



CHAMPAIGN COUNTY BOARD
COMMITTEE OF THE WHOLE – ELUC/ County Facilities
County of Champaign, Urbana, Illinois
Tuesday, October 2, 2012 – 6:00 p.m.

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

Page No.

- I. Call to Order**
- II. Roll Call**
- III. Approval of Minutes**
 - A. Committee of the Whole – September 4, 2012 (*unnumbered, but included*)
- IV. Approval of Agenda/Addenda**
- V. Public Participation**
- VI. Communications**
- VII. County Facilities**
 - A. Physical Plant Monthly Reports – *to be distributed at meeting*
 - B. 202 Art Bartell Construction Project
 - 1. Monthly Report 1
 - 2. Project Update
 - C. Report regarding Downtown Jail Facility
 - D. Chair’s Report
 - E. Other Business
 - F. Designation of Items to be Placed on the Consent Agenda
- VIII. Environment & Land Use**
 - A. Recreation & Entertainment License: Egyptian Collectors Association Buy-Sell-Trade Hunting Show – Champaign County Fairgrounds, October 20-21, 2012 2-5
 - B. Request Preliminary Recommendation for Approval of a Text Amendment to the Champaign County Zoning Ordinance in Zoning Case 710 AT-12 to Amend the Champaign County LESA – Petitioner: Champaign County Zoning Administrator 6-75
 - C. Request Preliminary Recommendation for Approval of a Text Amendment to the Champaign County Zoning Ordinance in Zoning Case 711-AT-12 to Amend the Champaign County Zoning Ordinance by Changing the Definition of Best Prime Farmland - Petitioner: Champaign County Zoning Administrator 76-98

- D. 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, 2012)* 99-116
- E. Direction to Zoning Administrator Regarding Proposed Zoning Ordinance Text Amendment to Add "Agricultural Drainage Contractor Facility: to the Champaign County Zoning Ordinance 117-121
- F. Direction to Zoning Administrator Regarding Proposed Zoning Ordinance Text Amendment to Amend "Contractor Facility" in the Champaign County Zoning Ordinance 122-126
- G. Monthly Report - *to be distributed*
- H. Other Business
- I. Designation of Items to be Placed on Consent Agenda

IX. Highway & Transportation

- A. County & Township Motor Fuel Tax Claims – August/September, 2012 127-128
- B. Final Bridge Reports 129-133
- C. Resolution Appropriating an Additional \$268,523.53 from County Motor Fuel Tax for Curtis Road Phase I – Section #00-00374-00-PV 134-135
- D. Bridge Petition – Colfax Road District 136-138
- E. Bridge Petition – Crittenden & Pesotum Road Districts 139-141
- F. Bridge Petition – Tolono & Champaign Road Districts 142-144
- G. Resolution Appropriating \$1,000,000.00 for the replacement of Structure #010-0151 located on County Highway 22 145-146
- H. Olympian Drive Right-of-Way
- I. Diesel Fuel Tank Removal
- J. Other Business
1. Closed Session pursuant to 5 ILCS 120/2 (c)(11) to consider litigation which is probable or imminent against Champaign County
- K. Designation of Items to be Placed on the Consent Agenda

X. Other Business

XI. Adjournment

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CHAMPAIGN COUNTY BOARD
Committee of the Whole Minutes

Tuesday, September 4, 2012 – 6:00pm
Lyle Shields Meeting Room
1776 E. Washington St., Urbana, IL

MEMBERS PRESENT: Alix, Ammons, Bensyl, Berkson, Betz, Carter, Cowart, Esry, Holderfield, James, Jay, Kibler, Kurtz, Langenheim, Maxwell, McGinty, Michaels, O'Connor, Petrie, Quisenberry, Richards, Rosales, Schroeder, Weibel

MEMBERS ABSENT: Anderson, Moser

OTHERS PRESENT: Deb Busey (County Administrator), Sheriff Walsh, Gordy Hulten, Alan Reinhart, many members of the public

Call to Order

Board Chair Weibel called the meeting to order at 6:05pm.

Roll Call

The secretary called the roll and the following were present: Alix, Ammons, Bensyl, Berkson, Betz, Carter, Cowart, Esry, Holderfield, James, Jay, Kibler, Kurtz, Langenheim, Maxwell, McGinty, Michaels, Mitchell, O'Connor, Petrie, Quisenberry, Richards, Rosales, Schroeder and Weibel.

Approval of Minutes

Motion by Rosales to approve the minutes of August 7, 2012, as presented; seconded by Mitchell. **Motion carried unanimously.**

Approval of Agenda/Addendum

Motion by James to approve the agenda for the meeting; seconded by Carter. **Motion carried unanimously.**

Public Participation

Doug Bidner spoke in opposition to a zoning case on the agenda.
James Kilgore spoke about the jail situation.
Lauren Murray, Annie Murray, Gwen Miller spoke in favor of the zoning case request on the agenda.
Martel Miller spoke in favor of more programs for youth and opposed building more jail space.
Beldon Fields spoke regarding public safety and the jail situation.
Jeremy Baumberger spoke regarding the upcoming decision on the jail needs assessment study.
A. Kirby read a letter from A. Courson in favor of the zoning case for L.A. Gourmet Catering.
B. Twist spoke about the jail situation and mental health inmates.
Susan Warsaw spoke in favor of L.A. Gourmet.
Chris Evans spoke regarding the jail situation and the jail needs assessments study.
Catherine Ehler spoke in favor of the L. A. Gourmet catering.

52 Durl Kruse spoke regarding the jail needs assessments study.

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Communications

Kibler said the Champaign County Farm Bureau had sent a letter thanking the Sheriff for his help with the Farm Bureau Tractor Drive.

Environment & Land Use
Zoning Case 699-AM-11

Motion by Quisenberry to recommend approval of a request to amend the Zoning Map to change the zoning district designation from the existing AG-1 Agriculture Zoning District to the AG-2 Agriculture Zoning District to allow the development of an event center authorized by the Zoning Board of Appeals in related Zoning Case 700-S-11; seconded by James. Schroeder said there have been other businesses located in the area of the proposed event center and this would not be a special use, but rather a zoning change in the Ag district. Langenheim asked the difference was between a country club and an event center in operation. Hall said that was a good point, but possible ten acres is a bit small for a country club. James asked for a roll call vote. Carter spoke in favor of approving the zoning change request. Jay said this is a reasonable request, being beneficial not only to Hensley township, but to the County as well. Mitchell said he can see the ambience they wish to create with this new business. Petrie stated why she intended to vote against the case and that is that it should revert back to AG-1 should this particular business close. Holderfield addressed the issue for Petrie’s suggestion. She said it makes it difficult to finance property if the business on the property is there now. Alix said the basis for his decision relates to the Zoning Board of Appeals and the work they have completed. Quisenberry and Michaels both stated they appreciate the work that L.A. Gourmet has put into their request.

Motion by Ammons to call the question; seconded by Weibel. **Motion carried unanimously.**

Motion to approve the zoning map change carried by roll call vote with Alix, Ammons, Bensyl, Berkson, Betz, Carter, Cowart, Esry, Holderfield, James, Jay, Kibler, Kurtz, Langenheim, McGinty, Maxwell, Michaels Mitchell, O’Connor, Quisenberry, Richard, Rosales, Schroeder and Weibel voting yes. Petrie voted no.

Monthly Report

Motion by Langenheim to receive and place on file the monthly report of the Zoning Office; seconded by Quisenberry. **Motion carried unanimously.**

County Facilities

Designation of Top Ranked Firm for Consulting Services for Champaign County Jail Needs Assessment

Motion by Ammons to recommend approval that ILPP be designated as the top ranked firm for consulting services for the Champaign County Jail Needs Assessment study; seconded by Langenheim. **Motion carried by roll call vote with Alix, Ammons, Berkson, Betz, Carter, Carter, Cowart, Kurtz, Langenheim, McGinty, Petrie, Quisenberry, Richards, Rosales and Weibel voting yes and with Bensyl, Esry, Holderfield, James, Jay, Kibler, Maxwell, Michaels, Mitchell, O’Connor and Schroeder voting no.**

Recommendation for Shields Meeting Room Improvements to Enhance County Board Public Access

102 Ms. Busey stated there are significant issues with the sound system, which is failing. She also
103 noted the number of county board members will decrease on December 1. She noted there are two
104 designs on the desks this evening that will improve several areas of the meeting room with regard to the
105 sound system, video filming of the meetings and the configuration of the room. She noted the County
106 Clerk, the IT Department, Physical Plant and the Treasurer's Office have compiled their resources to
107 follow through with upgrades and changes.
108

109 McGinty said he likes the horseshoe configuration. He said it is a good deal to be able to get this
110 completed in this fiscal year.
111

112 **Motion** by Kibler to approve the remodel of the Shields Meeting Room with replacement of
113 video system by the County Clerk, replacement of the sound system and presentation system by County
114 IT, remodel of room by Physical Plant going with Option #1, and replacement of furnishings through the
115 Capital Asset Replacement Fund and further recommends to the Finance Committee the approval of a
116 transfer of \$55,000 from the General County Contingent Line Item to the Physical Plant Budget for the
117 completion of this project; seconded by Mitchell. Berkson said a true horseshoe configuration would
118 make more sense.
119

120 **Motion** by Weibel to substitute Option #1 with Option #2; seconded by Quisenberry. Kibler
121 stated either option was okay with him. Jay asked if it was necessary to make the decision at tonight's
122 meeting with regard to the options and asked if that could be left open. Busey said it was most likely it
123 was open because the equipment for both options is the same. Brief discussion continued. Motion
124 carried.
125

126 Discussion returned to the main motion. Kibler wanted a further breakdown of the costs
127 associated with the project. Alix wanted to know what kind of seating was to be in place for the public.
128 Gordy Hulten explained for the committee how and where the video cameras would be placed and how
129 the streaming live would work. **Motion carried.**
130

131 Report Regarding Downtown Jail Facility 132

133 Reinhart said he and the Sheriff identified some areas that needed improvements. The first
134 noted was limited roof maintenance and repair. He has some photos showing areas of the roof that
135 needed repair. Another area needing maintenance and repair is the exterior masonry walls. There are
136 areas that need tuck pointing for open cracks and mortar joints.
137

138 Reinhart continued with needed interior improvements. He noted the indoor recreation area floor
139 tile has approximately 30% of the tile missing or is broken. The majority of the main corridor locks in
140 the jail area are obsolete. The natural lighting in the day rooms was greatly restricted in the 1980's by
141 welding plate steel over the security windows. A short time later a series of small holes were drilled in
142 the place steel to allow a limited amount of natural light into the day room. He said shower stalls have
143 multiple layers of paint that have been applied over the years. They can no longer hold adhesion to new
144 paint. A proven method used in two of the stall is install aluminum mechanically fastened to the walls.
145 There are 8 remaining showers that need this work. The final item noted was painting of the cell blocks
146 and day rooms.
147

148 He told the committee that he's not received all of the pricing quotes he requested, therefore he
149 provided a range of approximate costs associated with the repairs.
150

151 The Sheriff reviewed the priority list and said he disagreed with item #3 on the list, but did agree
152 with all of the other items.

153
154 **Motion** by Michaels to recommend to the Finance Committee of the Whole approval of a budget
155 amendment of \$50,000 from the Capital Facilities Fund Reserve for Downtown Correctional Center
156 Maintenance Projects; seconded by Mitchell. Brief discussion continued. It is intended for this to be
157 appropriated in this year's budget, but if necessary it will be re-encumbered in next year's budget due to
158 the time left. **Motion carried.**

159
160 Courthouse Air Conditioning Compressor Failure

161
162 Reinhart explained about trouble with the Courthouse Air Conditioning Compressor. He
163 reviewed quotes received for repairs to the system.

164
165 **Motion** by Quisenberry to recommend to Finance Committee of the Whole approval of a budget
166 amendment of \$11,000 from Courts Construction Complex Fund Balance for the courthouse air
167 conditioning compressor replacement; seconded by Cowart. Petrie asked if there would be a warranty
168 with the repair. Reinhart said there would definitely be a warranty, but he will investigate purchasing an
169 extended warranty. Brief discussion continued. **Motion carried.**

170
171 Lease Agreement for RPC for additional space at Brookens Administrative Center

172
173 **Motion** by McGinty to recommend approval a Lease Agreement for RPC for additional space at
174 Brookens Administrative Center; seconded by Weibel. **Motion carried.**

175
176 202 Art Bartell Construction Project

177
178 **Motion** by Quisenberry to receive and place on file the reports of the 202 Art Bartell
179 Construction Project; seconded by Michaels. **Motion carried.**

180
181 Physical Plant Monthly Reports

182
183 **Motion** by Kurtz to receive and place on file the monthly reports of the Physical Plant; seconded
184 by Michaels. **Motion carried.**

185
186 Other Business

187
188 None.

189
190 Designation of Items to be Placed on the Consent Agenda

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192 The Lease Agreement will be placed on the consent agenda.

193
194 Adjournment

195
196 Meeting declared adjourned at 8:40pm.

197
198
199 Respectfully submitted,

200
201 Ranae Wolken
202 Recording Secretary

202 SOUTH ART BARTELL ROAD CONSTRUCTION PROJECT

Prepared By: E Boatz October, 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						
Rossier 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)	\$14,700.00			\$0.00	\$7,035.54	\$7,664.46
Owner Items for New Building	\$46,000.00			\$0.00	\$35,409.22	\$10,590.78
Maintenance Area Build-Out for New Building	\$30,000.00			\$0.00	\$12,897.77	\$17,102.23
Complete Fiber Optic Loop for East Campus	\$33,560.00			\$0.00	\$33,560.00	\$0.00
Generator Back-Up System for Brookens Facility	\$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			\$1,424.02	\$406,553.28	\$40,903.72
Total Building Costs	\$590,717.00	\$0.00	\$590,717.00	\$1,424.02	\$504,471.07	\$86,245.93
PROJECT TOTAL	\$1,945,722.00	-\$8,655.00	\$1,937,067.00	\$1,424.02	\$1,850,821.07	\$86,245.93

% of Project Paid to Date

95.55%

FILED



STATE OF ILLINOIS, SEP 07 2012
Champaign County
Application for:
Recreation & Entertainment License
Gordy Hulten
COUNTY CLERK

For Office Use Only

License No. _____
Date(s) of Event(s) 1 _____
Business Name: _____
License Fee: \$ _____
Filing Fee: \$ 4.00
TOTAL FEE: \$ _____
Checker's Signature: _____

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)

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: EGYPTIAN Collectors Assoc
- 2. Location of Business for which application is made: CHAMPAIGN Co. FAIRGRDS
- 3. Business address of Business for which application is made: 902-1302 N. COLLEGE AVE - URBANA
- 4. Zoning Classification of Property: FAIRGROUNDS
- 5. Date the Business covered by Ordinance No. 55 began at this location: N/A
- 6. Nature of Business normally conducted at this location: FAIR
- 7. Nature of Activity to be licensed (include all forms of recreation and entertainment to be provided): BUY-SELL-TRADE SHOW
- 8. Term for which License is sought (specifically beginning & ending dates): Oct 20-21 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? NO.
- 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: CHAMPAIGN Co FAIR EXPIRES Oct 21/12 @ 11:00
- 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

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

N/A

Give first date qualified to do business in Illinois: N/A

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

212 1/2 E. BROADWAY (PO BOX 202)
CENTRALIA IL 62801

5. Objects of Corporation, as set forth in charter: BUY SELL TRADE DISBURSE
At Shows

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

Name of Officer: FRED WISSEL Title: VICE PRESIDENT
Date elected or appointed: 1986 Social Security No.:
Date of Birth: Place of Birth: PEORIA, IL
Citizenship:
If naturalized, place and date of naturalization:

Residential Addresses for past three (3) years:

1176 So. Rd. 300 EAST
ALBION, IL 62806

Business, occupation, or employment for four (4) years preceding date of application for this license: OWNER OF SPORTING GOODS STORE

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 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): L. Robert "BOB" LECKRON
Date of Birth: _____ Place of Birth: SALEM, IL
Social Security Number: _____ Citizenship: _____
If naturalized, state place and date of naturalization: NA
2. Residential Addresses for the past three (3) years: 211 N. CHERRY
HOFFMAN, IL 62250
3. Business, occupation, or employment of applicant for four (4) years preceding date of application for this license: PRESIDENT OF EGYPTIAN
COLLECTORS ASSOC.

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: EGYPTIAN COLLECTORS ASSOC.
2. Date of Incorporation: 1986 State wherein incorporated: IL

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.



Signature of President

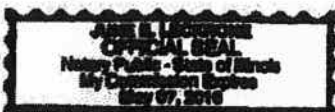


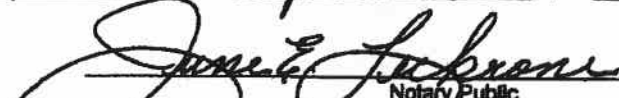
Signature of Secretary



Signature of Manager or Agent

Subscribed and sworn to before me this 4 day of September, 2012.





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.

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
Andy Kass, Associate Planner
Susan Monte, RPC Planner**

Date: September 25, 2012

**RE: Zoning Ordinance Text Amendment Case 710-AT-12 Land
Evaluation and Site Assessment (LESA) Update**

**Request: Request Preliminary Recommendation for Approval of a Text
Amendment to the Champaign County Zoning Ordinance in
Zoning Case 710-AT-12 to Amend the Champaign County
Land Evaluation and Site Assessment (LESA) System**

Petitioner: Zoning Administrator

STATUS

The Zoning Board of Appeals voted 4 to 2 (with no absences) to RECOMMEND ENACTMENT of this amendment at the Special meeting that was held on September 19, 2012.

The Committee of the Whole authorized this text amendment at the April 12, 2012, meeting. The amendment recommended by the ZBA is unchanged from the Draft LESA that was recommended by the LESA Update Committee. You may recall that the LESA Update Committee had voted 5 to 1 (with one absence) to recommend the Draft LESA.

Standard protocol is for the Committee to make a preliminary recommendation on a proposed text amendment at the first Committee meeting following a ZBA recommendation and then defer the final recommendation to the County Board until the next regularly scheduled Committee meeting (November 8, 2012, in this instance). The deferral of the final recommendation is intended to give municipalities and townships with plan commissions one month in which to provide comments or protests.

The one month deferral will also provide an opportunity for both the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) State Conservationist and Illinois Department of Agriculture (IDAG) to review the Draft LESA and provide any comments prior to the County Board vote. Those reviews are expected to be a necessary formality because both the NRCS and IDAG have been provided copies throughout the process and all comments to date have been positive.

If the Committee makes a final recommendation on this case at the November 8, 2012, Committee meeting the case will go to the full Board on November 29, 2012.

REVIEW BY THE Z.B.A.

ZBA members were provided copies of the minutes of all LESA Update Committee meetings and the most important handouts from those meetings. Those minutes are summarized in item 9.B. on pages 7 to 11 of 39 of the Finding. ZBA members were also able to review all of the versions of the Draft LESA that were reviewed by the LESA Update Committee.

The ZBA reviewed the considerations of the LESA Update Committee in the recommended update of the Land Evaluation Factors. See item 9.A. on pages 5, 6 and 7 of 39 of the Findings. The ZBA also reviewed the background of every proposed Site Assessment Factor and how it

Zoning Administrator
SEPTEMBER 25, 2012

compared to any existing Site Assessment Factor; the basis of the points awarded; whether or not that Factor was recommended by the LESA *Guidebook*; whether or not a similar Site Assessment Factor is used by four other Illinois counties that were considered similar (DeKalb, Kendall, McLean, and Ogle); and whether or not that Factor had been recommended by the Champaign County Farm Bureau. See item 9.B.(2) on pages 11 to 20 of page 39 of the Findings.

The ZBA reviewed the total LESA scores for both the existing LESA and the Draft LESA for the Test Sites used by the LESA Update Committee. See item 9.B.(3) on p.21 of 39 of the Findings.

The Draft LESA consistently produced scores that on average were 17% higher than the existing LESA on sites located outside of the "contiguous urban growth area" or CUGA (see item 9.B.(3)(a) on p. 21 of 39). Note that a higher LESA score indicates that a site is deserving of more protection. On sites within the CUGA the Draft LESA was always lower than the existing LESA and never above 150 points which is the "LOW" rating for protection (see item 9.B.(3)(b) on p. 21 of 39).

The ZBA also reviewed two applications of the Draft LESA on farmland owned by ZBA members. Those two assessments are summarized in item 9.B.(4) on pages 22 to 23 of 39 of the Findings.

The ZBA found that the proposed Site Assessment factors are both valid and reliable. See item 9.B.(5)(c) and (d) on p. 23 of 39 of the Findings.

LOCAL FOODS POLICY COUNCIL RESOLUTION 2012-1

The ZBA reviewed the Local Foods Policy Council's Resolution 2012-1 that is attached. The ZBA considered some possible changes to the Site Assessment Factors that would have added some special bonus Site Assessment points for any assessment in which local foods production existed within one mile of the subject site. The bonus points would have come from other Site Assessment Factors in the Draft LESA. Item 9.D. on p.26 of 39 of the Findings summarizes the evidence regarding local foods.

Ultimately, no local foods changes were recommended at this time. The final vote reflects that 4 members of the ZBA did not want to propose changes to the Draft LESA regarding local foods at this time and 2 members of the ZBA thought that such changes would be worthwhile.

CHAMPAIGN COUNTY FARM BUREAU COMMENTS

The Champaign County Farm Bureau provided comments twice during the public hearing. CCFB comments are summarized in items 9.B.(7) and (8) on p. 24 of 39 of the Findings.

Z.B.A. RECOMMENDED TIMEFRAME FOR EVALUATION OF NEW L.E.S.A.

In item 17 of the Finding of Fact (see p. 31 of 39) the ZBA recommends that any amendment to the existing LESA System be reviewed within 2 years of adoption to evaluate if the amended LESA is producing the desired results.

ATTACHMENTS

- A** Brief Comparison of Existing LESA to Proposed Update Draft LESA
- B** Local Foods Policy Council Resolution 2012-1
- C** As Approved Finding of Fact for Case 710-AT-12 with Recommended Amendment

Attachment A. Brief Comparison of Existing LESA to Proposed Update Draft LESA **DRAFT** **March 26, 2012**

Characteristic or Feature	Existing LESA	Update Draft LESA	Notes
LAND EVALUATION PART			
1. Total Land Evaluation points	100 points	SAME	
2. Source of soil productivity data (and date)	Circular 1156 (April 1978)	Bulletin 811 (January 2011)	
3. Method of comparing soils	Triple basis	SAME	
4. Number of relevant Agriculture Value Groups (AVG)	8	17	AVG= Agriculture Value Group
5. Range of Relative Values for all relevant AVGs	59 points	50 points	
6. Average points per AVG (Range of relative value divided by number of AVGs)	7.4 points	2.9 points	Fewer points per AVG means less difference in productivity for the soils in that AVG
SITE ASSESSMENT PART			
1. Total Site Assessment points	200 points	SAME	
2. Number of Site Assessment Factors	20	10	Six factors are identical (or nearly) to six exist. factors and one factor incorporates four exist. factors.
3. Emphasis of Site Assessment based on total possible points per each category:			
a. Feasibility and productivity of site for agriculture	9%	33%	
b. Suitability of site and surroundings for agriculture	38%	47%	
c. Development suitability (infrastructure & services avail.)	34%	20%	
d. Other environmental factors	19%	0%	One Update Committee member did not agree with this approach
4. Standard for compatibility with agriculture	Not specific	Agriculture	
5. Standard for "large" property	More than 100 acres	More than 25 acres	
6. Relevant radius for adjacent land use & zoning	1.5 miles	1.0 mile	One Update Committee member disagreed with a 1.0 mile radius
7. Explicit consideration of prime and best prime farmland	NO	YES	
8. Explicit consideration of environmental factors not related to agriculture feasibility	YES	NO	One Update Committee member did not agree with this approach
9. Correction for "creep" in future Site Assessment ratings	NO	YES	See the 2/22/12 Update Committee Agenda w/ memo
10. Penalty for multiple developments from the same tract of land	NO	YES	The penalty only applies to prime and best prime farmland
11. Explicit consideration of adjacent livestock management facilities	NO	YES	One Update Committee member did not agree with this approach
12. Equalized protection ratings (ie, the same range of points for "moderate" protection as for "high (including very high)" protection)	NO	YES	See the 3/7/12 Update Committee Agenda w/ memo
13. Relative score for a typical rural property	Lower	Higher	A higher score is more protective for farmland.

CHAMPAIGN COUNTY LOCAL FOODS POLICY COUNCIL

RESOLUTION 2012 – 1

A RESOLUTION ENCOURAGING THE PROTECTION OF AGRICULTURAL PARCELS IN CHAMPAIGN COUNTY, ILLINOIS THAT ARE SUITABLE FOR LOCAL FOOD PRODUCTION

Whereas, the Illinois Food, Farm and Jobs Act of 2007 calls for “expanding and supporting a State local and organic food system” as well as “assessing and overcoming obstacles to an increase in locally grown food and local organic food production”; and,

Whereas, the Champaign County Board created the Champaign County Local Foods Policy Council to “encourage the offering of better and fresher food available locally” and to “encourage the efficient use of land, and preservation and conservation of agriculture”; and,

Whereas, the Champaign County Zoning Board of Appeals and the Champaign County Board are considering new guidelines that are designed to protect prime farmland by updating the Champaign County Land Evaluation and Site Assessment System; and,

Whereas, good sites for farms that produce locally grown food may easily be less than 25 acres and it can be an advantage for them to be close to populous or urbanized areas for easy access to markets.

Now, therefore, be it resolved by the Champaign County Local Foods Policy Council to encourage the Champaign County Zoning Board of Appeals and the Champaign County Board to protect not only large agricultural land parcels generally used for growing row crops, but also to protect agricultural land parcels that could be best suited for local food production.

Passed by the Champaign County Local Foods Policy Council this 22nd day of August, 2012.

Tod Satterthwaite, Chair
Champaign County Local Foods Policy Council

AS APPROVED
710-AT-12
FINDING OF FACT
AND FINAL DETERMINATION
of
Champaign County Zoning Board of Appeals

Final Determination: **RECOMMEND ENACTMENT**

Date: September 19, 2012

Petitioner: Zoning Administrator

Request: Amend the Champaign County Zoning Ordinance by amending the Champaign County Land Evaluation and Site Assessment (LESA) System that is referred to in Section 3; and Footnote 13 in Section 5.3; and subsection 5.4, as follows:

Part A. Revise the Land Evaluation (LE) part as follows:

1. Revise all soil information to match the corresponding information in the *Soil Survey of Champaign County, Illinois* 2003 edition.
2. Revise all existing soil productivity information and replace with information from *Bulletin 811 Optimum Crop Productivity Rating for Illinois Soils* published August 2000 by the University of Illinois College of Agricultural, Consumer and Environmental Sciences Office of Research.
3. Delete the 9 existing Agriculture Value Groups and existing Relative Values ranging from 100 to 0 and add 18 Agriculture Value Groups with Relative LE ranging from 100 to 0.

Part B. Revise the Site Assessment (SA) part as follows:

1. Add definitions for "agriculture"; "agricultural production"; "animal units"; "best prime farmland"; "farm dwelling"; "livestock management facility"; "non-farm dwelling"; "principal use"; and "subject site".
2. Delete SA Factors A.2.; A.3; B.2.; B.3; C.2; D.2.; D.3.; E.1.; E.2.; E.3.; E.4.; F.1.; F.2.; F.3.; F.4.; and F.5.
3. Revise SA Factor A.1. to be new Factor 8; Factor B.1. to be new Factor 7.; Factor C.1. to be new Factor 5.; Factor D.1. to be new Factor 1.; and revise scoring guidance for each revised Factor, as described in the legal advertisement.
4. Add new SA Factors 2a; 2b. 2c; 3; 4; 6; 9; 10; and scoring guidance for each new Factor, as described in the legal advertisement.

Part C. Revise the Rating for Protection as described in the legal advertisement.

Part D. Revise the general text and reformat

*NOTE: The description of the Request has been simplified from the actual legal advertisement.

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FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **June 14, 2012, June 28, 2012, July 12, 2012, July 26, 2012, August 16, 2012, August 30, 2012, September 13, 2012, and September 19, 2012**, the Zoning Board of Appeals of Champaign County finds that:

1. The petitioner is the Zoning Administrator.
2. The proposed amendment is intended to reflect the recommendations of the LESA Update Committee recommendations.
3. Municipalities with zoning and townships with planning commissions have protest rights on all text amendments and they are notified of such cases. No comments have been received to date.

SUMMARY OF THE PROPOSED AMENDMENT

4. The proposed amendment is attached to this Finding of Fact as it will appear in the Zoning Ordinance.

GENERALLY REGARDING THE LRMP GOALS, OBJECTIVES, AND POLICIES

5. 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

6. 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.

The proposed amendment should **HELP ACHIEVE** Goal 1 because the process by which the Draft LESA Update was arrived at and by the 15 meetings of the LESA Update Committee and the Zoning Board of Appeals public hearings.

7. 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 directly related to Goal 2 but should **HELP ACHIEVE** Goal 2 because it should **HELP ACHIEVE** objective 2.1 that states that Champaign County will coordinate land resource management planning with all County jurisdictions and, to the extent possible, in the larger region, for the following reasons:

- A. The proposed amendment should **HELP ACHIEVE** objective 2.1 by the text amendment process whereby municipalities and townships with planning commissions are notified of any proposed text amendment and have the right to provide comments or even protest any text amendment.

8. 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 **WILL NOT IMPEDE** the achievement of Goal 3.

9. 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.

Goal 4 has 9 objectives and 22 policies. The proposed amendment **IS NECESSARY TO ACHIEVE** Goal 4 for the following reasons:

Objective 4.5 is the only relevant objective under Goal 4. There are no subsidiary policies under Objective 4.5. Objective 4.5 states as follows:

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 the LESA for potential updates at least once every 10 years.

The proposed amendment will **ACHIEVE** Objective 4.5 for the following reasons:

A. Regarding the proposed Land Evaluation Factors (Part A of the amendment):

(1) *Land Evaluation and Site Assessment: A Guidebook for Rating Agricultural Lands, Second Edition* (referred to as *LESA Guidebook*) is the most recent available guidance for establishing a LESA system. Regarding guidance for establishing LE Factors:

(a) Chapter 4 of the *LESA Guidebook* describes four classification systems that may be used to rate soil based qualities which are as follows:

i. The Soil Potential Ratings classification system requires the most information regarding yield potential and management costs. Soil Potential Ratings are not available for Champaign County soils.

ii. The other three classification systems are Soil Productivity Ratings; Land Capability Classes; and Important Farmland Classes and all are available for Champaign County soils.

(2) The Land Evaluation Factors in the existing Champaign County LESA System were classified using Soil Productivity Ratings, Land Capability Classes, and Important Farmland Classes.

(3) The *Soil Survey of Champaign County, Illinois* 2003 edition, provides current land capability classes (Table 8) and prime farmland (Table 9). (Att. F & G in the Prelim. Memo).

(4) Regarding soil productivity ratings for Illinois soils:

(a) The productivity index in the existing LESA is from *Soil Productivity in Illinois*, Circular 1156, published in 1978 by the University of Illinois Cooperative Extension Service. Circular 1156 is no longer in publication and has been replaced by later bulletins.

(b) As explained on the Illinois Department of Revenue website (see Attachment N to the Prelim. Memo.), there are two types of soil productivity index ratings for Illinois soils which are as follows:

i. *Average Crop, Pasture, and Forestry Productivity Ratings for Illinois Soils*, Bulletin 810, August 2000, published by the University of Illinois at Urbana-Champaign College of Agricultural, Consumer, and Environmental Sciences Office of Research.

Regarding Bulletin 810:

- Bulletin 810 contains the crop yields and productivity indices for crops under the average level of management used by all Illinois farmers for the 10 year period in the 1990's.
- Bulletin 810 is the current source for farmland productivity under the Illinois Farmland Assessment Law.

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- ii. *Optimum Crop Productivity Ratings for Illinois Soils*, Bulletin 811, January 15, 2011, published by the University of Illinois at Urbana-Champaign College of Agricultural, Consumer, and Environmental Sciences Office of Research. Regarding Bulletin 811:
 - Bulletin 811 contains the crop yields and productivity indices for crops under the optimum level of management used by the top 16% Illinois farmers for the 10 year period in the 1990's.
 - As explained in Bulletin 811 the optimum level of management is near the level of management required for maximum profit.
- (c) The 10/04/11 LESA Update Committee memorandum included the following comments made by K.R. Olson, co-author of both Bulletin 810 and Bulletin 811, to RPC Planner Susan Monte:
- i. Almost all of the optimum management productivity indices and crop yields in Bulletin 811 are 13% higher than the ones for average management in Bulletin 810.
 - ii. The values in Bulletin 810 represent the 10-year average crop yields for a soil with 50% of the farmers in the state with that soil getting higher crop yields and 50% lower crop yields. Tax assessors use these values.
 - iii. The crop yields in Bulletin 811 are the 10-year average crop yields that the top 16% of farmers get (which is one standard deviation above the mean value) with the other 84% getting lower yields. Land appraisers, real estate agents, and some regulatory agencies use these values.
- (d) Attachment B to the 10/4/2011 LESA Update Committee memorandum compares "average management" with "optimum management". Optimum management includes better drainage improvements and application of higher levels of basic nutrients. Optimum management will therefore have a higher operating cost.
- (5) The LESA Update Committee considered four options (alternative soil classification systems) for classifying Land Evaluation factors and those options were reviewed in the 10/04/11 LESA Update Committee memorandum. Attachments I, J, and K to the Preliminary Memorandum for Case 710-AT-11 are the principal documentation of those alternatives. The alternative classification systems were as follows:
- (a) Option 1, using only the Bulletin 810 Soils Productivity Index.
 - (b) Option 2, using only the Bulletin 811 Soils Productivity Index.
 - (c) Option 3, using the Bulletin 811 Soils Productivity Index in addition to Slope classifications and Important Farmland Classifications.

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- (d) Option 4, using the Bulletin 811 Soils Productivity Index in addition to the USDA Land Capability Classifications and Important Farmland Classifications.
 - (6) At their 11/02/11 meeting the LESA Update Committee reviewed a recommendation by Committee member Kevin Donoho, District Conservationist with the USDA-NRCS Champaign Field Office. Mr. Donoho submitted an LE Calculation Recommendation (see Attachment C to the Supplemental Memorandum for Case 710-AT-12 dated 6/14/12) which can be summarized as follows:
 - (a) Mr. Donoho stated his preference for the proposed "Option 4".
 - (b) Mr. Donoho stated that an LE system that includes the ability to evaluate 3 soils classification systems simultaneously, including Bulletin 811, Land Capability Classification, and Farmland Classification, can provide the most comprehensive assessment of LE when completed, while remaining simple once developed and implemented.
 - (c) As reported in the minutes of the 11/02/11 LESA Update Committee meeting Mr. Donoho stated he had consulted with the NRCS area soil scientist with regard to the LE options under review, and that the soil scientist concurred with his recommendation.
 - (7) The final LE Factors Update recommendation of the LE Update Committee was a Revised Option 4 Proposal 11/15/11 that was a handout at the 11/16/11 LESA Update Committee Meeting. See Attachment O to the Preliminary Memorandum of Case 710-AT-11. The Revised Option 4 was based on the recommendation of Mr. Donoho but included 18 Agriculture Value Groups to ensure that there was not too broad of a range in productivity of soils included in any one AVG.
- B. Regarding the proposed Site Assessment Factors (Part B of the amendment):
- (1) The Zoning Board of Appeals reviewed the minutes of all LESA Update Committee meetings and many of the handouts regarding the recommended Draft Site Assessment Factors and those meetings, handouts, and Committee actions can be summarized as follows:
 - (a) At the first LESA Update Committee meeting held on June 8, 2011, the Update Committee received three alternative sets of Site Assessment Factors as follows:
 - i. A set of 13 Draft Site Assessment Factors was submitted by Bradley Uken, the manager of the Champaign County Farm Bureau.
 - ii. A set of six Draft Site Assessment Factors was submitted by John Hall, Champaign County Zoning Administrator.
 - iii. A set of five Draft Site Assessment Factors was submitted by Susan Monte, Planner with the Champaign County Regional Planning Commission and Facilitator for the LESA Update Committee. This set of Draft Site Assessment Factors was based upon existing site

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assessment factors in the existing Champaign County LESA that match the SA-1 factors found in *Land Evaluation and Site Assessment: A Guidebook for Rating Agricultural Lands, Second Edition*. Soil and Water Conservation Society, 1983.

- (b) The three alternative sets of Draft Site Assessment Factors were considered at the June 21, 2011, and July 13, 2011, LESA Update Committee meetings. At both meetings the LESA Update Committee discussed their intent that the revised Site Assessment Factors should emphasize agricultural productivity and farmland protection over development suitability because development suitability is considered in other aspects of the rezoning process.
- (c) A single set of 11 Draft Site Assessment Factors with limited assessment guidance was distributed to the LESA Update Committee prior to the July 27, 2011, meeting.
- (d) A Working Draft of 12 SA Factors and including two definitions was handed out at the August 10, 2011, LESA Update Committee meeting.
- (e) At the September 7, 2012, LESA Update Committee meeting the Committee did the following regarding the proposed Site Assessment Factors:
 - i. The LESA Update Committee reviewed a group of 12 Draft SA Factors that had been scored against 4 actual land parcels that had been used in previous map amendment cases.
 - ii. The LESA Update Committee compared a one mile radius for SA Factors to a one-and-a-half mile radius for each of the 4 parcels and decided that a one mile radius was sufficient.
 - iii. The LESA Update Committee discussed the availability of annual aerial photography from the Champaign County Soil and Water Conservation District.
 - iv. The LESA Update Committee discussed the difficulty of accurately estimating the number of livestock at a livestock management facility based on a windshield survey.
- (f) At the November 2, 2011, LESA Update Committee meeting the LESA Update Committee reviewed a Draft Updated LESA dated October 27, 2011, with Site Assessment Factors with assessment guidance and defined terms. A 12th Site Assessment Factor had been added regarding drainage improvements on the subject site and the Committee decided to pay particular attention to this Factor during the field testing.
- (g) At the November 16, 2011, LESA Update Committee meeting the Committee did the following regarding the proposed Site Assessment Factors:

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- versus best prime farmland larger than 25 acres or larger than 15% of a parcel and added points for prime farmland larger than 25 acres.
- iii.* The LESA Update Committee also deleted the SA Factor assessing distance from the subject site to the nearest public assembly use of more than 200 persons and reassigned the 10 points to the SA Factor for best prime farmland.
 - iv.* The LESA Update Committee considered revised “levels of protection” based on the total LESA score that included fewer points in the range of very high rating for protection and more points for both moderate and high rating for protection that had been included in both the Updated Version Revised Draft LESA dated December 5, 2011, and the Strikeout Copy of Updated Version Revised Draft LESA dated December 14, 2011.
- (j) At the January 4, 2012, LESA Update Committee meeting the Committee did the following regarding the proposed Site Assessment Factors:
- i.* The LESA Update Committee reviewed a Revised Draft LESA dated December 29, 2011 and an Alternate Revised Draft LESA dated December 29, 2011, that had fewer SA Factors for sites in the Contiguous Urban Growth Area (CUGA).
 - ii.* The LESA Update Committee discussed how to distinguish between “farm” and “non-farm” dwellings.
 - iii.* The LESA Update Committee discussed changing the number of Draft SA Factors for a site located in the Contiguous Urban Growth Area (CUGA).
 - iv.* The LESA Update Committee reviewed additional changes to the “levels of protection”.
- (k) At the January 25, 2012, LESA Update Committee meeting the Committee did the following regarding the proposed Site Assessment Factors:
- i.* The LESA Update Committee reviewed the Alternate Update Draft LESA dated January 18, 2012, which had revisions to the Site Assessment Factor assessing best prime farmland.
 - ii.* The LESA Update Committee reviewed changes to the Site Assessment Factor assessing agricultural land use adjacent to the site.
 - iii.* The LESA Update Committee reviewed changes to the Site Assessment Factor assessing the highest percentage of the site in agricultural production in the last 5 years.
 - iv.* The LESA Update Committee reviewed changes to the Site Assessment Factor assessing the amount of agricultural land use within one mile of the site.
 - iv.* The LESA Update Committee reviewed additional changes to the “levels of protection”.

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- (1) At the February 22, 2012, LESA Update Committee meeting the Committee did the following regarding the proposed Site Assessment Factors:
 - i. The LESA Update Committee reviewed the Strikeout Version of Revised Draft LESA dated February 10, 2012, which had many minor editing changes and definitional changes and substantive changes to the scoring guidance for many Site Assessment Factors including changes that addressed the “creeping effect” whereby approval of some farmland conversion can inadvertently lower LESA scores on nearby properties.
 - ii. The LESA Update Committee discussed possible refinements to the definition of “farm dwelling” and reviewed further field test results.

- (m) At the March 7, 2012, LESA Update Committee meeting the Committee
 - i. The LESA Update Committee reviewed the Revised Draft LESA dated February 28, 2011, that reduced the SA Factors considered for sites in the Contiguous Urban Growth Area (CUGA) to only factors 1 and 2; and added a new definition for “principal use” and included other definitional changes; and included final changes to the “levels of protection”.
 - ii. The LESA Update Committee requested final editing that would add consistency regarding ‘lesser than’ and ‘greater than’.

- (2) Regarding the proposed Site Assessment Factors and how they compare to the Site Assessment Factors in the existing Champaign County LESA System and to LESAs in other relevant Illinois counties:
 - (a) Proposed SA Factor 1 assesses the size of the subject site and is similar to existing SA Factor D.1. except for the following differences:
 - i. The proposed SA Factor 1 assesses “size of the subject site” but the existing SA Factor D.1. assesses “size of site feasible for farming” so the proposed SA Factor 1 is simpler and easier to assess without considering feasibility issues.
 - ii. The largest site considered in the proposed SA Factor 1 is “more than 25 acres” and the largest site considered in the existing SA Factor D.1. is “100 acres or more” so the proposed SA Factor 1 is less biased towards site area than the existing LESA.
 - iii. The smallest site considered in the proposed SA Factor 1 is “5 acres or less” and the smallest site considered in the existing SA Factor D.1. is “less than 5 acres” and zero points is awarded in both instances so there is little difference in this regard.
 - iv. The possible points awarded for the proposed SA Factor 1 is 10 points (5% of the total for Site Assessment) and possible points awarded for the existing SA Factor D.1. is 8 points (4% of the total for Site Assessment).

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- v. The proposed SA Factor 1 does not consider 25 acres as an optimum size for farmland but assumes that larger tracts of farmland are more valuable for agriculture than smaller tracts of farmland.
 - vi. This is one of the example site assessment factors included in the *LESA Guidebook* reviewed by the Committee and is consistent with other Illinois county LESA's reviewed by the Committee (Kendall, McLean, Ogle, and DeKalb indirectly) but was not in the 6/8/11 proposal by Brad Uken of the Champaign County Farm Bureau.
- (b) Proposed SA Factor 2 assesses if the subject site is Best Prime Farmland; and, if so, if the site is more than 15% of a larger land parcel that existed on January 1, 2004, or whether the site is larger than 25 acres; and if not Best Prime Farmland then whether the site is at least 51% Prime Farmland and if so, whether the site is 25 acres or larger or if the site is more than 15% of a larger land parcel that existed on January 1, 2011. Regarding proposed SA Factor 2:
- i. The proposed SA Factor 2 is not similar to any existing SA Factor.
 - ii. The proposed SA Factor 2 relies on the same definition of "best prime farmland" as that used in the Zoning Ordinance.
 - iii. The possible points awarded for the proposed SA Factor 2 is 30 points (15% of the total for Site Assessment) for even the smallest site of Best Prime Farmland and 40 points (20% of the total for Site Assessment) for Best Prime Farmland sites that are larger than 25 acres or more than 15% of a larger land parcel that existed on January 1, 2004.
 - iv. The overall effect of proposed SA Factor is to encourage less conversion of both Best Prime Farmland and Prime Farmland which is consistent with the original intent of the LESA System.
 - v. Regarding the date of January 1, 2004, that is relevant to Best Prime Farmland, 2004 is the year in which best prime farmland and "maximum lot size" was first introduced into the Champaign County Zoning Ordinance and certain parcels of land that existed prior to 1/1/04 are exempt from those Zoning Ordinance limitations on the use of best prime farmland.
 - vi. Regarding the date of January 1, 2011, that is relevant to Prime Farmland, 2011 is the year in which the Draft Update LESA was developed.
 - vii. No other Illinois county is known to have identified "best prime farmland" and no other Illinois LESA includes "best prime farmland" as an SA Factor.
 - viii. None of the other Illinois county LESA's reviewed by the Committee (Kendall, McLean, Ogle, and DeKalb) even consider "prime" farmland in their SA Factors.
 - ix. "Best Prime Farmland" and "Prime Farmland" were not in the 6/8/11 proposal by Brad Uken of the Champaign County Farm Bureau.

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- x. The use of “Best Prime Farmland” and “Prime Farmland” as SA Factors is not an impediment to the validity of the proposed Draft LESA and can be instrumental in providing significant distinction in Site Assessment scores for properties that are either “Prime Farmland” or “Best Prime Farmland”.
- (c) Proposed SA Factor 3 assesses whether the site is in the Contiguous Urban Growth Area (CUGA). Regarding proposed SA Factor 3:
- i. The proposed SA Factor 3 is somewhat similar to a suite of existing SA Factors that are B.3. (prior governmental actions) and E.1. (central sewer) and E.2. (central water) and E.3. (Transportation) and E.4. (fire protection service).
 - ii. The proposed SA Factor 3 relies on the same definition of “Contiguous Urban Growth Area (CUGA)” as that used in the Champaign County Land Resource Management Plan (LRMP).
 - iii. If the site is not located in the CUGA the points awarded for proposed SA Factor 3 is 40 points (20% of the total for Site Assessment). For a comparison to the existing SA Factors, this compares to the total of 50 points possible for the entire suite of similar existing SA Factors B.3. and E.1. and E.2. and E.3. and E.4. If the site is located in the CUGA zero points are awarded and SA Factors 4 through 10 are not relevant.
 - iv. The CUGA is described in Volume 2 of the Champaign County Land Resource Management Plan (LRMP).
 - v. The existing LESA does not recognize that not all parts of a municipal ETJ are in the CUGA so the proposed SA Factor 3 is more protective of areas not in the CUGA and that will not have access to sewer or water.
 - vi. SA Factor 3 is similar to “land use policy designation” that is one of the example “non-agricultural productivity” site assessment factors included in the LESA *Guidebook* reviewed by the Committee and is consistent with most of the other Illinois county LESA’s reviewed by the Committee (Kendall, Ogle, DeKalb, but not McLean,) except those counties awarded only 9 to 20 points for this factor but also awarded additional points based on distance from water, sewer, fire protection, etc.; and is similar to Factor #6 (worth a maximum 20 points) in the proposal of 6/8/11 by Brad Uken of the Champaign County Farm Bureau (who also awarded additional points in categories of water, sewer, and road surface).
- (d) Proposed SA Factor 4 assesses the amount of perimeter of the subject site that is adjacent to parcels with a principal use of agriculture. Regarding proposed SA Factor 4:
- i. The proposed SA Factor 4 is similar to existing SA Factor A.2. Land use adjacent to site and A.2. and both SA Factors rely on the Zoning Ordinance definition of agriculture.

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- ii. The proposed SA Factor 4 assigns 2 points per each 10% of site perimeter up to a maximum of 20 points and the existing SA Factor A.2. assigns various points per each side of the site up to a maximum of 18 points but because the scoring is in terms of whole sides A.2. is less specific (and less flexible) than SA Factor 4.
 - vi. "Compatibility with adjacent uses" is one of the example site assessment factors included in the *LESA Guidebook* reviewed by the Committee and is consistent with other Illinois county LESA's reviewed by the Committee (Kendall, McLean, Ogle, and DeKalb); and is similar to Factor #2 in the 6/8/11 proposal by Brad Uken of the Champaign County Farm Bureau except that Uken's Factor #2 focused on "production agriculture" and relied on "whole side scoring" as the existing A.2. and awarded a maximum of 25 points if all sides were in production agriculture.
 - vii. Considering the compatibility of adjacent land uses does not surrender farmland protection to sprawl but merely recognizes that all other things being equal, the more that a parcel of land is surrounded by incompatible uses the less desirable that parcel is for long term agricultural production. And, logically, larger tracts of farmland are more likely to be bordered by other farmland and to the extent that this Factor reduces protection for farmland, that will generally only happen for smaller tracts of farmland.
- (e) Proposed SA Factor 5 assesses the distance from the subject site to the nearest city or village limits. Regarding proposed SA Factor 5:
- i. The proposed SA Factor 5 is nearly identical to existing SA Factor C.1. in what is being assessed (distance from the nearest city or village) but the points are awarded very differently between the two factors as follows:
 - SA Factor 5 awards only 5 points if the site is within 1.5 miles of the city or village and existing SA Factor C.1. awards up to 8 points at 1.0 to 1.49 miles from the city or village and therefore SA Factor 5 is less protective of sites within 1.5 miles of a city or village.
 - SA Factor 5 and existing C.1. are identical and awards 10 points for sites within 1.50 to 3.00 miles of a city or village.
 - SA Factor 5 is more protective of sites that are more than 3.00 miles from a city or village and awards 15 points compared to the maximum 10 points awarded by existing C.1.
 - ii. This is similar to one of the example "non-agricultural productivity" site assessment factors included in the *LESA Guidebook* reviewed by the Committee and is consistent with other Illinois county LESA's reviewed by the Committee (Kendall, McLean, and DeKalb); and is similar to Factor #7 (worth a maximum 20 points)

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in the proposal of 6/8/11 by Brad Uken of the Champaign County Farm Bureau.

- iii.* While it is true that some specialty farming operations may benefit from being closer to a city or village and it is true that any city or village in Champaign County will contain important services for farmers, it is also true that the County has no control over annexation agreements within 1.5 miles of a city or village and it is true that the 1.5 mile extraterritorial jurisdiction of the larger municipalities in the County will continue to expand for the foreseeable future and therefore the County should be more concerned about prime farmland that is more than 1.5 miles and in some instances much further than 1.5 miles from a city or village.
- (f) Proposed SA Factor 6 assesses the highest percentage of the site in agricultural production in any of the last 5 years. Regarding proposed SA Factor 6:
- i.* The proposed SA Factor 6 is somewhat similar to existing SA Factor A.3. which assesses the percentage of the site that is suitable for agricultural uses and the basic differences are as follows:
- Existing Factor A.3. requires judgment about what land is suitable for agriculture but no guidance is provided. Proposed SA Factor 6 requires very little judgment.
 - Existing Factor A.3. receives a maximum of 10 points (5%) and proposed SA Factor 6 receives a maximum of 15 points (7.5%).
 - Existing Factor A.3. considers whether as little as 10% of the site is suitable for agriculture but proposed SA Factor 6 does not award points if as much as 20% of the site has been in production in the last 5 years. Proposed SA Factor 6 thus provides less protection to land that has not been in production in the last 5 years but in Champaign County prime farmland is almost always in production unless there is some significant reason for it not to be and in those instances the proposed SA Factor 6 therefore makes an allowance (by providing less protection) in those instances.
- ii.* The guidance provided for proposed SA Factor 6 specifies the following:
- Land in government sponsored agricultural programs should be considered as being in production.
 - Woodlands or timberland should only be considered in production if there is a plan for managing the resource and if there is no plan then the resource is not in production.
- iii.* "Percent of site in agricultural use" is one of the example site assessment factors included in the LESA *Guidebook* reviewed by the Committee and proposed SA Factor 6 is identical the a factor in the Kendall County LESA but the McLean and DeKalb county

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LESA factors are more similar to existing factor A.3. and no Ogle County LESA factor is similar; and the 6/8/11 proposal by Brad Uken of the Champaign County Farm Bureau included a factor identical to the existing A.3. except that Uken's Factor received a maximum of 20 points #2 focused on "production agriculture" and relied on "whole side scoring" as the existing A.2. and awarded a maximum of 20 (15%) points if all sides were in production agriculture.

vii. Recognizing and considering how much of a site has been farmed in the past 5 years does not mean that only land that has been in production is worth saving but it does provide for instances when an owner has not seen value in production on part of the property and in Champaign County that will generally never be prime farmland or at least not much prime farmland and in those instances SA Factor 6 will provide less protection.

(g) Proposed SA Factor 7 assesses the percentage land zoned AG-1, AG-2, or CR within 1 mile of the site. Regarding proposed SA Factor 7:

i. The proposed SA Factor 7 is very similar to existing SA Factor B.1. which assesses the percentage land zoned AG-1, AG-2, or CR within 1.5 miles of the site and the differences are as follows:

- In general, a 1.5 mile radius will encompass more than twice as much land as a 1.0 mile radius and therefore SA Factor 7 will require only about half as much analysis as existing SA Factor B.1.
- The Illinois Livestock Management Facilities Act (510 ILCS 77/ *et seq*) does not rely on any separation greater than one mile for livestock management facilities and therefore from an agricultural consideration there is no need to use a radius greater than one mile.
- Using a radius less than 1.5 miles helps minimize the effect of the urbanized area for LESA sites that are located within the municipal 1.5 mile extraterritorial planning jurisdiction (ETJ) established by statute. This is generally only relevant to those parts of the municipal ETJ that are not within the Contiguous Urban Growth Area (CUGA) and that are at least one mile from the municipal boundary.
- Existing SA Factor B.1. has a total of 10 points and proposed SA Factor 7 also has a total of 10 points.

ii. Not much guidance is provided for proposed SA Factor 7 because this Factor is nearly identical to an existing Factor that has no guidance.

iii. "Percent of land zoned AG-1, AG-2, or CR within 1 mile of the site" is similar to "compatibility of surrounding uses" that is one of

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the example site assessment factors included in the LESA Guidebook reviewed by the Committee and is consistent with other Illinois county LESA's reviewed by the Committee (Kendall, McLean, Ogle, and DeKalb); and is similar to Factor #4 in the 6/8/11 proposal by Brad Uken of the Champaign County Farm Bureau except that Uken's proposal retained the 1.5 mile radius of the existing LESA.

- (h) Proposed SA Factor 8 assesses the percentage of land within 1 mile of the site with a principal use of agriculture. Regarding proposed SA Factor 8:
- i. The proposed SA Factor 8 is very similar to existing SA Factor A.1. which assesses the percentage of area in agricultural uses within 1.5 miles of the site and the differences are as follows:
- Regarding the differences between the 1.0 mile and 1.5 mile radius of assessment, refer to the discussion under SA Factor 7.
 - Existing SA Factor A.1. awards points in a non-linear method by assigning 0 points if less than 25% of the area is in agriculture and then 8 points (44% of the total of 18) if between 25% to 49% is agriculture and then 12 points (67% of the total of 18) if 50% to 74% is in agriculture and then 16 points (89% of the total of 18) if 75% to 89% is in agriculture and the total 18 points if only 90% is in agriculture. The non-linear scale at which the points are awarded in SA Factor A.1. is not based on any known phenomenon and appears arbitrary whereas the linear scale used in proposed SA Factor 8 is a simple linear distribution.
 - The proposed SA Factor 8 distinguishes between sites that are best prime farmland or at least 51% prime farmland and other sites. If the subject site is either best prime farmland or at least 51% prime farmland proposed SA Factor 8 specifies that the assessment should only consider parcels with a principal use of agriculture that existed on April 12, 2011. This limit on consideration of non-agricultural development after April 12, 2011, is intended to address the concern about the "creeping effect" that is reviewed in the LESA *Guidebook* that was reviewed by the LESA Update Committee. The creeping effect is what happens when approval of non-agricultural development subsequently leads to less agricultural land use in the area that then causes lower subsequent LESA ratings on other nearby lands. This provision will ensure that any approval of non-agricultural development on a site that is either best prime farmland or 51% prime farmland will not contribute to a lower rating on SA Factor 8 for any non-agricultural development proposed

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in the future. April 12, 2011, is the date of the annual digital ortho-photography for the year 2011.

- ii. Even though proposed SA Factor 8 is nearly identical to existing Factor A.1. the proposed SA Factor 8 has extensive guidance that is not included with existing Factor A.1. that has no guidance. The guidance is necessary to ensure that any assessment is as close as possible to the current practices in the Department of Planning and Zoning. The guidance for this Factor needs to mirror as much as possible the practices of the Department of Planning and Zoning.
 - iii. "Percent of land of land within 1 mile of the site with a principal use of agriculture" is similar to "compatibility of surrounding uses" that is one of the example site assessment factors included in the *LESA Guidebook* reviewed by the Committee and is consistent with other Illinois county LESA's reviewed by the Committee (Kendall, McLean, Ogle, but not DeKalb); and is similar to Factor #1 in the 6/8/11 proposal by Brad Uken of the Champaign County Farm Bureau except that Uken's proposal retained the 1.5 mile radius of the existing LESA.
- (i) Proposed SA Factor 9 assesses the distance from the site to the nearest 10 non-farm dwellings. Regarding proposed SA Factor 9:
- i. The proposed SA Factor 9 is not similar to any existing SA Factor. The following is relevant information regarding this Factor:
 - The Illinois Livestock Management Facilities Act (510 ILCS 77/ *et seq*) requires new livestock management facilities to meet minimum separations from the nearest non-farm residence and "populated area" and defines "populated area" as an area containing a public assembly use or 10 non-farm dwellings.
 - The required separations in the Illinois Livestock Management Facilities Act (510 ILCS 77/ *et seq*) vary depending upon the number of "animal units" (equates to different number of different types of livestock) at the livestock management facility. The required separations vary from ¼ mile for a non-farm residence or ½ mile for a populated area and a livestock management facility of 50 to 1,000 animal units up to ½ mile for any non-farm residence or 1 mile from a populated area for a livestock management facility of more than 7,000 animal units.
 - Assessing a subject site for proximity to the closest 10 non-farm dwellings will reveal which sites could accommodate new livestock management facilities. However, livestock management facilities are not a large component of Champaign County agriculture.

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- Proximity to the closest 10 non-farm dwellings is also directly relevant to compatibility with row crop agriculture and row crop agriculture is the largest component of Champaign County agriculture. Each new non-farm dwelling is one more possible incompatibility for row crop agriculture and the same areas that could accommodate new livestock management facilities are the areas in which row crop agriculture can operate with the fewest incompatibilities with non-farm dwellings.
 - ii. Guidance for proposed SA Factor 9 is similar to that for proposed SA Factor 8 since both should mirror the practices in the Department of Planning and Zoning. The guidance for this Factor also needs to mirror as much as possible the practices of the Department of Planning and Zoning.
 - iii. "Distance from the site to the nearest 10 non-farm dwellings" is similar to "compatibility of surrounding uses" that is one of the example site assessment factors included in the *LESA Guidebook* reviewed by the Committee and is only somewhat similar to Factor 4 in the Ogle County LESA (Number of non-farm dwellings within .5 miles of the site) and not similar to any other factor in any other other Illinois county LESA reviewed by the Committee (Kendall, McLean, and DeKalb); and is not similar to any Factor in the 6/8/11 proposal by Brad Uken of the Champaign County Farm Bureau.
- (j) Proposed SA Factor 10 assesses the distance from the site to the nearest known livestock management facility and the size of that facility. Regarding proposed SA Factor 10:
- i. The proposed SA Factor 10 is not similar to any existing SA Factor. The following is relevant information regarding this Factor:
 - The Illinois Livestock Management Facilities Act (510 ILCS 77/ *et seq*) requires new livestock management facilities to meet minimum separations from the nearest non-farm residence and "populated area" and defines "populated area" as an area containing a public assembly use or 10 non-farm dwellings.
 - The required separations in the Illinois Livestock Management Facilities Act (510 ILCS 77/ *et seq*) vary depending upon the number of "animal units" (equates to different number of different types of livestock) at the livestock management facility. The required separations vary from ¼ mile for a non-farm residence or ½ mile for a populated area and a livestock management facility of 50 to 1,000 animal units up to ½ mile for any non-farm residence

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or 1 mile from a populated area for a livestock management facility of more than 7,000 animal units.

- The Illinois Department of Agriculture has registered six livestock management facilities in Champaign County with 400 or more “animal units”. The LESA Update Committee reviewed a map illustrating where these facilities are located in the county and used the map during the field testing.
- Three of the field test sites were located near livestock management facilities of less than 400 animal units.
- Assessing a subject site for proximity to livestock management facilities will reveal which sites could accommodate new livestock management facilities. However, livestock management facilities are not a large component of Champaign County agriculture.
- Proximity to livestock management facilities is also directly relevant to compatibility with row crop agriculture and row crop agriculture is the largest component of Champaign County agriculture. The same areas that could accommodate new livestock management facilities are the areas in which row crop agriculture can operate with the fewest incompatibilities with non-farm dwellings.
- Livestock management facilities of less than 50 animal units are not considered in the assessment because small facilities can easily be established as a response to a zoning change and the degree of incompatibility is much less if there are less than 50 animal units.
- This Factor receives a maximum of 10 points which is only 5% of the total for Site Assessment and therefore the lack of a livestock management facility will not “leave a lot of points on the table” or result in unusually low assessments.

ii. Factor 10 is divided into Part a (proximity to a facility of 400 or more animal units); Part b (proximity to a facility of 200 to 299 animal units); and Part c (proximity to a facility of 5- to 199 animal units). Guidance for proposed SA Factor 10 is as follows:

- Part a should be assessed first and Part b should only be assessed if the response to Part a is “more than 1 mile” and likewise for Part b and then Part c.
- The assessment may be based on data available from the Livestock Management Facilities Program at the Illinois Department of Agriculture or actual site inspection or drive-by inspection or landowner interview or testimony in the zoning case.

iii. “Distance from the site to the nearest known livestock management facility” is not similar to any of the example site assessment factors

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included in the LESA *Guidebook* reviewed by the Committee and is not similar to any factor in any other Illinois county LESA reviewed by the Committee (Kendall, McLean, Ogle, and DeKalb); and is not similar to any Factor in the 6/8/11 proposal by Brad Uken of the Champaign County Farm Bureau.

- (3) Test sites were used by the LESA Update Committee to evaluate the Draft LESA. Some of the test sites were chosen at random and others were sites formerly proposed for an RRO rezoning. In addition the test sites were used to compare scores obtained using the existing LESA and the Draft LESA. The following are statements regarding comparisons between the Draft LESA and the existing LESA:
- (a) For Test Sites not in the Continuous Urban Growth Area (CUGA) the Draft LESA scores were always higher than the existing LESA scores. Overall test sites not within the CUGA averaged 17% higher scores than the existing LESA scores. Higher LESA scores are generally considered more protective of prime farmland.
 - (b) For Test Sites within the CUGA the Draft LESA scores were always lower than existing LESA scores and never more than 150 points and therefore never received more than a "LOW" rating for protection, which is consistent with the purpose of the CUGA. Test Sites 4 and D rated a "MODERATE" rating for protection in the existing LESA.
 - (c) Test Site A was the only test site that was "prime farmland" and not "best prime farmland". Test Site A received a "MODERATE" rating for protection under both the existing and Draft LESA. If Test Site A was "best prime farmland" the Draft LESA score would have been 30 points higher and would have received a "HIGH" rating for protection. The existing LESA does not distinguish between "prime farmland" and "best prime farmland" or even less productive soils.
 - (d) Test Site A can be compared to Test Site 1 and Test Site 16 which are both 40 acres and best prime farmland. The differences in LESA rating between Test Site A versus Test Site 1 and Test Site 16 are much larger in the Draft LESA (differences of 60 points and 65 points, respectively) than the existing LESA (differences of 31 points and 37 points, respectively). At least half of the difference between Draft LESA and existing LESA scores for Test Site 1 and Test Site 16 are due to the 30 points for best prime farmland in the Draft LESA. The total LESA score for each Test Site 1 and Test Site 16 is very high and is within 10% of the highest possible rating of 300.
 - (e) Test Site 8 and Test Site 17 are both less than 20 acres in area with "best prime farmland" and have very similar scores using the existing LESA (224 and 226, respectively) but have a greater difference in scores under the Draft LESA (244 with a "HIGH" rating and 258 with a "VERY HIGH"

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rating, respectively). In the Draft LESA the points for these two sites differ by a few points on many Site Assessment Factors but the major difference is on Site Assessment Factor 6 (highest percent of site in production in last 5 years) where Test Site 17 is rated at 15 and Test Site 8 is rated at 0. Under the existing LESA both sites are rated a 10 on existing Site Assessment Factor 3 (amount of site suitable for production).

- (4) The ZBA compared the existing LESA score and the proposed Draft LESA score for two properties that belonged to two ZBA members. The properties were as follows:
- (a) A 38.25 acre property consisting of four separate tax parcels in Section 26 of Newcomb Township. This property consists of about 31% Drummer soil and about 69% Xenia soil and under the existing LESA has an overall LE of 85.13 and under the Draft LESA has an overall LE of 87 but would still be best prime farmland by virtue of 31% of the soil being Agriculture Value Group 2. Regarding the site assessment and protection rating for this property:
- This property is less than a mile from the Village of Mahomet but is not located in the CUGA;
 - Most (97.3%) of the land within a one mile radius is zoned AG-1, AG-2, or CR but only 58% of that land is in agricultural use. See the attached map for SA Factor 8.
 - Less than half (47.4%) of the site perimeter borders parcels with a principal use of agriculture.
 - The entire property has 10 or more non-farm dwellings that border it.
 - There is a known 400 or more animal unit livestock management facility within .9 mile of the property.
 - Total SA for the existing LESA is 102 points and the Draft LESA totals 149 points.
 - The total score for the existing LESA is 187 points which is a mid-range "Moderate" level of protection under the existing LESA.
 - The total score for the Draft LESA is 236 points which is a mid-range "High" level of protection under the Draft LESA. Note that the Draft LESA score is about 26% higher than the existing LESA.
- (b) A 19.75 acre property consisting of two separate tax parcels in Section 2 of Sidney Township. This property consists overall of about 14% Drummer soil and about 80% Xenia soil and under the existing LESA has an overall LE of 76.2 and under the Draft LESA has an overall LE of 83 but would still be best prime farmland by virtue of 14% of the soil being Agriculture Value Group 2. Regarding the site assessment and protection rating for this property:
- As reviewed above, this property is best prime farmland overall and totals less than 25 acres.

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- This property is 1.7 miles from the Village of Sidney and is not located in the CUGA;
 - All of the land within a one mile radius is zoned AG-1, AG-2, or CR and 79.3% of that land is in agricultural use. See the attached map for SA Factor 8.
 - About a third (33%) of the site perimeter borders parcels with a principal use of agriculture.
 - The property is within .46 mile of 10 non-farm dwellings.
 - There are no known livestock management facilities of 50 animal units or more within one mile of the property.
 - Total SA for the existing LESA is 116 points and the Draft LESA totals 145 points.
 - The total score for the existing LESA is 192 points which is a mid-range "Moderate" level of protection under the existing LESA.
 - The total score for the Draft LESA is 228 points which is a low "High" level of protection (only 3 points above Moderate) under the Draft LESA. Note that the Draft LESA score is about 20% higher than the existing LESA.
- (5) In general, the proposed SA Factors can be summarized as follows:
- (a) The proposed SA Factors are more focused on agricultural productivity than are the existing SA Factors. The proposed Draft LESA has 145 points (72.5% of possible Site Assessment points) awarded for factors that the LESA *Guidebook* considered as productivity related. This compares to only 74 points (37% of possible Site Assessment points) in the existing LESA that is focused on productivity.
 - (b) The proposed SA Factors are less focused on development pressures and other public values than are the existing SA Factors. The proposed Draft LESA has only 15 points (SAF #5) for Development Pressure (or 55 points (27.5% of total SA) if SAF#3 is considered) and none for other values. This compares to the existing LESA that has 78 points (39% of total SA) for Development Pressure and 48 points (24%) for other public values.
 - (c) The proposed SA Factors are valid based on the focus on agricultural productivity and conformance with the Champaign County Land Resource Management Plan (SAF#3).
 - (d) The proposed SA Factors are reliable based on the guidance that is included and the field testing by the LESA Update Committee.
- (6) An email dated March 7, 2012, from Ms. Terry Savko of the Illinois Department of Agriculture to the LESA Update Committee can be summarized as follows:
- (a) She commended the LESA Update Committee for a thorough revision of the SA Factors with a focus on protecting prime farmland.

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- (b) She recommended evaluating the revised SA Factors in no more than two years to ensure that the Factors truly evaluate what they were intended to evaluate.
 - (c) She stated she had no problems with the LESA and suggested it was ready for County Board review.
- (7) Kyle Krapf testified at the August 16, 2012, public hearing on behalf of the Champaign County Farm Bureau and his testimony can be summarized as follows:
- (a) The Farm Bureau would like to see the definition of farm dwelling changed. The current definition of farm dwelling in the Draft LESA seems to put the burden on the farmer to prove that a dwelling on less than 35 acres is a farm dwelling. The Farm Bureau recommends using assessment records to determine farm dwellings.
 - (b) The Farm Bureau urges the County to use a 30 day notification to all residents within 1.5 miles of any proposed zoning change to facilitate landowner's awareness of any proposed change and to ensure that reliable information is available in the public hearing regarding any existing livestock management facilities.
 - (c) The Farm Bureau urged the Zoning Board of Appeals to add a suggested LESA review schedule to its recommendation to the County Board.
- (8) At the September 19, 2012, public hearing, Kyle Krapf, speaking on behalf of the Champaign County Farm Bureau, testified that a farm dwelling is a dwelling occupied by a farm owner, operator, tenant farm worker, or seasonal or year round hired farm worker. This may be determined by utilizing assessment records, other public documents or by information provided as part of the public record to the Zoning Board of Appeals.
- C. Regarding the proposed Ratings for Protection (Part C of the amendment):
- (1) The existing LESA System has four different levels of "rating for protection" that are "very high" for total LESA scores of 220 to 300; "high" for total LESA scores of 200 to 219; "moderate" for total LESA scores of 180 to 199; and "low" for total LESA scores that are less than 180. Regarding the existing LESA ratings for protection:
 - (a) The range of 80 points for a "very high" rating is second only to the range of 180 points for the "low" rating and is four times as wide as the 20 point ranges for both "high" and "moderate" and there is no known justification for that disparity in point ranges.
 - (b) The existing LESA ratings for protection and the point ranges are similar to those of other Illinois county LESAs reviewed by the LESA Update Committee (Kendall, McLean, Ogle, and DeKalb).

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- (c) Large sites that are more than 1.5 miles from a municipality should be expected to have the highest ratings for protection in a LESA system. Existing Factors B.3. (10 points) and C.2. (10 points) and D.2. (10 points) and D.3. (8 points) and the 5 factors in group F (38 points) are all rather difficult to assess and account for a total of 66 points which is most of the 80 points for the "very high" rating. Thus, in the existing LESA System a large rural site with an LE= 100 would likely receive at least 234 points which is the lower range of a "very high" rating.
- (2) The proposed Draft LESA System also has four levels of "rating for protection" that are "very high" for total LESA scores of 251 to 300; "high" for total LESA scores of 226 to 250; "moderate" for total LESA scores of 151 to 225; and "low" for total LESA scores of less than 150. Regarding the proposed Draft LESA ratings for protection:
- (a) The range of 75 points for both "very high" and "high" ratings is the same range of points as for the "moderate" rating. These ranges of ratings is arguably more equitable than the existing LESA ratings.
- (b) The range of 150 for the "low" rating is lower than the existing "low" rating but the proposed "low" rating can only apply to sites in the Contiguous Urban Growth Area (CUGA). Sites in the CUGA should receive no more than a "low" rating for protection and sites outside of the CUGA should receive a higher rating for protection.
- (c) A comparison of expected Draft LESA scores for hypothetical large, non-CUGA Best Prime Farmland sites found the following:
- If careful assumptions are made regarding the probable ratings for proposed SA Factors 3, 7, 8, and 9 based on a site being further than 1.5 miles from a municipality and if 0 points are assumed for SA Factor 10, it can be expected that a large (25 acres or larger) best prime farmland site with an LE of 91 to 100 would have a total LESA rating of "very high" (approx. 262 to 290 points) if more than 1.5 miles from a municipality and "moderate" to "very high" (approx. 209 to 277 points) if less than 1.5 miles from a municipality. If the site is best prime farmland based on the 10% of AVG 1,2,3, or 4 soils the LE could be as low as 73 and the total LESA scores would be accordingly lower.
 - The probable ratings for large best prime farmland sites outside of the CUGA are consistent with expectations that such sites should receive the highest rating for protection.

- D. Regarding locally grown foods and LESA:
- (1) Resolution No. 2012-1 was passed by the Champaign County Local Foods Policy Council on August 22, 2012, and is summarized as follows:
 - (a) Sites for farms that produce locally grown food may easily be less than 25 acres and it can be an advantage for them to be close to populous or urbanized areas for easy access to markets.
 - (b) The Champaign County Local Foods Policy Council encourages the protection of not only large agricultural land parcels generally used for growing row crops, but also to protect agricultural land parcels that could be best suited for local food production.
 - (2) Accommodating for locally grown foods in the Site Assessment portion of the Draft LESA was not undertaken for the following reasons:
 - (a) A definition of local foods would need to be drafted and adopted by the County.
 - (b) A formal list of known local food producers would need to be identified in order to conduct any assessment.
 - (c) Local foods Site Assessment (SA) factors should focus on the land surrounding a subject site rather than the subject site itself.
 - (d) It would not be feasible to make any local foods SA factors worth a large amount of points (more than 10 points or about 5% of total Site Assessment) because points would have to be subtracted from other factors and would potentially sacrifice levels of protection of prime farmland. Nonetheless, local foods production may be worth consideration as a Site Assessment factor in the future.
 - (e) Changes to accommodate locally grown foods in LESA need to be carefully scrutinized to determine the effects of those changes on the protection ratings of prime farmland in general because the Draft SA factors were prepared to provide adequate levels of protection to both prime farmland and best prime farmland.
 - (f) The Champaign County LESA should only be amended with local foods Site Assessment factors after the Local Foods Policy Council has had an opportunity to define "local foods" and has prepared a list of local food producers.

10. 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 proposed amendment **HELPS ACHIEVE** Goal 5 because it recognizes the Contiguous Urban Growth Area (CUGA) which **ACHIEVES** Policy 5.1.3 and promotes compact and contiguous urban growth which **ACHIEVES** Polices 5.1.2 and 5.1.4.

11. 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.

The proposed amendment is **NOT RELEVANT** to Goal 6 in general.

12. 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.

The proposed amendment is **NOT RELEVANT** to Goal 7 in general.

13. 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. The proposed amendment will **HELP ACHIEVE** Goal 8 for the following reasons:

Objective 8.2 is the only relevant objective under Goal 8. Objective 8.2 states as follows:

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

The proposed Draft LESA will **HELP ACHIEVE** Objective 8.2 for the following reasons:

The only subsidiary policy under Objective 8.2 is policy 8.2.1 that reads as follows:

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

The proposed amendment will **HELP ACHIEVE** Policy 8.2.1 for the following reasons:

- A. The current LESA does not include any discussion of "best prime farmland" nor does it assign any site assessment points in a LESA assessment to best prime farmland or even prime farmland.

- B. Proposed Site Assessment (SA) Factor 2 assesses whether or not the subject site is best prime farmland or whether or not the subject site is at least 51% prime farmland or some lesser quality farmland as follows:
- (1) SA Factor 2 awards 30 points if the site is best prime farmland and an additional 10 points if the site is more than 15% of a larger tax parcel that existed on 1/1/04 or if the parcel is larger than 25 acres.
 - (2) SA Factor 2 also awards 10 points if the site is not best prime farmland but is at least 51% prime farmland and is larger than 25 acres or is part of 25 acres of prime farmland that has been developed from a larger prime farmland tax parcel since April 12, 2011.
 - (3) Because SA Factor 2 assesses whether or not the subject site is best prime farmland or whether or not the subject site is at least 51% prime farmland it also assesses whether or not the site is a lesser quality soil in which case no points are awarded.

14. 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 **WILL NOT IMPEDE** the achievement of Goal 9.

15. 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 in general.

REGARDING THE PURPOSE OF THE ZONING ORDINANCE

16. The proposed amendment appears to **HELP ACHIEVE** the purpose of the Zoning Ordinance as established in Section 2 of the Ordinance for the following reasons:

- A. Paragraph 2.0 (a) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to secure adequate light, pure air, and safety from fire and other dangers.

The proposed amendment is not directly related to this purpose.

- B. Paragraph 2.0 (b) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to conserve the value of land, **BUILDINGS**, and **STRUCTURES** throughout the **COUNTY**.

The proposed amendment is not directly related to this purpose.

- C. Paragraph 2.0 (c) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to lessen and avoid congestion in the public streets.

The proposed amendment is not directly related to this purpose.

- D. Paragraph 2.0 (d) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to lessen and avoid hazards to persons and damage to property resulting from the accumulation of runoff of storm or flood waters.

The proposed amendment is not directly related to this purpose.

- E. Paragraph 2.0 (e) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to promote the public health, safety, comfort, morals, and general welfare.

The proposed amendment is not directly related to this purpose.

- F. Paragraph 2.0 (f) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to regulate and limit the height and bulk of buildings and structures hereafter to be erected.

The proposed amendment is not directly related to this purpose.

- G. Paragraph 2.0 (g) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to establish, regulate, and limit the building or setback lines on or along any street, trafficway, drive or parkway.

The proposed amendment is not directly related to this purpose.

- H. Paragraph 2.0 (h) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to regulate and limit the intensity of the use of lot areas, and regulating and determining the area of open spaces within and surrounding buildings and structures.

The proposed amendment is not directly related to this purpose.

- I. Paragraph 2.0 (i) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to classify, regulate, and restrict the location of trades and industries and the location of buildings, structures, and land designed for specified industrial, residential, and other land uses.

The proposed amendment is not directly related to this purpose.

- J. Paragraph 2.0 (j) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to divide the entire County into districts of such number, shape, area, and such different classes according to the use of

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land, buildings, and structures, intensity of the use of lot area, area of open spaces, and other classification as may be deemed best suited to carry out the purpose of the ordinance.

The proposed amendment is not directly related to this purpose.

- K. Paragraph 2.0 (k) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to fix regulations and standards to which buildings, structures, or uses therein shall conform.

The proposed amendment is not directly related to this purpose.

- L. Paragraph 2.0 (l) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to prohibit uses, buildings, or structures incompatible with the character of such districts.

The proposed amendment is not directly related to this purpose.

- M. Paragraph 2.0 (m) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to prevent additions to and alteration or remodeling of existing buildings, structures, or uses in such a way as to avoid the restrictions and limitations lawfully imposed under this ordinance.

The proposed amendment is not directly related to this purpose.

- N. Paragraph 2.0 (n) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to protect the most productive agricultural lands from haphazard and unplanned intrusions of urban uses.

The proposed amendment is directly related to this purpose because the proposed amendment will improve the existing LESA system which provides a rating of the level of protection a piece of land should be given based on its soils and other locational characteristics, but at this time does not take into consideration local food production (direct to consumer food production).

- O. Paragraph 2.0 (o) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to protect natural features such as forested areas and watercourses.

The proposed amendment is not directly related to this purpose.

- P. Paragraph 2.0 (p) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to encourage the compact development of urban areas to minimize the cost of development of public utilities and public transportation facilities.

The proposed amendment is not directly related to this purpose.

- Q. Paragraph 2.0 (q) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to encourage the preservation of agricultural belts surrounding urban areas, to retain the agricultural nature of the County, and the individual character of existing communities.**

The proposed amendment is not directly related to this purpose.

- R. Paragraph 2.0 (r) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to provide for the safe and efficient development of renewable energy sources in those parts of the COUNTY that are most suited to their development.**

The proposed amendment is not directly related to this purpose.

- 17. The Zoning Board of Appeals recommends that any new LESA be evaluated within two years of adoption.**

DOCUMENTS OF RECORD

1. Preliminary Memorandum for Case 710-AT-12 dated June 8, 2012, with attachments:
 - A Description of Case from Legal Advertisement
 - B Champaign County Board Committee of the Whole Memorandum dated March 26, 2012, with attachments:
 - A Champaign County Resolution No. 7642
 - B Champaign County Resolution No. 7797
 - C Brief Comparison of Existing LESA to Proposed Update Draft LESA
 - D Champaign County Land Evaluation and Site Assessment (LESA) Update Draft dated March 7, 2012
 - C Resolution No. 2248 Adopting the Champaign County Land Evaluation and Site Assessment (LESA) System, February 1984 (existing LESA)
 - D U.S.D.A. N.R.C.S. Champaign County, Illinois Conversion Legend 1975 Map Symbol to 2001 Map Symbol
 - E Table 5. Acreages and Proportionate Extent of the Soils from *Soil Survey of Champaign County, Illinois* 2003 edition.
 - F Table 8. Land Capability and Yields per Acre of Crops and Pasture from *Soil Survey of Champaign County, Illinois* 2003 edition.
 - G Table 9. Prime Farmland from *Soil Survey of Champaign County, Illinois* 2003 edition.
 - H Chapter 4. Selecting and scaling Land Evaluation factors excerpted from *Land Evaluation and Site Assessment: A Guidebook for Rating Agricultural Lands, Second Edition*. Soil and Water Conservation Society, 1983
 - I *Description of Data Used in Each LE Option*. Attachment D to the 10/04/11 LESA Update Committee memorandum
 - J *LE Scores for Each Option Applied to Test Sites*. Attachment E to the 10/04/11 LESA Update Committee memorandum
 - K *Comparing the LE Options*. Attachment F to the 10/04/11 LESA Update Committee memorandum
 - L Pages 129 to 135 excerpted from *Soil Survey of Champaign County, Illinois* 2003 edition.
 - M Parts 622.00 to 622.04 from the USDA Natural Resource Conservation Service (NRCS) National Soil Survey Handbook
 - N Soil Productivity Index Ratings for Illinois soils web page introductory pages
 - O Revised Option 4 Proposal 11/15/11 (Handout 1 for the 11/16/11 LESA Update Committee Meeting)
 - P Memorandum to LESA Update Committee dated 12/28/11 (Handout from John Hall to the LESA Update Committee on 1/4/12)

2. Preliminary Memorandum for Case 711-AT-12 dated June 14, 2012, with attachments:
 - A Champaign County Board Committee of the Whole Memorandum dated March 26, 2012, with attachments:
 - A Brief Comparison of Existing Best Prime Farmland to Proposed Best Prime Farmland

 - B Comparison of "At Risk Amounts" of LE=100 Soil Under Different Best Prime Farmland (BPF) Definitions (Attachment B to the 12/19/11 LESA Update Committee Memorandum)

- C (included separately) LESA Update Committee memorandum dated 2/14/12 (Memo#2 for the 2/22/12 LESA Update Committee meeting) with Attachments:
 - A Field Test Scores and BPF Definition Options
 - B Map of Soils Outside CUGA and Incorporated Areas
 - C BPF Definition Options Data on Soils Outside CUGA and Incorporated Areas
 - D Suggested Text for Best Prime Farmland Definition Recommendations
- 3. Supplemental Memorandum for Case 710-AT-12 dated June 14, 2012, with attachments:
 - A Description of Case from Legal Advertisement
 - B Memorandum to LESA Update Committee dated 10/04/11
 - C LE Calculation Recommendation to LESA Update Committee by Kevin Donoho dated 10/26/11
 - D Draft Evidence Regarding the Recommended Update to Land Evaluation Factors
- 4. Written testimony submitted by Debra Griest at the June 14, 2012, public hearing
- 5. Comments submitted by Norman Stenzel received June 15, 2012
- 6. Supplemental Memorandum for Case 710-AT-12 dated June 21, 2012, with attachments:
 - A Description of Case from Legal Advertisement
 - B *On the SA Portion of LESA: Validity and Reliability* submitted by Norman Stenzel on June 15, 2012
 - C Comparison Scoresheets for LESA Update Field Test Sites
 - D Comparing Existing LESA Scores to Recommended Draft LESA Score
 - E Illinois Livestock Management Facilities Act (510 ILCS 77/et seq.) General Requirements Related to Size of Facility. February 15, 2007
 - F Documents from the from the LESA Update Committee:
 - (1) LESA Update Field Test Sites Handout November 2, 2011 (a handout at the November 2, 2011, LESA Update Committee meeting)
 - (2) Location Map of 18 Initial Test Parcels
 - (3) Various maps for LESA Update Field Test Sites
 - (4) Chapter 5. Selecting and scaling Site Assessment Factors excerpted from *Land Evaluation and Site Assessment: A Guidebook for Rating Agricultural Lands, Second Edition*. Soil and Water Conservation Society, 1983
 - (5) Chapter 6. Combining and weighting factor ratings for a LESA System excerpted from *Land Evaluation and Site Assessment: A Guidebook for Rating Agricultural Lands, Second Edition*. Soil and Water Conservation Society, 1983
 - (6) Illinois LESA System. Revised August 2001. Illinois Department of Agriculture
 - (7) Land Evaluation and Site Assessment System for Kendall County, Illinois
 - (8) Ogle County, Illinois Land Evaluation and Site Assessment System
 - (9) Article 11- Land Evaluation and Site Assessment (LESA) System excerpted from the McLean County, Illinois Zoning Ordinance
 - (10) DeKalb County, Illinois Land Evaluation and Site Assessment System
- 7. Level of Protection Handout for Case 711-AT-11 for June 28, 2012, meeting

8. Supplemental Memorandum for Case 710-AT-12 dated July 3, 2012, with attachments:
 - A Description of Case from Legal Advertisement
 - B *Farm Focused Alternative LESA* submitted by Norman Stenzel on July 1, 2012

9. Supplemental Memorandum for Case 710-AT-12 dated July 26, 2012, with attachments:
 - A Description of Case from Legal Advertisement
 - B Additional Draft Evidence Regarding the Draft Site Assessment Factors
 - C Approved Minutes of the June 8, 2011, LESA Update Committee with attachments
 - Memorandum from John Hall, Champaign County Zoning Administrator dated June 8, 2011, with Draft SA Factors
 - Site Assessment Factors submitted on June 8, 2011, by Bradley Uken, Champaign County Farm Bureau Manager
 - Images from the Powerpoint presentation including Preliminary SA Factors
 - D Approved Minutes of the June 21, 2011, LESA Update Committee
 - E Approved Minutes of the July 13, 2011, LESA Update Committee
 - F Approved Minutes of the August 10, 2011, LESA Update Committee with attachment:
 - Handout 1 Working Draft-SA Factors as of 8/10/11
 - G Approved Minutes of the September 7, 2011, LESA Update Committee with attachment:
 - Meeting 6- Review of Draft SA Factors (Attachment A to the 9/2/11 LESA Update Committee Memorandum)
 - H Approved Minutes of the October 12, 2011, LESA Update Committee with attachment:
 - 10/05/11 LESA Update Committee Memorandum with Attachment:
Attachment A Modified Draft SA Factors Based on Committee Review Comments on 9/7/11
 - I Approved Minutes of the November 2, 2011, LESA Update Committee with attachments:
 - 10/27/11 LESA Update Committee Memorandum with Attachments:
 - o Updated Version Draft LESA dated October 27, 2011
 - o Champaign County Review of Site Suitability Factors in Rezoning Cases
 - J Approved Minutes of the November 16, 2011, LESA Update Committee with attachments:
 - 11/11/11 LESA Update Committee Memorandum with Attachments:
 - o Attachment A Field Test Notes
 - o Attachment C Field Test Results
 - o Handout 2 Alternative Draft Site Assessment (from 11/16/11 LESA Update Committee Meeting)
 - o Handout 3 (from 11/16/11 LESA Update Committee Meeting)
 - K Approved Minutes of the November 29, 2011, LESA Update Committee with attachments:
 - 11/23/11 LESA Update Committee Memorandum
 - L Approved Minutes of the December 14, 2011, LESA Update Committee with attachments:
 - 12/06/11 LESA Update Committee Memorandum with Attachments:
 - o Attachment D Field Test Site Results
 - o Attachment E Proposed Revisions to Draft LESA Update
 - M Approved Minutes of the January 4, 2012, LESA Update Committee with attachments:
 - 12/29/11 LESA Update Committee Memorandum with Attachments:

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- Handout (Memorandum) from John Hall, Zoning Administrator (from 1/04/12 LESA Update Committee Meeting)

 - N Approved Minutes of the January 25, 2012, LESA Update Committee with attachment:
 - 1/18/12 LESA Update Committee Memorandum
 - O Approved Minutes of the February 22, 2012, LESA Update Committee with attachment:
 - 2/10/12 LESA Update Committee Memorandum with attachment:
 - Attachment A The creeping effect. Pages 121 & 122 excerpted from *Land Evaluation and Site Assessment: A Guidebook for Rating Agricultural Lands, Second Edition*. Soil and Water Conservation Society, 1983
 - P Draft Minutes of the March 7, 2012, LESA Update Committee with attachment:
 - 2/28/12 LESA Update Committee Memorandum
 - Q Versions of the Draft Updated LESA (in notebooks at the tables during ZBA meetings and on the website):
 - Updated Version Draft LESA dated October 27, 2011 (an attachment to the 10/27/11 LESA Update Committee Memorandum for the 11/02/11 LESA Update Committee Meeting)
 - Updated Version Revised Draft LESA dated November 17, 2011 (a handout in a 11/18/11 email from Susan Monte to the LESA Update Committee and a handout at the 11/29/11 LESA Update Committee Meeting)
 - Updated Version Revised Draft LESA dated December 5, 2011 (a handout in a 12/06/11 email from Susan Monte to the LESA Update Committee and a handout at the 12/14/11 LESA Update Committee Meeting)
 - Strikeout Copy of Updated Version Revised Draft LESA dated December 14, 2011 (a handout at the 12/14/11 LESA Update Committee Meeting)
 - Revised Draft LESA dated December 29, 2011 (a handout in a 12/29/11 email from Susan Monte to the LESA Update Committee and a handout at the 1/04/12 LESA Update Committee Meeting)
 - Alternate Revised Draft LESA dated December 29, 2011 (a handout in a 12/29/11 email from Susan Monte to the LESA Update Committee and a handout at the 1/04/12 LESA Update Committee Meeting)
 - Alternate Update Draft LESA dated January 18, 2012, that was an attachment to the January 25, 2012, LESA Update Committee Agenda
 - Strikeout Version of Revised Draft LESA dated February 10, 2012 (a handout in a 2/10/12 email from Susan Monte to the LESA Update Committee and a handout at the 2/22/12 LESA Update Committee Meeting)
 - Revised Draft LESA dated February 28, 2011 (a handout in a 2/29/12 email from Susan Monte to the LESA Update Committee and a handout at the 3/07/12 LESA Update Committee Meeting)
 - R Comparison of Expected Draft LESA Scores For Hypothetical, Large, Non-CUGA. BPF Sites (a handout from the January 25, 2012, LESA Update Committee meeting)
10. Written Statement submitted by Norman Stenzel on August 9, 2012
11. Supplemental Memorandum for Case 710-AT-12 dated August 10, 2012, with attachments:
 - A Description of Case from Legal Advertisement

- B Written statement submitted by Norman Stenzel on August 9, 2012
 - C Comparative score sheet for Thorsland-Haynes property
 - D Map of SA Factor 8 analysis for Thorsland-Haynes property
12. Supplemental Memorandum for Case 710-AT-12 dated August 16, 2012, with attachments:
 - A Comparative score sheet for Seven Sisters Farms
 - B Map of SA Factor 8 analysis for Seven Sisters Farms
 - C Revised Map of SA Factor 8 analysis for Thorsland & Haynes
 13. Written statement submitted by Kyle Krapf at the August 16, 2012, public hearing
 14. Supplemental Memorandum for Case 710-AT-12 dated August 30, 2012, with attachment:
 - A email dated March 7, 2012, from Terry Savko to Susan Monte
 - B Draft Finding of Fact
 15. Supplemental Memorandum for Case 711-AT-12 dated August 30, 2012, with attachment:
 - A Draft Finding of Fact
 16. Champaign County Local Foods Policy Council Resolution No. 2012-1 received at the August 30, 2012, public hearing
 17. LESA Score suggestions submitted by Eric Thorsland at the August 30, 2012, public hearing
 18. Supplemental Memorandum for Case 710-AT-12 dated September 6, 2012, with attachments:
 - A Champaign County Local Foods Policy Council Resolution No. 2012-1 received August 30, 2012
 - B LESA Score suggestions submitted by Eric Thorsland on August 30, 2012
 19. Supplemental Memorandum for Case 710-AT-12 dated September 19, 2012
 20. Written statement submitted by Kyle Krapf at the September 19, 2012, public hearing
 21. Written statement submitted by Norman Stenzel at the September 19, 2012, public hearing
 22. Facts on Direct-to-Consumer Food Marketing submitted by Eric Thorsland at the September 19, 2012, public hearing

SUMMARY FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on, **June 14, 2012, June 28, 2012, July 12, 2012, July 26, 2012, August 16, 2012, August 30, 2012, September 13, 2012, and September 19, 2012**, the Zoning Board of Appeals of Champaign County finds that:

1. The proposed Zoning Ordinance text amendment **IS NECESSARY TO ACHIEVE** the Land Resource Management Plan because:
 - A. The proposed Zoning Ordinance text amendment **IS NECESSARY TO ACHIEVE** LRMP Goal 4.
 - B. The proposed Zoning Ordinance text amendment will also **HELP ACHIEVE** LRMP Goals 1, 2, 5, and 8.
 - C. The proposed Zoning Ordinance text amendment **WILL NOT IMPEDE** the achievement of LRMP Goals 3 and 9.
 - D. The proposed Zoning Ordinance text amendment is **NOT RELEVANT** to LRMP Goals 6, 7, and 10.

FINAL DETERMINATION

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

The Zoning Ordinance Amendment requested in **Case 710-AT-12** should **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

**CHAMPAIGN COUNTY
LAND EVALUATION AND SITE ASSESSMENT SYSTEM**

UPDATE

Draft dated March 7, 2012

**Prepared by the
Champaign County Regional Planning Commission**



ACKNOWLEDGEMENTS

LESA Update Committee Members

- Kevin Donoho
- Debra Griest, Committee Chair
- Elizabeth R. Jones
- Kyle Krapf
- W. Steven Moser
- Patti Petrie
- Steve Stierwalt
- Bruce Stickers
- John Hall, Advisory Committee Member

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4	CALCULATING THE TOTAL LESA SCORE	20

Tables

- 1 Summary of SA Factors**
- 2 Summary of SA Factors and Potential SA Points**

- A Composition of Agriculture Value Groups (in Appendix A)**

Appendices

- A Champaign County LESA Agriculture Value Groups**
- B Defined Terms**

INTRODUCTION

The Champaign County Land Evaluation and Site Assessment System (LESA) is a tool designed to provide County officials with a systematic and objective means to numerically rate a site or a parcel in terms of its agricultural importance.

Intended Use of LESA

The LESA is intended for the following applications within Champaign County:

- To assist County officials to evaluate the proposed conversion of farmland on a parcel or site in County rezoning cases that include farmland conversion to a non-agricultural land use.
- To assist in the review state and federal projects for compliance with the Illinois Farmland Preservation Act and the Federal Farmland Protection Policy Act in terms of their impact on important farmland.

The Land Evaluation (LE) portion of LESA is additionally intended as a means to determine the 'Best Prime Farmland' designation of a particular site or parcel.

The LESA is one of several tools intended to assist in making land use decisions; it should be used in conjunction with the *Champaign County Land Resource Management Plan*, and land use regulations including the *Champaign County Zoning Ordinance*, *Champaign County Subdivision Regulations*, and *Champaign County Stormwater Management Policy*.

LESA Score Overview

The LESA system is a numerical rating system that consists of two separate components: Land Evaluation (LE) and Site Assessment (SA).

The LE portion of LESA is based on the soils properties of a subject site. A single LE score is calculated, with a maximum LE score of 100 points possible.

The SA portion of LESA consists of ten non-soil factors shown in Table 1. Each SA factor identifies a separate and measurable condition. SA Factors 1, 2, and 3 are used to assess the importance of continuing the agricultural use of a site located in any unincorporated area. SA Factors 4 through 10 are additionally used to assess the importance of continuing the agricultural use of a site located outside of the Contiguous Urban Growth Area (CUGA). The maximum SA score possible for a site is 200 points.

Table 1. Summary of SA Factors

Applicable to all subject sites:	
1	size of site
2	Best Prime Farmland designation of site
	if Best Prime Farmland, site size and configuration
	if Prime Farmland, site size and configuration
3	whether site is located within the CUGA ¹
Applicable to sites located outside of the CUGA ¹	
4	percentage of site perimeter adjacent to agriculture principal uses
5	distance from site to nearest municipality
6	largest area of site in agricultural production over past five years
7	area of land zoned rural within one mile
8	area of agriculture principal uses within one mile
9	distance to nearest 10 non-farm dwellings
10	proximity to livestock management facility

Note:

¹ 'CUGA' is an acronym for the 'Contiguous Urban Growth Area'. The CUGA is a feature of the annually updated Land Use Management Area Map of the *Champaign County Land Resource Management Plan*. The CUGA is described in the Site Assessment section of LESA.

The total LESA score is the sum of the LE points and SA points for a particular site. The maximum total LESA score possible for a site is 300 points.

The higher the total LESA score, the more highly rated the site is to be protected for continued agricultural use. The total LESA score of a site signifies a rating for protection of a site as follows:

251 – 300	very high rating for protection
226 – 250	high rating for protection
151 – 225	moderate rating for protection
150 or below	low rating for protection

LAND EVALUATION

The Land Evaluation (LE) portion of LESA is based on the ranking of Champaign County soils according to the following three soils classification systems.

- **Land Capability Classification**

A system of grouping soils developed by the United States Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS). Soils are grouped primarily on the basis of their capability to produce common cultivated crops and pasture plants without deteriorating over a long period of time. A detailed explanation of the Land Capability Classification system is provided in Part 622.02 of the USDA NRCS National Soil Survey Handbook.

- **Farmland Classification**

A soils classification system developed by the USDA NRCS to better manage and maintain the soils resource base of land most suitable for producing food, feed, fiber, forage, and oilseed crops. Farmland Classification identifies the soils series map units as: Prime Farmland; Farmland of Statewide Importance; or Farmland of Local Importance. A detailed explanation of the 'Farmland Classification' system, including the definition of Prime Farmland, is provided in Parts 622.03-622.04 of the USDA NRCS National Soil Survey Handbook.

- **Productivity Index of Illinois Soils Under Optimum Management**

The soils productivity index is based on data published in Table S2 of Bulletin 811, developed by the Office of Research, College of Agricultural, Consumer and Environmental Sciences, University of Illinois at Urbana-Champaign (UIUC). Bulletin 811 provides crop yields and productivity indices under an optimum level of management used by the top 16% of farmers in Illinois. The crop yields were updated in January, 2011 to reflect growing conditions from 2000 to 2009. Bulletin 811 Year 2011 crop yields and productivity indices for optimum management are maintained at the UIUC Department of Natural Resources and Environmental Sciences.

Agriculture Value Group

The LE portion of LESA places the soils of Champaign County into several 'Agriculture Value Groups' ranging from the best to the worst, based on the three soils classifications systems indicated above, which generally gauge a site's suitability for crop production based on soil properties. A relative LE value is determined for each Agriculture Value Group, with the best group assigned a relative value of 100 and all other groups assigned lower relative values. Table A in Appendix A contains details regarding the composition of the Agriculture Value Groups.

Calculating a Land Evaluation Score

The Land Evaluation (LE) score is calculated separately from calculations to determine the Site Assessment (SA) score.

The LE score of a subject site is typically calculated by the Champaign County Champaign County Soil and Water Conservation District office and provided to the Champaign County Zoning Office as part of the Natural Resource Report for a subject site.

LE WORKSHEET

The LE Worksheet provided on the following page can be used to calculate the LE score for a subject site.

The steps below describe how to calculate an LE score, based on the format of the LE Worksheet:

1. Outline the subject site to be rezoned, and overlay with a Champaign County soils map unit layer. Soils data produced by the National Cooperative Soil Survey is available at the NRCS-operated 'Web Soil Survey.'

Soils data produced by the National Cooperative Soil Survey, and Champaign County parcel data, is available at the Champaign County GIS Consortium website 'GIS Web Map – Public Interface for Champaign County, Illinois.'

2. In Column 1, list both the 'soil map unit' and 'soil series' (e.g., '154A Flanagan') for each soil located on the subject site.
3. From Table A in Appendix A, record the Agriculture Value Group for each soil in Column 2.
4. From Table A in Appendix A, record the LE for each Agriculture Value Group in Column 3.
5. Calculate the acreage of each soil within the subject site. Record the number of acres for each soil in Column 4.
6. For each soil, multiply the LE indicated in Column 3 by the number of acres indicated in Column 4. Record the product in Column 5.
7. Add up the Column 4 acres and record the total. Add up the products shown in Column 5 and record the total.
8. Divide the Column 5 total by the Column 4 total. The result is the LE Score for the subject site.

When calculating an LE score, a score ending in 0.49 or lower should be rounded down to the nearest whole number. A score ending in 0.5 or higher should be rounded up to the next whole number.

The maximum number of LE points possible for any subject site is 100.

LE WORKSHEET

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
Map Unit Symbol and Soil Series	Agriculture Value Group	Group Relative LE	Acres	Product of Column 3 and Column 4
			Totals:	
			Column 5 total divided by Column 4 total :	
			LE Score:	

Example: A 5.3 acre parcel that has five soil types: 134B Camden, 152A Drummer, 242A Kendall, 3107A Sawmill, and 570C2 Martinsville. Following the steps outlined to calculate the LE, the LE score for this parcel equals 88.

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
Map Unit Symbol and Soil Series	Agriculture Value Group	Group Relative LE	Acres	Product of Column 3 and Column 4
242A Kendall	5	88	0.20	17.60
152A Drummer	2	100	0.83	83
570C2 Martinsville	13	75	0.01	0.75
134B Camden	9	83	1.64	136.12
3107A Sawmill	6	87	2.63	228.81
			Totals:	5.31
			Column 5 total divided by Column 4 total:	466.28
			LE Score:	87.81
				88

SITE ASSESSMENT

The Site Assessment (SA) process provides a system for identifying important factors, other than soils, that affect the economic viability of a site for agricultural uses.

SA Factors

The primary criteria used to identify SA factors are that each factor: 1) be relevant to continued agricultural use of a subject site within the rural areas of Champaign County; and 2) be measurable.

There are 10 SA Factors. Table 2 contains a summary of the 10 SA Factors and the point values assigned to each SA Factor.

Table 2. Summary of SA Factors and Potential SA Points

		Potential Points			
SA Factors that apply in all areas:			Subtotal	Total	
1	size of site	10	90	200	
2	a) Best Prime Farmland designation of site	30			
	b) if Best Prime Farmland, site size and configuration as of 1/1/2004	10			
	c) if Prime Farmland, site size and configuration as of 4/12/2011				
3	whether site is located within the CUGA ¹	40			
SA Factors that apply only outside of the CUGA ¹			110		200
4	percentage of site perimeter adjacent to agriculture principal uses	20			
5	distance from site to nearest municipality	15			
6	highest area of site in agricultural production over past five years	15			
7	area of land zoned rural within one mile	10			
8	area of agriculture principal uses within one mile	20			
9	distance to nearest 10 non-farm dwellings	20			
10	proximity to a livestock management facility	10			

Note:

¹ 'CUGA' is an acronym for the 'Contiguous Urban Growth Area'.

SA Factors 1, 2 and 3 are applied to all subject sites. SA Factors 4 through 10 are additionally applied to subject sites located outside the Contiguous Urbana Growth Area (CUGA). CUGA is identified in the 'Land Use Management Areas Map' of the *Champaign County Land Resource Management Plan* as land designated for non-agricultural land use. The Land Use Management Areas Map is updated annually to reflect accurate municipal boundaries and to reflect any adjustments to the CUGA based on changes to areas served by public sanitary sewer.

The CUGA consists of:

- 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 (within approximately five years);
- 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 (within approximately five years); or
- land surrounded by incorporated land or other urban land within the County.

Calculating the SA Score

The SA score of a subject site is calculated by planning staff of the Champaign County Planning and Zoning Department. The SA scoring is based on review of several sources of information which may typically include:

- Champaign County GIS Consortium data regarding parcels, corporate limits, zoning districts, digital orthophoto, etc.
- 'Land Use Management Map' of *Champaign County Land Resource Management Plan*
- field site inspection or windshield survey of site
- landowner interview

Each of the SA factors has point values, ranked on a 'best-to-worst' scale. The point values for each SA Factor are proportionately represented and no interpolation to an intermediate value should occur to obtain an SA Factor score.

The maximum number of possible SA score for a subject site or parcel is 200.

The process of calculating the SA score of a subject site involves: selecting the appropriate point value response for each SA Factor, and then adding the SA Factor points to obtain a total SA score.

The SA Worksheet beginning on the following page contains a description of each SA Factor and scoring instructions for each SA Factor.

SA WORKSHEET

1	What size is the subject site?	More than 25 acres	10 points	
		20.1 to 25 acres	8 points	
		15.1 to 20 acres	6 points	
		10.1 to 15 acres	4 points	
		5.01 to 10 acres	2 points	
		5 acres or less	0 points	

Factor 1 considers that the size of the subject site has an impact on its long-term viability for agricultural purposes. The factor recognizes that the predominant row crop form of agriculture is generally more efficiently farmed on larger sites.

Scoring Factor 1: Determine the area of the subject site based on current Champaign County Assessor Office tax parcel size data or on a legal description of the subject site.

2a	Is the subject site Best Prime Farmland ?	Yes	30 points	
		No	0 points	

Factor 2a assigns value to a subject site if it is designated as Best Prime Farmland, consistent with the *Champaign County Land Resource Management Plan* goals, objectives and policies.

An estimated 96.6% of the County consists of Prime Farmland soils. "Best Prime Farmland" is a subset of Prime Farmland soils identified by Champaign County in order to differentiate among Prime Farmland soils. The definition of 'Best Prime Farmland' is provided in the *Champaign County Zoning Ordinance*.

Scoring Factor 2a: Refer to the LE score of the subject site and to the "Best Prime Farmland" definition in the *Champaign County Zoning Ordinance*.

2b	If the subject site is Best Prime Farmland, which one of the following statements is correct:	10 points	
	(1) The subject site is 15% or less of a larger real estate tax parcel (or multiple parcels) that existed on January 1, 2004. (Yes 0 points)		
	(2) The subject site is larger than 15% of a larger real estate tax parcel (or multiple parcels) that existed on January 1, 2004. (Yes 10 points)		
	(3) The subject site was not part of a larger tax parcel or parcels on January 1, 2004, and is 25 acres or less. (Yes 0 points)		
	(4) The subject site was not part of a larger tax parcel or parcels on January 1, 2004, and is larger than 25 acres. (Yes 10 points)		

Factor 2b assigns value to a subject site if it exceeds the lot size and configuration limits noted. The 15% limit and 25-acre lot size limit featured are arbitrary values selected to represent the general

Factor 2b (continued)

concern about the conversion and loss of best prime farmland. The *Champaign County Zoning Ordinance* has included a maximum lot size limit on Best Prime Farmland since July, 2004.

Scoring Factor 2b: Review subject site size and configuration based on Champaign County parcel identification tax maps for the year 2004 (also referred to as the 27th Edition of the Champaign County tax map atlas).

2c	<p>If the subject site is not Best Prime Farmland and is at least 51% Prime Farmland,</p> <p>which one of the following statements is correct:</p> <p>(1) The subject site is larger than 25 acres. (Yes 10 points)</p> <p>(2) All of the following statements are true:</p> <ul style="list-style-type: none"> i. The subject site is part of a larger parcel that existed on April 12, 2011. ii. Since April 12, 2011, a separate portion or portions of that larger parcel have been converted to a non-agricultural use as the result of a rezoning or special use. iii. In total, the area of the subject site and those areas converted to a non-agricultural use (as identified in item ii. above) is larger than 25 acres. <p>(Yes 10 points)</p> <p>(3) Neither (1) or (2) above apply to the subject site. (Yes 0 points)</p>				
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Factor 2c assigns value to a subject site which is not Best Prime Farmland but which consists of at least 51% Prime Farmland and exceeds a 25-acre lot size and configuration as of April 12, 2011. The 25-acre size threshold is an arbitrary value selected to represent the general concern about the conversion and loss of Prime Farmland.

This factor awards 10 points to a subject site if it would result in conversion of more than 25 acres of Prime Farmland, or if the subject site would cumulatively contribute to the conversion of more than 25 acres of Prime Farmland on a larger parcel existing as of April 12, 2011.

Scoring Factor 2c: Assess whether the soils on the subject site are comprised of at least 51% Prime Farmland based on the 'Farmland Classification' column of Table A in Appendix A.

Review the lot size and configuration based on Champaign County parcel identification tax maps and digital orthophotography as of April 12, 2011. (April 12, 2011 is the date of the annual digital orthophotography available for the year 2011.)

3	Is the subject site located within the Contiguous Urban Growth Area?	no	40 points	
		yes	0 points	

Factor 3 is a general measure of development pressures which tend to support the conversion of agricultural sites to urban uses.

The 'Land Use Management Areas Map' of the *Champaign County Land Resource Management Plan* specifies the location of the 'Contiguous Urban Growth Area' (CUGA). CUGA is land designated for non-agricultural land use, and consists of:

- 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 (within approximately five years);
- 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 (within approximately five years); or
- land surrounded by incorporated land or other urban land within the County.

Scoring Factor 3: Review the CUGA boundaries of the current *Champaign County Land Resource Management Plan* "Land Use Management Map".

If the subject site is located within the CUGA, skip the remaining SA Factor questions and indicate a total SA score for only SA Factors 1, 2 and 3 at the end of the SA Worksheet.

Continue to answer the following SA Factor questions only if the subject site is located outside the CUGA ...

4	Amount of the perimeter of a subject site that is adjacent to parcels with a principal use of agriculture.	91 to 100% of perimeter	20 points	
		81 to 90% of perimeter	18 points	
		71 to 80% of perimeter	16 points	
		61 to 70% of perimeter	14 points	
		51 to 60% of perimeter	12 points	
	a) If the subject site is Best Prime Farmland and/or at least 51% Prime Farmland,	41 to 50% of perimeter	10 points	
	the amount of the perimeter of the subject site that is adjacent to parcels with a principal use of agriculture that existed on April 12, 2011.	31 to 40% of perimeter	8 points	
		21 to 30% of perimeter	6 points	
		11 to 20% of perimeter	4 points	
		1 to 10% of perimeter	2 points	
		none	0 points	
	b) If the subject site is less than 51% Prime Farmland,			
	the amount of the perimeter of the subject site that is adjacent to parcels with a principal use of agriculture.			

Factor 4 assesses the amount of the perimeter of the subject site that is adjacent to parcels that have the principal use of agriculture. The assessment is made based on principal use of each parcel that is adjacent to the subject site. The principal use of a parcel (as used in the *Champaign County Zoning Ordinance*) represents the main use for which a lot is intended.

Additionally, for a subject site that is Best Prime Farmland and/or at least 51% Prime Farmland, Factor 4 includes the provision to not recognize any adjacent non-agricultural principal use established after a set date of April 12, 2011. (April 12, 2011 is the date of the annual digital orthophotography available for the year 2011.) This measure is intended to partially address the problem referred to as 'creeping effect' whereby case-by-case land use decisions may lower LESA scores on nearby sites, thereby justifying more land conversion decisions.

More points are assigned to a subject site that is surrounded by parcels with the principal use of agriculture.

Scoring Factor 4: Measure the perimeter of the subject site adjacent to parcels with a principal use of agriculture.

Defined terms relevant to the scoring of this factor include:

AGRICULTURE: The growing, harvesting and storing of crops including legumes, hay, grain, fruit and truck or vegetable crops, floriculture, horticulture, mushroom growing, orchards, forestry and the keeping, raising and feeding of livestock or poultry, including dairying, poultry, swine, sheep, beef cattle, pony and horse production, fur farms, and fish and wildlife farms; farm buildings used for growing, harvesting and preparing crop products for market, or for

Scoring Factor 4 (continued)

use on the farm; roadside stands, farm buildings for storing and protecting farm machinery and equipment from the elements, for housing livestock or poultry and for preparing livestock or poultry products for market; farm dwellings occupied by farm owners, operators, tenants or seasonal or year-round hired farm workers. It is intended by this definition to include within the definition of agriculture all types of agricultural operations, but to exclude therefrom industrial operations such as a grain elevator, canning or slaughterhouse, wherein agricultural products produced primarily by others are stored or processed.

FARM DWELLING: A dwelling occupied by a farm owner or operator, tenant farm worker, or hired farm worker. (In Champaign County, it is generally assumed that a dwelling located on a lot that is 35 acres or larger is a farm dwelling, unless information provided as part of the public record to the Zoning Board of Appeals indicates otherwise.)

PRINCIPAL USE: As used in the *Champaign County Zoning Ordinance*, the main purpose for which land is designed, arranged, intended, or for which it is or may be occupied or maintained. (The primary purpose of a lot may not necessarily be the largest use on the lot in terms of the area of the lot that is occupied by that use and it may not necessarily be the use that generates the most income for the person who owns or resides on the lot.)

Guidelines for measuring perimeter of subject site adjacent to parcels with principal use of agriculture:

Adjacent property is property that touches or that is directly across a street, highway or interstate right-of-way or a rail road right-of-way from a subject site.

Measure the perimeter of the subject site that is adjacent to parcels that have a principal use of agriculture. Parcels with a principal use of agriculture are generally as follows:

- a. Any parcel that is 35 acres or larger whether or not there is a dwelling, with the exceptions noted below.
- b. Parcels that are less than 35 acres in area and that either have a farm dwelling or have no dwelling, with the exceptions noted below.
- c. Exceptions to the above are the following:
 - (1) Any parcel that is inside an incorporated municipality.
 - (2) Any parcel that is zoned Residential, Business, or Industrial on the Champaign County Zoning Map and contains a non-agricultural principal use.
 - (3) Any parcel or portion of a parcel on which a Special Use has been approved by the County except for a Rural Specialty Business or greenhouse.
 - (4) Institutional land that is not specifically used for production agriculture such as land owned by the University of Illinois but not in agricultural production or land owned by the Champaign County Forest Preserve District that is not in agricultural production.
 - (5) Any parcel or portion of a parcel considered as nonconforming use, as defined in the *Champaign County Zoning Ordinance*.

5	Distance from the subject site to the nearest city or village limits.	more than 3 miles 1.51 to 3 miles within 1.5 miles adjacent	15 points 10 points 5 points 0 points	
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Factor 5 awards higher points the further a subject site is from a city or village. Factor 5 is based on the general assumption that the further the subject site is from a municipality, the less chance there is of a nearby land use or development that would conflict with the agricultural land use of that subject site.

Scoring Factor 5: Measure outward from the property lines of the subject site to the nearest municipal boundary.

6	The highest percentage of the subject site in agricultural production in any of the last 5 years.	80 to 100%	15 points	
		60 to 79%	11 points	
		40 to 59%	7 points	
		20 to 39%	3 points	
		less than 20%	0 points	

Factor 6 is intended to serve as a general indicator of the agricultural viability of a subject site.

Scoring Factor 6: Based on the most recent five years of annual digital orthophotography, estimate the highest percentage of area of the subject site in agricultural production. To obtain accurate information, the scoring of Factor 6 may additionally require a field site inspection, windshield survey of the subject site, or landowner interview.

Defined terms relevant to the scoring of this factor include:

AGRICULTURAL PRODUCTION: The growing, harvesting, and storing of crops and the keeping, raising, and feeding of livestock or poultry and the buildings and land used in those activities, including:

- any farm dwelling,
- land taken out of production for purposes of government-sponsored agricultural programs, or
- land being used productively, such as woodlands for which there is a plan for managing the timber.

FARM DWELLING: A dwelling occupied by a farm owner or operator, tenant farm worker, or hired farm worker. (In Champaign County, it is generally assumed that a dwelling located on a lot that is 35 acres or larger is a farm dwelling, unless information provided as part of the public record to the Zoning Board of Appeals indicates otherwise.)

Guidelines for estimating percentage of subject site in agricultural production in any of the last 5 years

Based on review of digital orthophotography of the subject site for the most recent five years,

- a. If there is no structure on the subject site and the subject site appears to be in crop land, then count the entire subject site as in agricultural production.
- b. If only a street or road improvement is present on the subject site, and no wooded area is present on the subject site, then count the entire subject site as in agricultural production.
- c. Unless information is available to indicate otherwise,
 - (1) If the subject site is 35 acres or larger and has both a dwelling and what appears to be crop land, then count the entire site as agricultural production.
 - (2) If the subject site is less than 35 acres and has both a dwelling and what appears to be crop land, then count all of the subject site-- except for one acre, inclusive of the dwelling -- as in agricultural production. The one acre will be assumed to contain the well, septic, system, and any non-agricultural outbuildings.
- d. A part of the subject site that appears not to be crop land may be counted as in agricultural production only provided the landowner indicates that part of the subject site was or is not in production due to participation in a government-sponsored agricultural program, or due to implementation of a crop management plan.

7	Percentage of land zoned AG-1 Agriculture, AG-2 Agriculture or CR Conservation-Recreation within 1 mile of subject site.	91 to 100%	10 points	
		81 to 90%	9 points	
		71 to 80%	8 points	
		61 to 70%	7 points	
		51 to 60%	6 points	
		41 to 50%	5 points	
		31 to 40%	4 points	
		21 to 30%	3 points	
		11 to 20%	2 points	
		1 to 10%	1 points	
		none	0 points	

Factor 7 measures the amount of land in the one-mile area surrounding the subject site zoned AG-1 Agriculture, AG-2 Agriculture, or CR Conservation-Recreation. These are the rural zoning districts within the County.

More points are assigned to a higher percentage of land zoned AG-1, AG-2, or CR within one mile of the subject site because:

- rural zoning districts are intended for agricultural land uses, and
- land within these districts is subject to use restrictions and limits on the density and location of non-agricultural land uses.

Scoring Factor 7: Measure the area zoned AG-1, AG-2, and CR outward one mile from the property lines of the subject site.

8	Percentage of area within 1 mile of a subject site which consists of parcels with a principal use of agriculture. a) If the subject site is Best Prime Farmland and/or at least 51% Prime Farmland, the percentage of area within one mile of the subject site which consists of parcels with a principal use of agriculture that existed on April 12, 2011. b) If the subject site is less than 51% Prime Farmland, the percentage of area within one mile of the subject site which consists of parcels with a principal use of agriculture.	91 to 100%	20 points	
		81 to 90%	18 points	
		71 to 80%	16 points	
		61 to 70%	14 points	
		51 to 60%	12 points	
		41 to 50%	10 points	
		31 to 40%	8 points	
		21 to 30%	6 points	
		11 to 20%	4 points	
		1 to 10%	2 points	
		none	0 points	

Factor 8 is a major indicator of the agricultural character of the general area, based on the assumption that areas in the County dominated by agriculture are generally more viable for farm purposes. The assessment is made based on the principal use of parcels located within one mile of the subject site. The principal use of a parcel (as used in the *Champaign County Zoning Ordinance*) represents the main use for which a lot is intended.

Additionally, for a subject site that is Best Prime Farmland and/or at least 51% Prime Farmland, Factor 8 includes the provision to not recognize any non-agricultural principal use established after a set date of April 12, 2011 within one mile of the subject site except for development that has been annexed by a municipality. (April 12, 2011 is the date of the annual digital orthophotography available for the year 2011.) This measure is intended to partially address the problem referred to as 'creeping effect' whereby case-by-case land use decisions may lower LESA scores on nearby sites, thereby justifying more land conversion decisions.

More points are assigned to a subject site with a greater percentage of area within one mile consisting of parcels with the principal use of agriculture.

Scoring Factor 8: Estimate the area of land within a one-mile distance outward from the property lines of the subject site that consists of parcels with the principal use of agriculture.

The defined terms shown below generally form the basis on which this factor is scored:

AGRICULTURE: The growing, harvesting and storing of crops including legumes, hay, grain, fruit and truck or vegetable crops, floriculture, horticulture, mushroom growing, orchards, forestry and the keeping, raising and feeding of livestock or poultry, including dairying, poultry, swine, sheep, beef cattle, pony and horse production, fur farms, and fish and wildlife farms; farm buildings used for growing, harvesting and preparing crop products for market, or for use on the farm; roadside stands, farm buildings for storing and protecting farm machinery and equipment from the elements, for housing livestock or poultry and for preparing livestock or poultry products for market; farm dwellings occupied by farm owners, operators, tenants or seasonal or year-round hired farm workers. It is intended by this definition to include within the definition of agriculture all types of agricultural operations, but to exclude therefrom industrial operations such as a grain elevator, canning or slaughterhouse, wherein agricultural products produced primarily by others are stored or processed.

Scoring Factor 8 (continued)

FARM DWELLING: A dwelling occupied by a farm owner or operator, tenant farm worker, or hired farm worker. (In Champaign County, it is generally assumed that a dwelling located on a lot that is 35 acres or larger is a farm dwelling, unless information provided as part of the public record to the Zoning Board of Appeals indicates otherwise.)

PRINCIPAL USE: As used in the *Champaign County Zoning Ordinance*, the main purpose for which land is designed, arranged, intended, or for which it is or may be occupied or maintained. (The primary purpose of a lot may not necessarily be the largest use on the lot in terms of the area of the lot that is occupied by that use and it may not necessarily be the use that generates the most income for the person who owns or resides on the lot.)

Guidelines for estimating area within one mile of subject site consisting of parcels with principal use of agriculture:

Generally identify parcels with a principal use of agriculture as follows:

- a. Any parcel that is 35 acres or larger whether or not there is a dwelling, with the exceptions noted below.
- b. Parcels that are less than 35 acres in area and that either have a farm dwelling or have no dwelling, with the exceptions noted below.
- c. Exceptions to the above are the following:
 - (1) Any parcel that is inside an incorporated municipality.
 - (2) Any parcel that is zoned Residential, Business, or Industrial on the Champaign County Zoning Map and contains a non-agricultural principal use.
 - (3) Any parcel or portion of a parcel on which a Special Use has been approved by the County, except for a Rural Specialty Business or greenhouse.
 - (4) Institutional land that is not specifically used for production agriculture such as land owned by the University of Illinois but not in agricultural production, or land owned by the Champaign County Forest Preserve District that is not in agricultural production.
 - (5) Any parcel or portion of a parcel considered as nonconforming use, as defined in the *Champaign County Zoning Ordinance*.

9	What is the distance from the subject site to the nearest 10 non-farm dwellings?	more than 1 mile 0.76 to 1 mile 0.51 to 0.75 mile 0.26 to 0.50 mile 0.01 to 0.25 mile adjacent	20 points 18 points 16 points 14 points 12 points 0 points	
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Factor 9 considers the proximity of the nearest 10 non-farm dwellings as a general indicator of an existing land use incompatibility with production agriculture and an incompatibility with livestock facilities vis-a-vis the *Illinois Livestock Management Facilities Act (510 ILCS 77/ et seq.)*

In Champaign County, it is generally assumed that a dwelling located on a lot less than 35 acres is a non-farm dwelling, unless information provided as part of the public record to the Zoning Board of Appeals indicates that a dwelling is part of on-site agricultural operations or otherwise qualifying as a farm dwelling.

The defined term for Non-Farm Dwelling is shown below:

NON-FARM DWELLING: A dwelling that is not occupied by a farm owner or operator, tenant farm worker, or hired farm worker.

Scoring Factor 9: Measure the linear distance outward from the closest point on the property line of the subject site to the façade of the tenth nearest non-farm dwelling.

10	<p>a) How close is the subject site to a known livestock management facility of 400 or more animal units?</p> <p><i>Answer Parts b or c) only if the subject site is more than 1 mile from a known livestock management facility of 400 or more animal units.</i></p>	<p>adjacent to 0.25 mile 10 points 0.26 to 0.5 mile 9 points 0.51 to 0.75 mile 8 points 0.76 to 1 mile 7 points more than 1 mile n/a</p>	_____
	<p>b) How close is the subject site to a known livestock management facility of 200 - 399 animal units?</p> <p><i>Answer Part c) only if the subject site is more than 1 mile from a known livestock management facility of 200-399 animal units.</i></p>	<p>adjacent to 0.25 mile 7 points 0.26 to 0.5 mile 6 points 0.51 to 0.75 mile 5 points 0.76 to 1 mile 4 points more than 1 mile n/a</p>	
	<p>c) How close is the subject site to a known livestock management facility of 50 – 199 animal units?</p>	<p>adjacent to 0.25 mile 4 points 0.26 to 0.5 mile 3 points 0.51 to 0.75 mile 2 points 0.76 to 1 mile 1 point more than 1 mile 0 points</p>	

Factor 10 is a measure of the compatibility of the subject site for continued agricultural use based on its proximity to an existing nearby livestock management facility. More points are assigned to a subject site in closer proximity to a known livestock management facility.

Scoring Factor 10: A response may be based on data available from the Livestock Management Facilities Program, Illinois Department of Agriculture, actual site inspection, and/or landowner interview.

The maximum points possible for this factor is 10 points.

This is a 3-part factor. Part a) measures proximity of a subject site to a livestock management facility of 400 or more animal units. If the subject site is located more than one mile from such facility, then respond to Part b). Part b) measures proximity of a subject site to a livestock management facility of 200-399 animal units. If the subject site is located more than one mile from such facility, then respond to Part c).

SA Total Score	_____
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CALCULATING THE TOTAL LESA SCORE

The total LESA score is the sum of the LE points and SA points for a particular site or parcel. The maximum total LESA score possible for a site is 300 points.*

LE Total	_____
SA Total	_____
Total LESA Score	_____

The higher the total LESA score, the more highly rated the subject site or parcel is to be protected for continued agricultural use. The total LESA score of a site signifies a rating for protection of the subject site or parcel as follows:

251 – 300	very high rating for protection
226 – 250	high rating for protection
151 – 225	moderate rating for protection
150 or below	low rating for protection

- * The maximum LE score possible for a site is 100 points.
The maximum SA score possible for a site is 200 points.

Table A Composition of Agriculture Value Groups

Agriculture Value Group	Relative LE ¹	Land Capability Classification	Farmland Classification	Adjusted Soil Productivity Index ²	Map Unit Symbol and Soil Series	# Acres Countywide	Percentage of County Land
1	100	1	Prime	98 - 100	154A Flanagan silt loam	100,553	15.74
					198A Elburn silt loam	17,641	2.76
					149A Brenton silt loam	16,465	2.58
2	100	2e, 2w	Prime, Prime1	98 - 100	152A Drummer silty clay loam	254,484	39.82
					679B Blackberry silt loam	4,985	0.78
3	94	1, 2e, 2w	Prime, Prime1	93 - 95	171B Catlin silt loam	17,385	2.72
					153A Pella silty clay loam	6,422	1.01
					623A Kishwaukee silt loam	3,105	0.49
					481A Raub silt loam	22,903	3.58
					663B Clare silt loam	8,391	1.31
4	91	1, 2e, 2w	Prime, Prime1	90 - 92	67A Harpster silty clay loam	2,153	0.34
					234A Sunbury silt loam	2,014	0.32
					56B Dana silt loam	22,838	3.57
					219A Millbrook silt loam	1,454	0.23
					490A Odell silt loam	1,269	0.20
					687B Penfield loam	2,327	0.36
					125A Selma loam	2,908	0.46
					148B2 Proctor silt loam	15	0.002
					232A Ashkum silty clay loam	29,196	4.57
					206A Thorp silt loam	2,641	0.41
5	88	2e, 2w	Prime, Prime1	87 - 89	146A Elliot silt loam	761	0.12
					242A Kendall silt loam	1,441	0.23
					3107A Sawmill silty clay loam	11,080	1.73
6	87	3w	Prime2	87	56B2 Dana silt loam	136	0.02
					330A Peotone silty clay loam	3,744	0.59
7	85	1, 2e, 2w	Prime, Prime1	83 - 86	236A Sabina silt loam	3,011	0.47
					102A La Hogue loam	1,423	0.22
					233B Birbeck silt loam	2,669	0.42
					235A Bryce silty clay	1,623	0.25
					134A Camden silt loam	14	0.002

continued

Table A Composition of Agriculture Value Groups (AVG) continued

Agriculture Value Group	Relative LE ¹	Land Capability Classification	Farmland Classification	Adjusted Soil Productivity Index ²	Map Unit Symbol and Soil Series	# Acres Countywide	Percentage of County Land	
							0.01	0.13
8	84	3e, 3w	Not Prime	89 - 84	637A+ Muskego silty clay loam 687C2 Penfield loam	47 809	0.01	0.14
							0.13	
9	83	2e, 2w, 3w	Prime, Prime3	81 - 83	146B2 Elliott silty clay loam	28,484	4.46	
					622B Wyanet silt loam	7,312	1.14	
					134B Caridem silt loam	1,207	0.19	
					680B Campton silt loam	1,651	0.26	
					91A Swygert silty clay loam	73	0.01	7.24
					146C2 Elliott silty clay loam	1,485	0.23	
					291B Xenia silt loam	4,837	0.76	
					448B Mona silt loam	245	0.04	
3473A Rossburg silt loam	982	0.15						
10	79	2e	Prime	78 - 79	387B Ockley silt loam	1,125	0.18	0.29
					570B Martinsville silt loam	708	0.11	
11	78	3e	Statewide Importance	78	622C2 Wyanet silt loam	6,331	1.00	1.00
12	76	2e, 3e	Prime	74 - 76	131B Alvin fine sandy loam	205	0.03	
					223B2 Varna silt loam	8,040	1.26	
					91B2 Swygert silty clay loam	2,791	0.44	
					150B Onarga sandy loam	290	0.05	2.44
					223C2 Varna silt loam	3,116	0.49	
					91C2 Swygert silty clay loam	411	0.06	
					530B Ozaukee silt loam	509	0.08	
					618B Senachwine silt loam	269	0.04	
13	75	3e	Statewide Importance	74 - 75	322C2 Russell silt loam	1,930	0.30	0.46
					570C2 Martinsville loam	1,021	0.16	
14	71	2e, 2w, 3w	Prime, Prime1, Prime2	68 - 73	23A Blount silt loam	804	0.13	
					530C2 Ozaukee silt loam	411	0.06	0.76
					3302A Ambraw silty clay loam	2,794	0.44	
					2382 Blount silt loam	808	0.13	

continued

Table A Composition of Agriculture Value Groups (AVG) continued

Agriculture Value Group	Relative LE ¹	Land Capability Classification	Farmland Classification	Adjusted Soil Productivity Index ²	Map Unit Symbol and Soil Series	# Acres Countywide	Percentage of County Land
15	69	3e	Statewide Importance	69	530D2 Ozaukee silt loam	543	0.09
					618C2 Senachwine silt loam	850	0.13
16	66	4e	Statewide Importance, Not Prime	62 - 69	387C3 Ockley clay loam	301	0.05
					570D2 Martinsville loam	360	0.06
					223D3 Varna silty clay loam	2,826	0.44
					622D3 Wyanet clay loam	357	0.06
					618D2 Senachwine silt loam	632	0.10
530E2 Ozaukee silt loam	382	0.06					
17	50	6e, 7e	Not Prime	37 - 57	618E2 Senachwine silt loam	511	0.08
					618F Senachwine silt loam	398	0.06
					241C3 Chatsworth silty clay	36	0.01
					241D3 Chatsworth silty clay	285	0.05
18	n/a	n/a	Not Prime	n/a	533 Urban Land	1,607	0.25
					802B Orthents loamy undulating	4,290	0.67
					830 Landfill	115	0.02
					865 Gravel Pit	460	0.07
					W Water	1,319	0.21

Table A Notes

1. LE is the weighted, average designated Land Evaluation score assigned to each Agriculture Value Group.
2. The "Adjusted Productivity Index" is derived from Productivity Index data published in Table S2 of Bulletin 811. The Productivity Indices provided in Table S2 are for 0% to 2% slopes and slightly eroded conditions. Productivity indices were adjusted for increasing slope and erosion in accordance with Table S3 of Bulletin 811: "Decimal Adjustments in Crop Yields and Productivity Indices Under an Optimum Level of Management for Various Slope Groups and Erosion Phases."

DEFINED TERMS

AGRICULTURE: The growing, harvesting and storing of crops including legumes, hay, grain, fruit and truck or vegetable crops, floriculture, horticulture, mushroom growing, orchards, forestry and the keeping, raising and feeding of livestock or poultry, including dairying, poultry, swine, sheep, beef cattle, pony and horse production, fur farms, and fish and wildlife farms; farm buildings used for growing, harvesting and preparing crop products for market, or for use on the farm; roadside stands, farm buildings for storing and protecting farm machinery and equipment from the elements, for housing livestock or poultry and for preparing livestock or poultry products for market; farm dwellings occupied by farm owners, operators, tenants or seasonal or year-round hired farm workers. It is intended by this definition to include within the definition of agriculture all types of agricultural operations, but to exclude therefrom industrial operations such as a grain elevator, canning or slaughterhouse, wherein agricultural products produced primarily by others are stored or processed. Source: *Champaign County Zoning Ordinance*.

The principal use of a parcel (as defined in the *Champaign County Zoning Ordinance*) represents the main use for which a lot is intended. Guidelines for estimating whether a parcel has a principal use of agriculture are generally as follows:

- a. Any parcel that is 35 acres or larger whether or not there is a dwelling, with the exceptions noted below.
- b. Parcels that are less than 35 acres in area and that either have a farm dwelling or have no dwelling, with the exceptions noted below.
- c. Exceptions to the above are the following:
 - 1) Any parcel that is inside an incorporated municipality.
 - 2) Any parcel that is zoned Residential, Business, or Industrial on the *Champaign County Zoning Map* and contains a non-agricultural principal use.
 - 3) Any parcel or portion of parcels on which a Special Use has been approved by the County, except for a Rural Specialty Business or greenhouse.
 - 4) Institutional property that is not specifically used for production agriculture such as land owned by the University of Illinois but not in agricultural production or land owned by the Champaign County Forest Preserve District that is not in agricultural production.
 - 5) Any parcel or portion of a parcel considered as nonconforming use, as defined in the *Champaign County Zoning Ordinance*.

AGRICULTURAL PRODUCTION: The growing, harvesting, and storing of crops and the keeping, raising, and feeding of livestock or poultry and the buildings and land used in those activities, including: any farm dwelling; land taken out of production for purposes of government-sponsored agricultural programs; or land being used productively, such as woodlands for which there is a plan for managing the timber.

ANIMAL UNITS: A measure that is based on the number, species and size of an animal. The following table lists for selected species, the size and number of animals multiplied by a specified conversion factor equivalent to 50 animal units:

Species/Size	Conversion Factor	50 Animal Units
Swine over 55 lbs.	0.4	125
Swine under 55 lbs.	0.03	1,667
Dairy	1.4	35
Young dairy stock	0.6	84
Cattle	1.0	50
Sheep, lamb, goats	0.1	500
Horses	2.	25
Turkeys	0.02	2,500
Laying hens or broilers	0.01 – 0.03 *	1,667 -5,000 *
Ducks	0.02	2,500

Source: Livestock Management Facilities Program, Illinois Department of Agriculture

Table Note: * depends on type of livestock waste handling facility provided

BEST PRIME FARMLAND: A subset of Prime Farmland soils identified by the County, and as defined in the *Champaign County Zoning Ordinance*.

FARM DWELLING: A dwelling occupied by a farm owner or operator, tenant farm worker, or hired farm worker. (In Champaign County, it is generally assumed that a dwelling located on a lot that is 35 acres or larger is a farm dwelling, unless information provided as part of the public record to the Zoning Board of Appeals indicates otherwise.)

LIVESTOCK MANAGEMENT FACILITY: A 'livestock management facility' is any animal feeding operation, livestock shelter, or on-farm milking and accompanying milk-handling area. A 'livestock waste handling facility' is an immovable structure or device (except sewers) used for collecting, pumping, treating, or disposing of livestock waste or for the recovery of by-products from the livestock waste. Two or more livestock management facilities under common ownership, within ¼ mile of each other, and that share a common livestock waste handling facility are considered a single livestock management facility. (Illinois Livestock Management Facilities Act (510 ILCS 77/et seq.)

NON-FARM DWELLING: A dwelling that is not occupied by a farm owner or operator, tenant farm worker, or hired farm worker.

PRINCIPAL USE: As used in the *Champaign County Zoning Ordinance*, the main purpose for which land is designed, arranged, intended, or for which it is or may be occupied or maintained. (The primary purpose of a lot may not necessarily be the largest use on the lot in terms of the area of the lot that is occupied by that use and it may not necessarily be the use that generates the most income for the person who owns or resides on the lot.)

SUBJECT SITE: The area of a parcel that is proposed for development. As an example, for a zoning case to request a rezoning, the subject site will be the area of the parcel or parcels that is proposed to be rezoned.

Champaign
County
Department of

PLANNING &
ZONING

Brookings
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
Andy Kass, Associate Planner**

Susan Monte, RPC Planner

Date: September 25, 2012

RE: Zoning Ordinance Text Amendment Case 711-AT-12

Request: Request Preliminary Recommendation for Approval of a Text Amendment to the Champaign County Zoning Ordinance in Zoning Case 711-AT-12 to Amend the definition of "best prime farmland"

Petitioner: Zoning Administrator

STATUS

The Zoning Board of Appeals voted 6 to 0 (with no absences) to RECOMMEND ENACTMENT of this amendment at the Special meeting that was held on September 19, 2012.

The Committee of the Whole authorized this text amendment at the April 12, 2012, meeting. The amendment recommended by the ZBA is unchanged from the recommendation by the LESA Update Committee. You may recall that the LESA Update Committee had voted 6 to 0 (with one absence) to recommend this change to the definition of "best prime farmland".

Standard protocol is for the Committee to make a preliminary recommendation on a proposed text amendment at the first Committee meeting following a ZBA recommendation and then defer the final recommendation to the County Board until the next regularly scheduled Committee meeting (November 8, 2012, in this instance). The deferral of the final recommendation is intended to give municipalities and townships with plan commissions one month in which to provide comments or protests.

If the Committee makes a final recommendation on this case at the November 8, 2012, Committee meeting the case will go to the full Board on November 29, 2012.

REVIEW BY THE Z.B.A.

ZBA members were provided copies of the minutes of all LESA Update Committee meetings and the most important handouts from those meetings that were relevant to the proposed definition of "best prime farmland". Those minutes are summarized in item 9.B. on pages 7 to 11 of 39 of the Finding of Fact for related Case 710-AT-12.

The ZBA reviewed the total LESA scores for both the existing LESA and the Draft LESA for the Test Sites used by the LESA Update Committee including the determinations of best prime farmland. See item 9.B.(3) on p.21 of 39 of the Finding of Fact for related Case 710-AT-12.

The ZBA also reviewed two applications of the Draft LESA on farmland owned by ZBA members. Those two assessments are summarized in item 9.B.(4) on pages 22 to 23 of 39 of the Finding of Fact for related Case 710-AT-12. Both properties were "best prime farmland" by virtue of the percent of soil on each property that was in Agriculture Value Groups 1,2,3 and/or 4. One property had an overall Land Evaluation (LE) rating of 87 but was 31% Agriculture

Zoning Administrator
SEPTEMBER 25, 2012

Value Group 2 soils and the other property had an overall LE of 83 but was 14% Agriculture Value Group 2 soils.

Relevant evidence in the attached Finding is primarily on pages 4 through 8 of the Finding.

CHAMPAIGN COUNTY FARM BUREAU COMMENTS

The Champaign County Farm Bureau provided comments during the public hearing. CCFB comments are summarized in item 13.F. of the Findings.

ATTACHMENTS

- A Brief Comparison of Existing Best Prime Farmland to Proposed Best Prime Farmland**
- B As Approved Finding of Fact for Case 711-AT-12 with Recommended Amendment**

Attachment A. Brief Comparison of Existing Best Prime Farmland to Proposed Best Prime Farmland DRAFT March 26, 2012

Characteristic or Feature	Existing BPF	Proposed BPF	Notes
1. Range of average soil productivity identified as Best Prime Farmland as a percent of the highest soil productivity in the County based on <u>Agriculture Value Groups</u> .	85% to 100%	91% to 100%	BPF= Best Prime Farmland
2. Lowest average soil productivity actually included in Best Prime Farmland as a percent of the highest soil productivity in the County based on <u>individual soils</u>	82%*	90%**	*see Attachment C to the 12/29/11 memo for the 1/4/12 Update Committee meeting ** see Handout 1 of the 11/16/11 Update Committee meeting
3. Number of Agriculture Value Groups included as Best Prime Farmland	4	4	
4. Acres of land directly identified as Best Prime Farmland (percent of total County area)	511,461 acres (80.0%)	487,296 acres (76.3%)	See Attachment B to the Update Committee Agenda of 1/4/2012
5. Acres of Best Prime Farmland at risk of being lost if combined with non-BPF	66,945 acres*	14,708 acres**	* See Attachment B to the Update Committee Agenda of 1/4/2012 ** see Attachment C to Memo#2 dated 2/14/2012 for the 2/22/2012 Update Committee meeting.

AS APPROVED

711-AT-12

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

Final Determination: **RECOMMEND ENACTMENT**

Date: September 19, 2012

Petitioner: Zoning Administrator

Request: Amend the Champaign County Zoning Ordinance as follows:

Part A. In Section 3, revise the definition of “best prime farmland” as follows:

- a) delete “Relative Value of 85” and “Land Evaluation rating of 85” and replace with “average Land Evaluation rating of 91 or higher”; and
- b) add “prime farmland soils that under optimum management have 91% to 100% of the highest soil productivities in Champaign County, on average, as reported in the *Bulletin 811 Optimum Crop Productivity Ratings for Illinois Soils*”; and
- c) add “soils identified as Agriculture Value Groups 1, 2, 3 and/or 4 in the Champaign County Land Evaluation and Site Assessment (LESA) System”; and
- d) add “Any development site that includes a significant amount (10% or more of the area proposed to be developed) of Agriculture Value Groups 1, 2, 3 and/or 4 soils”.

Part B. Revise Footnote 13 of Section 5.3 to strike references to “has a Land Evaluation score greater than or equal to 85 on the County’s Land Evaluation and Site Assessment System” and replace with “is made up of soils that are BEST PRIME FARMLAND”

Part C. Revise paragraph 5.4.4 to strike references to “has a Land Evaluation score greater than or equal to 85 on the County’s Land Evaluation and Site Assessment System” and replace with “is made up of soils that are BEST PRIME FARMLAND”

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FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **June 14, 2012, June 28, 2012, July 12, 2012, July 26, 2012, August 16, 2012, August 30, 2012, September 13, 2012, and September 19, 2012**, the Zoning Board of Appeals of Champaign County finds that:

1. The petitioner is the Zoning Administrator.
2. The proposed amendment is intended to reflect the recommendations of the LESA Update Committee recommendations as well as the changes in the LESA Update.
3. Municipalities with zoning and townships with planning commissions have protest rights on all text amendments and they are notified of such cases. No comments have been received to date.

SUMMARY OF THE PROPOSED AMENDMENT

4. The proposed amendment is attached to this Finding of Fact as it will appear in the Zoning Ordinance.

GENERALLY REGARDING THE LRMP GOALS, OBJECTIVES, AND POLICIES

5. 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

6. 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.

The proposed amendment should **HELP ACHIEVE** Goal 1 because the process by which the proposed definition of best prime farmland was arrived at and by the 15 meeting of the LESA Update Committee and the Zoning Board of Appeals public hearings.

7. 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 directly related to Goal 2 but should **HELP ACHIEVE** Goal 2 because it should **HELP ACHIEVE** objective 2.1 that states that Champaign County will coordinate land resource management planning with all County jurisdictions and, to the extent possible, in the larger region, for the following reasons:

- A. The proposed amendment should **HELP ACHIEVE** objective 2.1 by the text amendment process whereby municipalities and townships with planning commissions are notified of any proposed text amendment and have the right to provide comments or even protest any text amendment.

8. 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 **WILL NOT UNREASONABLY IMPEDE** the achievement of Goal 3.

9. 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.

Goal 4 has 9 objectives and 22 policies. Many of the policies under Goal 4 refer to "best prime farmland"; because best prime farmland is not defined in Goal 4, the proposed amendment **WILL NOT IMPEDE** achievement of Goal 4.

10. 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.

Many of the policies under Goal 5 refer to "best prime farmland"; because best prime farmland is not defined in Goal 5, the proposed amendment **WILL NOT IMPEDE** achievement of Goal 5.

11. 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.

The proposed amendment is **NOT RELEVANT** to Goal 6 in general.

12. 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.

The proposed amendment is **NOT RELEVANT** to Goal 7 in general.

13. 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. The proposed amendment should **HELP ACHIEVE** Goal 8 for the following reasons:

Objective 8.2 is the only relevant objective under Goal 8. Objective 8.2 states as follows:

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

The proposed Draft LESA will **HELP ACHIEVE** Objective 8.2 for the following reasons:

The only subsidiary policy under Objective 8.2 is policy 8.2.1 that reads as follows:

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

AS APPROVED

The proposed amendment will **HELP ACHIEVE** Policy 8.2.1 for the following reasons:

- A. Regarding the existing definition for “best prime farmland” as used in the Zoning Ordinance and the Land Resource Management Plan:
- (1) “Best prime farmland” as used in the Zoning Ordinance and the Land Resource Management Plan 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.
 - (2) The most productive prime farmland in the existing LESA System are the soils in Agriculture Value Group 1 (with Relative Value =100) which make up about 20.8% of the total acreage of the County in the existing LESA System.
 - (3) A memo to the LESA Update Committee dated 12/28/11 (and included as Att. P to the Preliminary Memorandum in related Case 710-AT-11) demonstrates that the existing Agriculture Value Group (AVG) 4 in the existing LESA System includes many soils with a productivity index of 130 which is approximately only 82% as productive as AVG 1. Thus, the current definition of best prime farmland applies to soils that are only 82% as productive as the most productive soils.
 - (4) The existing approach of averaging of LE values to determine what is best prime farmland means that when soils in existing Agriculture Value Groups (AVG) 5 (Relative Value (RV) =85), AVG 6 (RV=70), AVG 7 (RV=65), or AVG 8 (RV=41) are present with AVG 1 soils (RV=100) at as much as 25% to 73% of the site, the overall LE rating can easily be less than 85 and in those cases the AVG 1 soils are “at risk” of being converted to non-agricultural use in full conformance with the Zoning Ordinance and the LRMP policies. There is some degree of uncertainty in the estimation of AVG soils “at risk” because it is not known if these exact combinations of soils are even possible based on the actual geographic distribution of soils.
 - (5) The current definition of best prime farmland identifies 511,461 acres of land (about 80% of the County) as best prime farmland. Note that this acreage is from the existing LESA system and includes some acreage that is now already developed as urbanized area.
 - (6) The current definition of best prime farmland and the existing LESA system also leaves about 66,945 acres of LE=100 soils at risk of being overlooked due to the averaging of LE values under the current definition of “best prime farmland”.
- B. The subject of Zoning Case 710-AT-12 is a proposed updated LESA with a new LE analysis. Regarding the LE values in the existing LESA as compared to those in the proposed Draft LESA:
- (1) The productivity index in the existing LESA is from *Soil Productivity in Illinois*, Circular 1156, published in 1978 by the University of Illinois Cooperative

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Extension Service. Circular 1156 is no longer in publication and has been replaced by later bulletins.

- (2) As explained on the Illinois Department of Revenue website (see Attachment N to the Prelim. Memo.), there are two types of soil productivity index ratings for Illinois soils which are as follows:
- (a) *Average Crop, Pasture, and Forestry Productivity Ratings for Illinois Soils*, Bulletin 810, August 2000, published by the University of Illinois at Urbana-Champaign College of Agricultural, Consumer, and Environmental Sciences Office of Research. Regarding Bulletin 810:
 - Bulletin 810 contains the crop yields and productivity indices for crops under the average level of management used by all Illinois farmers for the 10 year period in the 1990's.
 - Bulletin 810 is the current source for farmland productivity under the Illinois Farmland Assessment Law.
 - (b) *Optimum Crop Productivity Ratings for Illinois Soils*, Bulletin 811, January 15, 2011, published by the University of Illinois at Urbana-Champaign College of Agricultural, Consumer, and Environmental Sciences Office of Research. Regarding Bulletin 811:
 - Bulletin 811 contains the crop yields and productivity indices for crops under the optimum level of management used by the top 16% Illinois farmers for the 10 year period in the 1990's.
 - As explained in Bulletin 811 the optimum level of management is near the level of management required for maximum profit.
- (3) The 10/04/11 LESA Update Committee memorandum included the following comments made by K.R. Olson, co-author of both Bulletin 810 and Bulletin 811, to RPC Planner Susan Monte:
- (a) Almost all of the optimum management productivity indices and crop yields in Bulletin 811 are 13% higher than the ones for average management in Bulletin 810.
 - (b) The values in Bulletin 810 represent the 10-year average crop yields for a soil with 50% of the farmers in the state with that soil getting higher crop yields and 50% lower crop yields. Tax assessors use these values.
 - (c) The crop yields in Bulletin 811 are the 10-year average crop yields that the top 16% of farmers get (which is one standard deviation above the mean value) with the other 84% getting lower yields. Land appraisers, real estate agents, and some regulatory agencies use these values.
- (4) Attachment B to the 10/4/2011 LESA Update Committee memorandum compares "average management" with "optimum management". Optimum management includes better drainage improvements and application of higher levels of basic nutrients. Optimum management will therefore have a higher operating cost.

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- C. Regarding the proposed definition for “best prime farmland” as recommended by the LESA Update Committee:
- (1) The LESA Update Committee recommendation is based on the updated LE values in the Draft LESA.
 - (2) The LESA Update Committee recommendation for “best prime farmland” is as follows:

Prime Farmland Soils identified in the Champaign County Land Evaluation and Site Assessment (LESA) System that under optimum management have 91% to 100% of the highest soil productivities in Champaign County, on average, as reported in the *Bulletin 811 Optimum Crop Productivity Ratings for Illinois Soils*. Best Prime Farmland consists of the following:

 - a) Soils identified as Agriculture Value Groups 1, 2, 3 and/or 4 in the Champaign County Land Evaluation and Site Assessment (LESA) System;
 - b) Soils that, in combination on a subject site, have an average LE of 91 or higher, as determined by the Champaign County LESA System; or
 - c) Any development site that includes a significant amount (10% or more of the area proposed to be developed) of Agriculture Value Groups 1, 2, 3 and/or 4 soils, as determined by the Champaign County LESA System.
 - (3) The LESA Update Committee recommendation identifies 425,634 acres of land as best prime farmland and Attachment C to that memo indicates that only 14,708 acres of LE=100 soils would be put at risk by that recommendation. This estimate of at risk soils is based on the soil acreages outside of the existing incorporated areas (municipalities) and also outside of the “Contiguous Urban Growth Area” (or CUGA, that is identified in the Land Resource Management Plan as that part of the municipal extra-territorial area that is capable of being sewerred) and are given on page 3 of the LESA Update Committee memorandum dated 2/14/12 (included as Attachment C in this memo). This 425,634 acres is about 76.3% of all land in the County that is outside of the CUGA and existing incorporated areas.
- D. Overall, the definition of “best prime farmland” recommended by the LESA Update Committee will protect about 24,165 fewer acres of prime farmland (using the acreages in Attachment B to the 12/29/11 LESA Update Committee memorandum reviewed at the 1/04/12 LESA Update Committee meeting) but will protect all prime farmland that has productivity within 90% of the highest productivity in the County (based on current soil productivity data) and will result in approximately 52,237 fewer acres of AVG 1,2,3 or 4 put at risk of loss. Therefore, the proposed amendment will **HELP ACHIEVE** Policy 8.2.1

- E. Adoption of this amendment based on the proposed definition of “best prime farmland” recommended by the LESA Update Committee will nonetheless be a change from policy 8.2.1 in the Land Resource Management Plan (LRMP) and Policy 8.2.1 should be amended to reflect this change at the next annual LRMP update.
- F. In testimony by Kyle Krapf on behalf of the Champaign County Farm Bureau at the September 19, 2012, public hearing Mr. Krapf stated that the LE part (meaning the proposed definition of best prime farmland) was a step in the right direction though the designation of best prime farmland is higher than the Farm Bureau policy calls for, and it will be an effective tool.

14. 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 **WILL NOT IMPEDE** the achievement of Goal 9.

15. 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 in general.

REGARDING THE PURPOSE OF THE ZONING ORDINANCE

16. The proposed amendment appears to **HELP ACHIEVE** the purpose of the Zoning Ordinance as established in Section 2 of the Ordinance for the following reasons:

- A. Paragraph 2.0 (a) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to secure adequate light, pure air, and safety from fire and other dangers.

The proposed amendment is not related to this purpose.

- B. Paragraph 2.0 (b) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to conserve the value of land, **BUILDINGS**, and **STRUCTURES** throughout the **COUNTY**.

The proposed amendment is not related to this purpose.

AS APPROVED

- C. Paragraph 2.0 (c) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to lessen and avoid congestion in the public streets.

The proposed amendment is not related to this purpose.

- D. Paragraph 2.0 (d) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to lessen and avoid hazards to persons and damage to property resulting from the accumulation of runoff of storm or flood waters.

The proposed amendment is not related to this purpose.

- E. Paragraph 2.0 (e) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to promote the public health, safety, comfort, morals, and general welfare.

The proposed amendment is not related to this purpose.

- F. Paragraph 2.0 (f) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to regulate and limit the height and bulk of buildings and structures hereafter to be erected.

The proposed amendment is not related to this purpose.

- G. Paragraph 2.0 (g) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to establish, regulate, and limit the building or setback lines on or along any street, trafficway, drive or parkway.

The proposed amendment is not related to this purpose.

- H. Paragraph 2.0 (h) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to regulate and limit the intensity of the use of lot areas, and regulating and determining the area of open spaces within and surrounding buildings and structures.

The proposed amendment is not related to this purpose.

- I. Paragraph 2.0 (i) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to classify, regulate, and restrict the location of trades and industries and the location of buildings, structures, and land designed for specified industrial, residential, and other land uses.

The proposed amendment is not related to this purpose.

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- J. Paragraph 2.0 (j) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to divide the entire County into districts of such number, shape, area, and such different classes according to the use of land, buildings, and structures, intensity of the use of lot area, area of open spaces, and other classification as may be deemed best suited to carry out the purpose of the ordinance.

The proposed amendment is not related to this purpose.

- K. Paragraph 2.0 (k) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to fix regulations and standards to which buildings, structures, or uses therein shall conform.

The proposed amendment is not related to this purpose.

- L. Paragraph 2.0 (l) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to prohibit uses, buildings, or structures incompatible with the character of such districts.

The proposed amendment is not related to this purpose.

- M. Paragraph 2.0 (m) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to prevent additions to and alteration or remodeling of existing buildings, structures, or uses in such a way as to avoid the restrictions and limitations lawfully imposed under this ordinance.

The proposed amendment is not related to this purpose.

- N. Paragraph 2.0 (n) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to protect the most productive agricultural lands from haphazard and unplanned intrusions of urban uses.

The proposed amendment is directly related to this purpose. The proposed amendment will change the existing definition of best prime farmland from soils with a Relative Value or a combination of soils with a Land Evaluation score of 85 to any combination of soils where at least 10% of the land has soils that belong to Agricultural Value groups 1, 2, 3, and 4 or has a Land Evaluation score of 91.

- O. Paragraph 2.0 (o) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to protect natural features such as forested areas and watercourses.

The proposed amendment is not related to this purpose.

AS APPROVED

- P. Paragraph 2.0 (p) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to encourage the compact development of urban areas to minimize the cost of development of public utilities and public transportation facilities.

The proposed amendment is not related to this purpose.

- Q. Paragraph 2.0 (q) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to encourage the preservation of agricultural belts surrounding urban areas, to retain the agricultural nature of the County, and the individual character of existing communities.

The proposed amendment is not related to this purpose.

- R. Paragraph 2.0 (r) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to provide for the safe and efficient development of renewable energy sources in those parts of the COUNTY that are most suited to their development.

The proposed amendment is not related to this purpose.

REGARDING OTHER RELEVANT EVIDENCE

17. The proposed text amendment will **IMPROVE** the text of the Zoning Ordinance because it will **replace the multiple current references in the Zoning Ordinance to “Land Evaluation score greater than or equal to 85 on the County’s Land Evaluation and Site Assessment System” with one definition that will be easier to manage in the future.**

DOCUMENTS OF RECORD

1. Preliminary Memorandum for Case 710-AT-12 dated June 8, 2012, with attachments:
 - A Description of Case from Legal Advertisement
 - B Champaign County Board Committee of the Whole Memorandum dated March 26, 2012, with attachments:
 - A Champaign County Resolution No. 7642
 - B Champaign County Resolution No. 7797
 - C Brief Comparison of Existing LESA to Proposed Update Draft LESA
 - D Champaign County Land Evaluation and Site Assessment (LESA) Update Draft dated March 7, 2012
 - C Resolution No. 2248 Adopting the Champaign County Land Evaluation and Site Assessment (LESA) System, February 1984 (existing LESA)
 - D U.S.D.A. N.R.C.S. Champaign County, Illinois Conversion Legend 1975 Map Symbol to 2001 Map Symbol
 - E Table 5. Acreages and Proportionate Extent of the Soils from *Soil Survey of Champaign County, Illinois* 2003 edition.
 - F Table 8. Land Capability and Yields per Acre of Crops and Pasture from *Soil Survey of Champaign County, Illinois* 2003 edition.
 - G Table 9. Prime Farmland from *Soil Survey of Champaign County, Illinois* 2003 edition.
 - H Chapter 4. Selecting and scaling Land Evaluation factors excerpted from *Land Evaluation and Site Assessment: A Guidebook for Rating Agricultural Lands, Second Edition*. Soil and Water Conservation Society, 1983
 - I *Description of Data Used in Each LE Option*. Attachment D to the 10/04/11 LESA Update Committee memorandum
 - J *LE Scores for Each Option Applied to Test Sites*. Attachment E to the 10/04/11 LESA Update Committee memorandum
 - K *Comparing the LE Options*. Attachment F to the 10/04/11 LESA Update Committee memorandum
 - L Pages 129 to 135 excerpted from *Soil Survey of Champaign County, Illinois* 2003 edition.
 - M Parts 622.00 to 622.04 from the USDA Natural Resource Conservation Service (NRCS) National Soil Survey Handbook
 - N Soil Productivity Index Ratings for Illinois soils web page introductory pages
 - O Revised Option 4 Proposal 11/15/11 (Handout 1 for the 11/16/11 LESA Update Committee Meeting)
 - P Memorandum to LESA Update Committee dated 12/28/11 (Handout from John Hall to the LESA Update Committee on 1/4/12)

2. Preliminary Memorandum for Case 711-AT-12 dated June 14, 2012, with attachments:
 - A Champaign County Board Committee of the Whole Memorandum dated March 26, 2012, with attachments:
 - A Brief Comparison of Existing Best Prime Farmland to Proposed Best Prime Farmland
 - B Comparison of "At Risk Amounts" of LE=100 Soil Under Different Best Prime Farmland (BPF) Definitions (Attachment B to the 12/19/11 LESA Update Committee Memorandum)

- C (included separately) LESA Update Committee memorandum dated 2/14/12 (Memo#2 for the 2/22/12 LESA Update Committee meeting) with Attachments:
 - A Field Test Scores and BPF Definition Options
 - B Map of Soils Outside CUGA and Incorporated Areas
 - C BPF Definition Options Data on Soils Outside CUGA and Incorporated Areas
 - D Suggested Text for Best Prime Farmland Definition Recommendations

- 3. Supplemental Memorandum for Case 710-AT-12 dated June 14, 2012, with attachments:
 - A Description of Case from Legal Advertisement
 - B Memorandum to LESA Update Committee dated 10/04/11
 - C LE Calculation Recommendation to LESA Update Committee by Kevin Donoho dated 10/26/11
 - D Draft Evidence Regarding the Recommended Update to Land Evaluation Factors

- 4. Written testimony submitted by Debra Griest at the June 14, 2012, public hearing

- 5. Comments submitted by Norman Stenzel received June 15, 2012

- 6. Supplemental Memorandum for Case 710-AT-12 dated June 21, 2012, with attachments:
 - A Description of Case from Legal Advertisement
 - B *On the SA Portion of LESA: Validity and Reliability* submitted by Norman Stenzel on June 15, 2012
 - C Comparison Scoresheets for LESA Update Field Test Sites
 - D Comparing Existing LESA Scores to Recommended Draft LESA Score
 - E Illinois Livestock Management Facilities Act (510 ILCS 77/et seq.) General Requirements Related to Size of Facility. February 15, 2007
 - F Documents from the from the LESA Update Committee:
 - (1) LESA Update Field Test Sites Handout November 2, 2011 (a handout at the November 2, 0211, LESA Update Committee meeting)
 - (2) Location Map of 18 Initial Test Parcels
 - (3) Various maps for LESA Update Field Test Sites
 - (4) Chapter 5. Selecting and scaling Site Assessment Factors excerpted from *Land Evaluation and Site Assessment: A Guidebook for Rating Agricultural Lands, Second Edition*. Soil and Water Conservation Society, 1983
 - (5) Chapter 6. Combining and weighting factor ratings for a LESA System excerpted from *Land Evaluation and Site Assessment: A Guidebook for Rating Agricultural Lands, Second Edition*. Soil and Water Conservation Society, 1983
 - (6) Illinois LESA System. Revised August 2001. Illinois Department of Agriculture
 - (7) Land Evaluation and Site Assessment System for Kendall County, Illinois
 - (8) Ogle County, Illinois Land Evaluation and Site Assessment System
 - (9) Article 11- Land Evaluation and Site Assessment (LESA) System excerpted from the McLean County, Illinois Zoning Ordinance
 - (10) DeKalb County, Illinois Land Evaluation and Site Assessment System

- 7. Level of Protection Handout for Case 711-AT-11 for June 28, 2012, meeting

8. Supplemental Memorandum for Case 710-AT-12 dated July 3, 2012, with attachments:
 - A Description of Case from Legal Advertisement
 - B *Farm Focused Alternative LESA* submitted by Norman Stenzel on July 1, 2012

9. Supplemental Memorandum for Case 710-AT-12 dated July 26, 2012, with attachments:
 - A Description of Case from Legal Advertisement
 - B Additional Draft Evidence Regarding the Draft Site Assessment Factors
 - C Approved Minutes of the June 8, 2011, LESA Update Committee with attachments
 - Memorandum from John Hall, Champaign County Zoning Administrator dated June 8, 2011, with Draft SA Factors
 - Site Assessment Factors submitted on June 8, 2011, by Bradley Uken, Champaign County Farm Bureau Manager
 - Images from the Powerpoint presentation including Preliminary SA Factors
 - D Approved Minutes of the June 21, 2011, LESA Update Committee
 - E Approved Minutes of the July 13, 2011, LESA Update Committee
 - F Approved Minutes of the August 10, 2011, LESA Update Committee with attachment:
 - Handout 1 Working Draft-SA Factors as of 8/10/11
 - G Approved Minutes of the September 7, 2011, LESA Update Committee with attachment:
 - Meeting 6- Review of Draft SA Factors (Attachment A to the 9/2/11 LESA Update Committee Memorandum)
 - H Approved Minutes of the October 12, 2011, LESA Update Committee with attachment:
 - 10/05/11 LESA Update Committee Memorandum with Attachment:
Attachment A Modified Draft SA Factors Based on Committee Review Comments on 9/7/11
 - I Approved Minutes of the November 2, 2011, LESA Update Committee with attachments:
 - 10/27/11 LESA Update Committee Memorandum with Attachments:
 - o Updated Version Draft LESA dated October 27, 2011
 - o Champaign County Review of Site Suitability Factors in Rezoning Cases
 - J Approved Minutes of the November 16, 2011, LESA Update Committee with attachments:
 - 11/11/11 LESA Update Committee Memorandum with Attachments:
 - o Attachment A Field Test Notes
 - o Attachment C Field Test Results
 - o Handout 2 Alternative Draft Site Assessment (from 11/16/11 LESA Update Committee Meeting)
 - o Handout 3 (from 11/16/11 LESA Update Committee Meeting)
 - K Approved Minutes of the November 29, 2011, LESA Update Committee with attachments:
 - 11/23/11 LESA Update Committee Memorandum
 - L Approved Minutes of the December 14, 2011, LESA Update Committee with attachments:
 - 12/06/11 LESA Update Committee Memorandum with Attachments:
 - o Attachment D Field Test Site Results
 - o Attachment E Proposed Revisions to Draft LESA Update
 - M Approved Minutes of the January 4, 2012, LESA Update Committee with attachments:
 - 12/29/11 LESA Update Committee Memorandum with Attachments:
 - o Handout (Memorandum) from John Hall, Zoning Administrator (from 1/04/12 LESA Update Committee Meeting)

AS APPROVED

- N Approved Minutes of the January 25, 2012, LESA Update Committee with attachment:
- 1/18/12 LESA Update Committee Memorandum
- O Approved Minutes of the February 22, 2012, LESA Update Committee with attachment:
- 2/10/12 LESA Update Committee Memorandum with attachment:
o Attachment A The creeping effect. Pages 121 & 122 excerpted from *Land Evaluation and Site Assessment: A Guidebook for Rating Agricultural Lands, Second Edition*. Soil and Water Conservation Society, 1983
- P Draft Minutes of the March 7, 2012, LESA Update Committee with attachment:
- 2/28/12 LESA Update Committee Memorandum
- Q Versions of the Draft Updated LESA (in notebooks at the tables during ZBA meetings and on the website):
- Updated Version Draft LESA dated October 27, 2011 (an attachment to the 10/27/11 LESA Update Committee Memorandum for the 11/02/11 LESA Update Committee Meeting)
 - Updated Version Revised Draft LESA dated November 17, 2011 (a handout in a 11/18/11 email from Susan Monte to the LESA Update Committee and a handout at the 11/29/11 LESA Update Committee Meeting)
 - Updated Version Revised Draft LESA dated December 5, 2011 (a handout in a 12/06/11 email from Susan Monte to the LESA Update Committee and a handout at the 12/14/11 LESA Update Committee Meeting)
 - Strikeout Copy of Updated Version Revised Draft LESA dated December 14, 2011 (a handout at the 12/14/11 LESA Update Committee Meeting)
 - Revised Draft LESA dated December 29, 2011 (a handout in a 12/29/11 email from Susan Monte to the LESA Update Committee and a handout at the 1/04/12 LESA Update Committee Meeting)
 - Alternate Revised Draft LESA dated December 29, 2011 (a handout in a 12/29/11 email from Susan Monte to the LESA Update Committee and a handout at the 1/04/12 LESA Update Committee Meeting)
 - Alternate Update Draft LESA dated January 18, 2012, that was an attachment to the January 25, 2012, LESA Update Committee Agenda
 - Strikeout Version of Revised Draft LESA dated February 10, 2012 (a handout in a 2/10/12 email from Susan Monte to the LESA Update Committee and a handout at the 2/22/12 LESA Update Committee Meeting)
 - Revised Draft LESA dated February 28, 2011 (a handout in a 2/29/12 email from Susan Monte to the LESA Update Committee and a handout at the 3/07/12 LESA Update Committee Meeting)
- R Comparison of Expected Draft LESA Scores For Hypothetical, Large, Non-CUGA. BPF Sites (a handout from the January 25, 2012, LESA Update Committee meeting)
10. Written Statement submitted by Norman Stenzel on August 9, 2012
11. Supplemental Memorandum for Case 710-AT-12 dated August 10, 2012, with attachments:
- A Description of Case from Legal Advertisement
 - B Written statement submitted by Norman Stenzel on August 9, 2012
 - C Comparative score sheet for Thorsland-Haynes property

- D Map of SA Factor 8 analysis for Thorsland-Haynes property
- 12. Supplemental Memorandum for Case 710-AT-12 dated August 16, 2012, with attachments:
 - A Comparative score sheet for Seven Sisters Farms
 - B Map of SA Factor 8 analysis for Seven Sisters Farms
 - C Revised Map of SA Factor 8 analysis for Thorsland & Haynes
- 13. Written statement submitted by Kyle Krapf at the August 16, 2012, public hearing
- 14. Supplemental Memorandum for Case 710-AT-12 dated August 30, 2012, with attachment:
 - A email dated March 7, 2012, from Terry Savko to Susan Monte
 - B Draft Finding of Fact
- 15. Supplemental Memorandum for Case 711-AT-12 dated August 30, 2012, with attachment:
 - A Draft Finding of Fact
- 16. Champaign County Local Foods Policy Council Resolution No. 2012-1 received at the August 30, 2012, public hearing
- 17. LESA Score suggestions submitted by Eric Thorsland at the August 30, 2012, public hearing
- 18. Supplemental Memorandum for Case 710-AT-12 dated September 6, 2012, with attachments:
 - A Champaign County Local Foods Policy Council Resolution No. 2012-1 received August 30, 2012
 - B LESA Score suggestions submitted by Eric Thorsland on August 30, 2012
- 19. Supplemental Memorandum for Case 710-AT-12 dated September 19, 2012
- 20. Written statement submitted by Kyle Krapf at the September 19, 2012, public hearing
- 21. Written statement submitted by Norman Stenzel at the September 19, 2012, public hearing
- 22. Facts on Direct-to-Consumer Food Marketing submitted by Eric Thorsland at the September 19, 2012, public hearing

SUMMARY FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on, **June 14, 2012, June 28, 2012, July 12, 2012, July 26, 2012, August 16, 2012, August 30, 2012, September 13, 2012, and September 19, 2012**, the Zoning Board of Appeals of Champaign County finds that:

1. The proposed Zoning Ordinance text amendment will **HELP ACHIEVE** the Land Resource Management Plan because:
 - A. The proposed Zoning Ordinance text amendment will **HELP ACHIEVE** LRMP Goals 1, 2, and 8.
 - B. The proposed Zoning Ordinance text amendment will **NOT IMPEDE** the achievement of LRMP Goals 3, 4, 5, and 9.
 - C. The proposed Zoning Ordinance text amendment is **NOT RELEVANT** to LRMP Goals 6, 7, and 10
2. The proposed text amendment will **IMPROVE** the Zoning Ordinance.

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 711-AT-12** should **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

Part A. Revise the Section 3 definition of “best prime farmland” to read as follows:

BEST PRIME FARMLAND: Prime Farmland Soils identified in the Champaign County Land Evaluation and Site Assessment (LESA) System that under optimum management have 91% to 100% of the highest soil productivities in Champaign County, on average, as reported in the *Bulletin 811 Optimum Crop Productivity Ratings for Illinois Soils*. Best Prime Farmland consists of the following:

- a) Soils identified as Agriculture Value Groups 1, 2, 3 and/or 4 in the Champaign County Land Evaluation and Site Assessment (LESA) System;
- b) Soils that, in combination on a subject site, have an average LE of 91 or higher, as determined by the Champaign County LESA System; or
- c) Any development site that includes a significant amount (10% or more of the area proposed to be developed) of Agriculture Value Groups 1, 2, 3 and/or 4 soils, as determined by the Champaign County LESA System.

Part B. Revise Footnote 13 in Section 5.3 to read as follows:

13. The following maximum LOT AREA requirements apply in the CR, AG-1 and AG-2 DISTRICTS:

- A) LOTS that meet all of the following criteria may not exceed a maximum LOT AREA of three acres:
 - 1) The LOT is RRO-exempt;
 - 2) The LOT is made up of soils that are BEST PRIME FARMLAND; and
 - 3) The LOT is created from a tract that had a LOT AREA greater than or equal to 12 acres as of January 1, 1998.
- B) LOTS that meet both of the following criteria may not exceed an average maximum LOT AREA of two acres:
 - 1) The LOT is located within a Rural Residential OVERLAY DISTRICT; and
 - 2) The LOT is made up of soils that are BEST PRIME FARMLAND.
- C) The following LOTS are exempt from the three-acre maximum LOT AREA requirement indicated in Paragraph A:
 - 1) A 'Remainder Area Lot.' A 'Remainder Area Lot' is that portion of a tract which existed as of January 1, 1998 and that is located outside of the boundaries of a RRO-exempt LOT less than 35 acres in LOT AREA. No CONSTRUCTION or USE that requires a Zoning Use Permit shall be permitted on a 'Remainder Area Lot.'
 - 2) Any LOT greater than or equal to 35 acres in LOT AREA.

Part C. Revise Subsection 5.4.4 to read as follows:

5.4.4 Average Maximum LOT AREA Requirement

LOTS within a Rural Residential OVERLAY DISTRICT that are made up of soils that are BEST PRIME FARMLAND must not exceed an average maximum LOT AREA of two acres.

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: **September 25, 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 at the March 6, 2012, meeting.

The proposed amendment (see attached) has been revised based on comments from Board members.

A comparison table is also attached that compares the relevant existing requirements with the proposed amendment.

OVERVIEW OF PROPOSED AMENDMENT

The major changes in the attached Proposed Amendment can be summarized as follows:

1. **No more than 3 "truck tractors" (semi trucks) or three "MOTOR VEHICLES with tandem axles" (roughly 52,000 pound loaded) or some combination thereof is proposed to replace the current weight limit of 3 vehicles over 8,000 pounds.**
2. **All vehicle loads and weights must comply with the Illinois Vehicle Code. The Illinois Vehicle Code already applies and it is included here so that citizens will be informed.**
3. **Vehicle parking requirements are proposed to be less restrictive and more flexible. Note that paragraph 7.1.2 H. is now more consistent and 7.4 is no longer referenced for screening. Loading berths are also not required by this.**
4. **Existing vehicles at existing RHOs are still grandfathered as before (but using the new larger size threshold).**
5. **No limits are proposed on equipment that is kept indoors but the limit on outdoor equipment is similar to the previous proposal- no more than 10 vehicles and/ or pieces of equipment may be outside.**
6. **Equipment screening is proposed to be identical to vehicle screening.**
7. **Screening for general outdoor (non-equipment) storage is proposed to be included in the RHO section of the Ordinance.**
8. **Maximum numbers of employees is adjusted by lowering the minimum lot size from 5 acres to 2 acres.**
9. **All employees may be present during inclement weather for 5 days out of any 30 days.**

10. **Family members who move from the property may still be considered “resident” employees.**

ATTACHMENTS

- A Existing subsection 7.1.2 Rural Home Occupations**
- B Revised Proposed Amendment (ANNOTATED) to Section 7.1.2 Rural Home Occupations dated September 20, 2012**
- C Revised Proposed Amendment (NON-ANNOTATED) to Section 7.1.2 Rural Home Occupations dated September 20, 2012**
- D Table Comparing Existing Ordinance Requirements for Rural Home Occupation To Proposed Amendment**

SECTION 7.1.1 NEIGHBORHOOD HOME OCCUPATIONS - CONTINUED

- G. Processes employed shall not create odor, dust, noise, gas, smoke, or vibration discernable at the property line other than of such a nature, quantity, intensity, duration, or time of occurrence customarily associated with the exclusive residential use of a similar DWELLING.
- H. Deliveries by truck shall be limited to no more than an average of one per week and a maximum of two in any given week for trucks no larger than a standard commercial delivery truck. Deliveries by semi-trailer trucks are prohibited.
- I. Prohibited NEIGHBORHOOD HOME OCCUPATION activities shall include:
 - i. automobile and truck repair;
 - ii. salvage, recycling and solid waste hauling;
 - iii. sale of articles not produced on the premises except as provided in Section 7.1.1Eiii or as such sales are incidental to the provision of a service.
 - iv. sales of guns and ammunition provided that a Gun Dealers License is obtained from the Federal Bureau of Alcohol, Tobacco and Firearms and sales are made by appointment only subject to the limitations of Section 7.1.1E.
- J. Outdoor STORAGE or DISPLAY is prohibited.
- K. No more than one commercial vehicle less than or equal to 36,000 pounds gross vehicle weight and no more than 25 feet in length shall be permitted on LOTS located in a residential zoning district as part of the NEIGHBORHOOD HOME OCCUPATION.
- L. All NEIGHBORHOOD HOME OCCUPATIONS shall be registered with the Department of Planning and Zoning on forms prepared by the Zoning Administrator.

7.1.2 RURAL HOME OCCUPATIONS as defined in Section 3, are permitted as an ACCESSORY USE in any DWELLING in the AG-1, Agriculture, AG-2; Agriculture; and CR, Conservation-Recreation DISTRICTS subject to the following standards:

- A. RURAL HOME OCCUPATIONS shall not be located on lots fronting on streets located wholly within a recorded subdivision or within 500 feet of a residential zoning DISTRICT.
- B. Non-family employees shall only be permitted subject to the following limitations:
 - i. on lots smaller than five acres no more than one employee may be present on the premises and no more than one additional employee may report to the site for work performed off the premises.

SECTION 7.1.2 RURAL HOME OCCUPATIONS - CONTINUED

- ii. on lots five acres or larger no more than two employees may be present on the premises and no more than three additional employees may report to the site for work performed off the premises.
- C. Changes to the exterior of the DWELLING or ACCESSORY BUILDING which would indicate that it is being utilized in whole or in part for any purpose other than that of a residential or farm BUILDING are prohibited.
- D. No more than one SIGN not more than six square feet in area shall be permitted.
- E. Non-farm, Second Division vehicles are defined by the Illinois Vehicle Code, used in any RURAL HOME OCCUPATION shall be limited as follows:
 - i. no more than three self propelled vehicles over 8, 000 lbs. gross vehicle weight shall be permitted;
 - ii. no more than 10 vehicles in total, including vehicles under 8,000 lbs. gross vehicle weight, trailers and off-road vehicle shall be permitted excluding patron or employee personal vehicles;
 - iii. all Second Division vehicles shall be stored indoors 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.
- F. Processes employed shall not create odor, dust, noise, gas, smoke, or vibration discernable at the property line other than of such a nature, quantity, intensity, duration, or time of occurrence customarily associated with AGRICULTURE.
- G. No storage of volatile liquid, flammable gases, hazardous material or explosives shall be permitted except as such might be kept for customary agricultural purposes in quantities and concentrations customarily found on farms.
- H. Off-street parking spaces shall be provided subject to the provisions of Section 7.4 for all employees and patrons.
- I. Prohibited RURAL HOME OCCUPATION activities shall include:
 - i. outdoor storage of any number of unlicensed vehicles or more than two licensed vehicles awaiting automobile or truck repair;
 - ii. outdoor automobile or truck repair OPERATIONS;
 - iii. salvage or recycling STORAGE or OPERATIONS;
 - iv. outdoor storage of any vehicle equipment or container used for solid waste hauling;
 - v. retail sale of articles not produced on the site except grain seed sales or as such sales are incidental to the provision of a service.
- J. Outdoor sales DISPLAY shall be limited to items produced on-site, shall occupy an area no larger than 500 square feet, and shall not be permitted in required SETBACKS or the SIDE and REAR YARDS.

SECTION 7.1.2 RURAL HOME OCCUPATIONS - CONTINUED

- K. Outdoor STORAGE shall be limited to SIDE YARDS or the REAR YARD and screened as provided by Section 7.6.
- L. All RURAL HOME OCCUPATIONS shall obtain a Zoning Use Permit in accordance with Section 9.1.2 of the Champaign County Zoning Ordinance prior to operation.

7.2 YARDS for DETACHED ACCESSORY BUILDINGS and STRUCTURES

7.2.1 AG-1, AG-2 and CR DISTRICTS

A. FRONT YARD

The minimum FRONT YARD dimension shall be determined according to the SETBACK LINE provisions specified in Section 5.3.

B. SIDE YARD

No DETACHED ACCESSORY BUILDING or STRUCTURE shall be located less than 10 feet from any side LOT LINE.

C. REAR YARD

No DETACHED ACCESSORY BUILDING or STRUCTURE shall be located less than 10 feet from any REAR LOT LINE.

7.2.2 R-1, R-2, R-3 and R-4 DISTRICTS

A. FRONT YARD

The minimum FRONT YARD dimensions shall be determined according to the SETBACK LINE provisions specified in Section 5.3.

B. SIDE YARD

No DETACHED ACCESSORY BUILDING or STRUCTURE shall be located less than five feet from any side LOT LINE.

C. REAR YARD

No DETACHED ACCESSORY BUILDING or STRUCTURE shall be located less than five feet from any REAR LOT LINE.

**Attachment B: Revised Proposed Amendment (ANNOTATED) to Section 7.1.2 Rural Home
Occupations
SEPTEMBER 20, 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 deletions are in double strike out and new additions are in double underlining.)

- E. ~~Non-farm, Second Division vehicles as defined by the Illinois Vehicle Code~~ MOTOR VEHICLES used in and parked at 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.
 - ~~i.~~(2) No more than three vehicles over 8,000 lbs. gross weight MOTOR VEHICLES that are either a truck tractor and/ or a MOTOR VEHICLE with tandem axles, both as defined by the Illinois Vehicle Code (625 ILCS 5/1 et seq), shall be permitted and all MOTOR VEHICLE loads and weights shall conform to the Illinois Vehicle Code (625 ILCS 5/15-111).
 - ~~ii.~~(3) No more than 10 ~~vehicles~~ MOTOR VEHICLES in total, including vehicles under 8,000 lbs. gross vehicle weight, licensed trailers and off-road vehicle shall be permitted excluding patron or employee or owner personal ~~vehicles~~ MOTOR VEHICLES.
 - ~~iii.~~(4) All ~~Second Division vehicles~~ MOTOR VEHICLES and licensed trailers shall be stored ~~indoors in an enclosed BUILDING~~ or parked outdoors subject to the following minimum separations for outdoor parking:
 - i. no more than one MOTOR VEHICLE that conforms to paragraph 7.1.1 K. may be parked outdoors no less than five feet from a SIDE or REAR LOT LINE nor less than 10 feet from a FRONT LOT LINE; and
 - ii. outdoor parking for more than one MOTOR VEHICLE shall be 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; or
 - iii. if less than 50 feet from any lot line and/ or less than 100 feet from any off-site existing DWELLING conforming as to USE, outdoor parking for more than one MOTOR VEHICLE shall be at least 10 feet from any LOT LINE and screened by a Type A SCREEN except that more than one MOTOR VEHICLE that is more than 15,000 pounds gross vehicle weight must be screened with a Type D SCREEN.

Attachment B: Revised Proposed Amendment (ANNOTATED) to Section 7.1.2 Rural Home Occupations
SEPTEMBER 20, 2012

- (5) The above requirements of paragraphs 7.1.2E. and F. 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 September 1, 2012.
- (6) 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 truck tractors or MOTOR VEHICLES with tandem axles, both as defined by the Illinois Vehicle Code (625 ILCS 5/1 et seq).
- (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.

2. Insert new paragraph 7.1.2F. to read as follows:

- F. Non-farm equipment used in any RURAL HOME OCCUPATION shall be limited as follows:
- (1) 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.
- (2) No more than 10 complete pieces of equipment may be kept in outdoor STORAGE provided, however, that the number of pieces of equipment that may be kept in outdoor STORAGE shall be reduced by the number of

Attachment B: Revised Proposed Amendment (ANNOTATED) to Section 7.1.2 Rural Home Occupations
SEPTEMBER 20, 2012

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. Equipment kept in outdoor STORAGE must meet the following minimum separations for outdoor STORAGE of equipment:

- i. Equipment in outdoor STORAGE shall be 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; or
- ii. if less than 50 feet from any lot line and/ or less than 100 feet from any off-site existing DWELLING conforming as to USE, equipment stored outdoors shall be stored at least 10 feet from any LOT LINE and screened by a Type A SCREEN except that equipment taller than four feet must be screened with a Type D SCREEN.

2. Revise paragraph 7.1.2H. to read as follows:

- H. Off-street parking spaces shall be provided ~~subject to the provisions of~~ in the minimum size and number required by Section 7.4 for all onsite employees and onsite patrons. More than four such vehicles shall be screened as required by 7.1.2 E. 4. Loading berths are not required for Rural Home Occupations.

3. Revise paragraph 7.1.2 K. to read as follows:

- K. Outdoor STORAGE for other than equipment used in any RURAL HOME OCCUPATION shall be limited to SIDE YARDS or the REAR YARD and ~~screened as provided by Section 7.6.~~ shall be provided as follows:
- (1) Outdoor STORAGE shall not be located in any required off-street PARKING SPACES.
 - (2) A Type D SCREEN shall be located so as to obscure or conceal any part of any YARD used for outdoor STORAGE which is visible within 1,000 feet from any of the following circumstances:
 - (a) Any point within the BUILDING RESTRICTION LINE of any lot located in any R district or any lot occupied by a DWELLING conforming as to USE or occupied by a SCHOOL; church or temple; public park or recreational facility; public library, museum, or gallery; public fairgrounds; nursing home or hospital; recreational business use with outdoor facilities; or
 - (b) Any designated urban arterial street or MAJOR STREET.

**Attachment B: Revised Proposed Amendment (ANNOTATED) to Section 7.1.2 Rural Home
Occupations
SEPTEMBER 20, 2012**

4. Revise paragraph 7.1.2 B. to read as follows:

- B. ~~Non-resident, non-family~~ employees shall only be permitted subject to the following limitations:
- i. on lots smaller than ~~five~~ two acres in area no more than one employee may be present on the premises and no more than one additional employee may report to the site for work performed off the premises; but
 - ii. on lots ~~five~~ that are two acres in area or larger no more than two employees may be present on the premises and no more than three additional employees may report to the site for work performed off the premises; and provided that
 - iii. all employees may be present and working on the premises for no more than five days within any 30 day period due to inclement weather or as necessitated by other business considerations; and further provided that
 - iv. family members who are resident on the property while the HOME OCCUPATION is operating but who mature and subsequently move from the premises may remain active in the home occupation and shall not be counted as a non-resident employee as long as their participation in the HOME OCCUPATION continues.

Attachment C: Revised Proposed Amendment (NON-ANNOTATED) to Section 7.1.2 Rural Home Occupations
SEPTEMBER 20, 2012

- 1. Revise existing paragraph 7.1.2E. to read as follows:**
 - E. Non-farm MOTOR VEHICLES 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) No more than three MOTOR VEHICLES that are either a truck tractor and/ or a MOTOR VEHICLE with tandem axles, both as defined by the Illinois Vehicle Code (625 ILCS 5/1 et seq), shall be permitted and all MOTOR VEHICLE loads and weights shall conform to the Illinois Vehicle Code (625 ILCS 5/15-111).**
 - (3) No more than 10 MOTOR VEHICLES in total, including licensed trailers shall be permitted excluding patron or employee or owner personal MOTOR VEHICLES.**
 - (4) All MOTOR VEHICLES and licensed trailers shall be stored in an enclosed BUILDING or parked outdoors subject to the following minimum separations for outdoor parking:**
 - i. no more than one MOTOR VEHICLE that conforms to paragraph 7.1.1 K. may be parked outdoors no less than five feet from a SIDE or REAR LOT LINE nor less than 10 feet from a FRONT LOT LINE; and**
 - ii. outdoor parking for more than one MOTOR VEHICLE shall be 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; or**
 - iii. if less than 50 feet from any lot line and/ or less than 100 feet from any off-site existing DWELLING conforming as to USE, outdoor parking for more than one MOTOR VEHICLE shall be at least 10 feet from any LOT LINE and screened by a Type A SCREEN except that more than one MOTOR VEHICLE that is more than 15,000 pounds gross vehicle weight must be screened with a Type D SCREEN.**
 - (5) The above requirements of paragraphs 7.1.2E. and F. 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 September 1, 2012.**
 - (6) The above requirements of paragraph 7.1.2E. and the requirements of Section 8 notwithstanding:**

**Attachment C: Revised Proposed Amendment (NON-ANNOTATED) to Section 7.1.2 Rural Home Occupations
SEPTEMBER 20, 2012**

- (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 truck tractors or MOTOR VEHICLES with tandem axles, both as defined by the Illinois Vehicle Code (625 ILCS 5/1 et seq),
- (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.

2. Insert new paragraph 7.1.2F. (and reletter the existing paragraphs) to read as follows:

- F. Non-farm equipment used in any RURAL HOME OCCUPATION shall be limited as follows:
 - (1) 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.
 - (2) No more than 10 complete pieces of equipment may be kept in outdoor STORAGE 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. Equipment kept in outdoor STORAGE must meet the following minimum separations for outdoor STORAGE of equipment:
 - i. Equipment in outdoor STORAGE shall be 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; or

Attachment C: Revised Proposed Amendment (NON-ANNOTATED) to Section 7.1.2 Rural Home Occupations
SEPTEMBER 20, 2012

- iii. if less than 50 feet from any lot line and/ or less than 100 feet from any off-site existing DWELLING conforming as to USE, equipment stored outdoors shall be stored at least 10 feet from any LOT LINE and screened by a Type A SCREEN except that equipment taller than four feet must be screened with a Type D SCREEN.

2. Revise paragraph 7.1.2H. to read as follows:

- H. Off-street parking spaces shall be provided in the minimum size and number required by Section 7.4 for all onsite employees and onsite patrons. More than four such vehicles shall be screened as required by 7.1.2 E. 4. Loading berths are not required for Rural Home Occupations.

3. Revise paragraph 7.1.2 K. to read as follows:

- K. Outdoor STORAGE for other than equipment used in any RURAL HOME OCCUPATION shall be limited as follows:
 - (1) Outdoor STORAGE shall not be located in any required off-street PARKING SPACES.
 - (2) A Type D SCREEN shall be located so as to obscure or conceal any part of any YARD used for outdoor STORAGE which is visible within 1,000 feet from any of the following circumstances;
 - (a) Any point within the BUILDING RESTRICTION LINE of any lot located in any R district or any lot occupied by a DWELLING conforming as to USE or occupied by a SCHOOL; church or temple; public park or recreational facility; public library, museum, or gallery; public fairgrounds; nursing home or hospital; recreational business use with outdoor facilities; or
 - (b) Any designated urban arterial street or MAJOR STREET.

4. Revise paragraph 7.1.2 B. to read as follows:

- B. Non-resident, non-family employees shall only be permitted subject to the following limitations:
 - i. on lots smaller than two acres in area no more than one employee may be present on the premises and no more than one additional employee may report to the site for work performed off the premises; but
 - ii. on lots that are two acres in area or larger no more than two employees may be present on the premises and no more than three additional employees may report to the site for work performed off the premises; and provided that

Attachment C: Revised Proposed Amendment (NON-ANNOTATED) to Section 7.1.2 Rural Home Occupations
SEPTEMBER 20, 2012

- iii. all employees may be present and working on the premises for no more than five days within any 30 day period due to inclement weather or as necessitated by other business considerations; and further provided that
- iv. family members who are resident on the property while the HOME OCCUPATION is operating but who mature and subsequently move from the premises may remain active in the home occupation and shall not be counted as a non-resident employee as long as their participation in the HOME OCCUPATION continues.

Attachment D. Table Comparing Existing Ordinance Requirements for Rural Home Occupation To Proposed Amendment DRAFT September 20, 2012

Parameter	Existing Ordinance		Proposed Amendment		Notes
	Section or paragraph	Requirement	Section or paragraph	Proposed Amendment	
Limits on number and weight of vehicles	7.1.2.E.	* ... VEHICLES used in any RURAL HOME OCCUPATION...	7.1.2.E.	* ... VEHICLES used in and parked at any RURAL HOME OCCUPATION...	CHANGE: if heavy or large vehicles are never at the Rural Home Occupation they are not relevant to zoning. With this change the Ordinance is less restrictive.
	7.1.2E.i.	no more than three self propelled vehicles over 8,000 lbs. gross vehicle weight	7.1.2E.(2)	No more than three MOTOR VEHICLES that are either a truck tractor and/or a MOTOR VEHICLE with tandem axles, both as defined by the Illinois Vehicle Code (625 ILCS 5/1 et seq)...	CHANGE: In discussions with Board members the greatest concern seemed to be about semi-trucks (truck tractors) and tandem axle dump trucks. Overall this is less restrictive because single axle dump trucks have a gross weight of approximately 32,600 pounds and an empty weight of approximately 15,000 pounds.
			7.1.2E.(2)	...and all MOTOR VEHICLE loads and weights shall conform to the Illinois Vehicle Code (625 ILCS 5/15-111)	CHANGE: This reference to the Illinois Vehicle Code makes it clear that any heavy vehicle must be within the state law. This is more restrictive than the current Ordinance but it is already State law.
	7.1.2E.ii.	No more than 10 vehicles in total... ...including vehicles under 8,000 lbs. gross vehicle weight, trailers... ...and off-road vehicles...		No more than 10 MOTOR VEHICLES in total...	NO SUBSTANTIVE CHANGE
		...including vehicles under 8,000 lbs. gross vehicle weight, trailers... ...and off-road vehicles...		...including vehicles under 8,000 lbs. gross vehicle weight, licensed trailers... and off-road vehicle	See above
		... shall be permitted excluding patron or employee personal vehicles.		... shall be permitted excluding patron or employee of owner personal MOTOR VEHICLES.	CHANGE: See the proposed new limit on equipment in proposed par. 7.1.2F. (see below). CLARIFICATION: Owner personal vehicles have never been counted even though that was not specified in the Ordinance.

Attachment D. Table Comparing Existing Ordinance Requirements for Rural Home Occupation To Proposed Amendment DRAFT September 20, 2012

Parameter	Existing Ordinance		Proposed Amendment		Notes
	Section or paragraph	Requirement	Section or paragraph	Requirement	
Required separations from lot line for outdoor parking of RHO vehicles	7.1.2E.iii.	All Second Division vehicles shall be stored indoors 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.	7.1.2E.(4)	All Second-Division-vehicles-MOTOR VEHICLES and licensed trailers shall be stored indoors in an enclosed BUILDING or parked outdoors subject to the following minimum separations for outdoor parking:	CHANGE: New screening requirements are proposed for flexibility and to make the Ordinance less restrictive than the existing. See below.
				No more than one MOTOR VEHICLE that conforms to paragraph 7.1.1.K. may be parked outdoors no less than five feet from a SIDE or REAR LOT LINE nor less than 10 feet from a FRONT LOT LINE; and	CHANGE: This allows parking of one "... commercial vehicle less than or equal to 36,000 pounds gross vehicle weight and no more than 25 feet in length..." as is allowed in the Neighborhood Home Occupation in 7.1.1K. and is therefore less restrictive than existing. Also, screening is not required for this one vehicle.
				outdoor parking for more than one MOTOR VEHICLE shall be 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; or...	NO CHANGE
				...if less than 50 feet from any lot line and/or less than 100 feet from any off-site existing DWELLING conforming as to USE, outdoor parking for more than one MOTOR VEHICLE shall be at least 10 feet from any LOT LINE and screened by a Type A SCREEN... ...except that more than one MOTOR VEHICLE that is more than 15,000 pounds gross vehicle weight must be screened with a Type D SCREEN.	CHANGE: This allows parking closer to a property line so long as it is screened and so this is less restrictive than the existing. CHANGE: This is based on the current screening requirements for vehicles weighing more than 8,000 pounds but that weight has been increased to 15,000 pounds. Parking this close to a lot line is not allowed under the existing Ordinance so this is less restrictive.

Attachment D. Table Comparing Existing Ordinance Requirements for Rural Home Occupation To Proposed Amendment DRAFT September 20, 2012

Parameter	Existing Ordinance		Proposed Amendment		Notes
	Section or paragraph	Requirement	Section or paragraph	Proposed Amendment	
Limits on numbers and weights of equipment		See 7.1.2E.ii. "off road vehicles" for current equipment limits	7.1.2F.(1)	<u>Non-farm equipment used in any RURAL HOME OCCUPATION shall be limited as follows:</u> <u>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.</u>	CLARIFICATION: This makes it clear that equipment is limited in a Rural Home Occupation. CLARIFICATION: Because there is no ultimate limit on equipment the definition does not have to provide a bright line on what is or isn't a piece of equipment.
		See 7.1.2E.ii. "off road vehicles" for current equipment limits	7.1.2F.(2)	<u>No more than 10 complete pieces of equipment may be kept in outdoor STORAGE 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. Equipment kept in outdoor STORAGE must meet the following minimum separations for outdoor STORAGE of equipment:</u> <u>Equipment in outdoor STORAGE shall be 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; or</u> <u>if less than 50 feet from any lot line and/or less than 100 feet from any off-site existing DWELLING conforming as to USE, equipment stored outdoors shall be stored at least 10 feet from any LOT LINE and screened by a Type A SCREEN except that equipment taller than four feet must be screened with a Type D SCREEN.</u>	CHANGE: This allows unlimited numbers of equipment so long as no more than 10 "individual" pieces are stored outdoors and/ or so long as vehicles are not also outdoors. No weight limits are proposed for equipment other than the weight limits for the vehicles that are used to move the equipment (see 7.1.2E.above). This is a less restrictive change. NO CHANGE: This minimum separation is already required in the existing Ordinance.
	Req. separations from lot lines and screening of equipment stored outdoors			7.1.2F.(2)ii	

Attachment D. Table Comparing Existing Ordinance Requirements for Rural Home Occupation To Proposed Amendment DRAFT September 20, 2012

Parameter	Existing Ordinance		Proposed Amendment		Notes
	Section or paragraph	Requirement	Section or paragraph	Requirement	
Required parking for employees and customers	7.1.2H.	Off-street parking spaces shall be provided subject to the provisions of Section 7.4 for all employees and patrons.	7.1.2H.	Off-street parking spaces shall be provided subject to the minimum size and number required by Section 7.4 for all <u>onsite</u> employees and <u>onsite</u> patrons. <u>More than four such vehicles shall be screened as required by 7.1.2 E. 4.</u>	CLARIFICATION: Section 7.4 provides the minimum size, minimum number, and separation requirements of parking spaces. It would take up too much space to copy the relevant portions of Sec. 7.4 so the reference is retained. CLARIFICATION: This is the screening requirement from Section 7.4 but it is now included in the RHO standards for public convenience.
				<u>Loading berths are not required for Rural Home Occupations.</u>	CLARIFICATION: The existing Ordinance does not explicitly mention that a loading berth is required for an RHO and this clarifies that a loading berth is not required.
Req. separations from lot lines and screening for outdoor storage of other than equipment	7.1.2K.	Outdoor STORAGE shall be limited to SIDE YARDS or the REAR YARD and screened as provided by Section 7.6.	7.1.2K.	<u>Outdoor STORAGE for other than equipment used in any RURAL HOME OCCUPATION shall be limited to SIDE YARDS or the REAR YARD and screened as provided by Section 7.6, shall be provided as follows:</u>	CLARIFICATION: The screening requirements of Section 7.6 have been copied to the RHO section for public convenience. This is not a substantive change.
			7.1.2K.(1)	<u>Outdoor STORAGE shall not be located in any required off-street PARKING SPACES.</u>	CLARIFICATION: This is already required by Section 7.6
			7.1.2K.(2)	<u>A Type D SCREEN shall be located so as to obscure or conceal any part of any YARD used for outdoor STORAGE which is visible within 1,000 feet from any of the following circumstances:</u> <u>(a) Any point within the BUILDING RESTRICTION LINE of any lot located in any R district or any lot occupied by a DWELLING conforming as to USE or occupied by a SCHOOL; church or temple; public park or recreational facility; public library, museum, or gallery; public fairgrounds; nursing home or hospital; recreational business use with outdoor facilities; or</u> <u>(b) Any designated urban arterial street or MAJOR STREET.</u>	CLARIFICATION: These are the screening requirements of Section 7.6 but they have been copied to this paragraph for convenience. This is not a substantive change.

Attachment D. Table Comparing Existing Ordinance Requirements for Rural Home Occupation To Proposed Amendment DRAFT September 20, 2012

Parameter	Existing Ordinance		Proposed Amendment		Notes
	Section or paragraph	Requirement	Section or paragraph	Proposed Amendment	
Limits on employees	7.1.2B.	Non-family employees shall only be permitted subject to the following limitations:	7.1.2B.	<u>Non-resident</u> non-family employees shall only be permitted subject to the following limitations:	CLARIFICATION: These limits already apply to all non-resident (including non-resident family) employees of a "HOME OCCUPATION"; see the Ordinance definitions of "NEIGHBORHOOD HOME OCCUPATION" and "RURAL HOME OCCUPATION".
	7.1.2B.i.	on lots smaller than five acres no more than one employee may be present on the premises and no more than one additional employee may report to the site for work performed off the premises.	7.1.2B.	on lots smaller than five <u>two</u> acres <u>in area</u> no more than one employee may be present on the premises and no more than one additional employee may report to the site for work performed off the premises	CHANGE: Many Board members expressed a hope that the limits on employees could be relaxed but no clear justification was found to increase the number of authorized employees but there is some justification for reducing the minimum lot area for the larger number of employees (see below).
	7.1.2B.ii.	on lots five acres or larger no more than two employees may be present on the premises and no more than three additional employees may report to the site for work performed off the premises.	7.1.2B.ii.	on lots five <u>that are two</u> acres <u>in area</u> or larger no more than two employees may be present on the premises and no more than three additional employees may report to the site for work performed off the premises; <u>and provided that</u>	CHANGE: Five acre lots are no longer allowed on "best prime farmland" and three acres is the maximum lot size on best prime farmland. This change will allow the larger number of employees on smaller lots and will make the Ordinance less restrictive.
			7.1.2B.iii.	<u>all employees may be present and working on the premises for no more than five days within any 30 day period due to inclement weather or as necessitated by other business considerations; and further provided that</u>	CHANGE: Some Board members expressed a hope that a greater number of employees could be allowed on the RHO property during inclement weather. With this change the Ordinance will be less restrictive.
			7.1.2B.iv.	<u>family members who are resident on the property while the HOME OCCUPATION is operating but who mature and subsequently move from the premises may remain active in the home occupation and shall not be counted as a non-resident employee as long as their participation in the HOME OCCUPATION continues.</u>	CHANGE: This was not requested by any Board member but is recommended. With this change the Ordinance will be less restrictive.

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: September 25, 2012

RE: Zoning Ordinance requirements for Contractors Facilities

Request: Request approval to proceed with a public hearing for an amendment to the Zoning Ordinance to add "agricultural drainage contractor facility"

BACKGROUND

A local business engaged in agricultural drainage contracting (installing agricultural drainage improvements) recently contacted the Department about relocating to a rural location from its current municipal location. The current regulations for "contractor facility" were added to the Zoning Ordinance on April 21, 1992, in Ordinance No. 405 (Case 790-AT-92) and authorize "contractor facility" as a Special Use Permit in the AG-1 and AG-2 Districts.

Implicit in the contractor facility regulations is the requirement that retail sales of material stock direct to consumers be no more than "incidental" (ie, a very small part of the business) to the primary business of installing the materials. In addition to constructing and installing drainage improvements, the subject business currently sells drainage tile, tile inlets, culverts, and related drainage items directly to farmers who do the installation themselves, and this is a common practice. The proposed amendment will authorize an "agricultural drainage contractor" to have as much as 50% of the dollar volume of business in retail sales of agricultural drainage products.

OVERVIEW OF PROPOSED AMENDMENT

Attachment B indicates the proposed changes which are briefly summarized below (capitalized words are defined in the Zoning Ordinance):

1. "Agricultural drainage contractor" is proposed to be defined so as to distinguish these contractors from other types of contractors.
2. A footnote to Section 5.2 is proposed to specify that an "agricultural drainage contractor" may have as much as 50% of the dollar volume of business in retail sales of agricultural drainage products.
3. "Agricultural drainage contractor" facility is proposed to be authorized as follows:
 - "By right" in I-1, I-2 and B-4 (see Footnote 5) the same as other "contractor facilities" but in addition are proposed to be authorized "By right" in the B-1 Rural Trade Center District which is consistent with other uses authorized By right in B-1 such as Farm Chemical Sales, Farm Equipment Sales, Feed and Grain Sales, and Grain Storage Elevator and Bins.

- **By Special Use Permit in AG-1, AG-2 and B-4 (see Footnote 5) the same as other “contractor facilities” but in addition are proposed to be authorized by Special Use Permit in the CR District. There is at least one nonconforming agricultural drainage contractor that has been located in the CR District since it was first established in 1973 and this will provide for that longstanding business.**

Also included in the proposed Special Use Permit authorization is the B-5 Central Business District. Contractor Facility is not currently authorized in the B-5 District but is proposed to be added in another proposed amendment and “agricultural drainage contractor facility” is simply proposed to be authorized in that district as part of this amendment.

ATTACHMENT S

- A Existing “contractor facility” in Section 5.2**
- B Proposed Amendment to Add “Agricultural Drainage Contractor Facility” to Section 5.2**

Attachment A. Existing "Contractor Facility" in Section 5.2
SEPTEMBER 25, 2012

SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES

Principal USES	Zoning DISTRICTS										Zoning DISTRICTS					
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2	
Contractors Facilities (with No Outdoor STORAGE Nor Outdoor OPERATIONS)		S	S													
Contractors Facilities with Outdoor STORAGE and/or Outdoor OPERATIONS		S	S									5				



= Permitted by right



=Permitted on individual LOTS as a SPECIAL USE



= COUNTY BOARD Special Use Permit

Footnotes

- Outdoor STORAGE as an ACCESSORY USE is allowed by right when all OUTDOOR STORAGE is located in the REAR YARD and is completely screened by a Type D SCREEN meeting the provisions of Sec. 7.6.3.

**Attachment B. Proposed Amendment to Add "Agricultural Drainage Contractor Facility"
to Section 5.2
SEPTEMBER 25, 2012**






1. Add to Section 3 DEFINITIONS (new text underlined):

AGRICULTURAL DRAINAGE CONTRACTOR: A contractor whose principal business is installing and/ or selling agricultural drainage facilities such as grassed waterways, field terraces, underground drainage tile, tile inlets, culverts, and related drainage improvements.

2. Revise Section 5.2 as follows (new text underlined):

SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES

Principal USES	Zoning DISTRICTS									Zoning DISTRICTS					
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2
Contractors Facilities (with No Outdoor STORAGE Nor Outdoor OPERATIONS)		S	S												
Contractors Facilities with Outdoor STORAGE and/or Outdoor OPERATIONS		S	S									S			
<u>AGRICULTURAL DRAINAGE CONTRACTOR Facility (with no Outdoor STORAGE and/or Outdoor OPERATIONS)</u> ²⁰	<u>S</u>	<u>S</u>	<u>S</u>						<u>*</u>			<u>*</u>		<u>*</u>	<u>*</u>
<u>AGRICULTURAL DRAINAGE CONTRACTOR Facility with Outdoor STORAGE and/or Outdoor OPERATIONS</u> ²⁰	<u>S</u>	<u>S</u>	<u>S</u>						<u>*</u>			<u>S</u>	<u>S</u>	<u>*</u>	<u>*</u>

	= Permitted by right		=Permitted on individual LOTS as a SPECIAL USE		= COUNTY BOARD Special Use Permit
	= Proposed to be permitted by right		=Proposed to be permitted on individual LOTS as a SPECIAL USE		

Footnotes

5. Outdoor STORAGE as an ACCESSORY USE is allowed by right when all OUTDOOR STORAGE is located in the REAR YARD and is completely screened by a Type D SCREEN meeting the provisions of Sec. 7.6.3.

20. As much as 50% of the dollar volume of business at an AGRICULTURAL DRAINAGE CONTRACTOR facility may be retail sales of agricultural drainage products.

**Attachment B. Proposed Amendment to Add "Agricultural Drainage Contractor Facility"
to Section 5.2
SEPTEMBER 25, 2012**

3. Add the following to Section 6.1.3 (new text underlined):

**SECTION 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES
OF SPECIAL USES**

SPECIAL USES or USE Categories	Minimum Fencing Required ^a	Minimum LOT Size		Maximum HEIGHT		Required YARDS (feet)					Explanatory or Special Provisions
		AREA (Acres)	Width (feet)	Feet	Stories	Front Setback from STREET Centerline ²			SIDE	REAR	
						MAJOR	COLLECTOR	MINOR			
<u>AGRICULTURAL DRAINAGE CONTRACTOR Facility with Outdoor STORAGE and/or Outdoor OPERATIONS</u>	NR	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	*See below
<p>1. <u>In all DISTRICTS other than the B-5 DISTRICT, outdoor STORAGE and/ or outdoor OPERATIONS allowed as an ACCESSORY USE subject to subsection 7.6.</u></p> <p>2. <u>In the B-5 DISTRICT, Outdoor STORAGE and/ or outdoor OPERATIONS allowed as an ACCESSORY USE provided as follows:</u></p> <p>A. <u>No outdoor STORAGE and/ or outdoor OPERATIONS shall be visible from any second floor DWELLING UNIT.</u></p> <p>B. <u>Outdoor STORAGE and/ or outdoor OPERATIONS may be located at the property line but shall be screened by a Type D SCREEN consistent with 4.3.3 H.1.</u></p>											

Footnotes

1. Standard same as applicable zoning DISTRICT.

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: **September 25, 2012**
RE: **Zoning Ordinance requirements for Contractors Facilities**
Request: **Request approval to proceed with a public hearing for an amendment to the Zoning Ordinance to change the requirements for "contractor facility"**

BACKGROUND

Several contractors have recently inquired about requesting changes to the Zoning Ordinance requirements for "contractor facilities" in regards to the following:

- "Contractors Facilities" are not an authorized use in the B-5 Central Business District. A contractor recently purchased land in the B-5 District in Longview with the intention of building a new building and having outdoor storage but discovered late in the process that outdoor storage is not authorized in that District.

The primary concern in regards to outdoor storage and/or outdoor operations in the B-5 District is that some B-5 Districts have second floor dwellings and it would be impossible to screen the outdoor storage and/or operations from those dwellings.

- Two contractors have approached the Department in separate instances recently inquiring about establishing "self-storage warehouses" for rent on the same property on which the contractor facilities are located. A letter requesting that change has been received from one contractor and is attached.

Both of the contractors who have inquired about this currently have contractor facilities authorized by Special Use Permits in the AG-1 District and "self-storage warehouses" are not authorized in the AG-1 District.

"Self-storage warehouses" and "contractor facilities" are both authorized in the AG-2 District but both uses are "principal" uses and two principal uses on one property is not authorized in the AG-2 District. The Ordinance authorizes multiple principal uses on a property in all Business Districts. Contractor Facility is not an authorized use in the B-1 Rural Trade Center District. Amending the Ordinance to authorize "contractor facility" in the B-1 District may be the simplest way to provide a means for contractors to be able to establish a self-storage warehouse as a second principal use and is generally consistent with previous practice. Note that the general intent of the B-1 District is "to provide areas AGRICULTURAL related business services to rural residents."

OVERVIEW OF PROPOSED AMENDMENT

Attachment B indicates the proposed changes which are briefly summarized below (capitalized words are defined in the Zoning Ordinance):

1. "Contractor Facility" either with or without outdoor storage and/ or outdoor operations is proposed to be authorized as follows:
 - "By right" in the B-1 Rural Trade Center District.
 - By "Special Use Permit" in the B-5 Central Business District.
2. Section 6.1.3 is proposed to be amended to add requirements regarding outdoor storage and/ or outdoor operations in the B-5 District. The amendment specifies that no outdoor storage and/ or outdoor operations may be visible from any second floor dwelling unit and this should prevent any outdoor storage or outdoor operations from any B-5 District which has second floor dwelling units.




ATTACHMENT S

- A Existing "contractor facility" in Section 5.2**
- B Letter from Eric Sebens received 9/25/12**
- C Proposed Amendment**

Attachment A. Existing "Contractor Facility" in Section 5.2
SEPTEMBER 25, 2012

SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES

Principal USES	Zoning DISTRICTS										Zoning DISTRICTS				
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2
Contractors Facilities (with No Outdoor STORAGE Nor Outdoor OPERATIONS)		S	S												
Contractors Facilities with Outdoor STORAGE and/or Outdoor OPERATIONS		S	S									B			

 = Permitted by right
  = Permitted on individual LOTS as a SPECIAL USE
  = COUNTY BOARD Special Use Permit

Footnotes

- Outdoor STORAGE as an ACCESSORY USE is allowed by right when all OUTDOOR STORAGE is located in the REAR YARD and is completely screened by a Type D SCREEN meeting the provisions of Sec. 7.6.3.



*E*XPERIENCE the *D*IFFERENCE

1069 County Road 900 East (S. Duncan Rd.)
Champaign, IL 61822-9657

Phone: (217) 355-9422
Fax: (217) 378-8410

www.prairieviewlandscaping.com

Established 1993

Date: 9/25/2012

To: Champaign County Board

Re: Request for zoning text amendment

Dear Board Members,

My name is Eric Sebens I am a resident of Champaign for about 30 years, and I own a 5 acre property located at 1069 CR 900 east Champaign, IL. (S. Duncan Rd. by Willard Airport radar tower.) My property is currently zoned AG-1 with a special use permit for a contractors facility. I have been operational on this property with my contracting business for about 16 years. As a result of a major down turn in my contracting business, I inquired about erecting some self-storage units as a supplement to my contracting business. I believe there is a need to be met with the self-storage and it would also be an improvement to my property and the surrounding area. This process would include the removal of some old decrepit buildings prior to erecting the new.

I have been informed that with my current zoning AG-1, the language states that it is not permissible to have two principle uses. Due to this restriction I would like to request the consideration of a language amendment in the zoning guidelines for the B-1 Rural Trade Center. The B-1 zoning does not allow for a contractor's facility, this is the text amendment I would like considered, to allow for a contractors facility in the B-1 district. It only seems reasonable to allow for a contractors facility in the B-1 Rural Trade Center zoning as it would be a common\natural form of business in that type of area. If amended, I would move to apply for a zoning change for my property in order to accommodate my contracting business and the proposed self-storage units.

Thank you for your consideration of this text amendment. I am available at your request to provide additional information as or if needed.

Eric Sebens

3008 Cherry Hills Dr.

Champaign, IL. 61822

217-356-9154, 217-355-9422

RECEIVED

SEP 25 2012

CHAMPAIGN CO. P & Z DEPARTMENT








Experience the Difference!

Attachment B. Proposed Amendment to Change Requirements for "Contractor Facility"
SEPTEMBER 25, 2012

1. Revise Section 5.2 as follows (new text underlined):

SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES

Principal USES	Zoning DISTRICTS									Zoning DISTRICTS					
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2
Contractors Facilities (with No Outdoor STORAGE Nor Outdoor OPERATIONS)		S	S						*						
Contractors Facilities with Outdoor STORAGE and/or Outdoor OPERATIONS		S	S						*			S	S		

	= Permitted by right		= Permitted on individual LOTS as a SPECIAL USE		= COUNTY BOARD Special Use Permit
	= Proposed to be permitted by right		= Proposed to be permitted on individual LOTS as a SPECIAL USE		

Footnotes

5. Outdoor STORAGE as an ACCESSORY USE is allowed by right when all OUTDOOR STORAGE is located in the REAR YARD and is completely screened by a Type D SCREEN meeting the provisions of Sec. 7.6.3.

B. Add to Section 6.1.3 as follows (new text underlined):

SECTION 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES OF SPECIAL USES

SPECIAL USES or USE Categories	Minimum Fencing Required ⁶	Minimum LOT Size		Maximum HEIGHT		Required YARDS (feet)					Explanatory or Special Provisions	
		AREA (Acres)	Width (feet)	Feet	Stories	Front Setback from STREET Centerline ²			SIDE	REAR		
						MAJOR	COLLECTOR	MINOR				
Contractors Facilities with or without Outdoor STORAGE and/or Outdoor OPERATIONS	NR	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	*See below
<p>1. <u>In all DISTRICTS other than the B-5 DISTRICT, outdoor STORAGE and/ or outdoor OPERATIONS allowed as an ACCESSORY USE subject to subsection 7.6.</u></p> <p>2. <u>In the B-5 DISTRICT, Outdoor STORAGE and/ or outdoor OPERATIONS allowed as an ACCESSORY USE provided as follows:</u></p> <p>A. <u>No outdoor STORAGE and/ or outdoor OPERATIONS shall be visible from any second floor DWELLING UNIT.</u></p> <p>B. <u>Outdoor STORAGE and/ or outdoor OPERATIONS may be located at the property line but shall be screened by a Type D SCREEN consistent with 4.3.3 H.1.</u></p>												

Footnotes

1. Standard same as applicable zoning DISTRICT

CHAMPAIGN COUNTY HIGHWAY DEPARTMENT

JEFF BLUE
COUNTY ENGINEER

1605 E. MAIN STREET

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

URBANA, ILLINOIS 61802

October 2, 2012

COUNTY MOTOR FUEL TAX CLAIMS FOR AUGUST

Req No.	Payee	Description	Amount
54	The Traffic Sign Store	Warning Signs	277.00
55	Champaign County Treasurer	County Equipment Rental - July	14,616.20
56	Illinois Association of County Engineers	Registration - Annual Fall Meeting - Bloomington, IL 9/26-9/28/12	75.00
57	Open Road Asphalt Company	2.47 T. Cold Mix	247.00
58	The Traffic Sign Store	Signs	171.35
			<hr/> \$ 15,386.55 <hr/>

TOWNSHIP MOTOR FUEL TAX CLAIMS FOR AUGUST

Req No.	Payee	Description	Amount
75	Illiana Construction Co.	Ludlow Twp 36,347.81gl HFE-90	83,236.50
76	Illiana Construction Co.	Ogden Twp 13,846.19gl HFE-90	31,707.77
77	Illiana Construction Co.	Brown Twp 23,812.61 gl HFE-90	54,530.88
78	Illiana Construction Co.	Condit Twp 23840gl HFE-90/144gl MC-300	57,639.20
79	Illiana Construction Co.	East Bend Twp 36,531gl HFE-90	85,519.74
80	Illiana Construction Co.	Mahomet Twp 19,800gl CM-300	67,320.00
81	Illiana Construction Co.	Hensley Twp 5,879gm HFE-90	13,462.91
82	Illiana Construction Co.	Rantoul Twp 191gl MC-30/1284gl HFE-90	3,726.51
83	Illiana Construction Co.	Compromise 1806gl MC-30/3253gl HFE-90	13,936.21
			<hr/> \$411,079.72 <hr/>

CHAMPAIGN COUNTY HIGHWAY DEPARTMENT

JEFF BLUE
COUNTY ENGINEER

1605 E. MAIN STREET

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

URBANA, ILLINOIS 61802

October 2, 2012

COUNTY MOTOR FUEL TAX CLAIMS FOR SEPTEMBER

Req No.	Payee	Description	Amount
59	Open Road Paving	Pay Estimate #2 - CH. 8 & 30 Resurfacing Section #11-00431-00-RS	29,355.00
60	Champaign County Treasurer	County Equipment Rental - August	8,120.24
			<hr/> \$ 37,475.24 <hr/>

TOWSHIP MOTOR FUEL TAX CLAIMS FOR SEPTEMBER

Req No.	Payee	Description	Amount
84	Illiana Construction Co.	Colfax Twp 11522gl HFE-90/400t rock spd	29,885.38
85	Illiana Construction Co.	Somer Twp 12799gl CRS-2/400t rock spd	37,599.71
86	Illiana Construction Co.	Somer Twp 6180gl CRS-2/180t rock spd	20,013.00
87	Illiana Construction Co.	Kerr Twp 11641gl HFE-90/350t rock spd	27,900.39
88	Illiana Construction Co.	Compromise 13218gl HFP	35,952.96
89	Illiana Construction Co.	Rantoul Twp 11659gl HFP/12773.60gl HFE-90	60,964.04
90	Illiana Construction Co.	Hensley Twp 11939.82gl HFE-90	27,342.19
91	Illiana Construction Co.	Scott Twp 21428.43gl HFE-90	49,071.12
92	Illiana Construction Co.	Colfax Twp 17217.87gl HFE-90	39,428.93
			<hr/> \$328,157.72 <hr/>

CHAMPAIGN COUNTY HIGHWAY DEPARTMENT

August 2012

FINAL BRIDGE REPORT – COUNTY HIGHWAY 22 #05-00907-00-BR

Awarded Price: \$1,110,888.87
Contractor: O'Neil Bros.
Completed Price: \$1,121,181.48

CONSTRUCTION:

County Bridge	\$ 181,088.63
State	<u>940,092.85</u>
	\$ 1,121,181.48

ENGINEERING (DESIGN):

County	\$317,318.00
--------	--------------

FINAL BRIDGE REPORT – CH. 22 #06-00923-00-BR

Awarded Price: \$416,477.00
Contractor: O'Neil Bros.
Completed Price: \$403,116.90

CONSTRUCTION:

County Bridge	\$403,116.90
---------------	--------------

ENGINEERING (DESIGN):

County	\$28,445.80
--------	-------------

FINAL BRIDGE REPORT – COUNTY HIGHWAY 22 #06-00924-00-BR

Awarded Price: \$695,843.00
Contractor: O'Neil Bros.
Completed Price: \$696,038.80

CONSTRUCTION:

County Bridge	\$696,038.80
---------------	--------------

ENGINEERING (DESIGN):

County	\$42,906.55
--------	-------------

FINAL BRIDGE REPORT – COUNTY HIGHWAY 6 #10-00965-00-BR

Awarded Price: \$50,147.00
Contractor: Otto Baum Company
Completed Price: \$51,812.28

CONSTRUCTION:

County Bridge	\$51,812.28
---------------	-------------

ENGINEERING (DESIGN):

County	\$19,612.00
--------	-------------

CHAMPAIGN COUNTY HIGHWAY DEPARTMENT

August 2012

Page 2

FINAL BRIDGE REPORT – CHAMPAIGN –VERMILION #08-01949-00-BR

Awarded Price: \$209,527.50
Contractor: Newell Construction
Completed Price: \$205,487.67

CONSTRUCTION:

County Bridge	\$ 86,099.33
Township Bridge	82,195.07
Vermilion County	<u>37,193.27</u>
	\$205,487.67

FINAL BRIDGE REPORT – COUNTY HIGHWAY 22 #12-00982-00-BR

Awarded Price: \$17,527.00
Contractor: Big O Services
Completed Price: \$18,407.10

CONSTRUCTION:

County Bridge	\$18,407.10
---------------	-------------

ENGINEERING (DESIGN):

County	\$2,382.50
--------	------------

FINAL BRIDGE REPORT – CONDIT #10-07969-00-BR

Awarded Price: \$160,344.50
Contractor: Newell Construction
Completed Price: \$160,247.72

CONSTRUCTION:

County Bridge	\$ 48,074.32
Township Bridge	96,148.63
Condit	<u>16,024.77</u>
	\$160,247.72

ENGINEERING (DESIGN & CONSTRUCTION):

County	\$10,283.00
Condit	<u>14,289.19</u>
	\$24,572.19

CHAMPAIGN COUNTY HIGHWAY DEPARTMENT

August 2012
Page 3

FINAL BRIDGE REPORT – CONDIT #10-07970-00-BR

Awarded Price: \$93,126.00
Contractor: Stark Excavating
Completed Price: \$91,232.66

CONSTRUCTION:

County Bridge	\$27,369.80
Township Bridge	54,739.59
Condit	<u>9,123.27</u>
	\$91,232.66

ENGINEERING (DESIGN & CONSTRUCTION):

County	\$ 6,999.00
Condit	<u>9,279.82</u>
	\$16,278.82

FINAL BRIDGE REPORT – HENSLEY #10-12967-00-BR

Awarded Price: \$119,126.50
Contractor: Stark Excavating
Completed Price: \$118,942.40

CONSTRUCTION:

County Bridge	\$ 35,682.72
Township Bridge	71,365.44
Hensley	<u>11,894.24</u>
	\$118,942.40

ENGINEERING (DESIGN & CONSTRUCTION):

County	\$14,722.25
Hensley	<u>17,295.81</u>
	\$32,418.06

FINAL BRIDGE REPORT – HENSLEY #10-12973-00-BR

Awarded Price: \$121,826.00
Contractor: Stark Excavating
Completed Price: \$124,220.37

CONSTRUCTION:

County Bridge	\$ 38,011.43
Township Bridge	73,786.90
Hensley	<u>12,422.04</u>
	\$124,220.37

ENGINEERING (DESIGN & CONSTRUCTION):

County	\$ 7,618.80
Hensley	<u>10,724.31</u>
	\$18,343.11

CHAMPAIGN COUNTY HIGHWAY DEPARTMENT

August 2012
Page 4

FINAL BRIDGE REPORT – STANTON #10-28971-00-BR

Awarded Price: \$153,379.00
Contractor: Newell Construction
Completed Price: \$159,305.80

CONSTRUCTION:

County Bridge	\$ 51,347.82
Township Bridge	92,027.40
Stanton	<u>15,930.58</u>
	\$159,305.80

ENGINEERING (DESIGN & CONSTRUCTION):

County	\$11,485.59
Hensley	<u>15,467.88</u>
	\$26,953.47

**FINAL REPORT – VARIOUS CULVERT REPAIRS/REPLACEMENTS
(CONSTRUCTION ONLY)**

COMPROMISE #10-06972-00-BR

County Bridge	\$13,622.20
Compromise Township	<u>13,622.20</u>
	\$27,244.40

COMPROMISE #12-06987-00-BR

County Bridge	\$14,725.00
Compromise Township	<u>14,725.00</u>
	\$29,550.00

COMPROMISE-OGDEN #09-06964-00-BR

County Bridge	\$4,320.80
Compromise Township	2,544.81
Ogden Township	<u>1,775.99</u>
	\$8,641.60

HENSLEY #12-12983-00-BR

County Bridge	\$ 9,198.00
Hensley Township	<u>9,198.00</u>
	\$18,396.00

CHAMPAIGN COUNTY HIGHWAY DEPARTMENT

August 2012
Page 5

KERR #11-13979-00-BR

County Bridge	\$14,368.60
Kerr Township	<u>14,843.61</u>
	\$29,212.21

NEWCOMB #09-16958-00-BR

County Bridge	\$13,250.00
Newcomb Township	<u>13,250.00</u>
	\$26,500.00

NEWCOMB #10-16974-00-BR

County Bridge	\$16,243.39
Newcomb Township	<u>16,243.39</u>
	\$32,486.78

PHILO #11-19975-00-BR

County Bridge	\$4,300.00
Philo Township	<u>4,300.00</u>
	\$8,600.00

PHILO #11-19980-00-BR

County Bridge	\$18,522.00
Philo Township	<u>18,522.00</u>
	\$37,044.00

RAYMOND #11-21976-00-BR

County Bridge	\$3,712.80
Raymond Township	<u>3,712.80</u>
	\$7,425.60

SADORUS #12-22986-00-BR

County Bridge	\$10,017.00
Sadorus Township	<u>10,017.00</u>
	\$20,034.00

TOLONO #12-29984-00-BR

County Bridge	\$ 8,058.00
Tolono Township	<u>8,058.00</u>
	\$16,116.00

RESOLUTION NO.

RESOLUTION APPROPRIATING AN ADDITIONAL \$268,523.53
FROM COUNTY MOTOR FUEL TAX FUNDS FOR
CURTIS ROAD PHASE I
SECTION #00-00374-00-PV

WHEREAS, The Champaign county Board has adopted Resolution No. 4812 appropriating the total sum of \$1,822,406.00, for the improvement of Curtis Road Phase I; and

WHEREAS, It is necessary that an additional appropriation of \$268,523.53 is required for the improvement;

NOW, THEREFORE, BE IT RESOLVED, That there is hereby appropriated the sum of Two Hundred Sixty-eight Thousand Five Hundred Twenty-three Dollars and Fifty-three Cents (\$268,523.53) for the cost of engineering, construction right of way and utility relocation of the above mention section; and

BE IT FURTHER RESOLVED, That the County Clerk is hereby directed to transmit three (3) certified copies of this resolution to the Illinois Department of Transportation, District Engineer, Paris, Illinois.

PRESENTED, ADOPTED, APPROVED and RECORDED this 18th day of October A.D., 2012.

C. Pius Weibel, Chair
County Board of the County of
Champaign, Illinois

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

Prepared by: Jeff Blue
County Engineer

Resolution No.

I, Gordy Hulten, County Clerk in and for said County, in the State aforesaid and keeper of the records and files thereof, as provided by statute, do hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the County Board of Champaign County at its County Board Meeting held at Urbana, Illinois, on October 18, 2012.

IN TESTIMONY, WHEREOF, I have hereunto set my hand and affixed the seal of said County at my office in Urbana in said County, this _____ day of _____ A.D., 2012.

(SEAL) _____ County Clerk

APPROVED

Date

Department of Transportation

District Engineer

PETITION

Petitioner, Jeff White, hereby requests an appropriation of funds from the Champaign County Bridge Fund pursuant to 605 ILCS 5/5-501. In support of this petition, Petitioner states the following:

1. Petitioner is the duly elected Highway Commissioner for the Colfax Road District, Champaign County, Illinois; and
2. There is a bridge located between Sections 18 & 19, which is in poor condition and is inadequate to serve the needs of the traveling public; and
3. To ensure the adequacy of said structure for the traveling public, it is necessary that said structure be replaced; and
4. The cost of replacing the aforesaid structure is estimated to be \$274,000.00, which will be more than .02% of the value of all the taxable property in the Colfax Road District, as equalized or assessed by the Department of Revenue; and
5. The tax rate for road purposes in the Colfax Road District was in each year for the last two (2) years not less than the maximum allowable rate provided for in Section 6-501 of the Illinois Highway Code (605 ILCS 5/6-501); and
6. The Colfax Road District is prepared to pay one-half of the cost of the replacement of said structure.

Respectfully submitted,

Jeff White
Commissioner of Highways of
Colfax Road District,
Champaign County, Illinois

RESOLUTION NO.

PETITION REQUESTING AND RESOLUTION APPROVING
APPROPRIATION OF FUNDS FROM THE COUNTY BRIDGE FUND
PURSUANT TO 605 ILCS 5/5-501

WHEREAS, the County Board finds that based on the representations in the attached Petition, it required pursuant to 605 ILCS 5/5-501 to provide the requested aid.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Champaign County as follows:

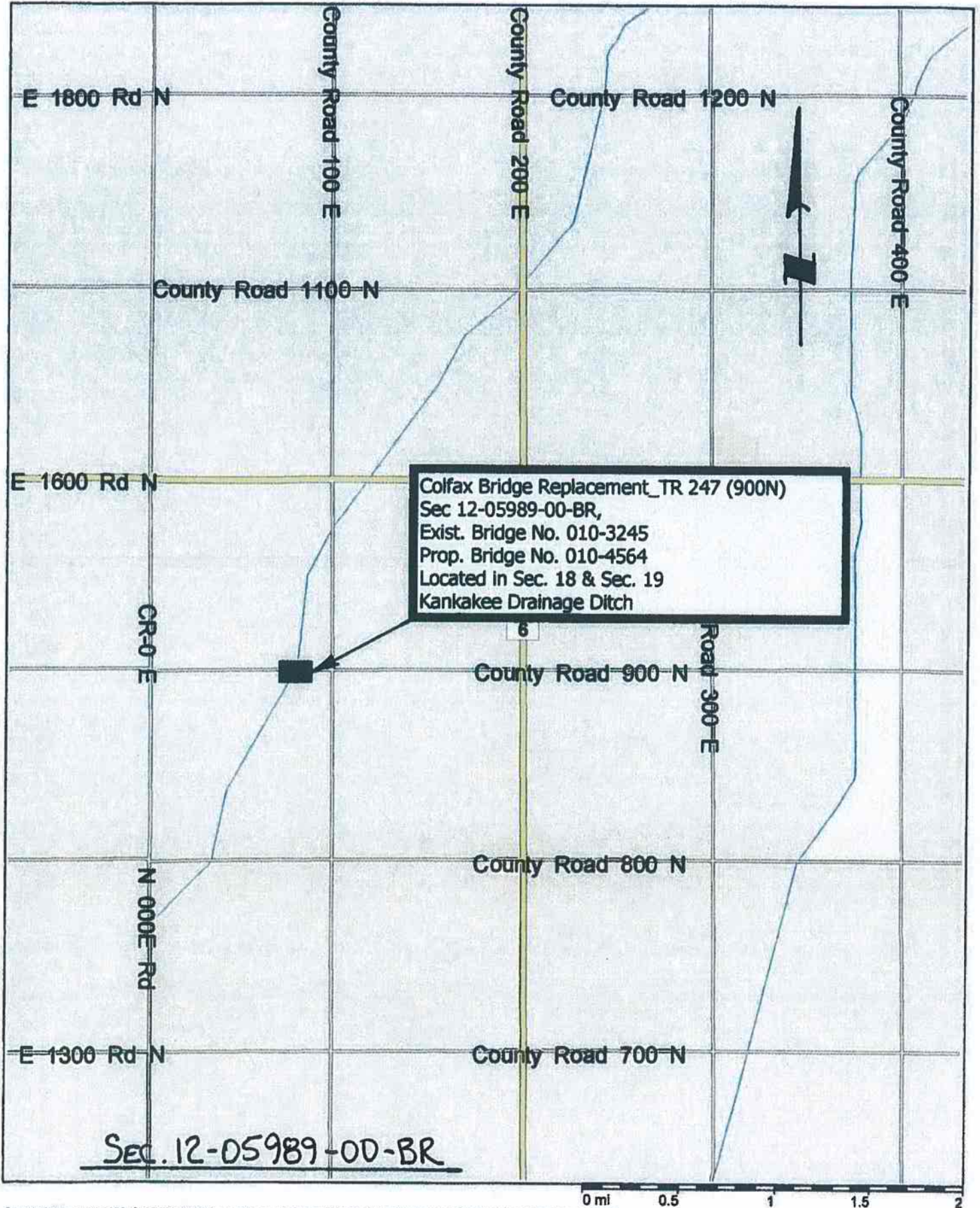
1. The County Board hereby appropriates from the County Bridge Fund a sufficient sum to meet one-half the cost of replacing the structure on the aforesaid petition to cover the cost of materials.
2. The County Board hereby directs the County Engineer to cause plans and specifications to be prepared for said improvement.
3. The County Board hereby orders that said improvement be made under the general supervision of the County Engineer, either by the letting of a contract or by the County Highway Department doing the work.
4. The County Board hereby directs the County Engineer to certify to the County Board when the work has been satisfactorily completed to meet his or her approval. Such certificate shall include an itemized account of the cost of all items of work incurred in the completion of said improvement, and shall show the division of cost between the County and the Colfax Road District.
5. The County Board further directs the County Engineer to file said certificate with the clerk of the Colfax Road District.
6. This Resolution shall become effective upon its adoption.

PRESENTED, ADOPTED, APPROVED and RECORDED this 18th day of October, 2012.

C. Pius Weibel, Chair
County Board
Champaign County, Illinois

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

COLFAX BRIDGE REPLACEMENT - TR 247



SEC. 12-05989-00-BR

PETITION

Petitioners, Jerry Christian and Steve Miller, hereby requests an appropriation of funds from the Champaign County Bridge Fund pursuant to 605 ILCS 5/5-501. In support of this petition, Petitioners state the following:

1. Petitioners are the duly elected Highway Commissioners for the Crittenden and Pesotum Road Districts, Champaign County, Illinois; and

2. There is a culvert located on the Township Line between Sections 7 & 12, which is in poor condition and is inadequate to serve the needs of the traveling public; and

3. To ensure the adequacy of said structure for the traveling public, it is necessary that said structure be replaced; and

4. The cost of replacing the aforesaid structure is estimated to be \$13,000.00, which will be more than .02% of the value of all the taxable property in the Crittenden and Pesotum Road Districts, as equalized or assessed by the Department of Revenue; and

5. The tax rate for road purposes in the Crittenden and Pesotum Road Districts was in each year for the last two (2) years not less than the maximum allowable rate provided for in Section 6-501 of the Illinois Highway Code (605 ILCS 5/6-501); and

6. The Crittenden and Pesotum Road Districts are prepared to pay one-half of the cost of the replacement of said structure.

Respectfully submitted,

Jerry Christian
Commissioner of Highways of
Crittenden Road District,
Champaign County, Illinois

Steve Miller
Commissioner of Highways of
Pesotum Road District
Champaign, Illinois

RESOLUTION NO.

PETITION REQUESTING AND RESOLUTION APPROVING
APPROPRIATION OF FUNDS FROM THE COUNTY BRIDGE FUND
PURSUANT TO 605 ILCS 5/5-501

WHEREAS, the County Board finds that based on the representations in the attached Petition, it required pursuant to 605 ILCS 5/5-501 to provide the requested aid.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Champaign County as follows:

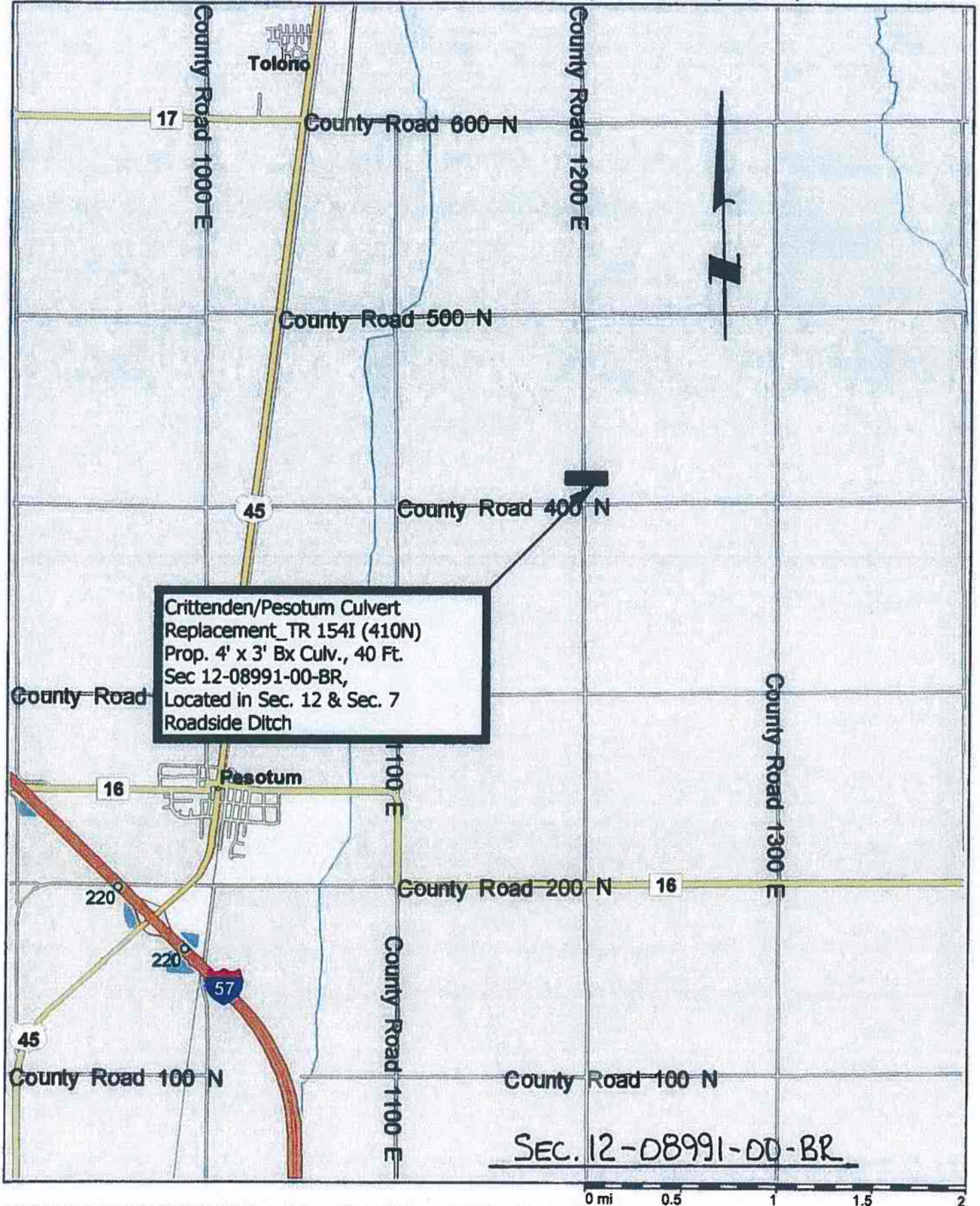
1. The County Board hereby appropriates from the County Bridge Fund a sufficient sum to meet one-half the cost of replacing the structure on the aforesaid petition to cover the cost of materials.
2. The County Board hereby directs the County Engineer to cause plans and specifications to be prepared for said improvement.
3. The County Board hereby orders that said improvement be made under the general supervision of the County Engineer, either by the letting of a contract or by the County Highway Department doing the work.
4. The County Board hereby directs the County Engineer to certify to the County Board when the work has been satisfactorily completed to meet his or her approval. Such certificate shall include an itemized account of the cost of all items of work incurred in the completion of said improvement, and shall show the division of cost between the County and the Crittenden and Pesotum Road Districts.
5. The County Board further directs the County Engineer to file said certificate with the clerk of the Crittenden and Pesotum Road Districts.
6. This Resolution shall become effective upon its adoption.

PRESENTED, ADOPTED, APPROVED and RECORDED this 18th day of October, 2012.

C. Pius Weibel, Chair
County Board
Champaign County, Illinois

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

Crittenden/Pesotum Box Culvert Replacement (1200E)



PETITION

Petitioners, Brad Clemons and Keith Padgett, hereby requests an appropriation of funds from the Champaign County Bridge Fund pursuant to 605 ILCS 5/5-501. In support of this petition, Petitioners state the following:

1. Petitioners are the duly elected Highway Commissioners for the Tolono and Champaign Road Districts, Champaign County, Illinois; and
2. There is a bridge located on the Township Line between Sections 33 & 4, which is in poor condition and is inadequate to serve the needs of the traveling public; and
3. To ensure the adequacy of said structure for the traveling public, it is necessary that said structure be replaced; and
4. The cost of replacing the aforesaid structure is estimated to be \$252,000.00, which will be more than .02% of the value of all the taxable property in the Tolono and Champaign Road Districts, as equalized or assessed by the Department of Revenue; and
5. The tax rate for road purposes in the Tolono and Champaign Road Districts was in each year for the last two (2) years not less than the maximum allowable rate provided for in Section 6-501 of the Illinois Highway Code (605 ILCS 5/6-501); and
6. The Tolono and Champaign Road Districts are prepared to pay one-half of the cost of the replacement of said structure.

Respectfully submitted,

Brad Clemons
Commissioner of Highways of
Tolono Road District,
Champaign County, Illinois

Keith Padgett
Commissioner of Highways of
Champaign Road District
Champaign, Illinois

RESOLUTION NO.

PETITION REQUESTING AND RESOLUTION APPROVING
APPROPRIATION OF FUNDS FROM THE COUNTY BRIDGE FUND
PURSUANT TO 605 ILCS 5/5-501

WHEREAS, the County Board finds that based on the representations in the attached Petition, it required pursuant to 605 ILCS 5/5-501 to provide the requested aid.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Champaign County as follows:

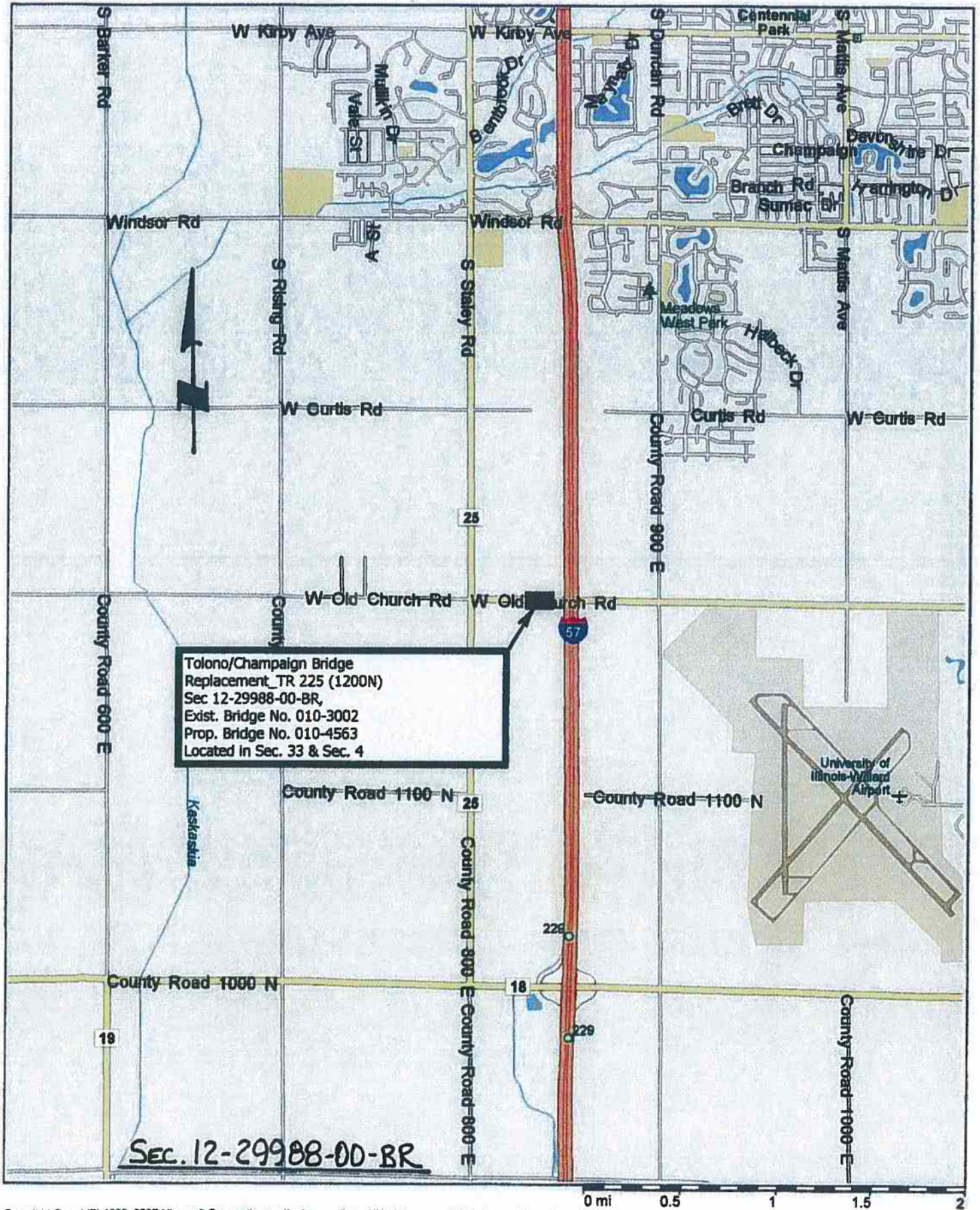
1. The County Board hereby appropriates from the County Bridge Fund a sufficient sum to meet one-half the cost of replacing the structure on the aforesaid petition to cover the cost of materials.
2. The County Board hereby directs the County Engineer to cause plans and specifications to be prepared for said improvement.
3. The County Board hereby orders that said improvement be made under the general supervision of the County Engineer, either by the letting of a contract or by the County Highway Department doing the work.
4. The County Board hereby directs the County Engineer to certify to the County Board when the work has been satisfactorily completed to meet his or her approval. Such certificate shall include an itemized account of the cost of all items of work incurred in the completion of said improvement, and shall show the division of cost between the County and the Tolono and Champaign Road Districts.
5. The County Board further directs the County Engineer to file said certificate with the clerk of the Tolono and Champaign Road Districts.
6. This Resolution shall become effective upon its adoption.

PRESENTED, ADOPTED, APPROVED and RECORDED this 18th day of October, 2012.

C. Pius Weibel, Chair
County Board
Champaign County, Illinois

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

TOLONO-CHAMPAIGN BRIDGE REPLACEMENT - TR 225



Tolono/Champaign Bridge Replacement, TR 225 (1200N)
 Sec 12-29988-00-BR,
 Exst. Bridge No. 010-3002
 Prop. Bridge No. 010-4563
 Located in Sec. 33 & Sec. 4

SEC. 12-29988-00-BR

RESOLUTION NO. _____

RESOLUTION APPROPRIATING \$1,000,000.00 FROM
COUNTY BRIDGE FUNDS
FOR THE REPLACEMENT OF STRUCTURE #010-0151
ON COUNTY HIGHWAY #22
SECTION #12-00990-00-BR

WHEREAS, Structure #010-0151 on County Highway 22 (Penfield Road) located in Section 20 in Kerr Township is in poor condition, which is endangering the safety of the traveling public; and

WHEREAS, To insure the safety of the traveling public, it is necessary that said bridge be replaced; and

WHEREAS, The cost of replacing the aforesaid bridge, which shall include construction and design engineering, is estimated to be \$1,000,000.00; and

WHEREAS, The Highway and Transportation Committee recommends that said replacement be made; and

WHEREAS, The County Board of Champaign County concurs in the action recommended by the Committee;

NOW, THEREFORE, BE IT RESOLVED, That there is hereby appropriated the sum of One Million Dollars (\$1,000,000.00) from County Bridge Funds for this replacement.

PRESENTED, ADOPTED, APPROVED and RECORDED this 18th day of October A.D., 2012.

C. Pius Weibel, Chair
County Board of the County of
Champaign, Illinois

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

Prepared by: Jeff Blue
County Engineer

Champaign County Bridge Replacement_Co. Hwy 22 (3270N)

