

CHAMPAIGN COUNTY BOARD
ENVIRONMENT and LAND USE COMMITTEE (ELUC)
County of Champaign, Urbana, Illinois
Thursday, August 8, 2013 - 6:00 p.m.

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

Committee Members:

Ralph Langenheim – Chair
Aaron Esry – Vice-Chair
Astrid Berkson
Stan Harper

Alan Kurtz
Pattsi Petrie
Jon Schroeder

AGENDA

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I. Call to Order	
II. Roll Call	
III. Approval of Minutes	
A. ELUC Committee meeting – June 6, 2013	1-4
IV. Approval of Agenda/Addenda	
V. Public Participation	
VI. Communications	
VII. <u>Items to be Approved by ELUC for Recommendation to the County Board</u>	
A. Champaign County Regional Planning Commission (CCRPC) County Planning Contract Proposal for FY14	5-14
B. Case 760-V-13 –Recommendation to Approve a Variance to Zoning Ordinance for Sangamon Valley Public Water District <u>Request:</u> Authorize a variance from Subsection 13.2.1A.4. that requires construction or use to comply with the subdivision regulations of a municipality when the requirement for annexation to that municipality is pursuant to or is a requirement for plat approval by that municipality, for a proposed expansion of a water treatment plant and related facilities that are owned and operated by a predominately rural water district in the AG-2 District	15-22
C. Notice of Intent (NOI) from 3/1/14 – 2/29/19 for National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Storm Water Discharge Permit with IEPA	23-48

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VIII. <u>Item to Receive & Place on File by ELUC to allow for 30 day Review Period</u> <i>Preliminary Recommendation from Zoning Board of Appeals (ZBA) for Zoning Ordinance Text Amendment</i>	
A. Case 757-AT-13: Amend Zoning Ordinance as follows:	49-85
Part A – Adopt updated Flood Insurance Study effective 10/2/13	
Part B – Adopt updated Digital Flood Insurance Rate Maps (DFIRM) for Champaign County effective 10/2/13 – see new maps at www.illinoisfloodmaps.org	
Part C – Adopt a new Special Flood Hazard Areas Ordinance based on minimum requirements of the National Flood Insurance Program & State of Illinois	
IX. <u>Item on Remand from the County Board for Reconsideration</u>	
A. Resolution No. 8504 – Deny Petition to Amend the Zoning Ordinance by Reclassifying Certain Property – Case 687-AM-11	86-148
X. <u>For Information Only</u>	
A. Proposed Rule by Office of the State Fire Marshall to require fire sprinkler systems installed in all new single-family dwellings/duplexes & existing assembly occupancies (100 or more people)within five years	149-151
XI. Monthly Reports	
A. May 2013	152-160
B. June 2013	161-171
XII. Other Business	
XIII. Chair’s Report	
XIV. Designation of Items to be Placed on the Consent Agenda	
XV. Adjournment	



**Champaign County Board
Environment and Land Use Committee (ELUC)
County of Champaign, Urbana, Illinois**

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MINUTES – SUBJECT TO REVIEW AND APPROVAL

DATE: Thursday, June 6, 2013
TIME: 6:00 p.m.
PLACE: Lyle Shields Meeting Room
Brookens Administrative Center
1776 E Washington, Urbana, IL 61802

Committee Members

Present	Absent
Ralph Langenheim (Chair)	
Aaron Esry (Vice Chair)	
Astrid Berkson	
Stan Harper	
Alan Kurtz	
	Pattsi Petrie
Jon Schroeder	

County Staff: John Hall (Director of Planning & Zoning), Deb Busey (County Administrator), Beth Brunk (Recording Secretary)
Others Present: Susan Chavarria & Susan Monte (Ch Co Regional Planning Commission), John Jay (Champaign Co Board)

MINUTES

I. Call to Order

Committee Chair Langenheim called the meeting to order at 6:01 p.m.

II. Roll Call

A verbal roll call was taken and a quorum was declared present.

III. Approval of Minutes

A. ELUC Committee meeting – May 9, 2013

MOTION by Mr. Kurtz to approve the minutes for the May 9, 2013 meeting as distributed; seconded by Mr. Esry. Upon vote, **the MOTION CARRIED unanimously.**

IV. Approval of Agenda

MOTION by Mr. Esry to approve the agenda as distributed; seconded by Mr. Kurtz. Upon vote, **the MOTION CARRIED unanimously.**

1 **V. Public Participation**

2 Mr. Langenheim read one letter aloud from Terry Wolf stating his opposition to the Resolution to
3 oppose water withdrawal from the Salt Fork of the Vermilion River for coal mine use. Similarly, eight
4 other landowners had signed letters expressing the same opinion. Mr. Langenheim asked that the
5 letters be placed on file as public input.
6

7 Traci Barkley, Suzanne Smith, Steve Francis – supported the Resolution to oppose water withdrawal
8 from the Salt Fork of the Vermilion River for coal mine use
9

10 Suzanne Jaworowski, Jeff Jurgens – opposed the Resolution against water withdrawal from the Salt Fork
11 of the Vermilion River for coal mine use
12

13 **VI. Communications**

14 Mr. Kurtz received nine e-mails in support of the Resolution to oppose water withdrawal from the Salt
15 Fork of the Vermilion River for coal mine use. He will place them on file as public input.
16

17 **VII. Items to be Approved by ELUC Committee**

- 18
- 19 A. Recreation & Entertainment License – Generations Music Booking Music Festival with live
20 bands at Champaign County Fair Grounds, Urbana, July 4-7, 2013
 - 21
 - 22 B. Recreation & Entertainment License – WBGL Radio at vacant lot west of 4104 Fieldstone,
23 Champaign, June 18, 2013
 - 24
 - 25 C. Recreation & Entertainment License – Last Call for Alcohol, Inc., 1505 Main St., Penfield, June 1-
26 December 21, 2013
 - 27
 - 28 D. Recreation & Entertainment License – Champaign County Fair Association, Urbana, July 19-27,
29 2013
30

31 **OMINBUS MOTION** by Ms. Berkson to approve items, VII-A, VII-B, VII-C, and VII-D: Recreation &
32 Entertainment Licenses for Generations Music Booking Music Festival, WBGL Radio, Last Call for Alcohol,
33 Inc. and Champaign County Fair Association; seconded by Mr. Kurtz. Upon vote, the **MOTION CARRIED**
34 **unanimously.**
35

- 36 E. Request for Approval for Allocation of Hours – FY2013 Planning Contract General Planning
37 Services Requests – CCRPC tasks related to Wilber Heights Subdivision
38 Wilber Heights Subdivision by north Market Street in Champaign has experienced repeated
39 occurrences of flooding and drainage problems. Ms. Chavarria proposed using part of the 295
40 remaining hours of the FY2013 Champaign County Planning Contract for General Planning Services
41 Requests for Wilber Heights Subdivision projects. Suggested tasks included in-person interviews to
42 determine priority concerns, income surveys for possible CDAP grant, CDAP grant application for
43 design engineering if applicable, possible Wilber Heights street improvements in coordination with
44 a City of Champaign project and cooperation with U of I Department of Urban & Regional Planning
45 for a student community project.
46

47 **MOTION** by Mr. Kurtz to approve the usage of FY2013 Planning Contract General Planning Services
48 Requests hours on Wilber Heights Subdivision as presented; seconded by Mr.Schroeder.
49

50 Mr. Kurtz and Mr. Esry felt that it is time to help the people of this neighborhood. Mr. Schroeder
51 asked how long it would take to complete the whole study. Ms. Chavarria replied that the first two
52 tasks (interviews and income survey) will take approximately 125 hours. The design/engineering
53 CDAP grant application is estimated at 50-75 hours. The U of I project may take approximately one
54 year to plan and complete a semester-long class. All the findings will be presented to the County

1 Board.

2
3 Upon vote, the **MOTION CARRIED unanimously.**

4
5 **VIII. Item to Receive & Place on File by ELUC Committee to allow for 60 day Review Period**

6 A. CCRPC/County Planning Contract FY2013 Status Update & FY2014 Contract Proposal

7 Ms. Chavarria asked for any suggestions from Committee members regarding this proposal. The
8 final FY2014 Contract Proposal will be on the agenda for the August ELUC Committee meeting.
9

10 **MOTION** by Mr. Esry to receive and place on file the FY2014 CCRPC/Champaign County Planning Contract
11 Proposal; seconded by Mr. Kurtz. Upon vote, the **MOTION CARRIED unanimously.**
12

13 **IX. Items to be Approved by ELUC Committee for Recommendation to the County Board**

14 A. Case 743-AT-13 – Final Recommendation to Approve Zoning Ordinance Text Amendment to allow
15 Variances from Municipal Subdivision Regulations for Rural Water District Water Treatment Plant &
16 Related Facilities
17

18 **MOTION** by Mr. Kurtz to approve Zoning Ordinance Text Amendment that contains the amended
19 language worked out with City staff to allow variances from Municipal Subdivision Regulations for Rural
20 Water District Water Treatment Plant & Related Facilities; seconded by Ms. Berkson. Upon vote, the
21 **MOTION CARRIED unanimously.**
22

23 B. Proposed Resolution Opposing Water Withdrawal for Salt Fork of the Vermilion River for Coal Mine
24 Use in Vermilion County
25

26 **MOTION** by Mr. Kurtz to approve the resolution which opposes water withdrawal from the Salt Fork of
27 the Vermilion River for coal mine use in Vermilion County; seconded by Ms. Berkson.
28

29 Mr. Schroeder commented that he does not feel that this resolution should go to the full
30 Champaign County Board because it has no jurisdiction in this matter. There is no pending zoning case
31 about the coal mine. The County's Land Resource Management Plan (LRMP) supports both sides of this
32 issue in that it encourages the development of mineral rights **and** promotes the protection of natural
33 resources. In the past, the Board has supported policy issues that were particularly important to
34 Champaign County. Mr. Schroeder did not feel this was the case with this resolution and would not
35 support it.
36

37 Mr. Hall made sure that Committee members were looking at the most current version of the resolution.
38 Mr. Esry echoed Mr. Schroeder's comments that there is nothing the Champaign County Board can do
39 about this situation. He felt that the resolution reads like it is against coal mining and could not support
40 it.
41

42 Mr. Harper noted that he has had several conversations with rural farmers in that area and had major
43 concerns about the water issues. He felt that Sunrise Coal has the right to present all the information to
44 the Board before anything official is done. It is a difficult decision.
45

46 Amended **MOTION** by Mr. Kurtz to defer the resolution which opposes water withdrawal from the Salt
47 Fork of the Vermilion River for coal mine use in Vermilion County until more facts are available pertaining
48 to water withdrawal by the coal company when they submit their application.
49

50 Ms. Berkson agreed to a friendly amendment.

51 Roll call vote:

52 Yes: 4 – Berkson, Harper, Kurtz, Langenheim
53

No: 2 – Schroeder, Esry

MOTION CARRIED.

X. Items to be Approved by ELUC Committee for Referral to ZBA

A. Proposed Zoning Ordinance Text Amendment to Correct Certain Soil Data in Appendix A of the LESA System

Ms. Monte explained that a zoning ordinance text amendment is necessary to correct Appendix A, Table A of the November 2012 LESA update. These minor changes affect three soil classifications used in the agriculture value group table and some labeling changes to be consistent with USDA NRCS “Farmland Classification” categories. Pending approval by the ELUC Committee, the Zoning Board of Appeals (ZBA) will review these proposed corrections.

MOTION by Mr. Esry to approve forwarding the Zoning Ordinance Text Amendment making changes to Appendix A, Table A of the November 2012 LESA Update to the Zoning Board of Appeals; seconded by Ms. Berkson. Upon vote, the **MOTION CARRIED unanimously.**

B. Proposed Zoning Ordinance Text Amendment to Adopt New Floodplain maps and New Special Flood Hazard Area Ordinance

Mr. Hall commented that this project will remove thousands of acres from the flood plain but will bring in a few new acres due to the better data.

MOTION by Mr. Esry to approve forwarding the Zoning Ordinance Text Amendment to adopt new floodplain maps and new special flood hazard area ordinance to the Zoning Board of Appeals; seconded by Mr. Kurtz. Upon vote, the **MOTION CARRIED unanimously.**

XI. Monthly Reports

A. April 2013

MOTION by Mr. Kurtz to receive and place on file the Planning & Zoning Monthly Report for April 2013; seconded by Ms. Berkson. Upon vote, the **MOTION CARRIED unanimously.**

XII. Other Business

None

XIII. Chair’s Report

None

XIV. Designation of Items to be Placed on the Consent Agenda

Mr. Langenheim stated that IX-A should be placed on the Consent Agenda.

XV. Determination to Cancel July 2013 ELUC Committee Meeting

The Committee decided that they did not need to meet in July and any agenda items that needed County Board Approval in July would go directly to the County Board meeting on July 18th.

XVI. Adjournment

MOTION by Ms. Berkson to adjourn; seconded by Mr. Schroeder. Upon vote, the **MOTION CARRIED unanimously.**

There being no further business, Mr. Langenheim adjourned the meeting at 6:51 p.m.



Date: August 8, 2013
To: ELUC Members
From: Susan Chavarria, Regional Planning Manager
Regarding: Proposed FY14 County Planning Contract Work Plan
Action Requested: Recommend for approval by the County Board

Background

Champaign County has an annually renewable contract with Champaign County Regional Planning Commission for planning and technical services. The \$73,360 proposed contract amount for FY14 includes a 2% increase provisionally approved by Deb Busey.

Attachment A is the proposed FY14 General Work Plan. It includes 1,325 hours and focuses on implementing the LRMP, recycling coordination, and general planning services requests.

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

This work plan was first presented to ELUC members in June. No comments have been received by CCRPC staff since that meeting.

Next Steps

CCRPC staff would appreciate your approval of the county planning contract work plan, including the LRMP implementation work tasks that will take us through December 2014. We request that ELUC members recommend this work plan for consideration by the full County Board.

Attachment A: Proposed County Planning Contract for FY14
January 1, 2014 through December 31, 2014

	<u>Hours</u>	<u>Cost</u>
LRMP Implementation		
Working with the County Board and staff, priority implementation items will be identified that CCRPC planners can implement given available time and resources.	1,055	\$56,780
Recycling Events Coordination		
Countywide recycling collection initiatives in coordination with local entities have been spearheaded through the County contract for the last couple of years. Current challenges include seeking means to accommodate the ongoing need for household hazardous waste collection. <i>Typical activities: recycling events coordination and other initiatives intended to maximize awareness regarding materials management reduce, re-use or recycling opportunities in Champaign County.</i>	150	\$8,073
General Planning Services Requests		
County Board and/or County departments may solicit research for funding sources, grant writing assistance, data analyses, and reports on topics of common interest to the Board or County administration. <i>Typical activities: 2007 Hazard Mitigation Plan grant application, search for county facilities improvement funding, residential TIF research, Wilber Heights facilitation.</i>	100	\$5,382
Administration (budgeting, work plan, project management)	20	\$1,325
Non-staff expenses (supplies, services, capital outlay) <i>Typical expenses: printing finished documents, purchasing research materials, office supplies, yearly subscriptions/ memberships, etc.</i>		\$1,800
Total	1,325	\$73,360

Attachment B: Proposed LRMP Work Plan Items for FY14

Overview

The following table provides an overview of the FY14 LRMP Implementation work plan. More specific information on the implementation items is available on subsequent pages.

Work Plan ID	Priority Item	LRMP Objective/Priority Item	Hours	Cost
1	various	Monitor and pursue potential funding opportunities to achieve provisions of GOPs.	50	\$2,690
2	1.2.1	Prepare a report that informs County Board members of trends or new development with regard to land resource management conditions within the County each year.	30	\$1,615
3	1.3.1	Based on the annually prepared report of trends and new developments, provide a recommendation to ELUC regarding minor LRMP map changes each year. Provide public notice of LRMP changes and invite public input regarding proposed changes.	30	\$1,615
4	2.1.1	Review municipal limits and contiguous urban growth area boundaries with municipal representatives on a regular basis in order to update LRMP Future Land Use Map and Land Management Area Map boundaries. Complete review and revisions to LRMP maps in time for preparation of the annual report to be provided to the County Board each January.	30	\$1,615
5	7.2.4b	Participate in the Greenways and Trails Committees that are coordinated by CCRPC.	5	\$269
6	8.4.5a	Complete required annual update reports revisions for the Phase II National Pollutant Discharge Elimination System (NPDES) Storm Water Management Program.	30	\$1,615
7	8.1.9 8.4.1b	8.1.9 - Monitor IEPA annual reports and available data from IEPA and the MAC to identify contaminated land or groundwater areas requiring remediation in Champaign County. Submit proposal regarding Champaign County action or response for ELUC review and County Board adoption. 8.4.1b - Maintain an inventory of local and regional watershed plans to provide to the CCDPZ for review of applicable recommendations of local and regional watershed plans in discretionary review of new development.	30	\$1,615
8	8.4.5a	Complete the public input and approval process of required revisions for the Phase II National Pollutant Discharge Elimination System (NPDES) Storm Water Management Program.	90	\$4,844
9	6.1.1c	Amend the Champaign County Zoning Ordinance to reflect the requirements of the Champaign County Health Ordinance, and vice versa as they pertain to Policy 6.1.1: The County will establish minimum lot location and dimension requirements for all new rural residential development that provide ample and appropriate areas for onsite wastewater and septic systems.	200	\$10,764

Continued on next page

Work Plan ID	Priority Item	LRMP Objective/Priority Item	Hours	Cost
10	5.1.1c	Amend Champaign County Zoning Ordinance to include provisions of Policy 5.1.1: The County will encourage new urban development to occur within the boundaries of incorporated municipalities.	20	\$1,076
11	5.2.1b	Amend relevant Champaign County ordinances to include provisions of Policy 5.2.1: The County will encourage the reuse and redevelopment of older and vacant properties within urban land when feasible.	20	\$1,076
12	5.3.1c 5.3.2c	5.3.1c: Amend relevant Champaign County ordinances to include provisions of Policy 5.3.1: The County will: a. require that proposed new urban development in unincorporated areas is sufficiently served by available public services and without undue public expense; and b. encourage, when possible, other jurisdictions to require that proposed new urban development is sufficiently served by available public services and without undue public expense. 5.3.2c: Amend relevant Champaign County ordinances to include provisions of Policy 5.3.2: The County will: a. require that proposed new urban development, with proposed improvements, will be adequately served by public infrastructure, and that related needed improvements to public infrastructure are made without undue public expense; and b. encourage, when possible, other jurisdictions to require that proposed new urban development, with proposed improvements, will be adequately served by public infrastructure, and that related needed improvements to public infrastructure are made without undue public expense.	120	\$6,458
13	4.3.4c	Amend Champaign County Zoning Ordinance to include provisions of Policy 4.3.4: The County may authorize a discretionary review development provided that existing public infrastructure, together with proposed improvements, is adequate to support the proposed development effectively and safely without undue public expense.	80	\$4,306
14	8.3.1	Amend Champaign County Zoning Ordinance to include provisions of Policy 8.3.1: The County will allow expansion or establishment of underground mineral and energy resource extraction operations only if: a) the operation poses no significant adverse impact to existing land uses; b) the operation creates no significant adverse impact to surface water quality or other natural resources; and c) provisions are made to fully reclaim the site for a beneficial use.	120	\$6,458
15	8.4.2b	Amend relevant Champaign County ordinances to include provisions of Policy 8.4.2: The County will require stormwater management designs and practices that provide effective site drainage, protect downstream drainage patterns, minimize impacts on adjacent properties and provide for stream flows that support healthy aquatic ecosystems.	200	\$10,764
Total			1,055	\$56,780

ANNUAL MONITORING TASKS

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

Estimated planner hours to implement: 50
Estimated cost to implement: \$2,690

Description: Research funding sources and respond to one grant opportunity. If more funding applications become available, each is unique and will consume a unique amount of time by the county planner; grant applications will require approval by the County Board.

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

Significance: There are about a dozen themes in the LRMP for which there is a need to search for funding opportunities related to local foods, greenways and trails, public infrastructure, historic/scenic/cultural amenities, animal habitats, groundwater, drainage improvements, environmental stewardship, educational programs and sustainability. There are no current county staff resources to consistently monitor such funding opportunities.

2. Priority Item 1.2.1 - Prepare a report that informs County Board members of trends or new development with regard to land resource management conditions within the County each year.

Estimated planner hours to implement: 30
Estimated cost to implement: \$1,615

Description: Conduct key person interviews with county and municipal agencies and prepare the report.
Estimated hours to administer once implemented: None
Estimated cost to administer: None
Resources needed to administer: None

Significance: This task gives the most up to date information available on best practices, new trends in development that could impact our rural areas, and new initiatives taking place amongst development related agencies in Champaign County. The LRMP action items can be better prioritized and implemented with this information.

3. Priority Item 1.3.1 - Based on the annually prepared report of trends and new developments, provide a recommendation to ELUC regarding minor LRMP map changes each year. Provide public notice of LRMP changes and invite public input regarding proposed changes.

Estimated planner hours to implement: 30
Estimated cost to implement: \$1,615
Description: Revise LRMP maps for approval by County Board.

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

Significance: This update highlights changes which may impact decisions made at the County level.

4. Priority Item 2.1.1 - Review municipal limits and contiguous urban growth area boundaries with municipal representatives on a regular basis in order to update LRMP Future Land Use Map and Land Management Area Map boundaries. Complete review and revisions to LRMP maps in time for preparation of the annual report to be provided to the County Board each January.

Estimated planner hours to implement: 30

Estimated cost to implement: \$1,615

Description: Collect data from area municipalities, county clerk, and others to establish most recent boundaries. Update maps and present to County Board for approval.

Estimated hours to administer once implemented: None

Estimated cost to administer: None

Resources needed to administer: None. This is a permanent item in the work plan.

Significance: This update highlights changes to corporate limits and other boundaries which may impact decisions made at the County level, especially regarding zoning cases.

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

Estimated planner hours to implement: 5

Estimated cost to implement: \$269

Description: Attend meetings and serve as a County representative for Greenways and Trails planning and implementation.

Estimated hours to administer once implemented: None

Estimated cost to administer: None

Resources needed to administer: None. This is a permanent item in the County Planner work plan.

Significance: The Greenways and Trails plan includes the Forest Preserve Districts and potential bicycle and pedestrian linkages to those areas. Land use planning and zoning cases could be impacted by the plan.

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

Estimated planner hours to implement: 30

Estimated cost to implement: \$1,615

Description: Illinois EPA requires annual reporting on NPDES.

Estimated hours to administer once implemented: None

Estimated cost to administer: None

Resources needed to administer: None. This is a permanent item in the County Planner work plan.

Significance: County-level annual reporting is required statewide for NPDES.

- 7. Priority Item 8.1.9 - Monitor IEPA annual reports and available data from IEPA and the MAC to identify contaminated land or groundwater areas requiring remediation in Champaign County. Submit proposal regarding Champaign County action or response for ELUC review and County Board adoption.**

Priority Item 8.4.1b - Maintain an inventory of local and regional watershed plans to provide to the CCDPZ for review of applicable recommendations of local and regional watershed plans in discretionary review of new development.

Estimated planner hours to implement: 30
Estimated cost to implement: \$1,615

Description: Collect and synthesize information, write memo to CCDPZ.

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

Significance: This data collection provides information that other agencies do not necessarily provide about our groundwater systems, which could impact zoning and other county decisions.

NEW TASKS

- 8. Priority Item 8.4.5a: Complete the public input and approval process of required revisions for the Phase II National Pollutant Discharge Elimination System (NPDES) Storm Water Management Program.**

Estimated planner hours to implement: 90
Estimated cost to implement: \$4,844

Description: Upon legal review by State Attorney's Office, proceed with public hearing and approval process for the revisions completed in 2013.

Estimated hours to administer once implemented: Annual update is a permanent item in the work plan, approximately 30 hours per year.
Estimated cost to administer: Included in annual work plan
Resources needed to administer: None.

Significance: Currently, the NPDES revisions are under legal review. The public input and approval process are requirements of completing the work item that began in 2013.

9. Priority Item 6.1.1c: Amend the Champaign County Zoning Ordinance to reflect the requirements of the Champaign County Health Ordinance, and vice versa as they pertain to Policy 6.1.1: *The County will establish minimum lot location and dimension requirements for all new rural residential development that provide ample and appropriate areas for onsite wastewater and septic systems.*

Estimated planner hours to implement: 200

Estimated cost to implement: \$10,764

Description: Research and create minimum lot location and dimension requirements and facilitate approval process. Then amend the Zoning and Health Ordinances to reflect those requirements.

Estimated hours to administer once implemented: Case by case basis

Estimated cost to administer: Case by case basis

Resources needed to administer: Zoning staff time to review cases.

Significance: The Zoning Department is concerned that for very small lots with very old or nonconforming septic systems the Zoning Ordinance does not adequately limit the amount of lot area that can be occupied by buildings and paving and that exacerbates the difficulties of replacing or establishing a proper septic system in the future. The Zoning Ordinance also does not require a septic permit prior to the Zoning Use Permit nor does it prohibit construction in that part of a lot that has been approved for a septic system. All of these problems will become much more difficult for a homeowner if and when the anticipated amendments are made to the Private Sewage Disposal Licensing Act and Code.

10. Priority Item 5.1.1c: Amend Champaign County Zoning Ordinance to include provisions of Policy 5.1.1: *The County will encourage new urban development to occur within the boundaries of incorporated municipalities.*

Estimated planner hours to implement: 20

Estimated cost to implement: \$1,076

Description: Identify potential incentives and information that might encourage such development; provide report to Zoning. Ordinance writing would depend on findings and would occur another year.

Estimated hours to administer once implemented: None

Estimated cost to administer: None

Resources needed to administer: None

Significance: The adopted LRMP prioritizes limiting urban impacts on our soil and agricultural resources. This work item will allow the Zoning Department to encourage urban rather than rural development in its zoning cases.

11. Priority Item 5.2.1b: Amend relevant Champaign County ordinances to include provisions of Policy 5.2.1: *The County will encourage the reuse and redevelopment of older and vacant properties within urban land when feasible.*

Estimated planner hours to implement: 20
Estimated cost to implement: \$1,076

Description: Identify potential incentives and information that might encourage such development; provide report to Zoning. Ordinance writing would depend on findings and would occur another year.

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

Significance: The adopted LRMP prioritizes limiting urban impacts on our soil and agricultural resources. This work item will provide the background research necessary for the Zoning Department to decide how to amend the zoning ordinance regarding development on brownfield and greenfield sites.

12. Priority Item 5.3.1c: Amend relevant Champaign County ordinances to include provisions of Policy 5.3.1: *The County will: a. require that proposed new urban development in unincorporated areas is sufficiently served by available public services and without undue public expense; and b. encourage, when possible, other jurisdictions to require that proposed new urban development is sufficiently served by available public services and without undue public expense.*

Priority Item 5.3.2c: Amend relevant Champaign County ordinances to include provisions of Policy 5.3.2: *The County will: a. require that proposed new urban development, with proposed improvements, will be adequately served by public infrastructure, and that related needed improvements to public infrastructure are made without undue public expense; and b. encourage, when possible, other jurisdictions to require that proposed new urban development, with proposed improvements, will be adequately served by public infrastructure, and that related needed improvements to public infrastructure are made without undue public expense.*

Estimated planner hours to implement: 120
Estimated cost to implement: \$6,458

Description: Research “undue public expense” and case studies. Draft ordinance and submit for approval. This task includes drafting and revision hours, but does not include any approval meetings with the County Board, Committees, or ZBA.

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

Significance: Larger developments and developments which could substantially impact local budgets because they need infrastructure should be considered in light of potential public costs for that infrastructure. This research will help determine who assumes the financial burden for such infrastructure and services.

13. Priority Item 4.3.4c: Amend Champaign County Zoning Ordinance to include provisions of Policy 4.3.4: *The County may authorize a discretionary review development provided that existing public infrastructure, together with proposed improvements, is adequate to support the proposed development effectively and safely without undue public expense.*

Estimated planner hours to implement: 80

Estimated cost to implement: \$4,306

Description: Draft an ordinance which requires a Traffic Impact Analysis to be completed for discretionary review developments.

Estimated hours to administer once implemented: Case-by-case basis

Estimated cost to administer: None

Resources needed to administer: None

Significance: There have been concerns that requests for Traffic Impact Analyses by the Zoning Department need to be consistently applied for zoning cases. This amendment would outline when they would be required and who would be responsible for their costs.

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

Estimated planner hours to implement: 120

Estimated cost to implement: \$6,458

Description: Draft ordinance language and submit for approval. This task includes drafting and revision hours, but does not include any approval meetings with the County Board, Committees, or ZBA.

Estimated hours to administer once implemented: None

Estimated cost to administer: None

Resources needed to administer: None

Significance: In light of nearby mineral extraction developments, such an amendment would help protect our County's natural resources more than our existing ordinance does.

15. Priority Item 8.4.2b: Amend relevant Champaign County ordinances to include provisions of Policy 8.4.2: *The County will require stormwater management designs and practices that provide effective site drainage, protect downstream drainage patterns, minimize impacts on adjacent properties and provide for stream flows that support healthy aquatic ecosystems.*

Estimated planner hours to implement: 200

Estimated cost to implement: \$10,764

Description: Research management designs and practices, gather public input especially from drainage districts, and draft ordinance language and submit for approval.

Estimated hours to administer once implemented: None

Estimated cost to administer: None

Resources needed to administer: None

Significance: This ordinance amendment seeks to better protect our surface water quality compared to existing ordinance language.

Champaign County
Department of

**PLANNING &
ZONING**

Brookens Administrative
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1776 E. Washington Street
Urbana, Illinois 61802

(217) 384-3708
zoningdept@co.champaign.il.us
www.co.champaign.il.us/zoning

To: **Environment and Land Use Committee**

From: **John Hall**, Director & Zoning Administrator
Andy Kass, Associate Planner

Date: **July 30, 2013**

RE: **Zoning Ordinance Variance Case 760-V-13**

Request: **Authorize a County Board Variance from Subsection 13.2.1A.4. that requires construction or use to comply with the SUBDIVISION regulations of a municipality when the requirement for annexation to that municipality is pursuant to or is a requirement for plat approval by that municipality, for a proposed expansion of a water treatment plant and related facilities that are owned and operated by a predominately rural water district in the AG-2 District.**

Petitioner: **Sangamon Valley Public Water District**

STATUS

On a vote of 4 to 0 (with one absence, one unfilled appointment, and a new member who abstained from this public hearing) the Zoning Board of Appeals (ZBA) voted to “RECOMMEND APPROVAL” of this variance at their July 25, 2013, meeting.

This is related to the recent Zoning Case involving the construction of a new water treatment plant for the Sangamon Valley Public Water District near Mahomet. This variance is for another location north of Mahomet on Ill. Route 47 where a new water storage tank is needed.

This variance will allow the Sangamon Valley Public Water District to receive a Zoning Use Permit for construction of a new water storage tank without seeking subdivision approval and annexation from the Village of Mahomet. The Village is free to pursue enforcement of its subdivision regulations.

There are no special conditions.

This is the last approval that the District needs for the needed expansion.

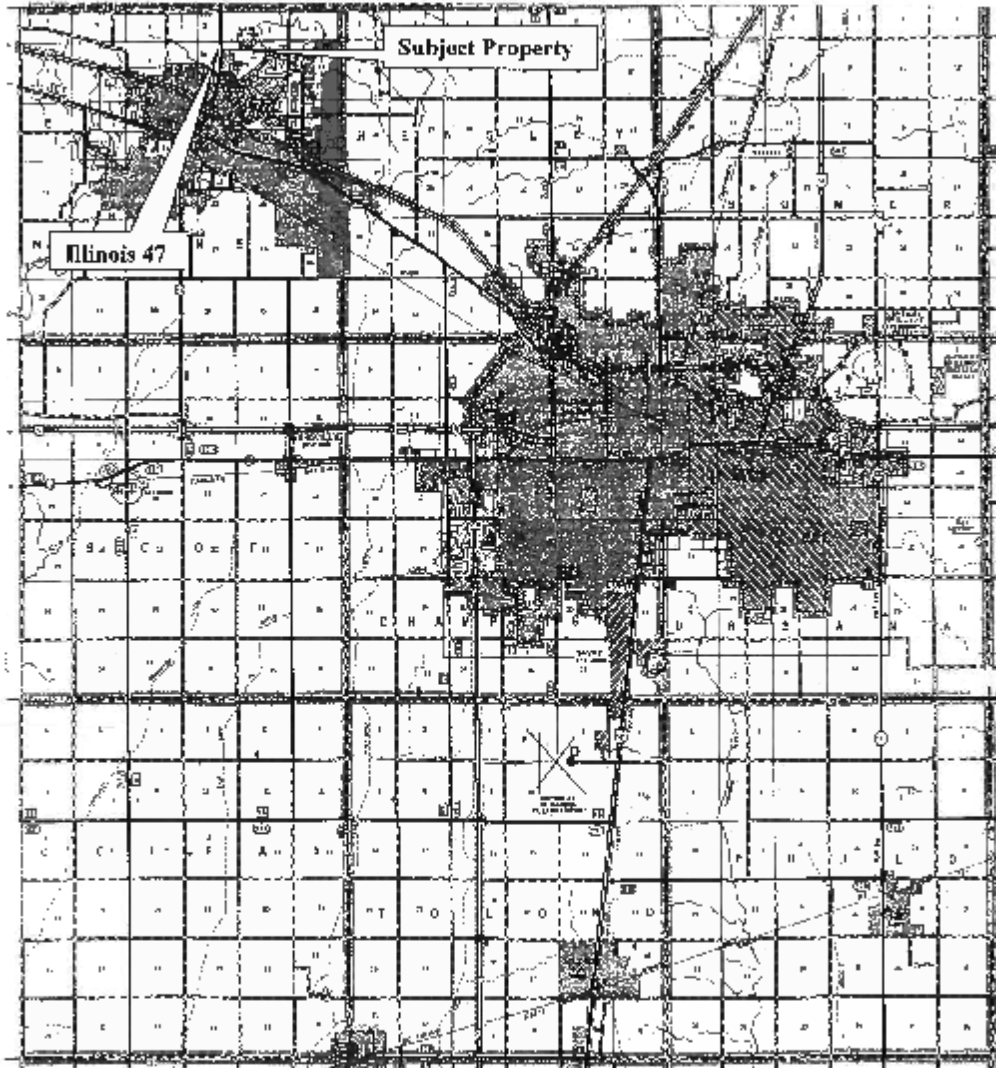
ATTACHMENTS

- A Case Maps (Location, Land Use, Zoning)
- B Site Plan
- C Finding of Fact

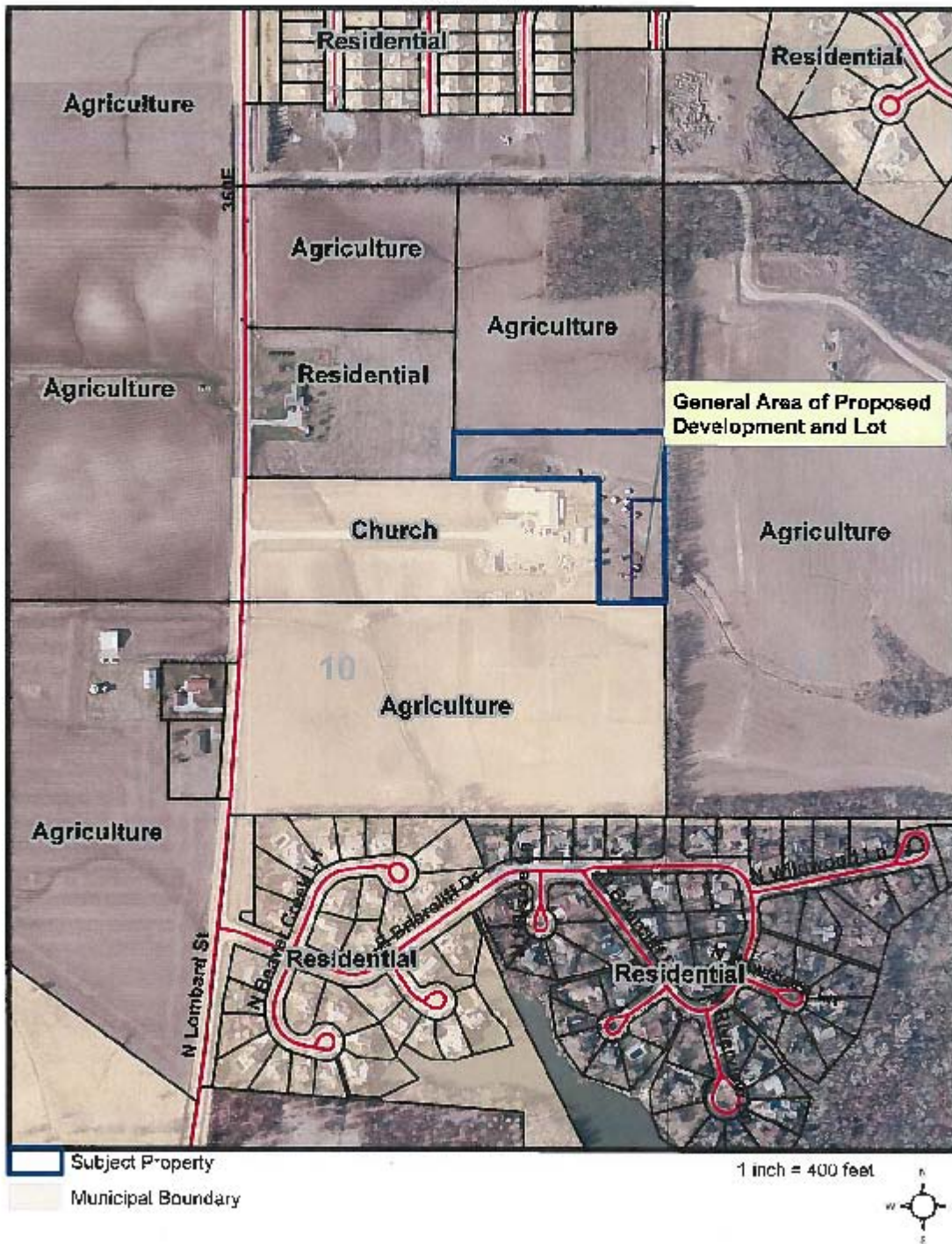
ATTACHMENT A. LOCATION MAP

Case 760-V-13

July 19, 2013

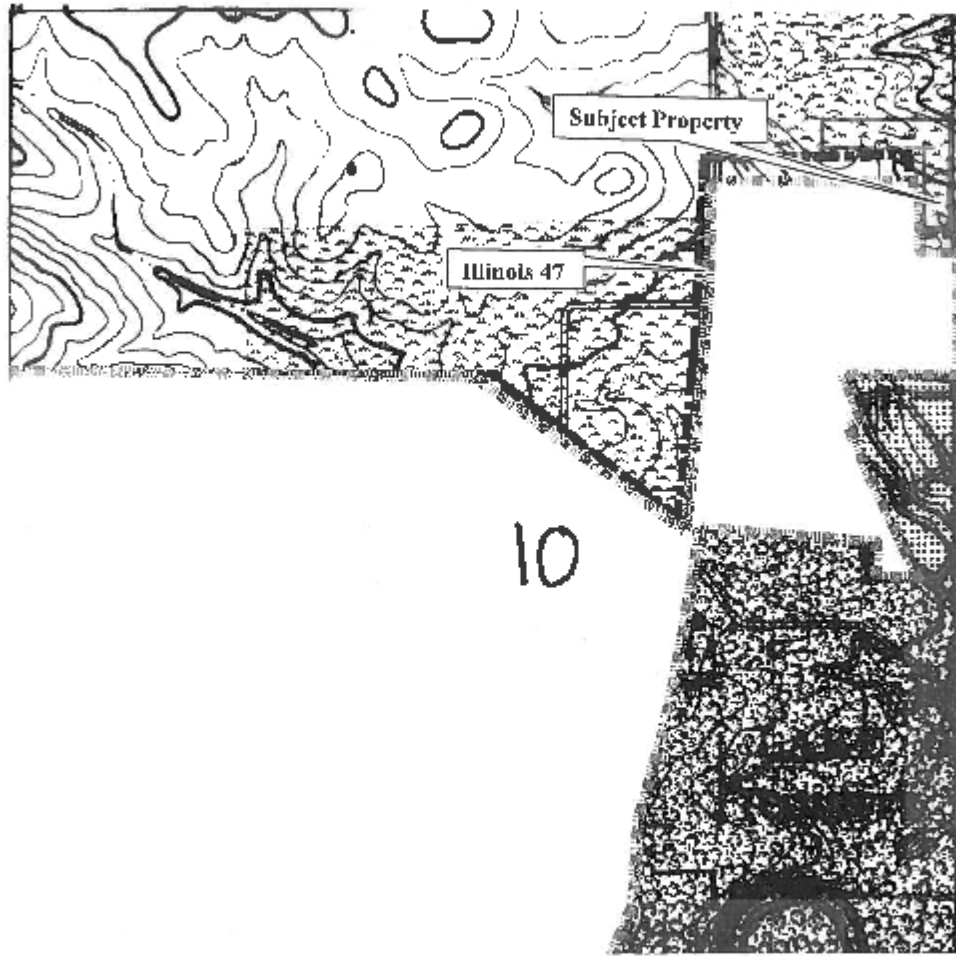


Attachment A: Land Use Map
Case 760-V13
July 19, 2013



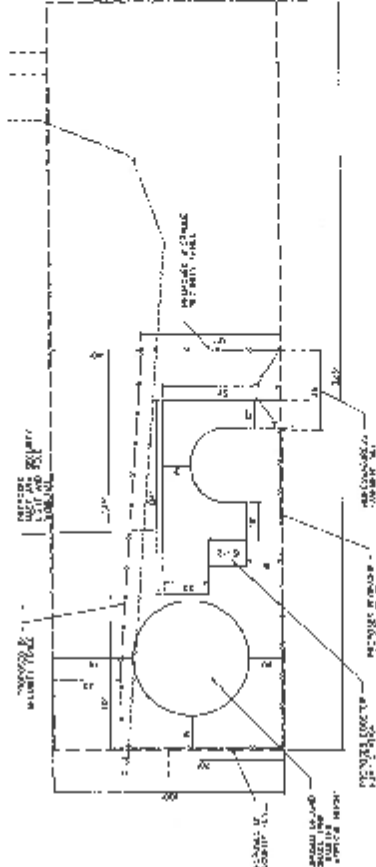
Attachment A. Case Maps (Location, Land Use, Zoning)
APRIL 30, 2013

ATTACHMENT A. ZONING MAP
 Case 760-V-13
 July 19, 2013



AG-1 Agriculture	R-1 Single Family Residence	R-4 Multiple Family Res.	B-2 Neighborhood Business	B-3 Central Business	NORTH
AG-2 Agriculture	R-2 Single Family Residence	R-5 Public Use Park	B-1 Highway Business	I-1 Light Industry	
CA Conservation-Recreation	R-3 Two-Family Residence	R-8 Rural Trade Center	B-4 General Business	I-2 Heavy Industry	

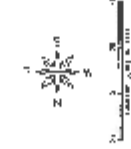
SANGAMON VALLEY PUBLIC WATER DISTRICT
 PROPOSED 250,000 GALLON GROUND STORAGE TANK REZONING
 PRELIMINARY SITE PLAN



LEGEND

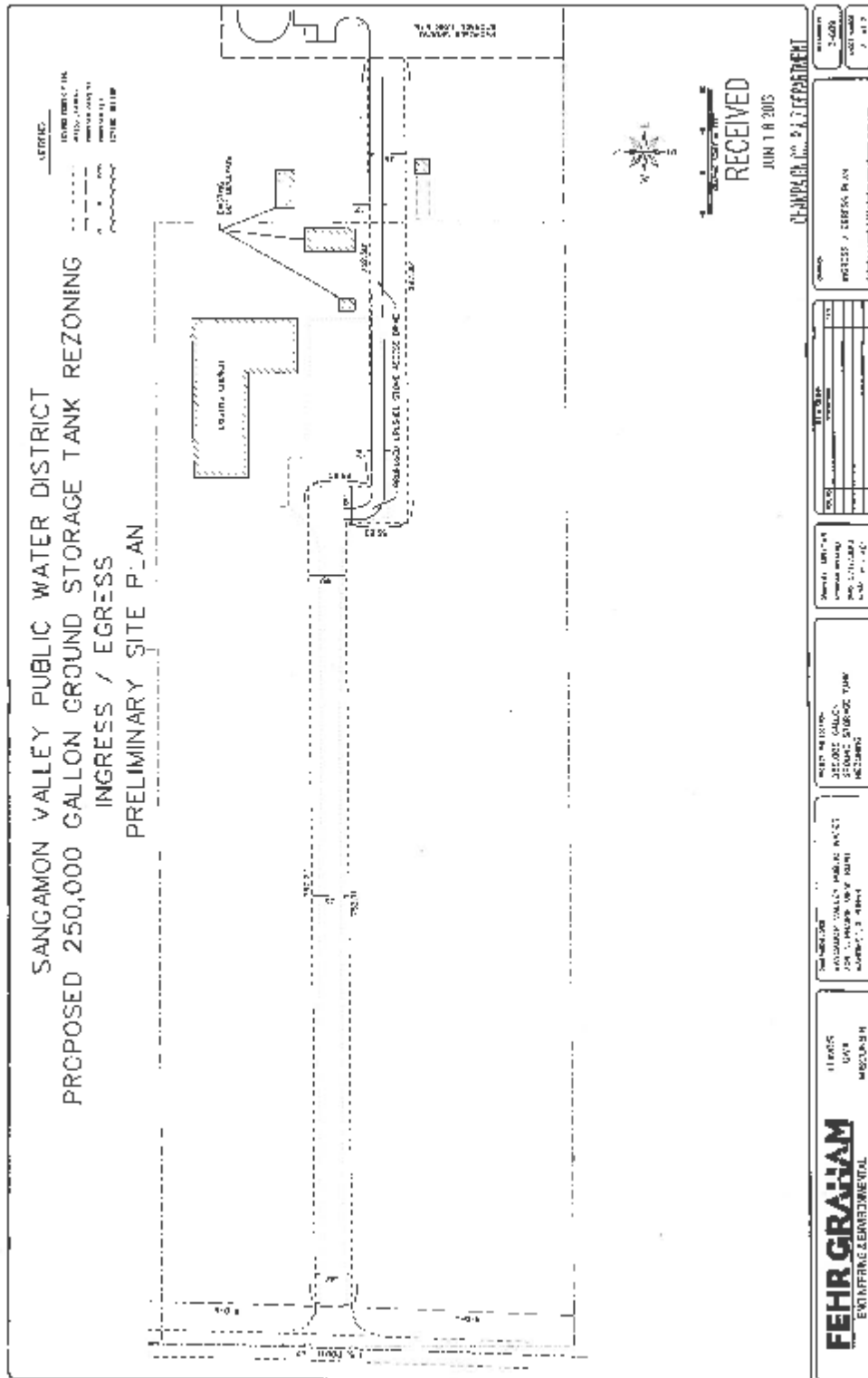
- EXIST. PROPERTY LINE
- EXIST. EASEMENT
- EXIST. EGRESS
- EXIST. UTILITY
- EXIST. FENCE

- NOTES**
1. ALL DIMENSIONS ARE IN FEET AND INCHES.
 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
 4. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
 5. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
 6. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
 7. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
 8. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
 9. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
 10. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.



RECEIVED
 JUN 18 2013
 CHRYSTAL CITY, INDIANA DEPARTMENT

FEHR GRAHAM		PROJECT NO. 13-001	DATE: 4/30/13
ENGINEERS & LANDSCAPE ARCHITECTS		PROJECT: 250,000 GALLON GROUND STORAGE TANK REZONING	SCALE: AS SHOWN
14111 N. 10TH AVE., SUITE 100 MUSKOGEE, ALABAMA 36555		PROJECT: 250,000 GALLON GROUND STORAGE TANK REZONING	SCALE: AS SHOWN
TEL: 205.336.1111 FAX: 205.336.1112 WWW.FEHRGRAHAM.COM		PROJECT: 250,000 GALLON GROUND STORAGE TANK REZONING	SCALE: AS SHOWN



FINDINGS OF FACT

From the documents of record and the testimony and exhibits received at the public hearing for zoning case **760-V-13** held on **July 25, 2013**, the Zoning Board of Appeals of Champaign County finds that:

1. Special conditions and circumstances **DO** exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because:
 - They have an available parcel that is small and is screened that is in a convenient location.
 - It will be located in an area that lacks water pressure and flow.
 - It is in close proximity to the existing water system.
2. Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied **WILL** prevent reasonable or otherwise permitted use of the land or structure or construction because:
 - Finding another location will create additional expense.
 - The tank is located on the existing system so there is no need for additional water lines.
 - Finding a new location will cause delay, and the improvements are necessary now.
3. The special conditions, circumstances, hardships, or practical difficulties **DO NOT** result from actions of the applicant because:
 - This is necessary because of an increase in demand.
 - There is potential for increased demand in the future.
 - The surrounding development was already in place and was instrumental in the increased demand.
4. The requested variance **IS** in harmony with the general purpose and intent of the Ordinance because:
 - The location is well suited for the proposed use and well located in terms of providing public services.

Attachment C. Findings of Fact Case 760-V-13

July 30, 2013

5. The requested variance **WILL NOT** be injurious to the neighborhood or otherwise detrimental to the public health, safety, or welfare because:
 - The proposed tank site will have a locking gate, security fence around the perimeter, and locking tank access and building access.
 - The proposed use will improve public health, safety, and welfare.
 - No comments were received from the fire protection district if the relevant highway authority.
6. The requested variance **IS** the minimum variation that will make possible the reasonable use of the land/structure.
7. **NO SPECIAL CONDITIONS ARE HEREBY IMPOSED.**

Champaign County
Department of

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www.co.champaign.il.us/zoning

To: **Environment and Land Use Committee**

From: **John Hall**, Director & Zoning Administrator
Andrew Levy, RPC Planner

Date: **July 29, 2013**

RE: **Recommendation to County Board for Approval to deliver required documents to the Illinois Environmental Protection Agency (IEPA) regarding Champaign County's National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Storm Water Permit**

BACKGROUND

Champaign County was identified as a small Municipal Separate Storm Sewer System (MS4) in March 2003 as part of the expanded Phase II of the National Pollutant Discharge Elimination System (NPDES) Storm Water Program. A brief overview of the NPDES MS4 program is included in the Introduction on page 1 of Attachment B.

Mandated by Congress under the Clean Water Act, the NPDES Storm Water Program is a comprehensive two-phased national program for addressing the non-agricultural sources of storm water discharges which adversely affect the quality of our nation's waters. The Clean Water Act prohibits anybody from discharging pollutants through a point source into a water of the United States unless they have an NPDES permit. A point source is any discernible, confined and discrete conveyance, such as a pipe, ditch, channel, or container.

Champaign County is not a municipality but the regulatory definition of MS4 also includes any County owned road with a drainage system. County Highway roadside ditches are the only point sources in the urbanized area that are maintained by Champaign County and are the primary reason why Champaign County was identified as a small MS4.

Phase II required small MS4s in urbanized areas to obtain NPDES permits and implement six minimum control measures by using selected best management practices (BMPs).

Local governments who are MS4s maintain compliance with the NPDES as follows:

1. Submitting to the Illinois Environmental Protection Agency (IEPA) a "Notice of Intent" (NOI) that outlines how that government will implement six minimum required control measures by using selected Best Management Practices (BMPs) to reduce pollution. Once approved the NOI permits the County to discharge storm water into the Waters of the United States for a period of 5 years. A new NOI must be resubmitted prior to the expiration of any current NOI.
2. Submitting to the IEPA an annual update in June of each year reporting on achievements in the previous year (April 1 to March 31) in regards to the BMPs.

The first NOI covered the period from March 2003 to March 2008 and the County submitted a NOI that had been prepared by a consultant. The Director of the Planning and Zoning Department has always been the contact person for Champaign County but the BMPs also require participation of the Highway and Facilities Departments and the Health Department.

Zoning Administrator
July 29, 2013

The second NOI covers the period from March 2008 to March 2014 and was recently approved by the County Board and submitted in response to a Notice of Violation of the NPDES MS4 requirements cited by the Illinois Environmental Protection Agency on February 6, 2013.

Champaign County is required to reapply for a third NOI covering the period from March 2014 to March 2019. The application is due 180 days prior to the expiration of the current permit (ILR40 Attachment H Section 4.2) which is October 2, 2013.

ACTIONS REQUIRED FOR COMPLIANCE

An updated NOI serves as the application and is included as Attachment A. Provided that the County Board approves the NOI during or prior to their meeting on September 19, 2013, the appropriate documents can be submitted to the IEPA in compliance with the terms of the permit.

The updated NOI is similar to the current NOI although several Best Management Practices (BMPs) have been changed to reflect current work progress and proposed timelines.

If no application is submitted, there is a risk of receiving another Notice of Violation from the Illinois Environmental Protection Agency for any regulated activity occurring after the permit lapses.

ATTACHMENTS

- A Notice of Intent**

**Attachment A. Notice of Intent
FOR MUNICIPAL SEPARATE STORM SEWER SYSTEM**

Champaign County Permit No. ILR40 00256

July 29, 2013

Page 1 of 24



Illinois Environmental Protection Agency

Bureau of Water • 1021 North Grand Avenue East • P.O. Box 19276 • Springfield • Illinois • 62794-9276

**Notice of Intent for New or Renewal of General
Permit for Discharges from Small Municipal Separate
Storm Sewer Systems - MS4's**

For this form to function properly, Adobe Reader 8.0 is required

Part I. General Information

- MS 4 Operator Name: County of Champaign, Illinois
- MS4 Mailing Address: 1776 East Washington Street
City: Urbana State: IL
- Operator Type: County Other:
- Operator Status: County Other:
- Name(s) of governmental entity(ies) in which MS4 is located:

Champaign County

Add Another Entity

Delete Last Entity

- Area of land that drains to your MS4 in square miles: 10.4
- Latitude and Longitude at approximate geographical center of MS4 for which you are requesting authorization to discharge:

Latitude: 40 Degrees 05 Minutes 45 Seconds Longitude: 88 Degrees 14 Minutes 15 Seconds

- Name(s) of known receiving waters
Upper Kaskaskia Basin - Kaskaskia River
Vermillion Basin - Saline Branch
Upper Kaskaskia Basin - Two Mile Slough
Vermillion Basin - Unnamed tributary to Salt Fork
Upper Kaskaskia Basin - Copper Slough, Phinneas
Embarras Basin - Embarras River
Vermillion Basin - Vermillion River, Salt Fork

Add Another Entry

Delete Last Entry

Attachment A. Notice of Intent
FOR MUNICIPAL SEPARATE STORM SEWER SYSTEM

Champaign County Permit No. ILR40 00256

July 29, 2013

Page 2 of 24

9. Persons responsible for implementation or coordination of Stormwater Management Program:

Name: John Hall Title: Director of Planning and Zoning Phone: 217-384-3708

Area of Responsibility: Primary point of contact

Name: Jeff Blue Title: County Engineer Phone: 217-384-3800

Area of Responsibility:

Name: Alan Reinhart Title: Facilities Director Phone: 217-384-3765

Area of Responsibility:

Name: Title: Phone:

Area of Responsibility:

Add Another Name

Delete Last Entry

Part II. Best Management Practices (include shared responsibilities) which have been implemented or are proposed to be implemented in the MS4 area:

A. Public Education and Outreach

Qualifying Local Programs:

Measurable Goals (include shared responsibilities)

A.1 Distributed Paper Material

Brief Description of BMP:

A.1.1 - Flyers and information sheets at permit counter.

Measurable Goals, including frequencies:

Develop and distribute one new educational material handout.

Milestones:

Go to Additional Pages

Year 1:

Distribute handout

Year 2:

Distribute handout

Year 3:

Distribute handout

Year 4:

Distribute handout

Year 5:

Distribute handout

A-2

Attachment A. Notice of Intent
FOR MUNICIPAL SEPARATE STORM SEWER SYSTEM

Champaign County Permit No. ILR40 00256

July 29, 2013

A.2 Speaking Engagement

Page 3 of 24

Brief Description of BMP:

A.2.1 - Inform business groups about MS4, NPDES, and BMP's.

Measurable Goals, including frequencies:

Conduct one presentation per year, upon request.

Milestones:

Year 1:

Conduct one presentation upon request.

Year 2:

Conduct one presentation upon request.

Year 3:

Conduct one presentation upon request.

Year 4:

Conduct one presentation upon request.

Year 5:

Conduct one presentation upon request.

Go to Additional
Pages

A.3 Public Service Announcement

A.4 Community Event

A.5 Classroom Education Material

A.6 Other Public Education

(You may need to go to the next page to fill in this information)

Attachment A. Notice of Intent
FOR MUNICIPAL SEPARATE STORM SEWER SYSTEM

Champaign County Permit No. ILR40 00256

July 29, 2013

Brief Description of BMP:

Page 4 of 24

A.6.1 - Educational and informational material on web page.

Measurable Goals, including frequencies:

Develop web page with annual updates on informational and educational materials.

Milestones:

Year 1:

Develop web page.

Year 2:

Develop web page.

Year 3:

Develop web page.

Year 4:

Develop web page.

Year 5:

Develop web page.

Go to Additional
Pages

B. Public Participation/Involvement

Measurable Goals (include shared responsibilities)

Qualifying Local Programs:

- B.1 Public Panel
- B.2 Educational Volunteer
- B.3 Stakeholder Meeting
- B.4 Public Hearing

(You may need to go to the next page to fill in this information)

**Attachment A. Notice of Intent
FOR MUNICIPAL SEPARATE STORM SEWER SYSTEM**

Champaign County Permit No. ILR40 00256

July 29, 2013

Brief Description of BMP:

Page 5 of 24

B.4.1 - Comply with applicable State and local public notice requirements.

Measurable Goals, including frequencies:

Annual number of meetings with MS4 related topics. Maintain electronic records of notices, agendas, and public participation.

Milestones:

Year 1:

Provide notice of pending stormwater regulatory changes and provide opportunity for public comment.

Year 2:

Provide notice of pending stormwater regulatory changes and provide opportunity for public comment.

Year 3:

Provide notice of pending stormwater regulatory changes and provide opportunity for public comment.

Year 4:

Provide notice of pending stormwater regulatory changes and provide opportunity for public comment.

Year 5:

Provide notice of pending stormwater regulatory changes and provide opportunity for public comment.

Go to Additional Pages

B.5 Volunteer Monitoring

B.6. Program Involvement

(You may need to go to the next page to fill in this information)

Brief Description of BMP:

B.6.1 - Intergovernmental Storm Water Management group meetings (coordination meetings for all Champaign County MS4 jurisdictions)

Measurable Goals, including frequencies:

Hold at least four MS4 coordination meetings each year.

Milestones:

Year 1:

Attend meetings.

Year 2:

Attend meetings.

Year 3:

Attend meetings.

Year 4:

Attend meetings.

Year 5:

Attend meetings.

Go to Additional Pages

A-5

Attachment A. Notice of Intent
FOR MUNICIPAL SEPARATE STORM SEWER SYSTEM

Champaign County Permit No. ILR40 00256

July 29, 2013

B.7 Other Public Involvement (You may need to go to the next page to fill in this information) Page 6 of 24

Brief Description of BMP:

B.7.1 - Fund aspects of NPDES MS4 implementation in the County's Land Resource Management Plan implementation budget including public involvement when appropriate.

Measurable Goals, including frequencies:

Include NPDES MS4 requirements in the County's Land Resource Management Plan and include in annual long range work plan as required.

Milestones:

Year 1:

Include MS4 in work plan for FY15

Year 2:

Include MS4 in work plan for FY16

Year 3:

Include MS4 in work plan for FY17

Year 4:

Include MS4 in work plan for FY18

Year 5:

Include MS4 in work plan for FY19

Go to Additional
Pages

**Attachment A. Notice of Intent
FOR MUNICIPAL SEPARATE STORM SEWER SYSTEM**

Champaign County Permit No. ILR40 00256

July 29, 2013

Page 7 of 24

C. Illicit Discharge Detection and Elimination

Qualifying Local Programs:

Measurable Goals (include shared responsibilities)

C.1 Sewer Map Preparation (You may need to go to the next page to fill in this information)

Brief Description of BMP:

C.1.1 - Map drainage system out falls into streams and rivers.

Measurable Goals, including frequencies:

Update as information is available and complete a system wide update every 3 years.

Milestones:

Year 1:

Develop drainage system map.

Year 2:

Maintain drainage system map.

Year 3:

Maintain drainage system map.

Year 4:

Maintain drainage system map.

Year 5:

Maintain drainage system map.

Go to Additional Pages

C.2 Regulatory Control Program (You may need to go to the next page to fill in this information)

Attachment A. Notice of Intent
FOR MUNICIPAL SEPARATE STORM SEWER SYSTEM

Champaign County Permit No. ILR40 00256

July 29, 2013

Brief Description of BMP:

Page 8 of 24

C.2.1 - Prohibit illegal dumping and illicit discharges into drainage systems through nuisance ordinance.

Measurable Goals, including frequencies:

Review existing Nuisance Ordinance and revise Ordinance to include illegal dumping and illicit discharges into drainage systems. Adopt a new Ordinance or amend existing Ordinance.

Milestones:

Year 1:

Review existing Ordinance and draft new language for future adoption after public hearing at Zoning Board of Appeals.

Year 2:

Amend ordinance with new language.

Year 3:

Enforce nuisance ordinance.

Year 4:

Enforce nuisance ordinance.

Year 5:

Enforce nuisance ordinance.

Go to Additional Pages

- C.3 Detection/Elimination Prioritization Plan (You may need to go to the next page to fill in this information)

Brief Description of BMP:

C.3.1 - Establish citizen complaint phone line for illegal dumping and illicit discharges into drainage system.

Measurable Goals, including frequencies:

Develop and maintain phone line.

Milestones:

Year 1:

Maintain complaint phone line and record of complaints.

Year 2:

Maintain complaint phone line and record of complaints.

Year 3:

Maintain complaint phone line and record of complaints.

Year 4:

Maintain complaint phone line and record of complaints.

Year 5:

Maintain complaint phone line and record of complaints.

Go to Additional Pages

- C.4 Illicit Discharge Tracing Procedures
- C.5 Illicit Source Removal Procedures
- C.6 Program Evaluation and Assessment (You may need to go to the next page to fill in this information)

A-8

Attachment A. Notice of Intent
FOR MUNICIPAL SEPARATE STORM SEWER SYSTEM

Champaign County Permit No. ILR40 00256

July 29, 2013

Brief Description of BMP:

Page 9 of 24

C.6.1 – Annual report to the Environment and Land Use Committee of the Champaign County Board.

Measurable Goals, including frequencies:

Present Annual Report and place on file.

Milestones:

Year 1:

Annual Report completed.

Year 2:

Annual Report completed.

Year 3:

Annual Report completed.

Year 4:

Annual Report completed.

Year 5:

Annual Report completed.

Go to Additional
Pages

- C.7 Visual Dry Weather Screening
- C.8 Pollutant Field Testing
- C.9 Public Notification
- C.10 Other Illicit Discharge Controls

D. Construction Site Runoff Control

Measurable Goals (include shared responsibilities)

Qualifying Local Programs:

D.1 Regulatory Control Program

(You may need to go to the next page to fill in this information)

Attachment A. Notice of Intent
FOR MUNICIPAL SEPARATE STORM SEWER SYSTEM

Champaign County Permit No. ILR40 00256

July 29, 2013

Brief Description of BMP:

Page 10 of 24

D.1.1 - Soil Erosion and Sediment Control regulations.

Measurable Goals, including frequencies:

Review existing erosion and sediment control regulations. Prepare draft regulations for County Board adoption. Approve revised regulations.

Milestones:

Year 1:

Present draft erosion and sediment control regulations for approval by the County Board after public hearing at Zoning Board of Appeals.

Year 2:

Enforce Soil Erosion and Sediment Control ordinance.

Year 3:

Enforce Soil Erosion and Sediment Control ordinance.

Year 4:

Enforce Soil Erosion and Sediment Control ordinance.

Year 5:

Enforce Soil Erosion and Sediment Control ordinance.

Go to Additional
Pages

D.2 Erosion and Sediment Control BMPs (You may need to go to the next page to fill in this information)

**Attachment A. Notice of Intent
FOR MUNICIPAL SEPARATE STORM SEWER SYSTEM**

Champaign County Permit No. ILR40 00256

July 29, 2013

Brief Description of BMP:

Page 11 of 24

D.2.1 - Erosion and Sediment Control BMP's.

Measurable Goals, including frequencies:

Review and evaluate existing BMP's to determine which should be included in the erosion and sediment control ordinance.
Review existing regulations and develop new regulations for the ordinance.

Milestones:

Year 1:

Include BMP's in new draft erosion and sediment control regulations for approval by the County Board after public hearing at Zoning Board of Appeals.

Year 2:

Review plans and development for appropriate use of BMP's as required by adopted ordinance and or policy.

Year 3:

Review plans and development for appropriate use of BMP's as required by adopted ordinance and or policy.

Year 4:

Review plans and development for appropriate use of BMP's as required by adopted ordinance and or policy.

Year 5:

Review plans and development for appropriate use of BMP's as required by adopted ordinance and or policy.

Go to Additional Pages

D.3 Other Waste Control Program (You may need to go to the next page to fill in this information)

Brief Description of BMP:

D.3.1 - Prohibit illegal dumping and illicit discharges into storm drainage system from construction activities.

Measurable Goals, including frequencies:

Review existing Nuisance Ordinance and revise Ordinance language to include illegal dumping and illicit discharges into drainage systems from construction activities. Implement either a new Ordinance or amend existing Ordinance.

Milestones:

Year 1:

Review existing Nuisance Ordinance, draft new Nuisance Ordinance language.

Year 2:

Review existing Nuisance Ordinance, draft new Nuisance Ordinance language.

Year 3:

Amend or adopt Nuisance Ordinance with updates.

Year 4:

Enforce Nuisance Ordinance.

Year 5:

Enforce Nuisance Ordinance.

Go to Additional Pages

D.4 Site Plan Review Procedures (You may need to go to the next page to fill in this information)

A-11

**Attachment A. Notice of Intent
FOR MUNICIPAL SEPARATE STORM SEWER SYSTEM**

Champaign County Permit No. ILR40 00256

July 29, 2013

Page 12 of 24

Brief Description of BMP:

D.4.1 - Develop procedures and processes to evaluate proposed construction site runoff mechanisms.

Measurable Goals, including frequencies:

Develop procedures and processes to evaluate proposed construction site runoff mechanisms.

Milestones:

Year 1:

Develop and implement review procedures.

Year 2:

Implement and refine review procedures.

Year 3:

Implement and refine review procedures.

Year 4:

Implement and refine review procedures.

Year 5:

Implement and refine review procedures.

Go to Additional Pages

D.5 Public Information Handling Procedures

D.6 Site Inspection/Enforcement Procedures (You may need to go to the next page to fill in this information)

Brief Description of BMP:

D.6.1 - Develop procedures and processes to inspect construction sites for compliance with construction site runoff control mechanisms.

Measurable Goals, including frequencies:

Develop procedures and processes to inspect construction sites for compliance with construction site runoff control mechanisms.

Milestones:

Year 1:

Develop and implement inspection procedures.

Year 2:

Implement and refine review procedures.

Year 3:

Implement and refine review procedures.

Year 4:

Implement and refine review procedures.

Year 5:

Implement and refine review procedures.

Go to Additional Pages

D.7 Other Construction Site Runoff Controls

A-12

Attachment A. Notice of Intent
FOR MUNICIPAL SEPARATE STORM SEWER SYSTEM

Champaign County Permit No. ILR40 00256

July 29, 2013

E. Post-Construction Runoff Control

Page 13 of 24

Qualifying Local Programs:

Measurable Goals (include shared responsibilities)

- E.1 Community Control Strategy
- E.2 Regulatory Control Program

Brief Description of BMP:

E.2.1 - Require annual inspections of publicly-owned storm water management facilities (post-construction).

Measurable Goals, including frequencies:

Establish and implement procedures for annual inspections of publicly-owned storm water management facilities to ensure facilities function as designed (post-construction) in the County SWPPP.

Milestones:

Year 1:

None identified.

Year 2:

None identified.

Year 3:

Develop and implement procedures in the County SWPPP.

Year 4:

Develop and implement procedures in the County SWPPP.

Year 5:

Develop and implement procedures in the County SWPPP.

Go to Additional
Pages

- E.3 Long Term O & M Procedures (You may need to go to the next page to fill in this information)

**Attachment A. Notice of Intent
FOR MUNICIPAL SEPARATE STORM SEWER SYSTEM**

Champaign County Permit No. ILR40 00256

July 29, 2013

Brief Description of BMP:

Page 14 of 24

E.3.1 - Develop procedures to ensure that storm water facilities are maintained to function as designed (post-construction).

Measurable Goals, including frequencies:

Procedures identified for storm water facility maintenance (post-construction) in the County SWPPP.

Milestones:

Year 1:

None identified.

Year 2:

None identified.

Year 3:

Develop and implement procedures in the County SWPPP.

Year 4:

Develop and implement procedures in the County SWPPP.

Year 5:

Develop and implement procedures in the County SWPPP.

Go to Additional Pages

E.4 Pre-Construction Review of BMP Designs (You may need to go to the next page to fill in this information)

Brief Description of BMP:

E.4.1 - Training class or workshop for evaluating and inspecting construction site runoff control mechanisms (post-construction).

Measurable Goals, including frequencies:

Zoning Officer (or Director's designee) attendance at training class or workshop for evaluating and inspecting site runoff control mechanisms (post-construction).

Milestones:

Year 1:

Director's designee attends training.

Year 2:

Director's designee attends training.

Year 3:

Director's designee attends training.

Year 4:

Director's designee attends training.

Year 5:

Director's designee attends training.

Go to Additional Pages

E.5 Site Inspections During Construction (You may need to go to the next page to fill in this information)

**Attachment A. Notice of Intent
FOR MUNICIPAL SEPARATE STORM SEWER SYSTEM**

Champaign County Permit No. ILR40 00256

July 29, 2013

Brief Description of BMP:

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E.5.1 - Develop procedures and processes to inspect construction sites for compliance with post-construction runoff control mechanisms.

Measurable Goals, including frequencies:

Develop procedures and processes to inspect construction sites for compliance with approved post-construction site runoff control mechanisms.

Milestones:

Year 1:

Develop and implement procedures.

Year 2:

Develop and implement procedures.

Year 3:

Develop and implement procedures.

Year 4:

Develop and implement procedures.

Year 5:

Develop and implement procedures.

Go to Additional Pages

E.6 Post-Construction Inspections

E.7 Other Post-Construction Runoff Controls

F. Pollution Prevention/Good Housekeeping

Measurable Goals (include shared responsibilities)

Qualifying Local Programs:

[Empty text box for Qualifying Local Programs]

F.1 Employee Training Program

(You may need to go to the next page to fill in this information)

**Attachment A. Notice of Intent
FOR MUNICIPAL SEPARATE STORM SEWER SYSTEM**

Champaign County Permit No. ILR40 00256

July 29, 2013

Brief Description of BMP:

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F.1.1 - Spill prevention protocol.

Measurable Goals, including frequencies:

Conduct annual spill prevention training with appropriate County staff. Track with meeting agenda, materials, and attendee sign-in sheet.

Milestones:

Year 1:

Training session completed.

Year 2:

Training session completed.

Year 3:

Training session completed.

Year 4:

Training session completed.

Year 5:

Training session completed.

Go to Additional Pages

F.2 Inspection and Maintenance Program (You may need to go to the next page to fill in this information)

Brief Description of BMP:

F.2.1 - Prepare a Stormwater Pollution Prevention Plan (SWPPP) for County owned facilities.

Measurable Goals, including frequencies:

Prepare SWPPP for all County owned facilities.

Milestones:

Year 1:

Develop the plan.

Year 2:

Develop the plan.

Year 3:

Develop the plan.

Year 4:

Present the plan for adoption.

Year 5:

Implement the plan.

Go to Additional Pages

F.3 Municipal Operations Storm Water Control (You may need to go to the next page to fill in this information)

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Attachment A. Notice of Intent
FOR MUNICIPAL SEPARATE STORM SEWER SYSTEM

Champaign County Permit No. ILR40 00256

July 29, 2013

Brief Description of BMP:

Page 17 of 24

F.3.1 - Investigate feasibility and effectiveness of integrated, bio-detention and filtering for County campus redesign.

Measurable Goals, including frequencies:

Review and develop a feasibility plan. Update feasibility plan each year, if necessary.

Milestones:

Year 1:

None identified.

Year 2:

None identified.

Year 3:

None identified.

Year 4:

None identified.

Year 5:

Review and develop plan.

Go to Additional
Pages

- F.4 Municipal Operations Waste Disposal
- F.5 Flood Management/Assess Guidelines
- F.6 Other Municipal Operations Controls

Attachment A. Notice of Intent
FOR MUNICIPAL SEPARATE STORM SEWER SYSTEM

Champaign County Permit No. ILR40 00256

July 29, 2013

Page 18 of 24

Part III. Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for knowingly submitting false information, including the possibility of fines and imprisonment.

Any person who knowingly makes a false, fictitious, or fraudulent material statement, orally or in writing, to the Illinois EPA commits a Class 4 felony. A second or subsequent offense after conviction is a Class 3 felony (415 ILCS 5/44 (h)).

Authorized Representative Name

Title

Date

Authorized Representative Signature

You may complete this form online and save a copy locally before printing and signing the form. It should then be sent to:

Illinois Environmental Protection Agency
Bureau of Water
Division of Water Pollution Control
Attn: Permit Section
P.O. Box 19276
1021 North Grand Avenue East
Springfield, IL 62794-9276

Information required by this form must be provided to comply with 415 ILCS 5/39 (2000). Failure to do so may prevent this form from being processed and could result in your application being denied. A-18

Attachment A. Notice of Intent
FOR MUNICIPAL SEPARATE STORM SEWER SYSTEM

Champaign County Permit No. ILR40 00256

July 29, 2013

Additional Info - Page 1

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A. Public Education and Outreach

BMP Number A.2.2

Brief Description of BMP: A.2.2 - Inform developer, contractor, engineering, and architecture groups about MS4, NPDES, and BMP's.

Measurable Goal(s) including frequencies: Conduct one presentation each year.

Milestones: Year 1: Conduct one presentation.

Year 2: Conduct one presentation.

Year 3: Conduct one presentation.

Year 4: Conduct one presentation.

Year 5: Conduct one presentation.

BMP Number A.2.3

Brief Description of BMP: A.2.3 - Inform agriculture community, Farm Bureau, and 4H about MS4, NPDES, and BMP's.

Measurable Goal(s) including frequencies: Conduct one presentation each year.

Milestones: Year 1: Conduct one presentation.

Year 2: Conduct one presentation.

Year 3: Conduct one presentation.

Year 4: Conduct one presentation.

Year 5: Conduct one presentation.

BMP Number A.2.4

Brief Description of BMP: A.2.4 - Inform environmental groups about MS4, NPDES, and BMP's, upon request

Measurable Goal(s) including frequencies: Conduct one presentation each year.

Milestones: Year 1: Conduct one presentation upon request.

Year 2: Conduct one presentation upon request.

Year 3: Conduct one presentation upon request.

Year 4: Conduct one presentation upon request.

Year 5: Conduct one presentation upon request.

Add Another BMP

Delete Last Entry

Return to page 2

Attachment A. Notice of Intent
FOR MUNICIPAL SEPARATE STORM SEWER SYSTEM

Champaign County Permit No. ILR40 00256

July 29, 2013

Additional Info - Page 2

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B. Public Participation/Involvement

BMP Number

Add Another BMP

Delete Last Entry

Return to page 2

Attachment A. Notice of Intent
FOR MUNICIPAL SEPARATE STORM SEWER SYSTEM

Champaign County Permit No. ILR40 00256

July 29, 2013

Additional Info - Page 3

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C. Illicit Discharge Detection and Elimination

BMP Number C.3.2

Brief Description of BMP: C.3.2 - Establish citizen complaint phone line for non-complying and/or non-functioning private sewage treatment systems.

Measurable Goal(s) including frequencies: Develop and maintain phone line.

Milestones: Year 1: Maintain complaint phone line and record of complaints.

Year 2: Maintain complaint phone line and record of complaints.

Year 3: Maintain complaint phone line and record of complaints.

Year 4: Maintain complaint phone line and record of complaints.

Year 5: Maintain complaint phone line and record of complaints.

BMP Number C.3.3

Brief Description of BMP: C.3.3 - Create a database of existing private sewage treatment systems and develop a management plan to bring non-compliant systems into compliance.

Measurable Goal(s) including frequencies: Create database and develop and adopt management plan. Implement management plan.

Milestones: Year 1: Create database and develop management plan.

Year 2: Create database and develop management plan.

Year 3: Create database and develop management plan.

Year 4: Create database and develop management plan.

Year 5: Create database and develop management plan.

Add Another BMP

Delete Last Entry

Return to page 3

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Attachment A. Notice of Intent
FOR MUNICIPAL SEPARATE STORM SEWER SYSTEM

Champaign County Permit No. ILR40 00256

July 29, 2013

Additional Info - Page 4

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D. Construction Site Runoff Control

BMP Number

Add Another BMP

Delete Last Entry

Return to page 3

Attachment A. Notice of Intent
FOR MUNICIPAL SEPARATE STORM SEWER SYSTEM

Champaign County Permit No. ILR40 00256

July 29, 2013

Additional Info - Page 5

Page 23 of 24

E. Post-Construction Runoff

BMP Number

Add Another BMP

Delete Last Entry

Return to page 4

Attachment A. Notice of Intent
FOR MUNICIPAL SEPARATE STORM SEWER SYSTEM

Champaign County Permit No. ILR40 00256

July 29, 2013

Page 24 of 24

Additional Info - Page 6

F. Pollution Prevention/Good

BMP Number F.1.2

Brief Description of BMP: F.1.2 - Spill response protocol.

Measurable Goal(s) including frequencies: Conduct annual spill response training with appropriate County staff. Track with meeting agenda, materials and attendee sign-in sheet.

Milestones: Year 1: Training session completed.
Year 2: Training session completed.
Year 3: Training session completed.
Year 4: Training session completed.
Year 5: Training session completed

BMP Number F.1.3

Brief Description of BMP: F.1.3 - Pesticide storage, application, and disposal training.

Measurable Goal(s) including frequencies: Conduct annual pesticide storage, application, and disposal training with appropriate County staff. Track with meeting agenda, materials and attendee sign-in sheet. Review licensing annually.

Milestones: Year 1: License review and training completed.
Year 2: License review and training completed.
Year 3: License review and training completed.
Year 4: License review and training completed.
Year 5: License review and training completed.

BMP Number F.1.4

Brief Description of BMP: F.1.4 - Hazardous material and storage management training.

Measurable Goal(s) including frequencies: Conduct annual hazardous material and storage management training with appropriate County staff. Track with meeting agenda, materials and attendee sign-in sheet. Review licensing annually.

Milestones: Year 1: License review and training session completed.
Year 2: License review and training session completed.
Year 3: License review and training session completed.
Year 4: License review and training session completed.
Year 5: License review and training session completed.

Add Another BMP

Delete Last Entry

Return to page 4

Champaign County
Department of

**PLANNING &
ZONING**

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

(217) 384-3708
zoningdept@co.champaign.il.us
www.co.champaign.il.us/zoning

To: **Environment and Land Use Committee**

From: **John Hall**, Director & Zoning Administrator
Andy Kass, Associate Planner

Date: **July 30, 2013**

RE: **Adoption of new Model Flood Hazard Ordinance and Updated
Flood Insurance Rate Maps**

Request: **Amend the Champaign County Zoning Ordinance as follows:**

**Part A. Adopt an updated Flood Insurance Study with
an effective date of October 2, 2013.**

**Part B. Adopt updated Digital Flood Insurance Rate
Maps (DFIRM) for Champaign County, Illinois
with an effective date of October 2, 2013. The
new maps can be viewed at:
www.illinoisfloodmaps.org.**

**Part C. Adopt a new Special Flood Hazard Areas
Ordinance based on the minimum requirements
of the National Flood Insurance Program (NFIP)
and the State of Illinois.**

Petitioner: **Zoning Administrator**

STATUS

The Zoning Board of Appeals voted 4 to 0 (with one absence, one unfilled appointment, and a new member who abstained from this continued public hearing) to RECOMMEND ENACTMENT of this amendment at the meeting held on July 25, 2013.

The Committee of the Whole authorized this text amendment at the May 9, 2013, meeting. This text amendment includes not just the Draft Special Flood Hazard Areas Ordinance but also the updated Flood Insurance Study (FIS) and the updated Digital Flood Insurance Rate Maps (DFIRMS).

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 (September 5, 2013, 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.

COUNTY BOARD ADOPTION REQUIRED BEFORE OCTOBER 2, 2013

The County has no discretion in adopting anything less than what is required by FEMA and the State of Illinois.

Zoning Administrator
JULY 30, 2013

The new DFIRMs will be effective on October 2, 2013, and prior to that date the County must adopt not only the new DFIRMs but also the new model flood hazard area ordinance (see Attachment B) and the updated Flood Insurance Study.

The recommended Draft amendment by the ZBA has received some changes from the version reviewed by the Committee in May. Attachment B indicates the changes recommended by the ZBA and also indicates how the Recommended Draft differs from the current Special Flood Hazard Areas Ordinance.

ATTACHMENTS

- A Summary Finding of Fact
- B Recommended Draft Amendment

SUMMARY FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on, **June 27, 2013, July 11, 2013, and July 25, 2013**, the Zoning Board of Appeals of Champaign County finds that:

1. The proposed text amendment will **NOT IMPEDE** the Land Resource Management Plan because of the following:
 - A. The proposed text amendment will **NOT IMPEDE** the following LRMP goal(s):
 - **Goal 1 Planning and Public Involvement**
 - **Goal 2 Governmental Coordination**
 - **Goal 4 Agriculture**
 - **Goal 5 Urban Land Use**
 - **Goal 6 Public Health and Public Safety**
 - **Goal 7 Transportation**
 - **Goal 8 Natural Resources**
 - B. The proposed text amendment is **NOT RELEVANT** the following LRMP goal(s):
 - **Goal 3 Prosperity**
 - **Goal 9 Energy Conservation**
 - **Goal 10 Cultural Amenities**
2. The proposed Zoning Ordinance map amendment will **HELP ACHIEVE the purpose of the Zoning Ordinance** because it is consistent with all of the purposes of the Zoning Ordinance and is directly relate to Purpose 2.0(d).
3. The proposed text improvement **WILL IMPROVE the Zoning Ordinance** as follows:
 - Provide the best information available to determine what properties will be subject to the floodplain regulations.
 - Will update the existing Special Flood Hazard Areas Ordinance to meet state and federal requirements in order to allow Champaign County to continue participation in the National Flood Insurance Program.

RECOMMENDED ANNOTATED DRAFT
Champaign County Special Flood Hazard Areas Ordinance

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RECOMMENDED ANNOTATED DRAFT Champaign County Special Flood Hazard Areas Ordinance

LEGEND TO ANNOTATIONS

- Dashed underlining indicates text not included in the existing Champaign County SFHA Ordinance that has been recommended by the ZBA but that does not add any new substantive requirement;
- ~~Strikeout~~ indicates text included in the Model Ordinance that the ZBA recommends deleting
- Underlining indicates Model Ordinance text not included in the existing Champaign County SFHA Ordinance but that does not add any new substantive requirement;
- **Highlighting and underlining** indicates Model Ordinance text that adds an additional requirement that is not required by the existing Champaign County SFHA Ordinance but is required by the National Flood Insurance Program (NFIP);
- **Highlighting and double underlining** indicates Model Ordinance text that adds an additional requirement that is not required by the existing Champaign County SFHA Ordinance and is not required by the National Flood Insurance Program (NFIP);
- text included in the existing Champaign County SFHA Ordinance but not included here is not indicated.

RECOMMENDED ANNOTATED DRAFT Champaign County Special Flood Hazard Areas Ordinance

Section 1. Purpose

This ordinance is enacted pursuant to the police powers granted to Champaign County by County Statutory Authority in 55 ILCS 5/5-1041 and 5/5-1063 in order to accomplish the following purposes:

- A. To prevent unwise developments from increasing flood or drainage hazards to others; and
- B. To protect new buildings and major improvements to buildings from flood damage; and
- C. To promote and protect the public health, safety, and general welfare of the citizens from the hazards of flooding; and
- D. To lessen the burden on the taxpayer for flood control, repairs to public facilities and utilities, and flood rescue and relief operations; and
- E. To maintain property values and a stable tax base by minimizing the potential for creating blight areas; and
- F. To make federally subsidized flood insurance available; and
- G. To preserve the natural characteristics and functions of watercourses and floodplains in order to moderate flood and storm water impacts, improve water quality, reduce soil erosion, protect aquatic and riparian habitat, provide recreational opportunities, provide aesthetic benefits and enhance community and economic development.

Section 2. Definitions

For the purposes of this ordinance, the following definitions are adopted:

Base Flood: The flood having a one percent (1%) probability of being equaled or exceeded in any given year. The base flood is also known as the 100-year flood. The base flood elevation at any location is as defined in Section 3 of this ordinance.

Base Flood Elevation (BFE): The elevation in relation to mean sea level of the crest of the base flood.

Basement: That portion of a building having its floor sub-grade (below ground level) on all sides.

Building: A walled and roofed structure, including gas or liquid storage tank that is principally above ground including manufactured homes, prefabricated buildings and gas or liquid storage tanks. The term also includes recreational vehicles and travel trailers installed on a site for more than one hundred eighty (180) days per year.

Critical Facility: Any facility which is critical to the health and welfare of the population and, if flooded, would create an added dimension to the disaster. Damage to these critical facilities can impact the delivery of vital services, can cause greater damage to other sectors of the community, or can put special populations at risk.

Examples of critical facilities where flood protection should be required include: emergency services facilities (such as fire and police stations), schools, hospitals retirement homes and senior care facilities, major roads and bridges, critical utility sites (telephone switching stations or electrical transformers, and hazardous material storage facilities (chemicals, petrochemicals, hazardous or toxic substances).

Development: Any man-made change to real estate including, but not necessarily limited to:

- A. demolition, construction, reconstruction, repair, placement of a building, or any structural alteration to a building; or
- B. substantial improvement of an existing building; or
- C. installation of a manufactured home on a site, preparing a site for a manufactured home, or installing a travel trailer on a site for more than one hundred eighty (180) days per year; or
- D. installation of utilities, construction of roads, bridges, culverts or similar projects; or
- E. construction or erection of levees, dams walls or fences; or
- F. drilling, mining, filling, dredging, grading, excavating, paving, or other alterations of the ground surface; or
- G. storage of materials including the placement of gas and liquid storage tanks, and channel modifications or any other activity that might change the direction, height, or velocity of flood or surface waters; or

2 Definitions - Continued

H. any combination of the above.

“Development” does not include routine maintenance of existing buildings and facilities, resurfacing roads, or gardening, plowing, and similar practices that do not involve filing, grading, or construction of levees.

Existing Manufactured Home Park or Subdivision: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed or buildings to be constructed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

Expansion to an Existing Manufactured Home Park or Subdivision: The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FEMA: Federal Emergency Management Agency

Flood: A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow, the unusual and rapid accumulation, or the runoff of surface waters from any source.

Flood Fringe: That portion of the floodplain outside of the regulatory floodway.

Flood Insurance Rate Map: A map prepared by the Federal Emergency Management Agency that depicts the floodplain or special flood hazard area (SFHA) within a community. This map includes insurance rate zones and may or may not depict floodways and show base flood elevations.

Flood Insurance Study: An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations.

Floodplain: Synonymous with Special Flood Hazard Area (SFHA). Those lands within the jurisdiction of the County that are subject to inundation by the base flood. The floodplains of the County are generally identified on the countywide Flood Insurance Rate Map of Champaign County prepared by the Federal Emergency Management Agency and dated October 2, 2013. Floodplain also includes those areas of known flooding as identified by the community.

Floodplain Development Permit: A permit required for any development in the floodplain. A Zoning Use Permit is not a Floodplain Development Permit.

Floodproofing: Any combination of structural or nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate, property and their contents.

2 Definitions - Continued

Floodproofing Certificate: A form published by the Federal Emergency management agency that is used to certify that a building has been designed and constructed to be structurally dry flood proofed to the flood protection elevation.

Flood Protection Elevation (FPE): The elevation of the base flood plus one foot of freeboard at any given location in the floodplain.

Floodway: That portion of the floodplain required to store and convey the base flood. The floodway for the floodplains of Copper Slough, McCullough Creek, Saline branch Ditch, Salt Fork River, Sangamon River, Upper Boneyard Creek and Phinney Branch Ditch shall be as delineated on the countywide Flood Insurance Rate Map of Champaign County prepared by FEMA and dated October 2, 2013. The floodways for each of the remaining floodplains of Champaign County shall be according to the best data available from the Federal, State, or other sources.

Freeboard: An increment of elevation added to the base flood elevation to provide a factor of safety for uncertainties in calculations, future watershed development, unknown localized conditions, wave actions and unpredictable effects such as those caused by ice or debris jams.

Historic Structure: Any structure that is:

- A. Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register.
- B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district.
- C. Individually listed on the state inventory of historic places by the Illinois Historic Preservation Agency.
- D. Individually listed on a local inventory of historic places that has been certified by the Illinois Historic Preservation Agency.

IDNR/OWR: Illinois Department of Natural Resources/Office of Water Resources.

IDNR /OWR Jurisdictional Stream: Illinois Department of Natural Resource Office of Water Resources has jurisdiction over any stream serving a tributary area of 640 acres or more in an urban area, or in the floodway of any stream serving a tributary area of 6,400 acres or more in a rural area. Construction on these streams requires a permit from the Department. (Ill Admin. Code tit. 17, pt. 3700.30). The Department may grant approval for specific types of activities by issuance of a statewide permit which meets the standards defined in Section 6 of this ordinance.

Lowest Floor: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor provided

2 Definitions - Continued

that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Section 7 of this Ordinance.

Manufactured Home: A structure transportable in one or more sections that is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to required utilities.

Manufactured Home Park or Subdivision: A parcel (or contiguous parcels) of land divided into two or more lots for rent or sale.

New Construction: Structures for which the start of construction commenced or after the effective date of floodplain management regulations adopted by a community and includes any subsequent improvements of such structures.

New Manufactured Home Park or Subdivision: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed or buildings to be constructed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the floodplain management regulations adopted by a community.

NFIP: National Flood Insurance Program.

Recreational Vehicle or Travel Trailer: A vehicle which is:

- i. built on a single chassis; and
- ii. four hundred (400) square feet or less in size; and
- iii. designed to be self-propelled or permanently towable by a light duty truck and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

Repetitive Loss: Flood related damages sustained by a structure on two separate occasions during a ten year period for which the cost of repairs at the time of each such flood event on the average equals or exceeds twenty-five percent (25%) of the market value of the structure before the damage occurred.

SFHA: See definition of floodplain.

Start of Construction: Includes substantial improvement and means the date the building permit was issued. This, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement or other improvement, was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation or placement of a manufactured home on a foundation. For a substantial improvement, actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building whether or not that alteration affects the external dimensions of the building.

2 Definitions - Continued

Structure: see “Building”

Substantial Damage: Damage of any origin sustained by a structure whereby the cumulative percentage of damage subsequent to the adoption of this ordinance equals or exceeds fifty percent (50%) of the market value of the structure before the damage occurred regardless of actual repair work performed. Volunteer labor and materials must be included in this determination. The term includes “Repetitive Loss Buildings” (see definition).

Substantial Improvement: Any reconstruction, rehabilitation, addition or improvement of a structure taking place subsequent to the adoption of this Ordinance in which the cumulative percentage of improvements equals or exceeds fifty percent (50%) of the market value of the structure before the improvement or repair is started, or increases the floor area by more than twenty percent (20%).

“Substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. This term includes structures which have incurred repetitive loss or substantial damage, regardless of the actual repair work done.

The term does not include:

- A. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or
- B. Any alteration of a structure listed on the National Register of Historic Places or the Illinois Register of Historic Places.

Violation: The failure of a structure or other development to be fully compliant with the community’s floodplain management regulations. A structure or other development without the required federal, state, and/or local permits and elevation certification is presumed to be in violation until such time as the documentation is provided.

Section 3. Base Flood Elevation

This Ordinance's protection standard is the base flood. Whenever a party disagrees with the best available data, the party shall finance the detailed engineering study needed to replace the existing data with better data and submit it to the FEMA and IDNR/OWR for approval prior to any development of the site. The best available base flood data are listed below:

- A. The base flood elevation for the floodplains of Copper Slough, McCullough Creek, Saline Branch Ditch, Salt Fork River, Sangamon River, Upper Boneyard Creek and Phinney Branch Ditch shall be as delineated on the 100-year flood profiles in the countywide Flood Insurance Study of Champaign County prepared by FEMA and dated October 2, 2013.
- B. The base flood elevation for each floodplain delineated as an "AH Zone" or AO Zone" shall be that elevation (or depth) delineated on the county wide Flood Insurance Rate Map of Champaign County.
- C. The base flood elevation for each of the remaining floodplains delineated as an "A Zone" on the countywide Flood Insurance Rate Map of Champaign County shall be according to the best data available from federal, state or sources. Should no other data exist, an engineering study must be financed by the applicant to determine base flood elevations.

Section 4. Duties of the Zoning Administrator

The Zoning Administrator shall be responsible for the general administration of this ordinance and ensure that all development activities within the floodplains under the jurisdiction of Champaign County meet the requirements of this ordinance. Specifically, the Zoning Administrator shall:

- A. Process floodplain development permits in accordance with Section 5;
- B. Ensure that all development in a floodway (or a floodplain with no delineated floodway) meets the damage prevention requirements of Section 6;
- C. Ensure that the building protection requirements for all buildings subject to Section 7 are met and maintain a record of the "as-built" elevation of the lowest floor (including basement) or floodproof certificate;
- D. Assure that all subdivisions ~~and annexations~~ meet the requirements of Section 8;
- E. Ensure that water supply and waste disposal systems meet the public health standards of Section 9;
- F. If a variance is requested, ensure that the requirements of Section 10 are met and maintain documentation of any variances granted;
- G. Inspect all development projects and take any and all actions outlined in Section 13 as necessary to ensure compliance with this ordinance;
- H. Assure that applicants are aware of and obtain any and all other required local, state, and federal permits;
- I. Notify IDNR/OWR and any neighboring communities prior to any alteration or relocation of a watercourse;
- J. Provide information and assistance to citizens upon request about permit procedures and floodplain construction techniques;
- K. Cooperate with state and federal floodplain management agencies to coordinate base flood data and to improve the administration of this ordinance;
- L. Maintain for public inspection base flood data, floodplain maps, copies of state and federal permits, and documentation of compliance for development activities subject to this Ordinance;
- M. Perform site inspections and make substantial damage determinations for structures within the floodplain; and
- N. Maintain the accuracy of floodplain maps including notifying IDNR/OWR and/or submitting information to FEMA within 6 months whenever a modification of the floodplain may change the base flood elevation or result in a change to the floodplain map.

Section 5. Floodplain Development Permit

- A. No person, firm, corporation, or governmental body not exempted by law shall commence any development in the floodplain without first obtaining a floodplain development permit from the Zoning Administrator.
- B. The Zoning Administrator shall not issue a floodplain development permit if the proposed development does not meet the requirements of this Ordinance.
- C. Application for a floodplain development permit shall be required for any of the following:
 - 1. Any development located on land identified as floodplain on the current Flood Insurance Rate Map.
 - 2. Any development located on land shown to be below the base flood elevation and hydraulically connected to a flood source, but not identified as floodplain on the current Flood Insurance Rate Map.
- ~~A-D.~~ Application for a floodplain development permit shall be made on a form provided by the Zoning Administrator and the application for floodplain development permit shall be accompanied by:
 - 1. Drawings of the site, drawn to scale showing property line dimensions;
 - 2. Existing ~~grade~~ ground elevations and all proposed changes in grade to the ground elevation resulting from any proposed excavation or filling;
 - 3. The location and dimensions of all existing and proposed buildings and additions to buildings and existing and proposed building related development;
 - 4. The elevation of the lowest floor (including basement) of all existing and proposed buildings subject to the requirements of Section 7 of this Ordinance;
 - 5. Cost of ~~project or improvements~~ the development as estimated by a licensed engineer or architect. A signed estimate by a contractor may also meet this requirement.
 - 6. Drawings indicating the proposed wall and footing construction in cross-section in sufficient detail to prove compliance with this ordinance and including both the existing and the proposed ground elevations and the base flood elevation.
 - 7. The existing or proposed elevation of any other part of the development that is subject to the requirements of Sections 7 and 9 of this ordinance and drawings of that part of the development in sufficient detail to prove compliance with this ordinance or other submittals that may be necessary to prove compliance with this ordinance.
- ~~B E.~~ Upon receipt of an application for a floodplain development permit, the Zoning Administrator shall compare the elevation of the site to the base flood elevation to determine which of the following is applicable:

5 Floodplain Development Permit - Continued

- (1) Any development located on land that is shown by survey elevation to be below the current base flood elevation is shall also be subject to the provisions of Sections 6 through 16 of this ordinance.
 - (2) ~~In addition,~~ Any development located on land shown to be below the base flood elevation and hydraulically connected to a flood source, but not identified as floodplain on the current Flood Insurance Rate Map, ~~is shall also be subject to the provisions of Sections 6 through 16 of this ordinance.~~
 - (3) Any development located on land that can be shown by survey data to be higher than the current base flood elevation and which has not been filled after the date of the site's first Flood Insurance Rate Map is not in the floodplain and therefore not subject to the provisions of Sections 6 through 16 of this ordinance.
- F. The Zoning Administrator shall maintain documentation of the existing ground elevation at the development site and certification that this ground elevation existed prior to the date of the site's first Flood Insurance Rate Map identification.
- G. The Zoning Administrator shall be responsible for obtaining from the applicant copies of all other federal, state, and local permits, approvals or permit-not-required letters that may be required for this type of activity. The Zoning Administrator shall not issue a permit unless all other federal, state, and local permits have been obtained.

Section 6. Preventing Increased Flood Heights and Resulting Damages

Within the floodway identified on the Flood Insurance Rate Map, and within all other floodplains where a floodway has not been delineated, the following standards shall apply:

- A. Except as provided in Section 6.B. of this Ordinance, no development shall be allowed which, acting in combination with existing and anticipated development will cause any increase in flood heights or velocities or threat to public health and safety. The following specific development activities shall be considered as meeting this requirement*:
1. Bridge and culvert crossings of streams in rural areas meeting the conditions of the Illinois Department of Natural Resources, Office of Water Resources Statewide Permit Number 2.
 2. Barge fleeting facilities meeting the conditions of IDNR/OWR Statewide Permit Number 3.
 3. Aerial utility crossings meeting the conditions of IDNR/OWR Statewide Permit Number 4.
 4. Minor boat docks meeting the following conditions of IDNR/OWR Statewide Permit Number 5.
 5. Minor, non-obstructive activities such as underground utility lines, light poles, sign posts, driveways, athletic fields, patios, playground equipment, minor storage buildings not exceeding 70 square feet and raising buildings on the same footprint which does not involve fill and any other activity meeting the conditions of IDNR/OWR Statewide Permit Number 6.
 6. Outfall Structures and drainage ditch outlets meeting the following conditions of IDNR/OWR Statewide Permit Number 7.
 7. Underground pipeline and utility crossings meeting the conditions of IDNR/OWR Statewide Permit Number 8.
 8. Bank stabilization projects meeting the conditions of IDNR/OWR Statewide Permit Number 9.
 9. Accessory structures and additions to existing residential buildings meeting the conditions of IDNR/OWR Statewide Permit Number 10.
 10. Minor maintenance dredging activities meeting the following conditions of IDNR/OWR Statewide Permit Number 11.
 11. Bridge and culvert replacement structures and bridge widening meeting the following conditions of IDNR/OWR statewide Permit Number 12.
 12. Temporary construction activities meeting the following conditions of IDNR/OWR statewide Permit Number 13.

Section 6. Preventing Increased Flood Heights and Resulting Damages- Continued

13. Any development determined by IDNR/OWR to be located entirely within a flood fringe area shall be exempt from State Floodway permit requirements.
- B. Other development activities not listed in 6.A. may be permitted only if:
 1. A permit has been issued for the work by IDNR/OWR (or written documentation is provided that an IDNR/OWR permit is not required); or
 2. Sufficient data has been provided to FEMA when necessary, and approval obtained from FEMA for a revision of the regulatory map and base flood elevation.

Section 7. Protecting Buildings and Building Related Development

- A. In addition to the state permit and damage prevention requirements of Section 6 of this ordinance, all buildings and building related development located in the floodplain shall be protected from flood damage below the flood protection elevation. This building protection requirement applies to the following situations:
1. Construction or placement of a new building or alteration or addition to an existing building and/ or building related development valued at more than one thousand dollars (\$1,000) or seventy (70) square feet.
 2. Substantial improvements or structural alterations made to an existing building and/ or building related development that increase the floor area by more than twenty percent (20%) or equal or exceed the market value by fifty percent (50%). Alteration shall be figured cumulatively subsequent to the adoption of this ordinance. If substantially improved, the existing structure and the addition must meet the flood protection standards of this section.
 3. Repairs made to a substantially damaged building and/ or building related development. These repairs shall be figured cumulatively subsequent to the adoption of this ordinance. If substantially damaged the entire structure must meet the flood protection standards of this section within 24 months of the date the damage occurred.
 4. Installing a manufactured home on a new site or a new manufactured home on an existing site. (The building protection requirements do not apply to returning a manufactured home to the same site it lawfully occupied before it was removed to avoid flood damage).
 5. Installing a travel trailer or recreational vehicle on a site for more than one hundred eighty (180) days per year.
 6. Repetitive loss to an existing building and/ or building related development as defined in Section 2. If repetitive loss occurs the entire structure must meet the flood protection standards of this section within 24 months of the date the damage occurred.
- B. Residential or non-residential buildings can meet the building protection requirements of paragraph 7.A. by one of the following methods:
1. The building and/ or building related development may be constructed on permanent land fill in accordance with the following:
 - a. The lowest floor (including basement) shall be at or above the flood protection elevation.
 - b. The fill shall be placed in layers no greater than six inches before compaction and should extend at least ten (10) feet beyond the foundation before sloping below the flood protection elevation.
 - c. The fill shall be protected against erosion and scour during flooding by vegetative cover, riprap, or other structural measure.

Section 7. Protecting Buildings and Building Related Development (continued)

- d. The fill shall be composed of rock or soil and not incorporate debris or refuse material. ~~and~~
 - e. The fill shall not adversely affect the flow of surface drainage from or onto neighboring properties and when necessary stormwater management techniques such as swales or basins shall be incorporated.
 - f. Footings shall be placed on undisturbed earth or a Licensed Illinois Professional Engineer shall certify in writing that the building shall be reasonably safe from flooding.
2. The building or building related development may be elevated on solid walls in accordance with the following:
- a. The building or improvements and/ or building related development shall be elevated on stilts, piles, walls, crawlspace, or other foundation that is permanently open to flood waters.
 - b. The lowest floor and all electrical, heating, ventilating, plumbing, and air conditioning equipment and utility meters on the property shall be located at or above the flood protection elevation except that water and sewer pipes, electrical and telephone lines, submersible pumps, and other service facilities may be located below the flood protection elevation provided they are waterproofed.
 - c. If walls are used to elevate the building and/ or building related development, all enclosed areas below the flood protection elevation shall address hydrostatic pressures by allowing the automatic entry and exit of flood waters. Designs must either be certified by a licensed professional engineer or by having a minimum of one (1) permanent opening on each wall no more than one (1) foot above grade with a minimum of two (2) openings per enclosed area. The openings shall provide a total net area of not less than one (1) square inch for every one (1) square foot of enclosed area subject to flooding below the base flood elevation. ~~and. Insect screens may cover flood openings provided that the insect screen does not unduly impede the entry and exit of floodwaters.~~
 - d. The foundation and supporting members shall be anchored, designed, and certified so as to minimize exposure to hydrodynamic forces such as current, waves, ice, and floating debris.
 - ~~i. e.~~ All structural components below the flood protection base flood elevation shall be constructed of materials resistant to flood damage.
 - ~~ii.~~ Water and sewer pipes, electrical and telephone lines, submersible pumps, and other service facilities may be located below the flood protection elevation provided they are waterproofed.(Note: relocated to subparagraph b.)

Section 7. Protecting Buildings and Building Related Development (continued)

- ~~iii. f.~~ The area below the flood protection elevation shall be used solely for parking or building access and not later modified or occupied as habitable space, ~~or~~.
 - ~~g.~~ Footings shall be placed on undisturbed earth or a Licensed Illinois Professional Engineer shall certify in writing that the building shall be reasonably safe from flooding.
 - ~~iv. h.~~ In lieu of the above criteria, the design methods to comply with these requirements may be certified by an Illinois Licensed Professional Engineer or Illinois Licensed Architect.
- 3. The building and/ or building related development may be constructed with a crawlspace located below the flood protection elevation provided that the following conditions are met:
 - a. The building and/ or building related development must be designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
 - b. Any enclosed area below the flood protection elevation shall have openings that equalize hydrostatic pressures by allowing for the automatic entry and exit of floodwaters. There shall be a minimum of one permanent opening on each wall having a total net area of not less than one (1) square inch per one (1) square foot of enclosed area. ~~The openings shall be no more than no more than one (1) foot above grade; with a minimum of two (2) openings per enclosed area. The openings shall provide a total net area of not less than one (1) square inch for every one (1) square foot of enclosed area subject to flooding below the base flood elevation. Insect screens may cover flood openings provided that the insect screen does not unduly impede the entry and exit of floodwaters.~~
 - c. The interior grade of the crawlspace below the flood protection elevation must not be more than two (2) feet below the lowest adjacent exterior grade.
 - d. The interior height of the crawlspace measured from the interior grade of the crawlspace to the top of the foundations wall must not exceed four (4) feet at any point.
 - e. An adequate drainage system must be installed to remove floodwaters from the interior area of the crawlspace within a reasonable period of time after a flood event.
 - f. Portions of the building and/ or building related development below the ~~flood protection~~ base flood elevation must be constructed with materials resistant to flood damage. ~~, and~~

Section 7. Protecting Buildings and Building Related Development (continued)

- g. Utility systems within the crawlspace and outside of the crawl space including all electrical, heating, ventilating, plumbing, air conditioning equipment, and utility meters on the property, must be elevated above the flood protection elevation except for the following:

 - (1) Water and sewer pipes, electrical and telephone lines, submersible pumps, and other service facilities may be located below the flood protection elevation provided they are waterproofed.
 - (2) Fuel storage tanks must either be elevated above the flood protection elevation or adequately anchored to prevent floatation following manufacturers recommendations and protected from flood debris impact.

- h. Footings shall be placed on undisturbed earth or a Licensed Illinois Professional Engineer shall certify in writing that the building shall be reasonably safe from flooding.

- C. Non-residential buildings and/ or non-residential building related development may be structurally dry floodproofed (in lieu of elevation) to meet the building protection requirements of paragraph 7.A. provided an Illinois Licensed Professional Engineer or Illinois Licensed Architect certifies that:

 - 1. Below the flood protection elevation the structure and attendant utility facilities are watertight and capable of resisting the effects of the base flood.
 - 2. The building design accounts for flood velocities, duration, rate of rise, hydrostatic and hydrodynamic forces, the effects of buoyancy, and the impact from debris and ice.
 - 3. Floodproofing measures will be incorporated into the building design and operable without human intervention and without an outside source of electricity.
 - 4. Levees, berms, floodwalls and similar works are not considered floodproofing for the purpose of this subsection.
 - 5. Footings shall be placed on undisturbed earth or a Licensed Illinois Professional Engineer shall certify in writing that the building shall be reasonably safe from flooding.

- D. Manufactured homes or travel trailers to be permanently installed on site must be in conformance with the Zoning Ordinance and shall be elevated as follows:

 - 1. elevated to or above the flood protection elevation in accordance with Section 7.B.; and
 - 2. anchored to resist flotation, collapse, or lateral movement by being tied down in accordance with the rules and regulations for the Illinois Mobile Home Tie-Down Act issued pursuant to 77 Ill. Adm. Code § 870.

Section 7. Protecting Buildings and Building Related Development (continued)

- E. Travel trailers and recreational vehicles on site for more than one hundred eighty (180) days per year ~~must be in conformance with the Zoning Ordinance and~~ shall meet the elevation requirements of section 7.D. unless the following conditions are met:
1. The vehicle must be either self-propelled or towable by a light duty truck.
 2. The hitch must remain on the vehicle at all times.
 3. The vehicle must not be attached to external structures such as decks and porches.
 4. The vehicle must be designed solely for recreation, camping, travel, or seasonal use rather than as a permanent dwelling.
 5. The vehicles largest horizontal projections must be no larger than four hundred (400) square feet.
 6. The vehicle's wheels must remain on ~~the~~ axles and ~~with~~ inflated tires.
 7. Air conditioning units must be attached to the frame so as to be safe for movement ~~out~~ of the floodplain.
 8. Propane tanks as well as electrical and sewage connections must be quick-disconnect. Propane tanks ~~must also either be elevated above the flood protection elevation or adequately anchored to prevent floatation following manufacturers recommendations and protected from flood debris impact.~~
 9. The vehicle must be licensed and titled as a recreational vehicle or park model.
 10. The vehicle must either entirely be supported by jacks ~~rather than blocks~~, or have a hitch jack permanently mounted, have the tires touching the ground and be supported by ~~blocks~~ in a manner that will allow the ~~blocks~~ to be easily removed by ~~used~~ of the hitch jack.
- F. Garages, sheds ~~or other minor accessory structures~~ constructed ancillary to an existing residential use ~~may be permitted~~ must meet the building protection requirements of paragraph 7.A. by one of the methods in paragraph 7.B. ~~provided unless~~ the following conditions are met:
1. The garage or shed must be non-habitable.
 2. The garage or shed must be used only for the storage of vehicles and tools and cannot be modified later into another use.
 3. The garage or shed must be located outside of the floodway or have the appropriate state and/or federal permits.
 4. The garage or shed must be on a single family lot and be accessory to an existing principle structure on the same lot.
 5. Below the base flood elevation, the garage or shed must be built of materials not susceptible to flood damage.

Section 7. Protecting Buildings and Building Related Development (continued)

6. All utilities, plumbing, heating, air conditioning and electrical must be elevated above the flood protection elevation except that water and sewer pipes, electrical and telephone lines, submersible pumps, and other service facilities may be located below the flood protection elevation provided they are waterproofed.
7. The garage or shed must have at least one permanent opening on each wall not more than one (1) foot above grade ~~with one (1) square inch of opening for every one (1) square foot of floor area.~~ The openings shall provide a total net area of not less than one (1) square inch for every one (1) square foot of enclosed area subject to flooding below the base flood elevation. Insect screens may cover flood openings provided that the insect screen does not unduly impede the entry and exit of floodwaters.
8. Paragraph 7.A. notwithstanding, the garage or shed must be less than fifteen thousand dollars (\$15,000) in market value or replacement cost whichever is greater or less than five hundred and seventy six (576) square feet (24'x24') in area.
9. The structure shall be anchored to resist floatation and overturning. Footings shall be placed on undisturbed earth or a Licensed Illinois Professional Engineer shall certify in writing that the building shall be reasonably safe from flooding.
10. All flammable or toxic materials (gasoline, paint, insecticides, fertilizers, etc.) shall be stored above the flood protection elevation.
11. The lowest floor elevation should be documented and the owner advised of the flood insurance implications.

Section 8. Subdivision Requirements

- A. The County Board shall take into account hazards, to the extent that they are known, in all official actions related to land management use and development.

- B. New subdivisions, manufactured home parks, annexation agreements, planned unit developments, and additions to manufactured home parks and subdivisions shall meet the damage prevention and building protections standards of Sections 6 and 7 of this ordinance. Any proposal for such development shall include the following data:
 - 1. The base flood elevation and the boundary of the floodplain. Where the base flood elevation is not available from an existing study, the applicant shall be responsible for calculating the base flood elevation.

 - 2. The boundary of the floodway when applicable.

 - 3. A signed statement by a Licensed Illinois Professional Engineer that the proposed plat or plan accounts for changes in the drainage of surface waters in accordance with the Plat Act (765 ILCS 205/2).

- C. Streets, blocks lots, parks and other public grounds shall be located and laid out in such a manner as to preserve and utilize natural streams and channels. Wherever possible the floodplains shall be included within parks or other public grounds.

Section 9. Public Health and Other Standards

- A. Public health standards must be met for all floodplain development. In addition to the requirements of Sections 6 and 7 of this ordinance, the following standards also apply:
1. No development in the floodplain shall include locating or storing chemicals, explosives, buoyant materials, flammable liquids, pollutants, or other hazardous or toxic materials below the flood protection elevation unless such materials are stored in a floodproofed and anchored storage tank and certified by a professional engineer or floodproofed building constructed according to the requirements of Section 7 of this ordinance.
 2. Public utilities and facilities such as sewer, gas and electric shall be located and constructed to minimize or eliminate flood damage.
 3. Public sanitary sewer systems and water supply systems shall be located and constructed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.
 4. New and replacement on-site sanitary sewer lines or waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding. Manholes or other above ground openings located below the flood protection elevation shall be watertight.
 5. Construction of new or substantially improved critical facilities shall be located outside the limits of the floodplain. Construction of new critical facilities shall be permissible within the floodplain if no feasible alternative site is available and subject to the following:
 - a. Critical facilities constructed within the SFHA shall have the lowest floor (including basement) elevated or structurally dry floodproofed to the 500-year flood frequency elevation or three feet above the level of the 100-year flood frequency elevation, whichever is greater.
 - b. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters.
 - c. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities.
- B. All other activities defined as development shall be designed so as not to alter flood flows or increase potential flood damages.

Section 10. Carrying Capacity and Notification.

- A. For all projects involving channel modification, fill, or stream maintenance (including levees), the flood carrying capacity of the watercourse shall be maintained.
- B. In addition, the Zoning Administrator shall notify adjacent communities in writing thirty (30) days prior to the issuance of a permit for the alteration or relocation of the watercourse.

Section 11. Variances

- A. Whenever the standards of this ordinance place undue hardship on a specific development proposal, the applicant may apply to the Champaign County Zoning Board of Appeals for a variance. The Zoning Board of Appeals shall review the applicant's request for a variance and shall submit its recommendation to the Champaign County Board.
- B. The Champaign County Board may attach such conditions to the granting of a variance as it deems necessary to further the intent of this ordinance.
- C. No variance shall be granted unless the applicant demonstrates that all of the following conditions are met:
 - 1. The development activity cannot be located outside the floodplain.
 - 2. An exceptional hardship would result if the variance were not granted.
 - 3. The relief requested is the minimum necessary.
 - 4. There will be no additional threat to public health, safety or creation of a nuisance.
 - 5. There will be no additional public expense for flood protection, rescue or relief operations, policing, or repairs to roads, utilities, or other public facilities.
 - 6. The applicant's circumstances are unique and do not establish a pattern inconsistent with the intent of the NFIP.
 - 7. All other state and federal permits have been obtained.
- D. The Zoning Board of Appeals shall notify an applicant in writing that a variance from the requirements of the building protections standards of Section 7 that would lessen the degree of protection to a building will:
 - 1. Result in increased premium rates for flood insurance up to twenty-five dollars (\$25) per one hundred dollars (\$100) of insurance coverage.
 - 2. Increase the risk to life and property.
 - 3. Require that the applicant proceed with knowledge of these risks and that the applicant acknowledge in writing the assumption of the risk and liability.

C. Historic Structures

- 1. Variances to the building protection requirements of Section 7 of this ordinance which are requested in connection with reconstruction, repair, or alteration of a historic site or historic structure as defined in "Historic Structures", may be granted using criteria more permissive than the requirements of Sections 6 and 7 of this ordinance subject to the conditions that:
 - a. The repair or rehabilitation is the minimum necessary to preserve the historic character and design of the structure.
 - b. The repair or rehabilitation will not result in the structure being removed as a certified historic structure.

Section 11. Variances Continued

D. Agriculture

1. Any variance granted for an agricultural structure shall be decided individually based on a case by case analysis of the building's unique circumstances. Variances granted shall meet the following conditions as well as those criteria and conditions set forth in this ordinance. In order to minimize flood damages during the 100-year flood and the threat to public health and safety, the following conditions shall be included for any variance issued for agricultural structures that are constructed at-grade and wet-floodproofed:
 - a. All agricultural structures considered for a variance from the floodplain management regulations of this ordinance shall demonstrate that the varied structure is located in wide, expansive floodplain areas and no other alternate location outside of the special flood hazard area exists for the agricultural structure. Residential structures or animal confinement facilities, such as farm houses, cannot be considered agricultural structures.
 - b. Use of the varied structures must be limited to agricultural purposes in zone A only as identified on the community's Flood Insurance Rate Map (FIRM).
 - c. For any new or substantially damaged agricultural structures, the exterior and interior building components and elements (i.e., foundation, wall framing, exterior and interior finishes, flooring, etc.) below the base flood elevation, must be built with flood-resistant materials in accordance with Section 7 of this ordinance.
 - d. The Agricultural structures must be adequately anchored to prevent flotation, collapse, or lateral movement of the structures in accordance with Section 7 of this ordinance. All of the buildings structural components must be capable of resisting specific flood-related forces including hydrostatic, buoyancy, and hydrodynamic and debris impact forces.
 - e. Any mechanical, electrical, or other utility equipment must be located above the base flood elevation or floodproofed so that they are contained within a watertight, floodproofed enclosure that is capable of resisting damage during flood conditions in accordance with Section 7 of this ordinance.
 - f. The NFIP requires that enclosures or foundation walls, subject to the 100-year flood, contain openings that will permit the automatic entry and exit of floodwaters in accordance with Section 7.B. this ordinance.
 - g. The agricultural structures must comply with the floodplain management floodway provisions of Section 6 of this ordinance. No variances may be issued for agricultural structures within any designated floodway.

Section 11. Variances Continued

- h. Wet-floodproofing construction techniques must be reviewed and approved by the floodplain administrator and a registered professional engineer or architect prior to the issuance of any floodplain development permit for construction.

Section 12. Fees

- A. No development permit nor variance application shall be accepted without the specified fee having been received by the Department, except when the Zoning Administrator determines that the application of the permit or variance was due solely to staff error.
- B. No filing fee for a variance shall be refunded after the required legal notice has been made by mail or publication unless the Zoning Administrator determines that such filing was due solely to staff error.
- C. In no event shall refunds be given for amounts less than \$50 dollars.
- D. No floodplain determination or Base Flood Elevation estimates shall be provided until payment of the specified fee has been received by the Department.
- E. Fee Schedule:
 - 1. Floodplain Development Permits\$100
 - 2. Special Flood Hazard Area Variance.....\$200
 - 3. Flood Determinations, except as made in conjunction with applications for Floodplain Development Permits, Special Flood Hazard Area Variance or other applications made pursuant to the Champaign County Zoning Ordinance or Subdivision Regulations\$25
 - 4. Base Flood Elevation Estimate, except as made in conjunction with applications for Floodplain Development Permits, Special Flood Hazard Area Variance or other applications made pursuant to the Champaign County Zoning Ordinance or Subdivision Regulations:
 - a. BFE established by publication or previous estimate.....\$25
 - b. BFE established by estimate pursuant to **Section 3, Paragraph C.**\$250

Section 13. Disclaimer of Liability

The degree of protection required by this ordinance is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods may occur or flood heights may be increased by man-made or natural causes. This ordinance does not imply that development either inside or outside of the floodplain will be free from flooding or damage. This ordinance does not create liability on the part of Champaign County or any officer or employee thereof for any flood damage that results from proper reliance on this ordinance or any administrative decision made lawfully thereunder.

Section 14. Penalty

- A. Failure to obtain a permit for development in the floodplain or failure to comply with the conditions of a permit or a variance shall be deemed to be a violation of this ordinance.

- B. Upon due investigation, the Zoning Administrator may determine that a violation of the minimum standards of this ordinance exists. The Zoning Administrator shall notify the owner in writing of such violation. If such owner fails after ten (10) days notice to correct the violation:
 - 1. The State's Attorney shall make application to the circuit court for an injunction requiring conformance with this ordinance or make such other order as the court deems necessary to secure compliance with the ordinance.
 - 2. Any person who violates this ordinance shall upon conviction thereof be fined not less than fifty dollars (\$50) or more than seven hundred fifty (\$750) for each offense.
 - 3. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.
 - 4. The State's Attorney shall record a notice of violation on the title of the property.
 - 5. The Zoning Administrator shall inform the owner that any such violation is considered a willful act to increase flood damages and therefore may cause coverage by a Standard Flood Insurance Policy to be suspended.

- C. The Zoning Administrator is authorized to issue an order requiring the suspension of the subject development. The stop-work order shall be in writing, indicate the reason for the issuance, and shall order the action, if necessary, to resolve the circumstances requiring the stop-work order. The stop-work order constitutes a suspension of the permit.

- D. No site development permit shall be permanently suspended or revoked until a hearing is held by the Zoning Board of Appeals.
 - 1. Written notice of such hearing shall be served on the permittee and shall state the following:
 - a. The grounds for the complaint, reasons for suspension or revocation.
 - b. The time and place of the hearing.
 - 2. At such hearing the permittee shall be given an opportunity to present evidence on their behalf.
 - 3. At the conclusion of the hearing, the Zoning Board of Appeals shall determine whether the permit shall be suspended or revoked.

Section 14. Penalty Continued

- E. Nothing herein shall prevent the Zoning Administrator from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible.

Section 15. Abrogation and Greater Restrictions

- A. This ordinance repeals and replaces other ordinances adopted by the Champaign County Board to fulfill the requirements of the National Flood Insurance Program including the following:
 - 1. Ordinance No. 678 adopted February 6, 2003, as amended by Ordinance No. 736 adopted February 24, 2005; and Ordinance No. ____ adopted June 23, 2005.
 - 2. Ordinance 209 adopted January 17, 1984, as amended by Ordinance 294 adopted August 18, 1987; and Ordinance 350 adopted December 19, 1989; and Ordinance 425 adopted March 16, 1993; and Ordinance 541 adopted October 21, 1997.
- B. However, this ordinance does not repeal the original resolution or ordinance adopted to achieve eligibility in the National Flood Insurance Program. Nor does this ordinance repeal, abrogate, or impair any existing easements, covenants, or deed restrictions.
- C. Where this ordinance and other ordinance easements, covenants, or deed restrictions conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

Section 16. Severability

The provisions and sections of this ordinance shall be deemed separable and the invalidity of any portion of this ordinance shall not affect the validity of the remainder.

Section 17. Effective Date

This ordinance shall be in full force and effect from and after its passage and approval and publication, as required by law.

Passed by the County Board of Champaign County, Illinois, this *(*insert date)* day of *(*insert month)*, 20*(*insert year)*.

(Clerk)

Approved Signed by me this *(*insert date)* day of *(*insert month)*, 20*(*insert year)*.

(County ~~CEO~~ Board Chair)

Attested and filed in my office this *(*insert date)* day of *(*insert month)*, 20*(*insert year)*.

(Clerk)

APPENDIX A

ADOPTING ORDINANCE AND AMENDMENTS

Adopting Ordinance: Ordinance No. 678 adopted February 6, 2003 by the Champaign County Board established the ‘Champaign County Special Flood Hazard Areas Ordinance’.

Ordinance No. 678 repealed and replaced other previous ordinances adopted by the Champaign County Board to fulfill the requirements of the National Flood Insurance Program including:

Ordinance 209 adopted January 17, 1984 as amended by
Ordinance No. 294 adopted August 18, 1987;
Ordinance No. 350 adopted December 19, 1989;
Ordinance No. 425 adopted March 16, 1993; and
Ordinance No. 541 adopted October 21, 1997.

Amendments:

1. Ordinance No. 736 adopted February 24, 2005
 - Renumbers [and changes content of] existing Sections 9 and 10
 - Section 10, Fees
 - Entire section amended to add required fees.

2. Ordinance No. ____ adopted _____ 2005
 - Table of Contents
 - Add new Section 8 and renumber remaining sections.
 - Section 4, Duties of Zoning Administrator
 - Amend Paragraph G.
 - Section 8, Subdivision Requirements
 - Add this section and renumber remaining Sections 9 through 16

To: **Environment and Land Use Committee**

From: **John Hall**, Director & Zoning Administrator
Andy Kass, Associate Planner

Date: **July 1, 2013**

RE: **Zoning Ordinance Map Amendment Case 687-AT-11**

Request: **Amend the Zoning Map to change the zoning district designation from CR Conservation Recreation to AG-1 Agriculture for the purpose of establishing a Restricted Landing Area pursuant to related Case 688-S-11**

Petitioner: **Dr. Phillip W. Jones and Sarabeth F. Jones**

STATUS

The County Board remanded this case to ELUC at the Board's July 18, 2013, meeting because some members thought this Case should be reconsidered. This memo briefly reviews the basis of the ZBA recommendation and the alternative actions available to the Committee.

BASIS OF ZBA RECOMMENDATION

The Summary Finding of Fact summarized the ZBA's assessment of how well the proposed map amendment conforms to the Land Resource Management Plan (LRMP); the LaSalle Factors; and the Purpose of the Zoning Ordinance, but the Summary did not include the relevant evidence. Attachment A is the complete Finding of Fact for Case 687-AM-11. Committee members seeking a better understanding of why the ZBA recommended denial should review the evidence that is summarized in the Finding of Fact.

Note that the Summary Finding of Fact refers to the numbered items in the Finding of Fact. The pertinent findings by the ZBA in this case are as follows:

- The proposed amendment will **NOT HELP ACHIEVE** Objective 4.1 because it does not conform to Policy 4.1.6. Evidence relevant to this policy is the evidence relevant to Policy 4.3.1 (see below).
- The proposed amendment will **NOT HELP ACHIEVE** Objective 4.3 because it will **NOT HELP ACHIEVE** Policy 4.3.1. Item 14.C.(1) in the Finding of Fact lists the evidence most relevant to Policy 4.3.1. Other relevant documents are Attachments C, D, and F included with this memo.
- The proposed amendment will **NOT HELP ACHIEVE** Objective 8.5 because it will **NOT HELP ACHIEVE** Policies 8.5.1 and 8.5.2. Item 18.A.(2) in the Finding of Fact lists the evidence most relevant to Policies 8.5.1 and 8.5.2. Other relevant documents are Attachments C, D, E, F, and G included with this memo.

- The proposed amendment will **NOT HELP ACHIEVE** Objective 8.6 because it will **NOT HELP ACHIEVE** Policy 8.6.2. Item 18.B.(2) lists the evidence most relevant to Policy 8.6.2 which is the same evidence that is relevant to Policy 8.5.1.

ALTERNATIVES FOR THE COMMITTEE

The Committee has the following alternatives:

- **Support the ZBA recommendation.** If the Committee believes that the ZBA recommendation is reasonable based on the review of the Finding of Fact, then the Committee may forward this case back to the County Board with a recommendation to deny.
- **Remand the Case back to the ZBA.** If, after reviewing the Finding of Fact, ELUC believes that the ZBA overlooked relevant evidence in making the recommendation, the Committee may remand the case to the ZBA with guidance regarding the missing evidence.
- **Amend the Finding of Fact to support a Different Recommendation.** If, after reviewing the Finding of Fact, ELUC disagrees with the recommendation of the ZBA, it may be possible for the Committee to amend the Finding of Fact so as to document the Committee's preferred recommendation and forward to the County Board a recommendation to approve. Amending the Finding of Fact enough to support a reversal of the ZBA recommendation may require considerable effort.

ATTACHMENTS

- A As-Approved Finding of Fact and Final Determination for Case 687-AM-11**
- B Items 8.S. and 8.T. from the As-Approved Summary of Evidence, Finding of Fact, and Final Determination for Case 688-S-11**
- C Document of Record 41.G. Revised Plan And Profile Of Landing Area received March 12, 2012, Annotated To Illustrate Proposed Separations**
- D Document of Record 41.I. Illustration of extent of Affected Woodlands under the Western Approach Area. Annotated Excerpt from the *Soil Survey of Champaign County, Illinois*. United States Department of Agriculture Natural Resources Conservation Service. 2003.**
- E Document of Record 41.H. Revised Plan And Profile Of Landing Area received March 12, 2012, Annotated To Illustrate Likely Impacts To CR District Habitat**
- F Document of Record 41.K. Revised Plan And Profile Of Landing Area received March 12, 2012, Annotated To Illustrate Areas Proposed for Rezoning That Are Best Suited For CR District**
- G Document of Record 45.A. Plat and Photos of Proposed Hangar Area prepared by Wayne Ward Materials and submitted by Alan Singleton at the April 25, 2013, public hearing**

AS APPROVED

687-AM-11

**FINDING OF FACT
AND FINAL DETERMINATION**

of

Champaign County Zoning Board of Appeals

Final Determination: RECOMMEND DENIAL

Date: April 25, 2013

Petitioners: Phillip W. and Sarabeth F. Jones

**Request: Amend the Zoning Map to change the zoning district designation from CR
Conservation Recreation to AG-1 Agriculture to authorize a Restricted Landing
Area in related Case 688-S-11.**

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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 16, 2011, August 11, 2011, November 10, 2011, May 31, 2012, August 16, 2012, December 13, 2012, March 14, 2013, and April 25, 2013**, the Zoning Board of Appeals of Champaign County finds that:

*1. The petitioners Phillip W. and Sarabeth F. Jones own the subject property.

(Note: asterisk indicates items of evidence that are identical to evidence in Case 688-S-11)

*2. Regarding the subject property where the special use is proposed to be located:

A. The subject property is an approximately 14 acre tract of land that is located in the North Half of the South Half of the Northeast Quarter of Section 27 of Crittenden Township and located on the west side of Illinois Route 130 (CR1600E) and 1,328 feet south of the intersection of Illinois Route 130 and CR 200N and County Highway 16 and commonly known as the property at 175N CR1600E, Villa Grove.

B. The subject property is directly south of and abuts the petitioner's approximately 37.80 acre residential / agricultural property that is also located at 175N CR1600E, Villa Grove.

*3. The subject property is not located within the one and one-half mile extraterritorial jurisdiction of a municipality with zoning.

4. Regarding comments by petitioners, when asked on the petition what error in the present Ordinance is to be corrected by the proposed change, the petitioner has indicated:

A. **"The land should be rezoned to AG-1 because it is used for commercial agriculture. The applicant is growing hay on the land and the selling it to third parties, the land is also enrolled in government agricultural programs related to subsidized hay production. The applicant is engaged in many other activities related to agriculture, such as pollination and crop inspection, which are now restricted because of the limitations of use of the CR District. The property has overall elevation higher than the Base Flood Elevation of 654.5 and therefore should be excluded from the Special Flood Hazard Area."**

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

A. **"Even though the land is not considered best prime farmland for Champaign County, it is very suitable for agricultural activities, particularly of the type activities applicant is engaged in- growing and selling hay. This type of use prevents erosion and sedimentation. In addition, if rezoned, the land would serve the agricultural needs of the applicant's other agricultural properties and activities as the applicant will be applying for an RLA special use permit, which would not be permissible with current zoning."**

- B. **“Commercial agriculture is the highest and best use of land in the rural areas of Champaign County. Rezoning to AG-1 allows for more efficient use of the land whether as a matter of right (plant nursery, advertising signs, tree sales lot) or with special use permit (e.g., RLA permit, among many others). Applicant would like to be able to take advantage of all of these commercially beneficial activities, encouraged by the Land Use Regulatory Policies.”**

GENERALLY REGARDING LAND USE AND ZONING IN THE IMMEDIATE VICINITY

- *6. Land use and zoning on the subject property and in the vicinity are as follows:
- A. The subject property and the petitioner’s adjacent residential/ agricultural property are currently zoned CR Conservation Recreation and are in use as a residential property with horses and pasture.
 - B. Land on the north, south, and west of the petitioner’s adjacent residential/ agricultural property is also zoned CR Conservation Recreation and is in use as follows:
 - (1) Land on the north has been divided into residential lots. Most of these lots were formerly part of the petitioner’s residential/ agricultural property and two of those lots are now owned by others.
 - (2) The residential lots on the north also occupy most of the west boundary but some of the land bordering on the west is the wooded bottomland for the East Branch of the Embarras River.
 - C. Zoning and land use east of the petitioner’s adjacent residential/ agricultural property and north of the subject property is as follows:
 - (1) Land to the east of the subject property is zoned AG-1 and is in use as farmland.
 - (2) Land east of the petitioner’s adjacent residential/ agricultural property and north of the subject property is zoned CR and has been divided into residential lots. The dwelling on the nearest lot is only approximately 142.65 feet from the easternmost Runway Safety Area for the proposed RLA.
7. There have been no zoning cases in the vicinity of the subject property.
- *8. Regarding the proposed RESTRICTED LANDING AREA (RLA) in related Case 688-S-11:
- A. The revised Plan and Profile of Landing Area (revised site plan) received March 12, 2013, includes the following:
 - (1) A 100’ × 1600’ runway proposed to be located 120.65 feet south of the north property line.

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- (3) Threshold markings at the east and west end of the runway.
 - (4) A 100' × 100' hangar north of the runway on the adjacent property.
 - (5) The driveway off of Route 130 that leads to the petitioner's residence on the adjacent property.
 - (6) One 120.65 feet wide side transition on the north and one 85 feet wide side transition on the south side of the runway. The south side transition is not entirely on the petitioner's property, 49 feet will be on the adjacent property.
- B. The amended request is for construction and use of a "Restricted Landing Area" for use by airplanes consistent with Illinois Department of Transportation regulations and also for helicopter use for public safety assistance as needed and with limited helicopter use for personal use.

GENERALLY REGARDING THE EXISTING AND PROPOSED ZONING DISTRICTS

9. Regarding the existing and proposed zoning districts:
- A. Regarding the general intent of zoning districts (capitalized words are defined in the Ordinance) as described in Section 5 of the Ordinance:
 - (1) The CR Conservation-Recreation DISTRICT is intended to protect the public health by restricting development in areas subject to frequent or periodic floods and to conserve the natural and scenic areas generally along the major stream networks of the COUNTY.
 - (2) The AG-1 Agriculture DISTRICT is intended to protect the areas of the COUNTY where soil and topographic conditions are best adapted to the pursuit of AGRICULTURAL USES and to prevent the admixture of urban and rural USES which would contribute to the premature termination of AGRICULTURAL pursuits.
 - B. Regarding the general locations of the existing and proposed zoning districts:
 - (1) The AG-1 District is generally located throughout the county in areas which have not been placed in any other Zoning Districts.
 - (2) The CR district is generally located in natural and scenic areas prone to flooding.
 - C. The suitability of the subject property for the CR District was analyzed in the Supplemental Memorandum dated 6/16/11 using land cover, topography, and 100-year floodplain and in the Supplemental Memorandum dated April 17, 2013, based on considerations related to the proposed Special Use Permit (Restricted Landing Area).
 - (1) The analysis in the Supplemental Memorandum dated 6/16/11 can be summarized as follows:

- (a) 1973 Land Cover. The CR District was planned in 1973 and thus was based on the pattern of vegetation that existed at that time. Comparing the 1973 aerial photo to the 2008 aerial photo reveals that the vegetative land cover on the subject property and in the vicinity was almost the same in 1973 as it is today. Except for a small area of permanent vegetation at the west end, the subject property was nearly all farmland in 1973 and remains so today.
 - (b) Topography. Topography (the surface of the ground) is generally the clearest indication of the major stream networks in the County particularly at locations further downstream where the river valley has the best defined form. LIDAR topographic contours at two feet intervals for the subject property and vicinity were compared to the 2008 aerial photo. The contours indicate that the stream valley is clearly defined only on the south side of the river and not well defined on the north side of the stream. The subject property appears to be nearly flat.
 - (c) Area Below the Base Flood Elevation. The area below the Base Flood Elevation is the actual 100-year flood plain. A topographic survey prepared for Phillip Jones by Wayne Ward Engineering dated November 22, 2010, that was included with the Preliminary Memorandum for Case 688-S-11 includes a total of 6 spot elevations and indicates that only about the west 185 feet of the subject property is below the Base Flood Elevation of 654.5 feet mean sea level. However, LIDAR remote sensing topographic data from the Champaign County GIS Consortium included in the Supplemental Memorandum dated 6/16/11 indicated that about the west 400 feet of the area proposed for rezoning is at or below the Base Flood Elevation.
- (2) The analysis in the Supplemental Memorandum dated 4/17/13 can be summarized as follows:
- (a) The area where the hangar is proposed is indicated as “very highly suited” to the CR District based on the vegetation.
 - (b) The west 600 feet of the area proposed for rezoning is indicated as “highly suited” to the CR District based on (1) the minimum separation required to ensure that the Approach Area for a Restricted Landing Area would not interfere with adjacent woodlands based on site index of 80 feet and (2) the area below the Base Flood Elevation. Note that this results in a runway of only 1,270 feet which is less than the minimum IDOT requirement of 1,600 feet.
 - (c) An area indicated as “highly suited based on compatibility of proposed Special Use Permit with the adjacent dwelling”. Note that this is the area within 230 feet of the adjacent dwelling at 177 CR1600E (the Larry and

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Item 9.C.(2) (continued)

Julia Wright-Hall dwelling) based on the compatibility of the proposed RLA with that dwelling.

D. Regarding the different uses that are authorized in the existing and proposed zoning districts by Section 5.2 of the Ordinance:

(1) There are 10 types of uses authorized by right in the AG-1 District and there are 6 types of uses authorized by right in the CR District:

(a) The following 10 uses are authorized in the AG-1 District (asterisk indicates uses also authorized by right in the CR District):

- *Single family dwellings;
 - *Subdivisions of three lots or less;
 - *Agriculture;
 - *Roadside Stand operated by Farm Operator;
 - Minor Rural Specialty Business;
 - Plant Nursery
 - Christmas Tree Sales Lot;
 - Off-premises sign within 660 feet of interstate highway;
 - Off-premises sign along federal highway except interstate highways;
- and
- *Temporary Uses

(b) The only uses authorized by-right in the CR District that is not also authorized by-right in the AG-1 District is Public Park or Recreation Facility.

(c) The uses authorized by-right in the AG-1 District should be compatible with the uses authorized by-right in the CR District.

(2) There are 39 types of uses authorized by Special Use Permit (SUP) in the AG-1 District and 28 types of uses authorized by SUP in the CR District:

(a) The following 39 uses may be authorized by SUP in the AG-1 District (asterisk indicates uses also authorized by right in the CR District):

- *Hotel with no more than 15 lodging units;
- Residential Planned Unit Development;
- *Major Rural Specialty Business;
- *Artificial lake of one or more acres;
- *Mineral extraction, quarrying, topsoil, removal, and allied activities;
- *Elementary School, Junior High School, or High School;
- *Church, Temple, or church related temporary uses on church property;

- *Municipal or Government Building;
 - Adaptive Reuse of Government buildings for any use permitted by right;
 - Penal or correctional institution;
 - *Police station or fire station;
 - *Library, museum or gallery;
 - Public park or recreational facility;
 - *Sewage disposal plant or lagoon;
 - Private or commercial transmission and receiving tower (including antennas) over 100 feet in height;
 - Radio or Television Station;
 - *Electrical Substation;
 - *Telephone Exchange;
 - Residential Airport;
 - Restricted Landing Area;
 - Heliport-Restricted Landing Area;
 - Farm Chemicals and Fertilizer Sales;
 - Livestock Sales Facility and Stockyards;
 - Slaughter Houses;
 - Grain Storage Elevator and Bins;
 - *Riding Stable;
 - *Commercial Fishing Lake;
 - Cemetery or Crematory;
 - *Pet Cemetery;
 - *Kennel;
 - Veterinary Hospital;
 - Off-premises sign farther than 660 feet from an interstate highway;
 - Contractors Facilities with no outdoor operations or storage;
 - Contractors Facilities with outdoor operations and/or storage;
 - *Small Scale Metal Fabricating Shop;
 - Gas Turbine Peaker;
 - Big Wind Turbine (1-3 turbines);
 - Wind Farm;
 - Sawmills, Planing Mills, and related activities; and
 - Pre-Existing Industrial Uses (existing prior to October 10, 1973)
- (b) The following uses are authorized by SUP in the CR District but not in the AG-1 District:
- Public Fairgrounds;
 - Resort or Organized Camp;
 - Bait Sales;

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- Country club or golf course;
 - Country Club Clubhouse;
 - Lodge or private club;
 - Outdoor commercial recreational enterprise (except amusement park);
 - Public Camp or picnic area;
 - Seasonal hunting or fishing lodge;
- (c) A Restricted Land Area has been proposed as a Special Use Permit (Case 688-S-11) in conjunction with the proposed map amendment and many LRMP Objectives and policies are intended to apply to “discretionary approvals” and so this map amendment will be evaluated on the basis of the “by-right uses” and on the basis of the proposed Special Use Permit.

GENERALLY REGARDING THE LRMP GOALS, OBJECTIVES, AND POLICIES

10. The *Champaign County Land Resource Management Plan* (LRMP) was adopted by the County Board on April 22, 2010. The LRMP Goals, Objectives, and Policies were drafted through an inclusive and public process that produced a set of ten goals, 42 objectives, and 100 policies, which are currently the only guidance for amendments to the *Champaign County Zoning Ordinance*, as follows:
- A. The Purpose Statement of the LRMP Goals, Objectives, and Policies is as follows:
- “It is the purpose of this plan to encourage municipalities and the County to protect the land, air, water, natural resources and environment of the County and to encourage the use of such resources in a manner which is socially and economically desirable. The Goals, Objectives and Policies necessary to achieve this purpose are as follows:”
- B. The LRMP defines Goals, Objectives, and Polices as follows:
- (1) Goal: an ideal future condition to which the community aspires
 - (2) Objective: a tangible, measurable outcome leading to the achievement of a goal
 - (3) Policy: a statement of actions or requirements judged to be necessary to achieve goals and objectives
- C. The Background given with the LRMP Goals, Objectives, and Policies further states, “Three documents, the *County Land Use Goals and Policies* adopted in 1977, and two sets of *Land Use Regulatory Policies*, dated 2001 and 2005, were built upon, updated, and consolidated into the LRMP Goals, Objectives and Policies.”

REGARDING LRMP GOALS & POLICIES

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

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

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

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

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

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

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

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

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

Goal 3 has three objectives and no policies. The proposed amendment is **NOT RELEVANT** to Goal 3.

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

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

Goal 4 has 9 objectives and 22 policies. The proposed amendment will **NOT HELP ACHIEVE** Goal 4 for the following reasons:

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

The proposed rezoning will **NOT HELP ACHIEVE** Objective 4.1 because of the following:

(1) Objective 4.1 has nine policies. Policies 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.7, 4.1.8, and 4.1.9 are not relevant to the proposed rezoning.

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- (2) Policy 4.1.1 states “**Commercial agriculture is the highest and best use of land in the areas of Champaign County that are by virtue of topography, soil, and drainage, suited to its pursuit. The County will not accommodate other land uses except under very restricted conditions or in areas of less productive soils.**”

The proposed rezoning **WILL HELP ACHIEVE** Policy 4.1.1 because the subject property is not best prime farmland and will remain partially in agricultural production, although it is unclear as to how much will be able to remain in production because of the safety recommendation to keep the grass cut to be no more than 30% of the wheel height.

- (3) Policy 4.1.6 states “**Provided that the use, design, site and location are consistent with County policies regarding:**
- i. suitability of the site for the proposed use;**
 - ii. adequacy of infrastructure and public services for the proposed use;**
 - iii. minimizing conflict with agriculture;**
 - iv. minimizing the conversion of farmland; and**
 - v. minimizing the disturbance of natural areas,**

then,

- a) on *best prime farmland*, the County may authorize discretionary residential development subject to a limit on total acres converted which is generally proportionate to tract size and is based on the January 1, 2998 configuration of tracts, with the total amount of acreage converted to residential use (inclusive of *by-right development*) not to exceed three acres plus three acres per each 40 acres (including any existing right-of-way), but not to exceed 12 acres in total; or**
- b) on *best prime farmland*, the County may authorize non-residential *discretionary development*; or**
- c) the County may authorize *discretionary review* development on tracts consisting of other than *best prime farmland*.”**

The proposed rezoning **DOES NOT** conform with Policy 4.1.6 as follows:

- (a) The Champaign County Soil and Water Conservation District prepared a Natural Resource Report dated April 29, 2011, that indicated the subject property has an LE factor of 84 and is not considered Best Prime Farmland.

- (b) Note that the definition of “best prime farmland” in the Zoning Ordinance was later amended on November 27, 2012, and under the new definition the subject property would be considered Best Prime Farmland.
 - (c) The rezoning application should be reviewed under the Ordinance that was in place at the time of application and the original applications were received on April 29, 2011, and therefore the subject property is not considered Best Prime Farmland.
 - (d) The proposed use requires a Special Use Permit in the AG-1 Agriculture District, which allows consideration of site suitability, adequacy of public infrastructure and public services, conflict with agriculture, conversion of farmland, and disturbance of natural areas as part of the criterion regarding, “injurious to public health, safety, and welfare.”
 - (e) Achievement of Policy 4.1.6 requires achievement of related Objectives 4.2 and 4.3.
- B. Objective 4.2 is entitled “Development Conflicts with Agricultural Operations” and states, **“Champaign County will require that each *discretionary review* development will not interfere with agricultural operations.”**

The proposed rezoning will **HELP ACHIEVE** Objective 4.2 because of the following:

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

The proposed rezoning will **HELP ACHIEVE** Policy 4.2.1 for the following reasons:

- (a) The Land Resource Management Plan (LRMP) provides no guidance regarding what products or services are better provided in a rural area and therefore that determination must be made in each zoning case.
 - (b) Regarding the proposed Restricted Landing Area (RLA) proposed in related Zoning Case 688-S-11:
 - i. An RLA is better provided in a rural area than an urban area and may be authorized in the AG-1 District with a Special Use Permit.
 - ii. The RLA is not primarily intended to be used for agriculture purposes but could be.
- (2) Policy 4.2.2 states, **“The County may authorize *discretionary review* development in a rural area if the proposed development:**
 - a. **is a type that does not negatively affect agricultural activities; or**

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

The proposed rezoning will **HELP ACHIEVE** Policy 4.2.2 for the following reasons:

- (a) A Restricted Landing Area (RLA) such as proposed in related Zoning Case 688-S-11 does not negatively affect agricultural activities if adequate separation is provided from tall crops and adequate separation appears to be provided in Case 688-S-11.
- (b) There is no evidence to suggest that the RLA proposed in related Zoning Case 688-S-11 has not been designed to minimize exposure to any negative affect caused by agricultural activities.
- (c) There is no evidence to suggest that the RLA proposed in related Zoning Case 688-S-11 will interfere with agricultural activities or damage or negatively affect the operation of agricultural drainage systems, *rural* roads, or other agriculture-related infrastructure.

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

The proposed rezoning will **HELP ACHIEVE** Policy 4.2.3 because there is no reason to believe that the Restricted Landing Area (RLA) proposed in related Zoning Case 688-S-11 would negatively affect agricultural activities.

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

The proposed rezoning will **HELP ACHIEVE** Policy 4.2.4 because there is no reason to believe that any additional buffering is required for the Restricted Landing Area (RLA) proposed in related Zoning Case 688-S-11 other than the separation that is already proposed in order to deal with tall crops.

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

The proposed rezoning will **NOT HELP ACHIEVE** Objective 4.3 because it will **HELP ACHIEVE** Objective 4.3 if only the “by-right” uses in the zoning districts are considered but it will **NOT HELP ACHIEVE** Objective 4.3 if the proposed Special Use in Case 688-S-11 (Restricted Landing Area) is considered because of the following:

- (1) Policy 4.3.1 states, **“On other than best prime farmland, the County may authorize a *discretionary review* development provided that the site with proposed improvements is *suited overall* for the proposed land use.”**

The proposed rezoning will **NOT HELP ACHIEVE** Policy 4.3.1 because it will **HELP ACHIEVE** Policy 4.3.1 if only the “by-right” uses in the zoning districts are considered but it will **NOT HELP ACHIEVE** Policy 4.3.1 if the proposed Special Use in Case 688-S-11 (Restricted Landing Area) is considered because of the following:

- (a) As reviewed above in Item 14.A.(2)(a) the subject property is not considered Best Prime Farmland and so this Policy is applicable.
- (b) Regarding suitability of the subject property for the proposed Restricted Landing Area (RLA):
- i. The subject property is located such that the proposed RLA is 142.65 feet from the nearest dwelling under other ownership which is an unusually close proximity.
 - ii. The subject property is currently zoned CR Conservation Recreation and the west end of the proposed RLA will abut the remainder of the CR District which contains trees that could encroach into the approach area of the proposed RLA which could put the RLA certification by the Illinois Department of Transportation at risk. A prudent RLA owner might acquire that land eventually so that the trees could be managed so as to prevent any encroachment and that could have a deleterious effect on the natural habitat provided by the trees and be incompatible with the purpose and intent of the CR District.
 - iii. The Revised Plan And Profile Of Landing Area (revised site plan for the proposed RLA) received on 3/12/13 indicates that the proposed landing strip area is 120.65 feet south of the north property line which means that the eastern Runway Safety Area is 110.65 feet south of the north property line. The house at 177 CR1600E, Villa Grove, is located on the property adjacent to the north property line and that house is approximately 32 feet from the north property line of the subject property based on the side yard dimension as stated on the most recent Zoning Use Permit site plan for that property. Thus,

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Item 14.C.(1) (continued)

the proposed RLA Runway Safety Area is approximately 142.65 feet south of the existing house at 177 CR1600E, Villa Grove. See Attachment B Plan and Profile of Landing Area (Revised 3/12/13) Annotated to Illustrate Proposed Separations, included with the Supplemental Memorandum dated 3/14/13.

- iv. The Plan And Profile Of Landing Area (revised site plan for the proposed RLA) received on 3/12/13 indicates that the proposed hangar is proposed to be located approximately 64.35 feet north of the existing north property line which makes the proposed RLA runway about 185 feet south of the proposed hangar. Thus, the petitioner's proposed hangar is proposed to be 42.35 feet further from the proposed RLA runway than is the nearest dwelling under different ownership. See Plan And Profile Of Landing Area Annotated To Illustrate Proposed Separations included as an Attachment to the Supplemental Memorandum dated 3/14/13.
- v. The Runway Safety Area is generally considered a more dangerous area than land located on either side of the runway.
- vi. IDOT requires taxiways for RLAs to be at least 85 feet from an RLA runway and requires aircraft to be parked at least 85 feet from an RLA runway. See the attachment to the Supplemental Memorandum dated 3/8/13. The nearest adjacent dwelling under other ownership (the house at 177 CR1600E, Villa Grove) is located only 57.65 feet further away from the RLA runway.
- vii. Staff reviewed a limited number of other Illinois county zoning ordinances to find if any contained "minimum separation requirements from adjacent dwellings". The only minimum separation found in an ordinance was in the Kane County, Illinois Zoning Ordinance which includes both a "Private Landing Strip" and a "Restricted Landing Field". "Private Landing Strip" is a Special Use in the Farming Zoning District (F District) subject to certain restrictions such as compliance with the Illinois Department of Transportation-Division of Aeronautics requirements, limits the number of planes to 2, requires that it must be used in connection with a permitted use in the district. Additional requirements include various minimum separation distances from adjacent facilities and properties including a minimum separation of 200 feet from an adjacent residence or property line and any run up area (undefined) or blast area (undefined). Excerpts from the Kane County, Illinois Zoning Ordinance were included in Attachment C to the Supplemental Memorandum dated 12/13/12. Even if the Kane

County Ordinance were applicable in this instance it is not clear whether that Ordinance would require a 200 feet separation to the adjacent dwelling because the Kane County Ordinance does not define either “run up area” or “blast area”.

- viii. On December 13, 2012, the petitioner’s attorney, Alan Singleton, submitted a list of 16 RLA’s in and around Champaign County as evidence that “...all of them operating with no apparent problem for the neighborhoods and their residents.” Regarding that list of RLA’s in and around Champaign County and their proximities to dwellings under different ownership:
- (a) Eight of the RLA’s were indicated as not being located in Champaign County and six of those are located in counties that have not even adopted a zoning ordinance. A ninth RLA, the Clapper RLA, was indicated on the list as being located in Champaign County but is in fact located in Piatt County. For these properties located outside of Champaign County there was not enough time for staff to gather all of the information necessary to fully evaluate ownership and relations between adjacent properties
 - (b) Day Aero-Place was originally developed as a “residential airport” and included a runway and was therefore intended to be marketed towards owners who desired a close proximity to a landing area. Five of the 10 homes in the development border the runway and their proximity to the runway varies between 85 feet and 135 feet. See the Attachment to the Supplemental Memorandum dated 3/8/13.
 - (c) Regarding the other six RLAs and their proximity to the nearest dwelling under different ownership:
 - i.* The Justus RLA appears to be about 130 feet from the nearest dwelling that is located on a separate tax parcel however the name of the owner of that parcel also has the last name “Justus” and so it not clear exactly what the relationship is between the two landowners.
 - ii.* The Litchfield RLA appears to be about 300 feet from the nearest dwelling that is located on a separate tax parcel however the owner of that dwelling has testified in previous Champaign County Zoning Cases regarding his use of the Litchfield RLA and so

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- the relationship is not the same as proposed in this zoning case.
- iii.* The remaining four RLAs all appear to be at least $\frac{1}{4}$ mile (1,320 feet) from the nearest dwelling under different ownership.
- ix.* Based on the evidence, the proposed RLA runway safety area is only 142.65 feet from the nearest dwelling under different ownership (the house at 177 CR1600E, Villa Grove) which is only 77% of the proposed separation to the proposed hangar and only about 11% of the typical separation for other Champaign County RLAs that were reviewed.
- ix.* About 38% of the area proposed for rezoning (5.124 acres of the 13.67 acres) is at least “highly suited” to the CR District based on the compatibility of the proposed Special Use Permit with the CR District and changing the Zoning District will change the essential character of the CR District, as follows:
- The .671 acres of existing wooded CR District where the hangar is proposed that is “very highly suited” to the CR District; and
 - The 3.926 acres of existing CR District that is not wooded but is (1) located near enough to the existing wooded CR District such that the mature trees will likely penetrate the west Approach Area; and (2) located at or below the Base Flood Elevation which makes it susceptible to flooding and is therefore “highly suited” to the CR District; and
 - About .953 acres of land within a 230 feet radius of the adjacent dwelling located at 177CR1600E that “highly suited” to the CR District based on compatibility of proposed Special Use Permit with the dwelling.
- x.* The Champaign County Soil and Water Conservation District Natural Resource Report indicated that the property has two soil types that have severe ponding characteristics and that the site is subject to flooding and would not be usable as a landing site when flooded.

- (c) Refer to Item 22 for relevant testimony from the public hearings as well as information regarding letters of support and a petition of opposition that were submitted.
- (2) Policy 4.3.2 states, **“On best prime farmland, the County may authorize a discretionary review development provided the site with proposed improvements is well-suited overall for the proposed land use.**

The proposed rezoning is **NOT RELEVANT** to Policy 4.3.2 because as reviewed above in Item 14.A.(2)(a) the subject property is not considered Best Prime Farmland.

- (3) Policy 4.3.3 states, **“The County may authorize a discretionary review development provided that existing public services are adequate to support the proposed development effectively and safely without undue public expense.”**

The proposed rezoning will **HELP ACHIEVE** Policy 4.3.3 for the following reason:

- (a) Letters of support for the proposed RLA were received from both Dan Walsh, Champaign County Sheriff, and Charlie McGrew, Douglas County Sheriff, and Bill Keller, former Champaign County Emergency Management Director. The Sheriff letters from cite the many instances when the Petitioner has provided flying service assistance in public emergency situations. None of those letters suggested anything about the various zoning issues related to impact on the immediate neighborhood but each letter make clear that having both the fixed wing (airplane) and helicopter assets conveniently available could be very valuable and an additional public safety benefit to both counties.
- (4) Policy 4.3.4 states, **“The County may authorize a discretionary review development provided that existing public infrastructure, together with proposed improvements, is adequate to support the proposed development effectively and safely without undue public expense.”**

The proposed rezoning will **HELP ACHIEVE** Policy 4.3.4 because there is no evidence to suggest that the existing public infrastructure is not adequate to support the RLA proposed in related Zoning Case 688-S-11.

- (5) Policy 4.3.5 states, **“On best prime farmland, the County will authorize a business or other non-residential use only if:**
- a. **it also serves surrounding agriculture uses or an important public need; and cannot be located in an urban area or on a less productive site; or**

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- b. **the use is otherwise appropriate in a rural area and the site is very well suited to it.”**

The proposed rezoning is **NOT RELEVANT** to Policy 4.3.5 because as reviewed above in Item 14.A.(2)(a) the subject property is not considered Best Prime Farmland.

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

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

The proposed amendment is **NOT RELEVANT** to Goal 5 because the proposed map amendment is for urban development.

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

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

Goal 6 has 4 objectives and 7 policies. Three of the objectives and 6 of the policies are clearly not relevant. The proposed amendment **WILL NOT IMPEDE** the achievement of Goal 6.

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

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

Goal 7 has 2 objectives and 7 policies. The proposed amendment **WILL NOT IMPEDE** the achievement of Goal 7.

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

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

Goal 8 has 9 objectives and 36 policies and except as reviewed below will not be impeded by the proposed amendment. The proposed amendment will **NOT HELP ACHIEVE** Goal 8 for the following reasons:

- A. Objective 8.5 is entitled “Aquatic and Riparian Ecosystems” and states “**Champaign County will encourage the maintenance and enhancement of aquatic and riparian habitats.**”

The proposed rezoning will **NOT HELP ACHIEVE** Objective 8.5 because it will **HELP ACHIEVE** Objective 8.5 if only the “by-right” uses in the zoning districts are considered

but it will **NOT HELP ACHIEVE** Objective 8.5 if the proposed Special Use in Case 688-S-11 (Restricted Landing Area) is considered because of the following:

- (1) Objective 8.5 has 5 policies. Policies 8.5.3, 8.5.4, and 8.5.5 are not relevant to the proposed rezoning.
- (2) Policy 8.5.1 states, **“For discretionary development, the County will require land use patterns, site design standards and land management practices that, wherever possible, preserve existing habitat, enhance degraded habitat and restore habitat.”**

The proposed rezoning will **NOT HELP ACHIEVE** Policy 8.5.1 because it will **HELP ACHIEVE** Policy 8.5.1 if only the “by-right” uses in the zoning districts are considered but it will **NOT HELP ACHIEVE** Policy 8.5.1 if the proposed Special Use in Case 688-S-11 (Restricted Landing Area) is considered because of the following:

- (a) A report received April 29, 2011, from the Champaign County Soil and Water Conservation District reports that if preventative measures are taken for erosion and sedimentation there should be no issue with water quality.
- (b) The proposed hangar, if constructed would require some of the wooded area on the subject property to be cut down.
- (c) The Petitioner testified at the August 11, 2011, public hearing that the trees will not be damaged, touched, or violated in any way during the use of the proposed RLA.
- (d) The Petitioner testified at the March 14, 2013, public hearing that he has planted 1,009 trees on his property.
- (e) At the December 13, 2012, public hearing, neighbor Larry Hall stated that the 30,750 square feet area for the proposed hangar would have to be removed and the removal of these trees would destroy a substantial habitat and conservation environment.
- (f) At the December 13, 2012, public hearing, nearby landowner Jean Fisher, testified that trees along the river basin provide habitat for wildlife, stabilize ground, filter watershed, and improve water and air quality.
- (g) A portion of the CR District that is currently wooded and is 26,903 square feet (.617 acre) in area is proposed to be rezoned to the AG-1 District for the construction and development of the proposed hangar. The existing

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vegetation in this area will necessarily be removed to allow construction of the proposed hangar and movement of aircraft to and from the hangar.

- (h) A portion of the CR District that is not currently wooded and is approximately 1.700 acres in area is proposed to remain in the CR District but is located at the west end of the proposed RLA and underneath the "Approach Area" required by IDOT. The slope of the Approach Area is 15 feet horizontal to one foot vertical and nothing is allowed to penetrate the imaginary plane of the Approach Area for a distance of 3,000 feet from the end of the RLA runway. Vegetation below the Approach Area must be maintained at a height such that it does not penetrate the Approach Area. The Approach Area is 18 feet above the runway on the east side of this area and approximately 46 feet above the runway on the west side. As indicated on the Plan And Profile Of Landing Area (revised site plan for the proposed RLA) received on 3/12/13, the surface of the ground slopes down to the channel of the East Branch of the Embarrass River and the allowed clear height below the approach area will vary from 20 feet to approximately 50 feet. It is unlikely that this area can ever have mature native trees so long as the IDOT Certificate is maintained for the proposed RLA.
 - (i) A portion of the CR District that is currently wooded and is approximately 3.90 acres in area is located west of the proposed RLA and on the west side of the East Branch of the Embarrass River and this area will also be located underneath the IDOT required Approach Area. The ground elevations in this area are not indicated on the Plan And Profile Of Landing Area (revised site plan for the proposed RLA) received on 3/12/13 so the allowable clear height is not known with any accuracy. However, the Approach Area varies in height from 46 feet above the runway on the east side of this wooded area to 85 feet in height above the runway on the west side. This land is not currently owned by the petitioner but in order to retain the IDOT Certificate for the proposed RLA the trees below the Approach Area cannot penetrate above the imaginary surface of the Approach Area and therefore trees cannot be taller than the Approach Area.
 - (j) In related Case 688-S-11 the Zoning Board of Appeals found that the proposed RLA Special Use **WILL** be injurious to the surrounding CR district and **IS NOT** in harmony with the general purpose and intent of the Ordinance.
- (3) Policy 8.5.2 states, **"The County will require in its discretionary review that new development cause no more than minimal disturbance to the stream corridor environment."**

The proposed rezoning **NOT HELP ACHIEVE** Policy 8.5.2 for the same reasons as for Policy 8.5.1 above.

- B. Objective 8.6 is entitled “Natural Areas and Habitat” and states “**Champaign County will encourage resource management which avoids loss or degradation of areas representative of the pre-settlement environment and other areas that provide habitat for native and game species.**”

The proposed rezoning will **NOT HELP ACHIEVE** Objective 8.6 because it will **HELP ACHIEVE** Objective 8.6 if only the “by-right” uses in the zoning districts are considered but it will **NOT HELP ACHIEVE** Objective 8.6 if the proposed Special Use in Case 688-S-11 (Restricted Landing Area) is considered because of the following:

- (1) Objective 8.6 has 6 policies. Policies 8.6.1, 8.6.5, and 8.6.6 are not relevant to the proposed rezoning.
- (2) Policy 8.6.2 states:
 - a. **“For new development, the County will require land use patterns, site design standards and land management practices to minimize the disturbance of existing areas that provide habitat for native and game species, or to mitigate the impacts of unavoidable disturbance to such areas.**
 - b. **With regard to by-right development on good zoning lots, or the expansion thereof, the County will not require new zoning regulations to preserve or maintain existing onsite areas that provide habitat for native and game species, or new zoning regulations that require mitigation of impacts of disturbance to such onsite areas.”**

The proposed rezoning will **NOT HELP ACHIEVE** Policy 8.6.2 because it will **HELP ACHIEVE** Policy 8.6.2 if only the “by-right” uses in the zoning districts are considered but it will **NOT HELP ACHIEVE** Policy 8.6.2 if the proposed Special Use in Case 688-S-11 (Restricted Landing Area) is considered for the same reasons as for Policy 8.5.1 above.

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

The proposed rezoning will **HELP ACHIEVE** Policy 8.6.3 for the following reasons:

- (a) The petitioner has had the Illinois Department of Natural Resources (IDNR) conduct a Natural Resource Review.

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- (b) The IDNR Natural Resource Report indicates that adverse effects on natural resources are unlikely provided compliance with all federal, state, and local environmental laws, regulations, and ordinances are complied with.
- (4) Policy 8.6.4 states, **“The County will require implementation of IDNR recommendations for discretionary development sites that contain endangered or threatened species, and will seek to ensure that recommended management practices are maintained on such sites.”**

The proposed rezoning will **HELP ACHIEVE** Policy 8.6.4 for the following reasons:

- (a) The petitioner has had the Illinois Department of Natural Resources (IDNR) conduct a Natural Resource Review.
- (b) The IDNR Natural Resource Report indicates that adverse effects on natural resources are unlikely provided compliance with all federal, state, and local environmental laws, regulations, and ordinances are complied with.

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

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

Goal 9 has 5 objectives and 5 policies. The proposed amendment is **NOT RELEVANT** to Goal 9 because the proposed amendment does not address energy efficiency or the use of renewable energy sources.

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

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

Goal 10 has 1 objective and 1 policy. The proposed amendment will **HELP ACHIEVE** Goal 10 for the following reasons:

- A. Objective 10.1 is entitled “Cultural Amenities” and states **“Champaign County will encourage the development and maintenance of cultural, educational, recreational, and other amenities that contribute to the quality of life of its citizens.”**

The proposed rezoning will **HELP ACHIEVE** Objective 10.1 for the following reason:

- (1) Policy 10.1.1 states, **“The County will work to identify historic structures, places and landscapes in the County.”**

The proposed rezoning will **HELP ACHIEVE** Policy 10.1.1 for the following reason(s):

- (a) In a letter dated March 7, 2013, the State Historic Preservation Agency determined that no significant historic, architectural, or archaeological resources are located within the proposed project area.

GENERALLY REGARDING THE LaSalle Factors

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

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

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

Table 1: Land Use and Zoning Summary

Direction	Land Use	Zoning
Site	Hayfield	CR Conservation-Recreation
Adjacent property (also owned by applicant)	Single family dwelling w/ horses and pasture	
North	Single family residential (see the discussion of proximity under item 14.C.)	CR Conservation-Recreation
East	Farmland	AG-1 Agriculture
West	Single family residential (same as to the north) Wooded bottomland of the East Branch of the Embarras River	CR Conservation-Recreation
South	Farmland	CR Conservation-Recreation

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

- (1) It is impossible to establish values without a formal real estate appraisal which has not been requested nor provided and so any discussion of values is necessarily general.

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- (2) In regards to the value of nearby residential properties, it is not clear if the requested map amendment would have any effect. In a letter received August 4, 2011, Daniel Cothorn from Keller Williams Realty contends that in his professional opinion, the proposed restricted landing area would have a significant negative impact on the Hall's (adjacent neighbor) property value and will significantly diminish their ability to sell their home in the future.

A letter received August 11, 2011, from Jackie Harbin of the Hillard Agency reported that an airplane runway should not affect property values of neighboring property, but that the improvements the Jones' have made to their property should increase the neighboring property values.

A letter received December 13, 2012, from Jongin Kim Craggs, Residential Appraiser at Craggs Appraisal Services, indicates that it is her professional opinion that the proposed RLA would not cause any decrease in property values and that because of the assistance provided to local law enforcement property values may increase because of the greater community safety.

- (3) In regards to the value of the subject property it also is not clear if the requested map amendment would have any effect.

- C. ***LaSalle* factor: The extent to which the destruction of property values of the plaintiff promotes the health, safety, morals, and general welfare of the public.**
There have been multiple conflicting reports from real estate professionals on the effects the proposed use of the subject property would have on surrounding properties, neither of these reports are formal evaluations. The proposed rezoning and related Special Use Permit would permit a Restricted Landing Area on the subject property. The petitioner lives adjacent to the subject property and it would allow a quick response to a request for assistance in search and rescue.
- D. ***LaSalle* factor: The relative gain to the public as compared to the hardship imposed on the individual property owner.**
The relative gain to the public is that the petitioner would be able to respond to requests for assistance in search and rescue situations faster since he would not have to drive to where his aircraft are currently stored.
The hardship imposed on the property owner is that without the proposed rezoning the Restricted Landing Area cannot be established in the CR, Conservation-Recreation Zoning District.
- E. ***LaSalle* factor: The suitability of the subject property for the zoned purposes.**
(1) The subject property is suitable for the current zoned purposes.

- (2) Based on the discussion of suitability under item 14.C. above, the subject property is **NOT SUITABLE** for the proposed zoned purpose which is a Restricted Landing Area.
- F. ***LaSalle factor: The length of time the property has been vacant as zoned considered in the context of land development in the vicinity of the subject property.***
The CR District was planned in 1973 and thus was based on the pattern of vegetation that existed at that time. 1973 and 2008 aerial photos were compared and it appears that the land cover in 1973 exists today on the subject property and in the vicinity. Currently, the property is agricultural production and was in 1973.
- G. ***Sinclair factor: The need and demand for the use.***
The proposed use, if rezoned is a Restricted Landing Area (see related Case 688-S-11) for the petitioner's aircraft. The need and demand for the use is for personal use. In related Case 688-S-11 the Zoning Board of Appeals found that the proposed Special Use Permit **IS** necessary for the public convenience.
- H. ***Sinclair factor: The extent to which the use conforms to the municipality's comprehensive planning.***
The proposed use **DOES NOT CONFORM** to goals and policies of the Champaign County Land Resource Management Plan.

REGARDING RELEVANT TESTIMONY IN THE PUBLIC HEARING

22. Relevant testimony in the public hearing can be summarized as follows:
- A. Letters of support have been received from the following:
- (1) Dan Walsh, Champaign County Sheriff.
 - (2) Bill Keller, former Champaign County Emergency Management Director.
 - (3) Charlie McGrew, Douglas County Sheriff.
 - (4) Ben Shadwick, 1004 North Fox Run, Villa Grove.
 - (5) Charles and Shelley Sollers; 507 South Harrison Street, Philo.
 - (6) Carl Brown, 1577 CR 200N, Tolono.
 - (7) Jud Nogle, 303 Jay Street, Savoy.
- B. Letters of opposition have been received from the following:
- (1) Larry Hall, 177 N CR 1600E, Villa Grove.
 - (2) Julia Wright Hall, 177 N CR 1600E, Villa Grove.
 - (3) Jean Fisher, 195 N CR 1600E, Villa Grove.
 - (4) Stephen R. Gast, 1580 CR 200N, Tolono.
- C. At the August 11, 2011, public hearing adjacent landowner Larry Hall submitted a petition signed by those in opposition of the proposed rezoning in related Case 687-AM-11. He said the petition reads as follows: We, the undersigned oppose the rezoning in order to protect the existing neighborhoods in the area, preserve the property values of the homes in

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the existing residential neighborhoods, protect the wildlife, farm, and domestic animals in the area, preserve the scenic value as stated in the Zoning Code as one of the purposes of the Conservation-Recreation classification, protect the safety and welfare of those traveling along Route 130 and protect the safety and welfare of the homeowners in the existing neighborhoods. The following people signed the petition:

- (1) Larry & Julia Hall, 177 N CR 1600E, Villa Grove.
 - (2) Danielle N. Risken, 187 CR 1600E, Villa Grove.
 - (3) Damon Hood, 187 CR 1600E, Villa Grove.
 - (4) Bill Yeakel, 1602 CR 700N, Villa Grove.
 - (5) Mark & Jean Fisher 195 CR 1600E, Villa Grove.
 - (6) Josh Fisher, 195 CR 1600E, Villa Grove.
 - (7) Carol Zell, 1574 CR 100N, Villa Grove.
 - (8) Karen L. Scott, 405 North Pine Street, Villa Grove.
 - (9) Stephen & Letha Gast, 1580 CR 200 N, Tolono.
 - (10) Martha A. Gast, 1562 CR 200N, Tolono.
 - (11) Rhys G. Baker, 1562 CR 200N, Tolono.
 - (12) J.D. Crawford, 1548 CR 100N, Villa Grove.
 - (13) J.C. Crawford, 1545 CR 200N, Tolono. (A letter of withdrawal from JC Crawford was received on December 13, 2012).
 - (14) Kenneth J. Henry Jr., 16026 CR 200N, Villa Grove.
 - (15) Trent Miller, 1601 CR 200N, Villa Grove.
 - (16) Shannon Wright, 1006 North Possum Trail, Villa Grove.
 - (17) Darren R. Wright, 405 North Pine Street, Villa Grove.
 - (18) Walt Ezell, 1574 CR 100N, Villa Grove.
 - (19) Hunter Ezell, Villa Grove.
 - (20) Phyllis Williams, 1548 CR 100N, Villa Grove.
 - (21) Kevin Drum, 1548 CR 100N, Villa Grove.
 - (22) Lisa Goin, 1548 CR 100N, Villa Grove.
 - (23) Paul & Cindy Garrett, 1602 CR 200N, Villa Grove.
 - (24) Wes & Donna Miller, 1603 CR 200N, Villa Grove.
 - (25) Joshua Cler, 151 CR 1700E, Villa Grove.
 - (26) Kerry Cheely, 1576 CR 200N, Villa Grove.
 - (27) Denny Brown, 151 CR 1700E, Villa Grove.
 - (28) Terry Brown, 151 CR 1700E, Villa Grove.
 - (29) La Tonya Fleming, 1601 East Florida, Urbana.
 - (30) Tyran Jackson, 1601 East Florida, Urbana.
 - (31) Jesse Fisher, 195 CR 1600E, Villa Grove.
 - (32) Christine Fisher, RR1 Fowler, Paloma.
 - (33) John Liffick, 1573 CR 200N, Tolono.
- D. In a written statement read at the August 11, 2011, public hearing, neighbor Larry Hall (resident of the nearest dwelling) stated as follows:
- (1) He and his wife Julia Hall oppose the proposed rezoning.

- (2) If the rezoning is approved he and his wife request the following restrictions be considered for the proposed RLA and/or Heliport-RLA:
 - (a) If the Heliport-RLA is approved deny the airstrip (RLA) for fixed wing aircraft.
 - (b) Limit the use of the Heliport-RLA to only two helicopters.
 - (c) If the RLA is approved he and his wife request the following restrictions be considered for the proposed RLA:
 - i.* The RLA can only be used for personal aircraft and aircraft owned by immediate family.
 - ii.* All identifying numbers of authorized aircraft shall be on file with the Department of Planning and Zoning.
 - iii.* The landing strip shall not be paved.
 - iv.* The RLA should not be used for commercial purposes but if used for crop dusting no take off or landings earlier than 7:30AM or later than 5PM and only on Monday through Friday and not on any holiday that falls on a Monday through Friday; and any commercial aircraft shall a minimum liability insurance requirement of \$5 million; and no more than two aircraft shall use the RLA at the same time.
 - (3) No inoperative aircraft or parts stored or maintained except inside a full enclosed building.
 - (4) The Special Use Permit not be transferable to any future owner of the property.
 - (5) The Board should require the Petitioner to have minimum liability insurance of \$5 million and a current certificate of insurance be on file at the Department of Planning and Zoning at all times.
- E. In a written statement read at the August 11, 2011, public hearing, neighbor Julia Hall (resident of the nearest dwelling to the RLA) stated she and her husband are opposed to the rezoning.
- G. At the December 13, 2012, public hearing Mr. Larry Hall, adjacent landowner, testified. Mr. Larry Hall's testimony is summarized as follows:
- (1) He prepared a large drawing for the Board to review during his testimony and submitted the drawing as a Document of Record.
 - (2) Based on his research and discussions with other pilots crosswinds could pose a risk to aircraft landing at the proposed RLA and would subsequently increase the risk that his family and property would incur, and he is concerned about the effect

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that any large crosswind from the south might have on an aircraft landing near his home.

- (3) Based on his research and an article from *Sport Aviation Magazine* that he submitted as a Document of Record, an aircraft landing on a grass runway should not land if the grass is kept at more than 30% of the wheel height and 30% of the wheel height of the petitioners Cessna aircraft is 5.1 inches. If the grass will be kept at 6 to 8 inches this will exceed 30% of the wheel height. If the petitioner intends to operate in a safe manner and maintain the grass runway at 5 inches the hay cannot be harvested which in turn would be taking this land out of agricultural production.
 - (4) The trees in the 30,750 square feet area for the proposed hangar would have to be removed and the removal of these trees would destroy a substantial habitat and conservation environment.
 - (5) Approximately 500 trees were planted on top of the berm that was constructed behind the existing adjacent homes.
- H. At the December 13, 2012, public hearing Dr. Phillip Jones, petitioner, testified. Dr. Jones' testimony is summarized as follows:
- (1) He has planted over 2,500 native hardwood trees on his property therefore to indicate that he is creating a conservation problem is unfounded. The Petitioner reduced this number in testimony at the March 14, 2013, public hearing when he testified that he has planted 1,009 trees on his property.
 - (2) He has been flying over 20 years and has never had an incident of any kind and the argument regarding crosswinds is not an issue.
 - (3) Larry Hall's house is further away than almost all airport hangars to a landing strip and it is impossible to drive an airplane through the five feet of grass that is near Mr. Hall's property.
 - (4) An airplanes engine is on idle when it lands therefore his aircraft will be quieter than his diesel truck is when he drives down his lane. There may be a little noise when he takes off but he will be 1,000 feet in the air when he passes over Larry Hall's house.
 - (5) He has not made any movement in purchasing any additional property. The property adjacent to his is zoned CR and he would have to purchase 60 and an additional 80 acres which would require a substantial amount of money.

- (6) His helicopter has one 315 horsepower engine the helicopter that generally lands at Carle Hospital has two 650 horsepower engines and comparing the noise it makes to the noise the helicopter that lands at Carle Hospital is like comparing a Nissan car to a semi-truck, and the noise is much less.
- I. At the December 13, 2013, public hearing Mrs. Jean Fisher, neighbor, testified. Mrs. Fisher's testimony is summarized as follows:
 - (1) The Morton Arboretum website references native trees of the Midwest and describes the uses of such trees as food, shelter for wildlife and the advantages of trees in the landscape. Many of the common trees such as Sycamore, Oak, Maple, Basswood, Hickory Pines, and River birch grow to heights of 40 to 100 feet and are characterized as either fast or slow growing. Fast growing trees may average 25 inches per year, medium growing trees can average 13 to 22 inches per year, and slow growing trees may average less than 12 inches per year.
 - (2) Trees located along the river basin provide habitat for wildlife, stabilize ground, filter watershed, and improve water and air quality.
 - (3) If area homeowners decide to sell their property, especially Larry Hall, they would have to fully disclose that the property abuts an RLA and in her opinion that hurts property values and the proximity to an RLA could be a deal breaker for potential buyers.
 - J. At the December 13, 2012, public hearing Mrs. Sarabeth Jones, petitioner, testified. Mrs. Jones' testimony is summarized as follows:
 - (1) She cannot believe that the cutting of the trees would cause more damage than what they have added to the property because they have enhanced the area by adding prairie and habitat areas for the different wildlife.
 - (2) She rides her horse on the entirety of the property and to her knowledge there are no Sycamore or Red Oak trees although they do have White Oak trees on the property.
 - K. At the December 13, 2013, public hearing Linda Schumm, Bureau Chief Aviation Safety IDOT, testified that air traffic control will not tell a pilot to land in an RLA, but will tell the pilot that there is an RLA in the area because it is always safer to land on a runway than on a cornfield or road.
 - L. A letter received December 13, 2012, from Jongin Kim Craggs, Residential Appraiser, indicates that it is her professional opinion that the proposed RLA would not cause any decrease in property values and that because of the assistance provided to local law enforcement property values may increase because of the greater community safety.

- M. A letter received December 13, 2012, from J.C. Crawford, nearby landowner, requested that his name be removed from the petition of opposition that was submitted at the August 11, 2011, public hearing.

REGARDING THE PURPOSE OF THE ZONING ORDINANCE

23. Regarding whether or not the proposed amendment will achieve the purpose of the Zoning Ordinance as established in Section 2 of the Ordinance:

- 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 **DOES** secure adequate light, pure air, and safety from fire and other dangers for the following reasons:

- (1) This purpose is directly related to the limits on building coverage and the minimum yard requirements in the Ordinance and the proposed site plan is in full compliance with those requirements.
 - (2) In a written statement read at the August 11, 2011, public hearing, neighbor Julia Hall (resident of the nearest dwelling to the RLA) stated she and her husband are opposed to the rezoning and :
 - i. Rezoning the property to allow for an RLA would prevent her from securing safety due to the possibility of an aircraft accident.
 - ii. She submitted accident information from the National Transportation Safety Board (NTSB) indicating there were 34 recorded single engine plane crashes in Illinois from 1/5/10 to 7/7/11.
 - iii. She submitted information from a 2009 publication of the *Helicopter Association International* indicating there were 161 civil helicopter accidents in 2009.
 - iv. The pond constructed by the Jones' attracts waterfowl which creates a distinct hazard to aircraft landing or taking off and according to data from the FAA there were 486 bird strikes by planes in Illinois in 2010.
- 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.

Because of the proposed Special Use in related Case 688-S-11, the proposed amendment **{DOES/DOES NOT}** (*Note: In a roll call vote ZBA members voted 3-3 on this decision point, therefore no decision was made*) conserve the value of land, BUILDINGS, and STRUCTURES throughout the COUNTY for the following reasons:

- (1) In a written statement read at the August 11, 2011, public hearing, neighbor Julia Hall (resident of the nearest dwelling to the RLA) stated she and her husband are opposed to the rezoning and the rezoning would reduce the property values for

homes in the area. Ms. Hall also submitted a letter from Daniel M. Cothorn, Director of Commercial Real Estate for Keller Williams Realty, that stated in general that the RLA would have a negative impact on property value.

- (2) At the August 15, 2011, public hearing, the Petitioner submitted a letter from Jackie Harbin of the Hillard Agency, Inc. Insurance & Real Estate Brokers of Villa Grove, Illinois, that stated in general that the runway should not affect property values of neighboring property and is summarized above under item 8.P.
- (3) A letter received December 13, 2012, from Jongin Kim Craggs, Residential Appraiser at Craggs Appraisal Services, indicates that it is her professional opinion that the proposed RLA would not cause any decrease in property values and that because of the assistance provided to local law enforcement property values may increase because of the greater community safety.
- (4) The RLA is proposed to be 142.65 feet from the nearest dwelling.
- (5) The property is currently zoned CR and an RLA is not an authorized use in the CR District.
- (6) Refer to Item 8.Z. of the Summary of Evidence and Finding of Fact for related Case 688-S-11 for testimony regarding the existing berm, noise, and scenic quality.

- 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 requested Special Use Permit complies with the *Champaign County Stormwater Management Policy* and there are no special drainage problems that appear to be created by the Special Use Permit.

- 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.

- (a) In regards to public safety, this purpose is similar to the purpose established in paragraph 2.0 (a) and is in harmony to the same degree.

AS APPROVED

- (b) In regards to public comfort and general welfare, this purpose is similar to the purpose of conserving property values established in paragraph 2.0 (b) and is in harmony to the same degree.
 - (c) Overall, because of the proposed Special Use in related Case 688-S-11, the proposed amendment **DOES NOT** promote the public health, safety, comfort, morals, and general welfare.
- 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.
- This purpose is directly related to the limits on building height and building coverage and the minimum setback and yard requirements in the Ordinance and the proposed site plan appears to be in full compliance.
- 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.
- This purpose is directly related to the limits on building height and building coverage and the minimum setback and yard requirements in the Ordinance and the proposed site plan appears to be in full compliance.
- 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.
- This purpose is directly related to the limits on building height and building coverage and the minimum setback and yard requirements in the Ordinance and the proposed site plan appears to be in full compliance.
- 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.
- Harmony with this purpose requires that the special conditions of approval in the related Special Use Permit sufficiently mitigate or minimize any incompatibilities between the proposed Special Use Permit and adjacent uses, and that the special conditions adequately mitigate noncompliant conditions. The Zoning Board of Appeals included any necessary special conditions in their final determination of Case 688-S-11.

- 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.

Harmony with this purpose requires that the special conditions of approval in the related Special Use Permit sufficiently mitigate or minimize any incompatibilities between the proposed Special Use Permit and adjacent uses, and that the special conditions adequately mitigate noncompliant conditions. The Zoning Board of Appeals included any necessary special conditions in their final determination of Case 688-S-11.

- 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.

Harmony with this purpose requires that the special conditions of approval in the related Special Use Permit sufficiently mitigate or minimize any incompatibilities between the proposed Special Use Permit and adjacent uses, and that the special conditions adequately mitigate noncompliant conditions. The Zoning Board of Appeals included any necessary special conditions in their final determination of Case 688-S-11.

- 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.

Harmony with this purpose requires that the special conditions of approval in the related Special Use Permit sufficiently mitigate or minimize any incompatibilities between the proposed Special Use Permit and adjacent uses, and that the special conditions adequately mitigate noncompliant conditions. The Zoning Board of Appeals included any necessary special conditions in their final determination of Case 688-S-11.

- 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 not directly related to this purpose.

AS APPROVED

- 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.

Because of the proposed Special Use in related Case 688-S-11, the proposed amendment **DOES NOT** protect natural features such as forested areas and watercourses for the following reasons:

- (1) The proposed hangar, if constructed would require 26,903 square feet (.617 acre) in area of the wooded area on the subject property to be cut down.
- (2) A portion of the CR District that is not currently wooded and is approximately 1.700 acres in area is proposed to remain in the CR District but is located at the west end of the proposed RLA and underneath the "Approach Area" required by IDOT. The slope of the Approach Area is 15 feet horizontal to one foot vertical and nothing is allowed to penetrate the imaginary plane of the Approach Area for a distance of 3,000 feet from the end of the RLA runway. Vegetation below the Approach Area must be maintained at a height such that it does not penetrate the Approach Area. The Approach Area is 18 feet above the runway on the east side of this area and approximately 46 feet above the runway on the west side. As indicated on the Plan And Profile Of Landing Area (revised site plan for the proposed RLA) received on 3/12/13, the surface of the ground slopes down to the channel of the East Branch of the Embarrass River and the allowed clear height below the approach area will vary from 20 feet to approximately 50 feet. It is unlikely that this area can ever have mature native trees so long as the IDOT Certificate is maintained for the proposed RLA.
- (3) A portion of the CR District that is currently wooded and is approximately 3.90 acres in area is located west of the proposed RLA and on the west side of the East Branch of the Embarrass River and this area will also be located underneath the IDOT required Approach Area. The ground elevations in this area are not indicated on the Plan And Profile Of Landing Area (revised site plan for the proposed RLA) received on 3/12/13 so the allowable clear height is not known with any accuracy.

However, the Approach Area varies in height from 46 feet above the runway on the east side of this wooded area to 85 feet in height above the runway on the west side. This land is not currently owned by the petitioner but in order to retain the IDOT Certificate for the proposed RLA the trees below the Approach Area cannot penetrate above the imaginary surface of the Approach Area and therefore trees cannot be taller than the Approach Area.

- (4) The Petitioner testified at the August 11, 2011, public hearing that the trees will not be damaged, touched, or violated in any way during the use of the proposed RLA.

- (5) In a written statement read at the August 11, 2011, public hearing, neighbor Julia Hall (resident of the nearest dwelling to the RLA) stated she and her husband are opposed to the rezoning and the rezoning would not protect the forested area.
- (6) At the December 13, 2012, public hearing, nearby landowner Jean Fisher, testified that trees along the river basin provide habitat for wildlife, stabilize ground, filter watershed, and improve water and air quality.
- (7) At the December 13, 2012, public hearing Mrs. Sarabeth Jones, petitioner, testified that she cannot believe that the cutting of the trees would cause more damage than what they have added to the property because they have enhanced the area by adding prairie and habitat areas for the different wildlife.

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.

SUMMARY FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **June 16, 2011, August 11, 2011, November 10, 2011, May 31, 2012, August 16, 2012, December 13, 2012, March 14, 2013, and April 25, 2013**, the Zoning Board of Appeals of Champaign County finds that:

1. The proposed amendment will **NOT HELP ACHIEVE** the Land Resource Management Plan because of the following (objectives and policies are very briefly summarized):
 - A. The proposed amendment will **NOT HELP ACHIEVE Goal 4 Agriculture** because of the following:
 - It will **NOT HELP ACHIEVE Objective 4.1 requiring minimization of the fragmentation of farmland, conservation of farmland, and stringent development standards on best prime farmland** because the only relevant policies are the following:
 - It will **HELP ACHIEVE Policy 4.1.1 requiring that other land uses only be accommodated under very restricted conditions or in areas of less productive soils (see Item 14.A.(2)).**
 - It **DOES NOT conform to Policy 4.1.6 requiring that the use, design, site and location are consistent with policies regarding suitability, adequacy of infrastructure and public services, conflict with agriculture, conversion of farmland, and disturbance of natural areas (see Item 14.A.(3)).**
 - It will **HELP ACHIEVE Objective 4.2 requiring discretionary development to not interfere with agriculture** because it will **HELP ACHIEVE** all of the subsidiary policies under 4.2.
 - It will **NOT HELP ACHIEVE Objective 4.3 requiring any discretionary development to be on a suitable site** because it will **NOT HELP ACHIEVE** the following:
 - It will **NOT HELP ACHIEVE Policy 4.3.1 requiring on other than best prime farmland that County may authorize a discretionary review development if the site is suited overall (see Item 14.C.(1)).**
 - And will **HELP ACHIEVE** the following:
 - **Policy 4.3.3 requiring existing public services be adequate to support the proposed development effectively and safely without undue public expense (see Item 14.C.(3)).**
 - **Policy 4.3.4 requiring existing public infrastructure be adequate to support the proposed development effectively and safely without undue public expense (see Item 14.C.(4)).**
 - B. The proposed amendment will **NOT HELP ACHIEVE Goal 8 Natural Resources** because while it will either not impede or is not relevant to the other Objectives and Policies under this goal, it will **NOT HELP ACHIEVE** the following:

- Objective 8.5 requiring the County to encourage the maintenance and enhancement of aquatic and riparian habitats because while it will either not impede or is not relevant to the other Objectives and Policies under this goal it, will **NOT HELP ACHIEVE** the following:
 - Policy 8.5.1 requiring discretionary development to preserve existing habitat, enhance degraded habitat and restore habitat (see Item 18.A.(2)).
 - Policy 8.5.2 requiring discretionary development to cause no more than minimal disturbance to the stream corridor environment (see Item 18.A.(3)).
- Objective 8.6 that avoids loss or degradation of habitat because it will **NOT HELP ACHIEVE** the following:
 - Policy 8.6.2 requiring new development to minimize the disturbance of habitat or to mitigate unavoidable disturbance of habitat (see Item 18.B.(2)).

And will HELP ACHIEVE the following:

- Policy 8.6.3 requiring the County to use credible sources of information to identify priority areas for protection, restoration, preservation or enhancement (see Item 18.B.(3)).
- Policy 8.6.4 requiring implementation of IDNR recommendations for discretionary development sites that contain endangered or threatened species (see Item 18.B.(4)).

C. The proposed amendment will **HELP ACHIEVE Goal 10 Cultural Amenities** because while it will either not impede or is not relevant to the other Objectives and Policies under this goal, it will **HELP ACHIEVE** the following:

- Objective 10.1 requiring the development and maintenance of cultural, educational, recreational, and other amenities that contribute to the quality of life because while it will either not impede or is not relevant to the other Objectives and Policies under this goal it, will **HELP ACHIEVE** the following:
 - Policy 10.1.1 requiring the County to work to identify historic structures, places and landscapes (see Item 20.A.(1)).

D. The proposed amendment will **NOT IMPEDE** the following LRMP goal(s):

- Goal 6 Public Health and Safety
- Goal 7 Transportation

E. The proposed amendment is **NOT RELEVANT** to the following LRMP goal(s):

- Goal 1 Planning and Public Involvement
- Goal 2 Governmental Coordination
- Goal 3 Prosperity
- Goal 5 Urban Land Use
- Goal 9 Energy Conservation

2. The proposed Zoning Ordinance map amendment **IS NOT** consistent with the *LaSalle* and *Sinclair* factors because of the following:

- There have been conflicting reports on the effect of neighboring property values.
 - The proposed use could not be established without the proposed map amendment.
 - The subject property is **SUITABLE** for the current zoned uses and is **NOT SUITABLE** for the proposed Special Use Permit.
 - The proposed map amendment, on the basis of the proposed Special Use Permit, is **INCOMPATIBLE** with the existing uses and zoning of nearby property.
 - There **IS** a need and demand for the use.
 - The proposed use **DOES NOT CONFORM** to the Champaign County Land Resource Management Plan.
3. The proposed Zoning Ordinance map amendment will *{HELP ACHIEVE / PREVENT ACHIEVEMENT OF}* the purpose of the Zoning Ordinance because:
- The proposed map amendment is either fully consistent with or will not impede the achievement of 10 of the 18 Purpose statements .
 - The proposed map amendment on the basis of the proposed Special Use Permit **DOES** secure adequate light, pure air, and safety from fire and other dangers (Purpose 2.0 (a) see Item 23.A.).
 - The proposed map amendment on the basis of the proposed Special Use Permit *{DOES/DOES NOT}* (Note: In a roll call vote ZBA members voted 3-3 on this decision point, therefore no decision was made) conserve the value of land, BUILDINGS, and STRUCTURES throughout the COUNTY (Purpose 2.0 (b) see Item 23.B.).
 - The proposed map amendment on the basis of the proposed Special Use Permit **DOES NOT** promote the public health, safety, comfort, morals, and general welfare (Purpose 2.0 (e) see Item 23.E.).
 - The proposed map amendment on the basis of the proposed Special Use Permit **DOES NOT** protect natural features such as forested areas and watercourses (Purpose 2.0 (o) see Item 23.O.).
 - The proposed map amendment on the basis of the proposed Special Use Permit **DOES NOT** do the following:
 - it adequately restricts the location of trades and industries and the location of BUILDINGS, STRUCTURES, and land designed for specified land USES; and
 - it is consistent with the existing division of the COUNTY into DISTRICTS and different classes according to the USE of land, BUILDINGS, and STRUCTURES, intensity of the USE of LOT AREA, and other classification as may be deemed best suited to carry out the purpose of the ordinance; and
 - it is consistent with the regulations and standards to which BUILDINGS, STRUCTURES, or USES therein shall conform; and

- it is consistent in its prohibition on USES, BUILDINGS, OR STRUCTURES incompatible with the character of such DISTRICT. (Purposes 2.0 (i) (j.) (k) and (l); see Items 23.I., J., K. and L).

DOCUMENTS OF RECORD

1. Special Use Permit Application signed by Philip W. and Sarabeth F. Jones received on April 29, 2011, with attachments:
 - A List of property owners adjacent to or within 250 feet
 - B United States Geological Survey (USGS) aerial photograph of Villa Grove NW Quadrangle annotated to indicate subject property
 - C Sketch of land parcels adjacent or within 250 feet
 - D Land Parcel Description prepared by F. Wayne Ward
 - E Natural Resource Report from Champaign County Soil and Water Conservation District received April 29, 2011
 - F Proposed RLA site plan, 8½ x 11 inches (not to scale)
 - G Proposed RLA site plan, 11 x 17 inch grid paper (at 1 inch equals 200 feet)
 - H Letter of Support from Champaign County Sheriff Dan Walsh dated February 11, 2011
 - I Letter of Support from Champaign County Emergency Management Agency Director Bill Keller dated November 22, 2010
 - J Letter of Support from Douglas County Sheriff Charlie McGrew dated November 23 ,2010
 - K Color copies of Phillip Jones Airstrip Soils Map by the Champaign County Soil and Water Conservation District received April 29, 2011
 - L Color copies of United States Geological Survey (USGS) aerial photograph of Villa Grove NW Quadrangle annotated to indicate subject property

2. Petition for Zoning Map Amendment signed by Philip W. and Sarabeth F. Jones received on April 29, 2011, with attachments:
 - A List of property owners adjacent to or within 250 feet
 - B United States Geological Survey (USGS) aerial photograph of Villa Grove NW Quadrangle annotated to indicate subject property
 - C Sketch of land parcels adjacent or within 250 feet
 - D Land Parcel Description prepared by F. Wayne Ward
 - E Natural Resource Report from Champaign County Soil and Water Conservation District received April 29, 2011
 - F Letter from Rick Petruszka of Illinois Department of Natural Resources Division of Ecosystems and Environment for Project Number 1109213 dated March 1, 2011
 - G Illinois Department of Natural Resources Eco CAT Natural Resource Review Results for Project Number 1109346 dated 3/02/2011
 - H Plat "B" Prepared for Ed Gire Ground Elevation Survey Proposed Building Site prepared by F. Wayne Ward dated January 14, 2004
 - I Topographic Survey prepared for Phillip Jones by Wayne Ward Engineering dated November 22, 2010
 - J Proposed RLA site plan, 11 x 17 inch grid paper (at 1 inch equals 200 feet)
 - K Letter from Rick Petruszka of Illinois Department of Natural Resources Division of Ecosystems and Environment for Project Number 1109346 dated March 3, 2011

- L Cover Letter to Illinois Historic Preservation Evaluation prepared by Alan R. Singleton Law Firm received April 29, 2011
 - M Letter from Anne E. Haaker Deputy State Historic Preservation Officer dated April 2, 2011
 - N Letter of Support from Champaign County Sheriff Dan Walsh dated February 11, 2011
 - O Letter of Support from Champaign County Emergency Management Agency Director Bill Keller dated November 22, 2010
 - P Letter of Support from Douglas County Sheriff Charlie McGrew dated November 23, 2010
3. Preliminary Memorandum for Case 687-AM-11 dated June 10, 2011, with attachments:
- A Case Maps for Cases 687-AM-11 & 688-S-11 (Location, Land Use , Zoning)
 - B Land Parcel Description prepared by F. Wayne Ward
 - C Letter from Rick Petruszka of Illinois Department of Natural Resources Division of Ecosystems and Environment for Project Number 1109346 dated March 3, 2011
 - D Illinois Department of Natural Resources Eco CAT Natural Resource Review Results for Project Number 1109346 dated 3/02/2011
 - E Cover Letter to Illinois Historic Preservation Evaluation prepared by Alan R. Singleton Law Firm received April 29, 2011
 - F Letter from Anne E. Haaker Deputy State Historic Preservation Officer dated April 2, 2011
 - G Preliminary Finding of Fact for Case 687-AM-11
4. Preliminary Memorandum for related Case 688-S-11 dated June 10, 2011, with attachments:
- A Zoning Case Maps for Cases 687-AM-11 & 688-S-11 (Location, Land Use, Zoning)
 - B Natural Resource Report from Champaign County Soil and Water Conservation District received April 29, 2011
 - C Excerpt of Flood Insurance Rate Map (FIRM) Community Panel Number 170894 0275 B dated March 1, 1984
 - D Excerpt of Embarras River Watershed Digital Floodplain Mapping, Champaign County, Illinois. Illinois State Water Survey. August 2002.
 - E Proposed RLA site plan, 8½ x 11 inches (not to scale)
 - F Proposed RLA site plan, 11 x 17 inch grid paper (at 1 inch equals 200 feet)
 - G Plat "B" Prepared for Ed Gire Ground Elevation Survey Proposed Building Site prepared by F. Wayne Ward dated January 14, 2004
 - H Topographic Survey prepared for Phillip Jones by Wayne Ward Engineering dated November 22, 2010
 - I Excerpts of *Illinois Aviation Safety Rules* (92 Ill. Admin. Code Part 14)
 - J Jones RLA Imaginary Surfaces (staff illustration)
 - K Letter of Support from Champaign County Sheriff Dan Walsh dated February 11, 2011
 - L Letter of Support from Champaign County Emergency Management Agency Director Bill Keller dated November 22, 2010
 - M Letter of Support from Douglas County Sheriff Charlie McGrew dated November 23 ,2010
 - N Preliminary Draft Summary of Evidence for Case 688-S-11

5. Supplemental Memorandum for related Case 687-AM-11 dated June 16, 2011, with attachments:
 - A Draft 1973 Land Cover for Subject Property and Vicinity
 - B Stream Related Soils for Subject Property and Vicinity
 - C Topography for Subject property and Vicinity
 - D Area Below Base Flood Elevation for Subject Property and Vicinity
 - E Draft Composite sketch Map of CR District Suitability for Subject Property and Vicinity
 - F Draft Sketch Map of Areas Most Suitable for CR District for Subject Property and Vicinity
 - G Best Prime Farmland Soils for Subject Property and Vicinity

6. Supplemental Memorandum for Cases 687-AM-11 and 688-S-11 dated August 5, 2011, with attachments:
 - A Draft Minutes of June 16, 2011, public hearing (included separately)
 - B Photographs submitted by Jean Fisher at the public hearing on June 16, 2011
 - C Photographs submitted by Julia Wright Hall at the public hearing on June 16, 2011
 - D Photographs submitted by Jean Fisher on July 5, 2011
 - E Written material submitted by Jean Fisher on July 11, 2011
 - F Letter to Zoning Board of Appeals submitted by Larry Hall on August 1, 2011
 - G Letter to Zoning Board of Appeals submitted by Julia Wright Hall on August 1, 2011, with attachments:
 - (1) Database information of single engine aircraft accidents in Illinois from 01/10 to 7/31/11
 - (2) Five Year Comparative U.S. Civil Helicopter Safety Trends
 - (3) FAA National Wildlife Strike Database Query Results
 - (4) Switchboard article
 - (5) EPA Regulatory Announcements
 - (6) Photograph of property
 - (7) Photograph of berm vegetation
 - (8) Letter from Daniel M. Cothorn, Keller Williams Real Estate
 - H 6/21/11 Staff Mark Up of Proposed Site Plan

7. Supplemental Memorandum for Cases 687-AM-11 and 688-S-11 dated August 11, 2011, with attachments:
 - A Cover Letter and Revised Site Plan received August 11, 2011
 - B Email and cover letter date August 11, 2011, from Alan Singleton with attachments:
 - (1) Noise levels and property value summary
 - (2) Safety summary
 - (3) Letter dated August 10, 2011, in support of Cases 687-AM-11 and 688-S-11 from Ben Shadwick (petitioner in related Case 690-S-11)
 - (4) Letter in support of Phillip and Sara Jones from Chuck and Shelley Sollers (petitioners in related Case 689-S-11)
 - (5) Letter dated August 9, 2011, in support of Cases 687-AM-11 and 688-S-11 from neighbor Carl Brown

- (6) Webpage from the Experimental Aircraft Association (EAA) regarding aviation fuels and auto fuel STC information
 - (7) Animal Outfitters web pages
 - (8) Photograph of Fisher property
 - C Email dated August 9, 2011, from penny Castillo to Jean Fisher
 - D Webpage from the Illinois Department of Agriculture Entitled Agrichemical Facilities Containment Program
 - E *Effects of Jet Engine Noise on Hearing Thresholds*. Pakistan Journal of Otolaryngology. Vol. 2010. (not attached but distributed for review by the ZBA at the August 11, 2011, meeting)
 - F Web page from eHow.com entitled *Harmful Effects of Jet Engine Noise* (not attached but distributed for review by the ZBA at the August 11, 2011, meeting)
 - G *Effects of Aircraft Noise and Sonic Booms On Domestic Animals and Wildlife: A Literature Synthesis*. Engineering and Services Center, U.S. Air Force and Fish and Wildlife Services, U.S. Department of the Interior. June 1988. (not attached but distributed for review by the ZBA at the August 11, 2011, meeting)
8. Supplemental Memorandum for Cases 687-AM-11 and 688-S-11 dated August 15, 2011, with attachments:
 - A Cover letter dated August 11, 2011, from Alan Singleton with attachments:
 - (1) Sec. 160.160 of the Illinois Administrative Code
 - (2) Appendix A to Section 16 of the Illinois Administrative Code
 - B Letter dated August 11, 2011, from Jackie Harbin of the Hillard Agency, Inc.
 - C Letter of concern dated August 9, 2011, from Stephen R. Gast
 - D Petition of opposition to the proposed rezoning submitted by Larry Hall
 - E Diagram illustrating the slope of the berm on the Jones property submitted by Larry Hall
 - F Email from Jean Fisher received on August 12, 2011
 9. Letter of support from Jud Nogle received August 26, 2011
 10. Supplemental Memorandum for Cases 687-AM-11 and 688-S-11 dated November 10, 2011
 11. Revised Site Plan received December 14, 2011
 12. Revised Site Plan received December 16, 2011
 13. Letter from Linda K. Schumm, IDOT-Division of Aeronautics, received February 27, 2012
 14. Supplemental Memorandum for Cases 687-AM-11 and 688-S-11 dated May 23, 2012 with attachment:
 - A Excerpt from Special Use Permit Application received April 29, 2011
 15. Supplemental Memorandum for Cases 687-AM-11 and 688-S-11 dated August 10, 2012

16. Email from Alan Singleton to Andrew Kass sent at 4:34PM Friday, November 9, 2012, with attached copy of letter dated March 30, 2012, from John Hall
17. Plan and Profile of Landing Area received November 9, 2012
18. Cover Letter from F. Wayne Ward, P.E., received November 14, 2012, with attachments:
 - A Revised Legal Description
 - B Revised Plan and Profile of Landing Area
19. Revised Plan and Profile of Landing Area received November 19, 2012
20. Supplemental Memorandum for Cases 687-AM-11 and 688-S-11 dated December 6, 2012, with attachments:
 - A Revised Plan and Profile of Landing Area received November 19, 2012
 - B Proximity to Nearest Dwelling (included separately)
 - C Excerpts from the Kane County, Illinois Zoning Ordinance
 - D Goals, Objectives, and Policies excerpted from the Champaign County Land Resource Management Plan (included separately)
 - E 12/6/12 Revised Draft Summary of Evidence for Case 688-S-11 (included separately)
 - F 12/6/12 Revised Finding of Fact for Case 687-AM-11 (included separately)
21. Supplemental Memorandum for Case 688-S-11 dated December 13, 2013, with attachment:
 - A Revised Finding for Requested Waiver
22. Handout from Petitioner's Attorney Alan Singleton received at the December 13, 2012, public hearing, with attachments:
 - A Letter from J.C. Crawford
 - B Letter from Jongin Kim Craggs
 - C Letter from Linda K. Schumm, IDOT-Division of Aeronautics, dated February 24, 2012
 - D Applicable Case Law Summary
 - E Wright v. County of Winnebago Case Summary
 - F County of Lake v. First National Bank of Lake Forest Case Summary
 - G Jones RLA Special Conditions
 - H RLAs in and around Champaign County (various maps and images)
 - I News-Gazette article dated August 31, 2011
 - J News-Gazette article dated October 26, 2011
23. *Sport Aviation Magazine* article from the July 2010 issue titled "Grass Landing" written by Bob O'Quinn, submitted by Larry Hall at the December 13, 2012, public hearing
24. Diagram and photo submitted by Larry Hall at the December 13, 2012, public hearing

25. "Native Trees of the Midwest" article from the Morton Arboretum website submitted by Jean Fisher at the December 13, 2012, public hearing
26. IDOT Aviation Safety Rules guidebook submitted by Linda Schumm at the December 13, 2012, public hearing
27. Supplemental Memorandum for Cases 687-AM-11 and 688-S-11 dated March 8, 2013, with attachments:
 - A AS APPROVED minutes for Cases 687-AM-11 and 688-S-11 excerpted from the minutes of the December 13, 2012, public hearing
 - B Handout from Petitioner's Attorney Alan Singleton received at the December 13, 2012, public hearing; indicated on ZBA website (included only for the Board but available upon request and on the ZBA website for 12/13/12 meeting as "687-AM-11 & 688-S-11 Handout")
 - C Plan and Profile Of Landing Area Annotated To Illustrate Proposed Separations
 - D Proximity to Runway Aero-Place Subdivision
 - E Plan and Profile Of Landing Area Annotated To Illustrate Likely Impacts To CR District Habitat
 - F Excerpts including Sheet 82 of 85 and pps. 137-138 and Table 11 from the *Soil Survey of Champaign County, Illinois*. United States Department of Agriculture Natural Resources Conservation Service. 2003.
 - G pp. 8,9, 54, 55 from *Field Guide to Native Oak Species of Eastern North America*, Stein, John and Denise Binion and Robert Acciavatti. USDA Forest Service. January 2003
 - G Native Trees of the Midwest from the Morton Arboretum located in Lisle, Illinois
 - H *Sport Aviation Magazine* article from the July 2010 issue titled "Grass Landing" written by Bob O'Quinn, submitted by Larry Hall at the December 13, 2012, public, hearing
28. Letter from Anne Haaker, Illinois State Historic Preservation Agency, to Andy Kass, Associate Planner, received March 11, 2013
29. Letter dated March 11, 2013, from the Petitioner's Attorney Alan Singleton received March 12, 2013, with attachments:
 - A Revised Site Plan (Plan Profile)
 - B Letter from Arborist Greg Durst
 - C News-Gazette Article from January 22, 2013, "Van Hits Residence, Overturns"
30. NRCS Codes 645 and 647
31. Supplemental Memorandum for Cases 687-AM-11 and 688-S-11 dated March 14, 2013, with attachments:
 - A Letter dated March 11, 2013, from the Petitioner's Attorney Alan Singleton received March 12, 2013, with attachments:
 - (1) Revised Site Plan (Plan Profile)

- (2) Letter from Arborist Greg Durst
 - (3) News-Gazette Article from January 22, 2013, "Van Hits Residence, Overturns"
 - B Plan and Profile of Landing Area (Revised 3/12/13) Annotated to Illustrate Proposed Separations
 - C Survey Exhibit for Dr. Phillip Jones received August 19, 2009, from Koehler Professional Engineers & Land Surveyors
 - D Letter received March 11, 2013, from Illinois Historic Preservation Agency
 - E Additional Evidence Related to Suitability and Injury to the District
 - F Summary Finding of Fact for Case 687-AM-11
 - G Item 23 addition to Case 687-AM-11 Finding of Fact and Final Determination
32. Handout from Petitioner's Attorney Alan Singleton received at the March 14, 2013, public hearing, with attachments:
- A Summary of new site plan shifting RLA 36 feet further south of Larry Hall home
 - B New site plan shifting 36 feet south
 - C Traffic counts on Route 130 (1.2 million) compared to RLA
 - D Local newspaper article summarizing van striking a residence
 - E Picture of exhibits shown at hearing relative weights of Jones aircraft (less than 4000 pounds) to a 80,000 pound semi that legally travel Route 130
 - F Map showing that the center of Route 130 is closer to Hall home than the center of the runway extended (170 feet vs. 203 feet)
 - G Map showing that the Hall home is closer to the zoning setback from the highway than it is to the runway safety area (85 feet vs. 143 feet)
 - H Letter from arborist providing that the trees at the west end of the RLA will not grow further and the RLA will not harm the forest
 - I Summary of the possible positive effect of moving the RLA to the south 36 feet in terms of vegetation
 - J Memo addressing the article on grass height that Larry Hall submitted from the United Kingdom
 - K Proposed special condition that Petitioners adopt a land management plan, as well as information on the possible plan
 - L memo on spot zoning – property is contiguous to AG-1 and proposed rezoning would not be spot zoning
 - M Picture of some of the seedlings planted by petitioner on their homestead
 - N Map showing a total of 1,009 trees that have been recently planted on petitioners property
 - O Summary and documentation of the 31.8 acres Dr. Jones has in conservation programs
33. Tree information, emails, and aircraft details submitted by Julian Wright-Hall at the March 14, 2013, public hearing
34. Assessor information, news article, and photographs submitted by Jean Fisher at the March 14, 2013, public hearing

35. Letter, notes, grass landing article, photographs, and Illustrations A and G-2 from the Illinois Administrative Code submitted by Larry Hall at the March 14, 2013, public hearing
36. Large illustrative photograph submitted by March Fisher at the March 14, 2013, public hearing
37. Large illustrative photograph submitted by Jean Fisher at the March 14, 2013, public hearing
38. Large folder submitted by the petitioners Attorney at the March 14, 2013, public hearing with the following documents:
 - A Bell OH-58 Kiowa Helicopter Wikipedia Article. www.wikipedia.org.
 - B Bell OH-58 Kiowa description from Aviation Enthusiast Corner. www.aero-web.org.
 - C Aircraft Performance Data for Cessna 210F Centurion '66. www.whattofly.com.
 - D Cessna 210 Wikipedia Article. www.wikipedia.org.
 - E Excerpts from Commercial Driver's Study Guide (pages 9 and 10).
 - F Noise Level & Property Value Summary (see Attachment B(1) of the August 11, 2011, Supplemental Memo for Cases 687-11-AM & 688-S-11)
 - G Safety Summary (see Attachment B(2) of the August 11, 2011, Supplemental Memo for Cases 687-11-AM & 688-S-11)
 - H Annual Review of U.S. General Aviation Accident Data, 2005. *National Transportation Safety Board*.
 - I Annual Review of U.S. General Aviation Accident Data, 2004. *National Transportation Safety Board*.
 - J Annual Review of U.S. General Aviation Accident Data, 2003. *National Transportation Safety Board*.
 - K 2009 County Summary of Crash Reports, Report No: SDM-ERC113. *Illinois Department of Transportation*.
 - L Advisory Circular No: 93-2, Appendix I and II, Federal Aviation Administration
 - M Advisory Circular No: 36-3H, Appendix 1 and 2, Federal Aviation Administration
 - N Hearing Loss Protection for Agricultural Workers. Texas Cooperative Extension, *The Texas A&M University System*.
 - O Decibel Levels of Common Sounds article from home.earthlink.net
 - P Understanding Sound and Noise from quietrock.com
 - Q Decibel (Loudness) Comparison Chart from gcaudio.com
 - R Darren Mildoon, The Impact of Airport Noise on Residential Property Values: A Case Study of the Portland-Hillsboro Airport, June 2003.
 - S Daniel P. McMillen, Airport Expansions and Property Values: the Case of Chicago O'Hare Airport. *Journal of Urban Economics*, October 15, 2003.
 - T Community Tool. Noisequest from noisequest.psu.edu
 - U Alexandra Lazic & Richard Golaszewski, A Technical Note on Aircraft Noise and Its Cost to Society. *GRA, Incorporated*.
 - V Car Crashes into House. The News-Gazette, October 21, 2010.
 - W Car Crashes into St. Causes Gas Leak, *Kane County Chronicle*, May 31, 2011.
 - X Illinois Car Accident – 15 Year Old Crashes Vehicle into House, Later Cleared of

- Wrongful Death. *Chicago Personal Injury Lawyer Blog*.
- Y Airport Noise, Safety, and Airport Land Use Planning. Aircraft owners and Pilots Association from www.aopa.org.
- Z Christa L. Coppola, Noise in the Animal Shelter Environment: Building Design and the Effects of Daily Noise Exposure. *Journal of Applied Animal Welfare Science*.
39. Property Management Plan received March 22, 2013, from Bruce Stickers, Champaign County SWCD, with attachments:
- A NRCS Code 645
 - B NRCS Code 647
 - C NRCS Code 338
 - D NRCS Code 666
40. Letter from Larry Hall & Julia Wright-Hall received April 15, 2013, with attachments
41. Supplemental Memorandum for Cases 687-AM-11 & 688-S-11 dated April 17, 2013 with attachments:
- A Letter submitted by Larry Hall at March 14, 2013 public hearing
 - B Emails & tree information submitted by Julia Wright-Hall at the March 14, 2013, public hearing (included separately)
 - C Letter from Larry Hall & Julia Wright-Hall received April 15, 2013, with attachments (included separately; full attachments only included for ZBA members but are available on website)
 - D Phil Jones Property Management Plan received March 22, 2013 (included separately)
 - E Site map of trees planted by Jones Family received March 14, 2013(included separately)
 - F Plan And Profile Of Landing Area (Revised Site Plan) received March 12, 2012
 - G Revised Plan And Profile Of Landing Area received March 12, 2012, Annotated To Illustrate Proposed Separations
 - H Revised Plan And Profile Of Landing Area received March 12, 2012, Annotated To Illustrate Likely Impacts To CR District Habitat
 - I Illustration of extent of Affected Woodlands under the Western Approach Area. Annotated Excerpt from the *Soil Survey of Champaign County, Illinois*. United States Department of Agriculture Natural Resources Conservation Service. 2003.
 - J Likely Impacts Of Proposed Special Use Permit On The Scenic And Natural Areas In The CR District
 - K Revised Plan And Profile Of Landing Area received March 12, 2012, Annotated To Illustrate Areas Proposed for Rezoning That Are Best Suited For CR District
 - L Revised Draft Summary of Evidence for Case 688-S-11 (included separately)
 - M Revised Draft Finding of Fact for Case 687-AM-11 (included separately)
 - N Draft minutes for Cases 687-AM-11 and 688-S-11 for the March 14, 2013, public hearing (included separately)

42. Materials submitted on April 18, 2013, by Alan Singleton, as follows:
- A Appraisal Consulting Report from James Webster, MAI, SRA
 - B Signed Letter of Agreement from Bragg (adjacent landowner)
 - C Letter from IDNR and EcoCAT review of the Jones property
 - D Picture taken from Route 130 of Hall front yard
 - E Picture of sign located in UIUC Research Park
 - F Aerial GIS Map of Hall property
 - G Property Management Plan
 - H Bar graph depicting comparison of sound pressure levels
 - I Bar graph depicting comparison of traffic levels along Hall property
43. Table Summarizing the Most Salient Evidence Relevant to Special Use Permit Criteria and Map Amendment Findings in Case 687-AM-11 and 688-S-11 distributed at the April 25, 2013, public hearing
44. Written statement submitted by Paul Palmgren at the April 25, 2013, public hearing
45. Materials submitted by Alan Singleton at the April 25, 2013, public hearing as follows:
- A Plat and Photos of Proposed Hangar Area prepared by Wayne Ward
 - B Comments regarding the letter written by Daniel Cothern, received August 4, 2011, and a copy of the letter
 - C Article titled *Grass that Grabs: Stop Erosion on Your Farm* from www.agweb.com
 - D USDA *Grassed Waterway Wildlife Job Sheet Insert*
 - E NRCS *Grassed Waterways Article*
 - F USDA article titled *Grass Strips Help Curb Erosion, Herbicide Transport*
 - G Photo of Trash on the Jones Property
 - H Letter from Byron Balbach to Alan Singleton dated February 3, 2012, with plat of survey for E.E. Roger's Subdivision
 - I Excerpts of Article V of the Piatt County, Illinois, Zoning Ordinance
 - J Locust and Hawthorn Tree Branches
46. Materials submitted by Larry Hall at the April 25, 2013, public hearing as follows:
- A FAA Aircraft Noise Levels Appendix 8 and Appendix 10
 - B Noise Level Article from www.sengpielaudio.com
 - C Aerial Photos of the Piatt County Airport, Paxton Airport, and Tuscola Airport
 - D Ownership and Management report for the Monticello Airport
 - E Excerpt of NTSB Annual Review of U.S. General Aviation Accident Data, 2005

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 687-AM-11** should **NOT BE ENACTED** by the County Board in the form attached hereto.

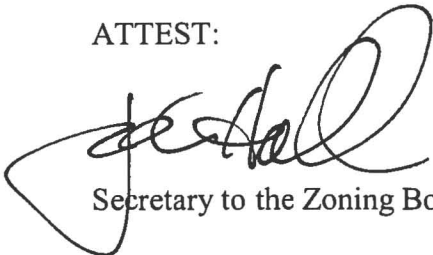
The foregoing is an accurate and complete record of the Findings and Determination of the Zoning Board of Appeals of Champaign County.

SIGNED:



Eric Thorsland, Chair
Champaign County Zoning Board of Appeals

ATTEST:



Secretary to the Zoning Board of Appeals

Date 7/29/13

AS APPROVED

Item 8.Q.(2)(continued)

- (c) The improvements made to the Jones' property should increase neighboring properties value.
 - (3) A letter received December 13, 2012, from Jongin Kim Craggs, Residential Appraiser at Craggs Appraisal Services, indicates that it is her professional opinion that the proposed RLA would not cause any decrease in property values and that because of the assistance provided to local law enforcement property values may increase because of the greater community safety.
 - (4) There has been one real estate appraisal consulting report prepared by James H. Webster & Associates, Ltd. Regarding the affects of the RLA on the market value of the property at 175 CR 1600E, and while there were no comparables available for comparison and no published literature for reference, the consultant concluded based on his experience that the RLA will not have a negative impact on real estate values in the neighborhood.
- R. At the December 13, 2012, public hearing Mr. Larry Hall, adjacent landowner, testified. Mr. Larry Hall's testimony is summarized as follows:
- (1) He prepared a large drawing for the Board to review during his testimony and submitted the drawing as a Document of Record.
 - (2) Based on his research and discussions with other pilots crosswinds could pose a risk to aircraft landing at the proposed RLA and would subsequently increase the risk that his family and property would incur, and he is concerned about the effect that any large crosswind from the south might have on an aircraft landing near his home.
 - (3) Based on his research and an article from *Sport Aviation Magazine* that he submitted as a Document of Record, an aircraft landing on a grass runway should not land if the grass is kept at more than 30% of the wheel height and 30% of the wheel height of the petitioners Cessna aircraft is 5.1 inches. If the grass will be kept at 6 to 8 inches this will exceed 30% of the wheel height. If the petitioner intends to operate in a safe manner and maintain the grass runway at 5 inches the hay cannot be harvested which in turn would be taking this land out of agricultural production.
 - (4) The trees in the 30,750 square feet area for the proposed hangar would have to be removed and the removal of these trees would destroy a substantial habitat and conservation environment.
 - (5) Approximately 500 trees were planted on top of the berm that was constructed behind the existing adjacent homes.
- S. (Note: This item needs to be coordinated with evidence regarding Policy 4.3 in related Case 687-AM-11 (item 14.C.) Regarding concerns about safety, noise, preserving the essential character of the District, and land use compatibility due to the proximity of the nearest adjacent dwelling

under separate ownership and the proposed RLA, the subject site **IS NOT** suitable for the proposed RLA based on the following:

- (1) The Plan And Profile Of Landing Area (revised site plan for the proposed RLA) received on 3/12/13 indicates that the proposed landing strip area is 120.65 feet south of the north property line which means that the eastern Runway Safety Area is 110.65 feet south of the north property line. The house at 177 CR1600E, Villa Grove, is located on the property adjacent to the north property line and that house is approximately 32 feet from the north property line of the subject property based on the side yard dimension as stated on the most recent Zoning Use Permit site plan for that property. Thus, the proposed RLA Runway Safety Area is approximately 142.65 feet south of the existing house at 177 CR1600E, Villa Grove. See Attachment B Proximity to Nearest Dwelling, included with the Supplemental Memorandum dated 12/13/12.
- (2) The Plan And Profile Of Landing Area (revised site plan for the proposed RLA) received on 3/12/13 indicates that the proposed hangar is proposed to be located approximately 64 feet north of the existing north property line which makes the proposed RLA runway is 185 feet south of the proposed hangar. Thus, the petitioner's proposed hangar is proposed to be 43 feet further from the proposed RLA runway than is the nearest dwelling under different ownership. See Plan And Profile Of Landing Area Annotated To Illustrate Proposed Separations included as an Attachment to the Supplemental Memorandum dated 3/8/13.
- (3) The Runway Safety Area is generally considered a more dangerous area than land located on either side of the runway.
- (4) IDOT requires taxiways for RLAs to be at least 85 feet from an RLA runway and requires aircraft to be parked at least 85 feet from an RLA runway. See the attachment to the Supplemental Memorandum dated 3/8/13. The nearest adjacent dwelling under other ownership (the house at 177 CR1600E, Villa Grove) is located only 22 feet further away from the RLA runway.
- (5) Staff reviewed a limited number of other Illinois county zoning ordinances to find if any contained "minimum separation requirements from adjacent dwellings". The only minimum separation found in an ordinance was in the Kane County, Illinois Zoning Ordinance which includes both a "Private Landing Strip" and a "Restricted Landing Field". "Private Landing Strip" is a Special Use in the Farming Zoning District (F District) subject to certain restrictions such as compliance with the Illinois Department of Transportation-Division of Aeronautics requirements, limits the number of planes to 2, requires that it must be used in connection with a permitted use in the district. Additional requirements include various minimum separation distances from adjacent facilities and properties including a minimum separation of 200 feet from an adjacent residence or property line and any run up area (undefined) or blast area (undefined). Excerpts from the Kane County, Illinois Zoning Ordinance were included in Attachment C to the

Item 8.S(continued)

Supplemental Memorandum dated 12/13/12. Even if the Kane County Ordinance were applicable in this instance it is not clear whether that Ordinance would require a 200 feet separation to the adjacent dwelling because the Kane County Ordinance does not define either “run up area” or “blast area”.

- (6) On December 13, 2012, the petitioner’s attorney, Alan Singleton, submitted a list of 16 RLA’s in and around Champaign County as evidence that “...all of them operating with no apparent problem for the neighborhoods and their residents.” Regarding that list of RLA’s in and around Champaign County and their proximities to dwellings under different ownership:
- (a) Eight of the RLA’s were indicated as not being located in Champaign County and six of those are located in counties that have not even adopted a zoning ordinance. A ninth RLA, the Clapper RLA, was indicated on the list as being located in Champaign County but is in fact located in Piatt County. For these properties located outside of Champaign County there was not enough time for staff to gather all of the information necessary to fully evaluate ownership and relations between adjacent properties
 - (b) Day Aero-Place was originally developed as a “residential airport” and included a runway and was therefore intended to be marketed towards owners who desired a close proximity to a landing area. Five of the 10 homes in the development border the runway and their proximity to the runway varies between 85 feet and 135 feet. See the Attachment to the Supplemental Memorandum dated 3/8/13.
 - (c) Regarding the other six RLAs and their proximity to the nearest dwelling under different ownership:
 - i.* The Justus RLA appears to be about 130 feet from the nearest dwelling that is located on a separate tax parcel however the name of the owner of that parcel also has the last name “Justus” and so it not clear exactly what the relationship is between the two landowners.
 - ii.* The Litchfield RLA appears to be about 300 feet from the nearest dwelling that is located on a separate tax parcel however the owner of that dwelling has testified in previous Champaign County Zoning Cases regarding his use of the Litchfield RLA and so the relationship is not the same as proposed in this zoning case.
 - iii.* The remaining four RLAs all appear to be at least ¼ mile from the nearest dwelling under different ownership.
- (7) Based on the evidence, the proposed RLA runway safety area is only 142.65 feet from the nearest dwelling under different ownership (the house at 177 CR1600E, Villa Grove) which is only 77% of the proposed separation to the proposed hangar and only about 11% of the typical separation for other Champaign County RLAs that were reviewed.

- (8) The petitioner has submitted two opinions from real estate professionals that the proposed RLA will not have a negative impact on adjacent property values and Larry and Julia Hall, the immediate neighbors on the north side of the RLA, have submitted one opinion that the proposed RLA would have a negative impact on their property value (see Item 8.Q)
- T. (Note: This item needs to be coordinated with evidence regarding Policy 4.3 in related Case 687-AM-11 (item 14.C.) Regarding concerns due to impacts on the remaining natural and scenic areas in the surrounding CR District, the subject site **IS NOT** suitable for the proposed RLA because it **DOES** have an injurious impact on the surrounding area:
- (1) Attachments to the Supplemental Memoranda dated 3/8/13 and 4/17/13 titled Plan And Profile Of Landing Area Annotated To Illustrate Likely Impacts To CR District Habitat indicates the following three types of impacts to adjacent habitat areas in the surrounding CR District:
- (a) A portion of the CR District that is currently wooded and is 26,903_square feet (.617 acre) in area is proposed to be rezoned to the AG-1 District for the construction and development of the proposed hangar. The existing vegetation in this area will necessarily be removed to allow construction of the proposed hangar and movement of aircraft to and from the hangar.
- (b) A portion of the CR District that is not currently wooded and is approximately 1.700 acres in area is proposed to remain in the CR District but is located at the west end of the proposed RLA and underneath the "Approach Area" required by IDOT. The slope of the Approach Area is 15 feet horizontal to one foot vertical and nothing is allowed to penetrate the imaginary plane of the Approach Area for a distance of 3,000 feet from the end of the RLA runway. Vegetation below the Approach Area must be maintained at a height such that it does not penetrate the Approach Area. The Approach Area is 18 feet above the runway on the east side of this area and approximately 46 feet above the runway on the west side. As indicated on the Plan And Profile Of Landing Area (revised site plan for the proposed RLA) received on 3/12/13, the surface of the ground slopes down to the channel of the East Branch of the Embarrass River and the allowed clear height below the approach area will vary from 20 feet to approximately 50 feet. It is unlikely that this area can ever have mature native trees so long as the IDOT Certificate is maintained for the proposed RLA.
- (c) A portion of the CR District that is currently wooded and is approximately 3.90 acres in area is located west of the proposed RLA and on the west side of the East Branch of the Embarrass River and this area will also be located underneath the IDOT required Approach Area. The ground elevations in this area are not indicated on the Plan And Profile Of Landing Area (revised site plan for the proposed RLA) received on 3/12/13 so the allowable clear height is not known

AS APPROVED

with any accuracy. However, the Approach Area varies in height from 46 feet above the runway on the east side of this wooded area to 85 feet in height above the runway on the west side. This land is not currently owned by the petitioner but in order to retain the IDOT Certificate for the proposed RLA the trees below the Approach Area cannot penetrate above the imaginary surface of the Approach Area and therefore trees cannot be taller than the Approach Area.

- (2) Regarding the height of trees that may be growing in the CR District on the west side of the East Branch of the Embarrass River:
 - (a) The 2003 update of the *Soil Survey of Champaign County, Illinois* indicates that for the relevant portion of the CR District on the west side of the East Branch of the Embarrass River the predominant soils are map units 3107A Sawmill silty clay loam, 0 to 2 percent slope, frequently flooded and 570C2 Martinsville loam 5 to 10% slopes, eroded. Table 11 provides relevant data regarding forestland management and productivity for each soil map unit, and is summarized as follows for the relevant soils:
 - i. Common trees and their site index (average height) found on 570C2 Martinsville soil are White oak (80), Sweetgum (76), and Tulip tree (98).
 - ii. Common trees and their site index (average height) found on 3107A Sawmill soil are Pin oak (90), American sycamore (---), Eastern cottonwood (---), and Sweetgum (---). Note that the site index (average height) for a given species may vary depending on the soil type and the symbol (---) apparently indicates no average height has been determined for that species on that soil type.
 - (b) The petitioner's wife, Sarabeth Jones, testified at the December 13, 2012, public hearing that to her knowledge there are no Sycamore trees on their property but there are White oak trees.
 - (c) If there are White oak trees on the petitioner's property there likely are White oak trees on the land on the west side of the East Branch of the Embarrass River.
 - (d) Excerpts from the *Field Guide to Native Oak Species of Eastern North America* by the USDA Forest Service were included as an Attachment to the Supplemental Memorandum dated 3/8/13 and state that the White oak tree grows to 100 feet tall.
 - (e) An excerpt from the Native Trees of the Midwest that is maintained on the website of the Morton Arboretum located in Lisle, Illinois indicates that a tree in its native habitat may reach much greater height than the same tree growing in a home landscape and the heights of trees indicated in Native Trees of the Midwest reflect the average size in the home landscape. White Oak trees are indicated to have a mature height of 50 feet to 80 feet in Native Trees of the Midwest but that

height reflects the average size in the home landscape and not the native habitat. The *Field Guide to Native Oak Species of Eastern North America* by the USDA Forest Service (see above) indicates that the White oak tree grows to 100 feet tall in the native habitat. The 2003 update of the *Soil Survey of Champaign County, Illinois* indicates that the average height of White oak trees found on 570C2 Martinsville soil is 80 feet.

- (f) If there are White Oak trees on the west side of the East Branch of the Embarrass River located beneath the Approach Area of the proposed RLA the White oak trees are likely to be on higher ground elevations than the river bottom and may already penetrate the proposed Approach Area. A special condition has been proposed to prohibit landscape or tree maintenance in the wooded area in the CR District on the west side of the East Branch of the Embarrass pursuant to the RLA.

U. At the December 13, 2012, public hearing Dr. Phillip Jones, petitioner, testified. Dr. Jones' testimony is summarized as follows:

- (1) He has planted over 2,500 native hardwood trees on his property therefore to indicate that he is creating a conservation problem is unfounded. Note the Petitioner testified at the March 14, 2013, public hearing that he has planted 1,009 trees on his property.
- (2) He has been flying over 20 years and has never had an incident of any kind and the argument regarding crosswinds is not an issue.
- (3) Larry Hall's house is further away than almost all airport hangars to a landing strip and it is impossible to drive an airplane through the five feet of grass that is near Mr. Hall's property.
- (4) An airplanes engine is on idle when it lands therefore his aircraft will be quieter than his diesel truck is when he drives down his lane. There may be a little noise when he takes off but he will be 1,000 feet in the air when he passes over Larry Hall's house.
- (5) He has not made any movement in purchasing any additional property. The property adjacent to his is zoned CR and he would have to purchase 60 and an additional 80 acres which would require a substantial amount of money.
- (6) His helicopter has one 315 horsepower engine the helicopter that generally lands at Carle Hospital has two 650 horsepower engines and comparing the noise it makes to the noise the helicopter that lands at Carle Hospital is like comparing a Nissan car to a semi-truck, and the noise is much less.

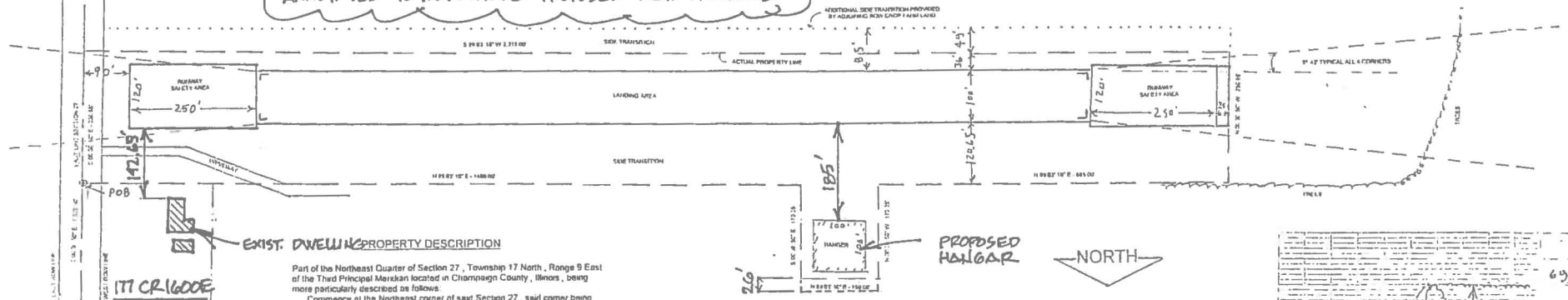
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MAR 12 2013

CHAMPAIGN CO. P & Z DEPARTMENT

RESTRICTED LANDING AREA AND HANGER SITE
PHILLIP JONES PROPERTY
LOCATED IN NORTHEAST QUARTER OF SECTION 27
TOWNSHIP 17 NORTH, RANGE 9 EAST OF 3rd P.M.

PLAN AND PROFILE OF LANDING AREA
ANNOTATED TO ILLUSTRATE PROPOSED SEPARATIONS



EXIST. DWELLING PROPERTY DESCRIPTION

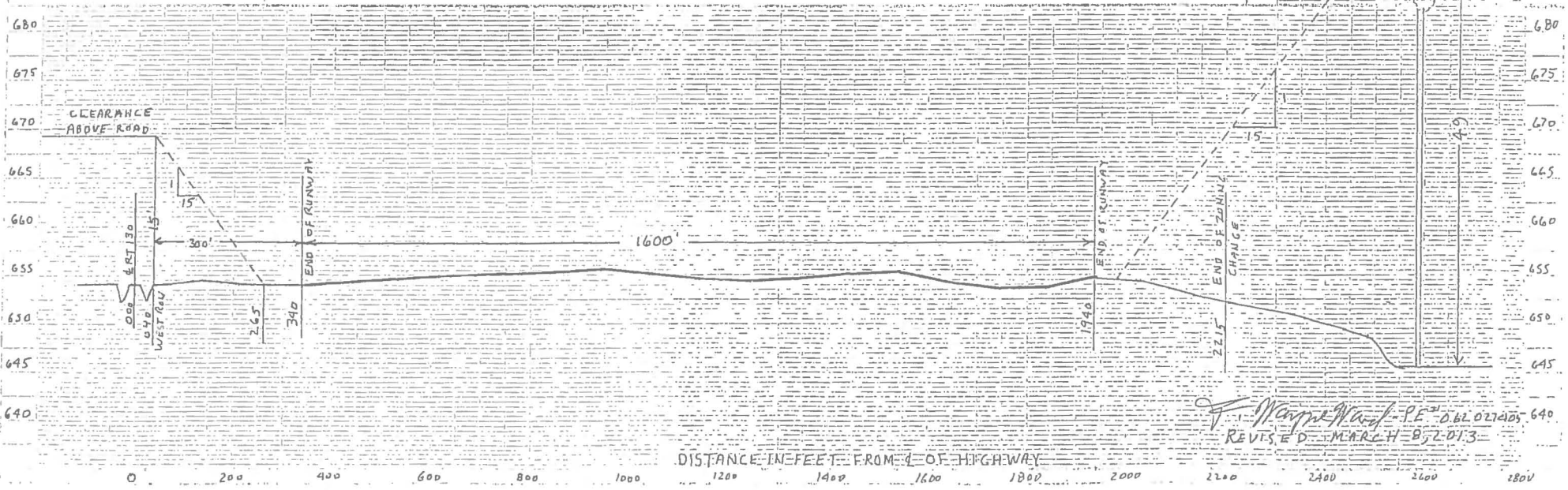
Part of the Northeast Quarter of Section 27, Township 17 North, Range 9 East of the Third Principal Meridian located in Champaign County, Illinois, being more particularly described as follows:

Commence at the Northeast corner of said Section 27, said corner being marked by a found monument, thence with the East line of said Section 27, South 00° 30' 50" East - 1,328.00 feet to the Point Of Beginning; thence continue with said East line, South 00° 36' 50" East - 250.85 feet, thence leaving said East line South 89° 03' 10" West - 2,715.00 feet, thence North 00° 36' 50" West - 250.85 feet, thence North 89° 03' 10" East - 865.00 feet, thence North 00° 36' 50" West - 179.35 feet, thence North 89° 03' 10" East - 150.00 feet, thence South 00° 36' 50" East - 179.35 feet, thence North 89° 03' 10" East - 1,400.00 feet to the Point Of Beginning, containing 13.67 Acres more or less.

NORTH

SCALE
HORIZONTAL - 1" = 200'
VERTICAL - 1" = 10'

144



J. J. Morgan Ward, P.E. - D. 62, 021, 2013
REVISED - MARCH 8, 2013

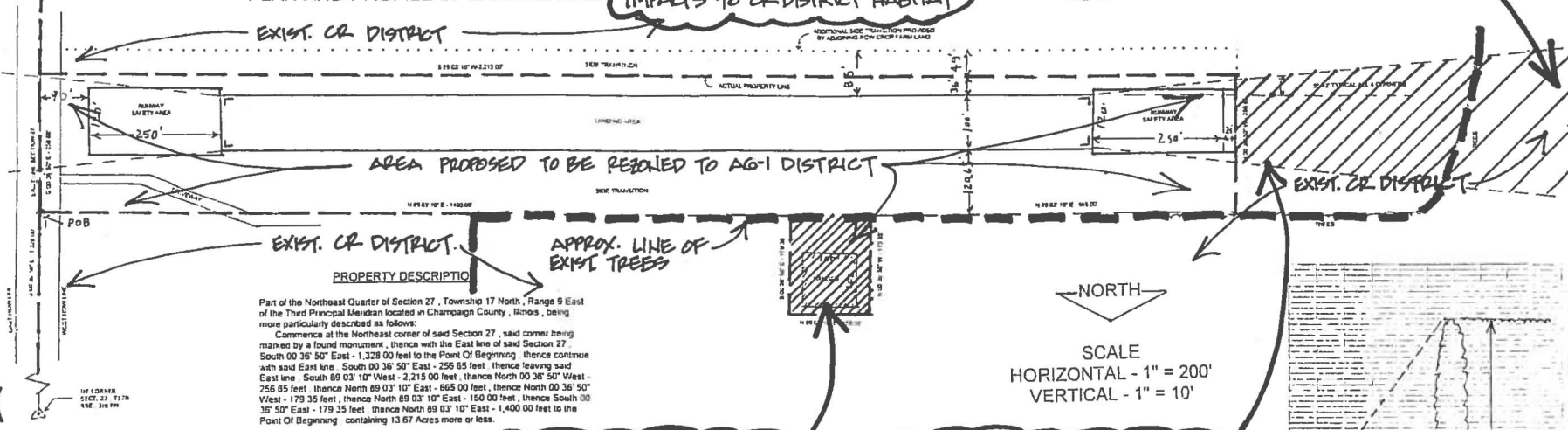
RESTRICTED LANDING AREA AND HANGER SITE
 PHILLIP JONES PROPERTY
 LOCATED IN NORTHEAST QUARTER OF SECTION 27
 TOWNSHIP 17 NORTH, RANGE 9 EAST OF 3rd P.M.

PLAN AND PROFILE OF LANDING AREA

CR District (wooded) to remain and no maintenance of vegetation to be allowed simply to protect RLA (approx. 3.9 acres; varies from 46' height (above runway) on east to 85' height (above runway) on west)

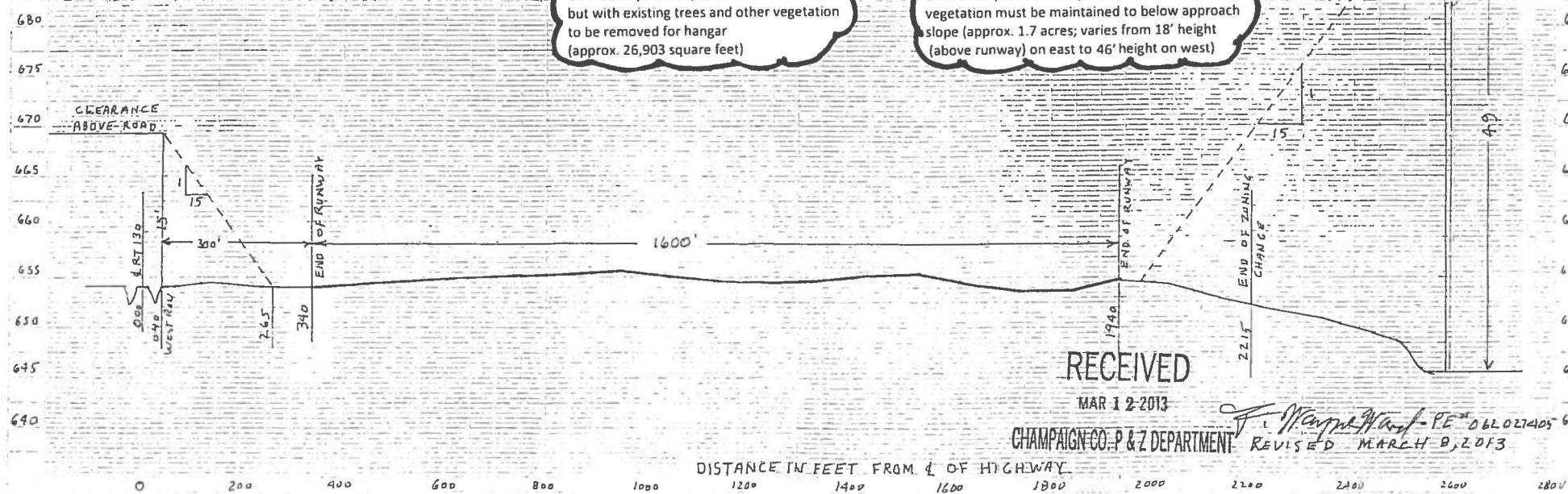
ANNOTATED TO ILLUSTRATE LIKELY IMPACTS TO CR DISTRICT HABITAT

EXIST. AG-1 DISTRICT



CR District (wooded) to be rezoned to AG-1 but with existing trees and other vegetation to be removed for hangar (approx. 26,903 square feet)

CR District (non-wooded) to remain but height of vegetation must be maintained to below approach slope (approx. 1.7 acres; varies from 18' height (above runway) on east to 46' height on west)



To:	Environment and Land Use Committee
From:	Susan Monte, Planner
Date:	July 29, 2013
Re:	Office of State Fire Marshal Proposed Fire Prevention and Safety Rulemaking
Action Request:	Information Only

The Office of the State Fire Marshall has proposed a rulemaking to incorporate by reference the 2012 NFPA Life Safety Code 101. If passed, this will impact new homes and certain existing buildings in municipalities as well as in unincorporated Champaign County. The rulemaking will require all new single-family dwellings and duplexes to have a fire sprinkler system installed in the dwelling. It will require certain existing assembly occupancies to have automatic sprinklers installed within five years. Impacted will be existing buildings used for gatherings of 100 or more people, specifically: dance halls; discotheques; nightclubs; or assembly occupancies with festival seating.

Rural areas are served by private water wells. To meet the water delivery requirements of a fire sprinkler system, options may exist to add a pressure tank or small pump to boost water pressure from an existing well.

A copy of the proposed rulemaking appears in the June 28, 2013, Issue 26 of the Illinois Register which may be accessed online at <http://www.ilga.gov/commission/jcar/>.

The attached Illinois Municipal League Fact Sheet and sample resolution contain more information about the proposed OFSM rulemaking.

PUBLIC HEARING

OSFM will hold a public hearing on the proposed incorporation of the 2012 Life Safety Code and other amendments to "Fire Prevention and Safety" (77 Ill Adm Code; 37 Ill Reg 8191) on Tuesday, August 6, at 9:00 am in the Auditorium at the Office of the State Fire Marshal, 1035 Stevenson Drive, Springfield IL, 62703.

... Individuals unable to attend, but who wish to comment, should have their comment submitted prior to 8/12/13. Questions and comments concerning the public hearing; Ken Wood, Office of the State Fire Marshal, 100 W. Randolph St., Suite 4-600, Chicago IL 60601
(from The Finn Report, Illinois Regulation, Vol. 37, July 26, 2013, Issue 30)

Attachments: Illinois Municipal League Fact Sheet 'Mandated Residential Fire Sprinklers'
Sample Resolution

Mandated Residential Fire Sprinklers

IML POSITION: OPPOSE

The Office of the State Fire Marshal (OSFM) has introduced a rulemaking that would incorporate by reference the 2012 NFPA Life Safety Code 101. The rulemaking will require all new single-family dwellings and duplexes to have a fire sprinkler system installed in the dwelling. It also will require all existing assembly areas where 100 or more people are gathered for entertainment purposes (dance halls, bars with live entertainment and areas where seating on the floor is allowed) to have fire sprinklers installed within five years. In addition, all existing high rises will have to be retrofitted with fire sprinklers within 12 years.

The IML opposes this rulemaking for the following reasons:

- 1.** The cost of building a new house or living in a high rise will significantly increase impacting the real estate market, the new housing market, the ability to create affordable housing and the ability for municipalities to continue to grow. The cost to install a fire sprinkler system in a 3,100 square foot house can exceed \$10,000, not including any annual maintenance cost.
- 2.** The cost to municipalities will include the loss of new housing stock because potential new home buyers may not be able to afford this extra mandate, buildings that would be required to retro-fit fire sprinklers may have to close because the mandate is unaffordable, and the fire sprinkler requirement would cause an additional toll on municipal water supplies.
- 3.** This proposed rule imposes a building code standard that is typically a standard that is best decided by the local jurisdiction. In addition, the Fire Marshal has in no uncertain terms stated that it is the duty of the local jurisdiction to enforce this standard and in turn, imposes an additional burden on municipalities.
- 4.** Proponents claim that fire sprinklers in single-family homes and duplexes will save the homeowners money through low insurance premiums when in fact, what we have found with our insurance companies, there are only a few of the companies that are giving any credit for sprinkler systems. If they are giving credit, it is in the area of \$50 to \$100 per year on a \$1,000 per year premium homeowner's policy. Because of the increased value of the sprinkler system, the replacement cost of the house is higher so homeowners will be paying more in premiums.

Other Opponents Include:

City of Chicago
DuPage Mayors & Managers Conference
Illinois Association of Housing Authorities
Illinois Code Officials Association
Illinois Homebuilders Association
Illinois Library Association

Illinois Realtors Association
Illinois Retail Merchants Association
Metropolitan Mayors Caucus
Metro-West Council of Government
Northwest Municipal Conference
Will County Governmental League

SAMPLE RESOLUTION

RESOLUTION OPPOSING ANY UNFUNDED MANDATE DUE TO THE ADOPTION OF THE 2012 NFPA 101 LIFE SAFETY CODE

WHEREAS, the Office of the State Fire Marshal has submitted on June 28, 2013 a proposed rule adopting the 2012 NFPA 101 Life Safety Code; and

WHEREAS, the current adopted code is the 2000 NFPA 101 Life Safety Code; however, modifications were included to lessen the financial burden on homeowners; and

WHEREAS, the Office of the State Fire Marshall wants to adopt a rule that includes a requirement for the installment of fire sprinkler systems in new one and two family dwellings and the retro-fitting of sprinklers in high rises and areas of assembly; and

WHEREAS, the cost of building a new house or living in a high rise will significantly increase impacting the real estate market, the new housing market, the ability to create affordable housing and the ability for municipalities to continue to grow; and

WHEREAS, the Office of the State Fire Marshal has stated that it is the duty of all local jurisdictions to enforce the NFPA Life Safety Code as adopted by the Office of the State Fire Marshal; and

WHEREAS, the adoption of the 2012 NFPA 101 Life Safety Code will lead to various other unfunded state mandates escalating costs for local governments, and

WHEREAS, the Village/City/Town of _____ believes that local officials have the best knowledge of what building requirements should be adopted and enforced within their community.

NOW, THEREFORE, BE IT RESOLVED, that the Village/City/Town of _____ urges the rejection of any attempt by the Office of the State Fire Marshal to adopt the 2012 NFPA 101 Life Safety Code in any such manner that undermines local control and adds substantial financial costs associated with the imposition of the code.



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MONTHLY REPORT for MAY 2013¹

Zoning Cases

The distribution of cases filed, completed, and pending is detailed in Table 1. Six zoning cases were filed in May and two were filed in May 2012. The average number of cases filed in May in the preceding five years was 1.2.

Three ZBA meetings were held in May and three cases were finalized and one case was withdrawn. Two ZBA meetings were held in May 2012 and two cases were finalized. The average number of cases finalized in May in the preceding five years was 2.0.

By the end of May there were 16 cases pending. By the end of May 2012 there were 13 cases pending.

Table 1. Zoning Case Activity in May 2013 & May 2012

Type of Case	May 2013 3 ZBA meetings		May 2012 2 ZBA meetings	
	Cases Filed	Cases Completed	Cases Filed	Cases Completed
Variance	2	1	1	0
SFHA Variance	0	0	0	0
Special Use	1	2‡	0	1
Map Amendment	1	1	1	1
Text Amendment	2	0	0	0
Change of Non-conforming Use	0	0	0	0
Administrative Variance	0	0	0	0
Interpretation / Appeal	0	0	0	0
TOTALS	6	4‡	2	2
Total cases filed (fiscal year)	21 cases		14 cases	
Total cases completed (fiscal year)	21 cases‡		12 cases	
Case pending*	16 cases‡		13 cases	
* Cases pending includes all cases continued and new cases filed <u>but not decided</u> ‡One Special Use application was withdrawn in May 2013 and is included in Cases Completed				

¹ Note that approved absences and sick days resulted in an average staffing level of 79% or the equivalent of 4.0 staff members (of the 5 authorized) present for each of the 22 work days in May.

Subdivisions

There was no County subdivision application, review, or recording in May.

One municipal subdivision was reviewed for compliance with County zoning in May.

Zoning Use Permits

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

- 17 permits for 8 structures were received in May compared to 23 permits for 19 structures in May 2012. The five-year average for permits in May in the preceding five years is 16.4.
- 12 months out of the last 32 months have equaled or exceeded the five-year average for number of permits (including May 2013, December 2012, October 2012, September 2012, May 2012, April 2012, January 2012, December 2011, August 2011, February 2011, January 2011, September 2010).
- 7.1 days was the average turnaround (review) time for complete initial residential permit applications in May.
- \$270,594 was the reported value for the permits in May compared to a total of \$2,301,500 in May 2012. The five-year average reported value for authorized construction in May is \$1,518,613.
- 17 months in the last 52 months have equaled or exceeded the five-year average for reported value of construction (including February 2013, January 2013, November 2012, September 2012, August 2012, May 2012, April 2012, February 2012, January 2012, December 2011, November 2011, August 2011, June 2011, February 2011, August and May 2010 and March 2009).
- \$2,143 in fees were collected in May compared to a total of \$4,765 in May 2012. The five-year average for fees collected in May is \$3,511.
- 13 months in the last 48 months have equaled or exceeded the five-year average for collected permit fees (including February 2013, January 2013, October 2012, September 2012, May 2012, April 2012, February 2012, January 2012, December 2011, June 2011, August 2010, and December and March 2009).
- There were also 6 lot split inquiries and 285 other zoning inquiries in May.
- Four rural addresses were issued in May
- Minutes were begun for four ZBA meetings and completed for one ZBA meeting
- 12 Liquor License applications were reviewed in May and 3 Recreation & Entertainment License applications were reviewed.
- The permitting histories of two commercial properties were researched in May and documented in letters to the owners.

Planning & Zoning Monthly Report
MAY 2013

Table 2. Zoning Use Permit Activity in May 2013

PERMITS	CURRENT MONTH			FISCAL YEAR TO DATE		
	#	Total Fee	\$ Value	#	Total Fee	\$ Value
AGRICULTURAL:		N.A.			N.A.	
Residential						
Other		N.A.		11	N.A.	829,455
SINGLE FAMILY Residential:						
New - Site Built				8	5,414	2,430,662
Manufactured						
Additions	1	65	15,000	9	1,050	137,018
Accessory to Residential	6	1,719	154,394	12	2,781	220,294
TWO-FAMILY Residential						
Average turn-around time for permit approval			7.14 days			
MULTI - FAMILY Residential						
HOME OCCUPATION: Rural				1	33	0
Neighborhood	5	N.A.	0	6	N.A.	0
COMMERCIAL: New				3	2,299	1,230,000
Other	1	65	100,000	1	65	100,000
INDUSTRIAL: New						
Other						
OTHER USES: New						
Other						
SIGNS						
TOWERS (Includes Acc. Bldg.)						
OTHER PERMITS	4	294	1,200	11	975	25,300
TOTAL	17/8	2,143	270,594	62/44	12,617	4,972,729

*17 permits were issued for 8 structures during May 2013

◇ 62 permits have been issued for 44 structures since December 1, 2012 (FY2013)

NOTE: Home occupations and other permits (change of use, temporary use) total 18 since December, 2012, (this number is not included in the total # of structures).

Conversion of Best Prime Farmland

No Best Prime Farmland has been converted from agriculture to non-agricultural use as a result of any County zoning approval so far in FY2013.

Zoning Compliance Inspections

- Four compliance inspections were made in May for a total of 39 compliance inspections so far in FY2013.
- One compliance certificate was issued in May for a total 22 compliance certificates so far in FY2013. The FY2013 budget anticipated a total of 510 compliance inspections for an average of 9.8 inspections per week.

Zoning and Nuisance Enforcement

Table 3 contains the detailed breakdown of enforcement activity for May 2013 and can be summarized as follows:

- 5 new complaints were received in May compared to 13 new complaints in May 2012. One complaint was referred to another agency in May and 2 complaints were referred to another agency in May 2012.
- 38 enforcement inspections were conducted in May compared to 59 in May 2012. Four of the May 2013 inspections were for the new complaints received in May.
- One contact was made prior to written notification in May and one was made in May 2012.
- 39 initial investigation inquiries were made in May for an average of 8.7 per week in May and 8.6 per week for the fiscal year. The FY2013 budget had anticipated an average of 8.4 initial investigation inquiries per week.
- One First Notice and no Final Notices were issued in May compared to two First Notices and one Final Notice in May 2012. The FY2013 budget anticipates a total of 30 First Notices.
- No cases were referred to the State's Attorney in May and none were referred in May 2012.
- 11 cases were resolved in May (3 of the resolved cases were received in May) and 9 cases were resolved in May 2012.
- 430 cases remain open at the end of May compared to 431 open cases at the end of May 2012.
- Miscellaneous activities for enforcement in May included answering phones when Zoning Technicians were absent; comparing the existing Special Flood Hazard Areas Ordinance with the new model flood hazard ordinance and identifying changes; helping to answer floodplain questions; coordinating with the State's Attorney regarding

Planning & Zoning Monthly Report
MAY 2013

enforcement cases; reviewing an older manufactured home park and answering questions about a proposed new structure; and responding to 26 zoning inquiries.

APPENDICES

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

Planning & Zoning Monthly Report
MAY 2013

Table 3. Enforcement Activity During May 2013

	FY2012 TOTALS ¹	Dec. 2012	Jan. 2013	Feb. 2013	March 2013	April 2013	May 2013	June 2013	July 2013	Aug. 2013	Sep. 2013	Oct. 2013	Nov. 2013	TOTALS ¹ FY2013
Complaints Received	80	1	9	6	2	4	5							27
Initial Complaints Referred to Others	10	0	0	1	0	0	1							2
Inspections	515	35	49	29	29	43	38 ⁴							223 ⁵
Phone Contact Prior to Notice	13	0	0	0	0	0	1							1
First Notices Issued	24	0	7	1	2	0	1							11
Final Notices Issued	8	0	1	2	0	1	0							4
Referrals to State's Attorney	5	2	0	0	0	2	0							4
Cases Resolved ²	69	0	8	9	2	7	11 ⁶							37 ⁷
Open Cases ³	440	441	442	439	439	436	430							430 ⁸

Notes

1. Total includes cases from previous years.
2. Resolved cases are cases that have been inspected, notice given, and violation is gone, or inspection has occurred and no violation has been found to occur on the property.
3. Open Cases are unresolved cases and includes any case referred to the State's Attorney or new complaints not yet investigated.
4. 4 inspections of the 38 performed were for the 5 complaints received in May, 2013.
5. 38 inspections of the 223 inspections performed in 2013 were for complaints received in 2013.
6. 3 of the resolved cases for May, 2013, were received in May, 2013.
7. 10 of the 37 cases resolved in FY 2013 were for complaints that were also received in FY 2013.
8. Total open cases include 32 cases that have been referred to the State's Attorney, some of which were referred as early as 2001.

Planning & Zoning Monthly Report
MAY 2013

APPENDIX A. ZONING USE PERMITS AUTHORIZED DURING MAY, 2013

Permit Number	Zoning District; Property Description; Address; PIN	Owner Name	Date Applied, Date Approved	Project (Related Zoning Case)
116-13-01 R-1	Lot 5 of J. Roy Byerly's 1 st Subdivision, Section 11, St. Joseph Township; 2233 CR 1700N, St. Joseph, Illinois PIN: 28-22-11-127-003	Douglas and Peggy Weaver	04/26/13 05/16/13	Construct an addition to an existing single family home
121-13-01 CR	A tract of land comprising 270 acres in the S ½ of Section 11 & the N ½ of Section 14, Mahomet Township; 405 N. and 109 S. Lake of the Woods Road, Mahomet, Illinois PIN: 15-13-11-376-002	Champaign County Forest Preserve District	05/01/13 05/16/13	A Temporary Use for a Fireworks Display on July 4, 2013, rain date, July 5, 2013
126-13-01 AG-2	A tract of land located in the W ½ of the NE ¼ of Section 20, Somer Township; 6106 N. Lincoln Avenue, Urbana, Illinois PIN: 25-15-20-200-004	Daniel Olson	05/06/13 05/20/13	Place an above ground swimming pool on the subject property
128-13-01 AG-2	Lot 3 of Country Club Heights 1 st Subdivision, Section 5, Urbana Township; 2509 N. Willow Road, Urbana, Illinois PIN: 30-21-05-227-019	Richard Flood	05/08/13 05/21/13	Construct a detached garage/storage shed
129-13-01 AG-1	Lot 5, Linbry Estates, Section 3, St. Joseph Township; 1777A CR 2200E, St. Joseph, Illinois PIN: 28-22-03-283-005	Benjamin Frick	05/09/13 05/20/13	Construct a detached storage shed
130-13-01 R-2	The N ½ of Block 3 of Lamar Foes Addition to the Town of Foesland, Section 17, Brown Township; 10 Third Street, Foesland, IL PIN: 02-01-17-255-001	Village of Foesland	05/10/13 05/30/13	Change of Use to a Community Center and construct an addition

Planning & Zoning Monthly Report
MAY 2013

APPENDIX A. ZONING USE PERMITS AUTHORIZED DURINGMAY, 2013

Permit Number	Zoning District; Property Description; Address; PIN	Owner Name	Date Applied, Date Approved	Project (Related Zoning Case)
134-13-01 R-1	Lot 242 in Parkhill's Lake View Subdivision II, Section 14, Mahomet Township; 504 Ridge Road, Mahomet, IL PIN: 15-13-14-226-003	Steve and Mica Witt	05/14/13 05/20/13	Construct a detached garage and pavilion
135-13-01 AG-1	Lot 102, Clabaugh Subdivision, Section 10, Somer Township; 1590 CR 2200N, Urbana, Illinois PIN: 25-15-10-400-018	Mark Bertram	05/15/13 05/24/13	Construct a detached garage
141-13-01 R-1	A tract of land in the NE ¼ of the E ½ of the SW ¼ of Section 17, Mahomet Township; 404 S. Shore Drive, Mahomet, Illinois PIN: 15-13-17-327-001	William Boulanger	05/21/13 05/30/13	Construct a detached storage shed
142-13-01 B-2	Lot 2 of Jacob M. Smith Estate, Replat, Section 10, Urbana Township; 2108 E. University Avenue, Urbana, Illinois PIN: 30-21-10-351-020	Dana Slocum/Jim Abbed	05/22/13 05/30/13	Establish a Temporary Use for a Fireworks Sales Stand, June 20 – July 6, 2013
142-13-02 I-1	Lots 2 & 3 of Stearn's Industrial Subdivision, Section 2, Champaign Township; 1314 W. Anthony Drive, Champaign, Illinois PIN: 03-20-02-131-010, 009, 011	Howard Kemper/Jim Abbed	05/22/13 05/30/13	Establish a Temporary Use for a Fireworks Sales Stand, June 21 – July 6, 2013
143-13-01 I-1	Lots 8, 9, 10, 11, 12, & 13 of Westwood Trace Subdivision, Section 9, Champaign Township; NE Corner of Staley Road & Springfield Avenue, Champaign, Illinois PIN: 03-20-09-351-003, 004, & 008	WBGL	05/23/13 05/30/13	Establish a Temporary Use for an Outdoor Concert, June 18, 2013 from 6:30p – 9p

Planning & Zoning Monthly Report
MAY 2013

APPENDIX B. ZONING COMPLIANCE CERTIFICATES ISSUED DURING MAY, 2013

Date	Permit Number	Property Description; Address; PIN	Project (Related Zoning Case)
05/14/13	291-12-01	Lot 121, Lincolnshire Fields NW III, Section 21, Champaign Township; 1702 Byrnebruk, Champaign, Illinois PIN: 03-20-21-156-007	A single family home with attached garage



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MONTHLY REPORT for JUNE 2013¹

Zoning Cases

The distribution of cases filed, completed, and pending is detailed in Table 1. Two zoning cases were filed in June and six were filed in June 2012. The average number of cases filed in June in the preceding five years was 3.2.

Two ZBA meetings were held in June and five cases were finalized and one case was withdrawn. Two ZBA meetings were held in June 2012 and no cases were finalized. The average number of cases finalized in June in the preceding five years was 1.0.

By the end of June there were 12 cases pending. By the end of June 2012 there were 19 cases pending.

Table 1. Zoning Case Activity in June 2013 & June 2012

Type of Case	June 2013 2 ZBA meetings		June 2012 2 ZBA meetings	
	Cases Filed	Cases Completed	Cases Filed	Cases Completed
Variance	1	4‡	3	0
SFHA Variance	0	0	0	0
Special Use	0	2	2	0
Map Amendment	0	0	1	0
Text Amendment	1	0	0	0
Change of Non-conforming Use	0	0	0	0
Administrative Variance	0	0	0	0
Interpretation / Appeal	0	0	0	0
TOTALS	2	6‡	6	0
Total cases filed (fiscal year)	23 cases		20 cases	
Total cases completed (fiscal year)	27 cases‡		12 cases	
Case pending*	12 cases‡		19 cases	
* Cases pending includes all cases continued and new cases filed <u>but not decided</u>				
‡One Variance application was withdrawn in June 2013 and is included in Cases Completed				

¹ Note that approved absences and sick days resulted in an average staffing level of 80% or the equivalent of 4.0 staff members (of the 5 authorized) present for each of the 20 work days in June.

Subdivisions

There was no County subdivision application, review, or recording in June. One municipal subdivision was reviewed for compliance with County zoning in June.

Zoning Use Permits

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

- 19 permits for 16 structures were approved in June compared to 15 permits for 7 structures in June 2012. The five-year average for permits in June in the preceding five years is 20.2. 13 other permit applications were received in June and were still under review at the end of the month.
- 12 months out of the last 33 months have equaled or exceeded the five-year average for number of permits (including May 2013, December 2012, October 2012, September 2012, May 2012, April 2012, January 2012, December 2011, August 2011, February 2011, January 2011, September 2010).
- 5.0 days was the average turnaround (review) time for complete initial residential permit applications in June.
- \$8,983,360 was the reported value for the permits in June (a new school for Unit 7 was \$5,900,000) compared to a total of \$1,167,600 in June 2012. The five-year average reported value for authorized construction in June is \$3,066,683.
- 18 months in the last 53 months have equaled or exceeded the five-year average for reported value of construction (including June 2013, February 2013, January 2013, November 2012, September 2012, August 2012, May 2012, April 2012, February 2012, January 2012, December 2011, November 2011, August 2011, June 2011, February 2011, August and May 2010 and March 2009).
- \$4,168 in fees were collected in June compared to a total of \$3,316 in June 2012. The five-year average for fees collected in June is \$4,304.
- 13 months in the last 49 months have equaled or exceeded the five-year average for collected permit fees (including February 2013, January 2013, October 2012, September 2012, May 2012, April 2012, February 2012, January 2012, December 2011, June 2011, August 2010, and December and March 2009).
- There was one Floodplain Development Permit received in June.
- There were also 4 lot split inquiries and 309 other zoning inquiries in June.
- Two rural addresses were issued in June.
- Minutes were begun for two ZBA meetings and completed for one ZBA meeting.
- Permitting staff does all requisitions for the Department and in June the staff reviewed budget transfers over the last 4 years to identify line items which may need to be increased in the FY2014 budget.

Planning & Zoning Monthly Report
JUNE 2013

Table 2. Zoning Use Permits Approved in June 2013

PERMITS	CURRENT MONTH			FISCAL YEAR TO DATE		
	#	Total Fee	\$ Value	#	Total Fee	\$ Value
AGRICULTURAL: Residential	2	N.A.	600,000	2	N.A.	600,000
Other	1	N.A.	30,000	12	N.A.	859,455
SINGLE FAMILY Residential: New - Site Built				8	5,414	2,430,662
Manufactured						
Additions	3	195	48,200	12	1,245	185,218
Accessory to Residential	5	645	59,460	17	3,426	279,754
TWO-FAMILY Residential						
Average turn-around time for permit approval			5 Days			
MULTI - FAMILY Residential						
HOME OCCUPATION: Rural				1	33	0
Neighborhood		N.A.		6	N.A.	0
COMMERCIAL: New	1	1,533	1,200,000	4	3,832	2,430,000
Other	1	1,533	200,000	2	1,598	300,000
INDUSTRIAL: New						
Other						
OTHER USES: New	1	0	5,900,000	1	0	5,900,000
Other	1	0	932,000	1	0	932,000
SIGNS	1	66	200	1	66	200
TOWERS (Includes Acc. Bldg.)						
OTHER PERMITS	3	196	13,500	14	1,171	388,000
TOTAL APPROVED	19/16	\$4,168	\$8,983,360	81/60	\$16,785	\$14,305,289

* 19 permits were issued for 16 structures during June 2013; 19 permits will require Compliance Certificates
 ◇81 permits have been issued for 60 structures since December 1, 2012 (FY2013)

NOTE: Home occupations and other permits (change of use, temporary use) total 21 since December, 2012, (this number is not included in the total # of structures).
 Of the 25 Zoning Use Permit applications *received* in June 2013, 12 were *approved*.
 7 Zoning Use Permit applications *approved* in June 2013 were *received* in prior months.

Conversion of Best Prime Farmland

Table 3 summarizes conversion of Best Prime Farmland as a result of any County zoning approval so far in FY2013.

Table 3. Best Prime Farmland Conversion

	June 2013	FY 2013 to date
Zoning Cases authorizing a new principal use on Best Prime Farmland that was previously used for agriculture	0.0 acres	0.0 acres
Subdivision Plat Approvals authorizing new Best Prime Farmland lots smaller than 35 acres: Outside of Municipal ETJ areas ¹	0.0 acres	0.0 acres
Within Municipal ETJ areas ²	0.0 acres	0.0 acres
Zoning Use Permits authorizing new non-agriculture uses on lots that were not previously authorized in either a zoning case or a subdivision plat approval.	0.0 acres	0.0 acres
Agricultural Courtesy Permits	1.0 acre	1.0 acre
TOTAL	1.0 acre	1.0 acre
NOTES		
<ul style="list-style-type: none"> 1. Plat approvals by the County Board. 2. Municipal plat approvals. 		

Zoning Compliance Inspections

- Six compliance inspections were made in June for a total of 45 compliance inspections so far in FY2013.
- Six compliance certificates were issued in June for a total 28 compliance certificates so far in FY2013. The FY2013 budget anticipated a total of 510 compliance inspections for an average of 9.8 inspections per week.

Zoning and Nuisance Enforcement

Table 3 contains the detailed breakdown of enforcement activity for June 2013 and can be summarized as follows:

- 5 new complaints were received in June compared to 6 new complaints in June 2012. One complaint was referred to another agency in June and 1 complaint was referred to another agency in June 2012.
- 18 enforcement inspections were conducted in June compared to 29 in June 2012. 4 of the June 2013 inspections were for the new complaints received in June.
- 2 contacts were made prior to written notification in June and 2 were made in June 2012.

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- 20 initial investigation inquiries were made in June for an average of 5.0 per week in June and 8.1 per week for the fiscal year. The FY2013 budget had anticipated an average of 8.4 initial investigation inquiries per week.
- 2 First Notices and no Final Notices were issued in June compared to 2 First Notices and no Final Notice in June 2012. The FY2013 budget anticipates a total of 30 First Notices.
- No cases were referred to the State's Attorney in June and 1 was referred in June 2012.
- 6 cases were resolved in June (2 of the resolved cases were received in June) and 1 case was resolved in June 2012.
- 429 cases remain open at the end of June compared to 436 open cases at the end of June 2012.
- Miscellaneous activities for enforcement in June included answering phones when Zoning Technicians were absent; helping with review of a Floodplain Development Permit; coordinating with the State's Attorney regarding enforcement cases; and assisting with text amendment Case 757-AT-13.

APPENDICES

A Zoning Use Permits Authorized

B Zoning Compliance Certificates Issued

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Table 3. Enforcement Activity During June 2013

	FY2012 TOTALS ¹	Dec. 2012	Jan. 2013	Feb. 2013	March 2013	April 2013	May 2013	June 2013	July 2013	Aug. 2013	Sep. 2013	Oct. 2013	Nov. 2013	TOTALS ¹ FY2013
Complaints Received	80	1	9	6	2	4	5	5						32
Initial Complaints Referred to Others	10	0	0	1	0	0	1	1						3
Inspections	515	35	49	29	29	43	38	18 ⁴						241 ⁵
Phone Contact Prior to Notice	13	0	0	0	0	0	1	2						3
First Notices Issued	24	0	7	1	2	0	1	2						13
Final Notices Issued	8	0	1	2	0	1	0	0						4
Referrals to State's Attorney	5	2	0	0	0	2	0	0						4
Cases Resolved ²	69	0	8	9	2	7	11	6 ⁶						43 ⁷
Open Cases ³	440	441	442	439	439	436	430	429						429 ⁸

Notes

1. Total includes cases from previous years.
2. Resolved cases are cases that have been inspected, notice given, and violation is gone, or inspection has occurred and no violation has been found to occur on the property.
3. Open Cases are unresolved cases and includes any case referred to the State's Attorney or new complaints not yet investigated.
4. 4 inspections of the 18 performed were for the 5 complaints received in June, 2013.
5. 42 inspections of the 241 inspections performed in 2013 were for complaints received in 2013.
6. 2 of the resolved cases for June, 2013, were received in June, 2013.
7. 12 of the 43 cases resolved in FY 2013 were for complaints that were also received in FY 2013.
8. Total open cases include 29 cases that have been referred to the State's Attorney, some of which were referred as early as 2001.

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APPENDIX A. ZONING USE PERMIT ACTIVITY DURING JUNE, 2013

Permit Number	Zoning District; Property Description; Address; PIN	Owner Name	Date Applied, Date Approved	Project (Related Zoning Case)
36-01-02 AG-1	A part of the NW ¼ of Section 2, Pesotum Township; 1035 CR 600N, Tolono, Illinois PIN: 18-32-02-100-006	Tolono CUSD #7	02/05/01 06/06/13	Construct a new elementary school – Unity West Elementary School
184-08-02 B-3	A tract of land located in the SW Corner of the SE ¼ of Section 33, Somer Township; 1502 E. Illini Airport Road, Urbana, IL PIN: 25-15-33-452-004	Ivan Richardson/ Own Your Own Storage	07/02/08 06/06/13	Construct a self-storage warehouse building (Phase 6)
43-13-01 AG-1	80 acres located in the E ½ of the SW ¼ of Section 31, Sidney Township; PIN: 24-28-31-30-002	Magdi Ragheb and Adam Ragheb	02/12/13 06/07/13	Change the Use to establish an Ultralight Landing Area
63-13-01 CR	The West ½ of the NE ¼ of Section 1, Harwood Township; 2473 CR 3600N, Paxton, Illinois PIN: 11-04-01-200-002	Leonard Tobey	03/04/13 06/11/13	Construct a single family home with attached garage
144-13-01 AG-1	A tract of land located in the Ne Corner of the NW ¼ of Section 2, Pesotum Township; 1035 CR 600N, Tolono, Illinois PIN: 18-32-02-100-006	Tolono CUSD #7	05/24/13 06/06/13	Construct an addition to an existing school building
148-13-01 AG-1	A tract of land located in the E ½ of the NE ¼ of Section 28, Ogden Township; 2786 CR 1350N, Homer, Illinois PIN: 17-24-28-200-006	Mitchell Sonsteng	05/28/13 06/07/13	Construct a detached garage
151-13-01 R-1	Lot 22, Wiltshire Estates 3 rd Subdivision, Section 13, St. Joseph Township; 604 Dorset Circle, St. Joseph, IL PIN: 28-22-13-301-012	Robert Dunker	05/31/13 06/11/13	Construct a detached storage shed
154-13-01 AG-1	A 1.024 acre tract of land located in the S ½ of the SW ¼ of Section 33, Rantoul Township; 1466 CR 2400N, Champaign, Illinois PIN: Pt. of: 20-09-33-300-003	Troy Sage	06/03/13 06/11/13	Construct a single family home with attached garage

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APPENDIX A. ZONING USE PERMIT ACTIVITY DURING JUNE, 2013

Permit Number	Zoning District; Property Description; Address; PIN	Owner Name	Date Applied, Date Approved	Project (Related Zoning Case)
155-13-01 R-1	Lot 20, Twin Oaks 6 th Subdivision, Section 11, Mahomet Township; 1204 Janet Drive, Mahomet, IL PIN: 15-13-11-228-024	Brian and Linda McDonald	06/04/13 06/11/13	Construct a detached garage
155-13-02 AG-1	Lot 9, Jones Subdivision #2, Section 16, Tolono Township; 915 CR 900E, Champaign, Illinois PIN: 29-26-16-402-002	Greg Moore	06/04/13 06/11/13	Construct a detached garage
156-13-01 AG-1	A tract of land located in the NE ¼ of Section 22, Tolono Township; 887 CR 1000E, Tolono, Illinois PIN: 29-26-22-200-008	Jacob & Kendra Wolf	06/04/13 06/14/13	Construct a detached garage
*156-13-02FP	Pending IDNR review	Greg & Julie Izard	06/05/13	
163-13-01 AG-2	Lot 18, Woodard's Heather Hills 2 nd Subdivision, Section 2, St. Joseph Township; 2219 Morningside Drive, St. Joseph, Illinois PIN: 28-22-02-351-010	Junior Duitsman	06/12/13 06/20/13	Construct an addition to an existing single family home
*164-13-01	Under review	SK Service Corp	06/13/13	
164-13-02 B-2	Part of the SW ¼ of Section 35, Scott Township; 304 S. Main Street, Seymour, IL PIN: 23-19-16-300-018	Seymour VFD	06/13/13 06/20/13	Establish a Temporary Use for a Fireworks Display, July 4, 2013 (rain date, July 5, 2013)
164-13-03 R-1	Lot 77, Lincolnshire Fields SE Subdivision, Section 21, Champaign Township; 3103 Valleybrook Drive, Champaign, Illinois PIN: 03-20-21-477-006	David Linton	06/13/13 06/24/13	Construct a screen porch addition to an existing single family home
164-13-04 AG-1	Lots 1 & 2 of Hamilton Subdivision, Section 24, Scott Township; 558 CR 1400N, Champaign, IL PIN: 23-19-24-400-006 & 007	Mark Hamilton	06/13/13 06/20/13	Establish a Temporary Use for a Fireworks Display on July 3, 2013, rain date July 4, 2013

*received and reviewed, however, not approved during reporting month.

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APPENDIX A. ZONING USE PERMIT ACTIVITY DURING JUNE, 2013

Permit Number	Zoning District; Property Description; Address; PIN	Owner Name	Date Applied, Date Approved	Project (Related Zoning Case)
165-13-01 CR	A portion of Lot 3 of a Subdivision lying North of the Sangamon River of the NE ¼ of the NW ¼ of Section 35, Newcomb Township; 435 CR 2500N, Mahomet, Illinois PIN: 16-07-35-100-028	Clifford Dale Crowley, Jr.	06/14/13 06/20/13	Construct a detached storage shed for agriculture use only
165-13-02 R-1	Lot 61, Lincolnshire Fields North II Subdivision, Section 21, Champaign Township; 2001 Byrnebruk, Champaign, Illinois PIN: 03-20-21-176-016	Alan Nudo	06/14/13 06/21/13	Construct a sunroom addition to an existing single family home
169-13-01 AG-2	A tract of land being the South 10 acres of the SW ¼ of the NW ¼ of Section 14, Hensley Township; 2150 CR 1000E, Champaign, Illinois PIN: 12-14-14-100-005	LA Gourmet/ Annie Murray	06/18/13 06/27/13	Construct an Event Center, Pear Tree Estates (CASE: 700-S-11)
*169-13-02	Approved 07/03/13	Sangamon Valley PWD	06/18/13	
*169-13-03	Approved 07/03/13	Sangamon Valley PWD	06/18/13	
170-13-01 AG-1	A tract of land located in the SW ¼ of Section 14, Hensley Township, immediately North of the Thor-O-Bred Acres Subdivision; 2130 CR 1000E, Champaign, Illinois PIN: 12-14-14-300-007	HTCSCI	06/19/13 06/27/13	Place a wall sign on the building (CASE: 560-S-06)
*170-13-02	Approved 07/02/13	Robert Parrish	06/19/13	
*171-13-01	Approved 07/02/13	Tim Frerichs	06/20/13	
*171-03-02	Approved 07/02/13	Sportsmen Club of Urbana	06/20/13	
*172-13-01	Approved 07/02/13	Timothy Summerville	06/21/13	
*175-13-01	Approved 07/02/13	Roy Douglas	06/24/13	
*175-13-02	Under review	Marcus Harris	06/24/13	

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APPENDIX A. ZONING USE PERMIT ACTIVITY DURING JUNE, 2013

Permit Number	Zoning District; Property Description; Address; PIN	Owner Name	Date Applied, Date Approved	Project (Related Zoning Case)
*178-13-01	Under review	Robert Thomas	06/27/13	
*179-13-01	Under review	Lisa Oakley	06/28/13	
*179-13-02	Approved 07/02/13	Benjamin McCurley	06/28/13	

***received and reviewed, however, not approved during reporting month.**

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APPENDIX B. ZONING COMPLIANCE CERTIFICATES ISSUED DURING JUNE, 2013

Date	Permit Number	Property Description; Address; PIN	Project (Related Zoning Case)
06/11/11	48-06-01	Lot 113, Wiltshire Estates 7 th , Section 13, St. Joseph Township; 1507 Dover Drive, St. Joseph, Illinois PIN: 28-22-13-329-001	A single family home with attached garage, detached garage and in-ground swimming pool
06/06/13	17-12-02	The East Half of Lot 9 and all of Lots 10, 11, and 12 of Block 1 of the Original Town of Prairieview, now Longview, Section 34, Raymond Township; 210 E. Logan Street, Longview, Illinois PIN: 21-34-34-306-013, 014, 015, and 016	A warehouse/office building for "Roofs by Rodger" with no Outdoor Storage
06/18/13	262-12-01	Lot 6 of the Original Town of Foosland, Section 17, Brown Township; 203 Main Street, Foosland, Illinois PIN: 02-01-17-404-006	An addition to an existing warehouse building for personal storage
06/18/13	105-13-01	Two tracts of land comprising 3.90 acres in the SE ¼ of Section 5, Brown Township; 3521 CR 200E, Foosland, Illinois PIN: 02-01-05-400-006	A detached storage shed for agriculture equipment
06/18/13	91-13-01	A tract of land being a part of the SW ¼ of Section 35, Brown Township; 3020 CR 400E, Fisher, Illinois PIN: 02-01-35-300-008	A detached storage shed for agriculture equipment
06/24/13	77-13-01	A tract of land located in the N ½ of the SW ¼ of Section 30, Crittenden Township; 142 CR 1200E, Pesotum, Illinois PIN: 08-33-30-300-010	A detached agriculture shed