

# CHAMPAIGN COUNTY ZONING BOARD OF APPEALS NOTICE OF REGULAR MEETING

Date: **January 31, 2013**  
Time: **6:30 P.M.**  
Place: **Lyle Shields Meeting Room**  
**Brookens Administrative Center**  
**1776 E. Washington Street**  
**Urbana, IL 61802**

**Note: NO ENTRANCE TO BUILDING  
FROM WASHINGTON STREET PARKING  
LOT AFTER 4:30 PM.**  
*Use Northeast parking lot via Lierman Ave.  
and enter building through Northeast  
door.*

*If you require special accommodations please notify the Department of Planning & Zoning at  
(217) 384-3708*

**EVERYONE MUST SIGN THE ATTENDANCE SHEET – ANYONE GIVING TESTIMONY MUST SIGN THE WITNESS FORM**

## AGENDA

1. Call to Order
2. Roll Call and Declaration of Quorum
3. Correspondence
4. Approval of Minutes
5. Continued Public Hearings

*Note: The full ZBA packet is now available  
on-line at: [www.co.champaign.il.us](http://www.co.champaign.il.us).*

**Case 728-AM-12** Petitioner: **K & S Property Management**  
Request: **Amend the zoning Map to change the zoning district designation from the AG-1, Agriculture Zoning District to the R-4, Multiple Family Residence Zoning District to allow the re-establishment of a multi-family use in an existing building (variances will be required) for which the nonconforming rights have expired.**  
Location: **A 1.5 acre tract in the Southwest Quarter of the Southwest Quarter of Section 15 of Rantoul Township and commonly known as the Jones Building at 1518B CR 2700N, Rantoul.**

6. New Public Hearings

**Case 732-AT-12** Petitioner: **Zoning Administrator**  
Request: **Amend the Champaign County Zoning Ordinance as follows:**

**Part A. Revise paragraph 7.1.2B. as follows:**

- (1) Strike “non-family” and replace with “non-resident”.
- (2) Revise subparagraph 7.1.2B.i. to strike “five acres” and replace with “two acres in area”; and renumber the subparagraph to 7.1.2B.(1).
- (3) Revise subparagraph 7.1.2B.ii. to strike “five acres” and replace with “that are two acres in area”; add the phrase “and provided that”; and renumber the subparagraph to 7.1.2B.(2).
- (4) Add new subparagraph 7.1.2B.(3) to authorize that all employees may be present and working on the premises for no more than 5 days with any 30 day period due to inclement weather or as necessitated by other business considerations.
- (5) Add new subparagraph 7.1.2B.(4) to authorize that family members who are residents of the property when the HOME OCCUPATION is operating but who subsequently move from the premises may remain active in the HOME OCCUPATION and shall not be counted as a non-resident employee as long as their participation in the HOME OCCUPATION continues.

**Part B. Revise paragraph 7.1.2E. as follows:**

- (1) Strike “Second Division vehicle as defined by the Illinois Vehicle Code” and replace with “MOTOR VEHICLES”; and add the phrase “and parked at”.
- (2) Add new subparagraph 7.1.2E.(1) to require that the number of MOTOR VEHICLES and licensed trailers displaying the name of the RURAL HOME OCCUPATION or used in any way for the RURAL HOME OCCUPATION shall be within the limits established.

**CHAMPAIGN COUNTY ZONING BOARD OF APPEALS  
NOTICE OF REGULAR MEETING  
JANUARY 31, 2013**

Case 732-AT-12 cont:

- (3) Renumber subparagraph 7.1.2E.i. to be 7.1.2E.(2) and strike “vehicles over 8,000 lbs. gross weight” and replace with “MOTOR VEHICLES that are either a truck tractor and/or a MOTOR VEHICLE with tandem axles, both as defined by the Illinois Vehicle Code (625 ILCS 5/1 et seq)”; and add the phrase “and all MOTOR VEHICLE loads and weights shall conform to the Illinois Vehicle Code (625 ILCS 5/15-111)”.
- (4) Renumber subparagraph 7.1.2E.ii. to be 7.1.2E.(3) and strike “vehicles” and replace with “MOTOR VEHICLES”; and strike “vehicles under 8,000 lbs. gross vehicle weight”; and insert “licensed”; and strike “and off-road vehicles”; and insert the phrase “or owner”.
- (5) Renumber subparagraph 7.1.2E.iii. to be 7.1.2E.(4) and strike “Second Division vehicles” and replace with “MOTOR VEHICLES and licensed trailers”; and strike “indoors” and replace with “in an enclosed building”; and add “outdoors subject to the following minimum separations for outdoor parking:”; and add the following subparagraphs:
  - (a) Add subparagraph 7.1.2E.(4)(a) to require that no more than 1 motor vehicle may be parked outdoors less than five feet from a side rear property line or less than 10 feet from a front property line.
  - (b) Add subparagraph 7.1.2E.(4)(b) to require that outdoor parking for more than one motor vehicle shall be no less than 50 feet from any lot line and no less than 100 feet from any offsite dwelling.
  - (c) Add subparagraph 7.1.2E.(4)(c) to require that outdoor parking for more than one motor vehicle that does not meet certain requirements shall be at least 10 feet from any lot line and be screened.
- (6) Add subparagraph 7.1.2E.(5) to require that paragraphs 7.1.2E. and 7.1.2F. apply to all new RURAL HOME OCCUPATION and to any expansion of a RURAL HOME OCCUPATION that is filed after September 1, 2012.
- (7) Add subparagraph 7.1.2E.(6) (a) and (b) to require the following:
  - (a) Any MOTOR VEHICLE or licensed trailer or piece of equipment that was included on an application for a RURAL HOME OCCUPATION that was received before September 1, 2012, may continue to be used provided that the total number of vehicles are not more than 10 and no more than 3 may be truck tractors or MOTOR VEHICLES with tandem axles as defined by the Illinois Vehicle Code.
  - (b) Any RURAL HOME OCCUPATION that complies with 7.1.2E.(6) shall be authorized to have the same number of motor vehicles or licensed trailers or pieces of equipment as long as it continues in business at that location and any MOTOR VEHICLE or licensed trailer or piece of equipment may be replaced with a similar motor vehicle or licensed trailer or piece of equipment.

**Part C. Add new paragraph 7.1.2F. as follows:**

- (1) Limit the number of motorized or non-motorized complete pieces of non-farm equipment in outdoor storage to 10 complete pieces, provided that the number of pieces of equipment that may be in outdoor storage shall be reduced by the number of MOTOR VEHICLES and licensed trailers that are also parked outdoors.
- (2) Require that equipment in outdoor storage meet the same separations required for MOTOR VEHICLES in 7.1.2E.(4)(b) and 7.1.2E.(4)(c).

**Part D. Revise paragraph 7.1.2H. to require that more than four vehicles for patrons and onsite employees shall be screened; and also provide that loading berths are not required for RURAL HOME OCCUPATIONS.**

**Part E. Revise paragraph 7.1.2K. as follows:**

- (1) Add the phrase “for other than equipment used in any RURAL HOME OCCUPATION”; and strike the phrase “screened as provided by Section 7.6, and replace with the phrase “shall be provided as follows:”.
- (2) Add subparagraph 7.1.2K.(1) to require that no outdoor storage be located in any required off street parking spaces.
- (3) Add subparagraph 7.1.2K.(2) to require screening if outdoor storage occurs in any yard within 1,000 feet of certain specified uses of surrounding property.

**CHAMPAIGN COUNTY ZONING BOARD OF APPEALS  
NOTICE OF REGULAR MEETING  
JANUARY 31, 2013**

**Case 733-AT-12**    Petitioner: **Zoning Administrator**  
Request:    **Amend the Champaign County Zoning Ordinance as follows:**

**Part A.** Add defined term “**AGRICULTURE DRAINAGE CONTRACTOR**” to Section 3 to be defined as “a contractor whose principal business is installing and/or selling agricultural drainage facilities such as grassed waterways, field terraces, underground drainage tile, tile inlets, culverts, and related drainage improvements.

**Part B.** Add “**AGRICULTURAL DRAINAGE CONTRACTOR Facility (with no Outdoor STORAGE and/or Outdoor OPERATIONS)**” as an authorized principal use to the Table of Authorized Principal Uses in Section 5.2 permitted by Special Use Permit in the CR, AG-1, and AG-2 Zoning Districts; and by right in the B-1, B-4, B-5, I-1, and I-2 Zoning Districts; and add a footnote authorizing as much as 50% of the dollar volume of business at an **AGRICULTURAL DRAINAGE CONTRACTOR** facility to be retail sales of agricultural drainage products; and add Special Use Permit Standard Conditions to Section 6.1.3.

**Part C.** Add “**AGRICULTURAL DRAINAGE CONTRACTOR Facility (with Outdoor STORAGE and/or Outdoor OPERATIONS)**” as an authorized principal use to the Table of Authorized Principal Uses in Section 5.2 permitted by Special Use Permit in the CR, AG-1, AG-2, B-4 (if screening is not provided), and B-5 Zoning Districts; and by right in the B-1, B-4 (if **OUTDOOR STORAGE** is located in the **REAR YARD** and completely screened), I-1, and I-2 Zoning Districts; and add a footnote authorizing as much as 50% of the dollar volume of business at an **AGRICULTURAL DRAINAGE CONTRACTOR** facility to be retail sales of agricultural drainage products; and add Special Use Permit Standard Conditions to Section 6.1.3.

**Case 734-AT-12**    Petitioner: **Zoning Administrator**  
Request:    **Amend the Champaign County Zoning Ordinance as follows:**

**Part A.** Amend the Table of Authorized Principal Uses in Section 5.2 by adding “**Contractors Facilities (with no Outdoor STORAGE Nor Outdoor OPERATIONS)**” as an authorized principal use permitted by right in the B-1 Zoning District.

**Part B.** Amend the Table of Authorized Principal Uses in Section 5.2 by adding “**Contractors Facilities (with Outdoor STORAGE and/or Outdoor OPERATIONS)**” as an authorized principal use permitted by Special Use Permit in the B-5 Zoning District; and by right in the B-1 Zoning District; and add Special Use Permit Standard Conditions to Section 6.1.3.

7. Staff Report
8. Other Business
  - A. November, December 2012 Monthly Reports
  - B. Review of ZBA Docket
9. Audience Participation with respect to matters other than cases pending before the Board
10. Adjournment

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**\* Administrative Hearing. Cross Examination allowed.**

# CASE NO. 728-AM-12

SUPPLEMENTAL MEMORANDUM

January 25, 2013

Petitioners: **K & S Property Management**

Request: **Amend the Zoning Map to change the zoning district designation from the AG-1 Agriculture Zoning District to the R-4 Multiple Family Residence Zoning District to allow the re-establishment of a multi-family use in an existing building (variances will be required) for which the nonconforming rights have expired.**

Site Area: **1.5 acres**

Time Schedule for Development: **3-6 months**

Prepared by: **Andy Kass**  
Associate Planner

**John Hall**  
Zoning Administrator

Location: **A 1.5 acre tract in the Southwest Quarter of the Southwest Quarter of Section 15 of Rantoul Township and commonly known as the Jones Building at 1518B CR 2700N, Rantoul.**

Champaign  
County  
Department of

**PLANNING &  
ZONING**

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

(217) 384-3708

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## STATUS

This case was continued from the October 11, 2012, public hearing.

The petitioner has not submitted a site plan or any of the other requested information. An official protest from the Rantoul Township Plan Commission is attached.

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## PROGRESS UPDATE

On November 29, 2012, staff forwarded the official protest from the Rantoul Township Plan Commission to the petitioner. On the same day the petitioner replied indicating that he was not sure what he was going to do because of all of the opposition (see Attachment B). On January 2, 2013, staff sent the petitioner a letter indicating the need for the materials requested, or at least an update on the progress made since the last hearing by January 9, 2013. On January 11, 2013, the petitioner responded via email indicating that no progress had been made and that he is looking to sell the property (see Attachment C). On January 15, 2013, staff sent the petitioner a letter advising him that due to the lack of progress made, the ZBA would likely dismiss Case 728-AM-12 at the January 31, 2013, public hearing.

The enforcement case on the subject property was forwarded to the State's Attorney on June 7, 2011.

## ATTACHMENTS

- A Rantoul Township Plan Commission Protest received November 19, 2012
- B Email from Rick Stone dated November 29, 2012
- C Email from Rick Stone dated January 11, 2013

TUMMELSON  
BRYAN  
& KNOX  
LLP

ATTORNEYS AT LAW

George G. Bryan

E. Phillips Knox

Helen F. Grandone

Brian T. Schurter

Hurshal C. Tummelson  
(1923-2008)

November 16, 2012

Mr. John Hall  
Champaign County Zoning Office  
1776 E. Washington Street  
Urbana, IL 61802

Re: *Rantoul Township*

Dear John:

Enclosed please find a signed resolution from Rantoul Township objecting to proposed request for rezoning of property in unincorporated Champaign County Case 728-AM-12.

If you have any questions, please do not hesitate to contact me.

Very truly yours,



Brian T. Schurter

BTS/sl

Enclosures

CHAMPAIGN CO. P & Z DEPARTMENT

NOV 19 2012

RECEIVED

115 North Broadway Avenue  
P.O. Box 99  
Urbana, Illinois 61803-0099  
www.tbklaw.com  
Fax 217.367.2555  
Phone 217.367.2500

**RANTOUL TOWNSHIP RESOLUTION NO. 2012- 001**

**A RESOLUTION OBJECTING TO PROPOSED REQUEST  
FOR REZONING OF PROPERTY IN  
UNINCORPORATED CHAMPAIGN COUNTY CASE 728-AM-12**

BE IT RESOLVED that, based on the objections of the Rantoul Township Plan Commission, the Township Board of Rantoul Township, Champaign County, Illinois objects to proposed Champaign County Proposed Request for Rezoning of Property in Unincorporated Champaign County Case 728-AM-12 in its entirety. We believe that this rezoning negatively affects Rantoul Township.

This Resolution was passed by the affirmative votes of the following members of the Rantoul Township Board at a regular meeting held on November 12, 2012.

Ayes

Nays

James A. Ruch  
Keith Barnes  
John H. Jones  
Carl Schlemmer  
Duane Albis

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Absent

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CHAMPAIGN CO. P & Z DEPARTMENT

NOV 19 2012

RECEIVED

## Andrew Kass

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**From:** Rick [premiersound1@sbcglobal.net]  
**Sent:** Thursday, November 29, 2012 2:06 PM  
**To:** Andrew Kass  
**Subject:** Re: Case 728-AM-12

I am still debating what to do. Because of the opposition I may just let the building become more dilapidated and an eye sore if no one wants it to be productive. Also the building is still under contract with ramos so that is the other option is to let them deal with everything taking me out of the loop. I will keep you posted.

Thanks,  
Rick

Sent from my iPad

On Nov 29, 2012, at 1:26 PM, Andrew Kass <[akass@co.champaign.il.us](mailto:akass@co.champaign.il.us)> wrote:

Mr. Stone:

Attached are the materials we received from Rantoul Township on November 19, 2012. Both the City of Rantoul and Rantoul Township have officially protested your zoning case. A super majority (¾) will be required at the County Board in order for the proposed rezoning to be adopted.

Let me know if you have any questions.

Sincerely,  
Andy Kass

**Andy Kass**  
**Associate Planner**  
**Champaign County Dept. of Planning & Zoning**  
**1776 E. Washington St.**  
**Urbana, IL 61802**  
**(217) 384-3708**  
**[akass@co.champaign.il.us](mailto:akass@co.champaign.il.us)**

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This electronic message and any attached files contain information intended for the exclusive use of the individual or entity to whom it is addressed and may contain information that is proprietary, privileged, confidential and/or exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any viewing, copying, disclosure or distribution of this information may be subject to legal restriction or sanction and is strictly prohibited. If you have received this communication in error, please notify the sender by return electronic message or telephone, and destroy the original message without making any copies.

<Rantoul Township Protest.pdf>

## Andrew Kass

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**From:** rick stone [premiersound1@sbcglobal.net]  
**Sent:** Friday, January 11, 2013 2:14 PM  
**To:** Andrew Kass  
**Subject:** case 728-AM-12

Andy , as of this time I have not paid a firm to outline a site plan and put together additional information you have asked for. With the additional expense of hiring a firm to do so and with the resistance to rezoning I have gotten thus far, I am looking to sell the property. As you know the property is still deeded to the Ramos's and that will also have to be resolved. I will keep you posted with any updates.

Sincerely,

Rick Stone



# CASE NO. 732-AT-12

PRELIMINARY MEMORANDUM

January 25, 2013

Petitioner: **Zoning Administrator**

Prepared by: **Andy Kass, Associate Planner**  
**John Hall, Zoning Administrator**

Champaign  
County  
Department of

**PLANNING &  
ZONING**

Request: Amend the Champaign County Zoning Ordinance as follows:

**Part A. Revise paragraph 7.1.2B. as follows:**

- (1) Strike "non-family" and replace with "non-resident".
- (2) Revise subparagraph 7.1.2B.i. to strike "five acres" and replace with "two acres in area"; and renumber the subparagraph to 7.1.2B.(1).
- (3) Revise subparagraph 7.1.2B.ii. to strike "five acres" and replace with "that are two acres in area"; add the phrase "and provided that"; and renumber the subparagraph to 7.1.2B.(2).
- (4) Add new subparagraph 7.1.2B.(3) to authorize that all employees may be present and working on the premises for no more than 5 days with any 30 day period due to inclement weather or as necessitated by other business considerations.
- (5) Add new subparagraph 7.1.2B.(4) to authorize that family members who are residents of the property when the HOME OCCUPATION is operating but who subsequently move from the premises may remain active in the HOME OCCUPATION and shall not be counted as a non-resident employee as long as their participation in the HOME OCCUPATION continues.

**Part B. Revise paragraph 7.1.2E. as follows:**

- (1) Strike "Second Division vehicle as defined by the Illinois Vehicle Code" and replace with "MOTOR VEHICLES"; and add the phrase "and parked at".
- (2) Add new subparagraph 7.1.2E.(1) to require that the number of MOTOR VEHICLES and licensed trailers displaying the name of the RURAL HOME OCCUPATION or used in any way for the RURAL HOME OCCUPATION shall be within the limits established.
- (3) Renumber subparagraph 7.1.2E.i. to be 7.1.2E.(2) and strike "vehicles over 8,000 lbs. gross weight" and replace with "MOTOR VEHICLES that are either a truck tractor and/or a MOTOR VEHICLE with tandem axles, both as defined by the Illinois Vehicle Code (625 ILCS 5/1 et seq)"; and add the phrase "and all MOTOR VEHICLE loads and weights shall conform to the Illinois Vehicle Code (625 ILCS 5/15-111)".
- (4) Renumber subparagraph 7.1.2E.ii. to be 7.1.2E.(3) and strike "vehicles" and replace with "MOTOR VEHICLES"; and strike "vehicles under 8,000 lbs. gross vehicle weight"; and insert "licensed"; and strike "and off-road vehicles"; and insert the phrase "or owner".
- (5) Renumber subparagraph 7.1.2E.iii. to be 7.1.2E.(4) and strike "Second Division vehicles" and replace with "MOTOR VEHICLES and licensed trailers"; and strike "indoors" and replace with "in an enclosed building"; and add "outdoors subject to the following minimum separations for outdoor parking"; and add the following subparagraphs:
  - (a) Add subparagraph 7.1.2E.(4)(a) to require that no more than 1 motor vehicle may be parked outdoors less than five feet from a

**Brookens**

**Administrative Center**

1776 E. Washington Street  
Urbana, Illinois 61802

(217) 384-3708

side rear property line or less than 10 feet from a front property line.

- (b) Add subparagraph 7.1.2E.(4)(b) to require that outdoor parking for more than one motor vehicle shall be no less than 50 feet from any lot line and no less than 100 feet from any offsite dwelling.
  - (c) Add subparagraph 7.1.2E.(4)(c) to require that outdoor parking for more than one motor vehicle that does not meet certain requirements shall be at least 10 feet from any lot line and be screened.
- (6) Add subparagraph 7.1.2E.(5) to require that paragraphs 7.1.2E. and 7.1.2F. apply to all new RURAL HOME OCCUPATION and to any expansion of a RURAL HOME OCCUPATION that is filed after September 1, 2012.
- (7) Add subparagraph 7.1.2E.(6) (a) and (b) to require the following:
- (a) Any MOTOR VEHICLE or licensed trailer or piece of equipment that was included on an application for a RURAL HOME OCCUPATION that was received before September 1, 2012, may continue to be used provided that the total number of vehicles are not more than 10 and no more than 3 may be truck tractors or MOTOR VEHICLES with tandem axles as defined by the Illinois Vehicle Code.
  - (b) Any RURAL HOME OCCUPATION that complies with 7.1.2E.(6) shall be authorized to have the same number of motor vehicles or licensed trailers or pieces of equipment as long as it continues in business at that location and any MOTOR VEHICLE or licensed trailer or piece of equipment may be replaced with a similar motor vehicle or licensed trailer or piece of equipment.

**Part C. Add new paragraph 7.1.2F. as follows:**

- (1) Limit the number of motorized or non-motorized complete pieces of non-farm equipment in outdoor storage to 10 complete pieces, provided that the number of pieces of equipment that may be in outdoor storage shall be reduced by the number of MOTOR VEHICLES and licensed trailers that are also parked outdoors.
- (2) Require that equipment in outdoor storage meet the same separations required for MOTOR VEHICLES in 7.1.2E.(4)(b) and 7.1.2E.(4)(c).

**Part D. Revise paragraph 7.1.2H. to require that more than four vehicles for patrons and onsite employees shall be screened; and also provide that loading berths are not required for RURAL HOME OCCUPATIONS.**

**Part E. Revise paragraph 7.1.2K. as follows:**

- (1) Add the phrase “for other than equipment used in any RURAL HOME OCCUPATION”; and strike the phrase “screened as provided by Section 7.6, and replace with the phrase “shall be provided as follows:”.

- 
- (2) Add subparagraph 7.1.2K.(1) to require that no outdoor storage be located in any required off street parking spaces.
  - (3) Add subparagraph 7.1.2K.(2) to require screening if outdoor storage occurs in any yard within 1,000 feet of certain specified uses of surrounding property.
- 

## BACKGROUND

For background information please see Attachments A and B. A Draft Finding of Fact and Final Determination will be provided at the January 31, 2013, public hearing.

## ATTACHMENTS

- A Memo to the Champaign County Board Committee of the Whole dated February 1, 2012, with attachment:
  - B Proposed Amendment to Paragraph 7.1.2E.
- B Memo to the Champaign County Board Committee of the Whole dated September 25, 2012, with attachments:
  - A Existing subsection 7.1.2 Rural Home Occupation
  - B Revised Proposed Amendment (Annotated) to Section 7.1.2 Rural Home Occupations dated September 20, 2012
  - C Revised Proposed Amendment (Non-Annotated) to Section 7.1.2 Rural Home Occupations dated September 20, 2012
  - D Table comparing Existing Ordinance Requirements for Rural Home Occupation to Proposed Amendment
- C LRMP Land Use Goals, Objectives, and Policies & Appendix (included separately)

Champaign  
County  
Department of

**PLANNING &  
ZONING**

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

(217) 384-3708

To: **Champaign County Board Committee of the Whole**  
From: **John Hall, Director & Zoning Administrator**  
Date: **February 1, 2012**  
RE: **Zoning Ordinance requirements for Rural Home Occupations**

Request: **Request approval to proceed with a public hearing for an amendment to the Zoning Ordinance limits for numbers of vehicles and large equipment authorized in Rural Home Occupations**

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## **BACKGROUND**

The current regulations for Neighborhood and Rural Home Occupations were added to the Zoning Ordinance on February 16, 1993. See Attachment A. Since that time the Zoning Department has applied the limits on vehicles in paragraph 7.1.2 E. to also apply to larger self propelled equipment as was intended by the original amendment.

The Zoning Board of Appeals recently heard Interpretation Case 695-I-11 involving the Zoning Administrator's interpretation of paragraph 7.1.2 E. in which a landowner challenged the limit as applied to equipment. The ZBA upheld the Zoning Administrator's interpretation but agreed that paragraph 7.1.2E. was poorly written. This amendment seeks to amend 7.1.2 E. to more clearly specify the regulations for both vehicles and equipment.

## **OVERVIEW OF PROPOSED AMENDMENT**

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

1. Eliminate reference to "second division vehicles as defined in the Illinois Vehicle Code" and replace with "MOTOR VEHICLES and licensed trailers displaying the name of the RURAL HOME OCCUPATION or used in any way for the RURAL HOME OCCUPATION".

The Zoning Ordinance defines MOTOR VEHICLE as a self-propelled free-moving vehicle for the conveyance of goods or people on a STREET.

The Illinois Vehicle Code already specifies that any "first division" vehicle modified for use in a business is a second division vehicle and in fact some vehicles are not modified but still used for a business. See the proposed change to the first sentence in 7.1.2E.

2. Regarding the limits on numbers of vehicles, the proposed amendment keeps the existing limit of 10 but changes the weight limit as follows:
  - A. The existing weight threshold of 8,000 pounds is proposed to be increased to 15,000 pounds. Large sport utility vehicles and pick-ups with dual rear wheels weigh more than 8,000 pounds. The

**Zoning Administrator**  
**FEBRUARY 1, 2012**

proposed increase will allow up to 10 such vehicles. See the proposed change to existing subparagraph 7.1.2E. i. that is proposed to become subparagraph 7.1.2 E. (3).

- B. The existing Ordinance has no maximum weight limit and the proposed amendment does. The proposed amendment will allow two vehicles or pieces of equipment to weigh between 15,000 and 36,000 pounds; and one vehicle or equipment or some combination thereof to weigh between 36,000 pounds and 80,000 pounds; but no more than three vehicles and pieces of equipment that each weigh more than 15,000 pounds. A fully loaded semi truck and trailer combination will be accommodated by the 80,000 pound limit.

Note that the proposed amendment requires the use of such heavy vehicles to be consistent with any seasonal weight limits on rural roads.

See the proposed changes to existing subparagraphs 7.1.2E. i., ii, & iii. that are proposed to become subparagraphs 7.1.2 E. (3), (4) & (5).

3. Equipment is not defined but examples are given. An exact definition is not required because there is no absolute limit on the number of pieces of equipment (see below). See the proposed subparagraph 7.1.2E.(2).
4. Regarding the limit on numbers of equipment, the proposed amendment does not limit the number of pieces of equipment but requires that no more than 10 vehicles or 10 pieces of equipment or some combination thereof may be kept outdoors and any additional equipment must be stored inside an enclosed building. See proposed subparagraph 7.1.2 E. (6).
5. Proposed weight limits also apply to equipment. See the proposed changes to existing subparagraph 7.1.2E. i. that is proposed to become subparagraph 7.1.2 E. (3).
6. References are added to the existing SCREEN requirements for parking and outdoor storage. See proposed subparagraphs 7.1.2 E. (7) & (8).
7. The existing limit on signs is amended to allow one vehicle with signage to not be screened but all other vehicles with signage must be screened. See the proposed change to paragraph 7.1.2 D.

**ATTACHMENT S**

**A Existing Section 7.1**

**B Proposed Amendment to Paragraph 7.1.2 E.**

**Attachment B: Proposed Amendment to Paragraph 7.1.2 E.**  
FEBRUARY 1, 2012

**1. Revise existing paragraph 7.1.2E. to read as follows:**

(Note: Existing words to be deleted are indicated in strike out and new words to be added are underlined.)

E. ~~Non-farm, Second Division vehicles as defined by the Illinois Vehicle Code~~ MOTOR VEHICLES and equipment used in any RURAL HOME OCCUPATION shall be limited as follows:

- (1) The number of MOTOR VEHICLES and licensed trailers displaying the name of the RURAL HOME OCCUPATION or used in any way for the RURAL HOME OCCUPATION shall be within the limits established in this paragraph.
  
- (2) The number of complete pieces of equipment that are motorized or non-motorized and used in any way for the RURAL HOME OCCUPATION shall be within the limits established in this paragraph. Complete pieces of equipment shall include, but not be limited to, bucket loaders, road graders, bulldozers, trenchers, backhoes, riding lawn mowers, devices mounted on trailers, and any agricultural equipment used for non-agricultural uses. Equipment does not include hand tools or bench tools or tools mounted on a table or wheel barrows or similar tools.
  
- ~~i.~~(3) No more than three ~~vehicles~~ MOTOR VEHICLES and licensed trailers over ~~8,000~~ 15,000 lbs. pounds gross weight each or three complete pieces of self-propelled equipment over 15,000 pounds gross weight each, or some combination thereof, shall be permitted but only one MOTOR VEHICLE and/or licensed trailer and/ or equipment shall be permitted with a gross weight (including vehicle, trailer and equipment in combination) over 36,000 pounds but not more than 80,000 pounds gross weight. Weights of such MOTOR VEHICLES and trailer and / or pieces of equipment (including vehicle and equipment in combination) on the public STREET shall be in conformance with the seasonal restrictions authorized by the Illinois Vehicle Code (625 ILCS 5/15-316).
  
- ~~ii.~~(4) No more than 10 ~~vehicles~~ MOTOR VEHICLES in total, including ~~vehicles~~ MOTOR VEHICLES under ~~8,000~~ lbs. gross vehicle weight and licensed trailers and off-road vehicle shall be permitted excluding patron or employee personal ~~vehicles~~ MOTOR VEHICLES. This limit shall apply to each individual MOTOR VEHICLE or licensed trailer.

**Attachment B: Proposed Amendment to Paragraph 7.1.2 E.**  
FEBRUARY 1, 2012

- ~~iii.~~(5) All ~~Second Division vehicles~~ MOTOR VEHICLES and licensed trailers shall be stored ~~indoors~~ in an enclosed BUILDING or parked no less than 50 feet from any lot line and no less than 100 feet from any off-site existing DWELLING conforming as to USE.
- ~~(6)~~ No more than 10 complete pieces of equipment may be kept in outdoor STORAGE that is located no less than 50 feet from any lot line and no less than 100 feet from any off-site existing DWELLING conforming as to USE and conforming to the SCREEN requirements of Section 7.4 provided, however, that the number of pieces of equipment that may be kept in outdoor STORAGE shall be reduced by the number of MOTOR VEHICLES and trailers also parked outdoors and all other equipment must be kept in an enclosed BUILDING. This limit shall apply to each individual piece of equipment.
- ~~(7)~~ Parking spaces shall have required SCREENS as required by Section 7.4.
- ~~(8)~~ Outdoor STORAGE shall have required SCREENS as required by Section 7.6.

**2. Revise existing paragraph 7.1.2 D. to read as follows:**

(Note: Existing words to be deleted are indicated in strike out and new words to be added are underlined.)

- D. No more than one SIGN not more than six square feet in area shall be permitted on the property in addition to one MOTOR VEHICLE or one piece of equipment with the RURAL HOME OCCUPATION name or owner name affixed to the exterior and parked or stored outdoors. Any additional MOTOR VEHICLE or equipment with the RURAL HOME OCCUPATION name or owner name affixed to the exterior must be parked or stored in an enclosed BUILDING or in a parking or storage space that has a SCREEN as required by Section 7.4.

Champaign  
County  
Department of

**PLANNING &  
ZONING**

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

(217) 384-3708

To: **Champaign County Board Committee of the Whole**  
From: **John Hall, Director & Zoning Administrator**  
Date: **September 25, 2012**  
RE: **Zoning Ordinance requirements for Rural Home Occupations**

Request: **Request approval to proceed with a public hearing for an amendment to the Zoning Ordinance limits for numbers of vehicles and large equipment authorized in Rural Home Occupations**

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**STATUS**

This item was deferred at the March 6, 2012, meeting.

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

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

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**OVERVIEW OF PROPOSED AMENDMENT**

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

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



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

**ATTACHMENTS**

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

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**SECTION 7.1.1 NEIGHBORHOOD HOME OCCUPATIONS - CONTINUED**

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

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

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

**SECTION 7.1.2 RURAL HOME OCCUPATIONS - CONTINUED**

- ii. on lots five acres or larger no more than two employees may be present on the premises and no more than three additional employees may report to the site for work performed off the premises.
- C. Changes to the exterior of the DWELLING or ACCESSORY BUILDING which would indicate that it is being utilized in whole or in part for any purpose other than that of a residential or farm BUILDING are prohibited.
- D. No more than one SIGN not more than six square feet in area shall be permitted.
- E. Non-farm, Second Division vehicles are defined by the Illinois Vehicle Code, used in any RURAL HOME OCCUPATION shall be limited as follows:
  - i. no more than three self propelled vehicles over 8, 000 lbs. gross vehicle weight shall be permitted;
  - ii. no more than 10 vehicles in total, including vehicles under 8,000 lbs. gross vehicle weight, trailers and off-road vehicle shall be permitted excluding patron or employee personal vehicles;
  - iii. all Second Division vehicles shall be stored indoors or parked no less than 50 feet from any lot line and no less than 100 feet from any off-site existing DWELLING conforming as to USE.
- F. Processes employed shall not create odor, dust, noise, gas, smoke, or vibration discernable at the property line other than of such a nature, quantity, intensity, duration, or time of occurrence customarily associated with AGRICULTURE.
- G. No storage of volatile liquid, flammable gases, hazardous material or explosives shall be permitted except as such might be kept for customary agricultural purposes in quantities and concentrations customarily found on farms.
- H. Off-street parking spaces shall be provided subject to the provisions of Section 7.4 for all employees and patrons.
- I. Prohibited RURAL HOME OCCUPATION activities shall include:
  - i. outdoor storage of any number of unlicensed vehicles or more than two licensed vehicles awaiting automobile or truck repair;
  - ii. outdoor automobile or truck repair OPERATIONS;
  - iii. salvage or recycling STORAGE or OPERATIONS;
  - iv. outdoor storage of any vehicle equipment or container used for solid waste hauling;
  - v. retail sale of articles not produced on the site except grain seed sales or as such sales are incidental to the provision of a service.
- J. Outdoor sales DISPLAY shall be limited to items produced on-site, shall occupy an area no larger than 500 square feet, and shall not be permitted in required SETBACKS or the SIDE and REAR YARDS.

**SECTION 7.1.2 RURAL HOME OCCUPATIONS - CONTINUED**

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

**7.2 YARDS for DETACHED ACCESSORY BUILDINGS and STRUCTURES**

**7.2.1 AG-1, AG-2 and CR DISTRICTS**

A. FRONT YARD

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

B. SIDE YARD

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

C. REAR YARD

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

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

A. FRONT YARD

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

B. SIDE YARD

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

C. REAR YARD

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

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

**1. Revise existing paragraph 7.1.2E. to read as follows:**

(Note: Existing words to be deleted are indicated in single strike out and words previously proposed to be added are underlined and new deletions are in double strike out and new additions are in double underlining.)

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

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

- (5) The above requirements of paragraphs 7.1.2E. and F. shall apply to any RURAL HOME OCCUPATION for which an application is received after May September 1, 2012, and to the expansion of any RURAL HOME OCCUPATION for which an application had been received on or before September 1, 2012.
- (6) The above requirements of paragraph 7.1.2E. and the requirements of Section 8 notwithstanding:
- (a) Any MOTOR VEHICLE or licensed trailer or piece of equipment that was included in any application for, or authorization of, any RURAL HOME OCCUPATION for which an application had been received by the Zoning Administrator on or before May September 1, 2012, may continue to be used in that RURAL HOME OCCUPATION provided that the total number of MOTOR VEHICLES in the RURAL HOME OCCUPATION are not more than 10 and further provided that no more than 3 such MOTOR VEHICLES are truck tractors or MOTOR VEHICLES with tandem axles, both as defined by the Illinois Vehicle Code (625 ILCS 5/1 et seq),
- (b) Any RURAL HOME OCCUPATION that complies with subparagraph 7.1.2E.(10)(a) shall be authorized to have that same number of MOTOR VEHICLES or licensed trailers or pieces of equipment as long as it continues in business at that location and any MOTOR VEHICLE or licensed trailer or piece of equipment may be replaced with a similar MOTOR VEHICLE or licensed trailer or piece of equipment.

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

- F. Non-farm equipment used in any RURAL HOME OCCUPATION shall be limited as follows:
- (1) The number of complete pieces of equipment that are motorized or non-motorized and used in any way for the RURAL HOME OCCUPATION shall be within the limits established in this paragraph. Complete pieces of equipment shall include, but not be limited to, bucket loaders, road graders, bulldozers, trenchers, backhoes, riding lawn mowers, devices mounted on trailers, and any agricultural equipment used for non-agricultural uses. Equipment does not include hand tools or bench tools or tools mounted on a table or wheel barrows or similar tools.
- (2) No more than 10 complete pieces of equipment may be kept in outdoor STORAGE provided, however, that the number of pieces of equipment that may be kept in outdoor STORAGE shall be reduced by the number of

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

MOTOR VEHICLES and trailers also parked outdoors and all other equipment must be kept in an enclosed BUILDING. This limit shall apply to each individual piece of equipment. Equipment kept in outdoor STORAGE must meet the following minimum separations for outdoor STORAGE of equipment:

- i. Equipment in outdoor STORAGE shall be no less than 50 feet from any lot line and no less than 100 feet from any off-site existing DWELLING conforming as to USE; or
- ii. if less than 50 feet from any lot line and/ or less than 100 feet from any off-site existing DWELLING conforming as to USE, equipment stored outdoors shall be stored at least 10 feet from any LOT LINE and screened by a Type A SCREEN except that equipment taller than four feet must be screened with a Type D SCREEN.

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

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

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

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

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

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

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



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

**1. Revise existing paragraph 7.1.2E. to read as follows:**

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

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

- (a) Any MOTOR VEHICLE or licensed trailer or piece of equipment that was included in any application for, or authorization of, any RURAL HOME OCCUPATION for which an application had been received by the Zoning Administrator on or before ~~May~~ September 1, 2012, may continue to be used in that RURAL HOME OCCUPATION provided that the total number of MOTOR VEHICLES in the RURAL HOME OCCUPATION are not more than 10 and further provided that no more than 3 such MOTOR VEHICLES are truck tractors or MOTOR VEHICLES with tandem axles, both as defined by the Illinois Vehicle Code (625 ILCS 5/1 et seq),
  
- (b) Any RURAL HOME OCCUPATION that complies with subparagraph 7.1.2E.(10)(a) shall be authorized to have that same number of MOTOR VEHICLES or licensed trailers or pieces of equipment as long as it continues in business at that location and any MOTOR VEHICLE or licensed trailer or piece of equipment may be replaced with a similar MOTOR VEHICLE or licensed trailer or piece of equipment.

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

- F. Non-farm equipment used in any RURAL HOME OCCUPATION shall be limited as follows:
  - (1) The number of complete pieces of equipment that are motorized or non-motorized and used in any way for the RURAL HOME OCCUPATION shall be within the limits established in this paragraph. Complete pieces of equipment shall include, but not be limited to, bucket loaders, road graders, bulldozers, trenchers, backhoes, riding lawn mowers, devices mounted on trailers, and any agricultural equipment used for non-agricultural uses. Equipment does not include hand tools or bench tools or tools mounted on a table or wheel barrows or similar tools.
  
  - (2) No more than 10 complete pieces of equipment may be kept in outdoor STORAGE provided, however, that the number of pieces of equipment that may be kept in outdoor STORAGE shall be reduced by the number of MOTOR VEHICLES and trailers also parked outdoors and all other equipment must be kept in an enclosed BUILDING. This limit shall apply to each individual piece of equipment. Equipment kept in outdoor STORAGE must meet the following minimum separations for outdoor STORAGE of equipment:
    - i. Equipment in outdoor STORAGE shall be no less than 50 feet from any lot line and no less than 100 feet from any off-site existing DWELLING conforming as to USE; or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Parameter	Existing Ordinance		Proposed Amendment		Notes
	Section or paragraph	Requirement	Section or paragraph		
Limits on numbers and weights of equipment		See 7.1.2E.ii. "off road vehicles" for current equipment limits	7.1.2F.	<u>Non-farm equipment used in any RURAL HOME OCCUPATION shall be limited as follows:</u>	CLARIFICATION: This makes it clear that equipment is limited in a Rural Home Occupation.
			7.1.2F.(1)	<u>The number of complete pieces of equipment that are motorized or non-motorized and used in any way for the RURAL HOME OCCUPATION shall be within the limits established in this paragraph. Complete pieces of equipment shall include, but not be limited to, bucket loaders, road graders, bulldozers, trenchers, backhoes, riding lawn mowers, devices mounted on trailers, and any agricultural equipment used for non-agricultural uses. Equipment does not include hand tools or bench tools or tools mounted on a table or wheel barrows or similar tools.</u>	CLARIFICATION: Because there is no ultimate limit on equipment the definition does not have to provide a bright line on what is or isn't a piece of equipment.
		See 7.1.2E.ii. "off road vehicles" for current equipment limits	7.1.2F.(2)	<u>No more than 10 complete pieces of equipment may be kept in outdoor STORAGE provided, however, that the number of pieces of equipment that may be kept in outdoor STORAGE shall be reduced by the number of MOTOR VEHICLES and trailers also parked outdoors and all other equipment must be kept in an enclosed BUILDING. This limit shall apply to each individual piece of equipment. Equipment kept in outdoor STORAGE must meet the following minimum separations for outdoor STORAGE of equipment:</u>	CHANGE: This allows unlimited numbers of equipment so long as no more than 10 "individual" pieces are stored outdoors and/ or so long as vehicles are not also outdoors.  No weight limits are proposed for equipment other than the weight limits for the vehicles that are used to move the equipment (see 7.1.2E.above).  This is a less restrictive change.
Req. separations from lot lines and screening of equipment stored outdoors			7.1.2F.(2)i	<u>Equipment in outdoor STORAGE shall be no less than 50 feet from any lot line and no less than 100 feet from any off-site existing DWELLING conforming as to USE; or</u>	NO CHANGE: This minimum separation is already required in the existing Ordinance.
			7.1.2F.(2)ii	<u>if less than 50 feet from any lot line and/ or less than 100 feet from any off-site existing DWELLING conforming as to USE, equipment stored outdoors shall be stored at least 10 feet from any LOT LINE and screened by a Type A SCREEN except that equipment taller than four feet must be screened with a Type D SCREEN.</u>	CHANGE: This allows outdoor storage closer to a property line so long as it is screened. Screen height is proposed to be determined by height of the equipment rather than equipment weight.  With this change the Ordinance is less restrictive.

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

Parameter	Existing Ordinance		Section or paragraph	Notes
	Section or paragraph	Requirement		
Required parking for employees and customers	7.1.2H.	Off-street parking spaces shall be provided subject to the provisions of Section 7.4 for all employees and patrons.	7.1.2H.	CLARIFICATION: Section 7.4 provides the minimum size, minimum number, and separation requirements of parking spaces. It would take up too much space to copy the relevant portions of Sec. 7.4 so the reference is retained. CLARIFICATION: This is the screening requirement from Section 7.4 but it is now included in the RHO standards for public convenience.
				CLARIFICATION: The existing Ordinance does not explicitly mention that a loading berth is required for an RHO and this clarifies that a loading berth is not required.
Req. separations from lot lines and screening for outdoor storage of other than equipment	7.1.2K.	Outdoor STORAGE shall be limited to SIDE YARDS or the REAR YARD and screened as provided by Section 7.6.	7.1.2K.	CLARIFICATION: The screening requirements of Section 7.6 have been copied to the RHO section for public convenience. This is not a substantive change.
				CLARIFICATION: This is already required by Section 7.6
			7.1.2K.(1)	CLARIFICATION: These are the screening requirements of Section 7.6 but they have been copied to this paragraph for convenience.
			7.1.2K.(2)	This is not a substantive change.



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

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

# CASE NO. 733-AT-12

PRELIMINARY MEMORANDUM

January 25, 2013

Petitioner: **Zoning Administrator**

Prepared by: **Andy Kass, Associate Planner**  
**John Hall, Zoning Administrator**

Champaign  
County  
Department of

**PLANNING &  
ZONING**

Request: Amend the Champaign County Zoning Ordinance as follows:

**Part A. Add defined term "AGRICULTURAL DRAINAGE CONTRACTOR" to Section 3 to be defined as "a contractor whose principal business is installing and/or selling agricultural drainage facilities such as grassed waterways, field terraces, underground drainage tile, tile inlets, culverts, and related drainage improvements."**

**Part B. Add "AGRICULTURAL DRAINAGE CONTRACTOR Facility (with no Outdoor STORAGE and/or Outdoor OPERATIONS" as an authorized principal use to the Table of Authorized Principal Uses in Section 5.2. permitted by Special Use Permit in the CR, AG-1, and AG-2 Zoning Districts; and by right in the B-1, B-4, B-5, I-1, and I-2 Zoning Districts; and add a footnote authorizing as much as 50% of the dollar volume of business at an AGRICULTURAL DRAINAGE CONTRACTOR facility to be retail sales of agricultural drainage products; and add Special Use Permit Standard Conditions to Section 6.1.3.**

**Part C. Add "AGRICULTURAL DRAINAGE CONTRACTOR Facility (with Outdoor STORAGE and/or Outdoor OPERATIONS" as an authorized principal use to the Table of Authorized Principal Uses in Section 5.2. permitted by Special Use Permit in the CR, AG-1, AG-2, B-4 (if screening is not provided), and B-5, Zoning Districts; and by right in the B-1, B-4 (if OUTDOOR STORAGE is located in the REAR YARD and completely screened), I-1, and I-2 Zoning Districts; and add a footnote authorizing as much as 50% of the dollar volume of business at an AGRICULTURAL DRAINAGE CONTRACTOR facility to be retail sales of agricultural drainage products; and add Special Use Permit Standard Conditions to Section 6.1.3.**

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

(217) 384-3708

---

## BACKGROUND

For background information please see Attachment A.

## SUMMARY FINDING OF FACT

The Summary Finding of Fact on Page 19 of the Draft Finding of Fact indicates the following:

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

2. The proposed text amendment *WILL* improve the Zoning Ordinance because it will:
  - A. *HELP ACHIEVE* the purpose of the Zoning Ordinance (see Item 16 on pages 14-17).

Note: Staff has not made a recommendation for Goals 3 and 6 which is why they are both included in Items 1.A. and 1.B. above. Once the Board makes a determination on Goals 3 and 6 this case will be ready for Final Action.

#### ATTACHMENTS

- A Memo to the Champaign County Board Committee of the Whole dated September 25, 2012, with attachments:
  - A Existing “contractor facility” in Section 5.2
  - B Proposed Amendment to Add “Agricultural Drainage Contractor Facility” to Section 5.2
- B LRMP Land Use Goals, Objectives, and Policies & Appendix (included separately)
- C Draft Finding of Fact and Final Determination (included separately)

Champaign  
County  
Department of

**PLANNING &  
ZONING**

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

(217) 384-3708

**To: Champaign County Board Committee of the Whole**  
**From: John Hall, Director & Zoning Administrator**  
**Date: September 25, 2012**  
**RE: Zoning Ordinance requirements for Contractors Facilities**

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

---

## **BACKGROUND**

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

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

## **OVERVIEW OF PROPOSED AMENDMENT**

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

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

**Zoning Administrator**  
**SEPTEMBER 25, 2012**

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

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

**ATTACHMENT S**

**A Existing “contractor facility” in Section 5.2**

**B Proposed Amendment to Add “Agricultural Drainage Contractor Facility” to Section 5.2**

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

**SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES**

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

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

**Footnotes**

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

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






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

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

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

**SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES**

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

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

**Footnotes**

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

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

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

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

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

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

Footnotes

- Standard same as applicable zoning DISTRICT.



**DRAFT**

**733-AT-12**

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

---

Final Determination: *{RECOMMEND ENACTMENT/RECOMMEND DENIAL}*

Date: January 31, 2013

Petitioner: Zoning Administrator

Request: Amend the Champaign County Zoning Ordinance as follows:

- Part A. Add defined term “AGRICULTURAL DRAINAGE CONTRACTOR” to Section 3 to be defined as “a contractor whose principal business is installing and/or selling agricultural drainage facilities such as grassed waterways, field terraces, underground drainage tile, tile inlets, culverts, and related drainage improvements.”
- Part B. Add “AGRICULTURAL DRAINAGE CONTRACTOR Facility (with no Outdoor STORAGE and/or Outdoor OPERATIONS” as an authorized principal use to the Table of Authorized Principal Uses in Section 5.2. permitted by Special Use Permit in the CR, AG-1, and AG-2 Zoning Districts; and by right in the B-1, B-4, B-5, I-1, and I-2 Zoning Districts; and add a footnote authorizing as much as 50% of the dollar volume of business at an AGRICULTURAL DRAINAGE CONTRACTOR facility to be retail sales of agricultural drainage products; and add Special Use Permit Standard Conditions to Section 6.1.3.
- Part C. Add “AGRICULTURAL DRAINAGE CONTRACTOR Facility (with Outdoor STORAGE and/or Outdoor OPERATIONS” as an authorized principal use to the Table of Authorized Principal Uses in Section 5.2. permitted by Special Use Permit in the CR, AG-1, AG-2, B-4 (if screening is not provided), and B-5, Zoning Districts; and by right in the B-1, B-4 (if OUTDOOR STORAGE is located in the REAR YARD and completely screened), I-1, and I-2 Zoning Districts; and add a footnote authorizing as much as 50% of the dollar volume of business at an AGRICULTURAL DRAINAGE CONTRACTOR facility to be retail sales of agricultural drainage products; and add Special Use Permit Standard Conditions to Section 6.1.3.
-

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**PROPOSED AMENDMENT.....page 21–22**

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**FINDING OF FACT**

From the documents of record and the testimony and exhibits received at the public hearing conducted on **January 31, 2013**, the Zoning Board of Appeals of Champaign County finds that:

1. The petitioner is the Zoning Administrator.
2. The proposed amendment is intended to add “Agricultural Drainage Contractor Facility (with no outdoor storage and/or operations)” and “Agricultural Drainage Contractor Facility (with outdoor storage and/or operations)” as principal uses to the Table of Authorized Principal Uses in Section 5.2 in the following Zoning Districts: CR, AG-1, AG-2, B-1, B-4, B-5, I-1, and I-2.
3. Municipalities with zoning and townships with planning commissions have protest rights on all text amendments and they are notified of such cases. No comments have been received to date.

***SUMMARY OF THE PROPOSED AMENDMENT***

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

***GENERALLY REGARDING THE LRMP GOALS, OBJECTIVES, AND POLICIES***

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

“It is the purpose of this plan to encourage municipalities and the County to protect the land, air, water, natural resources and environment of the County and to encourage the use of such resources in a manner which is socially and economically desirable. The Goals, Objectives and Policies necessary to achieve this purpose are as follows:”
  - B. The LRMP defines Goals, Objectives, and Policies as follows:
    - (1) Goal: an ideal future condition to which the community aspires
    - (2) Objective: a tangible, measurable outcome leading to the achievement of a goal
    - (3) Policy: a statement of actions or requirements judged to be necessary to achieve goals and objectives
  - C. The Background given with the LRMP Goals, Objectives, and Policies further states, “Three documents, the *County Land Use Goals and Policies* adopted in 1977, and two sets of *Land Use Regulatory Policies*, dated 2001 and 2005, were built upon, updated, and consolidated into the LRMP Goals, Objectives and Policies.

*REGARDING LRMP GOALS*

6. LRMP Goal 1 is entitled “Planning and Public Involvement” and states 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 has 4 objectives and 4 policies. The proposed amendment *WILL NOT IMPEDE* the achievement of Goal 1.

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

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

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

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

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

Goal 3 has three objectives and no policies. The proposed amendment *{WILL NOT IMPEDE / WILL HELP ACHIEVE}* the achievement of Goal 3 for the following reasons:

- A. The proposed amendment *WILL NOT IMPEDE* the achievement of Objectives 3.1 and 3.3.
- B. Objective 3.2 states as follows: **“Champaign County will ensure that its regulations are administered efficiently and do not impose undue costs or delays on persons seeking permits or other approvals.”**

The proposed amendment *{WILL NOT IMPEDE / WILL HELP ACHIEVE}* Objective 3.2 for the following reasons:

- (a) The intent of the proposed amendment is to accommodate a use that is currently not in the Zoning Ordinance in which there is a definite need for in Champaign County.
- (b) The proposed amendment will provide specific standards for which an AGRICULTURAL DRAINAGE CONTRACTOR will have to comply with and will allow the Department of Planning and Zoning to efficiently provide prospective applicants with that information in a timely manner.

9. LRMP Goal 4 is entitled "Agriculture" and states as follows:

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

Goal 4 has 9 objectives and 22 policies. The proposed amendment *WILL HELP ACHIEVE* Goal 4 for the following reasons:

- A. Objective 4.1 states as follows: "**Champaign County will strive to minimize the fragmentation of the County's agricultural land base and conserve farmland, generally applying more stringent development standards on *best prime farmland*.**"

The proposed amendment *WILL HELP ACHIEVE* Objective 4.1 for the following reasons:

- (1) Policy 4.1.1 states as follows: "**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 amendment *WILL HELP ACHIEVE* Policy 4.1.1 for the following reasons:

- (a) In the instance that a proposed AGRICULTURAL DRAINAGE CONTRACTOR Facility is located in a Zoning District in which a Special Use Permit is necessary to be authorized the proposed use will go through a thorough review process in which Special Conditions of Approval may be imposed by the Zoning Board of Appeals to mitigate any impacts on nearby agricultural operations.
- (b) Soil data will be used to determine the productivity of the soils on the proposed site if a Special Use Permit is warranted.
- (2) Policy 4.1.6 states as follows: "**Provided that the use, design, site and location are consistent with County policies regarding:**
- i. suitability of the site for the proposed use;**
  - ii. adequacy of infrastructure and public services for the proposed use;**
  - iii. minimizing conflict with agriculture;**
  - iv. minimizing the conversion of farmland; and**
  - v. minimizing the disturbance of natural areas,**

then,

- a) **on *best prime farmland*, the County may authorize discretionary residential development subject to a limit on total acres converted which is generally proportionate to tract size and is based on the January 1, 1998 configuration of tracts, with the total amount of acreage converted to residential use (inclusive of *by-right development*)**

not to exceed three acres plus three acres per each 40 acres (including any existing right-of-way), but not to exceed 12 acres in total; or

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

The proposed amendment *WILL HELP ACHIEVE* Policy 4.1.6 for the following reasons:

- (a) In the instance that a proposed AGRICULTURAL DRAINAGE CONTRACTOR Facility is proposed to be located in a Zoning District in which a Special Use Permit is required the proposed use will go through a thorough review process in which site suitability, adequacy of infrastructure and public services, and agricultural and environmental factors will be evaluated.

- B. Objective 4.2 states as follows: “**Champaign County will require that each discretionary review development will not interfere with agricultural operations.**”

The proposed amendment *WILL HELP ACHIEVE* Objective 4.2 for the following reasons:

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

The proposed amendment *WILL HELP ACHIEVE* Policy 4.2.1 for the following reasons:

- (a) The intent of the proposed amendment is to insert AGRICULTURAL DRAINAGE CONTRACTOR Facility into the Table of Authorized Principal Uses in Section 5.2 which is a use that supports the agricultural community and provides necessary products and services to the agricultural community.
  - (b) An AGRICULTURAL DRAINAGE CONTRACTOR Facility may be located in an urban area, but providing for such use in the rural area allows business owners to be located where the services and products associated with the business are typically provided and used.
- (2) Policy 4.2.2 states as follows: “**The County may authorize *discretionary review* development in a rural area if the proposed development:**
    - a. **is a type that does not negatively affect agricultural activities; or**

- b. is located and designed to minimize exposure to any negative 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 amendment *WILL HELP ACHIEVE* Policy 4.2.2 for the following reasons:

- (a) The review of any proposed AGRICULTURAL DRAINAGE CONTRACTOR Facility will evaluate to determine if the proposed use will negatively affect agricultural activities, is located and designed minimize exposure to agricultural activities, and if it will interfere with agricultural related infrastructure.

- (3) Policy 4.2.3 states as follows: “**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 amendment *WILL HELP ACHIEVE* Policy 4.2.3 for the following reasons:

- (a) The Zoning Board of Appeals may impose special conditions of approval in instance of a Special Use Permit in which the applicant agrees to recognize the right of agricultural activities to continue on adjacent land.

- (4) Policy 4.2.4 states as follows: “**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 amendment *WILL HELP ACHIEVE* Policy 4.2.4 for the following reasons:

- (a) The review of any proposed AGRICULTURAL DRAINAGE CONTRACTOR Facility will evaluate to determine if a buffer Is warranted and in some instances screening will be required between the business and adjacent land uses.

- C. Objective 4.3 states as follows: “**Champaign County will require that each *discretionary review development* is located on a suitable site.**”

The proposed rezoning *WILL HELP ACHIEVE* Objective 4.3 for the following reasons:

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

*DRAFT*

The proposed amendment *WILL HELP ACHIEVE* Policy 4.3.1 for the following reasons:

(a) In the instance that a proposed AGRICULTURAL DRAINAGE CONTRATOR Facility is proposed to be located in a Zoning District in which a Special Use Permit is necessary the proposed use will go through a thorough review process in which site suitability, adequacy of infrastructure and public services, and agricultural and environmental factors will be evaluated.

- (2) Policy 4.3.2 states as follows: **“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 amendment *WILL HELP ACHIEVE* Policy 4.3.2 for the following reasons:

(a) In the instance that a proposed AGRICULTURAL DRAINAGE CONTRATOR Facility is proposed to be located in a Zoning District in which a Special Use Permit is necessary the proposed use will go through a thorough review process in which site suitability, adequacy of infrastructure and public services, and agricultural and environmental factors will be evaluated.

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

The proposed amendment *WILL HELP ACHIEVE* Policy 4.3.3 for the following reasons:

(a) In the instance that a proposed AGRICULTURAL DRAINAGE CONTRATOR Facility is proposed to be located in a Zoning District in which a Special Use Permit is necessary the proposed use will go through a thorough review process in which site suitability, adequacy of infrastructure and public services, and agricultural and environmental factors will be evaluated.

- (4) Policy 4.3.4 states as follows: **“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 amendment *WILL HELP ACHIEVE* Policy 4.3.4 for the following reasons:

(a) In the instance that a proposed AGRICULTURAL DRAINAGE CONTRATOR Facility is proposed to be located in a Zoning District in which a Special Use Permit is necessary the proposed use will go through a



thorough review process in which site suitability, adequacy of infrastructure and public services, and agricultural and environmental factors will be evaluated.

- (5) Policy 4.3.5 states as follows: “**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**
  - b. **the use is otherwise appropriate in a rural area and the site is very well suited to it.”**

The proposed amendment *WILL HELP ACHIEVE* Policy 4.3.5 for the following reasons:

- (a) The intent of the proposed amendment is to insert AGRICULTURAL DRAINAGE CONTRACTOR Facilities into the Table of Authorized Principal Uses in Section 5.2 which is a use that provides necessary products and services to the agricultural community.
- (b) An AGRICULTURAL DRAINAGE CONTRACTOR Facility may be located in an urban area, but providing for such use in the rural area allows business owners to be located where the services and products associated with the business are typically provided and used.
- (c) In the instance that a proposed AGRICULTURAL DRAINAGE CONTRACTOR Facility is proposed to be located in a Zoning District in which a Special Use Permit is necessary to be authorized the proposed use will go through a thorough review process in which site suitability will be evaluated.

- D. The proposed amendment *WILL NOT IMPEDE* the achievement of Objectives 4.5, 4.6, 4.7, 4.8, and 4.9 and Policies 4.1.2, 4.1.3, 4.1.7, 4.1.8, 4.6.1, 4.6.2, 4.6.3, and 4.9.1. Objective 4.4 and Policies 4.1.4, 4.1.5, and 4.1.9 are *NOT RELEVANT* to the proposed amendment.

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

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

Goal 5 has 3 objectives and 15 policies. The proposed amendment *WILL HELP ACHIEVE* Goal 5 for the following reasons:

- A. The proposed amendment *WILL NOT IMPEDE* the achievement of Objective 5.1 and Policies 5.1.4, 5.1.6, 5.1.7, 5.1.8, 5.1.9, 5.2.1, and 5.3.3. Policies 5.1.1, 5.1.2, 5.1.3, and 5.1.5 are *NOT RELEVANT* to the proposed amendment.

- B. Objective 5.2 states as follows: **“When new urban development is proposed, Champaign County will encourage that such development demonstrates good stewardship of natural resources.”**

The proposed amendment *WILL HELP ACHIEVE* Objective 5.2 for the following reasons:

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

The proposed amendment *WILL HELP ACHIEVE* Policy 5.2.2 for the following reasons:

- (a) In the instance that a proposed AGRICULTURAL DRAINAGE CONTRACTOR Facility is proposed to be located on urban land and a Special Use Permit is required, the proposed use will go through a thorough review process which should help ensure efficient use of best prime farmland.
- (2) Policy 5.2.3 states as follows: **“The County will:**
- a. **require that proposed new urban development results in no more than minimal disturbance to areas with significant natural environmental quality; and**
  - b. **encourage, when possible, other jurisdictions to require that proposed new urban development results in no more than minimal disturbance to areas with significant natural environmental quality.”**

The proposed amendment *WILL HELP ACHIEVE* Policy 5.2.3 for the following reasons:

- (a) In the instance that a proposed AGRICULTURAL DRAINAGE CONTRACTOR Facility is proposed to be located on urban land and a Special Use Permit is required, the proposed use will go through a thorough review process which should help ensure no more than minimal disturbance.
- C. Objective 5.3 states as follows: **“Champaign County will oppose proposed new *urban development* unless adequate utilities, infrastructure, and *public services* are provided.”**

The proposed amendment *WILL HELP ACHIEVE* Objective 5.3 for the following reasons:

- (1) Policy 5.3.1 states as follows: **“The County will:**

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

The proposed amendment *WILL HELP ACHIEVE* Policy 5.3.1 for the following reasons:

- (a) In the instance that a proposed AGRICULTURAL DRAINAGE CONTRACTOR Facility is proposed to be located on urban land and a Special Use Permit is required, the proposed use will go through a thorough review process which should help ensure that adequate public services are available.
- (2) Policy 5.3.2 states as follows: “**The County will:**
  - a. **require that proposed new *urban development*, with proposed improvements, will be adequately served by *public infrastructure*, and that related needed improvements to *public infrastructure* are made without undue public expense; and**
  - b. **encourage, when possible, other jurisdictions to require that proposed new *urban development*, with proposed improvements, will be adequately served by *public infrastructure*, and that related needed improvements to *public infrastructure* are made without undue public expense.”**

The proposed amendment *WILL HELP ACHIEVE* Policy 5.3.2 for the following reasons:

- (a) In the instance that a proposed AGRICULTURAL DRAINAGE CONTRACTOR Facility is proposed to be located on urban land and a Special Use Permit is required, the proposed use will go through a thorough review process which should help ensure adequate public infrastructure is available.

11. LRMP Goal 6 is entitled “Public Health and Safety” and states as follows:  
**Champaign County will ensure protection of the public health and public safety in land resource management decisions.**

Goal 6 has 4 objectives and 7 policies. The proposed amendment *{WILL NOT IMPEDE / WILL HELP ACHIEVE}* Goal 6 for the following reasons:

- A. Objective 6.1 states as follows: “**Champaign County will seek to ensure that development in unincorporated areas of the County does not endanger public health or safety.”**

The proposed amendment *{WILL NOT IMPEDE / WILL HELP ACHIEVE}* Objective 6.1 for the following reasons:

(1) In the instance that a proposed AGRICULTURAL DRAINAGE CONTRACTOR Facility is proposed to be located in a Zoning District in which a Special Use Permit is required the proposed use will go through a thorough review process in which the effect that the proposed development would have on public health or safety would be evaluated.

B. Objectives 6.2, 6.3, and 6.4 and Policies 6.1.1, 6.1.2, 6.1.3, 6.2.1, 6.2.2, and 6.2.3 are *NOT RELEVANT* to the proposed amendment.

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

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

Goal 7 has 2 objectives and 7 policies. The proposed amendment *WILL HELP ACHIEVE* Goal 7 for the following reasons:

A. Objective 7.1 states as follows: “**Champaign County will consider traffic impact in all land use decisions and coordinate efforts with other agencies when warranted.**”

The proposed amendment *WILL HELP ACHIEVE* Objective 7.1 for the following reasons:

(1) In the instance that a proposed AGRICULTURAL DRAINAGE CONTRACTOR Facility is proposed to be located in a Zoning District in which a Special Use Permit is required the proposed use will go through a thorough review process in which traffic impacts will be considered.

B. The proposed amendment *WILL NOT IMPEDE* the achievement of Objective 7.2 and Policy 7.2.3. Policies 7.1.1, 7.2.1, 7.2.2, 7.2.4, 7.2.5, and 7.2.6 are *NOT RELEVANT* to the proposed amendment.

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

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

Goal 8 has 9 objectives and 36 policies. The proposed amendment *WILL HELP ACHIEVE* the Goal 8 for the following reasons:

A. Objective 8.2 states as follows: “**Champaign County will strive to conserve its soil resources to provide the greatest benefit to current and future generations**”

The proposed amendment *WILL HELP ACHIEVE* Objective 8.2 for the following reasons:

(1) Policy 8.2.1 states as follows: “**The County will strive to minimize the destruction of its soil resources by non-agricultural development and will give special consideration to the protection of best prime farmland. Best prime**

**farmland is that comprised of soils that have a Relative Value of at least 85 and includes land parcels with mixed soils that have a Land Evaluation score of 85 or greater as defined in the LESA.”**

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

(a) For the same reasons indicated under Policy 5.2.2.

- B. Objective 8.5 states as follows: **“Champaign County will encourage the maintenance and enhancement of aquatic and riparian habitats.”**

The proposed amendment *WILL HELP ACHIEVE* Objective 8.5 for the following reasons:

- (1) Policy 8.5.1 states as follows: **“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 amendment *WILL HELP ACHIEVE* Policy 8.5.1 for the following reasons:

(a) For the same reasons indicated under Policy 5.2.3.

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

The proposed amendment *WILL HELP ACHIEVE* Policy 8.5.1 for the following reasons:

(a) For the same reasons indicated under Policy 5.2.3.

- C. Objective 8.6 states as follows: **“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 amendment *WILL HELP ACHIEVE* Objective 8.6 for the following reasons:

- (1) Policy 8.6.2 states as follows:
- a. **For new development, the County will require land use patterns, site design standards and land management practices to minimize the disturbance of existing areas that provide habitat for native and game species, or to mitigate the impacts of unavoidable disturbance to such areas.**
  - b. **With regard to by-right development on good zoning lots, or the expansion thereof, the County will not require new zoning regulations to preserve or maintain existing onsite areas that provide habitat for**

**native and game species, or new zoning regulations that require mitigation of impacts of disturbance to such onsite areas.”**

The proposed amendment *WILL HELP ACHIEVE* Policy 8.6.2 for the following reasons:

(a) For the same reasons indicated under Policy 5.2.3.

D. The proposed amendment *WILL NOT IMPEDE* the achievement of Objectives 8.1, 8.4, and 8.8 and Policies 8.1.7, 8.4.3, 8.5.5, 8.6.4, 8.6.5, and 8.6.6. The proposed amendment is *NOT RELEVANT* to Objectives 8.3, 8.7, and 8.9 and Policies 8.1.1, 8.1.2, 8.1.3, 8.1.4, 8.1.5, 8.1.6, 8.1.8, 8.1.9, 8.3.1, 8.4.1, 8.4.2, 8.4.4, 8.4.5, 8.4.6, 8.5.3, 8.5.4, 8.6.1, 8.6.3, 8.7.1, 8.7.2, 8.7.3, 8.7.4, 8.7.5, 8.7.6, 8.8.1, and 8.8.2.

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

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

Goal 9 has 5 objectives and 5 policies. The proposed amendment *WILL NOT IMPEDE* the achievement of Goal 9.

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

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

Goal 10 has 1 objective and 1 policy. Goal 10 is *NOT RELEVANT* to the proposed amendment in general.

**REGARDING THE PURPOSE OF THE ZONING ORDINANCE**

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

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is directly related to this purpose by limiting the zoning districts in which an AGRICUTURAL DRAINAGE CONTRACTOR Facility can be located and the process by which the use can be authorized.

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

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is directly related to this purpose because the amendment has proposed that an AGRICULTURAL DRAINAGE CONTRACTORS Facility be limited to only those Zoning Districts in which such use is seen as being compatible with surroundings and has proscribed standard conditions to prevent incompatibility.

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is directly related to this purpose because a Special Use Permit will be required in the AG-1, AG-2, and CR Zoning Districts in which a thorough review process and a public hearing at the Zoning Board of Appeals will evaluate the effects that an AGRICULTURAL DRAINAGE CONTRACTOR Facility will have on agricultural lands.

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

The proposed amendment is directly related to this purpose because a Special Use Permit will be required in the AG-1, AG-2, and CR Zoning Districts in which a thorough review process and a public hearing at the Zoning Board of Appeals will evaluate the effects that an AGRICULTURAL DRAINAGE CONTRACTOR Facility will have on areas containing natural features.



- 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.

**DOCUMENTS OF RECORD**

1. Preliminary Memorandum dated January 25, 2013, with attachments:
  - A Memo to the Champaign County Board Committee of the Whole dated September 25, 2012, with attachments:
    - A Existing “contractor facility” in Section 5.2
    - B Proposed Amendment to Add” Agricultural Drainage Contractor Facility” to Section 5.2
  - B LRMP Land Use Goals, Objectives, and Policies & Appendix
  - C Draft Finding of Fact and Final Determination

**SUMMARY FINDING OF FACT**

From the documents of record and the testimony and exhibits received at the public hearing conducted on, **January 31, 2013**, the Zoning Board of Appeals of Champaign County finds that:

1. The proposed Zoning Ordinance text amendment *IS NECESSARY TO ACHIEVE* the Land Resource Management Plan because:
  - A. The proposed Zoning Ordinance text amendment will *HELP ACHIEVE* LRMP Goals (3), 4, 5, (6), 7, and 8.
  - B. The proposed Zoning Ordinance text amendment *WILL NOT IMPEDE* the achievement of LRMP Goals 1, 2, (3), (6), and 9.
  - C. The proposed Zoning Ordinance text amendment is *NOT RELEVANT* to LRMP Goal 10.
2. The proposed text amendment *WILL* improve the Zoning Ordinance because it will:
  - A. *HELP ACHIEVE* the purpose of the Zoning Ordinance (see Item 16 on pages 14-17).

**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 733-AT-12** should ***{BE ENACTED / NOT BE ENACTED}*** by the County Board in the form attached hereto.

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

SIGNED:

Eric Thorsland, Chair  
Champaign County Zoning Board of Appeals

ATTEST:

Secretary to the Zoning Board of Appeals

Date

**Proposed Amendment**






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

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

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

**SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES**

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

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

**Footnotes**

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

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

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

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

SPECIAL USES or USE Categories	Minimum Fencing Required <sup>6</sup>	Minimum LOT Size		Maximum HEIGHT		Required YARDS (feet)					Explanatory or Special Provisions
		AREA (Acres)	Width (feet)	Feet	Stories	Front Setback from STREET Centerline <sup>2</sup>			SIDE	REAR	
						MAJOR	COLLECTOR	MINOR			
AGRICULTURAL DRAINAGE CONTRACTOR Facility with Outdoor STORAGE and/or Outdoor OPERATIONS	NR	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	<u>*See below</u>
											<ol style="list-style-type: none"> <li>1. <u>In all DISTRICTS other than the B-5 DISTRICT, outdoor STORAGE and/ or outdoor OPERATIONS allowed as an ACCESSORY USE subject to subsection 7.6.</u></li> <li>2. <u>In the B-5 DISTRICT, Outdoor STORAGE and/ or outdoor OPERATIONS allowed as an ACCESSORY USE provided as follows:</u> <ol style="list-style-type: none"> <li>A. <u>No outdoor STORAGE and/ or outdoor OPERATIONS shall be visible from any second floor DWELLING UNIT.</u></li> <li>B. <u>Outdoor STORAGE and/ or outdoor OPERATIONS may be located at the property line but shall be screened by a Type D SCREEN consistent with 4.3.3 H.1.</u></li> </ol> </li> </ol>

Footnotes

1. Standard same as applicable zoning DISTRICT.

# CASE NO. 734-AT-12

PRELIMINARY MEMORANDUM

January 25, 2013

Champaign  
County  
Department of

Petitioner: **Zoning Administrator**

Prepared by: **Andy Kass, Associate Planner**  
**John Hall, Zoning Administrator**

**PLANNING &  
ZONING**

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

**Part A. Amend the Table of Authorized Principal Uses in Section 5.2 by adding "Contractors Facilities (with no Outdoor STORAGE Nor Outdoor OPERATIONS)" as an authorized principal use permitted by right in the B-1 Zoning District.**

**Part B. Amend the Table of Authorized Principal Uses in Section 5.2 by adding "Contractors Facilities (with Outdoor STORAGE and/or Outdoor OPERATIONS)" as an authorized principal use permitted by Special Use Permit in the B-5 Zoning District; and by right in the B-1 Zoning District; and add Special Use Permit Standard Conditions to Section 6.1.3.**

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

(217) 384-3708

---

## BACKGROUND

For background information please see Attachment A. A Draft Finding of Fact and Final Determination will be provided at the January 31, 2013, public hearing.

## ATTACHMENTS

- A Memo to the Champaign County Board Committee of the Whole dated September 25, 2012, with attachments:
  - A Existing "contractor facility" in Section 5.2
  - B Proposed Amendment
- B Letter from Eric Sebens received September 25, 2012
- C Letter from Charlie Jesse received January 22, 2013
- D LRMP Land Use Goals, Objectives, and Policies & Appendix (included separately)

Champaign  
County  
Department of

**PLANNING &  
ZONING**

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

(217) 384-3708

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

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

Date: **September 25, 2012**

RE: **Zoning Ordinance requirements for Contractors Facilities**

Request: **Request approval to proceed with a public hearing for an amendment to the Zoning Ordinance to change the requirements for "contractor facility"**

---

## **BACKGROUND**

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

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

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

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

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

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



**OVERVIEW OF PROPOSED AMENDMENT**

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

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

**ATTACHMENT S**

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

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

**SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES**

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

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

**Footnotes**



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

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

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

**SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES**

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

	= Permitted by right	<b>S</b>	= Permitted on individual LOTS as a SPECIAL USE	<b>B</b>	= COUNTY BOARD Special Use Permit
	= Proposed to be permitted by right	<b>S</b>	= Proposed to be permitted on individual LOTS as a SPECIAL USE		

**Footnotes**

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

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

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

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

**Footnotes**

1. Standard same as applicable zoning DISTRICT



EXPERIENCE the DIFFERENCE

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

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

[www.prairieviewlandscaping.com](http://www.prairieviewlandscaping.com)

Established 1993

Date: 9/25/2012

To: Champaign County Board

Re: Request for zoning text amendment

Dear Board Members,

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

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

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

Eric Sebens

3008 Cherry Hills Dr.

Champaign, IL. 61822

217-356-9154, 217-355-9422

RECEIVED

SEP 25 2012

CHAMPAIGN CO. P & Z DEPARTMENT



*Experience the Difference!*

# JESSE

4483 West Main Street  
Decatur, IL 62522  
[217] 422.1744

HEATING & AIR CONDITIONING

3702 West Old Church Road  
Champaign, IL 61822  
[217] 352.8511

**DECATUR - CHAMPAIGN**

January 16, 2013

Champaign County Zoning Board of Appeals

RE: PROPOSED ZONING TEXT AMENDMENT ALLOWING A  
CONTRACTORS FACILITY IN A B-1 ZONING DISTRICT

Dear Board Member:

My name is Charlie Jesse and I am the owner of Jesse Heating and Air Conditioning, a business that I started in 1979. I apologize that I am not able to appear in person at your January 31<sup>st</sup> meeting. I am asking the Board to support a zoning amendment that would allow a Contractors Facility in a B-1 Zoning District.

Eighteen years ago (1995) I purchased a building and 10 acres at 3702 W Old Church Road just south of Champaign on interstate 57. The building was originally constructed for a Landscape Contractor in approximately 1974. Before I purchased the property I worked with the county offices and applied for a Special Use Permit to operate my existing business, a Contractors Facility. Since that time I have invested around \$350,000 into this property. I recently approached the county asking for direction in order to build a Self Storage Facility on my property. I was told that because my property falls within the "1.5 mile Extra Jurisdiction Line from the City of Champaign" that I would have to get the City of Champaign's "Blessing" or it would be a waste of my time to get the proper permits. I proceeded to talk to the City of Champaign and for the sake of time I won't go into all of the details but the end result is this. They say they will not support my project. Their stated reason is that my project would not follow their new Comprehensive Plan. Their future land use map shows my property will be a "residential subdivision." I presented the city with pictures of my property. I explained that the property bordered the interstate on the east, a drainage ditch to the west and only had an access point on the southwest corner. I brought this to their attention to prove the point that a residential community would have to enter through my parking lot. The original

Received 1-22-2013  
Champaign County  
Planning & Zoning Dept.  
1776 E. Washington Street  
Urbana, Illinois 61802

building has been there for 38 years, I believe this should have been taken into consideration when the map was drawn. In the end, the city had no answers to my questions other than to say that the map was newly drawn and they did not want to vary from the plan.

In conclusion:

At this point, my only option is to come to the Board and request B-4 Zoning and hope that you would ignore the Cities protest.

In my opinion, a better choice would be to make the proposed B-1 Zoning amendment that would allow me to apply for B-1 Zoning instead of B-4.

This would narrow the allowed uses of the property while allowing me to move forward with my self storage facility and to continue my existing business. In the end, I would still have to ask you to ignore the cities protest in order to move forward. If you have any questions for me, please call me direct on my cell phone. The number is 217-519-1599.

Thank you,



Charles A. Jesse

Received 1-22-201  
Champaign County  
Planning & Zoning Dept.  
1776 E. Washington Street  
Urbana, Illinois 61802



## GOALS, OBJECTIVES AND POLICIES

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

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

### Background

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

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

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

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

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

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

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

**LRMP Goals**

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

Note: The Appendix contains defined terms, shown as italicized text in this Chapter.



## Goal 1 Planning and Public Involvement

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

### Goal 1 Objectives

#### **Objective 1.1** Guidance on Land Resource Management Decisions

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

#### **Objective 1.2** Updating Officials

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

#### **Objective 1.3** Incremental Updates

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

#### **Objective 1.4** Comprehensive Updates

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

### Goal 1 Objectives and Policies

#### **Objective 1.1** Guidance on Land Resource Management Decisions

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

#### **Objective 1.2** Updating Officials

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

##### **Policy 1.2.1**

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

#### **Objective 1.3** Incremental Updates

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

##### **Policy 1.3.1**

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

Note: The Appendix contains defined terms, shown as italicized text in this Chapter.

**Objective 1.4 Comprehensive Updates**

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

**Policy 1.4.1**

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

**Policy 1.4.2**

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

**Goal 2 Governmental Coordination**

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

**Goal 2 Objectives****Objective 2.1 Local and Regional Coordination**

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

**Objective 2.2 Information Sharing**

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

**Goal 2 Objectives and Policies****Objective 2.1 Local and Regional Coordination**

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

**Policy 2.1.1**

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

**Policy 2.1.2**

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

Note: The Appendix contains defined terms, shown as italicized text in this Chapter.

**Policy 2.1.3**

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

**Objective 2.2 Information Sharing**

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

**Goal 3 Prosperity**

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

**Goal 3 Objectives****Objective 3.1 Business Climate**

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

**Objective 3.2 Efficient County Administration**

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

**Objective 3.3 County Economic Development Policy**

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

**Goal 4 Agriculture**

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

**Goal 4 Objectives****Objective 4.1 Agricultural Land Fragmentation and Conservation**

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

**Objective 4.2 Development Conflicts with Agricultural Operations**

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

continued

Note: The Appendix contains defined terms, shown as italicized text in this Chapter.

**Objective 4.3 Site Suitability for Discretionary Review Development**

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

**Objective 4.4 Regulations for Rural Residential Discretionary Review**

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

**Objective 4.5 LESA Site Assessment Review and Updates**

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

**Objective 4.6 Protecting Productive Farmland**

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

**Objective 4.7 Right to Farm Resolution**

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

**Objective 4.8 Locally Grown Foods**

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

**Objective 4.9 Landscape Character**

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

**Goal 4 Objectives and Policies**

**Objective 4.1 Agricultural Land Fragmentation and Conservation**

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

**Policy 4.1.1**

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

**Policy 4.1.2**

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

**Policy 4.1.3**

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

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

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

**Policy 4.1.5**

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

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

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

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

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

then,

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

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

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

**Policy 4.1.7**

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

**Policy 4.1.8**

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

**Policy 4.1.9**

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

**Objective 4.2 Development Conflicts with Agricultural Operations**

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

**Policy 4.2.1**

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

**Policy 4.2.2**

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

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

**Policy 4.2.3**

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

**Policy 4.2.4**

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

**Objective 4.3 Site Suitability for Discretionary Review Development**

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

**Policy 4.3.1**

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

**Policy 4.3.2**

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

**Policy 4.3.3**

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

**Policy 4.3.4**

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

**Policy 4.3.5**

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

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

**Objective 4.4** Regulations for Rural Residential *Discretionary Review*

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

**Objective 4.5** LESA Site Assessment Review and Updates

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

**Objective 4.6** Protecting Productive Farmland

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

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

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

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

**Objective 4.7** Right to Farm Resolution

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

**Objective 4.8** Locally Grown Foods

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

**Objective 4.9** Landscape Character

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

**Policy 4.9.1**

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

## Goal 5 Urban Land Use

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

### Goal 5 Objectives

#### **Objective 5.1 Population Growth and Economic Development**

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

#### **Objective 5.2 Natural Resources Stewardship**

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

#### **Objective 5.3 Adequate Public Infrastructure and Services**

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

### Goal 5 Objectives and Policies

#### **Objective 5.1 Population Growth and Economic Development**

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

##### **Policy 5.1.1**

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

##### **Policy 5.1.2**

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

##### **Policy 5.1.3**

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

##### **Policy 5.1.4**

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

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

Note: The Appendix contains defined terms, shown as italicized text in this Chapter.



**Policy 5.1.5**

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

**Policy 5.1.6**

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

**Policy 5.1.7**

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

**Policy 5.1.8**

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

**Policy 5.1.9**

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

**Objective 5.2 Natural Resources Stewardship**

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

**Policy 5.2.1**

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

**Policy 5.2.2**

The County will:

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

**Policy 5.2.3**

The County will:

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

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

**Objective 5.3 Adequate Public Infrastructure and Services**

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

**Policy 5.3.1**

The County will:

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

**Policy 5.3.2**

The County will:

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

**Policy 5.3.3**

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

**Goal 6 Public Health and Public Safety**

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

**Goal 6 Objectives**

**Objective 6.1 Protect Public Health and Safety**

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

**Objective 6.2 Public Assembly Land Uses**

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

**Objective 6.3 Development Standards**

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

**Objective 6.4 Countywide Waste Management Plan**

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

Note: The Appendix contains defined terms, shown as italicized text in this Chapter.

## Goal 6 Objectives and Policies

### **Objective 6.1 Protect Public Health and Safety**

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

#### **Policy 6.1.1**

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

#### **Policy 6.1.2**

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

#### **Policy 6.1.3**

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

#### **Policy 6.1.4**

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

### **Objective 6.2 Public Assembly Land Uses**

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

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

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

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

### **Objective 6.3 Development Standards**

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

### **Objective 6.4 Countywide Waste Management Plan**

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

## Goal 7 Transportation

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

### Goal 7 Objectives

#### **Objective 7.1 Traffic Impact Analyses**

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

#### **Objective 7.2 Countywide Transportation System**

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

### Goal 7 Objectives and Policies

#### **Objective 7.1 Traffic Impact Analyses**

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

##### **Policy 7.1.1**

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

#### **Objective 7.2 Countywide Transportation System**

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

##### **Policy 7.2.1**

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

##### **Policy 7.2.2**

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

##### **Policy 7.2.3**

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

##### **Policy 7.2.4**

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

##### **Policy 7.2.5**

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

##### **Policy 7.2.6**

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

Note: The Appendix contains defined terms, shown as italicized text in this Chapter.

## Goal 8 Natural Resources

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

### Goal 8 Objectives

#### **Objective 8.1 Groundwater Quality and Availability**

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

#### **Objective 8.2 Soil**

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

#### **Objective 8.3 Underground Mineral and Energy Resource Extraction**

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

#### **Objective 8.4 Surface Water Protection**

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

#### **Objective 8.5 Aquatic and Riparian Ecosystems**

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

#### **Objective 8.6 Natural Areas and Habitat**

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

#### **Objective 8.7 Parks and Preserves**

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

#### **Objective 8.8 Air Pollutants**

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

#### **Objective 8.9 Natural Resources Assessment System**

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

Note: The Appendix contains defined terms, shown as italicized text in this Chapter.

## Goal 8 Objectives and Policies

### **Objective 8.1 Groundwater Quality and Availability**

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

#### **Policy 8.1.1**

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

#### **Policy 8.1.2**

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

#### **Policy 8.1.3**

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

#### **Policy 8.1.4**

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

#### **Policy 8.1.5**

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

#### **Policy 8.1.6**

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

#### **Policy 8.1.7**

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

#### **Policy 8.1.8**

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

#### **Policy 8.1.9**

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

### **Objective 8.2 Soil**

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

**Policy 8.2.1**

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

**Objective 8.3 Underground Mineral and Energy Resource Extraction**

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

**Policy 8.3.1**

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

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

**Objective 8.4 Surface Water Protection**

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

**Policy 8.4.1**

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

**Policy 8.4.2**

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

**Policy 8.4.3**

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

**Policy 8.4.4**

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

**Policy 8.4.5**

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

**Policy 8.4.6**

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

**Objective 8.5 Aquatic and Riparian Ecosystems**

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

**Policy 8.5.1**

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

**Policy 8.5.2**

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

**Policy 8.5.3**

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

**Policy 8.5.4**

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

**Policy 8.5.5**

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

**Objective 8.6 Natural Areas and Habitat**

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

**Policy 8.6.1**

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

**Policy 8.6.2**

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

**Policy 8.6.3**

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

**Policy 8.6.4**

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



**Policy 8.6.5**

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

**Policy 8.6.6**

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

**Objective 8.7 Parks and Preserves**

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

**Policy 8.7.1**

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

**Policy 8.7.2**

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

**Policy 8.7.3**

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

**Policy 8.7.4**

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

**Policy 8.7.5**

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

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

**Objective 8.8 Air Pollutants**

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

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

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

**Objective 8.9 Natural Resources Assessment System**

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

**Goal 9 Energy Conservation**

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

**Goal 9 Objectives****Objective 9.1 Reduce Greenhouse Gases**

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

**Objective 9.2 Energy Efficient Buildings**

Champaign County will encourage energy efficient building design standards.

**Objective 9.3 Land Use and Transportation Policies**

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

**Objective 9.4 Reuse and Recycling**

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

**Objective 9.5 Renewable Energy Sources**

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

**Goal 9 Objectives and Policies****Objective 9.1 Reduce Greenhouse Gases**

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

**Policy 9.1.1**

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

**Policy 9.1.2**

The County will promote energy efficient building design standards.

**Policy 9.1.3**

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

**Objective 9.2 Energy Efficient Buildings**

Champaign County will encourage energy efficient building design standards.

Note: The Appendix contains defined terms, shown as italicized text in this Chapter.

**Policy 9.2.1**

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

**Policy 9.2.2**

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

**Objective 9.3 Land Use and Transportation Policies**

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

**Objective 9.4 Reuse and Recycling**

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

**Objective 9.5 Renewable Energy Sources**

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

**Goal 10 Cultural Amenities**

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

**Goal 10 Objective****Objective 10.1 Cultural Amenities**

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

**Goal 10 Objectives and Policy****Objective 10.1 Cultural Amenities**

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

**Policy 10.1.1**

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

Note: The Appendix contains defined terms, shown as italicized text in this Chapter.

## **APPENDIX**

### **DEFINED TERMS**

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

#### **best prime farmland**

'Best prime farmland' consists of soils identified in the Champaign County Land Evaluation and Site Assessment (LESA) System with a Relative Value of 85 or greater and tracts of land with mixed soils that have a LESA System Land Evaluation rating of 85 or greater.

#### **by right development**

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

#### **contiguous urban growth area**

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

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

#### **discretionary development**

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

#### **discretionary review**

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

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

**discretionary review** (continued)

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

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

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

**parks and preserves**

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

**pre-settlement environment**

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

**public infrastructure**

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

**public services**

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

**rural**

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

**site of historic or archeological significance**

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

**suited overall**

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

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

**well-suited overall**

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

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

**urban development**

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

**urban land**

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

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

**urban land use**

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