information for the new manager or agent within ten (10) days.

Information requested in the following questions must be supplied by the applicant, if an individual, or by all members who share in profits of a partnership, if the applicant is a partnership.

If the applicant is a corporation, all the information required under Section D must be supplied for the corporation and for each officer.

Additional forms containing the questions may be obtained from the County Clerk, if necessary, for attachment to this application form.

- C. 1. Name(s) of owner(s) or local manager(s) (include any aliases): _____
Date of Birth: _____ Place of Birth: _____
Social Security Number: _____ Citizenship: _____
If naturalized, state **place** and **date** of naturalization: _____
2. Residential Addresses for the past three (3) years: _____

3. Business, occupation, or employment of applicant for four (4) years preceding date of application for this license: _____

EACH OFFICER MUST COMPLETE SECTION D. OBTAIN ADDITIONAL FORM PAGES IF NEEDED FROM THE COUNTY CLERK AND ATTACH TO THIS APPLICATION WHEN FILED.

- D. Answer only if applicant is a Corporation:

1. Name of Corporation exactly as shown in articles of incorporation and as registered:
Champaign County Fair Association
2. Date of Incorporation: Feb 28 1910 State wherein incorporated: Illinois

3. If foreign Corporation, give name and address of resident agent in Illinois:

Give first date qualified to do business in Illinois: _____

4. Business address of Corporation in Illinois as stated in Certificate of Incorporation:

5. Objects of Corporation, as set forth in charter: _____

6.

Names of all Officers of the Corporation and other information as listed:

Name of Officer: John D. Bell Title: 2nd VP

Date elected or appointed: _____ Social Security No.: _____

Date of Birth: _____ Place of Birth: URBANA IL

Citizenship: US

If naturalized, place and date of naturalization: _____

Residential Addresses for past three (3) years: _____

Business, occupation, or employment for four (4) years preceding date of application for this license: _____

7. A site plan (with dimensions) must accompany this application. It must show the location of all buildings, outdoor areas to be used for various purposes and parking spaces.

Recreation & Entertainment License Application
Page Three

3. If foreign Corporation, give name and address of resident agent in Illinois:

Give first date qualified to do business in Illinois: _____

4. Business address of Corporation in Illinois as stated in Certificate of Incorporation:

5. Objects of Corporation, as set forth in charter: _____

6. Names of all Officers of the Corporation and other information as listed:

Name of Officer: Laney Bohmeester Title: Treasurer
Date elected or appointed: 11/11 Social Security No.: _____
Date of Birth: _____ Place of Birth: WATSEKA IL
Citizenship: US
If naturalized, place and date of naturalization: _____

Residential Addresses for past three (3) years: _____

411 Range Savoy IL 61874

Business, occupation, or employment for four (4) years preceding date of application for this license: _____

202 West Springfield Ave
Champaign IL 61820

7. A site plan (with dimensions) must accompany this application. It must show the location of all buildings, outdoor areas to be used for various purposes and parking spaces.

Recreation & Entertainment License Application
Page Three

3. If foreign Corporation, give name and address of resident agent in Illinois:

Give first date qualified to do business in Illinois: _____

4. Business address of Corporation in Illinois as stated in Certificate of Incorporation:

5. Objects of Corporation, as set forth in charter: _____

6.

Names of all Officers of the Corporation and other information as listed:

Name of Officer: JACQUELINE MAROT Title: Secretary

Date elected or appointed: November 2011 Social Security No.: _____

Date of Birth: _____ Place of Birth: Chicago IL

Citizenship: U.S

If naturalized, place and date of naturalization: _____

Residential Addresses for past three (3) years: _____

Business, occupation, or employment for four (4) years preceding date of application for this license: _____

7. A site plan (with dimensions) must accompany this application. It must show the location of all buildings, outdoor areas to be used for various purposes and parking spaces.

Recreation & Entertainment License Application
Page Three

3. If foreign Corporation, give name and address of resident agent in Illinois:

Give first date qualified to do business in Illinois: _____

4. Business address of Corporation in Illinois as stated in Certificate of Incorporation:

5. Objects of Corporation, as set forth in charter: _____

6. Names of all Officers of the Corporation and other information as listed:

Name of Officer: Michael E. Kahan Title: Fair Board President

Date elected or appointed: _____ Social Security No.: _____

Date of Birth: _____ Place of Birth: Urbana, IL

Citizenship: United States Citizen

If naturalized, place and date of naturalization: _____

Residential Addresses for past three (3) years: 1408 E Florida Ave, Urbana IL
61801

Business, occupation, or employment for four (4) years preceding date of application for this license: Crash-Rescue-Coordinator, University of Illinois-Willard
Airport

7. A site plan (with dimensions) must accompany this application. It must show the location of all buildings, outdoor areas to be used for various purposes and parking spaces.

AFFIDAVIT

(Complete when applicant is an Individual or Partnership)

I/We swear that I/we have read the application and that all matters stated thereunder are true and correct, are made upon my/our personal knowledge and information and are made for the purpose of inducing the County of Champaign to issue the permit hereunder applied for.

I/We further swear that I/we will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of the business hereunder applied for.

Signature of Owner or of one of two members of Partnership

Signature of Owner or of one of two members of Partnership

Signature of Manager or Agent

Subscribed and sworn to before me this _____ day of _____, 20____.

Notary Public

AFFIDAVIT

(Complete when applicant is a Corporation)

We, the undersigned, president and secretary of the above named corporation, each first being duly sworn, say that each of us has read the foregoing application and that the matters stated therein are true and correct and are made upon our personal knowledge and information, and are made for the purpose of inducing the County of Champaign to issue the license herein applied for.

We further swear that the applicant will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of applicant's place of business.

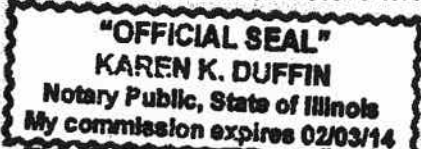
We further swear that we are the duly constituted and elected officers of said applicant and as such are authorized and empowered to execute their application for and on behalf of said application.

AKK12
Signature of President

Jacqueline Marcot
Signature of Secretary

Anderson, Harts
Signature of Manager or Agent

Subscribed and sworn to before me this 9th day of May, 2012.



Karen K. Duffin
Notary Public

This ~~COMPLETED~~ application along with the appropriate amount of cash, or certified check made payable to GORDY HULTEN, CHAMPAIGN COUNTY CLERK, must be turned in to the Champaign County Clerk's Office, 1776 E. Washington St., Urbana, Illinois 61802. A \$4.00 Filing Fee should be included.



STATE OF ILLINOIS,
Champaign County
Recreation & Entertainment License
Check List and Approval Sheet

FOR ELUC USE ONLY

County Clerk's Office

- 1. Proper Application Date Received: 5/10/12
- 2. Fee Amount Received: 104.00

Sheriff's Department

- 1. Police Record Approval: LED Date: 5/14/12
 - 2. Credit Check Disapproval: _____ Date: _____
- Remarks: _____ Signature: [Signature]

Planning & Zoning Department

- 1. Proper Zoning Approval: ✓ Date: 5/24/12
 - 2. Restrictions or Violations Disapproval: _____ Date: _____
- Remarks: _____ Signature: [Signature]
AUTHORIZED AS A SPECIAL USE PERMIT
IN ZONING CASE 962-S-94 (INCLUDES DAY TENT)

Environment & Land Use Committee

- 1. Application Complete Approval: _____ Date: _____
 - 2. Requirements Met Disapproval: _____ Date: _____
- Signature: _____

Remarks and/or Conditions: _____

Champaign
County
Department of

**PLANNING &
ZONING**

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

(217) 384-3708

To: Champaign County Board Committee of the Whole

**From: John Hall, Zoning Administrator
Andrew Kass, Associate Planner**

Date: May 24, 2012

RE: Recommendation for rezoning Case 716-AM-12

Request Amend the Zoning Map to change the district designation from the AG-1 Agriculture Zoning District to the I-I Light Industry Zoning District to allow limited re-use of a former agricultural chemical research facility on an approximate 4.5 acre tract in the North Half of the Northeast Quarter of the Northeast Quarter of Section 35 of Scott Township and commonly known as the former Syngenta research facility at 495 CR 1300N, Champaign.

Petitioner William and Debra Klein and Mary Klein

STATUS

THIS CASE HAS NOT YET BEEN HEARD BY THE ZONING BOARD OF APPEALS.

The Zoning Board of Appeals will consider this rezoning at their May 31, 2012, meeting.

The petitioner has requested that this case be decided as quickly as possible. The rezoning is intended to allow reuse of existing buildings that originally housed an agricultural chemical research facility and very restrictive special conditions have been recommended. Similar rezonings in the past have not been controversial and the proposed rezoning is anticipated to be consistent with all relevant Land Resource Management Plan policies.

The petitioner is aware that if either the ZBA or ELUC need more than one meeting to feel comfortable with the case then the case will not get decided that quickly.

The COW is receiving the same memorandum that is being sent to the ZBA. An update of the ZBA action will be available at the Committee meeting.

Several special conditions of approval have been recommended.

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

ATTACHMENTS

A Preliminary Memorandum for Case 716-AM-12

CASE NO. 716-AM-12

PRELIMINARY MEMORANDUM

MAY 25, 2012

Petitioners: William & Deborah Klein and Mary Klein

Site Area: 4.5 acres

Time Schedule for Development: The prospective tenant intends to move to the subject property upon approval of the rezoning.

Prepared by: Andy Kass
Associate Planner

John Hall
Zoning Administrator

Request: Amend the Zoning Map to change the zoning district designation from the AG-1 Agriculture Zoning District to the I-1 Light Industry Zoning District to allow limited re-use of a former agricultural chemical research facility.

Location: An approximate 4.5 acre tract in the North Half of the Northeast Quarter of the Northeast Quarter of Section 35 of Scott Township and commonly known as the former Syngenta research facility at 495 CR 1300N, Champaign.

Champaign
County
Department of

PLANNING &
ZONING

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

(217) 384-3708

BACKGROUND

The subject property was formerly a Syngenta agricultural research facility, but Syngenta has since ceased operations on the subject property. The Petitioner's have since found a new tenant, but the business operations of the prospective tenant are not permitted in the AG-1 Agriculture Zoning District. The prospective tenant is Autonomic Materials Incorporated (AMI). AMI is a firm that develops additives for self-healing paints for paint manufacturers. AMI is a small local firm that was started in 2005, by a professor from the University of Illinois. At this time AMI has 6 employees, but with future growth they would like to have 12 full-time employees by 2015 at this facility. Currently, AMI's operations are housed at the University of Illinois Research Park, but they have outgrown their current space. At the subject property AMI would be working with small quantities for research and development activities. There will be minimal quantities of hazardous waste and AMI will utilize a licensed hazardous water hauler to dispose of the wastes. In addition, sales and technical support would operate on the subject property.

There are three buildings and one small pavilion on the subject property. Building One (refer to Attachment C) is a one-story brick building which AMI intends to occupy initially. This building has office space, lab spaces, and other associated components including air handlers which are important for the operations of AMI. Buildings Two and Three (refer to Attachment C) are metal buildings which include storage space and additional lab space. AMI also intends to utilize the chemical lab portion of Building Three. The Petitioners will utilize the remaining space in Buildings Two and Three for agricultural storage.

EXTRATERRITORIAL JURISDICTION

The subject property is not within the one and one-half mile extraterritorial jurisdiction (ETJ) of a municipality with zoning, nor does Scott Township have a Plan Commission.

EXISTING LAND USE AND ZONING

Table 1. Land Use and Zoning in the Vicinity

Direction	Land Use	Zoning
Onsite	Research/Warehouse Facility	AG-1 Agriculture
	Agriculture	
North	Agriculture	AG-1 Agriculture
East	Agriculture	AG-1 Agriculture
West	Agriculture	AG-1 Agriculture
South	Agriculture	AG-1 Agriculture

PROPOSED SPECIAL CONDITIONS OF APPROVAL

Although the immediate purpose of the rezoning is to provide for the use of the property by AMI, the effect of the rezoning will be to provide for use of the property by any use authorized "by right" in the I-1 District. The following special conditions should ensure that any subsequent use of the property is consistent with County LRMP policies and the Zoning Ordinance.

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

The above special condition is necessary to ensure the following:

Conformance with policies 4.2.3 and 5.1.5.

- B. **Any non-agricultural use of the subject property shall be limited to reuse of the existing buildings and existing outdoor parking area and no expansion of either building area or expansion of outdoor uses shall be authorized.**

The above special condition is necessary to ensure the following:

That the use of the subject property does not become intensely utilized by non-agricultural uses.

- C. **No self-storage warehouse (either with or without heat and utilities to individual units) shall be authorized on the subject property.**

The above special condition is necessary to ensure the following:

Public safety.

- D. **A Special Use Permit shall be required to authorize the establishment of a second principal use on the subject property that does not meet the Zoning Ordinance definition of "agriculture".**

The above special condition is necessary to ensure the following:

That the use of the subject property remains in conformance with the Zoning Ordinance.

SUMMARY FINDING OF FACT

Page 25 of the Finding of Fact is the Summary Finding of Fact. Because of the special conditions, the proposed rezoning appears to **"ACHIEVE"** all relevant policies but the Board should verify the preliminary Staff assessment.

Note, achievement of Goal 4 depends upon the determination regarding consistency with Policy 4.1.7. See page 12 of the Finding of Fact.

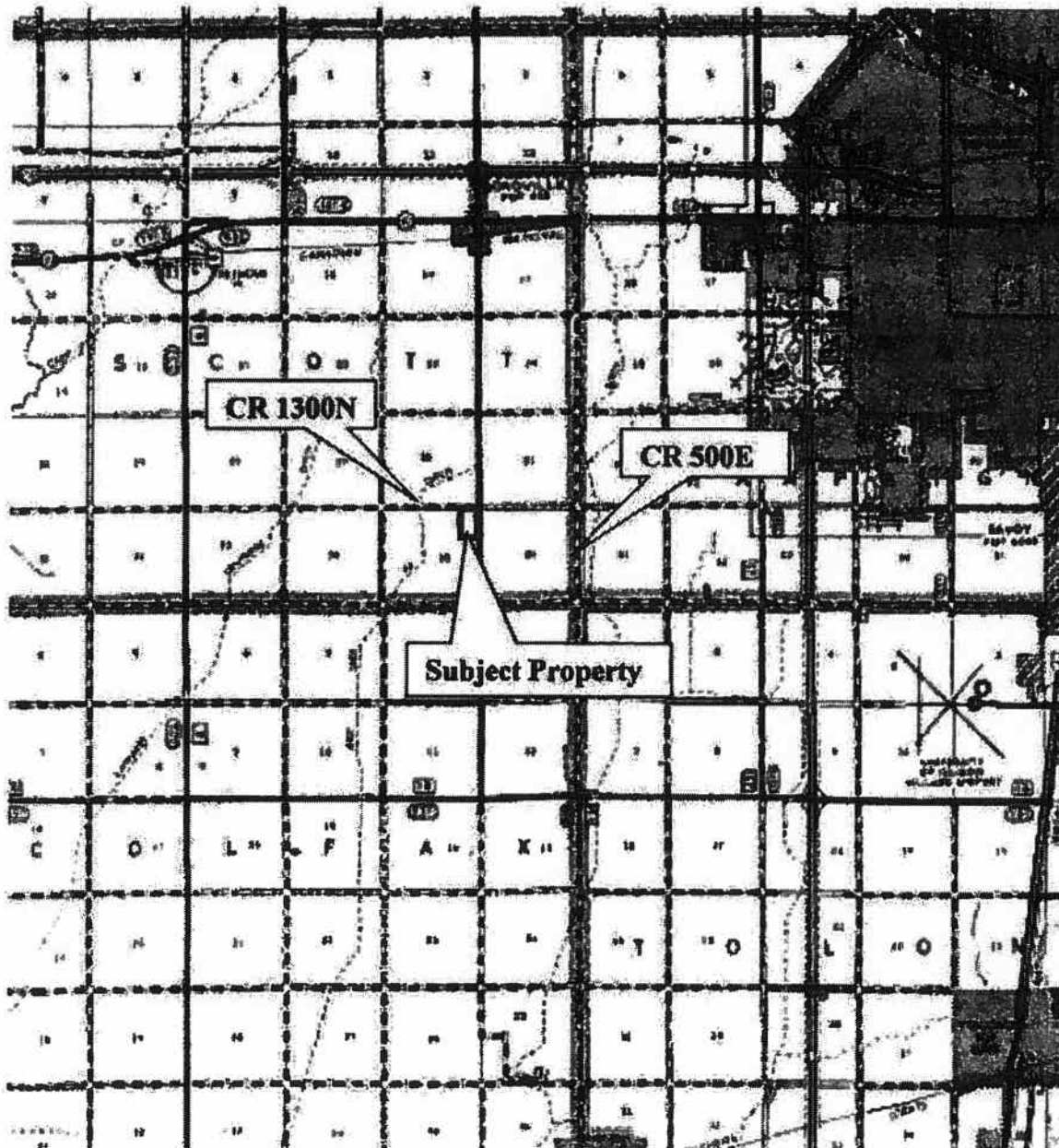
ATTACHMENTS

- A Case Maps (Location, Land Use, Zoning)
- B Plat of Survey
- C Site Plan
- D Building #1 Layout
- E Building #2 Layout
- F Building #3 Layout
- G LRMP Land Use Goals, Objectives, and Policies (included separately)
- H Site Visit Photos (included separately)
- I Draft Finding of Fact and Final Determination (included separately)

ATTACHMENT A. LOCATION MAP

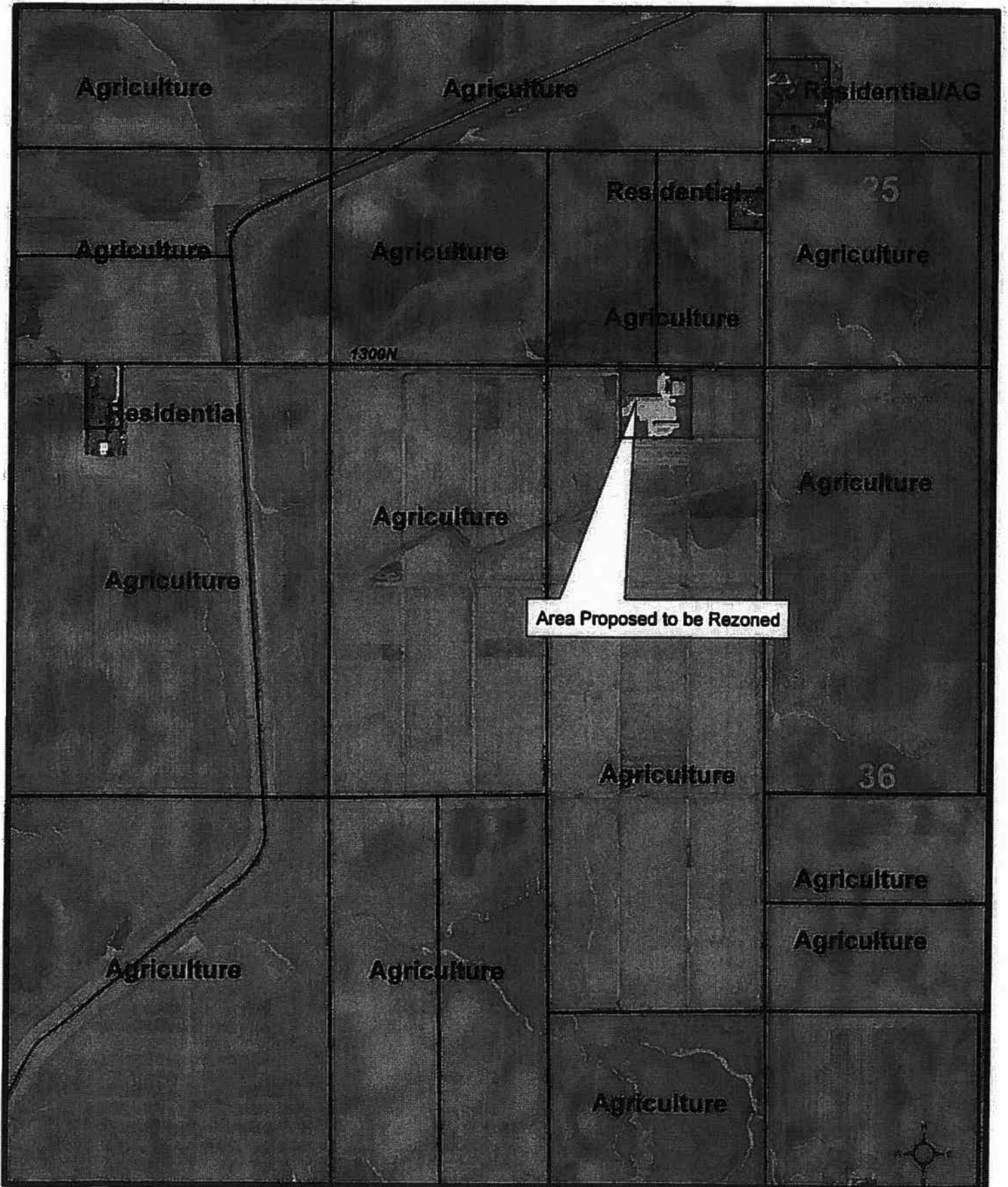
Case 716-AM-12

May 25, 2012



Chicago
County
Department of

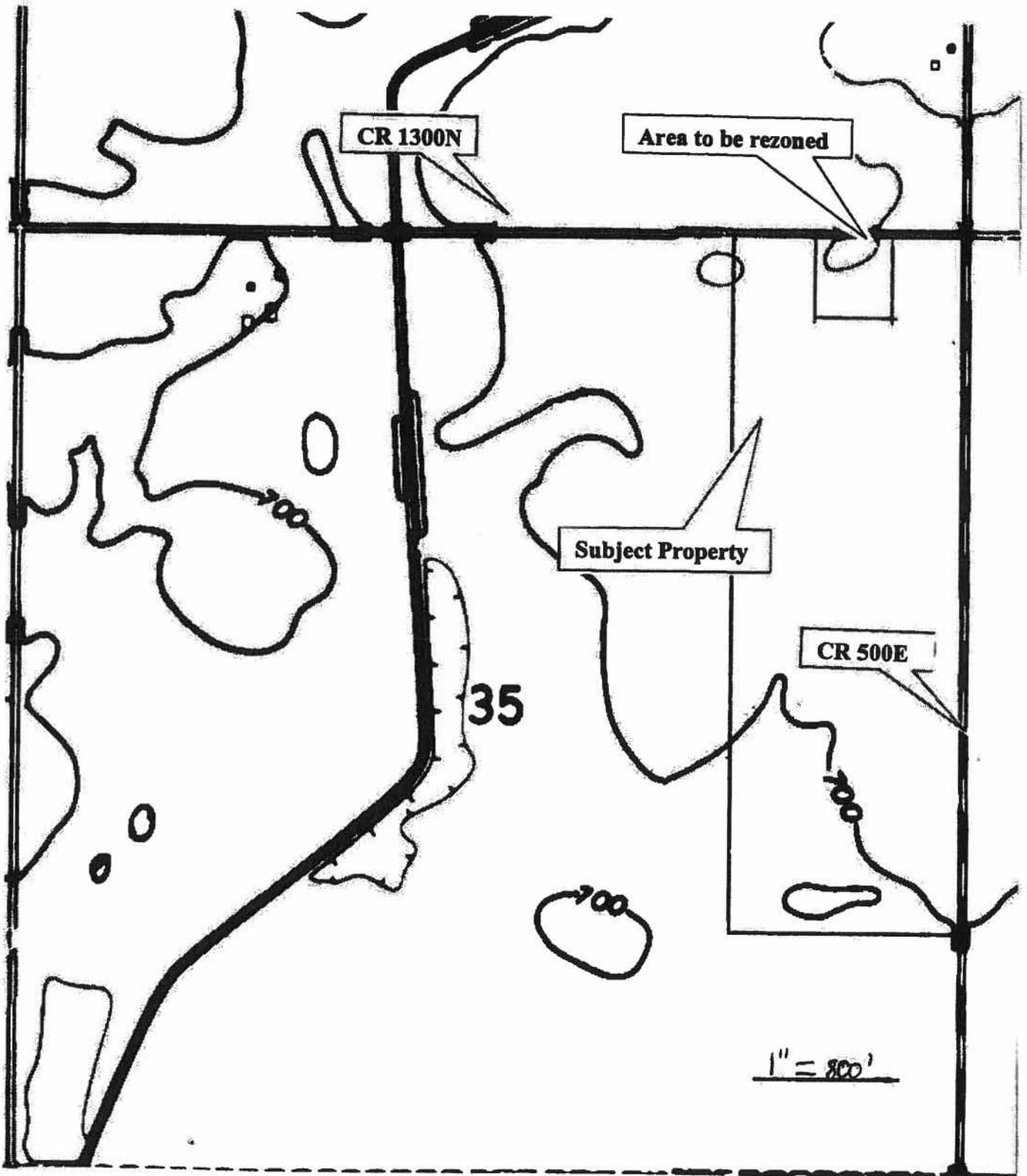
Attachment A: Land Use Map
Case: 716-AM-12
May 25, 2012



ATTACHMENT A. ZONING MAP

Case 716-AM-12

May 25, 2012



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

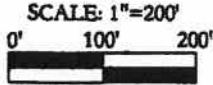


PLAT OF SURVEY
 PART OF THE EAST 1/2 OF THE NE 1/4
 OF SECTION 35, T19N, R7E, 3RD P.M.,
 CHAMPAIGN COUNTY, ILLINOIS

RECEIVED

MAY 03 2012

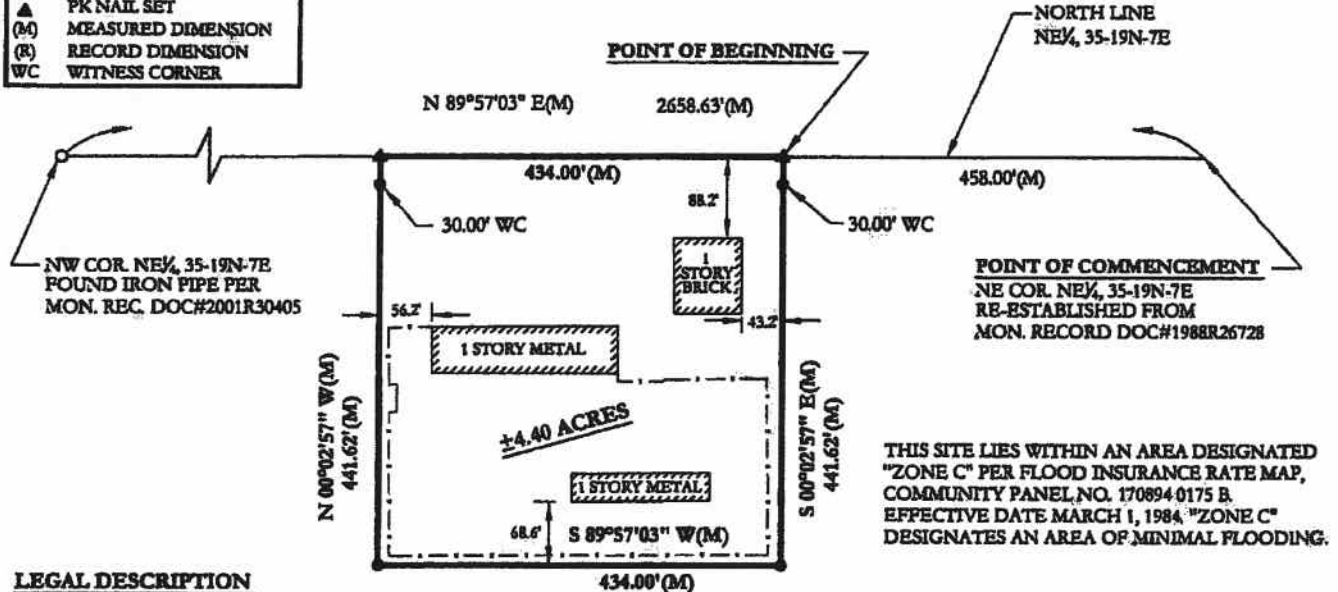
THIS SPACE RESERVED FOR RECORDING AGENT



LEGEND

○	IRON PIN/PIPE FOUND
●	IRON PIN SET
▲	PK NAIL SET
(M)	MEASURED DIMENSION
(R)	RECORD DIMENSION
WC	WITNESS CORNER

CHAMPAIGN CO. P & Z DEPARTMENT



LEGAL DESCRIPTION

Part of the East Half of the Northeast Quarter of Section 35, Township 19 North, Range 7 East of the Third Principal Meridian, Champaign County, Illinois, being more particularly described as:
 Commencing at the Northeast corner of the Northeast Quarter of said Section 35; thence South 89 degrees 57 minutes 03 seconds West (Assumed Bearings) - 458.00 feet on the North line of the Northeast Quarter of said Section 35 to the Point of Beginning; thence South 00 degrees 02 minutes 57 seconds East - 441.62 feet; thence South 89 degrees 57 minutes 03 seconds West - 434.00 feet; thence North 00 degrees 02 minutes 57 seconds West - 441.62 feet to the North line of the Northeast Quarter of said Section 35; thence North 89 degrees 57 minutes 03 seconds East - 434.00 feet on said North line to the Point of Beginning, containing 4.40 acres, more or less.

NOTES

- 1.) ALL BEARINGS ARE ASSUMED.
- 2.) NO EXISTING EASEMENTS, RECORDED OR OTHERWISE, HAVE BEEN INCLUDED WITH THIS SURVEY.
- 3.) RECORDED DOCUMENTS EXAMINED FOR THIS SURVEY: (2011R28038) (1988R26728) (2001R30405).
- 4.) THIS SURVEY CONTAINS STRUCTURES AND OTHER IMPROVEMENTS NOT SHOWN HEREON.
- 5.) SUBSURFACE AND/OR ENVIRONMENTAL CONDITIONS AND THE EXISTENCE OF UNDERGROUND UTILITIES WERE NOT CONSIDERED AS A PART OF THIS SURVEY.
- 6.) THE COMPLIANCE OR NON-COMPLIANCE WITH ZONING ORDINANCES WAS NOT CONSIDERED AS A PART OF THIS SURVEY.

SURVEYOR'S CERTIFICATE

I, THOMAS J. HAMMOND, ILLINOIS PROFESSIONAL LAND SURVEYOR NUMBER 3772, DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE, ON THE GROUND, BY ME, IN THE MONTH OF APRIL, 2012. ALL MONUMENTS HAVE BEEN SET OR FOUND AS INDICATED ON THIS PLAT. THE SURVEY CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATED THIS 2ND DAY OF MAY 2012 A.D.

PREPARED BY: TJH
 THOMAS J. HAMMOND I.P.L.S. #3772
 LICENSE EXPIRES NOV. 30, 2012

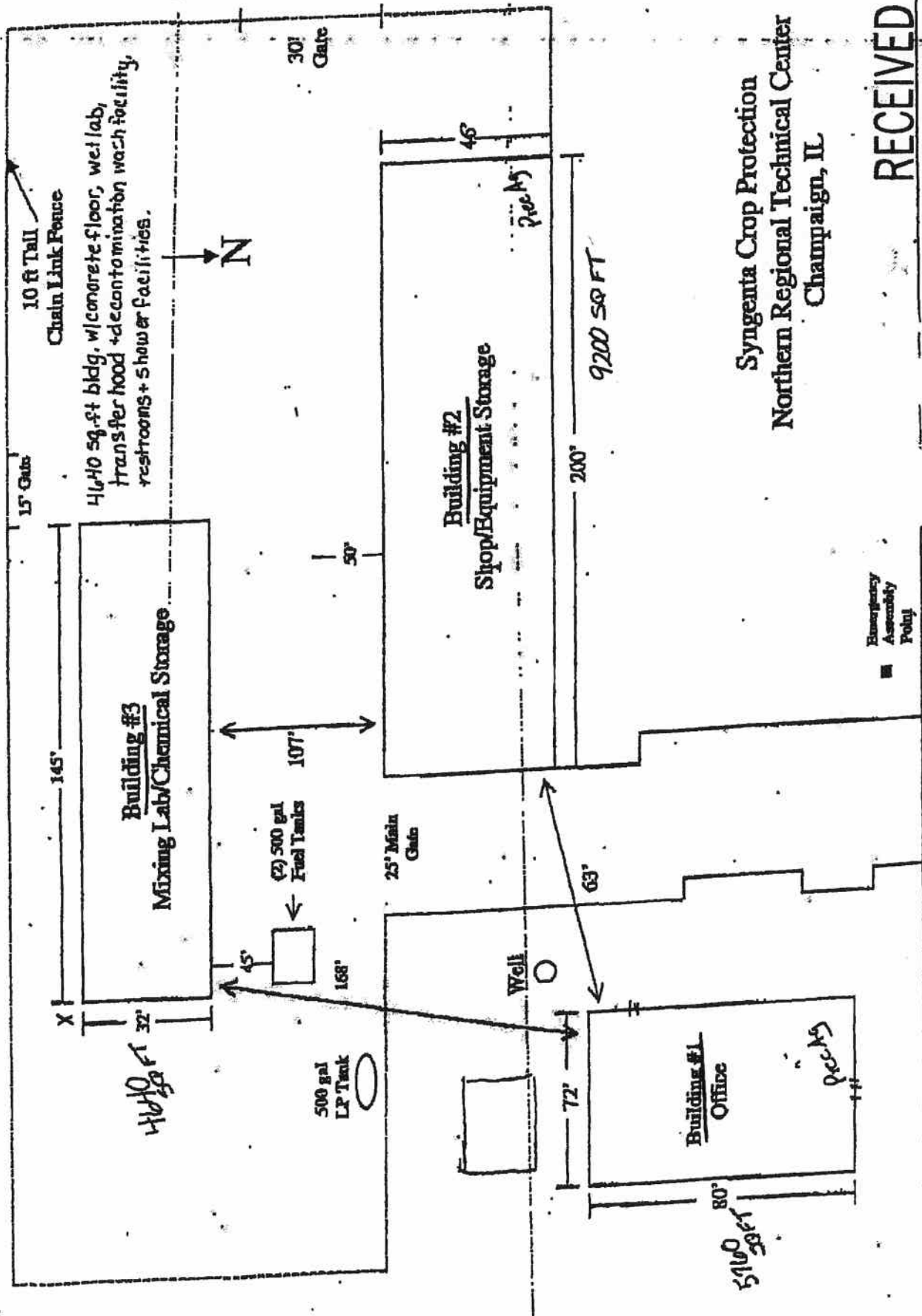


**HAMMOND & REID
 LAND SURVEYING, LTD.**

110 S. WASHINGTON SHELBYVILLE, IL 62565
 (217) 294-3344 (217) 962-1772
 DESIGN FIRM LIC. # 184-005735 (EXPIRES 04/30/2013)

FB #5 - CLIENT: KLEIN			
DRWG BY: JRR	CHKD BY: TJH	PROJ. NO: 1209.01	SHEET NO: 1
CAD DWG. 1209.01.dwg		DATE: 05/02/2011	OF 1

The Buildings



Syngenta Crop Protection
Northern Regional Technical Center
Champaign, IL

RECEIVED

MAY 03 2012

CHAMPAIGN CO. P & Z DEPARTMENT

Champaign County Rd. 1300 N

Building #1

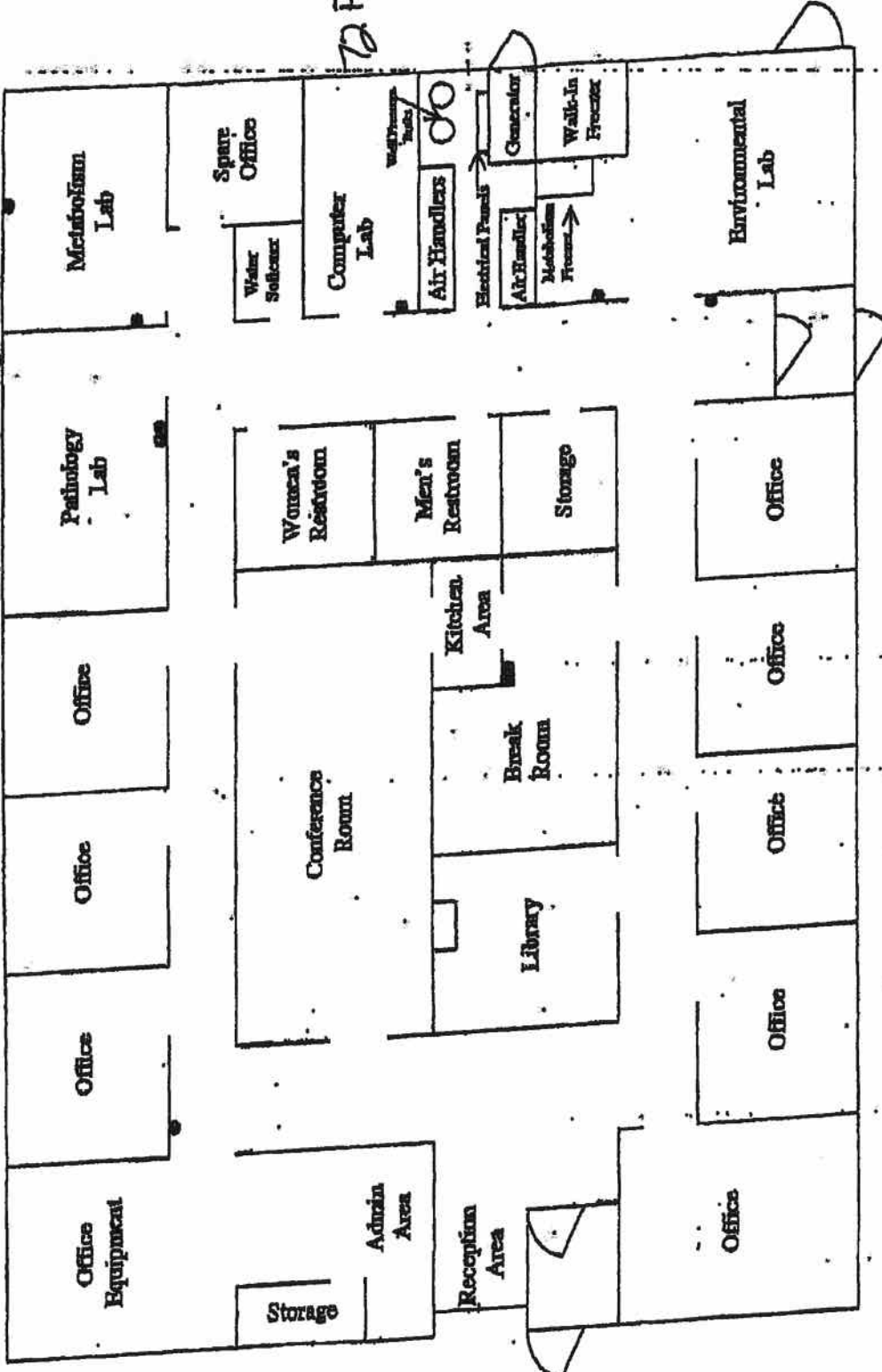
5760 sq ft

NRTC Office Building

N ←

80 FT

12 FT



- Fire Extinguisher Locations
- First Aid Station
- Safety Shower/Eyewash
- MSDS Center

RECEIVED

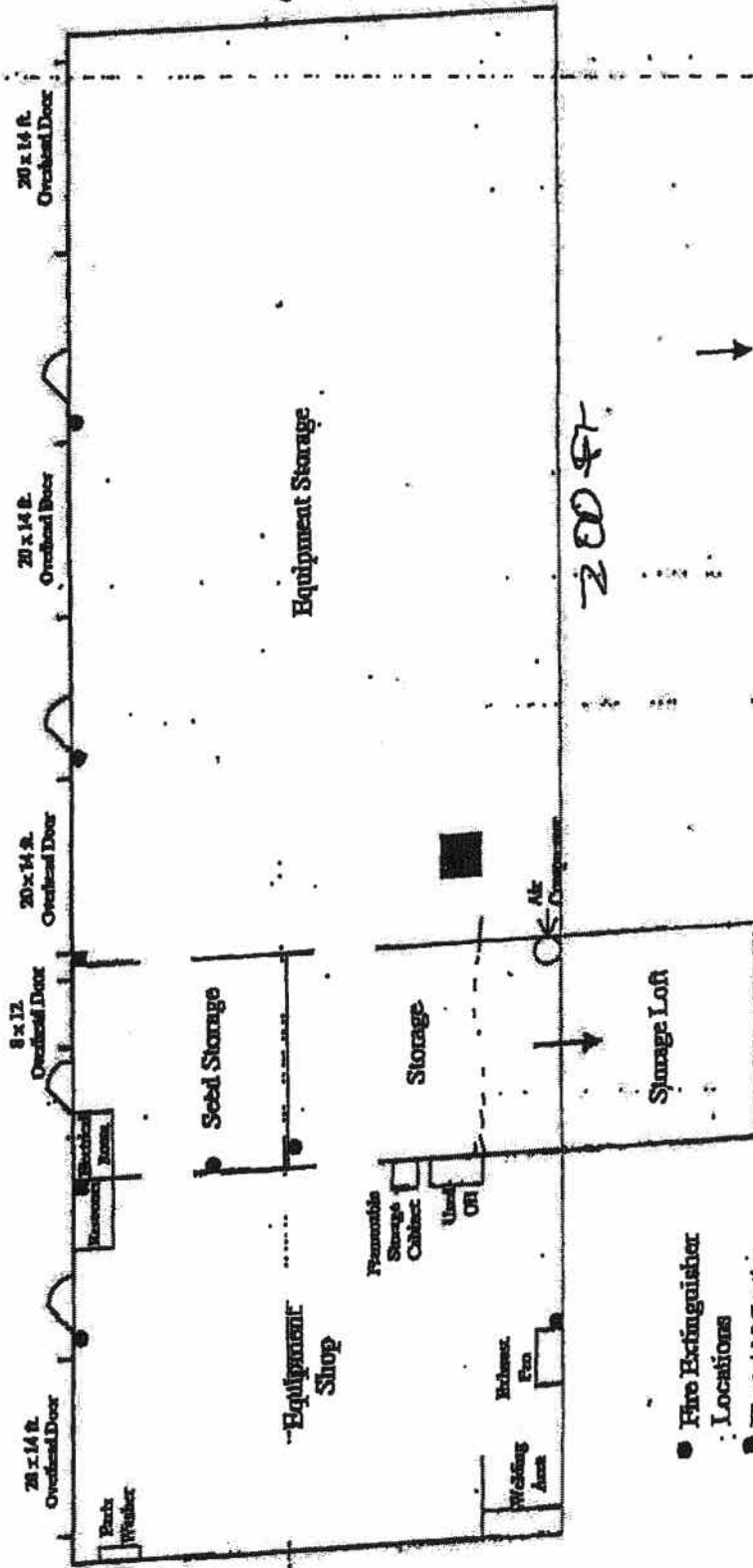
MAY 03 2012

CHAMPAIGN CO. P & Z DEPARTMENT

Building #2

9200 sq. ft.

NRTC Shop and Equipment Storage



40 ft

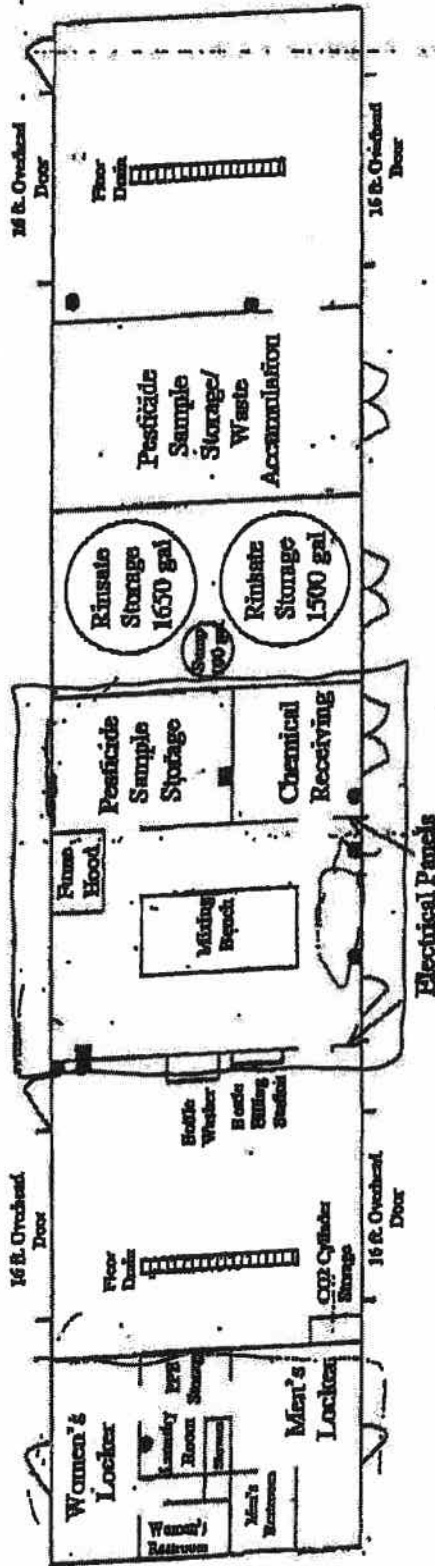
- Fire Extinguisher Locations
- First Aid Station
- Waste Storage Area

RECEIVED

MAY 03 2012

CHAMPAIGN CO. P & Z DEPARTMENT

Building #3



- Safety Shower/Eyewash Station
- Fire Extinguisher Location
- First Aid Station
- Aphis Seed Storage



**NRTC
Pesticide Lab
And Storage Building**

RECEIVED

MAY 03 2012

CHAMPAIGN CO. P & Z DEPARTMENT



GOALS, OBJECTIVES AND POLICIES

The Goals, Objectives and Policies section details the County's land use and resource management aspirations and outlines how they can be achieved. Goals, objectives and policies are created based on input from the Existing Conditions and Trends section, public comments, examples from other communities, and best planning practices. For purposes of this document, the following definitions were used:

- Goal:** an ideal future condition to which the community aspires
- Objective:** a tangible, measurable outcome leading to the achievement of a goal
- Policy:** a statement of actions or requirements judged to be necessary to achieve goals and objectives

Background

Three documents, the *County Land Use Goals and Policies* adopted in 1977, and two sets of *Land Use Regulatory Policies*, dated 2001 and 2005, were built upon, updated, and consolidated into the LRMP Goals, Objectives and Policies. The process of finalizing this superseding document occurred over 15 months, and included:

- **Research** - A sampling of other communities' land use and resource management goals, objectives and policies were collected and analyzed for their relevance to Champaign County's needs.
- **Evaluation** – Existing Champaign County land use goals and policies were evaluated for their relevance and for what might need to be revised to make them timely.
- **Comment** – Input from public workshops held in April 2008, a survey of key township and municipal officials, and interviews regarding local adopted municipal comprehensive plans and recent land use development trends provided guidance and perspectives for developing the goals, objectives and policies.
- **Development** - A draft set of statements for review by the LRMP Steering Committee was created.
- **Discussion** – In a series of 25 meetings, the LRMP Steering Committee finalized the Goals, Objectives and Policies. Discussion then moved to the Champaign County Board's Environment and Land Use Committee for further revision and approval. All meetings had public involvement opportunities to further guide the final set of statements.

The result of this inclusive and public process is a set of ten goals, 42 objectives, and 100 policies which are intended to guide the Champaign County Board as it manages issues and resources related to land resource management in Champaign County. The Goals, Objectives and Policies are guiding principles rather than regulatory requirements, and are subject to review and amendment by the Champaign County Board as it enacts any legislative decisions or action relating to land resource management in the future.

The specific intent, language, and terminology of the objectives and policies are used to provide clarity and guidance for any related future regulatory changes considered by the County Board. The level of specificity documented is not intended to be binding, but is intended to provide examples of how the LRMP Goals could be addressed and implemented by future county boards.



In May of each year, the County Board adopts the Annual Budget Process Resolution establishing the parameters for the ensuing fiscal year budget. Based on the budgetary guidelines established by the Annual Budget Process Resolution, the Regional Planning Commission planning staff shall present, in June of each year, to the Environment and Land Use Committee (ELUC), options for a work plan for the ensuing fiscal year. The options presented shall be based upon the LRMP and the annual budgetary guidelines as stated above, and shall be submitted for the review and ultimate recommendation for approval by ELUC. ELUC shall establish the priorities to be accomplished in the annual work plan, and recommend approval of that work plan to the County Board no later than the September Meeting of the County Board each year.

The following Purpose Statement introduces the proposed LRMP Goals, Objectives and Policies:

"It is the purpose of this plan to encourage municipalities and the County to protect the land, air, water, natural resources and environment of the County and to encourage the use of such resources in a manner which is socially and economically desirable. The Goals, Objectives and Policies necessary to achieve this purpose are as follows:"

LRMP Goals

1 Planning and Public Involvement	Champaign County will attain a system of land resource management planning built on broad public involvement that supports effective decision making by the County.
2 Governmental Coordination	Champaign County will collaboratively formulate land resource and development policy with other units of government in areas of overlapping land use planning jurisdiction.
3 Prosperity	Champaign County will encourage economic growth and development to ensure prosperity for its residents and the region.
4 Agriculture	Champaign County will protect the long term viability of agriculture in Champaign County and its land resource base.
5 Urban Land Use	Champaign County will encourage <i>urban development</i> that is compact and contiguous to existing cities, villages, and existing unincorporated settlements.
6 Public Health and Public Safety	Champaign County will ensure protection of the public health and public safety in land resource management decisions.
7 Transportation	Champaign County will coordinate land use decisions in the unincorporated area with the existing and planned transportation infrastructure and services.
8 Natural Resources	Champaign County will strive to conserve and enhance the County's landscape and natural resources and ensure their sustainable use.
9 Energy Conservation	Champaign County will encourage energy conservation, efficiency, and the use of renewable energy sources.
10 Cultural Amenities	Champaign County will promote the development and preservation of cultural amenities that contribute to a high quality of life for its citizens.



Goal 1 Planning and Public Involvement

Champaign County will attain a system of land resource management planning built on broad public involvement that supports effective decision making by the County.

Goal 1 Objectives

Objective 1.1 Guidance on Land Resource Management Decisions

Champaign County will consult the Champaign County Land Resource Management Plan (LRMP) that formally establishes County land resource management policies and serves as an important source of guidance for the making of County land resource management decisions.

Objective 1.2 Updating Officials

Champaign County will annually update County Board members with regard to land resource management conditions within the County.

Objective 1.3 Incremental Updates

Champaign County will update the LRMP, incrementally, on an annual or biannual basis to make minor changes to the LRMP or to adjust boundaries of LRMP Future Land Use Map areas to reflect current conditions, (e.g., Contiguous Urban Growth Area, or Rural Residential Area).

Objective 1.4 Comprehensive Updates

Champaign County will comprehensively update the LRMP at a regular interval of no more than 15 or less than 10 years, to allow for the utilization of available updated census data and other information.

Goal 1 Objectives and Policies

Objective 1.1 Guidance on Land Resource Management Decisions

Champaign County will consult the LRMP that formally establishes County land resource management policies and serves as an important source of guidance for the making of County land resource management decisions.

Objective 1.2 Updating Officials

Champaign County will annually update County Board members with regard to land resource management conditions within the County.

Policy 1.2.1

County planning staff will provide an annual update to County Board members with regard to land resource management conditions within the County.

Objective 1.3 Incremental Updates

Champaign County will update the LRMP, incrementally, on an annual or biannual basis to make minor changes to the LRMP or to adjust boundaries of LRMP Future Land Use Map areas to reflect current conditions, (e.g., Contiguous Urban Growth Area, or Rural Residential Area).

Policy 1.3.1

ELUC will recommend minor changes to the LRMP after an appropriate opportunity for public input is made available.



Objective 1.4 Comprehensive Updates

Champaign County will comprehensively update the LRMP at a regular interval of no more than 15 or less than 10 years, to allow for the utilization of available updated census data and other information.

Policy 1.4.1

A Steering Committee that is broadly representative of the constituencies in the County but weighted towards the unincorporated area will oversee comprehensive updates of the LRMP.

Policy 1.4.2

The County will provide opportunities for public input throughout any comprehensive update of the LRMP.

Goal 2 Governmental Coordination

Champaign County will collaboratively formulate land resource and development policy with other units of government in areas of overlapping land use planning jurisdiction.

Goal 2 Objectives

Objective 2.1 Local and Regional Coordination

Champaign County will coordinate land resource management planning with all County jurisdictions and, to the extent possible, in the larger region.

Objective 2.2 Information Sharing

Champaign County will work cooperatively with other units of government to ensure that the Geographic Information Systems Consortium and Regional Planning Commission have the resources to effectively discharge their responsibilities to develop, maintain and share commonly used land resource management data between local jurisdictions and County agencies that will help support land use decisions.

Goal 2 Objectives and Policies

Objective 2.1 Local and Regional Coordination

Champaign County will coordinate land resource management planning with all County jurisdictions and, to the extent possible, in the larger region.

Policy 2.1.1

The County will maintain an inventory through the LRMP, of contiguous urban growth areas where connected sanitary service is already available or is planned to be made available by a public sanitary sewer service plan, and development is intended to occur upon annexation.

Policy 2.1.2

The County will continue to work to seek a county-wide arrangement that respects and coordinates the interests of all jurisdictions and that provides for the logical extension of municipal land use jurisdiction by annexation agreements.



Policy 2.1.3

The County will encourage municipal adoption of plan and ordinance elements which reflect mutually consistent (County and municipality) approach to the protection of best prime farmland and other natural, historic, or cultural resources.

Objective 2.2 Information Sharing

Champaign County will work cooperatively with other units of government to ensure that the Geographic Information Systems Consortium and Regional Planning Commission have the resources to effectively discharge their responsibilities to develop, maintain and share commonly used land resource management data between local jurisdictions and County agencies that will help support land use decisions.

Goal 3 Prosperity

Champaign County will encourage economic growth and development to ensure prosperity for its residents and the region.

Goal 3 Objectives

Objective 3.1 Business Climate

Champaign County will seek to ensure that it maintains comparable tax rates and fees, and a favorable business climate relative to similar counties.

Objective 3.2 Efficient County Administration

Champaign County will ensure that its regulations are administrated efficiently and do not impose undue costs or delays on persons seeking permits or other approvals.

Objective 3.3 County Economic Development Policy

Champaign County will maintain an updated Champaign County Economic Development Policy that is coordinated with and supportive of the LRMP.

Goal 4 Agriculture

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

Goal 4 Objectives

Objective 4.1 Agricultural Land Fragmentation and Conservation

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

Objective 4.2 Development Conflicts with Agricultural Operations

Champaign County will require that each *discretionary review* development will not interfere with agricultural operations.

continued



Objective 4.3 Site Suitability for Discretionary Review Development

Champaign County will require that each *discretionary review* development is located on a suitable site.

Objective 4.4 Regulations for Rural Residential Discretionary Review

Champaign County will update County regulations that pertain to rural residential *discretionary review* developments to best provide for site specific conditions by 2010.

Objective 4.5 LESA Site Assessment Review and Updates

By the year 2012, Champaign County will review the Site Assessment portion of the Champaign County Land Evaluation and Site Assessment System (LESA) for possible updates; thereafter, the County will periodically review the site assessment portion of LESA for potential updates at least once every 10 years.

Objective 4.6 Protecting Productive Farmland

Champaign County will seek means to encourage and protect productive farmland within the County.

Objective 4.7 Right to Farm Resolution

Champaign County affirms County Resolution 3425 pertaining to the right to farm in Champaign County.

Objective 4.8 Locally Grown Foods

Champaign County acknowledges the importance of and encourages the production, purchase, and consumption of locally grown food.

Objective 4.9 Landscape Character

Champaign County will seek to preserve the landscape character of the agricultural and *rural* areas of the County, and, at the same time, allow for potential *discretionary development* that supports agriculture or involves a product or service that is provided better in a *rural* area.

Goal 4 Objectives and Policies

Objective 4.1 Agricultural Land Fragmentation and Conservation

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

Policy 4.1.1

Commercial agriculture is the highest and best use of land in the areas of Champaign County that are by virtue of topography, soil and drainage, suited to its pursuit. The County will not accommodate other land uses except under very restricted conditions or in areas of less productive soils.

Policy 4.1.2

The County will guarantee all landowners a *by right development* allowance to establish a non-agricultural use, provided that public health, safety and site development regulations (e.g., floodplain and zoning regulations) are met.

Policy 4.1.3

The *by right development* allowance is intended to ensure legitimate economic use of all property. The County understands that continued agricultural use alone constitutes a

reasonable economic use of *best prime farmland* and the *by right development* allowance alone does not require accommodating non-farm development beyond the *by right development* allowance on such land.

Policy 4.1.4 The County will guarantee landowners of one or more lawfully created lots that are recorded or lawfully conveyed and are considered a *good zoning lot* (i.e., a lot that meets County zoning requirements in effect at the time the lot is created) the *by right development* allowance to establish a new single family dwelling or non-agricultural land use on each such lot, provided that current public health, safety and transportation standards are met.

Policy 4.1.5

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

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

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

Policy 4.1.6 Provided that the use, design, site and location are consistent with County policies regarding:

- i. suitability of the site for the proposed use;
- ii. adequacy of infrastructure and public services for the proposed use;
- iii. minimizing conflict with agriculture;
- iv. minimizing the conversion of farmland; and
- v. minimizing the disturbance of natural areas,

then,

a) on *best prime farmland*, the County may authorize discretionary residential development subject to a limit on total acres converted which is generally proportionate to tract size and is based on the January 1, 1998 configuration of tracts, with the total amount of acreage converted to residential use (inclusive of *by-right development*) not to exceed three acres plus three acres per each 40 acres (including any existing right-of-way), but not to exceed 12 acres in total; or

b) on *best prime farmland*, the County may authorize non-residential *discretionary development*; or

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

Policy 4.1.7

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

Policy 4.1.8

The County will consider the LESA rating for farmland protection when making land use decisions regarding a *discretionary development*.

Policy 4.1.9

The County will set a minimum lot size standard for a farm residence on land used for agricultural purposes.

Objective 4.2 Development Conflicts with Agricultural Operations

Champaign County will require that each *discretionary review* development will not interfere with agricultural operations.

Policy 4.2.1

The County may authorize a proposed business or other non-residential *discretionary review* development in a *rural* area if the proposed development supports agriculture or involves a product or service that is provided better in a *rural* area than in an urban area.

Policy 4.2.2

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

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

Policy 4.2.3

The County will require that each proposed *discretionary development* explicitly recognize and provide for the right of agricultural activities to continue on adjacent land.

Policy 4.2.4

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

Objective 4.3 Site Suitability for Discretionary Review Development

Champaign County will require that each *discretionary review* development is located on a suitable site.

Policy 4.3.1

On other than *best prime farmland*, the County may authorize a *discretionary review* development provided that the site with proposed improvements is *suited overall* for the proposed land use.

Policy 4.3.2

On *best prime farmland*, the County may authorize a *discretionary review* development provided the site with proposed improvements is *well-suited overall* for the proposed land use.

Policy 4.3.3

The County may authorize a *discretionary review* development provided that existing public services are adequate to support to the proposed development effectively and safely without undue public expense.

Policy 4.3.4

The County may authorize a *discretionary review* development provided that existing public infrastructure, together with proposed improvements, is adequate to support the proposed development effectively and safely without undue public expense.



Policy 4.3.5

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

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

Objective 4.4 Regulations for Rural Residential *Discretionary Review*

Champaign County will update County regulations that pertain to *rural* residential *discretionary review* developments to best provide for site specific conditions by 2010.

Objective 4.5 LESA Site Assessment Review and Updates

By the year 2012, Champaign County will review the Site Assessment portion of the LESA for possible updates; thereafter, the County will periodically review the site assessment portion of LESA for potential updates at least once every 10 years.

Objective 4.6 Protecting Productive Farmland

Champaign County will seek means to encourage and protect productive farmland within the County.

Policy 4.6.1 The County will utilize, as may be feasible, tools that allow farmers to permanently preserve farmland.

Policy 4.6.2 The County will support legislation that promotes the conservation of agricultural land and related natural resources in Champaign County provided that legislation proposed is consistent with County policies and ordinances, including those with regard to landowners' interests.

Policy 4.6.3 The County will implement the agricultural purposes exemption, subject to applicable statutory and constitutional restrictions, so that all full- and part-time farmers and retired farmers will be assured of receiving the benefits of the agricultural exemption even if some non-farmers receive the same benefits.

Objective 4.7 Right to Farm Resolution

Champaign County affirms County Resolution 3425 pertaining to the right to farm in Champaign County.

Objective 4.8 Locally Grown Foods

Champaign County acknowledges the importance of and encourages the production, purchase, and consumption of locally grown food.

Objective 4.9 Landscape Character

Champaign County will seek to preserve the landscape character of the agricultural and *rural* areas of the County, and, at the same time, allow for potential *discretionary development* that supports agriculture or involves a product or service that is provided better in a *rural* area.

Policy 4.9.1

The County will develop and adopt standards to manage the visual and physical characteristics of *discretionary development* in *rural* areas of the County.



Goal 5 Urban Land Use

Champaign County will encourage *urban development* that is compact and contiguous to existing cities, villages, and existing unincorporated settlements.

Goal 5 Objectives

Objective 5.1 Population Growth and Economic Development

Champaign County will strive to ensure that the preponderance of population growth and economic development is accommodated by new *urban development* in or adjacent to existing population centers.

Objective 5.2 Natural Resources Stewardship

When new *urban development* is proposed, Champaign County will encourage that such development demonstrates good stewardship of natural resources

Objective 5.3 Adequate Public Infrastructure and Services

Champaign County will oppose proposed new *urban development* unless adequate utilities, infrastructure, and *public services* are provided.

Goal 5 Objectives and Policies

Objective 5.1 Population Growth and Economic Development

Champaign County will strive to ensure that the preponderance of population growth and economic development is accommodated by new *urban development* in or adjacent to existing population centers.

Policy 5.1.1

The County will encourage new *urban development* to occur within the boundaries of incorporated municipalities.

Policy 5.1.2

- a. The County will encourage that only compact and contiguous *discretionary development* occur within or adjacent to existing villages that have not yet adopted a municipal comprehensive land use plan.
- b. The County will require that only compact and contiguous *discretionary development* occur within or adjacent to existing unincorporated settlements.

Policy 5.1.3

The County will consider municipal extra-territorial jurisdiction areas that are currently served by or that are planned to be served by an available public sanitary sewer service plan as contiguous urban growth areas which should develop in conformance with the relevant municipal comprehensive plans. Such areas are identified on the Future Land Use Map.

Policy 5.1.4

The County may approve *discretionary development* outside contiguous urban growth areas, but within municipal extra-territorial jurisdiction areas only if:

- a. the development is consistent with the municipal comprehensive plan and relevant municipal requirements;
- b. the site is determined to be *well-suited overall* for the development if on *best prime farmland* or the site is *suited overall*, otherwise; and
- c. the development is generally consistent with all relevant LRMP objectives and policies.



Policy 5.1.5

The County will encourage *urban development* to explicitly recognize and provide for the right of agricultural activities to continue on adjacent land.

Policy 5.1.6

To reduce the occurrence of agricultural land use and non-agricultural land use nuisance conflicts, the County will encourage and, when deemed necessary, will require discretionary development to create a sufficient buffer between existing agricultural operations and the proposed *urban development*.

Policy 5.1.7

The County will oppose new *urban development* or development authorized pursuant to a municipal annexation agreement that is located more than one and one half miles from a municipality's corporate limit unless the Champaign County Board determines that the development is otherwise consistent with the LRMP, and that such extraordinary exercise of extra-territorial jurisdiction is in the interest of the County as a whole.

Policy 5.1.8

The County will support legislative initiatives or intergovernmental agreements which specify that property subject to annexation agreements will continue to be under the ordinances, control, and jurisdiction of the County until such time that the property is actually annexed, except that within 1-1/2 miles of the corporate limit of a municipality with an adopted comprehensive land use plan, the subdivision ordinance of the municipality shall apply.

Policy 5.1.9

The County will encourage any new *discretionary development* that is located within municipal extra-territorial jurisdiction areas and subject to an annexation agreement (but which is expected to remain in the unincorporated area) to undergo a coordinated municipal and County review process, with the municipality considering any *discretionary development* approval from the County that would otherwise be necessary without the annexation agreement.

Objective 5.2 Natural Resources Stewardship

When new *urban development* is proposed, Champaign County will encourage that such development demonstrates good stewardship of natural resources.

Policy 5.2.1

The County will encourage the reuse and redevelopment of older and vacant properties within *urban land* when feasible.

Policy 5.2.2

The County will:

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

Policy 5.2.3

The County will:

- a. require that proposed new *urban development* results in no more than minimal disturbance to areas with significant natural environmental quality; and



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

Objective 5.3 Adequate Public Infrastructure and Services

Champaign County will oppose proposed new *urban development* unless adequate utilities, infrastructure, and *public services* are provided.

Policy 5.3.1

The County will:

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

Policy 5.3.2

The County will:

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

Policy 5.3.3

The County will encourage a regional cooperative approach to identifying and assessing the incremental costs of public utilities and services imposed by new development.

Goal 6 Public Health and Public Safety

Champaign County will ensure protection of the public health and public safety in land resource management decisions.

Goal 6 Objectives

Objective 6.1 Protect Public Health and Safety

Champaign County will seek to ensure that *rural* development does not endanger public health or safety.

Objective 6.2 Public Assembly Land Uses

Champaign County will seek to ensure that public assembly, dependent population, and multifamily land uses provide safe and secure environments for their occupants.

Objective 6.3 Development Standards

Champaign County will seek to ensure that all new non-agricultural construction in the unincorporated area will comply with a building code by 2015.

Objective 6.4 Countywide Waste Management Plan

Champaign County will develop an updated Champaign County Waste Management Plan by 2015 to address the re-use, recycling, and safe disposal of wastes including: landscape waste; agricultural waste; construction/demolition debris; hazardous waste; medical waste; and municipal solid waste.



Goal 6 Objectives and Policies

Objective 6.1 Protect Public Health and Safety

Champaign County will seek to ensure that development in unincorporated areas of the County does not endanger public health or safety.

Policy 6.1.1

The County will establish minimum lot location and dimension requirements for all new *rural* residential development that provide ample and appropriate areas for onsite wastewater and septic systems.

Policy 6.1.2

The County will ensure that the proposed wastewater disposal and treatment systems of *discretionary development* will not endanger public health, create nuisance conditions for adjacent uses, or negatively impact surface or groundwater quality.

Policy 6.1.3

The County will seek to prevent nuisances created by light and glare and will endeavor to limit excessive night lighting, and to preserve clear views of the night sky throughout as much of the County as possible.

Policy 6.1.4

The County will seek to abate blight and to prevent and rectify improper dumping.

Objective 6.2 Public Assembly Land Uses

Champaign County will seek to ensure that public assembly, dependent population, and multifamily land uses provide safe and secure environments for their occupants.

Policy 6.2.1 The County will require public assembly, dependent population, and multifamily premises built, significantly renovated, or established after 2010 to comply with the Office of State Fire Marshal life safety regulations or equivalent.

Policy 6.2.2 The County will require Champaign County Liquor Licensee premises to comply with the Office of State Fire Marshal life safety regulations or equivalent by 2015.

Policy 6.2.3 The County will require Champaign County Recreation and Entertainment Licensee premises to comply with the Office of State Fire Marshal life safety regulations or equivalent by 2015.

Objective 6.3 Development Standards

Champaign County will seek to ensure that all new non-agricultural construction in the unincorporated area will comply with a building code by 2015.

Objective 6.4 Countywide Waste Management Plan

Champaign County will develop an updated Champaign County Waste Management Plan by 2015 to address the re-use, recycling, and safe disposal of wastes including: landscape waste; agricultural waste; construction/demolition debris; hazardous waste; medical waste; and municipal solid waste.



Goal 7 Transportation

Champaign County will coordinate land use decisions in the unincorporated area with the existing and planned transportation infrastructure and services.

Goal 7 Objectives

Objective 7.1 Traffic Impact Analyses

Champaign County will consider traffic impact in all land use decisions and coordinate efforts with other agencies when warranted.

Objective 7.2 Countywide Transportation System

Champaign County will strive to attain a countywide transportation network including a variety of transportation modes which will provide rapid, safe, and economical movement of people and goods.

Goal 7 Objectives and Policies

Objective 7.1 Traffic Impact Analyses

Champaign County will consider traffic impact in all land use decisions and coordinate efforts with other agencies when warranted.

Policy 7.1.1

The County will include traffic impact analyses in *discretionary review* development proposals with significant traffic generation.

Objective 7.2 Countywide Transportation System

Champaign County will strive to attain a countywide transportation network including a variety of transportation modes which will provide rapid, safe, and economical movement of people and goods.

Policy 7.2.1

The County will encourage development of a multi-jurisdictional countywide transportation plan that is consistent with the LRMP.

Policy 7.2.2

The County will encourage the maintenance and improvement of existing County railroad system lines and services.

Policy 7.2.3

The County will encourage the maintenance and improvement of the existing County road system, considering fiscal constraints, in order to promote agricultural production and marketing.

Policy 7.2.4

The County will seek to implement the County's Greenways and Trails Plan.

Policy 7.2.5

The County will seek to prevent establishment of incompatible *discretionary development* in areas exposed to noise and hazards of vehicular, aircraft and rail transport.

Policy 7.2.6

The County will seek to protect *public infrastructure* elements which exhibit unique scenic, cultural, or historic qualities.



Goal 8 Natural Resources

Champaign County will strive to conserve and enhance the County's landscape and natural resources and ensure their sustainable use.

Goal 8 Objectives

Objective 8.1 Groundwater Quality and Availability

Champaign County will strive to ensure adequate and safe supplies of groundwater at reasonable cost for both human and ecological purposes.

Objective 8.2 Soil

Champaign County will strive to conserve its soil resources to provide the greatest benefit to current and future generations.

Objective 8.3 Underground Mineral and Energy Resource Extraction

Champaign County will work to ensure future access to its underground mineral and energy resources and to ensure that their extraction does not create nuisances or detract from the long-term beneficial use of the affected property.

Objective 8.4 Surface Water Protection

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

Objective 8.5 Aquatic and Riparian Ecosystems

Champaign County will encourage the maintenance and enhancement of aquatic and riparian habitats.

Objective 8.6 Natural Areas and Habitat

Champaign County will encourage resource management which avoids loss or degradation of areas representative of the *pre-settlement environment* and other areas that provide habitat for native and game species.

Objective 8.7 Parks and Preserves

Champaign County will work to protect existing investments in *rural* parkland and natural area preserves and will encourage the establishment of new public *parks and preserves* and protected private lands.

Objective 8.8 Air Pollutants

Champaign County considers the atmosphere a valuable resource and will seek to minimize harmful impacts to it and work to prevent and reduce the discharge of ozone precursors, acid rain precursors, toxics, dust and aerosols that are harmful to human health.

Objective 8.9 Natural Resources Assessment System

Champaign County will, by the year 2016, adopt a natural resources specific assessment system that provides a technical framework to numerically rank land parcels based on local resource evaluation and site considerations, including: groundwater resources; soil and mineral resources; surface waters; aquatic and riparian ecosystems; natural areas; parks and preserves; known cultural resources; and air quality.



Goal 8 Objectives and Policies

Objective 8.1 Groundwater Quality and Availability

Champaign County will strive to ensure adequate and safe supplies of groundwater at reasonable cost for both human and ecological purposes.

Policy 8.1.1

The County will not approve *discretionary development* using on-site water wells unless it can be reasonably assured that an adequate supply of water for the proposed use is available without impairing the supply to any existing well user.

Policy 8.1.2

The County will encourage regional cooperation in protecting the quality and availability of groundwater from the Mahomet Aquifer.

Policy 8.1.3

As feasible, the County will seek to ensure that withdrawals from the Mahomet Aquifer and other aquifers do not exceed the long-term sustainable yield of the aquifer including withdrawals under potential drought conditions, particularly for shallow aquifers.

Policy 8.1.4

To the extent that distinct recharge areas are identified for any aquifers, the County will work to prevent development of such areas that would significantly impair recharge to the aquifers.

Policy 8.1.5

To the extent that groundwater in the County is interconnected with surface waters, the County will work to ensure that groundwater contributions to natural surface hydrology are not disrupted by groundwater withdrawals by *discretionary development*.

Policy 8.1.6

The County will encourage the development and refinement of knowledge regarding the geology, hydrology, and other features of the County's groundwater resources.

Policy 8.1.7

The County will ensure that existing and new developments do not pollute the groundwater supply.

Policy 8.1.8

The County will protect community well heads, distinct aquifer recharge areas and other critical areas from potential sources of groundwater pollution.

Policy 8.1.9

The County will work to ensure the remediation of contaminated land or groundwater and the elimination of potential contamination pathways.

Objective 8.2 Soil

Champaign County will strive to conserve its soil resources to provide the greatest benefit to current and future generations.



Policy 8.2.1

The County will strive to minimize the destruction of its soil resources by non-agricultural development and will give special consideration to the protection of *best prime farmland*. *Best prime farmland* is that comprised of soils that have a Relative Value of at least 85 and includes land parcels with mixed soils that have a Land Evaluation score of 85 or greater as defined in the LESA.

Objective 8.3 Underground Mineral and Energy Resource Extraction

Champaign County will work to ensure future access to its underground mineral and energy resources and to ensure that their extraction does not create nuisances or detract from the long-term beneficial use of the affected property.

Policy 8.3.1

The County will allow expansion or establishment of underground mineral and energy resource extraction operations only if:

- a) the operation poses no significant adverse impact to existing land uses;
- b) the operation creates no significant adverse impact to surface water quality or other natural resources; and
- c) provisions are made to fully reclaim the site for a beneficial use.

Objective 8.4 Surface Water Protection

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

Policy 8.4.1

The County will incorporate the recommendations of adopted watershed plans in its policies, plans, and investments and in its *discretionary review* of new development.

Policy 8.4.2

The County will require stormwater management designs and practices that provide effective site drainage, protect downstream drainage patterns, minimize impacts on adjacent properties and provide for stream flows that support healthy aquatic ecosystems.

Policy 8.4.3

The County will encourage the implementation of agricultural practices and land management that promotes good drainage while maximizing stormwater infiltration and aquifer recharge.

Policy 8.4.4

The County will ensure that point discharges including those from new development, and including surface discharging on-site wastewater systems, meet or exceed state and federal water quality standards.

Policy 8.4.5

The County will ensure that non-point discharges from new development meet or exceed state and federal water quality standards.

Policy 8.4.6

The County recognizes the importance of the drainage districts in the operation and maintenance of drainage.



Objective 8.5 Aquatic and Riparian Ecosystems

Champaign County will encourage the maintenance and enhancement of aquatic and riparian habitats.

Policy 8.5.1

For *discretionary development*, the County will require land use patterns, site design standards and land management practices that, wherever possible, preserve existing habitat, enhance degraded habitat and restore habitat.

Policy 8.5.2

The County will require in its *discretionary review* that new development cause no more than minimal disturbance to the stream corridor environment.

Policy 8.5.3

The County will encourage the preservation and voluntary restoration of wetlands and a net increase in wetland habitat acreage.

Policy 8.5.4

The County will support efforts to control and eliminate invasive species.

Policy 8.5.5

The County will promote drainage system maintenance practices that provide for effective drainage, promote channel stability, minimize erosion and sedimentation, minimize ditch maintenance costs and, when feasible, support healthy aquatic ecosystems.

Objective 8.6 Natural Areas and Habitat

Champaign County will encourage resource management which avoids loss or degradation of areas representative of the *pre-settlement environment* and other areas that provide habitat for native and game species.

Policy 8.6.1

The County will encourage educational programs to promote sound environmental stewardship practices among private landowners.

Policy 8.6.2

- a. For new development, the County will require land use patterns, site design standards and land management practices to minimize the disturbance of existing areas that provide habitat for native and game species, or to mitigate the impacts of unavoidable disturbance to such areas.
- b. With regard to *by-right development* on *good zoning lots*, or the expansion thereof, the County will not require new zoning regulations to preserve or maintain existing onsite areas that provide habitat for native and game species, or new zoning regulations that require mitigation of impacts of disturbance to such onsite areas.

Policy 8.6.3

For *discretionary development*, the County will use the Illinois Natural Areas Inventory and other scientific sources of information to identify priority areas for protection or which offer the potential for restoration, preservation, or enhancement.

Policy 8.6.4

The County will require implementation of IDNR recommendations for *discretionary development* sites that contain endangered or threatened species, and will seek to ensure that recommended management practices are maintained on such sites.



Policy 8.6.5

The County will continue to allow the reservation and establishment of private and public hunting grounds where conflicts with surrounding land uses can be minimized.

Policy 8.6.6

The County will encourage the purchase, donation, or transfer of development rights and the like, by public and private entities, of significant natural areas and habitat for native and game species for the purpose of preservation.

Objective 8.7 Parks and Preserves

Champaign County will work to protect existing investments in *rural* parkland and natural area preserves and will encourage the establishment of new public parks and preserves and protected private lands.

Policy 8.7.1

The County will require that the location, site design and land management of *discretionary development* minimize disturbance of the natural quality, habitat value and aesthetic character of existing public and private parks and preserves.

Policy 8.7.2

The County will strive to attract alternative funding sources that assist in the establishment and maintenance of parks and preserves in the County.

Policy 8.7.3

The County will require that *discretionary development* provide a reasonable contribution to support development of parks and preserves.

Policy 8.7.4

The County will encourage the establishment of public-private partnerships to conserve woodlands and other significant areas of natural environmental quality in Champaign County.

Policy 8.7.5

The County will implement, where possible, incentives to encourage land development and management practices that preserve, enhance natural areas, wildlife habitat and/or opportunities for hunting and other recreational uses on private land.

Policy 8.7.6 The County will support public outreach and education regarding site-specific natural resource management guidelines that landowners may voluntarily adopt.

Objective 8.8 Air Pollutants

Champaign County considers the atmosphere a valuable resource and will seek to minimize harmful impacts to it and work to prevent and reduce the discharge of ozone precursors, acid rain precursors, toxics, dust and aerosols that are harmful to human health.

Policy 8.8.1 The County will require compliance with all applicable Illinois Environmental Protection Agency and Illinois Pollution Control Board standards for air quality when relevant in *discretionary review* development.

Policy 8.8.2 In reviewing proposed *discretionary development*, the County will identify existing sources of air pollutants and will avoid locating sensitive land uses where occupants will be affected by such discharges.



Objective 8.9 Natural Resources Assessment System

Champaign County will, by the year 2016, adopt a natural resources specific assessment system that provides a technical framework to numerically rank land parcels based on local resource evaluation and site considerations, including: groundwater resources; soil and mineral resources; surface waters; aquatic and riparian ecosystems; natural areas; parks and preserves; known cultural resources; and air quality.

Goal 9 Energy Conservation

Champaign County will encourage energy conservation, efficiency, and the use of renewable energy sources.

Goal 9 Objectives

Objective 9.1 Reduce Greenhouse Gases

Champaign County will seek to reduce the discharge of greenhouse gases.

Objective 9.2 Energy Efficient Buildings

Champaign County will encourage energy efficient building design standards.

Objective 9.3 Land Use and Transportation Policies

Champaign County will encourage land use and transportation planning policies that maximize energy conservation and efficiency.

Objective 9.4 Reuse and Recycling

Champaign County will promote efficient resource use and re-use and recycling of potentially recyclable materials.

Objective 9.5 Renewable Energy Sources

Champaign County will encourage the development and use of renewable energy sources where appropriate and compatible with existing land uses.

Goal 9 Objectives and Policies

Objective 9.1 Reduce Greenhouse Gases

Champaign County will seek to reduce the discharge of greenhouse gases.

Policy 9.1.1

The County will promote land use patterns, site design standards and land management practices that minimize the discharge of greenhouse gases.

Policy 9.1.2

The County will promote energy efficient building design standards.

Policy 9.1.3

The County will strive to minimize the discharge of greenhouse gases from its own facilities and operations.

Objective 9.2 Energy Efficient Buildings

Champaign County will encourage energy efficient building design standards.



Policy 9.2.1

The County will enforce the Illinois Energy Efficient Commercial Building Act (20 ILCS 3125/1).

Policy 9.2.2

The County will strive to incorporate and utilize energy efficient building design in its own facilities.

Objective 9.3 Land Use and Transportation Policies

Champaign County will encourage land use and transportation planning policies that maximize energy conservation and efficiency.

Objective 9.4 Reuse and Recycling

Champaign County will promote efficient resource use and re-use and recycling of potentially recyclable materials.

Objective 9.5 Renewable Energy Sources

Champaign County will encourage the development and use of renewable energy sources where appropriate and compatible with existing land uses.

Goal 10 Cultural Amenities

Champaign County will promote the development and preservation of cultural amenities that contribute to a high quality of life for its citizens.

Goal 10 Objective

Objective 10.1 Cultural Amenities

Champaign County will encourage the development and maintenance of cultural, educational, recreational, and other amenities that contribute to the quality of life of its citizens.

Goal 10 Objectives and Policy

Objective 10.1 Cultural Amenities

Champaign County will encourage the development and maintenance of cultural, educational, recreational, and other amenities that contribute to the quality of life of its citizens.

Policy 10.1.1

The County will work to identify historic structures, places and landscapes in the County.

APPENDIX

DEFINED TERMS

The following defined terms can be found in italics within the text of the LRMP Volume 2 Chapters: Goals, Objectives and Policies; Future Land Use Map; and Implementation Strategy.

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 has been paid and all site development requirements are met—within a matter of days.

contiguous urban growth area

Unincorporated land within the County that meets one of the following criteria:

- land designated for urban land use on the future land use map of an adopted municipal comprehensive land use plan, intergovernmental plan or special area plan, and located within the service area of a public sanitary sewer system with existing sewer service or sewer service planned to be available in the near- to mid-term (over a period of the next five years or so).
- land to be annexed by a municipality and located within the service area of a public sanitary sewer system with existing sewer service or sewer service planned to be available in the near- to mid-term (over a period of the next five years or so); or
- land surrounded by incorporated land or other urban land within the County.

discretionary development

A non-agricultural land use that may occur only if a Special Use Permit or Zoning Map Amendment is granted by the County.

discretionary review

The County may authorize certain non-agricultural land uses in unincorporated areas of the County provided that a public review process takes place and provided that the County Board or County Zoning Board of Appeals (ZBA) finds that the development meets specified criteria and approves the development request. This is referred to as the 'discretionary review' process.

The discretionary review process includes review by the County ZBA and/or County Board of a request for a Special Use or a Zoning Map Amendment. For 'discretionary review' requests, a

discretionary review (continued)

public hearing occurs before the County ZBA. Based on careful consideration of County [LRMP] goals, objectives and policies and on specific criteria, the ZBA and/or County Board, at their discretion, may or may not choose to approve the request.

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.

parks and preserves

Public land established for recreation and preservation of the environment or privately owned land that is participating in a conservation or preservation program

pre-settlement environment

When used in reference to outlying Champaign County areas, this phrase refers to the predominant land cover during the early 1800s, when prairie comprised approximately 92.5 percent of land surface; forestland comprised roughly 7 percent; with remaining areas of wetlands and open water. Riparian areas along stream corridors containing 'Forest Soils' and 'Bottomland Soils' are thought to most likely be the areas that were forested during the early 1800s.

public infrastructure

'Public infrastructure' when used in the context of rural areas of the County generally refers to drainage systems, bridges or roads.

public services

'Public services' typically refers to public services in rural areas of the County, such as police protection services provided the County Sheriff office, fire protection principally provided by fire protection districts, and emergency ambulance service.

rural

Rural lands are unincorporated lands that are not expected to be served by any public sanitary sewer system.

site of historic or archeological significance

A site designated by the Illinois Historic Preservation Agency (IHPA) and identified through mapping of high probability areas for the occurrence of archeological resources in accordance with the Illinois State Agency Historic Resources Preservation Act (20 ILCS 3420/3). The County requires Agency Report from the IHPA be submitted for the County's consideration during discretionary review of rezoning and certain special use requests. The Agency Report addresses whether such a site is present and/or nearby and subject to impacts by a proposed development and whether further consultation is necessary.

suited overall

During the discretionary review process, the County Board or County Zoning Board of Appeals may find that a site on which development is proposed is 'suited overall' if the site meets these criteria:

- the site features or site location will not detract from the proposed use;
- the site will not create a risk to the health, safety or property of the occupants, the neighbors or the general public;
- the site is not clearly inadequate in one respect even if it is acceptable in other respects;
- necessary infrastructure is in place or provided by the proposed development; and
- available public services are adequate to support the proposed development effectively and safely.

well-suited overall

During the discretionary review process, the County Board or County Zoning Board of Appeals may find that a site on which development is proposed is 'well-suited overall' if the site meets these criteria:

- the site is one on which the proposed development can be safely and soundly accommodated using simple engineering and common, easily maintained construction methods with no unacceptable negative affects on neighbors or the general public; and
- the site is reasonably well-suited in all respects and has no major defects.

urban development

The construction, extension or establishment of a land use that requires or is best served by a connection to a public sanitary sewer system.

urban land

Land within the County that meets any of the following criteria:

- within municipal corporate limits; or
- unincorporated land that is designated for future urban land use on an adopted municipal comprehensive plan, adopted intergovernmental plan or special area plan and served by or located within the service area of a public sanitary sewer system.

urban land use

Generally, land use that is connected and served by a public sanitary sewer system.

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716-AM-12

**FINDING OF FACT
AND FINAL DETERMINATION
of
Champaign County Zoning Board of Appeals**

Final Determination: {RECOMMEND ENACTMENT / RECOMMEND DENIAL}

Date: May 31, 2012

Petitioners: William & Deborah Klein and Mary Klein

**Request: Amend the Zoning Map to change the zoning district designation from AG-1
Agriculture to I-1 Industrial.**

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FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on May 31, 2012, the Zoning Board of Appeals of Champaign County finds that:

1. The petitioners William & Deborah Klein, 1043 CR 300E, Seymour, and Mary Klein, 333 CR 1100N, Seymour, own the subject property.
2. The subject property is an approximate 4.5 acre tract in the North Half of the Northeast Quarter of the Northeast Quarter of Section 35 of Scott Township and commonly known as the former Syngenta research facility at 495 CR 1300N, Champaign. There are three buildings and one pavilion on the subject property. The subject property does not consist of any land that is used for agricultural production.
3. The subject property is not located within the one and one-half mile extraterritorial jurisdiction of a municipality with zoning, nor does Scott Township have a Plan Commission.
4. Regarding comments by petitioners, when asked on the petition what error in the present Ordinance is to be corrected by the proposed change, the petitioner has indicated:

“The land should be rezoned from AG-1, Agriculture, to I-1, Light Industry, so that it may continue being used by private enterprises for highly specialized research and development purposes - - its existing and highest use. The prior tenant Syngenta, an agribusiness giant, utilized the land for biotechnology and genomic research in the fields of seeds and pesticide development, among others. In doing so Syngenta constructed the existing office and lab spaces housed within three separate buildings, which are reflected and labeled accordingly in the attached Exhibit B. Office Building One, for example, which is the space the proposed new tenant, Autonomic Materials, Inc. (“AMI”), seeks to lease initially, includes not only office and lab space that is ideal for AMI’s use but also a Pathology Lab, Metabolism Lab, Environmental Lab, Computer Lab, as well as air handlers and fume hoods – all of which are very suited for AMI’s research and development purposes. AMI is privately held, early stage (emerging growth) company founded in 2005 by Dr. Scott White, a professor of aerospace engineering at the University of Illinois. Incubated at the U of I’s business incubator, EnterpriseWorks here in Champaign, Illinois, AMI is engaged in the breakthrough research and development of a unique and proprietary (patented) self-healing platform technology for use in high performance coatings and related applications. Stated simply, AMI creates an additive that manufacturers will use to manufacture self-healing paint and coatings; which is extraordinary, and of great significance commercially and otherwise. Champaign should do what it can to retain these types of business as they graduate from the incubator.”

5. Regarding comments by the petitioner when asked on the petition what other circumstances justify the rezoning the petitioner has indicated the following:

“The land for which rezoning is being sought comprises 4.4 acres, and will be used for theoretical and applied research, development and prototype light manufacturing. AMI’s proposed use of the land will allow it to engage in cutting edge research and development, while simultaneously bringing jobs and notoriety to Champaign County. It will do so without having any discernible impact and/or effect upon the existing agricultural use of the neighboring properties. Further, Petitioner owns the surrounding land to the east, west, and south, while the property to the north is separated by a road. Thus, any external costs of the proposed use will be primarily borne by the Petitioner itself.”

GENERALLY REGARDING LAND USE AND ZONING IN THE IMMEDIATE VICINITY

6. Land use and zoning on the subject property and in the vicinity are as follows:
 - A. The subject property is currently zoned AG-1 Agriculture and was formerly used as a research/warehouse facility and agricultural production.
 - B. Land on the north, south, east, and west of the subject property is also zoned AG-1 Agriculture and is in use as follows:
 - (1) Land on the north is in agriculture production.
 - (2) Land on the south is in agricultural production.
 - (3) Land east of the subject property is in agricultural production.
 - (4) Land west of the subject property is in agricultural production.
7. Previous zoning cases in the vicinity are the following:
 - A. There have been no previous zoning cases in the vicinity.
8. Information regarding Autonomic Materials Incorporated (AMI) and its operations can be summarized as follows:
 - (1) AMI has been in operation since 2005 as part of the University of Illinois Business Incubator.
 - (2) AMI assists its customers optimize the performance of self healing additives in various coating, including paint.
 - (3) AMI utilizes one salt fog chamber to speed up the process of corrosion to take coating performance measurement samples and digital imaging samples.
 - (a) Under normal operation a salt fog chamber will drain 10 – 20 gallons of low-salinity salt water per week.
 - (b) The fog vented from the chamber is a small amount.
 - (c) The quantity of materials used in the testing are typically “beaker” sized which amounts to less than one liter per test.

- (4) AMI proposes to lease Building #1 and Building #3 on the subject property. Building #1 has office space and laboratory space. AMI intends to lease the chemical laboratory space in Building #3.
- (5) AMI will have PDC/AREA, a licensed hazardous waste hauler remove hazardous wastes from the subject property. The following quantities of waste are anticipated in the first 12 months of operation:
 - (a) Pump Oil – 5 gallons.
 - (b) Solvents – 20 gallons.
 - (c) Polymers – 25 gallons.
- (6) Currently, AMI has 6 full-time employees and intends to gradually increase the number of full-time employees to 12 in 2015.

GENERALLY REGARDING THE EXISTING AND PROPOSED ZONING DISTRICTS

9. Regarding the existing and proposed zoning districts:
 - A. Regarding the general intent of zoning districts (capitalized words are defined in the Ordinance) as described in Section 5 of the Ordinance:
 - (1) The AG-1, Agriculture DISTRICT is intended to protect the areas of the COUNTY where soil and topographic conditions are best adapted to the pursuit of AGRICULTURAL USES and to prevent the admixture of urban and rural USES which would contribute to the premature termination of AGRICULTURAL pursuits.
 - (2) The I-1, Light Industry DISTRICT is established to provide for storage and manufacturing USES not normally creating a nuisance discernible beyond its PROPERTY lines.
 - B. Regarding the general locations of the existing and proposed zoning districts:
 - (1) The AG-1 District is generally located throughout the county in areas which have not been placed in any other Zoning Districts.
 - (2) The I-1 District is generally located in areas suitable for light industrial and manufacturing purposes and that generally have a connected public sanitary sewer.
 - C. Regarding the different uses that are authorized in the existing and proposed zoning districts by Section 5.2 of the Ordinance:
 - (1) There are 11 types of uses authorized by right in the AG-1 District and there are 84 types of uses authorized by right in the I-1 District:
 - (a) The following 11 uses are authorized by right in the AG-1 District:
 - Single family dwelling;
 - Subdivisions of three lots or less;

- **Agriculture;**
- **Roadside Stand operated by Farm Operator;**
- **Minor Rural Specialty Business;**
- **Plant Nursery;**
- **Township Highway Maintenance Garage;**
- **Christmas Tree Sales Lot;**
- **Off-premises sign within 660 feet of interstate highway;**
- **Off-premises sign along federal highway except interstate highways; and**
- **Temporary Uses**

(b) The following uses are authorized by right in the I-1 District:

- **Subdivisions of three lots or less;**
- **Subdivisions totaling more than three lots or with new streets or private accessways;**
- **Agriculture;**
- **Commercial Greenhouse;**
- **Greenhouse (not exceeding 1,000 square feet);**
- **Plant Nursery;**
- **Municipal or Government Building;**
- **Police Station or Fire Station;**
- **Public park or recreational facility**
- **Parking garage or lot;**
- **Telephone Exchange;**
- **Telegraph Office;**
- **Railway Station;**
- **Motor Bus Station;**
- **Truck Terminal;**
- **Railroad yards and Freight Terminals;**
- **Drycleaning Establishment;**
- **Laundry and/or drycleaning pick-up;**
- **Millinery shop;**
- **Diaper Service Establishment;**
- **Clothing Repair and Storage;**
- **Farm Chemicals and Fertilizer Sales;**
- **Farm Equipment Sales and Service;**
- **Feed and Grain (sales only);**
- **Grain Storage Elevators and Bins;**
- **Artists Studio;**
- **Business Office;**
- **Vocational, Trade or Business School;**
- **Wholesale Produce Terminal;**

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- Bakery (more than 2,500 square feet)
- Major Automobile Repair;
- Minor Automobile Repair;
- Gasoline Service Station;
- Automobile Washing Facility;
- Building Material Sales;
- Fuel Oil, ice, coal, wood (sales only);
- Monument Sales (excludes stone cutting);
- Heating, Ventilating, Air Conditioning sales and service;
- Bait Sales;
- Country club or golf course;
- Country Club Clubhouse;
- Outdoor commercial recreational enterprise;
- Riding Stable;
- Seasonal hunting or fishing lodge;
- Outdoor Theater;
- Commercial Fishing Lake;
- Aviation sales, service or storage;
- Pet Cemetery;
- Kennel;
- Veterinary Hospital;
- Wholesale Business;
- Warehouse;
- Self-storage warehouses (heat and utilities provided);
- Self-storage warehouses (heat and utilities not provided);
- Christmas Tree Sales Lot;
- Off-premises sign;
- Temporary Uses;
- Recycling of non-hazardous materials;
- Contractors Facilities (no outdoor storage of operations);
- Contractors Facilities (with outdoor storage or operations);
- Dairy Products Manufacturing, Processing, and Packaging;
- Wool, cotton, silk and man-made fiber manufacturing;
- Manufacturing and Processing Wearing Apparel and Related Finished Products Manufacturing;
- Miscellaneous Finished Products Manufacturing;
- Electrical and Electronic Machinery, Equipment and Supplies Manufacturing;
- Small Scale Metal Fabricating Shop;
- Engineering, Laboratory, Scientific, and Research Instruments, Manufacturing;

- Mechanical Measuring and Controlling Instruments Manufacturing;
 - Optical Instruments and Menses Manufacturing;
 - Surgical, Medical, Dental, and Mortuary Instruments and Supplies Manufacturing;
 - Photographic Equipment and Supplies Manufacturing;
 - Printing and Publishing Plants for Newspapers, Periodicals, Books, Stationery, and Commercial printing;
 - Bookbinding;
 - Motion Picture Studio;
 - Household and Office Furniture Manufacturing;
 - Building Paper, Paper Containers, and Similar Products Manufacturing;
 - Theoretical and Applied Research Development and Prototype Light Manufacturing;
 - Non-Profit or Governmental Educational and Research Agencies;
 - Jewelry, Costume Jewelry, Novelties, Silverware and Plated Ware Manufacturing;
 - Light Assembly;
 - Musical Instruments and Allied Products Manufacturing;
 - Office and Artists Materials Manufacturing;
 - Signs and Advertising Display Manufacturing
- (2) There are 42 types of uses authorized by Special Use Permit (SUP) in the AG-1 District and 19 types of uses authorized by SUP in the I-1 District:
- (a) The following 42 uses may be authorized by SUP in the AG-1 District:
- Hotel with no more than 15 lodging units;
 - Residential PLANNED UNIT DEVELOPMENT;
 - SUBDIVISION totaling more than three LOTS or with new STREETS or PRIVATE ACCESSWAYS (County Board SUP);
 - Major RURAL SPECIALTY BUSINESS;
 - Artificial lake of 1 or more acres;
 - Mineral extraction, Quarrying, topsoil removal, and allied activities;
 - Elementary School, Junior High School, or High School;
 - Church, Temple or church related Temporary Uses on church Property;
 - Municipal or Government Building;
 - Township Highway Maintenance Garage;
 - Adaptive Reuse of GOVERNMENT BUILDINGS for any USE Permitted by Right;
 - Penal or correctional institution;
 - Police station or fire station;
 - Library, museum or gallery;
 - Public park or recreational facility;

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- Sewage disposal plant or lagoon;
 - Private or commercial transmission and receiving tower (including antennas) over 100 feet in height;
 - Radio or Television Station;
 - Electrical Substation;
 - Telephone Exchange;
 - RESIDENTIAL AIRPORTS;
 - RESTRICTED LANDING AREAS;
 - HELIPORT-RESTRICTED LANDING AREAS;
 - Farm Chemicals and Fertilizer Sales including incidental storage and mixing of blended fertilizer;
 - Livestock Sales Facility and Stockyards;
 - Slaughter Houses;
 - Grain Storage Elevator and Bins;
 - Riding Stable;
 - Commercial Fishing Lake;
 - Cemetery or Crematory;
 - Pet Cemetery;
 - Kennel;
 - Veterinary Hospital;
 - Off-premises sign farther than 660 feet from an interstate highway;
 - Contractors Facilities with no outdoor operations or storage;
 - Contractors Facilities with outdoor operations and/or storage;
 - Small Scale Metal Fabricating Shop;
 - Gas Turbine Peaker;
 - BIG WIND TURBINE TOWER (1-3 turbines);
 - WIND FARM (County Board SUP)
 - Sawmills Planing Mills, and related activities; and
 - Pre-Existing Industrial Uses (existing prior to October 10, 1973)
- (b) The following 19 uses may be authorized by SUP in the I-1 District:
- Artificial lake of 1 or more acres;
 - Adaptive reuse of Government Buildings for any use permitted by right;
 - Private or Commercial transmission and receiving towers over 100' in height;
 - Water Treatment Plant;
 - Radio or Television Station;
 - Electrical Substation;
 - Public Fairgrounds;
 - Airport;
 - Restricted Landing Areas;

- Heliport/Helistops;
- Heliport-Restricted Landing Areas;
- Slaughter Houses;
- Amusement Park;
- Stadium or Coliseum;
- Gas Turbine Peaker;
- BIG WIND TURBINE TOWER (1-3 turbines);
- Gasoline and Volatile Oils Storage up to and including 80,000 gallons;
- Gasoline and Volatile Oils Storage of greater than 80,000 gallons but no more than 175,000 gallons;
- Liquefied Petroleum Gases Storage;

GENERALLY REGARDING THE LRMP GOALS, OBJECTIVES, AND POLICIES

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

A. The Purpose Statement of the LRMP Goals, Objectives, and Policies is as follows:

“It is the purpose of this plan to encourage municipalities and the County to protect the land, air, water, natural resources and environment of the County and to encourage the use of such resources in a manner which is socially and economically desirable. The Goals, Objectives and Policies necessary to achieve this purpose are as follows:”

B. The LRMP defines Goals, Objectives, and Policies as follows:

- (1) Goal: an ideal future condition to which the community aspires
- (2) Objective: a tangible, measurable outcome leading to the achievement of a goal
- (3) Policy: a statement of actions or requirements judged to be necessary to achieve goals and objectives

C. The Background given with the LRMP Goals, Objectives, and Policies further states, “Three documents, the *County Land Use Goals and Policies* adopted in 1977, and two sets of *Land Use Regulatory Policies*, dated 2001 and 2005, were built upon, updated, and consolidated into the LRMP Goals, Objectives and Policies.”

REGARDING LRMP GOALS & POLICIES

11. LRMP Goal 1 is entitled “Planning and Public Involvement” and states that as follows:

Champaign County will attain a system of land resource management planning built on broad public involvement that supports effective decision making by the County.

Goal 1 is always relevant to the review of the LRMP Goals, Objectives, and Policies in land use decisions but is otherwise ***NOT RELEVANT*** to the proposed rezoning.

(Note: bold italics typeface indicates staff’s recommendation to the ZBA)

12. LRMP Goal 2 is entitled “Governmental Coordination” and states as follows:

Champaign County will collaboratively formulate land resource and development policy with other units of government in areas of overlapping land use planning jurisdiction.

Goal 2 has two objectives and three policies. The proposed amendment is ***NOT RELEVANT*** to Goal 2.

13. LRMP Goal 3 is entitled “Prosperity” and states as follows:

Champaign County will encourage economic growth and development to ensure prosperity for its residents and the region.

Goal 3 has three objectives and no policies. The proposed amendment is ***PARTIALLY ACHIEVES*** Goal 3 for the following reason:

- A. The three objectives are as follows:

- (1) Objective 3.1 is entitled “Business Climate” and states, Champaign County will seek to ensure that it maintains comparable tax rates and fees, and a favorable business climate relative to similar counties.
- (2) Objective 3.2 is entitled “Efficient County Administration” and states, “Champaign County will ensure that its regulations are administered efficiently and do not impose undue costs or delays on persons seeking permits or other approvals.”
- (3) Objective 3.3 is entitled “County Economic Development Policy” and states, “Champaign County will maintain an updated Champaign County Economic Development Policy that is coordinated with and supportive of the LRPM.”

- B. Although the proposed rezoning is ***NOT DIRECTLY RELEVANT*** to any of these objectives, the proposed rezoning will allow Autonomic Materials Incorporated (AMI) to utilize the existing buildings on the subject property and to continue business operations in Champaign County and therefore the proposed rezoning can be said to ***PARTIALLY ACHIEVE*** the Goal.

14. LRMP Goal 4 is entitled “Agriculture” and states as follows:

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

The existing buildings would not generally be expected under typical “rural” development and are representative of what is generally considered to be urban development. I-1 Light Industry is also generally considered to be an urban zoning district requiring a connected public sanitary sewer system. However, the existing buildings are served by a septic system and were originally constructed to support agriculture and the proposed rezoning should be reviewed for compliance with Goal 4.

Goal 4 has 9 objectives and 22 policies. The proposed amendment is *ACHIEVES* Goal 4 for the following reasons:

- A. Objective 4.1 is entitled “Agricultural Land Fragmentation and Conservation” and states, “Champaign County will strive to minimize the fragmentation of the County’s agricultural land base and conserve farmland, generally applying more stringent development standards on best prime farmland.”

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

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

The proposed rezoning *ACHIEVES* Policy 4.1.1 because the subject property was in agricultural production until it was taken out of production and developed for biotechnology and genomic research for seed and pesticide research in support of agriculture in the 1990’s before the current ownership.

- (3) Policy 4.1.3 does not appear to be relevant to any specific rezoning.
- (4) Policy 4.1.6 states, “**Provided that the use, design, site and location are consistent with County policies regarding:**
 - i. **Suitability of the site for the proposed use;**
 - ii. **Adequacy of infrastructure and public services for the proposed use;**
 - iii. **Minimizing conflict with agriculture;**
 - iv. **Minimizing the conversion of farmland; and**
 - v. **Minimizing the disturbance of natural areas; then**
 - a) **On best prime farmland, the County may authorize discretionary residential development subject to a limit on total acres converted**

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which is generally proportionate to tract size and is based on the January 1, 1998 configuration of tracts, with the total amount of acreage converted to residential use (inclusive of by-right development) not to exceed three acres plus three acres per each 40 acres (including any existing right-of-way), but not to exceed 12 acres in total; or

- b) **On best prime farmland, the County may authorize non-residential discretionary development; or**
- c) **The County may authorize discretionary review development on tracts consisting of other than best prime farmland.”**

The proposed rezoning *ACHIEVES* Policy 4.1.6 for the following reasons:

- (a) The soil on the subject property is the best of best prime farmland and consists of Flanagan silt loam and Drummer silty clay and would have an average LE of approximately 99.
 - (b) The subject property was in agricultural production until it was taken out of production and developed for biotechnology and genomic research for seed and pesticide research in support of agriculture in the 1990’s before the current ownership.
 - (c) As reviewed in the remainder of this Finding of Fact the proposed rezoning will not remove any additional best prime farmland from production and no expansion will be authorized but the proposed rezoning will allow the vacant buildings to be put to productive use.
- (4) Policy 4.1.7 states, **“To minimize the conversion of *best prime farmland*, the County will require a maximum lot size limit on new lots established as *by right development on best prime farmland.*”**

The proposed rezoning *{IS CONSISTENT / IS NOT CONSISTENT}* with Policy 4.1.7 for the following reasons:

- (a) The amount of land proposed for zoning is the minimum feasible amount of land to allow for productive use of the vacant buildings and does not consist of any area used for agricultural production. The approximate 4.5 acres consists of the existing buildings, parking areas, and fencing. The proposed area to be rezoned also allows the existing structures to exceed minimum yard and setback requirements of the I-1 Light Industry Zoning District.
- (b) The proposed rezoning removes the land from the AG-1 District and the maximum lot size does not apply, but that does not change the fact that the amount of land being rezoning is the minimum feasible amount.

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

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

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

The proposed rezoning *ACHIEVES* Policy 4.2.1 for the following reason:

- (a) The proposed use will not support agriculture and it is unlikely that any subsequent use will either, but it can operate from this rural location and can make very productive use of the vacant buildings which were originally developed to support agriculture.
- (2) **Policy 4.2.2 states, “The County may authorize *discretionary review* development in a rural area if the proposed development:**
- a. is a type that does not negatively affect agricultural activities; or**
 - b. is located and designed to minimize exposure to any negative affect caused by agricultural activities; and**
 - c. will not interfere with agricultural activities or damage or negatively affect the operation of agricultural drainage systems, *rural* roads, or other agriculture-related infrastructure.”**

The proposed rezoning *ACHIEVES* Policy 4.2.2 for the following reasons:

- (a) The special conditions ensure that any proposed use will take place indoors and will not be negatively affected by agricultural activities.
- (b) The buildings are sited on land that is not in crop production and will not interfere with agricultural activities.
- (c) The traffic generated by the proposed use or any future use will not be related to agriculture but the volume of traffic will be similar to the previous use and limited because no expansion would be allowed under the proposed condition.
- (3) **Policy 4.2.3 states, “The County will require that each proposed *discretionary development* explicitly recognize and provide for the right of agricultural activities to continue on adjacent land.”**

The proposed rezoning *ACHIEVES* Policy 4.2.3 for the following reasons:

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- (a) The Petitioner's understand that this is a rural area where agricultural activities take place.
- (b) A special condition has been proposed to ensure that any subsequent owner recognize the rights of agricultural activities.
- (4) **Policy 4.2.4 states, "To reduce the occurrence of agricultural land use and non-agricultural land use nuisance conflicts, the County will require that all discretionary review consider whether a buffer between existing agricultural operations and the proposed development is necessary."**

The proposed rezoning *ACHIEVES* Policy 4.2.4 for the following reason:

- (a) The special conditions will ensure that any use will be all indoors and even though it will be surrounded by agricultural activities it will not warrant a buffer between the existing buildings and adjacent agricultural activities.
- C. Objective 4.3 is entitled "Site Suitability for Discretionary Review Development" and states, "Champaign County will require that each discretionary review development is located on a suitable site."

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

- (1) **Policy 4.3.2 states, "On best prime farmland, the County may authorize a discretionary review development provided the site with proposed improvements is well-suited overall for the proposed land use.**

The proposed rezoning *ACHIEVES* Policy 4.3.2 for the following reasons:

- (a) The land is best prime farmland and consists of Drummer silty clay soil that has a Land Evaluation score of 98 and Flanagan silt loam that has a Land Evaluation Score of 100 and the average Land Evaluation score is approximately 99.
 - (b) The subject property fronts and has access to CR 1300N.
 - (c) The subject property is not served by sanitary sewer.
 - (e) The subject property has already been converted out of agricultural production and contains existing buildings well-suited to the purposes of Autonomic Materials business operations, making the subject property well-suited overall.
- (2) **Policy 4.3.3 states, "The County may authorize a discretionary review development provided that existing public services are adequate to support to the proposed development effectively and safely without undue public expense."**

The proposed rezoning *ACHIEVES* Policy 4.3.3 for the following reason:

- (a) The subject property is located approximately 2 miles from the Bondville Fire Protection District Station. The fire protection district was notified of the case and no comments were received.
 - (b) Because of the special conditions any subsequent use will not have any greater need for fire protection services than the previous use by Syngenta.
- (3) **Policy 4.3.4 states, “The County may authorize a discretionary review development provided that existing public infrastructure, together with proposed improvements, is adequate to support the proposed development effectively and safely without undue public expense.”**

The proposed rezoning *ACHIEVES* Policy 4.3.4 for the following reason:

- (a) The subject property has access to CR 1300N and CR 500E is approximately one-quarter of a mile from the subject property.
 - (b) Because of the special conditions, the traffic generated by any subsequent use will be similar to the previous use by Syngenta and limited because no expansion will be allowed under the proposed condition.
- (4) **Policy 4.3.5 states, “On best prime farmland, the County will authorize a business or other non-residential use only if:**
- a. **It also serves surrounding agricultural uses or an important public need; and cannot be located in an urban area or on a less productive site; or**
 - b. **the use is otherwise appropriate in a rural area and the site is very well suited to it.”**

The proposed rezoning *ACHIEVES* Policy 4.3.5 for the following reasons:

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

15. LRMP Goal 5 is entitled “Urban Land Use” and states as follows:

Champaign County will encourage urban development that is compact and contiguous to existing cities, villages, and existing unincorporated settlements.

The existing buildings would not generally be expected under typical “rural” development and are representative of what is generally considered to be urban development. I-1 Light Industry is also generally considered to be an urban zoning district requiring a connected public sanitary sewer system. For these reasons the proposed rezoning has been reviewed for compliance with Goal 5.

Goal 5 has 3 objectives and 15 policies. The proposed amendment is *ACHIEVES* Goal 5 for the following reasons:

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

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

- (1) Policy 5.1.1 states, "The County will encourage new urban development to occur within the boundaries of incorporated municipalities."

The proposed rezoning *ACHIEVES* Policy 5.1.1 for the following reasons:

- (a) The Appendix to Volume 2 of the LRMP defines "urban development" as the construction, extension, or establishment of a land use that requires or is best served by a connection to a public sanitary sewer system and "urban land use" as generally, land use that is connected and served by a public sanitary sewer system.
- (b) The subject property is not served by sanitary sewer and is assumed to have an adequate septic system and was originally developed to support agriculture.
- (2) Policy 5.1.5 states, "The County will encourage urban development to explicitly recognize and provide for the right of agricultural activities to continue on adjacent land."

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

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

The proposed rezoning *ACHIEVES* Policy 5.1.6 based on the discussion of Policy 4.2.4.

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

The proposed amendment *ACHIEVES* Objective 5.2 for the following reason:

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

The proposed rezoning *ACHIEVES* Policy 5.2.1 for the following reasons:

- (a) The proposed use is not urban development based on the discussion of Policy 5.1.1.
 - (b) The subject property was originally developed to support agriculture and needed to be in a rural location.
 - (c) The proposed use is well-suited for the subject property and will put the vacant buildings to productive use and the special conditions should ensure that any subsequent use complies with LRMP policies and the Zoning Ordinance.
- (2) Policy 5.2.2 states, “The County will:
- a. ensure that urban development proposed on best prime farmland is efficiently designed in order to avoid unnecessary conversion of such farmland; and
 - b. encourage, when possible, other jurisdictions to ensure that urban development proposed on best prime farmland is efficiently designed in order to avoid unnecessary conversion of such farmland.”

The proposed rezoning *ACHIEVES* Policy 5.2.2 for the following reasons:

- (a) The existing buildings on the subject property were constructed for a business that supported agriculture but no longer occupies the subject property.
 - (b) The subject property is not proposed to be increased in size and no additional best prime farmland is proposed to be taken out of production and a special condition will prohibit any expansion.
- (3) Policy 5.2.3 states, “The County will:
- a. require that proposed new urban development results in no more than minimal disturbance to areas with significant natural environmental quality; and
 - b. encourage, when possible, other jurisdictions to require that proposed new urban development results in no more than minimal disturbance to areas with significant natural environmental quality.”

The proposed rezoning *ACHIEVES* Policy 5.2.3 because there are no areas with significant natural environmental quality on the subject property.

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

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

- (1) Policy 5.3.1 states, “The County will:
 - a. require that proposed new urban development in unincorporated areas is sufficiently served by available public services and without undue public expense; and
 - b. encourage, when possible, other jurisdictions to require that proposed new urban development is sufficiently served by available public services and without undue public expense.”

The proposed rezoning *ACHIEVES* Policy 5.3.1 for the following reasons:

- (a) The only public service provided other than law enforcement is fire protection.
 - (b) The subject property is located approximately 2 miles from the Bondville Fire Protection District Station. The fire protection district was notified of the case and no comments were received.
 - (c) The proposed rezoning will not have any greater need for fire protection services than the previous use.
- (2) Policy 5.3.2 states, “The County will:
 - a. require that proposed new urban development, with proposed improvements, will be adequately served by public infrastructure, and that related needed improvements to public infrastructure are made without undue public expense; and
 - b. encourage, when possible, other jurisdictions to require that proposed new urban development, with proposed improvements, will be adequately served by public infrastructure, and that related needed improvements to public infrastructure are made without undue public expense.”

The proposed rezoning *ACHIEVES* Policy 5.3.2 because the only public infrastructure serving the subject property is CR 1300N and CR 500E which are township roads and the low traffic generated by the proposed use will not increase traffic on the road network.

16. LRMP Goal 6 is entitled “Public Health and Safety” and states as follows:

Champaign County will ensure protection of the public health and public safety in land resource management decisions.

Goal 6 has 4 objectives and 7 policies. The proposed amendment *ACHIEVES* Goal 6 for the following reasons:

- A. Objective 6.1 is entitled “Protect Public Health and Safety” and states, “Champaign County will seek to ensure that development in unincorporated areas of the County does not endanger public health or safety.”

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

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

The proposed rezoning *ACHIEVES* Policy 6.1.2 for the following reasons:

- (a) The proposed use is not of a type to require processing of large amounts of wastewater as reviewed in Item 8.
- (b) The proposed use is similar in nature to the previous use of the subject property.
- (c) The special conditions prohibit any expansion of the buildings or outdoor activity areas, which should prevent any problems.

17. LRMP Goal 7 is entitled “Transportation” and states as follows:

Champaign County will coordinate land use decisions in the unincorporated area with the existing and planned transportation infrastructure and services.

Goal 7 has 2 objectives and 7 policies. The proposed amendment is *ACHIEVES* Goal 7 for the following reason:

- A. Objective 7.1 is entitled “Traffic Impact Analysis” and states, “Champaign County will consider traffic impact in all land use decisions and coordinate efforts with other agencies when warranted.”

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

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

The proposed rezoning *ACHIEVES* Policy 7.1.1 for the following reasons:

- (a) Both CR 1300N and CR 500E are township roads with an oil and chip surface.
- (b) The proposed use currently has only 6 employees and could have up to 12 by the year 2015. This number of employees is similar to the number of employees from the previous use of the subject property and there will be no increase in traffic.

18. LRMP Goal 8 is entitled “Natural Resources” and states as follows:

Champaign County will strive to conserve and enhance the County’s landscape and natural resources and ensure their sustainable use.

Goal 8 has 9 objectives and 36 policies. Objectives 8.3, 8.4, 8.5, 8.6, 8.7, 8.8, and 8.9 are **NOT RELEVANT** to the propose amendment. The proposed amendment **ACHIEVES** Goal 8 because of the following:

- A. Objective 8.1 states, "Champaign County will strive to ensure adequate and safe supplies of groundwater at reasonable cost for both human and ecological purposes."

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

- (1) Policy 8.1.1 states, "The County will not approve discretionary development using on-site water wells unless it can be reasonably assured that an adequate supply of water for the proposed use is available without impairing the supply to any existing well user."

The proposed rezoning **ACHIEVES** Policy 8.1.1 for the following reasons:

- (a) The subject property is not located in the area of limited groundwater availability.
- (b) The proposed use does not use a large amount of water and the special conditions prohibit any expansion.
- (2) Policy 8.1.8 states, "The County will protect community well heads, distinct aquifer recharge areas and other critical areas from potential sources of groundwater pollution."

The proposed rezoning **ACHIEVES** Policy 8.1.8 for the following reason:

- (a) There are no community well heads, distinct aquifer recharge areas, or other critical areas in the vicinity of the subject property.
- (3) Policies 8.1.2, 8.1.3, 8.1.4, 8.1.5, 8.1.6, 8.1.7, and 8.1.9 are **NOT RELEVANT**.

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

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

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

The proposed rezoning **ACHIEVES** Policy 8.2.1 for the following reasons:

- (a) The subject property has not been in agricultural production since it was converted to a research facility in support of agriculture.
- (b) The special conditions prohibit any expansion.

19. LRMP Goal 9 is entitled “Energy Conservation” and states as follows:

Champaign County will encourage energy conservation, efficiency, and the use of renewable energy sources.

The proposed amendment is *NOT RELEVANT* to Goal 9 because the proposed amendment does not address energy efficiency or the use of renewable energy sources.

20. LRMP Goal 10 is entitled “Cultural Amenities” and states as follows:

Champaign County will promote the development and preservation of cultural amenities that contribute to a high quality of life for its citizens.

Goal 10 is *NOT RELEVANT* to the proposed amendment.

GENERALLY REGARDING THE LaSalle Factors

21. In the case of *LaSalle National Bank of Chicago v. County of Cook* the Illinois Supreme Court reviewed previous cases and identified six factors that should be considered in determining the validity of any proposed rezoning. Those six factors are referred to as the *LaSalle* factors. Two other factors were added in later years from the case of *Sinclair Pipe Line Co. v. Village of Richton Park*. The *Champaign County Zoning Ordinance* does not require that map amendment cases be explicitly reviewed using all of the *LaSalle* factors but it is a reasonable consideration in controversial map amendments and any time that conditional zoning is anticipated. The proposed map amendment compares to the *LaSalle* and *Sinclair* factors as follows:

A. **LaSalle factor: The existing uses and zoning of nearby property.**

Table 1 below summarizes the land uses and zoning of the subject property and properties nearby.

Table 1: Land Use and Zoning Summary

Direction	Land Use	Zoning
Onsite	Research/Warehouse Facility	AG-1 Agriculture
	Agriculture	
North	Agriculture	AG-1 Agriculture
East	Agriculture	AG-1 Agriculture
West	Agriculture	AG-1 Agriculture

B. **LaSalle factor: The extent to which property values are diminished by the particular zoning restrictions.**

- (1) It is impossible to establish values without a formal real estate appraisal which has not been requested nor provided and so any discussion of values is necessarily general.
 - (2) In regards to the value of nearby residential properties, it is not clear if the requested map amendment would have any effect.
 - (3) In regards to the value of the subject property the requested map amendment will allow productive use of the buildings.
 - (4) This area is primarily an agricultural area and the subject property is the former site of a Syngenta Research Facility.
- C. **LaSalle factor: The extent to which the destruction of property values of the plaintiff promotes the health, safety, morals, and general welfare of the public.**
There has been no evidence submitted regarding property values. The proposed rezoning should not have a negative effect on the public health, safety, and welfare.
- D. **LaSalle factor: The relative gain to the public as compared to the hardship imposed on the individual property owner.**
The gain to the public of the proposed rezoning is positive because the proposed amendment would allow the Petitioner's to lease existing vacant space to Autonomic Materials which is a local start-up business.
- E. **LaSalle factor: The suitability of the subject property for the zoned purposes.**
The subject property is suitable for the zoned purposes. The subject property cannot be converted back to agricultural production and there are buildings occupying the subject property that are suitable for light industrial uses and the special conditions prohibit any expansion.
- F. **LaSalle factor: The length of time the property has been vacant as zoned considered in the context of land development in the vicinity of the subject property.**
The AG-1 District was planned in 1973 and thus was intended to protect areas of the County where soil and topographic conditions are best adapted to the pursuit of agricultural uses. Currently, there are three buildings on the subject property. These buildings were built by Syngenta for a research facility in the 1990s and are currently vacant.
- G. **Sinclair factor: The need and demand for the use.**
The prospective tenant, Autonomic Materials, has outgrown its current location and needs space to accommodate its business operations. Autonomic Materials is well suited for the subject property because equipment and facilities necessary for their business activities are available on the subject property.
- H. **Sinclair factor: The extent to which the use conforms to the municipality's comprehensive planning.**

The proposed use generally conforms to goals and policies of the Champaign County Land Resource Management Plan. The special conditions should ensure that the proposed rezoning also conforms to the LRMP.

REGARDING SPECIAL CONDITIONS OF APPROVAL

22. Proposed Special Conditions of Approval:

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

The above special condition is necessary to ensure the following:

Conformance with policies 4.2.3 and 5.1.5.

- B. Any non-agricultural use of the subject property shall be limited to reuse of the existing buildings and existing outdoor parking area and no expansion of either building area or expansion of outdoor uses shall be authorized.**

The above special condition is necessary to ensure the following:

That the use of the subject property does not become intensively utilized by non-agricultural uses.

- C. No self-storage warehouse (either with or without heat and utilities to individual units) shall be authorized on the subject property.**

The above special condition is necessary to ensure the following:

Public safety.

- D. A Special Use Permit shall be required to authorize the establishment of a second principal use on the subject property that does not meet the Zoning Ordinance definition of "agriculture".**

The above special condition is necessary to ensure the following:

That the use of the subject property remains in conformance with the Zoning Ordinance.

DOCUMENTS OF RECORD

1. Petition for Zoning Map Amendment signed by Alan Singleton (Attorney) received on May 3, 2012 with attachments:
 - A Plat of Survey
 - B Site Plan
 - C Aerial Photo
 - D Building Layouts
 - E List of adjacent property owners

2. Champaign County Land Resource Management Plan (LRMP) Goals, Objectives, and Policies

3. Preliminary Memorandum dated May 25, 2012 with attachments:
 - A Case Maps (Location, Land Use, Zoning)
 - B Plat of Survey
 - C Site Plan
 - D Building #1 Layout
 - E Building #2 Layout
 - F Building #3 Layout
 - G LRMP Land Use Goals, Objectives, and Policies
 - H Site Visit Photos
 - I Draft Finding of Fact and Final Determination

SUMMARY FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **May 31, 2012**, the Zoning Board of Appeals of Champaign County finds that:

1. The proposed Zoning Ordinance map amendment **WILL HELP ACHIEVE** the Land Resource Management Plan because:
 - A. The proposed Zoning Ordinance map amendment **WILL HELP ACHIEVE** the following LRMP goals:
 - 3, 4*, 5, 6, 7, and 8

*Achievement of Goal 4 depends upon the Board's determination regarding consistency with Policy 4.1.7. (see page 12)
 - B. The proposed Zoning Ordinance map amendment **WILL NOT IMPEDE** the achievement of the other LRMP goals:
 - 1, 2, 9, and 10
2. The proposed Zoning Ordinance map amendment **IS** consistent with the *LaSalle* and *Sinclair* factors.

FINAL DETERMINATION

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

The Zoning Ordinance Amendment requested in **Case 716-AM-12** should **{BE ENACTED / NOT BE ENACTED}** by the County Board in the form attached hereto.

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

SIGNED:

Eric Thorsland, Chair
Champaign County Zoning Board of Appeals

ATTEST:

Secretary to the Zoning Board of Appeals

Date



Date: May 29, 2012
 To: ELUC/Committee of the Whole Members
 From: Susan Chavarria, Regional Planning Manager
 Regarding: Status Update for FY 2012 County Planning Contract
 Action Requested: None - for information only

Champaign County has an annually renewed contract with Champaign County Regional Planning Commission for planning and technical services. In anticipation of requesting renewal for next year's contract, CCRPC staff provides the following status report for the current FY12 contract. As can be seen in the table, we are approximately 40% complete with the work plan as of May 12th.

Task	Hours			
	Allocated	Used	Remaining	% Complete
LRMP Implementation	810	432	378	53%
County Sustainability Initiative	100	0	100	0%
Recycling Events Coordination	150	75.5	74.5	50%
Planning Services Requests	190	0	190	0%
Administration	60	13	47	22%
Total	1310	520.5	789.5	40%

Status of LRMP Implementation tasks can be found on the following page. Of the 18 items in the 2012 work plan, 13 have been initiated and six are complete.

There are two items from last year's work plan which were rolled over into the current work plan. Item 2011-9 was the LESA update, which surpassed our estimates due to extended time in committee; this item is now complete but required 85 hours out of this year's work plan. Item 2011-18 is an ordinance amendment regarding compliance with the Office of State Fire Marshal life safety regulations. This item is approximately 25% complete.

One item from the current work plan, 2012-18, also surpassed our estimates due to time spent in committee. Between the rollover items and the extra 80 hours spent on 2012-18, there are 245 hours of tasks in the current work plan that will need to be postponed until another year's work plan. RPC staff, in coordination with county staff, recommends the following items be postponed (these are highlighted in the table on the next two pages).

- 2011-18 Policy 6.2.1 state fire marshal regulations; from 2011 work plan
- 2012-02 Pursue funding for LRMP Implementation; reduce by 10 hours to 65 hours
- 2012-07 Policy 5.1.8b intergovernmental agreement; 40 hours
- 2012-12 Policies 8.6.3/8.6.4 protection areas for wildlife; 80 hours
- 2012-13 Policy 8.1.9; Identify water contamination and follow up with Board; 40 hours
- 2012-15 Policy 6.2.2 state fire marshal regulations; remaining 35 hours
- 2012-16 Policy 6.2.3 state fire marshal regulations; 40 hours

LRMP Work Plan Status as of May 12, 2012

No.	LRMP Work Plan Task	Hours Allocated	Hours Used	Status
2011-9	Priority Item 4.5b - Prepare changes to the Site Assessment portion of LESA and submit changes for public review and approval by ELUC and County Board.	85	85	complete
2011-18	<i>Amend Champaign County Zoning Ordinance to include provisions of Policy 6.2.1 - The County will require public assembly, dependent population, and multifamily premises built, significantly renovated, or established after 2010 to comply with the Office of State Fire Marshal life safety regulations or equivalent.</i>	80	20	25% complete
2012-01	Update Champaign County webpage to achieve provisions of Objective 9.4: Champaign County will promote efficient resource use and re-use and recycling of potentially recyclable materials.	5	5	complete
2012-02	Monitor and pursue potential funding opportunities to achieve provisions of GOPs.	75	25.5	34% complete
2012-03	Priority Item 7.2.4b - Participate in the Greenways and Trails Committees that are coordinated by CCRPC.	10	10	complete
2012-04	Priority Item 1.3.1 - Based on the annually prepared report of trends and new developments (refer to Priority Item 1.2.1), provide a recommendation to ELUC regarding minor LRMP map changes each year. Provide public notice of LRMP changes and invite public input regarding proposed changes.	30	30	complete
2012-05	Priority Item 2.1.1 - Review municipal limits and contiguous urban growth area boundaries with municipal representatives on a regular basis in order to update LRMP Future Land Use Map and Land Management Area Map boundaries. Complete review and revisions to LRMP maps in time for preparation of the annual report to be provided to the County Board each January.	30	30	complete
2012-06	Priority Item 7.2.2a - Establish a protocol for how the county can make contacts with rail companies if they have concerns.	20	20	complete
2012-07	Priority Item 5.1.8b - Assess and report to ELUC the feasibility of developing an intergovernmental agreement with each municipality that has adopted a municipal comprehensive land use plan that includes Policy 5.1.8: <i>The County will support legislative initiatives or intergovernmental agreements which specify that property subject to annexation agreements will continue to be under the ordinances, control, and jurisdiction of the County until such time that the property is actually annexed, except that within 1-1/2 miles of the corporate limit of a municipality with an adopted comprehensive land use plan, the subdivision ordinance of the municipality shall apply.</i>	40	0	not started
2012-08	Amend Champaign County Zoning Ordinance to include provisions of Policy 4.2.2 – <i>The County may authorize discretionary review development in a rural area if the proposed development: a. is a type that does not negatively affect agricultural activities; or b. is located and designed to minimize exposure to any negative affect caused by agricultural activities; and c. will not interfere with agricultural activities or damage or negatively affect the operation of agricultural drainage systems, rural roads, or other agriculture-related infrastructure.</i>	100	7	7% complete
2012-09	Amend Champaign County Zoning Ordinance to include provisions of Policy 4.2.3 – <i>The County will require that each proposed discretionary development explicitly recognize and provide for the right of agricultural activities to continue on adjacent land.</i>			
2012-10	Amend Champaign County Zoning Ordinance to include provisions of Policy 4.2.4 - <i>To reduce the occurrence of agricultural land use and non-agricultural land use nuisance conflicts, the County will require that all discretionary review consider whether a buffer between existing agricultural operations and the proposed development is necessary.</i>			
2012-11	Amend Champaign County Zoning Ordinance to include provisions of Policy 4.3.5 - <i>On best prime farmland, the County will authorize a business or other non-residential use only if: a. it also serves surrounding agricultural uses or an important public need; and cannot be located in an urban area or on a less productive site; or b. the use is otherwise appropriate in a rural area and the site is very well suited to it.</i>			

2012-12	Amend Champaign County Zoning Ordinance to include provisions of GOPs for Policy 8.6.3 and 8.6.4. Policy 8.6.3 - For discretionary development, the County will use the Illinois Natural Areas Inventory and other scientific sources of information to identify priority areas for protection or which offer the potential for restoration, preservation, or enhancement. Policy 8.6.4 - The County will require implementation of IDNR recommendations for discretionary development sites that contain endangered or threatened species, and will seek to ensure that recommended management practices are maintained on such sites.	80	0	not started
2012-13	Priority Item 8.1.9 - Monitor IEPA annual reports and available data from IEPA and the MAC to identify contaminated land or groundwater areas requiring remediation in Champaign County. Submit proposal regarding Champaign County action or response for ELUC review and County Board adoption.	40	0	not started
2012-14	Priority Item 8.4.5a - Begin required revisions to Phase II National Pollutant Discharge Elimination System (NPDES) Storm Water Management Program.	200	34.5	17% complete
2012-15	Priority Item 6.2.2 - Amend County Liquor Ordinance to reflect Policy 6.2.2: The County will require CC Liquor Licensee premises to comply with the Office of State Fire Marshal life safety regulations or equivalent by 2015.	40	5	13% complete
2012-16	Priority Item 6.2.3 - Amend County Recreation and Entertainment Ordinance to reflect Policy 6.2.3: The County will require Champaign County Recreation and Entertainment Licensee premises to comply with the Office of State Fire Marshal life safety regulations or equivalent by 2015.	40	0	not started
2012-17	Priority Item 8.1.2b - Submit proposal to ELUC, Champaign County Finance Committee and County Board to review Champaign County capability to contribute funds to MAC to implement a regional water supply plan.	20	0	not started
2012-18	Amend the LRMP's definition of Best Prime Farmland, and related content of the County Zoning Ordinance and Subdivision Regulations, to be consistent with the update to the County LESA system at such time that it is adopted.	80	160	complete
		810	432	53%



Date: May 29, 2012
To: ELUC/Committee of the Whole Members
From: Susan Chavarria, Regional Planning Manager
Regarding: Proposed FY13 County Planning Contract Work Plan
Action Requested: None - for information only

Background

Champaign County has an annually renewed contract with Champaign County Regional Planning Commission for planning and technical services. The proposed contract amount for FY13, \$71,922, includes a 2% increase provisionally approved by Deb Busey.

Attachment A is the proposed FY13 General Work Plan. It includes 1,350 hours and focuses on implementing the LRMP, recycling coordination, and general planning services requests.

Attachment B contains the proposed LRMP Implementation Work Plan. The proposed work plan was completed in coordination with John Hall, Zoning Director. As per the request of County Board members, cost and time estimates are provided for each proposed task. It should be noted that estimates do not necessarily include sufficient time for County Board discussion and approval processes and are our best estimate at staff time for completing these tasks.

Attachment C is not part of the proposed contract. It contains items from the adopted LRMP that should be implemented within the first three years or as time and resources allow. These items can replace any item in the LRMP work plan the Board wishes to remove. Estimates are included.

Next Steps

CCRPC staff would appreciate your input and finalization of the county planning contract work plan, including the LRMP implementation work tasks that will take us through November 2013. We will return in August to request approval of the work plan once your input has been received.



COUNTY PLANNING CONTRACT FOR FY13 – PROPOSED
 December 1, 2012 through November 30, 2013

	Hours	Cost
LRMP Implementation		
Working with the County Board and staff, priority implementation items will be identified that CCRPC planners can implement given available time and resources.		
<i>Items 1 – 10 in Attachment B</i>	485	\$25,094
<i>Items 11 – 12 in Attachment B: continuing building code Research; part 1 was feasibility study completed earlier this year, part 2 is Needs Analysis (Attachment B Item 11), part 3 is Benefit-Cost Analysis (Attachment B Item 12)</i>	450	\$23,283
Recycling Events Coordination		
Countywide recycling collection initiatives in coordination with local entities have been spearheaded through the County contract for the last couple of years. Current challenges include seeking means to accommodate the ongoing need for household hazardous waste collections.		
<i>Typical activities: Recycling events coordination, research on possible other recycling types and events</i>		
	150	\$7,761
General Planning Services Requests		
County Board and/or County departments may solicit research for funding sources, grant writing assistance, data analyses, and reports on topics of common interest to the Board or county administration.		
<i>Typical activities: 2007 Hazard Mitigation Plan grant application, searching for county facilities improvement funding, residential TIF research</i>		
	245	\$12,676
Administration (budgeting, work plan, project management)		
	20	\$1,300
Non-staff expenses (Supplies, Services, Capital Outlay)		
<i>Typical expenses: printing finished documents, purchasing research materials, office supplies, yearly subscriptions/memberships, etc.</i>		
		\$1,808
TOTAL	1,350	\$71,922

Recommended LRMP work plan items for FY13 - PROPOSED

Overview

The following table provides an overview of the proposed FY13 LRMP implementation work plan. More specific information on the implementation items is available on subsequent pages.

Work Plan ID	LRMP Objective/Priority Item	Hours	Cost
1	Update website for recycling events/information	10	\$517.40
2	Seek funding to implement GOPs	50	\$2,587.00
3	Participate in Greenways and Trails Committees	10	\$517.40
4	LRMP map changes recommendations	30	\$1,552.20
5	Review municipal service boundaries for map changes	30	\$1,552.20
6	NPDES required annual reporting	40	\$2,069.60
7	Intergovernmental annexation agreement feasibility	40	\$2,069.60
8	Amend Zoning Ordinance based on Policies 8.6.3 and 8.6.4	160	\$8,278.40
9	Identify water contamination and follow up as directed by CB	40	\$2,069.60
10	Finalize public approval process for NPDES	75	\$3,880.50
11	Building Code Needs Analysis	225	\$11,641.50
12	Building Code Benefit Cost Analysis and recommendations	225	\$11,641.50
Total		935	\$48,379.90

Yearly reports/updates – *These are items which are included in each year's work plan for implementing LRMP.*

1. Update Champaign County webpage to achieve provisions of Objective 9.4: *Champaign County will promote efficient resource use and re-use and recycling of potentially recyclable materials.*

Estimated planner hours to implement: 10
 Estimated cost to implement: \$517.40
 Resources needed to implement:
 County planner will update content about recycling events and new relevant information; IT department will need to update county webpages

Estimated hours to administer once implemented: 10 per year
 Estimated cost to administer: \$514.70 per year
 Resources needed to administer:
 Changes will be made as new information becomes available. This is a permanent item in the County planner work plan as long as the County prioritizes recycling events.

2. Monitor and pursue potential funding opportunities to achieve provisions of GOPs.

Estimated planner hours to implement: 50
 Estimated cost to implement: \$2,587.00
 Resources needed to implement:
 Cost assumes researching funding sources and responding to one average grant opportunity. If more funding applications become available, each is unique and will consume a unique amount of time by the county planner; grant applications will require approval of County Committee of the Whole and full County Board.

Estimated hours to administer once implemented: Unknown
 Estimated cost to administer: A portion of a grant is usually set aside for administration
 Resources needed to administer:
 Potential budget amendment and setting up account. This is a permanent item in the County Planner work plan.

3. Priority Item 7.2.4b - Participate in the Greenways and Trails Committees that are coordinated by CCRPC.

Estimated planner hours to implement: 10
 Estimated cost to implement: \$517.40
 Resources needed to implement: Cost assumes quarterly meetings.

Estimated hours to administer once implemented: none
 Estimated cost to administer: none
 Resources needed to administer: This is a permanent item in the County Planner work plan.

4. Priority Item 1.3.1 - Based on the annually prepared report of trends and new developments (refer to Priority Item 1.2.1), provide a recommendation to ELUC regarding minor LRMP map changes each year. Provide public notice of LRMP changes and invite public input regarding proposed changes.
5. Priority Item 2.1.1 - Review municipal limits and contiguous urban growth area boundaries with municipal representatives on a regular basis in order to update LRMP Future Land Use Map and Land Management Area Map boundaries. Complete review and revisions to LRMP maps in time for preparation of the annual report to be provided to the County Board each January.

Items 4 and 5 can be grouped as permanent annual updates to the LRMP.

Estimated planner hours to implement: 30 + 30 = 60
 Estimated cost to implement: \$3,104.40
 Resources needed to implement: none

Estimated hours to administer once implemented: none
 Estimated cost to administer: none
 Resources needed to administer: none

6. Priority Item 8.4.5a – Complete required annual update reports revisions for the Phase II National Pollutant Discharge Elimination System (NPDES) Storm Water Management Program.

Estimated planner hours to implement: 40
 Estimated cost to implement: \$2,069.60
 Resources needed to implement: None

Estimated hours to administer once implemented: None
 Estimated cost to administer: None
 Resources needed to administer: None

Postponed tasks – *These are items that were postponed from the previous work plan due to integration of the LESA document revisions and best prime farmland definition.*

7. Priority Item 5.1.8b - Assess and report to ELUC the feasibility of developing an intergovernmental agreement with each municipality that has adopted a municipal comprehensive land use plan that includes Policy 5.1.8: *The County will support legislative initiatives or intergovernmental agreements which specify that property subject to annexation agreements will continue to be under the ordinances, control, and jurisdiction of the County until such time that the property is actually annexed, except that within 1-1/2 miles of the corporate limit of a municipality with an adopted comprehensive land use plan, the subdivision ordinance of the municipality shall apply.*

Estimated planner hours to implement: 40
 Estimated cost to implement: \$2,069.60
 Resources needed to implement: Meetings with each municipality with a comprehensive plan will require travel expenses in some cases.

Estimated hours to administer once implemented: none
 Estimated cost to administer: none
 Resources needed to administer: none

8. Amend *Champaign County Zoning Ordinance* to include provisions of GOPs for Policy 8.6.3 and 8.6.4. **(recommended postponed item 2012-12 in last year's work plan)**

- Policy 8.6.3 - *For discretionary development, the County will use the Illinois Natural Areas Inventory and other scientific sources of information to identify priority areas for protection or which offer the potential for restoration, preservation, or enhancement.*
- Policy 8.6.4 - *The County will require implementation of IDNR recommendations for discretionary development sites that contain endangered or threatened species, and will seek to ensure that recommended management practices are maintained on such sites.*

Estimated planner hours to implement: 160
 Estimated cost to implement: \$8,278.40
 Resources needed to implement: All zoning ordinance amendments must go through Committee of the Whole, full County Board, and Zoning Board of Appeals. This particular proposed amendment is not anticipated to be controversial, so proposed costs are for an average zoning ordinance amendment.

The County Zoning Department will direct this proposed task. Administrative Assistant time will be necessary for meetings, publicizing advertisements, and mailings.

Estimated hours to administer once implemented: none
 Estimated cost to administer: none
 Resources needed to administer: none

9. Priority Item 8.1.9 - Monitor IEPA annual reports and available data from IEPA and the MAC to identify contaminated land or groundwater areas requiring remediation in Champaign County. Submit proposal regarding Champaign County action or response for ELUC review and County Board adoption. **(recommended postponed item 2012-13 in last year's work plan)**

Estimated planner hours to implement: 40
 Estimated cost to implement: \$2,069.60
 Resources needed to implement: none

Estimated hours to administer once implemented: none
 Estimated cost to administer: none
 Resources needed to administer: none

New tasks for County Planner – These are new items proposed for completion based on the prioritization established in the LRMP.

10. Finalize public approval process for Phase II National Pollutant Discharge Elimination System (NPDES) Storm Water Management Program.

<p>Estimated planner hours to implement: 75 Estimated cost to implement: \$3,880.50 plus Zoning Department and Administrative Assistant time, plus advertising, mailing, and printing costs Resources needed to implement: All zoning ordinance amendments must go through Committee of the Whole, full County Board, and Zoning Board of Appeals.</p> <p>Estimated hours to administer once implemented: 40 hours annually (required update reports) Estimated cost to administer: \$2069.60 (current estimated cost – see Item 6 above) Resources needed to administer: none</p>
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11. Conduct a Building Code Needs Analysis to follow up the 2012 Building Code Feasibility Study. *John Hall has commented that the 2012 Feasibility Study was a necessary first step, but that a Needs Analysis specific to Champaign County is another necessary piece to give county board members information to make the best decision possible as to whether to create a Building Code for Champaign County.*

<p>Estimated planner hours to implement: 225 Estimated cost to implement: \$11,641.50 Resources needed to implement: none</p> <p>Estimated hours to administer once implemented: none Estimated cost to administer: none Resources needed to administer: none</p>

12. Conduct a Building Code Cost/Benefit Analysis to follow up the 2012 Building Code Feasibility Study. *John Hall has commented that the 2012 Feasibility Study was a necessary first step, but that a Cost/Benefit Analysis to determine best estimates of costs to create and maintain a Building Code is the third necessary piece to give county board members information to make the best decision possible as to whether to create a Building Code for Champaign County.*

<p>Estimated planner hours to implement: 225 Estimated cost to implement: \$11,641.50 Resources needed to implement: none</p> <p>Estimated hours to administer once implemented: none Estimated cost to administer: none Resources needed to administer: none</p>

Other LRMP Implementation Items

The following are the remainder of items listed for implementation within the first three years of the adopted LRMP Implementation Plan. Only those items in which CCRPC feel it can be of assistance are listed; other implementation items naturally fall under the Champaign County Zoning Director.

If the County Board desires, items from the work plan can be replaced with items in this list or from longer-term Priority Items listed in the LRMP.

Immediately upon LRMP adoption

- Multiple Priority Items – Review all zoning map amendments for conformance to relevant GOPs:
 - Policy 5.1.6 - *To reduce the occurrence of agricultural land use and non-agricultural land use nuisance conflicts, the County will encourage and, when deemed necessary, will require discretionary development to create a sufficient buffer between existing agricultural operations and the proposed urban development.*

RPC Task: Research types and appropriateness of buffers, provide report to Zoning
Estimate: 75 hours

- Policy 6.1.1 – *The County will establish minimum lot location and dimension requirements for all new rural residential development that provide ample and appropriate areas for onsite wastewater and septic systems. (Note: The priority item C for this policy seeks to amend the Champaign County Zoning Ordinance to reflect the requirements of the Champaign County Health Ordinance, and vice versa.)*

RPC Task: Research and make recommendations on minimum lot location and dimension requirements; provide a summary report to Zoning
Estimate: 40 hours

Near Term: Within 1-3 years

- Priority Item 8.7.4 - As a cooperative and adjunct effort to any similar action of the Champaign County Forest Preserve District or the Champaign County Soil and Water Conservation District, develop an information package regarding voluntary establishment of public-private partnerships to conserve woodlands and other significant areas of natural environmental quality in Champaign County.
- Priority Item 8.7.6 - As a cooperative and adjunct effort to any similar action of the Champaign County Forest Preserve District or the Champaign County Soil and Water Conservation District, develop an information package regarding site-specific natural resource management guidelines that landowners in CC may voluntarily adopt.

RPC Task: Create and disseminate materials for Items 8.7.4 and 8.7.6
Estimate: 60 hours

Notes: We have not determined if these agencies are undertaking any such initiative in the next year. Printing costs are not included in this estimate.

- Develop information package for public dissemination regarding Policy 9.1.2 – *The County will promote energy efficient building design standards.*

RPC Task: Research existing information and formulate a package relevant to Champaign County; provide draft to Zoning.
Estimate: 60 hours
Notes: This item does not require that the County adopt energy efficient building design standards for its jurisdiction; rather, it would promote existing best practices.

- Priority Item 10.1.1b - Develop proposal to identify historic structures, places and landscapes in the County. Submit proposal to ELUC, County Facilities Committee and County Board for review and approval.

RPC Task: Develop definitions of historic structures, places, and landscapes in the County, and then submit a memo to Boards to determine how they want to proceed with identifying such amenities.
Estimate: 60 hours
Notes: With no formal definition, the LRMP Steering Committee found creating policies to be contentious. In order to achieve Objective 10.1: "Champaign County will encourage the development and maintenance of cultural, educational, recreational and other amenities that contribute to the quality of life of its citizens", standard definitions will be necessary.

- Multiple Priority Items – Amend relevant *Champaign County Ordinance* to include provisions of GOPs:
 - Policy 4.1.5 –
 - a. *The County will allow landowner by right development that is generally proportionate to tract size, created from the January 1, 1998 configuration of tracts on lots that are greater than five acres in area, with:*
 - 1 new lot allowed per parcel less than 40 acres in area;
 - 2 new lots allowed per parcel 40 acres or greater in area provided that the total amount of acreage of best prime farmland for new by right lots does not exceed three acres per 40 acres; and
 - 1 authorized land use allowed on each vacant good zoning lot provided that public health and safety standards are met.
 - b. *The County will not allow further division of parcels that are 5 acres or less in size.*
 - Policy 4.1.6 – *Provided that the use, design, site and location are consistent with County policies regarding:*
 - i. *suitability of the site for the proposed use;*
 - ii. *adequacy of infrastructure and public services for the proposed use;*
 - iii. *minimizing conflict with agriculture;*
 - iv. *minimizing the conversion of farmland; and*
 - v. *minimizing the disturbance of natural areas,*

then,

 - a) *on best prime farmland, the County may authorize discretionary residential development subject to a limit on total acres converted which is generally proportionate*

to tract size and is based on the January 1, 1998 configuration of tracts, with the total amount of acreage converted to residential use (inclusive of by-right development) not to exceed three acres plus three acres per each 40 acres (including any existing right-of-way), but not to exceed 12 acres in total; or

b) on best prime farmland, the County may authorize non-residential discretionary development; or

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

- Policy 4.1.9 - *The County will set a minimum lot size standard for a farm residence on land used for agricultural purposes.*

RPC Task: Facilitate discussion at County Board level on the concepts in 4.1.5, 4.1.6 and 4.1.9, including public input. Finalize approval process for zoning ordinance changes.

Estimate: 200 hours

- Policy 5.1.1 - *The County will encourage new urban development to occur within the boundaries of incorporated municipalities.*
- Policy 5.2.1 - *The County will encourage the reuse and redevelopment of older and vacant properties within urban land when feasible.*

RPC Task: Identify potential incentives and information that might encourage such development; provide report to Zoning for both 5.1.1 and 5.2.1

Estimate: 40 hours

- Policy 5.2.2 – *The County will:*
 - a. ensure that urban development proposed on best prime farmland is efficiently designed in order to avoid unnecessary conversion of such farmland; and*
 - b. encourage, when possible, other jurisdictions to ensure that urban development proposed on best prime farmland is efficiently designed in order to avoid unnecessary conversion of such farmland.*

RPC Task: Create design guidelines for urban development applicable to County jurisdiction; provide draft for consideration.

Estimate: 200 hours

Notes: This task would involve two draft reviews by Zoning, a Study Session, two ELUC meetings, and two County Board meetings. ZBA and other additional meetings are not included in this estimate. Significant time is anticipated to research and gather public input on design guidelines, which are anticipated to be controversial.

- Policy 5.2.3 - *The County will:*
 - a. *require that proposed new urban development results in no more than minimal disturbance to areas with significant natural environmental quality; and*
 - b. *encourage, when possible, other jurisdictions to require that proposed new urban development results in no more than minimal disturbance to areas with significant natural environmental quality.*

RPC Task: Define natural environmental quality based on best practices, local knowledge, and accepted standards; submit to Zoning for review; draft ordinance for 5.2.3a

Estimate: 80 hours

Notes: This task includes drafting and revision hours, but does not include any approval meetings with the County Board, Committees, or ZBA.

- Policy 5.3.1 - *The County will:*
 - a. *require that proposed new urban development in unincorporated areas is sufficiently served by available public services and without undue public expense; and*
 - b. *encourage, when possible, other jurisdictions to require that proposed new urban development is sufficiently served by available public services and without undue public expense.*
- Policy 5.3.2 - *The County will:*
 - a. *require that proposed new urban development, with proposed improvements, will be adequately served by public infrastructure, and that related needed improvements to public infrastructure are made without undue public expense; and*
 - b. *encourage, when possible, other jurisdictions to require that proposed new urban development, with proposed improvements, will be adequately served by public infrastructure, and that related needed improvements to public infrastructure are made without undue public expense.*

RPC Task: Research “undue public expense” and case studies. Draft ordinance language for use by Zoning Department in consultation with Zoning Administrator for Items 5.3.1 and 5.3.2.

Estimate: 120 hours

Notes: This task includes drafting and revision hours, but does not include any approval meetings with the County Board, Committees, or ZBA.

- Policy 8.3.1 - *The County will allow expansion or establishment of underground mineral and energy resource extraction operations only if:*
 - a) *the operation poses no significant adverse impact to existing land uses;*
 - b) *the operation creates no significant adverse impact to surface water quality or other natural resources; and*
 - c) *provisions are made to fully reclaim the site for a beneficial use.*

RPC Task: Draft ordinance language for use by Zoning Department in consultation with Zoning Administrator

Estimate: 80 hours

Notes: This task includes drafting and revision hours, but does not include any approval meetings with the County Board, Committees, or ZBA.

- Policy 8.4.2 - *The County will require stormwater management designs and practices that provide effective site drainage, protect downstream drainage patterns, minimize impacts on adjacent properties and provide for stream flows that support healthy aquatic ecosystems.*

RPC Task: Research management designs and practices, gather public input especially from drainage districts, and draft ordinance language for use by Zoning Department in consultation with Zoning Administrator

Estimate: 200 hours

Notes: This task includes drafting and revision hours, but does not include any approval meetings with the County Board, Committees, or ZBA.

- Policy 8.4.3 - *The County will encourage the implementation of agricultural practices and land management that promotes good drainage while maximizing stormwater infiltration and aquifer recharge.*

RPC Task: Research best management practices, provide report to Zoning.

Estimate: 60 hours

- Policy 8.5.1 - *For discretionary development, the County will require land use patterns, site design standards and land management practices that, wherever possible, preserve existing habitat, enhance degraded habitat and restore habitat.*
- Policy 8.6.2 –
 - a. *For new development, the County will require land use patterns, site design standards and land management practices to minimize the disturbance of existing areas that provide habitat for native and game species, or to mitigate the impacts of unavoidable disturbance to such areas.*
 - b. *With regard to by-right development on good zoning lots, or the expansion thereof, the County will not require new zoning regulations to preserve or maintain existing onsite areas that provide habitat for native and game species, or new zoning regulations that require mitigation of impacts of disturbance to such onsite areas.*

RPC Task: Create design guidelines for habitat preservation applicable to County jurisdiction regarding Items 8.5.1 and 8.6.2; provide draft for consideration.

Estimate: 200 hours

Notes: This task would involve two draft reviews by Zoning, a Study Session, two ELUC meetings, and two County Board meetings. Additional drafts, ZBA and other additional meetings are not included in this estimate. Significant time is anticipated to research and gather public input on design guidelines, which are anticipated to be controversial.

- Policy 8.5.2 - *The County will require in its discretionary review that new development cause no more than minimal disturbance to the stream corridor environment.*
- Policy 8.7.1 - *The County will require that the location, site design and land management of discretionary development minimize disturbance of the natural quality, habitat value and aesthetic character of existing public and private parks and preserves.*

RPC Task: Research what should be considered the definition of “minimal disturbance” for Items 8.5.2 and 8.7.1 and provide summary to Zoning.

Estimate: 30 hours

Notes: This task includes drafting and revision hours, but does not include any approval meetings with the County Board, Committees, or ZBA.

- Policy 8.7.3 - *The County will require that discretionary development provide a reasonable contribution to support development of parks and preserves.*

RPC Task: Research other areas such as Bloomington regarding development fees; provide summary report and recommendations to Zoning.

Estimate: 40 hours

- Policy 8.7.5 - *The County will implement, where possible, incentives to encourage land development and management practices that preserve, enhance natural areas, wildlife habitat and/or opportunities for hunting and other recreational uses on private land.*

RPC Task: Research incentives to encourage development and management regarding Policy 8.7.5; provide summary report to Zoning.

Estimate: 60 hours

- Policy 9.1.1 - *The County will promote land use patterns, site design standards and land management practices that minimize the discharge of greenhouse gases.*

RPC Task: Create informational materials regarding best management practices that can be distributed to land owners.

Estimate: 80 hours

Notes: This task does not include potential printing costs.

Items determined to be untimely for the FY13 Work Plan

- Priority Item 8.1.3 – (within 1-3 years) - As they become available, review MAC recommendations regarding measures to ensure that withdrawals from the Mahomet Aquifer and other aquifers in Champaign County do not exceed the long-term sustainable yield, as described in Policy 8.1.3. Amend relevant Champaign County ordinances (e.g., Zoning, Subdivision, etc.).

RPC Task: When MAC Plan/recommendations are complete, compare and draft text to amend relevant ordinances; provide draft text to Zoning for their use.

Estimate: 75 hours

Note: MAC still seeks funding; no recommendations are pending in the near future.

Date:	May 29, 2012
To:	Champaign County Committee of the Whole
From:	Susan Monte
Re:	Upcoming One-Day Household Hazardous Waste Collection
Action Requested:	For Information Only

The Illinois EPA recently announced it is resuming household hazardous waste collections in downstate locations, including one in Champaign County. This collection will be locally co-sponsored by the City of Urbana, City of Champaign, Champaign County, Champaign County Probation and Court Services, and Village of Savoy.

The upcoming one-day HHW collection will take place at The News Gazette Distribution Center on Saturday, September 29, 2012, between the hours of 8:00 a.m. and 3 p.m.

Household Hazardous Waste Collection

Acceptable Wastes at One-Day Household Hazardous Waste Collections

Oil-based paints	Household Batteries
Paint thinners	Used motor oil
Herbicides	Drain cleaners
Insecticides	Lawn chemicals
Pesticides	Solvents
Old Gasoline	Antifreeze
Pool Chemicals	Hobby chemicals
Cleaning Products	Aerosol paints and pesticides
Mercury	Fluorescent lamp bulbs
Double bagged and wetted asbestos	Old and outdated medicines and pharmaceuticals

The Illinois EPA's contractors do not accept automotive batteries, propane tanks, or fire extinguishers. Local co-sponsors are investigating the possibility of locating a vendor willing to set up and accept these materials on the day of the collection event.

Attachment: IEPA Announcement

Illinois EPA Announces 2012 Household Hazardous Waste Collection Schedule

SPRINGFIELD – Illinois EPA Interim Director John Kim announced household hazardous waste collections have resumed and have been scheduled in six downstate communities, in the Spring and the Fall of 2012, starting Saturday, June 2.

“The Illinois EPA is very pleased to be able to resume this popular and important program after a three-year hiatus,” said Director Kim. “These events will provide residents in the central and southern parts of the state an opportunity to dispose of household hazardous waste in a safe and environmentally responsible manner and will complement the four long-term household hazardous waste programs that continue to operate in the Northern part of the state.”

The 2012 one-day collections are scheduled from 8 a.m. to 3 p.m. on Saturdays for:

Carbondale on June 2

Quincy on June 23

Peoria on September 8

Swansea on September 15

Springfield on September 22

Champaign-Urbana on September 29

The Illinois EPA continues to support long-term facilities in Naperville, Rockford, Chicago and Lake County.

The program, which began in 1989, has already served nearly 417,000 households. Since the program's inception, 465 one-day events have been held and over 81,000 fifty-five gallon drums of toxic materials have been collected from Illinois citizens.

The collections give citizens the opportunity to safely dispose of unused or leftover household products commonly found in homes, basements and garages statewide. The materials are handled in an environmentally sound manner, diverting them from local area landfills.

Citizens are encouraged to bring, paints, thinners, chemical cleaners, unwanted pharmaceuticals, mercury and mercury-containing items, antifreeze, motor oil, gasoline, kerosene, weed killers, insecticides, pesticides, adhesives, hobby chemicals, household batteries and similar products. Fluorescent and other high-intensity discharge lamps may also be brought to the collections. The public is encouraged to find alternative uses for latex paint since it is not considered hazardous.

Items not accepted include explosives, fire extinguishers, smoke detectors, medical waste, sharps, controlled substances, agricultural chemicals and all business wastes. Propane tanks and lead acid auto batteries cannot be accepted at most of the events, but should be taken to local recyclers. Electronics and related devices will not be accepted. As of January 1, 2012, unwanted electronics must be recycled.

RESOLUTION NO. _____

RESOLUTION APPROVING PARTIAL RELEASE OF JUDGMENT

WHEREAS, a property owner, Bernard Ramos, owns certain property at 1211 West Washington, Champaign, Illinois; and

WHEREAS, Champaign County has a Memorandum of Judgment applicable to all property owned by Bernard Ramos in Champaign County, pursuant to a judgment entered in Champaign County Cause 2011-OV-148; and

WHEREAS, Bernard Ramos seeks to transfer said property to another person free of the lien created by this Memorandum of Judgment; and

WHEREAS, said transfer, free of the Memorandum of Judgment, will not impair Champaign County's ability to recover the amount of the judgment; and

WHEREAS, said transfer is in the best interests of the Citizens of Champaign County.

NOW, THEREFORE, BE IT RESOLVED, by the County Board of Champaign County, Illinois, that the Partial Release of Judgment as set forth in Attachment A is hereby approved; and

BE IT FURTHER RESOLVED, by the Champaign County Board, that C. Pius Weibel, Chair of the Champaign County Board is hereby authorized to execute the Partial Release of Judgment, as set forth in Attachment A, on behalf of the Champaign County Board.

PRESENTED, PASSED, APPROVED, AND RECORDED this _____ day of June, 2012.

C. Pius Weibel, Chair
Champaign County Board

ATTEST:

Gordy Hulten,
Champaign County Clerk

Attachment A

PARTIAL RELEASE OF JUDGMENT

KNOW ALL MEN BY THESE PRESENTS, that COUNTY of CHAMPAIGN, hereinafter called Judgment Creditor, for and in consideration of One Thousand Dollars (\$1,000.00) and for other good and valuable consideration, the receipt whereof is hereby acknowledged, does hereby remise, convey, release and quit claim unto BERNARD E. RAMOS, hereinafter called Judgment Debtor, all right, title, interest, claim or demand whatsoever it may have acquired in, through or by a certain Memorandum of Judgment recorded in Case No. 11-OV-148 on the 18th day of April, 2011, and recorded in the Recorder's Office of Champaign County, in the State of Illinois, as Document No. 2011R 07855, only as to the premises hereinafter described:

Part of Lot H in J. W. Davidson Second Subdivision, except the south 51.3 feet and except beginning at the Northwest corner of Lot H South 17.49 feet and East 43.5 feet, thence South 11 feet thence East 43.5 feet, thence South 27.32 feet, thence East 25 feet North to the North line of the West Half (W ½) of the Southeast Quarter (SE 1/4) West to the Point of Beginning, situated in the County of Champaign and State of Illinois

PIN – 42-20-11-402-013

Common Address: 1211 W. Washington, Champaign, IL 61821

together with all the appurtenances and privileges thereunto belonging or appertaining.

This release is expressly limited to the above-described real estate and the above-described judgment shall remain in full force and effect as to all remaining real estate described therein, and the \$1,000 received from this Partial Release will be credited to the balance due from Bernard E. Ramos.

For the protection of the owner, this release should be filed with the Recorder of Deeds in whose office the judgment was filed.

Dated: _____

Judgment Creditor

STATE OF ILLINOIS

)

) SS.

County of Champaign

)

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that _____, a duly authorized official representing the County of Champaign, Illinois, Judgment Creditor, signed the foregoing instrument, and appeared before me this day in person and acknowledged that _____ signed, sealed and delivered the said instrument as _____ free and voluntary act.

Dated: _____

Notary Public

Prepared by and return to:
Thomas J. Gordon
Attorney at Law
502 W. Clark Street
Champaign, IL 61820
Telephone: 217/398-6981



THOMAS J. GORDON

Attorney at Law

502 W. Clark St.
Champaign, IL 61820

Phone (217) 398-6981
FAX (217) 352-6123

April 17, 2012

City of Champaign
Legal Department
102 N. Neil Street
Champaign, IL 61820

Paul Zerrouki
901 E. Colorado Ave.
Urbana, IL 61801

Joel Fletcher
Asst. State's Attorney
101 E. Main Street
Urbana, IL 61801

Gentlemen:

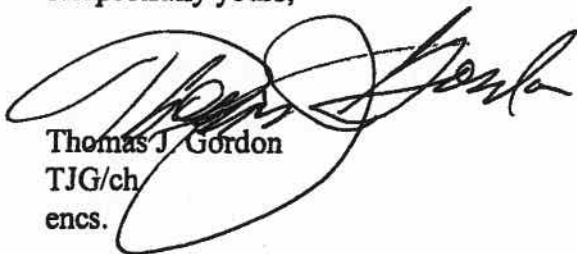
Re: 1211 W. Washington

I represent Bernard Ramos, who is selling a vacant lot at 1211 W. Washington, Champaign, IL, to Robert D. Parr and Linda R. Parr. I have enclosed a contract that was signed by all the parties. I am also enclosing a Chicago Title commitment, indicating the various legal problems that are involved.

I have prepared a proposed settlement sheet, which would disburse the money coming from the transaction in accordance with the numbers on the settlement sheet. If you agree with this, it will be necessary to sign a partial judgment release, which I will prepare and send to you. You will be able to exchange that partial judgment release for the funds. The contract calls for a May 4 closing, but I do not anticipate being able to close until some time towards the end of May. By signing the partial release, you will be releasing only your lien as to this property and will still maintain a right to collect any money from any other source at a later time.

Please call me and let me know if you are able to accept this amount mentioned to finalize this sale. I would like to hear from everyone by April 24. Thank you.

Respectfully yours,



Thomas J. Gordon
TJG/ch
encs.

CONTRACT FOR SALE OF REAL ESTATE

THIS CONTRACT is made and entered into as of the _____ day of _____, 2012, by and between THOMAS J. GORDON, pursuant to Power of Attorney for Bernard Ramos, hereinafter referred to as "Seller", and ROBERT D. PARR and LINDA R. PARR, hereinafter referred to as "Buyer".

WITNESSETH:

1. In consideration of the mutual covenants herein contained, the Seller agrees to sell, and the Buyer agrees to purchase on the terms and conditions hereinafter set forth, the following described real estate, together with the improvements located thereon:

Part of Lot H in J. W. Davidson Second Subdivision, except the South 51.3 feet and except beginning at the Northwest corner of Lot H South 17.49 feet and East 43.5 feet, thence South 11 feet thence East 43.5 feet, thence South 27.32 feet, thence East 25 feet North to the North line of the West Half (W 1/2) of the Southeast Quarter (SE 1/4) West to the Point of Beginning, situated in the County of Champaign and State of Illinois.

PIN - 42-20-11-402-013

Common Address: 1211 W. Washington, Champaign, IL 61821

2. Purchase Price. Buyer shall pay the total sum of Fifteen Thousand Dollars (\$15,000.00) to Seller for the purchase price of the property described herein.

Payment. Payment shall be made in the following manner:

A. The sum of Five Hundred Dollars (\$500.00), receipt of which is acknowledged, this date. These funds have heretofore been deposited with ReMax Realty and shall be delivered to Seller on the date of formal closing contemporaneous with delivery of warranty deed and possession.

B. The balance of Fourteen Thousand, Five Hundred Dollars (\$14,500.00) less Seller's share of current and accrued taxes, to the date of closing, contemporaneous with delivery of warranty deed and possession.

3. The closing of the sale covered by this Agreement shall be on or before May 4, 2012.

4. Deed of Conveyance.

a. As soon as practicable, Seller shall execute a recordable Warranty Deed, with waiver of homestead rights, sufficient in form to convey the real estate in fee simple absolute, subject only to the title exceptions permitted herein to Buyer, or Buyer's nominee.

c. Buyer shall point out in writing to Seller, within fourteen (14) days after receipt of the evidence of title, any objection which Buyer may have thereto and unless so pointed out the evidence of title shall be conclusively presumed to be accepted by Buyer.

d. Seller shall have a reasonable time to cure any objection actually interfering with or impairing the merchantability of the title to the real estate. Seller or Buyer shall have the right to cure any such objection which may be removed by the payment of money by deducting the amount of such payment from the purchase price at the time of closing.

e. If Seller is unable to cure such objection and is unable to procure a title policy insuring over such objection, then Buyer shall have the option to terminate this Contract, in which case all monies paid under this Contract by Buyer shall be returned to Buyer.

8. Default.

(a) If Buyer fail to make any payments or to perform any obligation imposed upon them by this Contract, Seller may serve written notice of default upon Buyer, and if such default is not corrected within ten (10) days thereafter, Buyer is deemed in default, and Seller may take one or more of the following actions: re-sell the premises to another party; maintain a claim for monetary damages for breach of contract; maintain a specific performance action against Buyer; and maintain any other or different remedy allowed by law.

(b) In the event of the failure of Seller to perform the obligations imposed by this Contract, Buyer may serve written notice of default upon Seller; and if such default is not corrected within ten (10) days thereafter, Seller is deemed in default, and Buyer may take one or more of the following actions: maintain a claim for monetary damages for breach of contract; maintain a specific performance action against Seller; and maintain any other or different remedy allowed by law.

(c) The foregoing remedies in the event of a default are not intended to be exclusive, and the parties shall have the right to all other lawful remedies.

(d) In the event of such breach, the non-defaulting party shall be excused from further performance of the contract, unless he elects the remedy of Specific Performance.

(e) Default by any party to this Contract shall also entitle the non-defaulting party to reasonable costs, attorney's fees and expenses incurred by reason of the default (breach) of this contract.

(f) In the event of a dispute over the disposition of earnest money, the earnest money shall continue to be held in the trust account of the escrow agent until (a) the agent has a written release from all parties consenting to the disposition, or (b) a civil action is filed by one of the parties to determine the disposition of the earnest money, at which time payment may be made into court; or (c) deposit is made with the Illinois Department of Financial Institutions in accordance with the

7/1/82
law. Similarly, the executed warranty deed shall continue to be held by the escrow agent for such deed until the agent has been provided a written release from all parties consenting to its disposition, or until a civil action is filed, by either the escrow agent or one of the parties, to determine its disposition, at which time the warranty deed may be filed with the court.

9. Notices. Any notice required under this Contract to be served upon Seller or Buyer shall be either personally delivered to such party at the address shown herein, following their signatures, or at such other place as the parties may from time to time designate in writing.

10. RESPA. Seller and Buyer hereby agree to make all disclosures and to sign all documents necessary to allow full compliance with the provisions of the Real Estate Settlement Procedures Act of 1974, as amended.

11. Number and Gender. Each pronoun used in this Contract shall be construed to be plural or of feminine gender if required by the number or gender of the parties.

12. Merger. All offers, acceptances, oral representations, agreements and writings between the parties heretofore made are merged herein and shall be of no force or effect unless contained in this Contract.

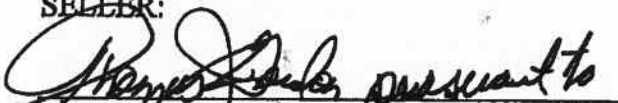
13. Time of the Essence. The time for performance of the obligations of the parties is of the essence of this Contract.

14. Succession of Obligations. All terms of this Contract shall be binding upon the heirs, legatees, devisees, personal representatives and assignees of the parties.

15. Duplicate Originals. Multiple copies of this Contract may be signed by all parties, and each copy so signed shall be considered to be an original document.



IN WITNESS WHEREOF, parties have signed this Contract as of the day and year first above written.

SELLER:


Thomas J. Gordon, as Power of Attorney for
Bernard Ramos P.O. of Bernard
Ramos

Address: 502 W. CLARK ST
Champaign, IL 61820

BUYER:


Robert D. Parr

Linda R. Parr
R.

Address: 404 N. Edwin St.
Champaign, IL 61821

b. Said deed shall be delivered to Seller's attorney to be held until the closing of this transaction.

5. Taxes.

a. The State of Illinois Real Estate Transfer Tax shall be Seller's expense and shall be allowed to Buyer as a credit against the balance due on the date of possession.

b. Real estate taxes for all prior years shall be Seller's expense. Real estate taxes for the current year, apportioned up to and including the date of possession, shall be Seller's expense. The proration of the current tax shall be calculated upon the basis of the most current tax information, including confirmed multipliers, and shall be allowed to Buyer as a credit against the balance of the purchase price.

c. Buyer's acceptance of such credits shall release Seller from any further liability in connection therewith, unless otherwise agreed between the parties in writing.

6. Assessments.

a. All special assessments which are a lien upon the real estate as of the date of this Contract shall be Seller's expense, all special assessments levied and confirmed against the real estate after the date of this Contract shall be Buyer's expense.

b. The unpaid balance of special assessments chargeable hereunder to Seller shall be allowed to Buyer as a credit against the purchase price herein. Buyer's acceptance of such credit shall release Seller from any further liability in connection therewith, unless otherwise agreed between the parties.

7. Evidence of Title

a. Within a reasonable time, Seller shall elect and deliver to Buyer, or to Buyer's attorney, a Commitment for Title Insurance issued by a title insurance company regularly doing business in the county within which the real estate is located, committing the company to issue a policy in a standard American Land Title Association form insuring contract rights of Buyer, or Buyer's nominee, for the amount of the purchase price set forth above.

b. Permissible exceptions to title shall include only the lien of general taxes; zoning and building laws or ordinances; easements, apparent or of record, which do not underlie the improvements; covenants and restrictions of record which are not violated by the existing improvements or the present use of the property and which do not restrict reasonable use of the property; and limitations and conditions imposed by the Illinois Condominium Property Act.



CHICAGO TITLE COMPANY

201 NORTH NEIL STREET, CHAMPAIGN, IL 61820

Fax: (217)351-2982

Telephone: (217)356-0501

ORDER NUMBER: 5300-02738
ESCROW NUMBER: n/a -
CUSTOMER NUMBER: 41057 -000

ORIGINAL INVOICE DATE: 04/12/12
INVOICE AS OF: 04/13/12
DEPARTMENT: CH
SALES REP 1: RDS
SALES REP 2: GM7

Thomas J. Gordon
502 W. Clark
Champaign, Illinois 61820

Lender: CASH
Seller: RAMOS, BERNARD
Buyer: PARR, ROBERT D.
Property:
1211 W. Washington

ATTN:

YOUR REFERENCE: Ramos/Parr

POLICY(S) APPLIED FOR:

ALTA OWNERS 2006

\$ 15,000.00

RESPA LINE	DESCRIPTION	AMOUNT
1108	Title Insurance	80.00
1103	Service/Work Charge	40.00
TOTAL CUSTOMARY SELLER/OWNER CHARGES:		120.00
1103	Service/Work Charge	40.00
1204	STATE OF ILLINOIS REGISTRATION FEE	3.00
TOTAL CUSTOMARY BUYER/BORROWER CHARGES:		43.00
TOTAL INVOICE:		163.00
MISCELLANEOUS DEBITS:		.00
PAYMENTS/CREDITS:		.00
NET AMOUNT DUE:		163.00

01284: 163.00

Thank you for placing your order with Chicago Title.

Please return a copy with remittance to:

CHICAGO TITLE COMPANY, LLC
201 NORTH NEIL STREET
CHAMPAIGN, IL 61820
Telephone: (217)356-0501

CHICAGO TITLE INSURANCE COMPANY
COMMITMENT FOR TITLE INSURANCE
SCHEDULE A

YOUR REFERENCE: Ramos/Parr

ORDER NO.: 1284 530002738 CH

EFFECTIVE DATE: MARCH 29, 2012

1. POLICY OR POLICIES TO BE ISSUED:

OWNER'S POLICY: ALTA OWNERS 2006
AMOUNT: \$15,000.00
PROPOSED INSURED: Robert D. Parr and Linda R. Parr

2. THE ESTATE OR INTEREST IN THE LAND DESCRIBED OR REFERRED TO IN THIS COMMITMENT IS FEE SIMPLE, UNLESS OTHERWISE NOTED.

3. TITLE TO THE ESTATE OR INTEREST IN THE LAND IS AT THE EFFECTIVE DATE VESTED IN:
Bernard E. Ramos

4. MORTGAGE OR TRUST DEED TO BE INSURED:
NONE

CHICAGO TITLE INSURANCE COMPANY
COMMITMENT FOR TITLE INSURANCE
SCHEDULE A (CONTINUED)

ORDER NO.: 1284 530002738 CH

5. THE LAND REFERRED TO IN THIS COMMITMENT IS DESCRIBED AS FOLLOWS:

Lot "H" of J. W. Davidson's Second Addition to the City of Champaign, as per plat recorded in Book "B" at page 185, in Champaign County, Illinois, EXCEPT the West 43.5 feet of the North 17.49 feet thereof, AND EXCEPT the East 43.5 feet of the West 87 feet of the North 28.49 feet thereof, AND EXCEPT the East 25 feet of the North 53.75 feet thereof, AND EXCEPT the South 51 feet and 3 inches thereof.

CHICAGO TITLE INSURANCE COMPANY
COMMITMENT FOR TITLE INSURANCE
SCHEDULE B

ORDER NO.: 1284 530002738 CH

SCHEDULE B OF THE POLICY OR POLICIES TO BE ISSUED WILL CONTAIN EXCEPTIONS TO THE FOLLOWING MATTERS UNLESS THE SAME ARE DISPOSED OF TO THE SATISFACTION OF THE COMPANY.

GENERAL EXCEPTIONS

1. RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY PUBLIC RECORDS.
2. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND.
3. EASEMENTS, OR CLAIMS OF EASEMENTS, NOT SHOWN BY PUBLIC RECORDS.
4. ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS.
5. TAXES OR SPECIAL ASSESSMENTS WHICH ARE NOT SHOWN AS EXISTING LIENS BY THE PUBLIC RECORDS.

SCHEDULE B OF THE POLICY OR POLICIES TO BE ISSUED WILL CONTAIN EXCEPTIONS TO THE FOLLOWING MATTERS UNLESS THE SAME ARE DISPOSED OF TO THE SATISFACTION OF THE COMPANY.

NOTE FOR INFORMATION: THE COVERAGE AFFORDED BY THIS COMMITMENT AND ANY POLICY ISSUED PURSUANT HERETO SHALL NOT COMMENCE PRIOR TO THE DATE ON WHICH ALL CHARGES PROPERLY BILLED BY THE COMPANY HAVE BEEN FULLY PAID.

1. DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, CREATED, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES FOR VALUE OF RECORD THE ESTATE OR INTEREST OR MORTGAGE THEREON COVERED BY THIS COMMITMENT.
2. AN ALTA LOAN POLICY WILL BE SUBJECT TO THE FOLLOWING EXCEPTIONS (A) AND (B), IN THE ABSENCE OF THE PRODUCTION OF THE DATA AND OTHER ESSENTIAL MATTERS DESCRIBED IN OUR "STATEMENT REQUIRED FOR THE ISSUANCE OF ALTA OWNERS AND LOAN POLICIES (ALTA STATEMENT)". (A) ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR, OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS; (B) CONSEQUENCES OF THE FAILURE OF THE LENDER TO PAY OUT PROPERLY THE WHOLE OR ANY PART OF THE LOAN SECURED BY THE MORTGAGE DESCRIBED IN SCHEDULE A, AS AFFECTING; (I) THE VALIDITY OF THE LIEN OF SAID MORTGAGE; AND (II) THE PRIORITY OF THE LIEN OVER ANY OTHER RIGHT, CLAIM, LIEN OR ENCUMBRANCE WHICH HAS OR MAY BE COME SUPERIOR TO THE LIEN OF SAID MORTGAGE BEFORE THE DISBURSEMENT OF THE ENTIRE PROCEEDS OF THE LOAN.

- B
3. Taxes for the years 2011 and 2012, which are a lien although not yet due and payable.

Taxes for the year 2010, in the total amount of \$270.90 shown paid in full.

City of Champaign Township, 42-20-11-402-013.

- D
4. Existing unrecorded leases and all rights thereunder of the lessees and of any person or party claiming by, through or under the lessees.

- C
5. Easement for driveway and street purposes benefitting the South 53 feet and 3 inches of Lot "H" granted in Warranty Deed recorded May 28, 1926 in Book 201 at Page 271, affecting the East 25 feet of Lot "H".

- J
6. Consequences, if any, arising from a address discrepancy with this parcel. The

CHICAGO TITLE INSURANCE COMPANY
COMMITMENT FOR TITLE INSURANCE
SCHEDULE B (CONTINUED)

ORDER NO.: 1284 530002738 CH

Champaign County GIS Consortium and the Tax Assessor list this Parcel as 408 N. James Street instead of 1211 W Washington Street.

- N 7. Judgment entered in Case 08MR918, a memorandum or copy of which was recorded May 11, 2009 as document 2009R13146, in favor of City of Champaign, Illinois against Eduardo Ramos and Bernard Ramos in the amount of \$15,345.00 and costs.
- Q 8. Lien for abatement of nuisance in favor of the City of Champaign against Bernard Ramos recorded October 7, 2012 as document 2012R20652 in the amount of \$275.00.
- K 9. Judgment entered in case number 08L77, a memorandum or copy of which was recorded April 4, 2008 as document 2008R08344 and rerecorded May 2, 2008 as document 2008R11147 by Colorado Place LLC against Bernard Ramos and Esther Ramos in the amount of \$197,953.08 and costs.
- N 10. Judgment entered in Case 11-0V-148, a memorandum or copy of which was recorded April 18, 2011 as Document 2011R07855, in favor of the County of Champaign against Bernard Ramos in the amount of \$37,900; \$16,000; \$100; & \$100.
- G 11. NOTE REGARDING USE OF POWERS OF ATTORNEY: Pursuant to Public Act 96-1195, all Powers of Attorney executed in the State of Illinois after July 1st, 2011, must meet new statutory requirements which include the requirement of a witness. If you anticipate the use of a Power of Attorney in your transaction please contact the local Chicago Title office prior to closing.
- H 12. The original Power of Attorney naming Thomas J. Gordon, as attorney in fact for Bernardo Ramos, to execute the the proposed conveyance or mortgage, must be recorded to comply with Section 28 of the Conveyances Act. (765 Ill. Comp. Stat. 5/28) This commitment is subject to our review of said Power of Attorney.
- We also require for our file an Affidavit or an Agent's Acceptance of Authority pursuant to 755 ILCS 45/2-8(b) executed at the same time of the deed, mortgage, or other conveyance to be insured.
- F 13. Note for information: With reference to the land and within the last 12 months prior to the date hereof, we find no deed or other conveyance recorded in the Recorder's Office of Champaign County.
- I 14. Please refer inquiries regarding this order to Greg Morris at (217)356-0501.
- O 15. Copies of this commitment have been furnished to: Tom Gordon.

END

SETTLEMENT SHEET

SELLER: Bernard Ramos

Attorney: Thomas J. Gordon

Phone: 398-6981

Fax: 352-6123

BUYERS: Robert D. Parr and Linda R. Parr

Attorney:

Phone:

Fax:

LEGAL DESCRIPTION: Part of Lot H in J. W. Davidson Second Subdivision, except the South 51.3 feet and except beginning at the Northwest corner of Lot H South 17.49 feet and East 43.5 feet, thence South 11 feet thence East 43.5 feet, thence South 27.32 feet, thence East 25 feet North to the North line of the West Half (W 1/2) of the Southeast Quarter (SE 1/4) West to the Point of Beginning, situated in the County of Champaign and State of Illinois.

PIN - 42-20-11-402-013

COMMON ADDRESS: 1211 W. Washington, Champaign, IL 61820

DATE OF CLOSING: May 31, 2012

Sale Price

\$15,000.00

Buyers' Credits:

Down payment	500.00	
2011 Taxes	270.90	
2012 Taxes	111.45	
Chicago Title Ins. Co.	120.00	
Revenue stamps	22.50	
Record 4 releases	140.00	
Record Power of Attorney	35.00	
ReMax - commission	900.00	
City of Champaign	275.00	
Champaign County	1,000.00	
City of Champaign	800.00	
Colorado Place	9,575.15	
Thomas J. Gordon	<u>1,250.00</u>	
Total Buyers' Credits		<u>15,000.00</u>

-0-



THOMAS J. GORDON

Attorney at Law

502 W. Clark St.
Champaign, IL 61820

Phone (217) 398-8981
FAX (217) 352-8123

April 30, 2012

Joel Fletcher
State's Attorney's Office
Champaign County Courthouse
101 E. Main Street
Urbana, IL 61801

Dear Joel:

Re: Ramos to Parr – 1211 W. Washington, Champaign, IL


I have now obtained the agreement of all the lienholders to the sale of the property for \$15,000 to Robert D. Parr and Linda R. Parr, excepting Champaign County. I am herewith enclosing another copy of the settlement sheet that I propose for the distribution of funds on May 31, 2012.

I want to emphasize again that not one penny of the \$15,000.00 will go to Mr. Ramos. The property will be sold to parties, whom, I understand, will construct a residence on the property in the future increasing the amount of taxes that all governmental agents will receive.

Additionally, this will allow the property to be maintained until a residence is placed on the property. As you know, several of the properties that the Ramoses have had in the past have been neglected. You will note that at #8 of the present title work, a lien has been placed on the property by the City of Champaign, and they are most anxious that this sale take place so this property can be cleaned up.

The judgment creditor for \$197,953.08 has agreed to accept the \$9,575.15 from this sale. Normally, the judgment creditor would be entitled to all the money since his judgment was placed on record before the judgment of the County. If you have any further questions about this, please contact me at your earliest convenience. I would like to get an answer for this as soon after the May 9 County Board Meeting as possible. Thank you for your consideration.

Respectfully yours,


Thomas J. Gordon
TJG/ch
enc.

SETTLEMENT SHEET

SELLER: Bernard Ramos

Attorney: Thomas J. Gordon

Phone: 398-6981

Fax: 352-6123

BUYERS: Robert D. Parr and Linda R. Parr

Attorney:

Phone:

Fax:

LEGAL DESCRIPTION: Part of Lot H in J. W. Davidson Second Subdivision, except the South 51.3 feet and except beginning at the Northwest corner of Lot H South 17.49 feet and East 43.5 feet, thence South 11 feet thence East 43.5 feet, thence South 27.32 feet, thence East 25 feet North to the North line of the West Half (W 1/2) of the Southeast Quarter (SE 1/4) West to the Point of Beginning, situated in the County of Champaign and State of Illinois.

PIN - 42-20-11-402-013

COMMON ADDRESS: 1211 W. Washington, Champaign, IL 61820

DATE OF CLOSING: May 31, 2012

Sale Price		\$15,000.00
Buyers' Credits:		
Down payment	500.00	
2011 Taxes	270.90	
2012 Taxes	111.45	
Chicago Title Ins. Co.	120.00	
Revenue stamps	22.50	
Record 4 releases	140.00	
Record Power of Attorney	35.00	
ReMax - commission	900.00	
City of Champaign	275.00	
Champaign County	1,000.00	
City of Champaign	800.00	
Colorado Place	9,575.15	
Thomas J. Gordon	1,250.00	
Total Buyers' Credits		<u>15,000.00</u>
		-0-

Joel Fletcher

From: Hall, Laura [laura.hall@ci.champaign.il.us]
Sent: Tuesday, May 29, 2012 9:56 AM
To: Joel Fletcher
Subject: 1211 W. Washington

Joel - The City of Champaign has agreed to a partial release of its lien on this property for an agreed upon sum. The city will receive \$800.00 and the lien will remain attached to all other property owned by the Ramos'. This way the property is out of their hands and I am told the new owners are going to build on the lot so it will increase tax revenue. It is our view that getting property out of the hands of the Ramos' is a priority. A copy of the Settlement Sheet reveals that the Ramos' will not be walking away from this deal with any money.

Laura

Champaign
County
Department of

PLANNING &
ZONING

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

(217) 384-3708

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

From: **John Hall, Zoning Administrator
Andrew Kass, Associate Planner**

Date: **May 24, 2012**

RE: **Zoning Ordinance text amendment (Case 701-AT-11)**

Request: **Motion to Recommend Approval of a Text Amendment to the
Champaign County Zoning Ordinance in Zoning Case 701-AT-11 to
Amend Certain Wind Farm Standard Conditions**

Petitioner: **Zoning Administrator**

STATUS

The Committee made a preliminary recommendation for approval of this recommended text amendment at the May 8, 2012, meeting.

No comments have been received from municipalities or townships but the Urbana Planning Commission has not yet made a recommendation to the Urbana City Council. Urbana hopes to have this case before the City Council prior to the County Board meeting. No protest is anticipated.

This text amendment is ready for a final recommendation to the County Board for the meeting on June 21, 2012, and staff will report on the Urbana City Council action at that time.

ATTACHMENTS

A Proposed Ordinance

Attachment A Proposed Amendment
Case 701-AT-11
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Part A. Revise paragraph 6.1.4 D.1. to read as follows:

- (a) WIND FARM TOWERS, turbines, and all related construction shall conform to applicable industry standards, including those of the American National Standards Institute ("ANSI"). Applicants shall submit certificates of design compliance that equipment manufacturers have obtained from Underwriters Laboratories ("UL"), Det Norske Veritas ("DNV"), Germanischer Lloyd Wind Energy ("GL"), or equivalent third party. Documentation of compliance must be submitted prior to receiving a Zoning Compliance Certificate for either the WIND FARM or for any single WIND FARM TOWER.

Part B.

1. Revise paragraph 6.1.4F.1. to read as follows:

1. The Applicant shall enter into a Roadway Upgrade and Maintenance agreement approved by the County Engineer; or Township Highway Commissioner; or municipality where relevant. Agreements with the County Engineer shall not be forwarded to the County Board before the wind farm special use permit is forwarded. All other agreements shall be executed prior to the close of the public hearing before the BOARD. The signed and executed Roadway Upgrade and Maintenance agreements must provide for the following minimum conditions:

2. Delete paragraph 6.1.4F.1.u. and renumber succeeding paragraphs as required.

3. Add new subparagraph 6.1.4F.3. as follows:

3. At such time as decommissioning takes place the Applicant or its successors in interest shall enter into a Roadway Use and Repair Agreement with the appropriate highway authority.

Part C. Revise paragraph 6.1.4J. to read as follows:

- J. **Standard Conditions for Endangered Species Consultation**
The Applicant shall apply for consultation with the Endangered Species Program of the Illinois Department of Natural Resources. The Application shall include a copy of the Agency Action Report or, if applicable, a copy of the Detailed Action Report submitted to the Endangered Species Program of the Illinois Department of Natural Resources and a copy of the response from the Illinois Department of Natural Resources.

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Part D. Add new paragraph 6.1.4E.7. as follows:

7. **Permanent Erosion and Sedimentation Control Plan**
 - (a) Prior to the approval of any Zoning Use Permit, the Applicant shall provide a permanent soil erosion and sedimentation plan for all WIND FARM TOWER sites and access roads that conforms to the relevant Natural Resources Conservation Service guidelines and that is prepared by an Illinois Licensed Professional Engineer.
 - (b) As-built documentation of all permanent soil erosion and sedimentation improvements for all WIND FARM TOWER sites and access roads prepared by an Illinois Licensed Professional Engineer shall be submitted and accepted by the Zoning Administrator prior to approval of any Zoning Compliance Certificate.

Part E. Revise paragraph 6.1.4S.1.(c)(3) to read as follows:

- (3) The separation of all WIND FARM structures from adjacent NON-PARTICIPATING DWELLINGS OR PRINCIPAL BUILDINGS or uses shall be as shown or dimensioned on the approved site plan for the SPECIAL USE Permit unless the Board authorizes a lesser separation in a special condition of approval or any required and duly authorized waivers of paragraph 6.1.4C. Authorization of a separation of less than 90% of that indicated on the approved site plan for the SPECIAL USE Permit shall require an updated noise study meeting the requirements of paragraph 6.1.4 I. to be submitted with the Zoning Use Permit application. WIND FARM structures include WIND FARM TOWERS, substations, third party transmission lines, maintenance and management facilities, or other significant structures.

Part F.

1. **In Section 3 revise the definition of “non-adaptable structure” to read as follows:**

NON-ADAPTABLE STRUCTURE: Any STRUCTURE or physical alteration to the land which requires a SPECIAL USE Permit, and which is likely to become economically unfeasible to remove or put to an alternate USE allowable in the DISTRICT (by right or by SPECIAL USE). This term shall include, but not be limited to, a WIND TURBINE TOWER and a WIND FARM TOWER.

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- 2. Make the following revisions to paragraph 6.1.1A.:**
- a. Revise paragraph 6.1.1A. to strike references to “reclamation agreement” and replace with “site reclamation plan” and replace references to 6.1.1C. with references to 6.1.1A. and;**
 - b. Revise paragraphs 6.1.1A.1. through 5 to read as follows:**
 - A. Site Reclamation Plan for NON-ADAPTABLE STRUCTURES**
 - 1. In the course of BOARD review of a SPECIAL USE request, the BOARD may find that a proposed STRUCTURE is a NON-ADAPTABLE STRUCTURE. Any WIND FARM shall be a NON-ADAPTABLE STRUCTURE. The Applicant for the SPECIAL USE request for a NON-ADAPTABLE STRUCTURE shall submit a site reclamation plan to the BOARD for the subject site.**
 - 2. The site reclamation plan shall be binding upon all successors of title to the land. Prior to the issuance of a SPECIAL USE Permit for such NON-ADAPTABLE STRUCTURES, the landowner or applicant shall also record a covenant incorporating the provisions of the site reclamation plan on the deed subject to the LOT, requiring that the reclamation work be performed and that a letter of credit be provided for financial assurance.**
 - 3. Separate cost estimates for Section 6.1.1A.4.a., 6.1.1A.4.b., and 6.1.1A.4.c. shall be provided by an Illinois Licensed Professional Engineer.**
 - a. Cost estimates provided shall be subject to approval of the BOARD.**
 - b. Except as provided in Section 6.1.4P., the salvage value of the components of the NON-ADAPTABLE STRUCTURE shall not be credited to the cost estimates.**
 - 4. The site reclamation plan shall provide for:**
 - a. removal of above-ground portion of any STRUCTURE on the subject site; site grading; and, interim soil erosion control;**
 - b. below-ground restoration, including final grading and surface treatment;**
 - c. any environmental remediation required by State or Federal law;**
 - d. provision and maintenance of a letter of credit, as set forth in Section 6.1.1A.5.**

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5. No Zoning Use Permit for such SPECIAL USE will be issued until the applicant provides the COUNTY with an irrevocable letter of credit to be drawn upon a federally insured financial institution within 200 miles of Urbana or reasonable anticipated travel costs shall be added to the amount of the letter of credit. The irrevocable letter of credit shall be in the amount of one hundred fifty percent (150%) of an independent engineer's cost estimate to complete the work described in Section 6.1.1A.4.a., Section 6.1.1A.4.b., and Section 6.1.1A.4.c., except a different amount may be required as a standard condition in Section 6.1.4P. This letter of credit, or a successor letter of credit pursuant to Section 6.1.1A.6. or 6.1.1A.12. shall remain in effect and shall be made available to the COUNTY for an indefinite term or for a different term that may be required as a standard condition in paragraph 6.1.4P.

2c. Add new subparagraph 6.1.1A.7.e. to read as follows:

- e. A court of law, an arbitrator, mediator, or any state or Federal agency charged with enforcing State or Federal law has made a finding that either said NON-ADAPTABLE STRUCTURE or the structures supporting said NON-ADAPTABLE STRUCTURE and/or any related site grading and soil erosion controls or lack of same, constitutes a public nuisance or otherwise violates State or Federal law, or any State or Federal agency charged with enforcing State or Federal law has made a final determination either imposing an administrative sanction on any person associated with the NON-ADAPTABLE STRUCTURE relating to its use or denying the NON-ADAPTABLE STRUCTURE a permit necessary for its lawful operation.

2d. Revise subparagraph 6.1.1A.6. as follows:

6. One hundred eighty (180) days prior to the expiration date of an irrevocable letter of credit submitted pursuant to this Section, the Zoning Administrator shall notify the landowner or applicant in writing and request information about the landowner or applicant's intent to renew the letter of credit, or remove the NON-ADAPTABLE STRUCTURE. The landowner or applicant shall have thirty (30) days to respond in writing to this request. If the landowner or applicant's intention is to remove the NON-ADAPTABLE STRUCTURE, the landowner or applicant will have a total of ninety (90) days from the date of response to remove it in accordance with Section

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6.1.1A.4.a. At the end of ninety (90) days, the Zoning Administrator shall have a period of sixty (60) days to either:

- a. confirm that the bank has renewed the letter of credit; or
- b. inspect the subject property for compliance with Section 6.1.1A.4.a.;
- c. draw on the letter of credit and commence the bid process to have a contractor remove the NON-ADAPTABLE STRUCTURE pursuant to Section 6.1.1A.4.a.

2e. Revise paragraph 6.1.1A.11.b. to read as follows:

- b. pay all administrative and ancillary costs associated with drawing upon the financial assurance and performing the reclamation work, which shall include, but not be limited to, attorney's fees; construction management and other professional service fees; and the costs of preparing request for proposal and bidding documents required to comply with state law or Champaign County purchasing policies; and

2f. Revise paragraph 6.1.1A.12. to read as follows:

12. Upon transfer of any property subject to a letter of credit pursuant to this Section, the new owner or applicant of record shall submit a new irrevocable letter of credit of same or greater value to the Zoning Administrator, prior to legal transfer of title, and shall submit a new site reclamation plan, pursuant to Section 6.1.1A.4.a., and, for WIND FARMS, Section 6.1.4P. Once the new owner or applicant of record has done so, the letter of credit posted by the previous owner or applicant shall be released, and the previous owner shall be released from any further obligations under the site reclamation plan.

2g. Add new subparagraphs 6.1.1A.13. & 14. to read as follows:

13. The Applicant shall provide evidence of any new, additional, or substitute financial assurance to the Zoning Administrator throughout the operating lifetime of the NON-ADAPTABLE STRUCTURE.
14. Should the site reclamation plan, or any part of it, be deemed invalid by a court of competent jurisdiction, the associated SPECIAL USE permit shall be deemed void.

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- 3. Revise 6.1.4P. as follows:**
- a. Revise paragraph 6.1.4P. to strike references to “reclamation agreement” and replace with “site reclamation plan”.**
 - b. Delete paragraphs 6.1.4P.3.(d), (e), and (f) and add new paragraphs 6.1.4P.3.(d) through (m) as follows:**
 - (d) A stipulation that at such time as decommissioning takes place the applicant or it’s successors in interest are required to enter into a Roadway Use and Repair Agreement with the relevant highway authority.**
 - (e) A stipulation that the Applicant shall provide evidence of any new, additional, or substitute financing or security agreement to the Zoning Administrator throughout the operating lifetime of the project.**
 - (f) A stipulation that the Applicant shall be obliged to perform the work in the site reclamation plan before abandoning the WIND FARM or prior to ceasing production of electricity from the WIND FARM, after it has begun, other than in the ordinary course of business. This obligation shall be independent of the obligation to pay financial assurance, and shall not be limited by the amount of financial assurance. The obligation to perform the reclamation work shall constitute a covenant running with the land**
 - (g) The site reclamation plan shall provide for payment of any associated costs that Champaign County may incur in the event that decommissioning is actually required. Associated costs include all administrative and ancillary costs associated with drawing upon the financial assurance and performing the reclamation work and shall include but not be limited to attorney’s fees; construction management and other professional service fees; and the costs of preparing request for proposals and bidding documents required to comply with state law or Champaign County purchasing policies.**
 - (h) The depth of removal of foundation concrete below ground shall be a minimum of 54 inches. The depth of removal of foundation concrete shall be certified in writing by an Illinois Licensed Professional Engineer and the certification shall be submitted to the Zoning Administrator.**
 - (i) The hole resulting from the removal of foundation concrete during decommissioning shall be backfilled as follows:**

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- i.* The excavation resulting from the removal of foundation concrete shall only be backfilled with subsoil and topsoil in similar depths and similar types as existed at the time of the original WIND FARM construction except that a lesser quality topsoil or a combination of a lesser quality topsoil and a subsoil that is similar to the native subsoil may be used at depths corresponding to the native subsoil but not less than 12 inches below grade.
- ii.* The native soils excavated at the time of the original WIND FARM construction may be used to backfill the concrete foundation excavations at the time of decommissioning provided that the soils are adequately stored throughout the operating lifetime of the WIND FARM. The methods for storing the excavated native soils during the operating lifetime of the WIND FARM shall be included in the site reclamation plan.
- iii.* If the excavated native soils are not stored for use for backfilling the concrete foundation excavations, a qualified soil scientist or Illinois Licensed Professional Engineer shall certify that the actual soils used to backfill the concrete foundation excavations are of equal or greater quality than the native soils or that, in the case of subsoil, the backfill soil meets the requirements of this paragraph. The certification shall be submitted to the Zoning Administrator.
- iv.* An Illinois Licensed Professional Engineer shall certify in writing that the concrete foundation excavations have been backfilled with soil to such a depth and with a minimum of compaction that is consistent with the restoration of productive agricultural use such that the depth of soil is expected to be no less than 54 inches within one year after backfilling.
- (j)* A stipulation that should the site reclamation plan be deemed invalid by a court of competent jurisdiction the WIND FARM SPECIAL USE Permit shall be deemed void.
- (k)* A stipulation that the Applicant's obligation to complete the site reclamation plan and to pay all associated costs shall be independent of the Applicant's obligation to provide financial assurance.

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- (l) A stipulation that the liability of the Applicant's failure to complete the site reclamation plan or any breach of the site reclamation plan requirement shall not be capped by the amount of the financial assurance.
- (m) If the Applicant desires to remove equipment or property credited to the estimated salvage value without the concurrent replacement of the property with property of equal or greater salvage value or if the Applicant installs equipment or property increasing the cost of decommissioning after the WIND FARM begins to produce electricity, at any point, the Applicant shall first obtain the consent of the Zoning Administrator. If the Applicant's lien holders remove equipment or property credited to the salvage value the Applicant shall promptly notify the Zoning Administrator. In either of these events the total financial assurance shall be adjusted to reflect any change in total salvage value and total decommissioning costs resulting from any such removal or installation.

3c. Revise paragraph 6.1.4P.4.(a) and insert new paragraph 6.1.4P.4.(b) and renumber existing paragraphs as required as follows:

3d. Insert new paragraph 6.1.4P.4.(b) as follows:

- 4. To comply with paragraph 6.1.1A.5., the Applicant shall provide financial assurance in the form of an irrevocable letter of credit and an escrow account as follows:
 - (a) At the time of Special Use Permit approval the amount of financial assurance to be provided for the site reclamation plan shall be 210% of the decommissioning cost as determined in the independent engineer's cost estimate to complete the decommissioning work described in Sections 6.1.1A.4.a. and 6.1.1A.4.b. and 6.1.1A.4.c.
 - (b) Net salvage value may be deducted from decommissioning costs as follows:
 - (1) One of the following standards shall be met:
 - i. The Applicant shall maintain the WIND FARM TOWERS free and clear of liens and encumbrances, including financing liens and shall provide proof of the same prior to issuance of the SPECIAL USE Permit; or
 - ii. The Applicant shall deduct from the salvage value credit the amount of any lien or encumbrance on each WIND FARM TOWER; or

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- iii.* Any and all financing and/or financial security agreements entered into by the Applicant shall expressly provide that the agreements are subject to the covenant required by Section 6.1.1.A.2 that the reclamation work be done.
- (2) The Applicant shall provide proof of compliance with paragraph 6.1.4P.4.(b)(1) prior to issuance of any Zoning Use Permit and upon every renewal of the financial assurance and at any other time upon the request of the Zoning Administrator.
- (3) The Applicant shall provide in the site reclamation plan for legal transfer of the STRUCTURE to the demolisher to pay the costs of reclamation work, should the reclamation work be performed.
- (4) The net estimated salvage value that is deducted from the estimated decommissioning costs shall be the salvage value that results after all related costs for demolition and any required preparation for transportation for reuse or recycling or for simple disposal and other similar costs including but not limited to the decommissioning of the tower, the hub assembly, the bed plate, the nacelle, the turbine, the blades, the tower cabling and internal wiring, the transformers, the foundation, and access roads.
- (5) Estimated salvage value shall be based on the average salvage price of the past five years as published in a reputable source for salvage values and shall reflect sound engineering judgment as to anticipated changes in salvage prices prior to the next update of estimated net salvage value.
- (6) The deduction from the estimated decommissioning costs for net estimated salvage value shall be capped at 70% of the total net estimated salvage value even though the total actual salvage value shall be available in the event that decommissioning is actually required.
- (7) The credit for net estimated salvage value attributable to any WIND FARM TOWER may not exceed the estimated cost of removal of the above-ground portion of that WIND FARM TOWER on the subject site.

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- (c) The GOVERNING BODY has the right to require multiple letters of credit based on the regulations governing federal insurance for deposits.

3e. Renumber existing paragraph 6.1.4P.4.(b) to become new paragraph 6.1.4P.4.(e) and revise the first part of the existing paragraph as follows:

- (e) The applicant or WIND FARM owner shall gradually pay down the value of the irrevocable letter of credit by placing cash deposits in an escrow account in equal annual installments over the first 13 years of the WIND FARM operation as follows:

3f. Renumber existing paragraph 6.1.4P.4.(b)(5) to become new paragraph 6.1.4P.4.(d) and revise as follows:

- (d) The Applicant shall adjust the amount of the financial assurance to ensure that it reflects current and accurate information as follows:
 - (1) At least once every three years for the first 12 years of the financial assurance and at least once every year thereafter the Applicant shall use an independent Illinois Licensed Professional Engineer to provide updated estimates of decommissioning costs and salvage value, by including any changes due to inflation and/or change in salvage price. The Applicant shall, upon receipt, provide a copy of the adjusted Professional Engineer's report to the Zoning Administrator.
 - (2) At all times the total combined value of the irrevocable letter of credit and the escrow account shall equal or exceed the amount of the independent engineer's cost estimate as increased by known and documented rates of inflation since the WIND FARM was approved; and an amount for any future years left in the anticipated 25 year life span of the WIND FARM at an assumed minimum rate of inflation of 3% per year.

3g. Add new paragraph 6.1.4P.4.(f) as follows:

- (f) Should the salvage value of components be adjusted downward or the decommissioning costs adjusted upward pursuant to paragraph 6.1.4P.4.(d), the amount to be placed in the escrow account pursuant to this paragraph 6.1.4P.4. shall be increased to reflect the adjustment, as if the adjusted estimate were the initial estimate.

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3h. Revise paragraph 6.1.4P.5.(a) to read as follows:

- (a) In the event that any WIND FARM TOWER or component thereof ceases to be functional for more than six consecutive months after it starts producing electricity and the Owner is not diligently repairing such WIND FARM TOWER or component.

3i. Add the following to paragraph 6.1.4P.5.:

- (c) There is a delay in the construction of any WIND FARM TOWER of more than 6 months after construction on that WIND FARM TOWER begins.
- (d) Any WIND FARM TURBINE appears in a state of disrepair or imminent collapse and/or creates an imminent threat to the health or safety of the public or any person.
- (e) Any WIND FARM TURBINE is otherwise derelict for a period of 6 months.
- (f) The WIND FARM is in violation of the terms of the WIND FARM SPECIAL USE permit for a period exceeding ninety (90) days.
- (g) The Applicant has failed to maintain financial assurance in the form and amount required by the special use permit or compromised the COUNTY's interest in the site reclamation plan.
- (h) The COUNTY discovers any material misstatement of fact or misleading omission of fact made by the Applicant in the course of the special use permit zoning case.
- (i) The Applicant has either failed to receive a copy of the certification of design compliance required by paragraph 6.1.4D.1.(a) or failed to submit it to the County within 12 consecutive months of receiving a Zoning Use Permit regardless of the efforts of the Applicant to obtain such certification.

3j. Add new paragraph 6.1.4P.6. as follows:

- 6. The Zoning Administrator may, but is not required to, deem the WIND FARM abandoned, or the standards set forth in Section 6.1.4P.5 met, with respect to some, but not all, of the WIND FARM TURBINES in the WIND FARM. In that event, the Zoning Administrator may draw upon the financial assurance to perform the reclamation work as to those WIND

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FARM TURBINES only. Upon completion of that reclamation work, the salvage value and reclamation costs shall be recalculated as to the remaining WIND FARM TURBINES in the WIND FARM.

3k. Renumber existing paragraph 6.1.4P.6. and revise as follows:

7. The Site Reclamation Plan shall be included as a condition of approval by the BOARD and the signed and executed irrevocable letter of credit and evidence of the escrow account must be submitted to the Zoning Administrator prior to any Zoning Use Permit approval.

Champaign
County
Department of

PLANNING &
ZONING

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

(217) 384-3708

To: **Champaign County Board Committee of the Whole**
From: **John Hall, Director & Zoning Administrator**
Date: **May 30, 2012**
RE: **Zoning Ordinance requirements for Rural Home Occupations**
Request: **Request approval to proceed with a public hearing for an amendment to the Zoning Ordinance limits for numbers of vehicles and large equipment authorized in Rural Home Occupations**

STATUS

This item was deferred from the March 6, 2012, meeting.

Conflicting recommendations were received from various Committee members and two versions of the proposed amendment are included.

Attachment A is the version dated February 1, 2012, and remains unchanged except that "Non-farm" is no longer deleted in the first sentence.

Attachment B is a version that is similar to the February 1, 2012, version but **does not include any maximum weight limit; does not require screening for vehicles simply because the business or owner's name is affixed to the vehicle; and grandfathers all existing vehicles and equipment. This version simply corrects the obvious problems in the existing Ordinance.**

OVERVIEW OF REVISED PROPOSED AMENDMENT

Attachment B indicates the proposed changes which are briefly summarized below (capitalized words are defined in the Zoning Ordinance):

1. Eliminate reference to "second division vehicles as defined in the Illinois Vehicle Code" and simply replace with "MOTOR VEHICLES displaying the name of the RURAL HOME OCCUPATION or used in any way for the RURAL HOME OCCUPATION".
2. Regarding the limits on numbers of vehicles, the proposed amendment keeps the existing limit of 10 but changes the weight limit as follows:
 - A. The existing weight threshold of 8,000 pounds is proposed to be increased to 15,000 pounds. Large sport utility vehicles and pick-ups with dual rear wheels weigh more than 8,000 pounds. The proposed increase will allow up to 10 such vehicles. See the proposed change to existing subparagraph 7.1.2E. i. that is proposed to become subparagraph 7.1.2 E. (3).
 - B. The existing Ordinance has no maximum weight limit and none are included in the Revised Proposed Amendment.

Zoning Administrator

MAY 30, 2012

3. Equipment is not defined but examples are given. An exact definition is not required because there is no absolute limit on the number of pieces of equipment (see below). See the proposed subparagraph 7.1.2E.(2).
4. Regarding the limit on numbers of equipment, the proposed amendment does not limit the number of pieces of equipment but requires that no more than 10 vehicles or 10 pieces of equipment or some combination thereof may be kept outdoors and any additional equipment must be stored inside an enclosed building. See proposed subparagraph 7.1.2 E. (6).
5. The 15,000 pound threshold also applies to self-propelled equipment. See the proposed changes to existing subparagraph 7.1.2E. i. that is proposed to become subparagraph 7.1.2 E. (3).
6. References are added to the existing SCREEN requirements for parking and outdoor storage. See proposed subparagraphs 7.1.2 E. (7) & (8). No changes are proposed to existing subparagraph 7.1.2 D.
7. Note that the grandfathering of existing vehicles and equipment as proposed in the February 29, 2012, memorandum has been included as follows:
 - No more than 10 MOTOR VEHICLES in total. The existing Ordinance clearly establishes this limit.
 - No more than 3 MOTOR VEHICLES that are each more than 15,000 pounds gross weight. All other MOTOR VEHICLES must be less than 15,000 pounds gross weight. The existing Ordinance clearly establishes a limit of no more than 3 vehicles that are than 8,000 pounds gross weight. The proposed amendment increases that weight limit to 15,000 pounds and so that is also what is proposed to be grandfathered. Note a large SUV, van, or dually pickup truck are each less than 15,000 pounds gross weight.
 - Any number of trailers and pieces of equipment with no weight limits, provided that the trailers and equipment were included on the application. The ZBA agreed that the existing Ordinance was not clear regarding limits on equipment and so all existing equipment is proposed to be grandfathered so long as it was included on (or is added to) the application.
8. The net result of Attachment B is to clarify the confusion that was the subject of Interpretation Case 695-I-11: no more than 10 vehicles used in the home business may be kept onsite at the home business; and no more than 10 business vehicles or 10 whole pieces of business equipment or some combination thereof may be stored outdoors at the home business and all other business equipment must be stored indoors. All vehicles and equipment that are part of any authorized Rural Home Occupation are grandfathered and allowed to be replaced as needed in the future. Screening will not be required simply because the business name is on vehicles and equipment.

ATTACHMENTS

- A Proposed Paragraph 7.1.2 E. dated February 1, 2012**
- B Revised Proposed Paragraph 7.1.2 E.**

Attachment A: Proposed Amendment to Paragraph 7.1.2 E.

FEBRUARY 1, 2012

1. **Revise existing paragraph 7.1.2E. to read as follows:**

(Note: Existing words to be deleted are indicated in strike out and new words to be added are underlined. "Non-farm" was previously indicated to be deleted but is now unchanged.)

- E. ~~Non-farm, Second Division vehicles as defined by the Illinois Vehicle Code~~ MOTOR VEHICLES and equipment used in any RURAL HOME OCCUPATION shall be limited as follows:
- (1) The number of MOTOR VEHICLES and licensed trailers displaying the name of the RURAL HOME OCCUPATION or used in any way for the RURAL HOME OCCUPATION shall be within the limits established in this paragraph.
 - (2) The number of complete pieces of equipment that are motorized or non-motorized and used in any way for the RURAL HOME OCCUPATION shall be within the limits established in this paragraph. Complete pieces of equipment shall include, but not be limited to, bucket loaders, road graders, bulldozers, trenchers, backhoes, riding lawn mowers, devices mounted on trailers, and any agricultural equipment used for non-agricultural uses. Equipment does not include hand tools or bench tools or tools mounted on a table or wheel barrows or similar tools.
 - ~~i.~~(3) No more than three ~~vehicles~~ MOTOR VEHICLES and licensed trailers over 8,000 ~~15,000~~ lbs. pounds gross weight each or three complete pieces of self-propelled equipment over 15,000 pounds gross weight each, or some combination thereof, shall be permitted but only one MOTOR VEHICLE and/or licensed trailer and/ or equipment shall be permitted with a gross weight (including vehicle, trailer and equipment in combination) over 36,000 pounds but not more than 80,000 pounds gross weight. Weights of such MOTOR VEHICLES and trailer and / or pieces of equipment (including vehicle and equipment in combination) on the public STREET shall be in conformance with the seasonal restrictions authorized by the Illinois Vehicle Code (625 ILCS 5/15-316).
 - ~~ii.~~(4) No more than 10 ~~vehicles~~ MOTOR VEHICLES in total, including ~~vehicles~~ MOTOR VEHICLES under 8,000 lbs. gross vehicle weight and licensed trailers and off road vehicle shall be permitted excluding patron or employee personal ~~vehicles~~ MOTOR VEHICLES. This limit shall apply to each individual MOTOR VEHICLE or licensed trailer.

Attachment A: Proposed Amendment to Paragraph 7.1.2 E.
FEBRUARY 1, 2012

- ~~iii.~~(5) All ~~Second-Division vehicles~~ MOTOR VEHICLES and licensed trailers shall be stored ~~indoors~~ in an enclosed BUILDING or parked no less than 50 feet from any lot line and no less than 100 feet from any off-site existing DWELLING conforming as to USE.

- (6) No more than 10 complete pieces of equipment may be kept in outdoor STORAGE that is located no less than 50 feet from any lot line and no less than 100 feet from any off-site existing DWELLING conforming as to USE and conforming to the SCREEN requirements of Section 7.4 provided, however, that the number of pieces of equipment that may be kept in outdoor STORAGE shall be reduced by the number of MOTOR VEHICLES and trailers also parked outdoors and all other equipment must be kept in an enclosed BUILDING. This limit shall apply to each individual piece of equipment.

- (7) Parking spaces shall have required SCREENS as required by Section 7.4.

- (8) Outdoor STORAGE shall have required SCREENS as required by Section 7.6.

2. Revise existing paragraph 7.1.2 D. to read as follows:

(Note: Existing words to be deleted are indicated in strike out and new words to be added are underlined.)

- D. No more than one SIGN not more than six square feet in area shall be permitted on the property in addition to one MOTOR VEHICLE or one piece of equipment with the RURAL HOME OCCUPATION name or owner name affixed to the exterior and parked or stored outdoors. Any additional MOTOR VEHICLE or equipment with the RURAL HOME OCCUPATION name or owner name affixed to the exterior must be parked or stored in an enclosed BUILDING or in a parking or storage space that has a SCREEN as required by Section 7.4.

Attachment B: Revised Proposed Amendment to Paragraph 7.1.2 E.
May 31, 2012

1. Revise existing paragraph 7.1.2E. to read as follows:

(Note: Existing words to be deleted are indicated in single strike out and words previously proposed to be added are underlined and new additions are in double underlining. Words in double strike out were previously proposed and are deleted.)

- E. ~~Non-farm, Second Division vehicles as defined by the Illinois Vehicle Code~~ MOTOR VEHICLES and equipment used in any RURAL HOME OCCUPATION shall be limited as follows:
- (1) The number of MOTOR VEHICLES and licensed trailers displaying the name of the RURAL HOME OCCUPATION or used in any way for the RURAL HOME OCCUPATION shall be within the limits established in this paragraph.

 - (2) The number of complete pieces of equipment that are motorized or non-motorized and used in any way for the RURAL HOME OCCUPATION shall be within the limits established in this paragraph. Complete pieces of equipment shall include, but not be limited to, bucket loaders, road graders, bulldozers, trenchers, backhoes, riding lawn mowers, devices mounted on trailers, and any agricultural equipment used for non-agricultural uses. Equipment does not include hand tools or bench tools or tools mounted on a table or wheel barrows or similar tools.

 - ~~i-~~(3) No more than three vehicles-MOTOR VEHICLES and licensed trailers over 8,000 15,000 lbs. pounds gross weight each or three complete pieces of self-propelled equipment over 15,000 pounds gross weight each, or some combination thereof, shall be permitted but only one MOTOR VEHICLE and/or licensed trailer and/or equipment shall be permitted with a gross weight (including vehicle, trailer and equipment in combination) over 26,000 pounds but not more than 80,000 pounds gross weight. Weights of such MOTOR VEHICLES and trailer and/or pieces of equipment (including vehicle and equipment in combination) on the public STREET shall be in conformance with the seasonal restrictions authorized by the Illinois Vehicle Code (625 ILCS 5/15-316).

 - ~~ii-~~(4) No more than 10 vehicles-MOTOR VEHICLES in total, including vehicles-MOTOR VEHICLES under 8,000 lbs. gross vehicle weight and licensed trailers and off-road vehicle shall be permitted excluding patron or employee personal-vehicles-MOTOR VEHICLES. This limit shall apply to each individual MOTOR VEHICLE or licensed trailer.

Attachment B: Revised Proposed Amendment to Paragraph 7.1.2 E.
May 31, 2012

- ~~iii.~~(5) All ~~Second Division vehicles~~ MOTOR VEHICLES and licensed trailers shall be stored indoors in an enclosed BUILDING or parked no less than 50 feet from any lot line and no less than 100 feet from any off-site existing DWELLING conforming as to USE.
- (6) No more than 10 complete pieces of equipment may be kept in outdoor STORAGE that is located no less than 50 feet from any lot line and no less than 100 feet from any off-site existing DWELLING conforming as to USE and conforming to the SCREEN requirements of Section 7.4 provided, however, that the number of pieces of equipment that may be kept in outdoor STORAGE shall be reduced by the number of MOTOR VEHICLES and trailers also parked outdoors and all other equipment must be kept in an enclosed BUILDING. This limit shall apply to each individual piece of equipment.
- (7) Parking spaces shall have required SCREENS as required by Section 7.4.
- (8) Outdoor STORAGE shall have required SCREENS as required by Section 7.6.
- (9) The above requirements of paragraph 7.1.2E. shall apply to any RURAL HOME OCCUPATION for which an application is received after May September 1, 2012, and to the expansion of any RURAL HOME OCCUPATION for which an application had been received on or before May 1, 2012.
- (10) The above requirements of paragraph 7.1.2E. and the requirements of Section 8 notwithstanding:
- (a) Any MOTOR VEHICLE or licensed trailer or piece of equipment that was included in any application for, or authorization of, any RURAL HOME OCCUPATION for which an application had been received by the Zoning Administrator on or before May September 1, 2012, may continue to be used in that RURAL HOME OCCUPATION provided that the total number of MOTOR VEHICLES in the RURAL HOME OCCUPATION are not more than 10 and further provided that no more than 3 such MOTOR VEHICLES are each more than 15,000 pounds gross weight.
- (b) Any RURAL HOME OCCUPATION that complies with subparagraph 7.1.2E.(10)(a) shall be authorized to have that same number of MOTOR VEHICLES or licensed trailers or pieces of equipment as long as it continues in business at that location and any MOTOR VEHICLE or licensed trailer or piece of equipment may be replaced with a similar MOTOR VEHICLE or licensed trailer or piece of equipment.

Attachment B: Revised Proposed Amendment to Paragraph 7.1.2 E.
May 31, 2012

2. ~~Revise existing paragraph 7.1.2 D. to read as follows:~~
(Note: Existing words to be deleted are indicated in strike out and new words to be added are underlined.)

~~D. No more than one SIGN not more than six square feet in area shall be permitted on the property in addition to one MOTOR VEHICLE or one piece of equipment with the RURAL HOME OCCUPATION name or owner name affixed to the exterior and parked or stored outdoors. Any additional MOTOR VEHICLE or equipment with the RURAL HOME OCCUPATION name or owner name affixed to the exterior must be parked or stored in an enclosed BUILDING or in a parking or storage space that has a SCREEN as required by Section 7.4.~~