

CASE 968-AM-19

PRELIMINARY MEMORANDUM

JANUARY 9, 2020

Petitioner: **Kyle Britt and Alex Wilson, d.b.a. Big Rig Diesel Service, LLC**

Request: **Amend the Zoning Map to change the zoning district designation from the AG-1 Agriculture District to the B-3 Highway Business District in order to establish a Major Automobile Repair Shop.**

Location: **A 6.8 acre tract in the Northwest Quarter of the Southwest Quarter and the Southwest Quarter of the Northwest Quarter of Section 12, Township 18N Range 10E of the Third Principal Meridian in Sidney Township, commonly known as part of the former Agrigenetics tract with an address of 2310 CR 1050 North (County Highway 15), Homer.**

Site Area: **6.8 acres**

Time Schedule for Development: **As soon as possible**

Prepared by: **Susan Burgstrom, Senior Planner
John Hall, Zoning Administrator**

BACKGROUND

Petitioners Kyle Britt and Alex Wilson would like to move their business, Big Rig Diesel, to a set of existing buildings on a new tract located north of the Frito Lay facility near Sidney. They are currently renting their space south of Rantoul, and “would like to invest in owning the building we work out of, which is the reason for the move.”

The 25 acre parent tract was recently divided into a 6.8-acre Tract 1 and an 18.2-acre Tract 2, as shown in the Boundary Survey by BCA received December 4, 2019 (see Attachment C). The petitioners acquired Tract 1 at auction in October 2019.

A Major Auto Repair shop (all indoors) is not allowed in the current AG-1 Zoning District, but is allowed by right in the B-3 Highway Business Zoning District. The subject property is located on County Highway 15 (CR 1050N), which is an appropriate road for B-3 zoning. The buildings on the subject property were built starting in 1985 to house Vineyard Seed Company and later Agrigenetics, an agricultural research facility.

EXISTING LAND USE AND ZONING

Table 1. Land Use and Zoning Summary

Direction	Land Use	Zoning
Onsite	Former Agrigenetics facility	AG-1 Agriculture (Proposed rezoning to B-3)
North	Agriculture	AG-1 Agriculture
East	Residential	AG-1 Agriculture
West	Agriculture, Residential	AG-1 Agriculture
South	Agriculture, Residential	AG-1 Agriculture

EXTRATERRITORIAL JURISDICTION

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

The subject property is located in Sidney Township, which does not have a Planning Commission.

BEST PRIME FARMLAND AND LESA RATING

Land Evaluation and Site Assessment (LESA) analysis was completed for the subject property. Regarding the LE score, soils are considered Best Prime Farmland, with an average LE score of 100. The Site Assessment (SA) portion of the LESA analysis for the subject property scored 142 out of 200 points, for an overall LESA score of 242. This falls under the second highest protection rating in LESA, which is “high rating for protection.”

Even though the LESA score indicates a “high rating for protection”, this set of buildings has existed since the 1980s, there has been no agricultural production on the 6.8 acre tract since about 2009, and no new construction is proposed.

COMPATIBILITY WITH LRMP AND ZONING ORDINANCE

Staff analysis indicates that the proposed Zoning Map amendment and potential use appear to be generally compatible with surrounding land uses and the Champaign County Land Resource Management Plan Goals, Objectives, and Policies adopted by the County Board on April 22, 2010.

Staff does not propose any decision points at this time.

PROPOSED SPECIAL CONDITIONS

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

The above special condition is necessary to ensure the following:

Conformance with Policy 4.2.3 of the Land Resource Management Plan.

- B. **A Change of Use Permit shall be applied for within 30 days of the approval of Case 968-AM-19 by the County Board.**

The above special condition is required to ensure the following:

The establishment of the proposed use shall be properly documented as required by the Zoning Ordinance.

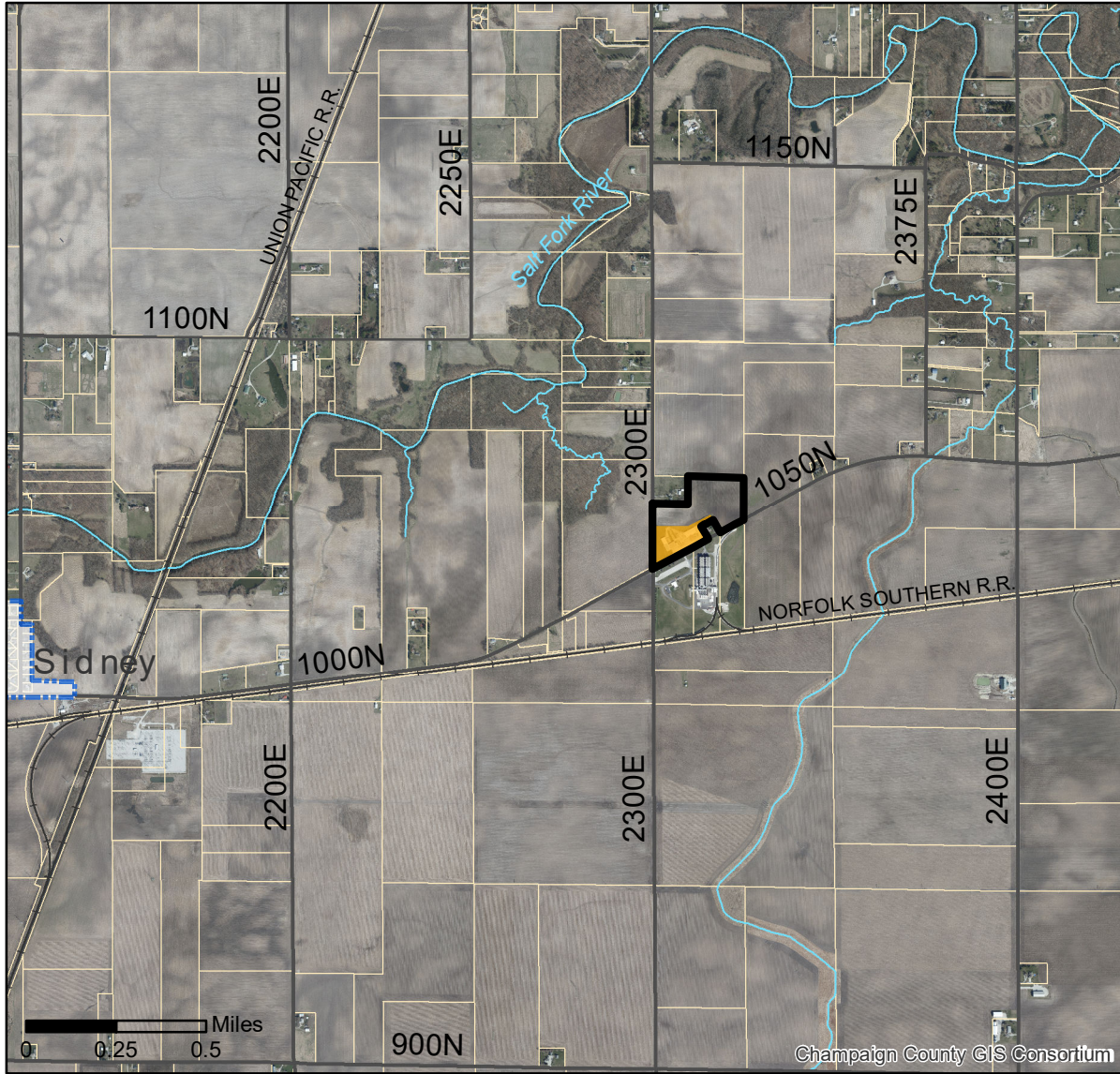
ATTACHMENTS

- A Case Maps (Location, Land Use, Zoning)
- B Site Plan: Description of buildings page 16 of 117 received December 4, 2019
- C Boundary Survey by Berns, Clancy & Associates dated November 13, 2019 and received December 4, 2019
- D Big Rig Diesel description received December 4, 2019
- E Natural Resource Report by Champaign County Soil and Water Conservation District received December 11, 2019
- F Emails from petitioners received December 12, 2019
- G LRMP Land Use Goals, Objectives, and Policies
- H LRMP Appendix of Defined Terms
- I Right to Farm Resolution 3425
- J LESA Scoresheet completed by staff on December 5, 2019
- K Site Images taken December 12, 2019
- L Draft Finding of Fact and Final Determination dated January 16, 2020

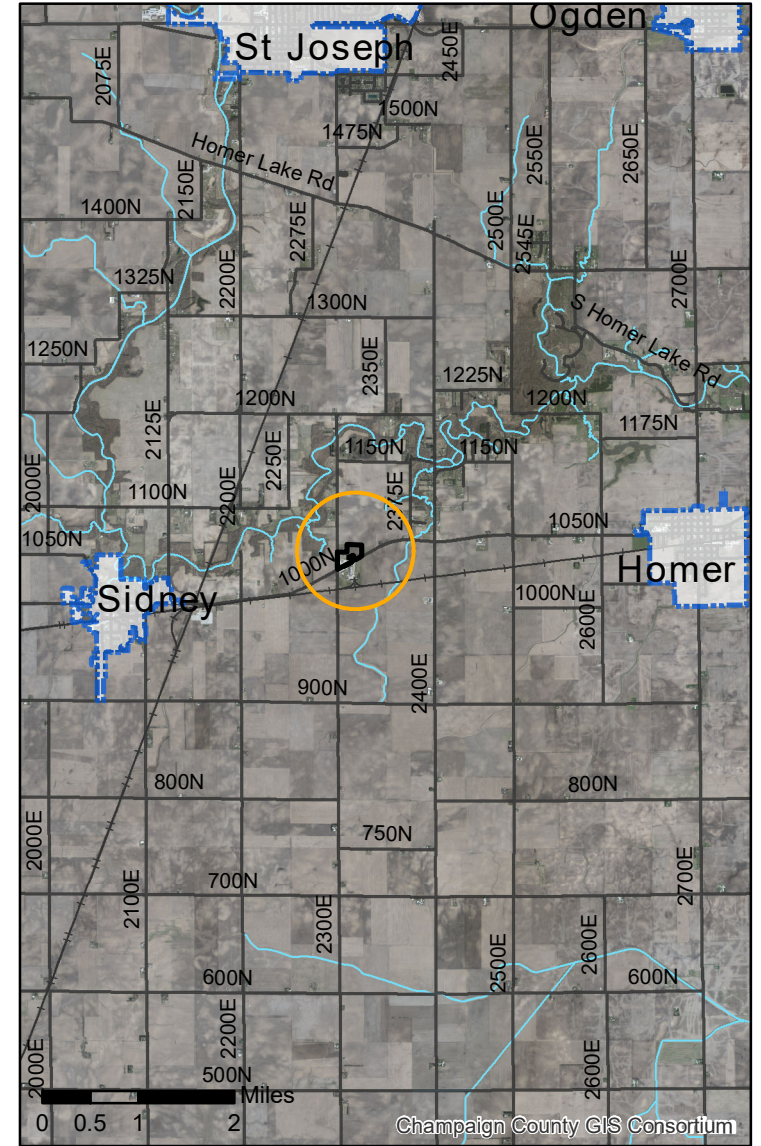
Location Map

Case 968-AM-19
January 16, 2020




Subject Property



Property location in Champaign County



Legend

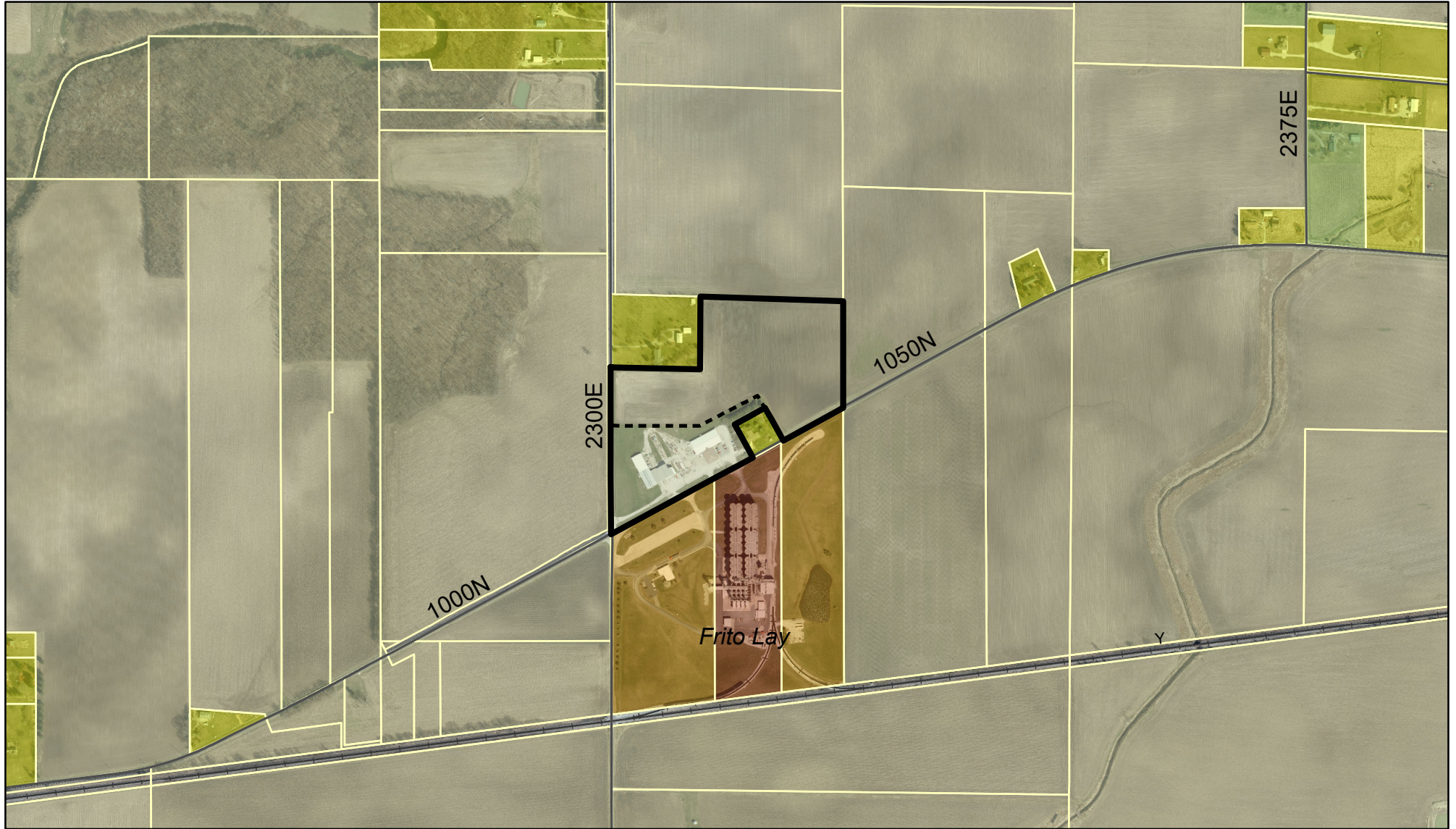
-  Parent Tract
-  Subject Property
-  Parcels



Champaign County
Department of
**PLANNING &
ZONING**

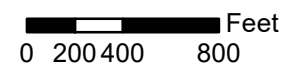
Land Use Map

Case 968-AM-19
January 16, 2020



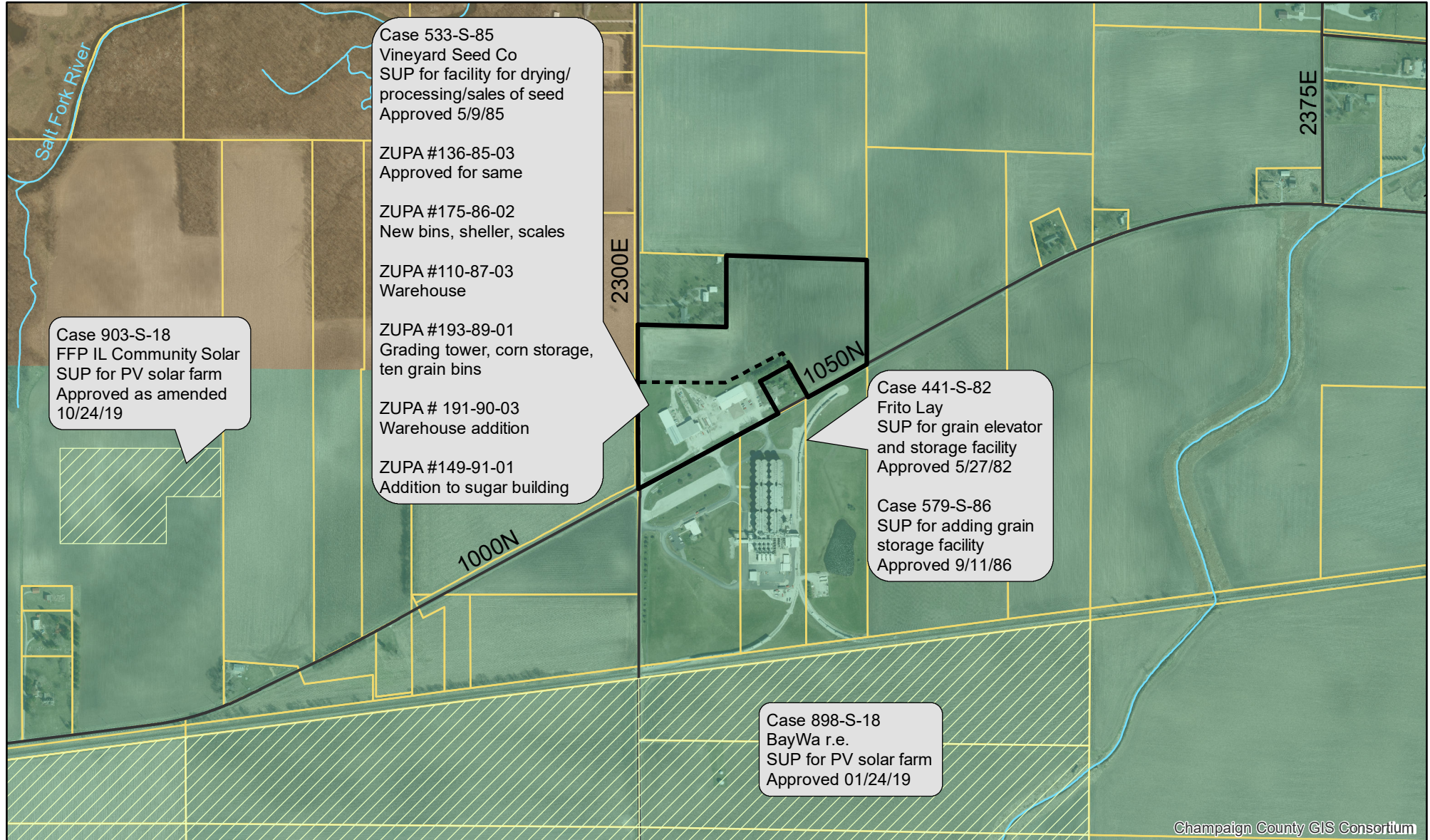
Legend

- | | | |
|------------------|----------------|-------------|
| Subject Property | Railroads | Residential |
| Parent Tract | Ag/Residential | Industrial |
| Streets | Agriculture | Commercial |





Zoning Map

Case 968-S-19
January 16, 2020



Legend

-  Parent Tract
-  Subject Property
-  Parcels
-  AG-1 Agriculture
-  CR Conservation Recreation

0 200 400 800 Feet

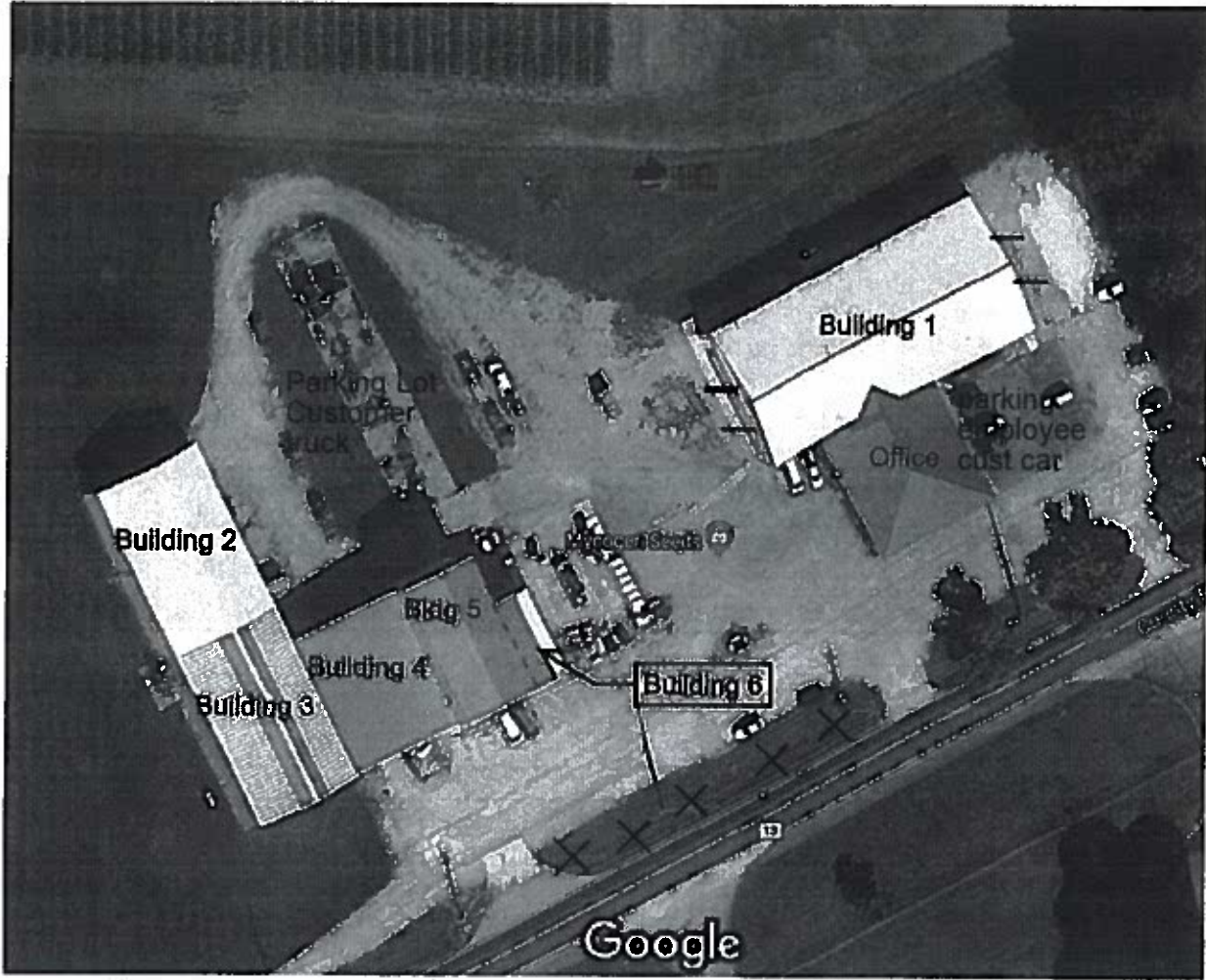


Seed Research Facilities - Sidney, Illinois

UAAR®

File # 15 Sidney Facilities

Aerial Photo Site



Office: 65'x72 = 4,680 square feet

Building #1: 80'x160' = 12,800 square feet

Building #2: 60'x98' = 5,880 square feet

Building #3: 60'x104' = 6,240 square feet

Building #4: 60'x80' = 4,800 square feet

Building #5: 40'x80' = 3,200 square feet

Building #6: 26'x48' = 1,248 square feet

Total building square footage: 38,848

Office and Lab space: 9,880 square feet

Storage space: 28,968 square feet

X - represents tree to be planted , evergreens that will be 8ft or taller when mature

— Represents overhead door opening to the shop

RECEIVED

DEC 04 2019

CHAMPAIGN CO. P & Z DEPARTMENT

BIG RIG DIESEL SERVICE LLC.

We are a diesel repair shop located in Rantoul, IL. We do any and all minor and major repairs to diesel powered equipment, mostly semi-trucks, some ag and construction. We do not do tire repair or replacement. We are looking to relocate to the property in Homer, IL to continue the same work we do now. We are currently renting and want to invest in owning the building we work out of which is the reason for the move. There are 2 owners Kyle Britt and Alex Wilson that work as full-time technicians and managers. 1 Full time technician, 2 part time technicians, and a part time office worker. All repair work will be done indoors, trucks waiting to be repaired or picked up from being repaired will be parked outside in the designated parking area, which is the area with a concrete pad to the east of buildings #2, and #3 and north of buildings #4,5,6. We will use the east building, designated as building #1, on the property for the shop/office area. Mostly the shed part of the building will be utilized, the rest of the buildings will be cold storage for now. The inside of the shed designated as building #1 that we will be using as the shop will be getting some renovation work done mostly just tearing out the partition walls to get space more wide open for the trucks to come in, and moving the overhead doors on the west and east end of the building to the center of the walls they are on now. Estimated cost of these repairs is \$38000.00. Nothing else in any of the other buildings is being changed and no changes to the exterior other than some signage, one sign, 4' X 8' on the side of the building #1 and refacing the sign that is already on the property facing the county highway. We keep no inventory of parts other than what the trucks that we are currently working on need and our used oil and coolant is stored in plastic totes and picked up by Heritage Crystal Clean. The same company will be servicing us at the Homer location. We can plant trees on the south side of the property between the buildings and the highway if more screening is recommended.

Renovation to interior of building #1 will be tearing out all rooms to open up space for truck repair bays. The mechanical room 112, electrical panel 107, and part of the packet and preparation room 118 will be kept. The part of room 118 will be for parts unloading and storage for the trucks being repaired at the time, and a tooling room. Cost in estimate includes labor for the tear down, equipment rental, dumpster rental, relocation of the plumbing in the bathroom located in the shop area, and hvac ducting relocation (raising it higher to the building ceiling from drop ceiling it is on now adding ducting to connect to higher location from furnace.) Also the cost of moving the already existing doors to the center of the walls they are on now. All work being done will be in building designated as building #1 the north east shed. All other buildings are being left as is.

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DEC 04 2019

CHAMPAIGN CO. P & Z DEPARTMENT

DECEMBER 6, 2019

**NRI Report
Big Rig Diesel**

USDA Orthoimagery 2017

Location:
Section 12, T18N, R10E
Champaign Co., IL

Champaign Co. Soil & Water
Conservation District
Assisted By: Erin Bush

0 15 30 60 90 120 Meters
12/6/19

NATURAL RESOURCE INFORMATION (NRI)
RECEIVED REPORT 22.02

DEC 11 2019

PETITIONER: KYLE BRITT & ALEX WILSON

CHAMPAIGN CO. P & Z DEPARTMENT

PREPARED BY: CHAMPAIGN COUNTY SOIL & WATER CONSERVATION DISTRICT

2110 W PARK CT, STE C, CHAMPAIGN, IL 61821
(217) 352-3536 EXT 3 | WWW.CCSWCD.COM

<p>Champaign County Soil and Water Conservation District Natural Resource Information Report (NRI)</p>

Date District Board Reviewed Application	10 December 2019
Applicant's Name	Big Rig Diesel – Kyle Britt & Alex Wilson
Contact Person	Kyle Britt & Alex Wilson
Size of Subject Property	6.8
Present Zoning	AG - 1
Proposed Zoning	B3
Present Land Use	Agriculture
Proposed Land Use	Highway Business

<i>Copies of this report or notification of the proposed land-use change were provided to:</i>	Yes	No
The Applicant	x	
The Contact Person	x	
The Local/Township Planning Commission	n/a	n/a
The Village/City/County Planning & Zoning Department	x	
The Champaign County Soil & Water Conservation District Files	x	

Report Prepared By: Erin Bush, Resource Conservationist

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Forward

Soil and Water Conservation Districts are required to prepare Natural Resource Information (NRI) Reports under the Illinois Soil and Water Conservation Act of 1977, Illinois Revised Statutes, Chapter Five.

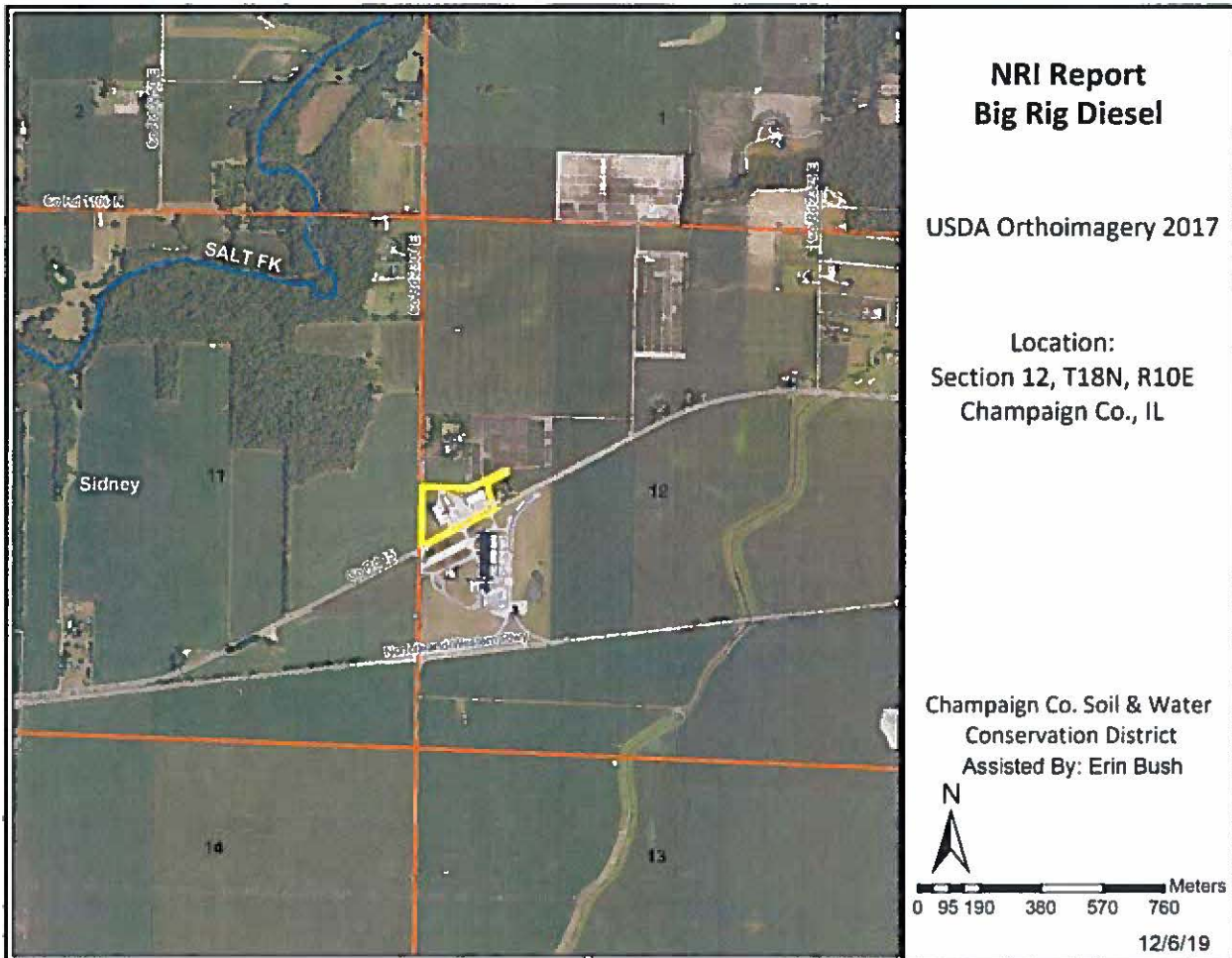
Section 22.02a The Soil and Water Conservation District shall make all natural resource information available to the appropriate county agency or municipality in the promulgation of zoning, ordinances or variances. Any person who petitions any municipality or county agency in the district for variation, amendment, or other relief from municipality's or county's zoning ordinance or who proposes to sub-divide vacant or agricultural lands therein shall furnish a copy of such petition or proposal to the Soil and Water Conservation District. The Soil and Water Conservation District shall be given not more than thirty days from the time of receipt of the petition or proposal to issue its written opinion concerning the petition or proposal and submit the same to the appropriate county agency or municipality for further action. Added by Act approved December 3, 1971.

This report provides technical data necessary to evaluate the natural resources of a specific area and the impacts or limitations associated with the proposed land use change. The report is limited to information researched by the Champaign County Soil and Water Conservation District staff. (Technical information is obtained from several different sources and may be subject to modification based on detailed site investigations or new technical information.) The information gathered in this report comes from several key reference materials and are cited throughout this report and listed in the Reference section. Any questions on the information contained in this report can be directed to:

Champaign County Soil and Water Conservation District
2110 W. Park Court, Suite C
Champaign, IL 61821
Phone 217-352-3536 ext. 3

Subject Property Location

Location Map for Natural Resources Information Report for Big Rig Diesel. The property is located in the west ½ of Section 12, Township 18N, Range 10E in Champaign County, Illinois.



Summary and Concerns of the Board

The Champaign County Soil and Water Conservation District has reviewed the proposed land use change and has the following concerns relevant to the impact on the area's natural resources.

1. All soils on the subject property are not suitable sanitary facilities or dwellings. It is advised to perform onsite investigations with a professional to determine construction strategy before moving forward. See pages 7-9.
2. A majority of the soils on the subject property are not suitable for dwellings or small commercial buildings. It is advised to consult with a professional to determine safety and quality of current and future construction projects. See page 9.
3. Almost a quarter of the subject property area is considered hydric. Hydric soils are problematic for dwellings, buildings, agricultural use, and more. See pages 11-12.
4. The subject property is not located in a drainage district. Please contact township officials for any questions.
5. The average Land Evaluation (LE) score for this site is: 100, which indicates high productivity farmland. See page 14.

Soil Information

The soil information comes from the United States Department of Agriculture Natural Resources Conservation Service (USDA-NRCS) Soil Survey of Champaign County. This information is important to all parties involved in determining the suitability of the proposed land use change. Each polygon is given a number with letters, which represents its soil type, slope, flooding, etc., and is then called a map unit. Each soil map unit has limitations for a variety of land uses, which are explained using interpretations.

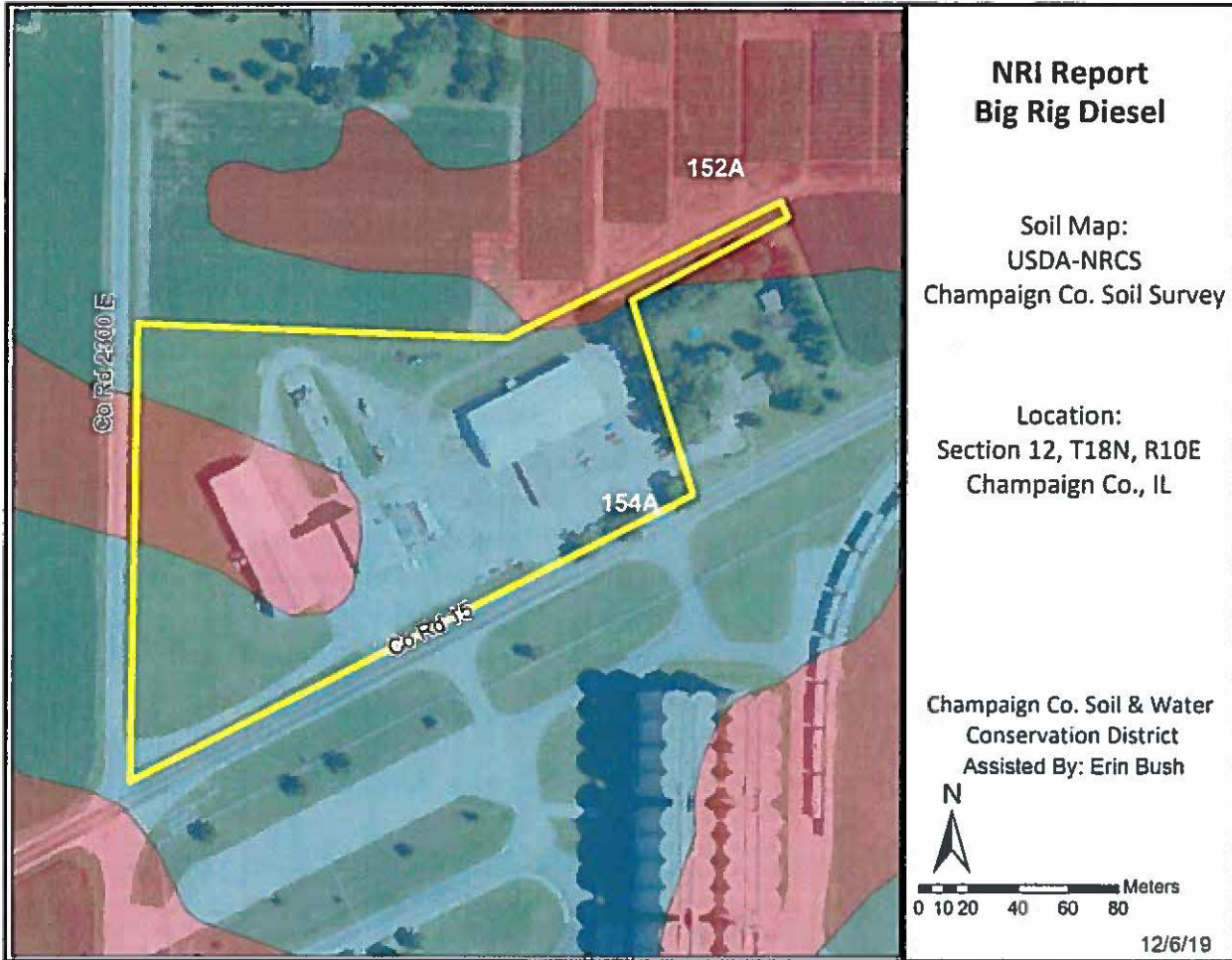


Table 1. Soil map unit descriptions.

Map Unit Symbol	Description	Acres	Percent of Area
152A	Drummer silty clay loam, 0-2% slopes	1.5	22%
154A	Flanagan silt loam, 0-2% slopes	5.3	78%

Introduction to Soil Interpretations

Non-agricultural soil interpretations are ratings that help engineers, planners, and others understand how soil properties influence behavior when used for nonagricultural uses such as building site development or construction materials. This report gives ratings for proposed uses in terms of limitations and restrictive features. The tables list only the most restrictive features. Other features may need treatment to overcome soil limitations for a specific purpose.

Ratings come from the soil's "natural" state, that is, no unusual modification occurs other than that which is considered normal practice for the rated use. Even though soils may have limitations, an engineer may alter

soil features or adjust building plans for a structure to compensate for most degrees of limitations. However, most of these practices are costly. The final decision in selecting a site for a land use generally involves weighing the costs for site preparation and maintenance.

Soil properties influence the development of building sites, including the selection of the site, the design of the structure, construction, performance after construction, and maintenance. Soil limitation ratings of slight, moderate, and severe are given for the types of proposed improvements that are listed or inferred by the petitioner as entered on the report application and/or zoning petition. The most common type of building limitation this report gives limitations ratings for is septic systems. It is understood that engineering practices can overcome most limitations for buildings with and without basements, and small commercial buildings. Organic soils, when present on the subject property, are referenced in the hydric soils section of the report.

The area of development will be susceptible to erosion both during and after construction. Any areas left bare for more than 7 days should be temporarily seeded or mulched and permanent vegetation needs to be established as soon as possible.

Limitation Ratings

1. *Not limited*- This soil has favorable properties for the intended use. The degree of limitation is minor and easy to overcome. Those involved can expect good performance and low maintenance.
2. *Somewhat limited*- This soil has moderately favorable properties for the intended use. Special planning, design, or maintenance can overcome this degree of limitation. During some part of the year, the expected performance is less desirable than for soils rated “*not limited*.”
3. *Very limited*- This soil has one or more properties that are unfavorable for the rated use. These may include the following: steep slopes, bedrock near the surface, flooding, high shrink-swell potential, a seasonally high water table, or low strength. This degree of limitation generally requires major soil reclamation, special design, or intensive maintenance, which in most situations is difficult and costly.

Soil Interpretations

Sanitary Facilities

The table below shows the degree and kind of soil limitations that affect septic tank absorption fields and sewage lagoons.

Septic Tank Absorption Fields: Areas in which effluent from a septic tank is distributed into the soil through subsurface tiles or perforated pipe. The ratings are based on soil properties, site features, and observed performance of the soils. Permeability, high water table, depth to bedrock or a cemented pan, and flooding affect absorption of the effluent. Large stones and bedrock or a cemented pan interfere with installation. Unsatisfactory performance of septic tank absorption fields, including excessively slow absorption of effluent, surfacing of effluent, and hillside seepage can affect public health. There must be unsaturated soil material beneath the absorption field to filter the effluent effectively.

Table 2. Septic tank absorption fields.

Map Unit Symbol	Septic Tank Absorption Fields	Acres	Percent of Area
152A	Very limited: ponding, depth to saturated zone	1.5	22%
154A	Very limited: depth to saturated zone, slow water movement	5.3	78%

For the subject property: 100% of the soils on the property are very limited for the use of septic tank absorption fields and special design is required for any septic tank absorption field.

Building Site Development

The table below shows the degree and the kind of soil limitations that affect dwellings with or without basements and small commercial buildings.

Dwellings and Small Commercial Buildings: Structures built on a shallow foundation on undisturbed soil that are three stories or less. The ratings are based on soil properties, site features, and observed performance of the soils. High water table, depth to bedrock or to a cemented pan, large stones, slope, and flooding effect the ease of excavation, construction, and maintenance.

Table 3. Dwellings and small commercial buildings limitations.

Map Unit Symbol	Dwellings with Basements	Dwellings without Basements	Small Commercial Buildings	Acres	Percent of Area
152A	Very limited: ponding, depth to saturated zone	Very limited: ponding, depth to saturated zone	Very limited: ponding, depth to saturated zone	1.5	22%
154A	Very limited: depth to saturated zone	Somewhat limited: depth to saturated zone, shrink-swell	Somewhat limited: depth to saturated zone, shrink-swell	5.3	78%

Ponds and Embankments

The table below gives information on the soil properties and site features that affect water management and soil suitability for ponds and embankments.

Embankments, Dikes, and Levees: Raised structures of soil material constructed to impound water or to protect land against overflow. The ratings apply to the soil material below the surface layer to a depth of 5 or 6 feet. Soil material in embankments must be resistant to seepage, piping, and erosion and have favorable compaction characteristics. Unfavorable features include less than 5 feet of suitable material and a high content of stones or boulders, organic matter, or salts or sodium. A high water table affects the amount of usable material and trafficability.

Aquifer-fed Excavated Ponds: Pits or dugouts that extend to a groundwater aquifer or to a depth below a permanent water table. Excluded are ponds that are fed only by surface runoff and embankment ponds that impound water 3 feet or more above the original surface. Excavated ponds are affected by depth to a permanent water table, saturated hydraulic conductivity (Ksat) of the aquifer, and quality of the water as inferred from the salinity of the soil. Depth to bedrock and the content of large stones affect the ease of excavation.

Pond Reservoir Areas: Areas that hold water behind a dam or embankment. Soils best suited to this use have low seepage potential in the upper 60 inches of the profile. The seepage potential is determined by the saturated hydraulic conductivity (Ksat) of the soil and the depth to fractured bedrock or other permeable material. Excessive slope can affect the storage capacity of the reservoir area.

Table 4. Ponds and embankments limitations.

Map Unit Symbol	Ponds and Embankments			Acres	Percent of Area
	Embankments, Dikes, Levees	Aquifer-fed Excavated Ponds	Pond Reservoir Areas		
152A	Very limited: ponding, depth to saturated zone	Somewhat limited: unstable excavation walls	Somewhat limited: seepage	1.5	22%
154A	Very limited: depth to saturated zone	Very limited: depth to water	Somewhat limited: seepage	5.3	78%

Soil Water (Wetness) Features

This section gives estimates of various soil water (wetness) features that should be taken into consideration when reviewing engineering for a land use project.

Hydrologic Soil Groups (HSGs): The groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

- Group A: Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.
- Group B: Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.
- Group C: Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.
- Group D: Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

Note: if a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D) the first letter is for drained areas and the second is for undrained areas.

Surface Runoff: Refers to the loss of water from an area by flow over the land surface. Surface runoff classes are based upon slope, climate, and vegetative cover and indicates relative runoff for very specific conditions (it is assumed that the surface of the soil is bare and that the retention of surface water resulting from the irregularities in the ground surface is minimal). The classes are: negligible, very low, low, medium, high, and very high.

Water Table: Refers to a saturated zone in the soil and the data indicates, by month, depth to the top (upper limit) and base (lower limit) of the saturated zone in most years. These estimates are based upon observations of the water table at selected sites and on evidence of a saturated zone (grayish colors or mottles, called redoximorphic features) in the soil. Note: a saturated zone that lasts for less than a month is not considered a water table.

Ponding: Refers to standing water in a closed depression and the data indicates duration and frequency of ponding.

- Duration: expressed as *very brief* if less than 2 days, *brief* if 2 to 7 days, *long* if 7 to 30 days and *very long* if more than 30 days.
- Frequency: expressed as *none* (ponding is not possible), *rare* (unlikely but possible under unusual weather conditions), *occasional* (occurs, on average, once or less in 2 years), *frequent* (occurs, on average, more than once in 2 years).

Flooding: The temporary inundation of an area caused by overflowing streams, by runoff from adjacent slopes, or by tides. Water standing for short periods after rainfall or snowmelt is not considered flooding, and water standing in swamps and marshes is considered ponding rather than flooding.

- Duration: Expressed as *extremely brief* if 0.1 hour to 4 hours; *very brief* if 4 hours to 2 days; *brief* if 2 to 7 days; *long* if 7 to 30 days; and *very long* if more than 30 days.
- Frequency: Expressed as *none* (flooding is not probable), *very rare* (very unlikely but possible under extremely unusual weather conditions (chance of flooding is less than 1% in any year)), *rare* (unlikely but possible under unusual weather conditions (chance of flooding is 1 to 5% in any year)), *occasional* (occurs infrequently under normal weather conditions (chance of flooding is 5 to 50% in any year but is less than 50% in all months in any year)), and *very frequent* (likely to occur very often under normal weather conditions (chance of flooding is more than 50% in all months of any year)).

Note: The information is based on evidence in the soil profile. In addition, consideration is also given to local information about the extent and levels of flooding and the relation of each soil on the landscape to historic floods. Information on the extent of flooding based on soil data is less specific than that provided by detailed engineering surveys that delineate flood-prone areas at specific flood frequency levels.

Table 5. Soil water (wetness) features.

Map Unit Symbol	HSG	Surface Runoff	Depth to Water Table (ft)			Ponding		Flooding	
			Upper Limit	Lower Limit	Kind	Duration	Frequency	Duration	Frequency
152A	B/D	Neg.	0.0-1.0	6.0	Apparent	0.0-0.5	Frequent	-	None
154A	C/D	Low	1.0-2.0	3.7-5.9	Perched	-	None	-	None

Hydric Soils

Hydric soils by definition have seasonal high water at or near the soil surface and/or have potential flooding or ponding problems. All hydric soils range from poorly suited to unsuitable for building. Soil maps may not be small enough to show inclusions of hydric soils, so it is important to consult a soil scientist if building residential areas on hydric soils or soils with hydric inclusions.

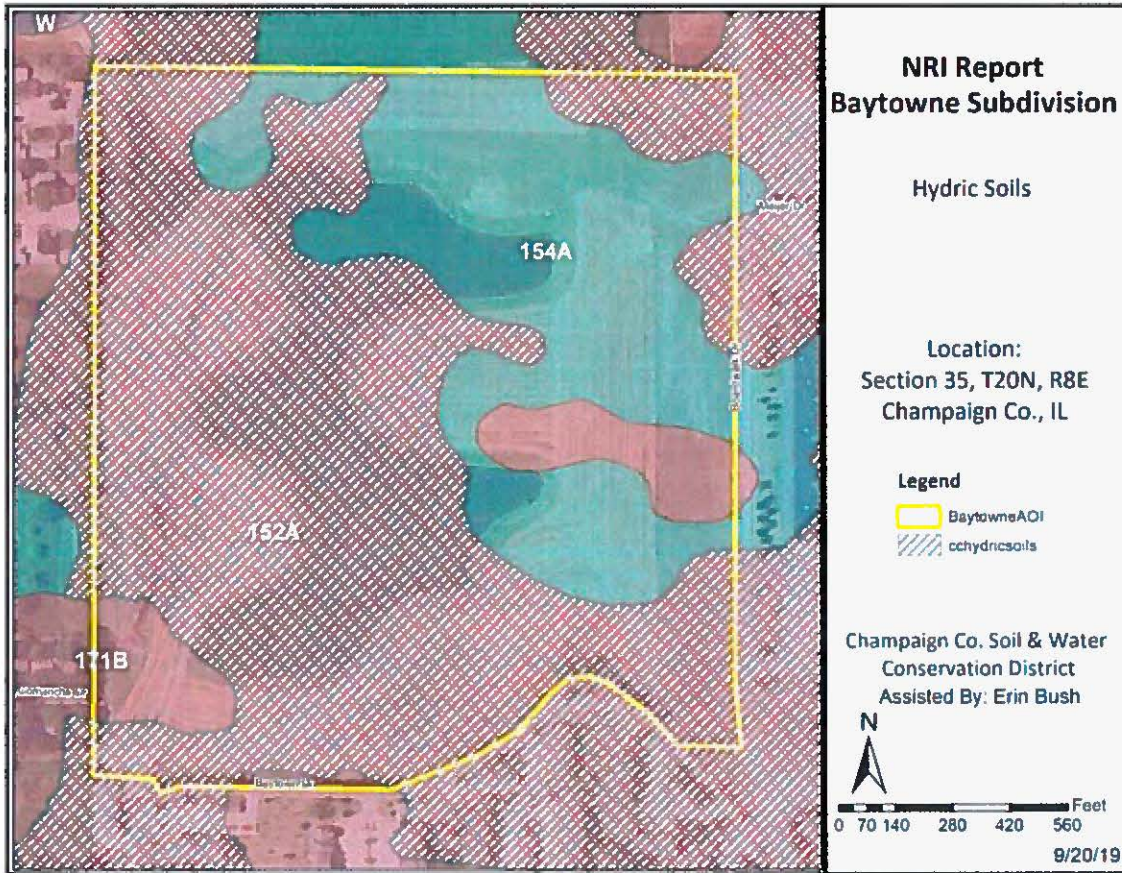
On most agricultural soils in the county that are poorly or somewhat poorly drained, subsurface agriculture drainage tile occurs. This expedites drainage but must be maintained and undisturbed so the soil does not return to its original hydrologic condition.

The Champaign County SWCD recommends the following for an intense land use, such as a subdivision:

1. A topographical survey with 1-foot contour intervals to define the flood area.
2. An intensive soil survey to define locations of hydric inclusions.
3. A drainage tile survey to locate tiles that must be preserved.

Table 6. Hydric soils.

Map Unit Symbol	Drainage Class	Hydric Designation	Acres	Percent of Area
152A	Poorly drained	Hydric	1.5	22%
154A	Somewhat poorly drained	Non-hydric	5.3	78%
		Percent Hydric		22%



Soil Erosion and Sediment Control

Erosion is the wearing away of the soil by water, wind, and other forces and a soil's erodibility is mainly determined by the following properties: soil texture, slope, soil structure, soil organic matter content. Soil erosion threatens the nation's soil productivity and contributes to pollutants in waterways. Sediment entering creeks, rivers, and lakes degrade water quality and reduce capacity, which increases the risk of flooding and disrupts ecosystems. Sediment also carries other possible pollutants, such as chemicals and metals, by adhering to the sediment's surface.

Erosion Control at Construction Sites

Construction sites can experience 20 to 200 tons/acre/year of soil loss, which is greater than other land uses, like agriculture, averaging 4-5 tons/acre/year. It is extremely important that the developer employ Best Management Practices, like the ones listed below, to help reduce soil erosion and protect water quality during and after construction.

- **Silt Fencing:** A woven geotextile fabric stretched across and attached to supporting posts used to intercept sediment-laden runoff from small drainage areas of disturbed soil. The purpose is to filter out sediment from runoff before it enters a water body.
- **Construction Road Stabilization:** The stabilization of temporary construction access routes, subdivision roads, on-site vehicle transportation routes, and construction parking areas with stone immediately after grading the area to reduce erosion.
- **Vegetative Cover:** One of the most important means to control runoff is to plant temporary vegetation around the perimeter of the construction site. This provides a natural buffer to filter sediment and chemicals. The CCSWCD recommends that temporary grass be planted (i.e. smooth bromegrass, oats, cereal rye) to help protect soil from erosion during construction.

EPA Stormwater Pollution Prevention Plan (SWPPP) Reference Tool

EPA requires a plan to control storm water pollution for all construction sites over 1 acre in size. *A Guide for Construction Sites* is a reference tool for construction site operators who must prepare a SWPPP to obtain NPDES permit coverage for their storm water discharges. More information at the following website:

<http://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources>.

Table 7. Soil erosion potential.

Map Unit Symbol	Slope	Rating	Acres	Percent of Area
152A	0.5%	Slight	1.5	22%
154A	0.9%	Slight	5.3	78%

Prime Farmland Soils

Prime farmland soils are an important resource to Champaign County. Some of the most productive soils in the United States occur locally. Each soil map unit in the United States is assigned a prime or non-prime rating. Prime agricultural land does not need to be in the production of food and fiber. Urban or built-up land on prime farmland soils is not prime farmland.

Table 8. Prime farmland designation.

Map Unit Symbol	Prime Designation	Acres	Percent of Area
152A	Prime farmland if drained	1.5	22%
154A	Prime farmland	5.3	78%
Percent Prime Farmland			78.0%

The Land Evaluation and Site Assessment System

Decision-makers in Champaign County use the Land Evaluation and Site Assessment (LESA) system to determine the suitability of a land use change and/or a zoning request as it relates to agricultural land. The LESA system was developed by the USDA-NRCS and takes into consideration local conditions, such as physical characteristics of the land, compatibility of surrounding land uses, and urban growth factors. The LESA system is a two-step procedure:

- Land Evaluation (LE) – the soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agricultural use. The best group is assigned a value of 100 and is based on data from the Champaign County Soil Survey. The Champaign County LE designates soils with a score of 91 to 100 as best prime farmland, as reported in Bulletin 811 Optimum Crop Productivity Ratings for Illinois Soils. Best Prime Farmland consists of:
 - a) Soils identified as agricultural value groups 1, 2, 3, and/or 4
 - b) Soils that, in combination on a subject site, have an average LE of 91 or higher
 - c) Any site that includes a significant amount (10% or more of the area proposed to be developed) of agriculture value groups 1, 2, 3, and/or 4
- Site Assessment (SA) – the site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives.

The Champaign County LESA system is designed to provide officials with a systematic objective means to numerically rate a site in terms of its agricultural importance.

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

Note: A land evaluation (LE) score will be compiled for every project property, but a site assessment score is not applicable in most cases, making the full LESA score unavailable.

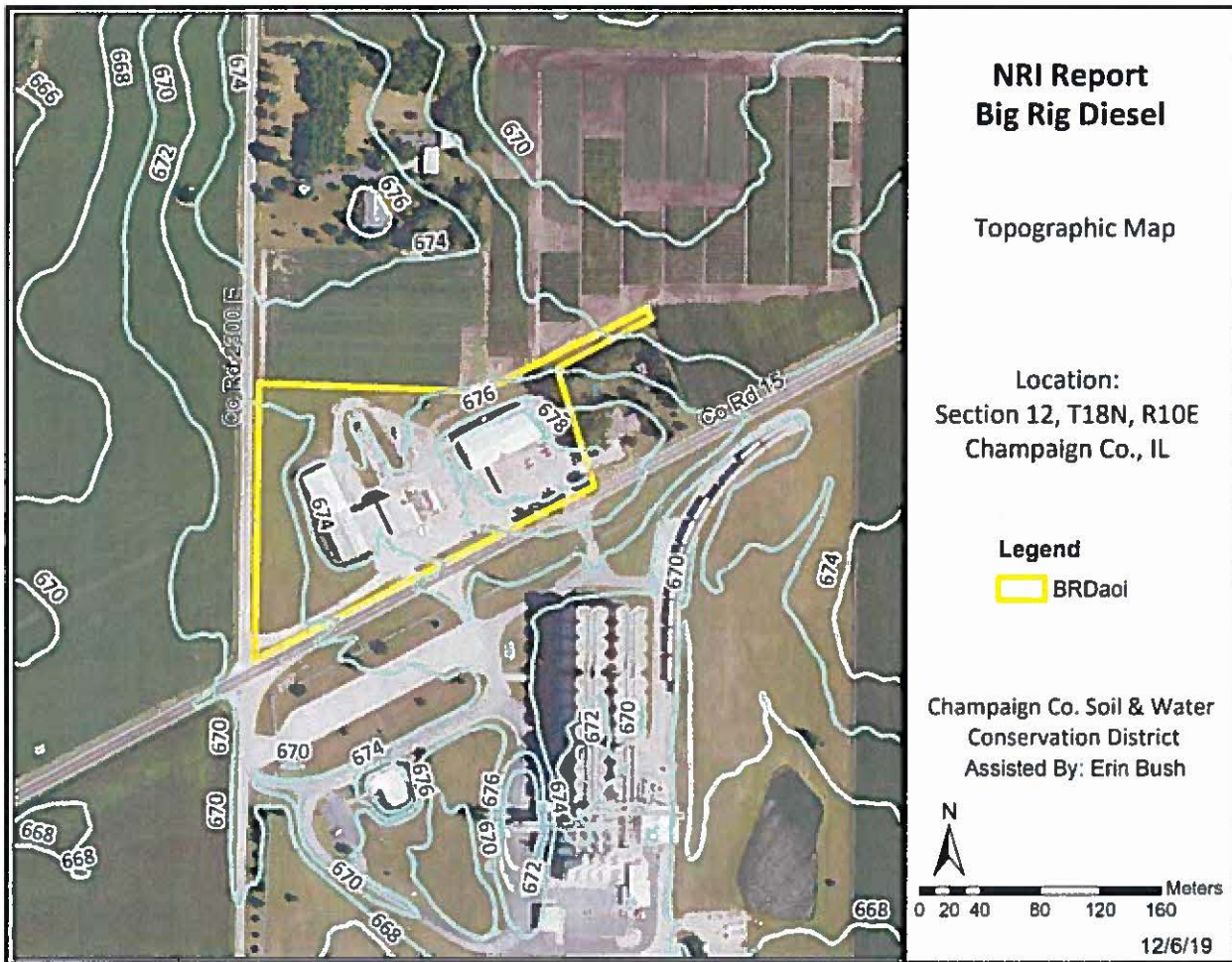
Table 9. Land Evaluation and Site Assessment System score.

Map Unit Symbol	Value Group	Relative Value	Acres	Product (Relative Value*Acres)
152A	2	100	1.5	150
154A	1	100	5.3	530
Totals			6.8	680
LE Score		LE=680/6.8		LE = 100

For the subject property: the overall Land Evaluation (LE) score is 100.

Topographic Information

United States Geologic Survey (USGA) topographic maps give information on elevation, which are important mostly to determine slope, drainage direction, and watershed information. Elevation determines the area of impact of floods. Slope information determines steepness and erosion potential. Drainage directions determine where water leaves the subject property, possibly impacting surrounding natural resources.



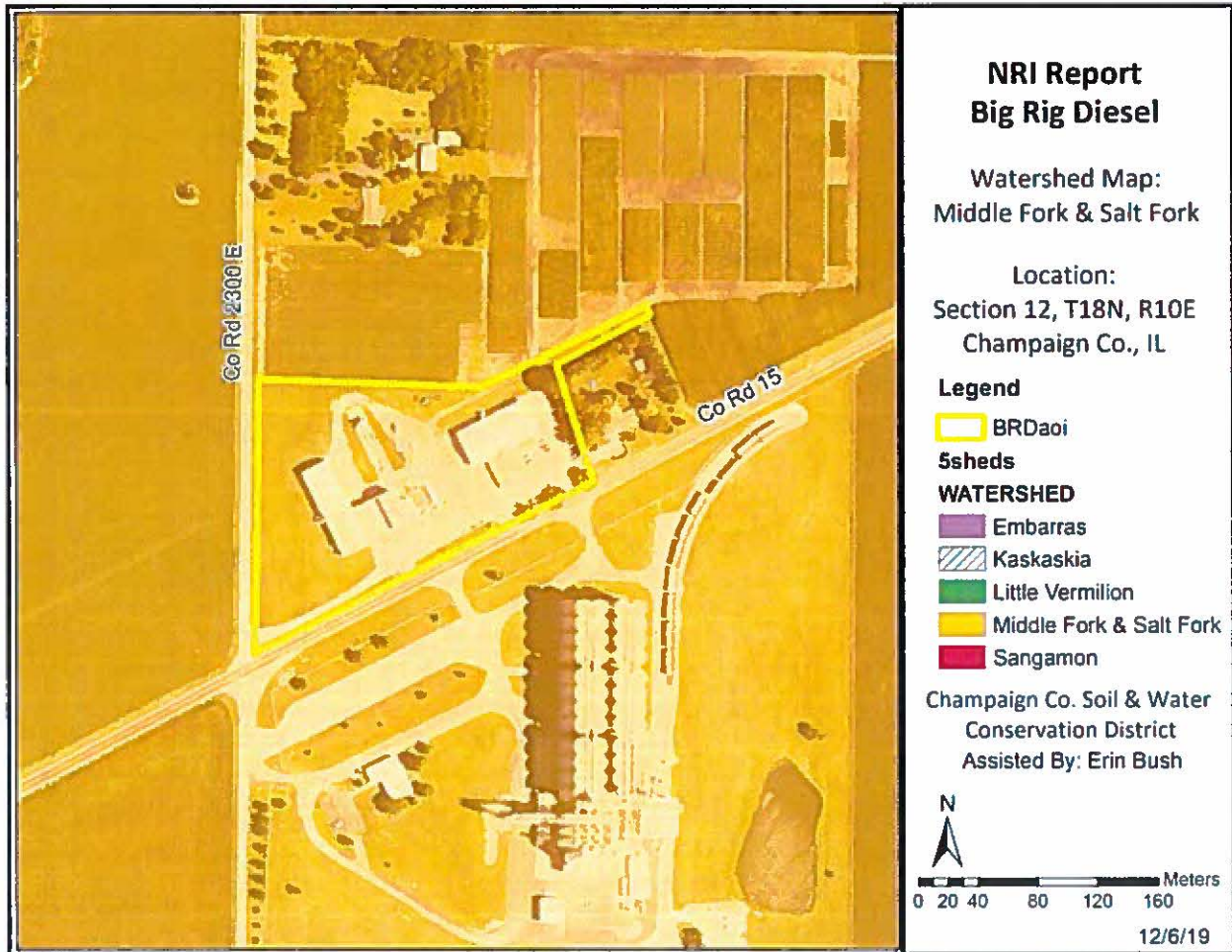
Watershed Information

Watershed information is given when land use is changed to a subdivision type of development on parcels greater than 10 acres. A watershed is an area of land that drains to an associated water resource, such as a wetland, river, or lake. Rainwater carries pollutants through watersheds, impacting natural resources and people living downstream. Residents can minimize this impact by being aware of their environment and implications of their activities.

The following are recommendations to developers for protection of watersheds:

- Preserve open space
- Maintain wetlands as part of development
- Use natural water management
- Prevent soil from leaving construction sites
- Protect subsurface drainage
- Use native vegetation
- Retain natural features
- Mix housing and style types
- Decrease impervious surfaces
- Reduce area disturbed by mass grading
- Treat water where it falls

For the subject property: the property is located in the Middle Fork & Salt Fork River Watershed.



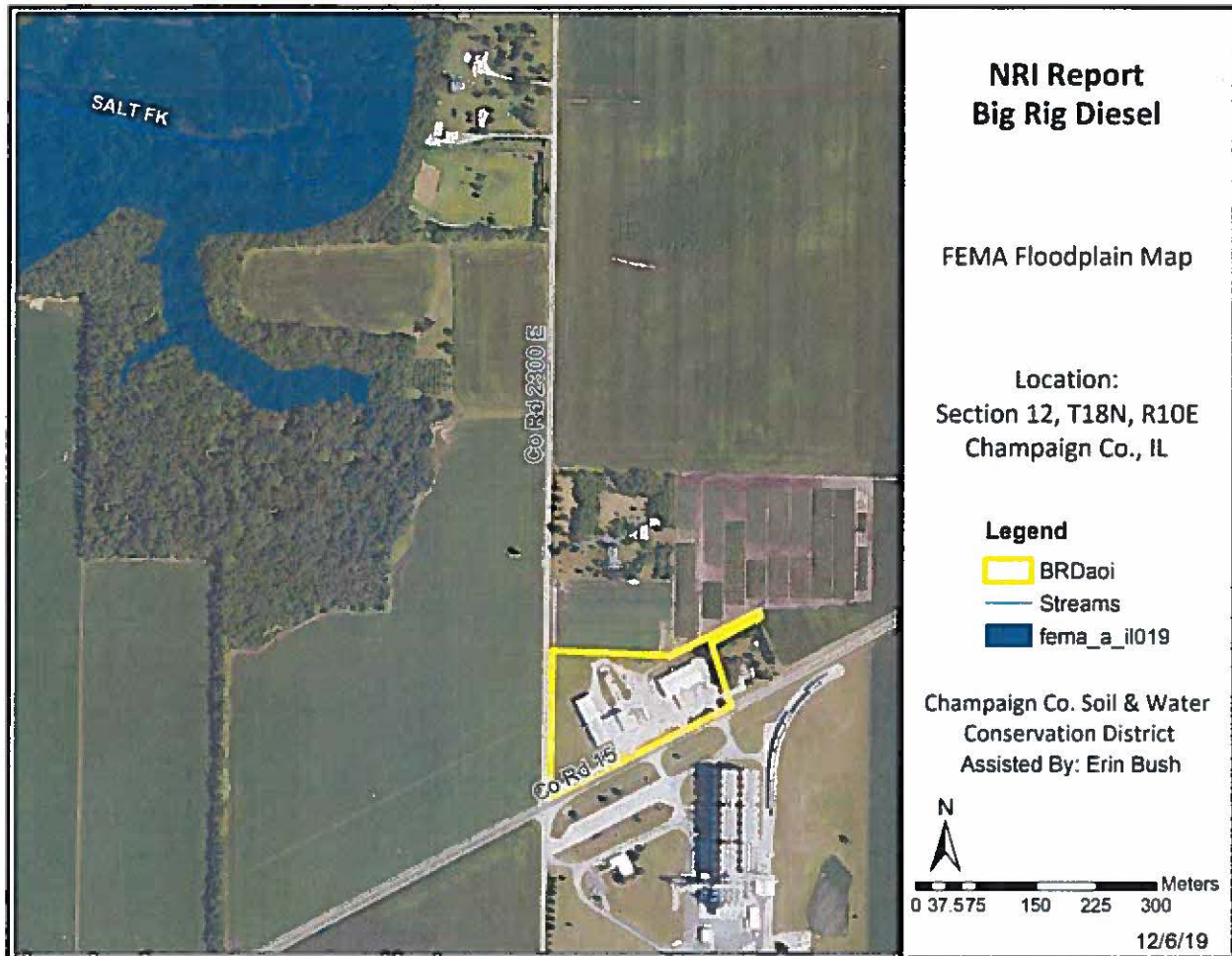
Floodplain and Wetland Information

Floodplain Information

A floodplain is defined as land adjoining a watercourse (riverine) or an inland depression (non-riverine) that is subject to periodic inundation by high water. Floodplains are important areas that demand protection since they have water storage and conveyance functions that affect upstream and downstream flows, water quality and quantity, and suitability of the land for human activity. Since floodplains play distinct and vital roles in the hydrologic cycle, development that interferes with their hydrologic and biologic functions should be carefully considered.

Flooding is dangerous to people and destructive to their properties. The following map can help developers and future homeowners to “sidestep” potential flooding or ponding problems. The Flood Insurance Rate Map (FIRM) was produced by the Federal Emergency Management Agency (FEMA) to define flood elevation adjacent to tributaries and major bodies of water that are superimposed onto a simplified USGS topographic map.

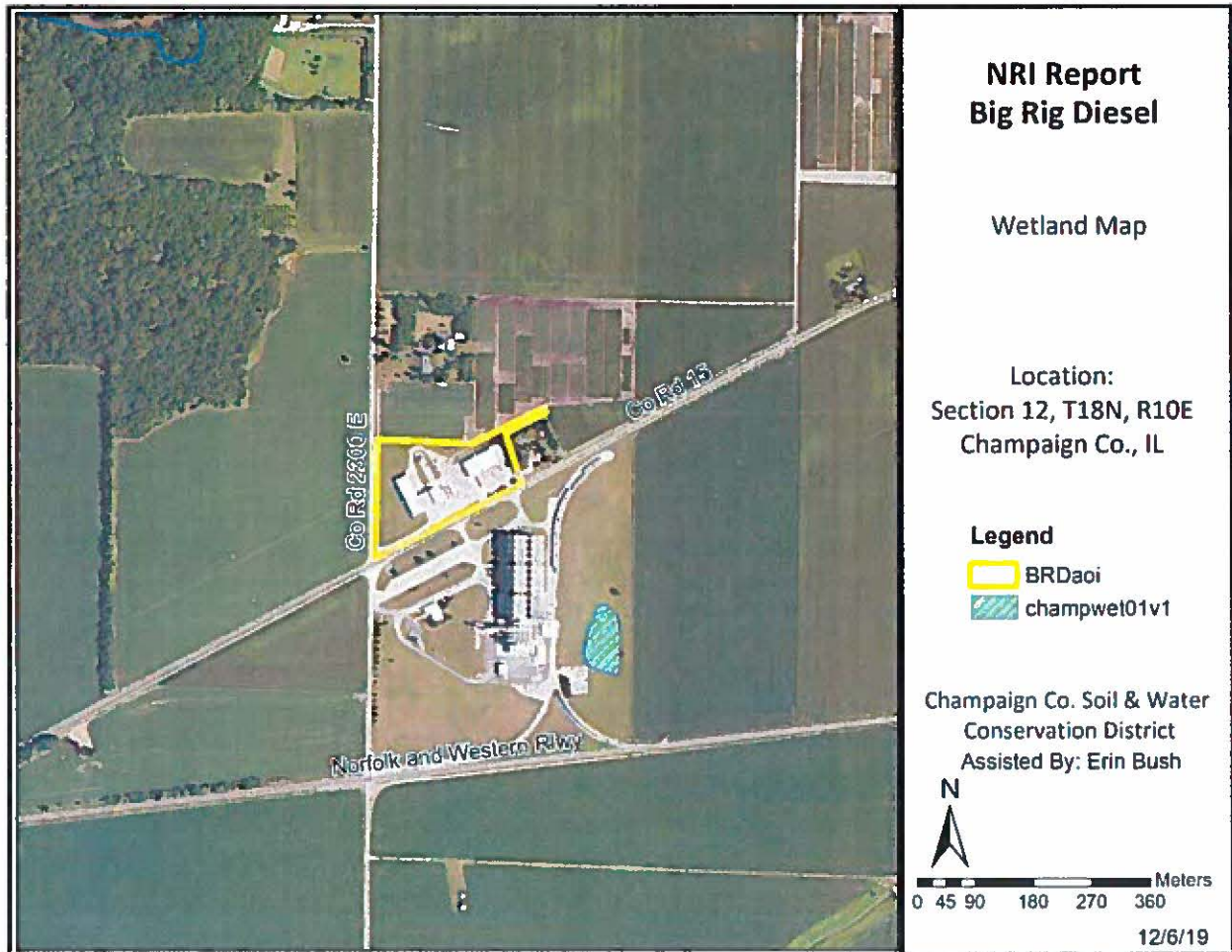
For the subject property: none of the property is in the floodplain.



Wetland Information

Wetlands function in many ways to provide numerous benefits to society and the environment, including flood control, cleanse water, recharge groundwater, and provide a wildlife habitat. However, approximately 95% of the wetlands that were historically present in Illinois have been destroyed. It is crucial that we take steps to conserve current wetlands and reestablish new wetlands where once destroyed. Wetland determinations are made by a certified NRCS staff.

For the subject property: a wetland is not present on the subject property.



Wetland and Floodplain Regulations

Please read the following if you are planning to do any work near a stream, lake, wetland, or floodway, including: dredge, fill, rip rap, or otherwise alter the banks or beds of, or construct, operate, or maintain any dock, pier, wharf, sluice, dam, piling, wall, fence, utility, flood plain, or floodway subject to State or Federal regulatory jurisdiction.

The laws of the United States and the State of Illinois assign certain agencies specific and different regulatory roles to protect the waters within the State's boundaries. These roles, when considered together, include protection of navigation channels and harbors, protection against flood way encroachments, maintenance and enhancement of water quality, protection of fish and wildlife habitat and recreational resources, and, in general, the protection of total public interest. Unregulated use of the waters within the State of Illinois could permanently destroy and adversely impact the public. Therefore, please contact the proper authorities when planning any work associated with Illinois waters so that proper consideration and approval can be obtained.

Regulatory Agencies:

- Wetlands or U.S. Waters: U.S. Army Corps of Engineers

- Floodplains: Illinois Department of Natural Resources/Office of Water Resources, Natural Resources Way, Springfield, IL
- Water Quality/Erosion Control: Illinois Environmental Protection Agency

Coordination: we recommend early coordination with the agencies BEFORE finalizing work plans. This allows the agencies to recommend measures to mitigate or compensate for adverse impacts. This could reduce time required to process necessary approvals and reduce expense.

Cultural and Animal Resources

Cultural Resources

The most common cultural resources found during changes in land use are historical properties or non-structural archaeological sites. These sites often extend below the soil surface and must be protected against disruption by development or other earth moving activity if possible. Cultural resources are non-renewable because there is no way to grow a site to replace a disrupted site. Landowners with historical properties on their land have ownership of that historical property. However, the State of Illinois owns all of the following: human remains, grave markers, burial mounds, and artifacts associated with graves and human remains. Non-grave artifacts from archaeological sites and historical buildings are the property of the landowner. The landowner may choose to disturb a historical property but may not receive federal or state assistance to do so. If an earth-moving activity disturbs human remains, the landowner must contact the county coroner within 48 hours.

The Illinois Historic Preservation Agency may require a Phase 1 Archaeological review to identify any cultural resources that may be on the site. The IHPA has not been contacted by the Champaign County SWCD. The applicant may need to contact the IHPA according to current Illinois law.

Animal Resources

According to the Illinois Endangered Species Protection Act & Illinois Natural Areas Preservation Act, state agencies or local units of government must consult Illinois Department of Natural Resources (IDNR) about proposed actions that they will authorize, fund, or perform. Private parties do not have to consult, but they are liable for prohibited taking of state-listed plants and animals or for adversely modifying a Nature Preserve or a Land and Water Preserve. Home rule governments may delegate this responsibility through duly enacted ordinances to the parties seeking authorization or funding of the action.

Ecologically Sensitive Areas

Biodiversity is the sum of total of all the plants, animals, fungi, and microorganisms in the world, or in a particular area that make up the fabric of the Earth and allow it to function. Biodiversity must be protected, as it is diminishing, which weakens entire natural systems. It is intrinsically valuable for an ecosystem to be biologically diverse to sustain ecosystem health and support life.

As part of the Natural Resources Information Report, staff checks if any nature preserves are in the general vicinity of the subject property. If there is a nature preserve in the area, then that resource will be identified as part of the report. The SWCD recommends that every effort be made to protect

that resource. Such efforts should include but are not limited to erosion control, sediment control, stormwater management, and groundwater monitoring.

For the subject property: as shown on the below EcoCAT, there is no record of sensitive areas in the vicinity of the property.



Applicant: NRCS Champaign County Field Office
Contact: Taylor Shedd
Address: 2110 W. Park court suite C
Champaign, IL 61821
Project: BRD
Address: Champaign, Champaign

IDNR Project Number: 2004716
Date: 12/06/2019

Description: BRD

Natural Resource Review Results

This project was submitted for information only. It is not a consultation under Part 1075.

The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

Location

The applicant is responsible for the accuracy of the location submitted for the project.

County: Champaign

Township, Range, Section:

18N, 10E, 11

18N, 10E, 12



IL Department of Natural Resources

Contact

Impact Assessment Section

217-785-5500

Division of Ecosystems & Environment

Government Jurisdiction

U.S. Department of Agriculture

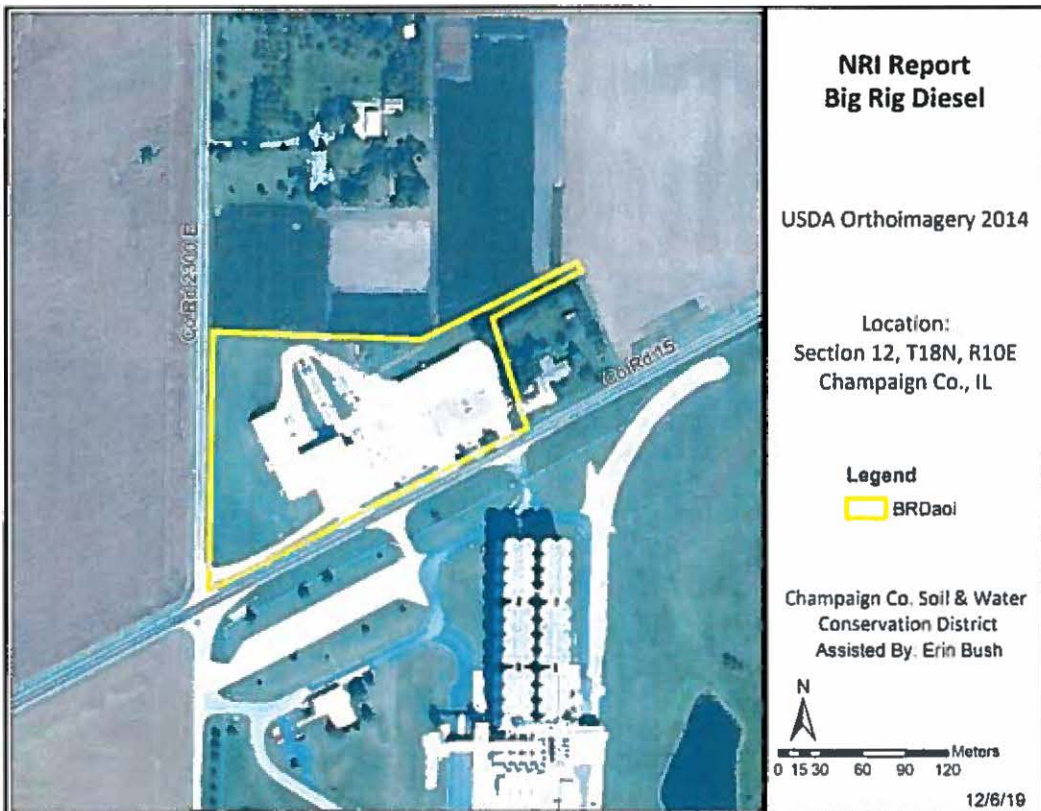
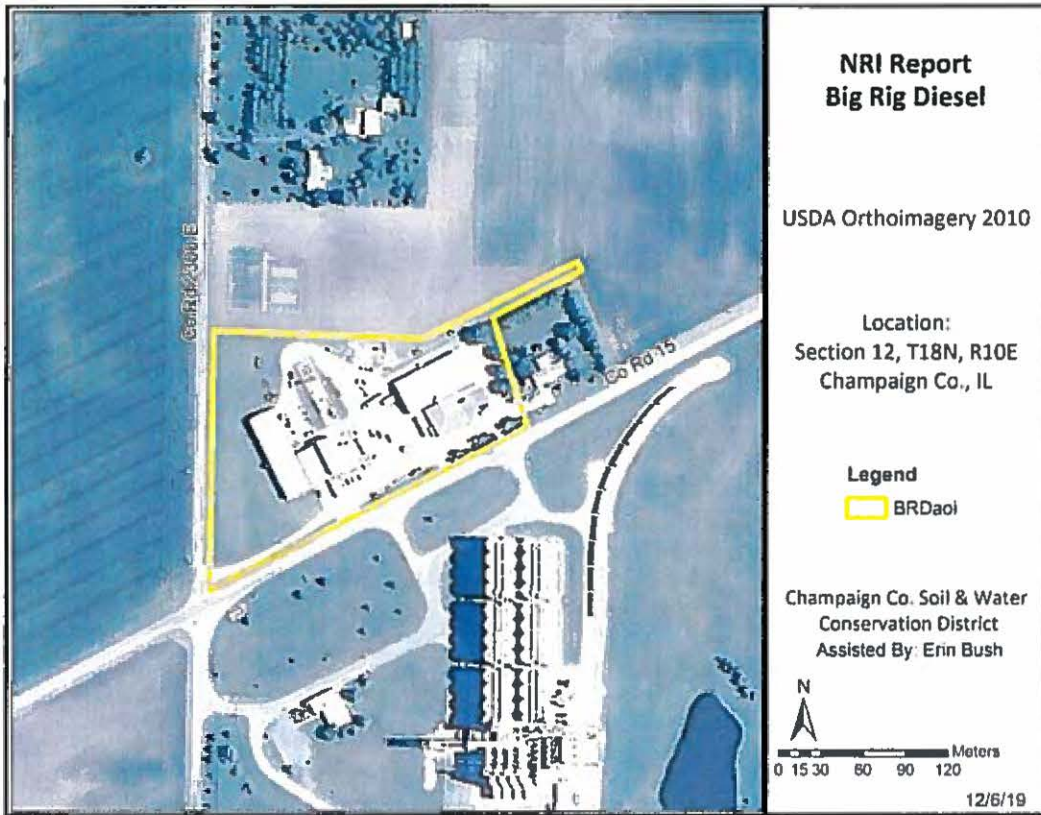
Disclaimer

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, compliance with applicable statutes and regulations is required.

Terms of Use

By using this website, you acknowledge that you have read and agree to these terms. These terms may be revised by IDNR as necessary. If you continue to use the EcoCAT application after we post changes to these terms, it will mean that you accept such changes. If at any time you do not accept the Terms of Use, you may not continue to use the website.

Historic Aerial Photos



Glossary and Acronyms

Agriculture – The growing, harvesting, and storing of crops, including legumes, hay, grain, fruit; and truck or vegetables, including dairy, poultry, swine, sheep, beef cattle, pony and horse, fur, and fish and wildlife; farm buildings used for growing, harvesting, and preparing crop products for market, or for use on the farm; roadside stands, farm buildings for storing and protecting farm machinery and equipment from the elements, or for housing livestock or poultry and for preparing livestock or poultry products for market; farm dwellings occupied by farm owners, operators, tenants, or seasonal or year around hired farm workers.

ADT – average daily traffic that a local road normally receives, based upon records by the County Superintendent of Highways.

B.G. – below grade. Under the surface of the Earth.

Bedrock – indicates depth at which bedrock occurs. Also lists hardness as rippable or hard.

Flooding – indicates frequency, duration, and period during year when floods are likely to occur.

High Level Management – the application of effective practices adapted to different crops, soils, and climatic conditions. Such practices include providing for adequate soil drainage, protection from flooding, erosion and runoff control, near optimum tillage, and planting the correct kind and amount of high-quality seed. Weeds, diseases, and harmful insects are controlled. Favorable soil reaction and near-optimum levels of available nitrogen, phosphorus, and potassium for individual crops are maintained. Efficient use is made of available crop residues, barnyard manure, and/or green manure crops. All operations, when combined efficiently and timely, can create favorable growing conditions and reduce harvesting losses (within limits imposed by weather).

High Water Table – a seasonal highwater table is a zone of saturation at the highest average depth during the wettest part of the year. May be apparent, perched, or artesian.

Water Table, Apparent – a thick zone of free water in the soil indicated by the level at which water stands in an uncased

borehole after adequate time is allowed for adjustment in the surrounding soil.

Water Table, Artesian – a water table under hydrostatic head, generally beneath an impermeable layer. When layer is penetrated, the water level rises in the uncased borehole.

Water Table, Perched – a water table standing above an unsaturated zone, often separated from a lower wet zone by a dry zone.

Delineation – (for wetlands) a series of orange flags placed on the ground by a certified professional that outlines the wetland boundary on a parcel.

Determination – (for wetlands) a polygon drawn on a map using map information that gives an outline of a wetland.

Hydric Soil – soil that is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part (USDA Natural Resources Conservation Service, 1987).

Intensive Soil Mapping – mapping done on a small, intensive scale than a modern soil survey to determine soil properties of a specific site, i.e. mapping for septic suitability.

Land Evaluation Site Assessment (L.E.S.A.) – LESA is a systematic approach for evaluating a parcel of land and to determine a numerical value for the parcel for farmland preservation purposes.

Modern Soil Survey – a soil survey is a field investigation of the soils of a specific area, supported by information from other sources. The kinds of soil in the survey area are identified and their extent is shown on a map. An accompanying report describes, defines, classifies, and interprets the soils. Interpretations predict the behavior of soils under different uses and the soils' response to management. Predictions are made for areas of soil at specific places. Soil information collected in a soil survey are useful in developing land use plans and alternatives.

Palustrine – name given to inland fresh water wetlands.

Permeability – values listed estimate the range of time it takes for downward movement of water in the major soil layers when saturated but allowed to drain freely. The estimates are based on soil texture, soil structure, available data on permeability and infiltration tests, and observation of water movement through soils or other geologic materials.

PIQ – parcel in question

Potential Frost Action – damage that may occur to structures and roads due to ice lens formation, causing upward and lateral soil movement. Based primarily on soil texture and wetness.

Prime Farmland – lands that are best suited for food, feed, forage, fiber, and oilseed crops. It may be cropland, pasture, woodland, or other land, but it is not urban, built up land, or water areas. When well-managed, the soil qualities and moisture supply provide a sustained high yield of crops with minimum inputs of energy and economic resources in the least damage to the environment. Prime farmland has an adequate and dependable supply of moisture from precipitation or irrigation. The temperature and growing season are favorable. The level of acidity or alkalinity is acceptable. Prime farmland has few or no rocks and is permeable to water and air. It is not excessively erodible or saturated with water for long periods and is not frequently flooding during the growing season. The slope ranges from 0 to 5 percent. (USDA Natural Resources Conservation Service)

Productivity Indexes – express the estimated yields of the major grain crops in Illinois as a single percentage of the average yields obtained under basic management from several of the more productive soils in the state (Muscatine, Ipava, Sable, Lisbon, Drummer, Flanagan, Littleton, Elburn, Joy soil series). See Circular 1156 from the Illinois Cooperative Extension Service.

Seasonal – when used in reference to wetlands, indicates the area flooded only during a portion of the year.

Shrink-Swell Potential – indicates volume changes to be expected for the specific soil material with changes in moisture content.

Soil Mapping Unit – collection of soil and miscellaneous areas delineated in mapping. Generally, an aggregate of the delineations of many different bodies of a kind of soil or miscellaneous area but may consist of only one delineated body. Taxonomic class names and accompanying terms are used to name soil map units. They are described in terms of ranges of soil properties within the limits defined for tax and in terms of ranges of tax adjuncts and inclusions.

Soil Series – a group of soils formed from a type of parent material, having horizons that, except for texture of the surface horizon, are similar in all profile characteristics and in arrangement in the soil profile. Among these characteristics are color, texture, structure, reaction, consistence, mineralogy, and chemical composition.

Subsidence – applies mainly to organic soils after drainage. Soil material subsides due to shrinkage and oxidation.

Terrain – the area or surface over which a particular rock or group of rocks is prevalent.

Topsoil – portion of the soil profile where higher concentrations of organic material, fertility, bacterial activity, and plant growth take place. Depths of topsoil vary between soil types.

Watershed – an area of land that drains to an associated water resource, such as a wetland, river, or lake. Depending on the size and topography, watersheds can contain numerous tributaries, such as streams, ditches, and ponding areas, such as detention structures, natural ponds, or wetlands.

Wetland – an area that has a predominance of hydric soils that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support a prevalence of hydrophilic vegetation typically adapted for life in saturated soil conditions.

References

Field Office Technical Guide. Natural Resources Conservation Service.

Flood Insurance Rate Map. National Flood Insurance Program, Federal Emergency Management Agency.

Illinois Urban Manual. 2016. Association of Illinois Soil & Water Conservation Districts.

Soil Survey of Champaign County. USDA – Natural Resources Conservation Service.

Wetlands Inventory Maps. Department of the Interior.

Potential for Contamination of Shallow Aquifers in Illinois. Illinois Department of Energy and Natural Resources, State Geological Survey Division.

Land Evaluation and Site Assessment System. The Kendall County Department of Planning, Building, and Zoning, and the Champaign County Soil and Water Conservation District. In cooperation with: USDA – Natural Resources Conservation Service.

Susan Burgstrom

From: Big Rig Diesel Service LLC <bigrigdieselservice@gmail.com>
Sent: Thursday, December 12, 2019 9:21 AM
To: Susan Burgstrom
Subject: RE: questions for zoning case

1. The existing well should have sufficient capacity for our use. We only have 5 employees (3 are part-time), we would only be using the bathrooms and washing hands no washing machines, or showering so should be minimal use compared to the use it had when Mycogen was there. Less use than my residential household even. I have called a couple plumbers and Sims drilling to come out and inspect waiting on call back from Sims drilling , so far the plumbers have said they do not do inspections like that.

2. There will be very minimal wastewater created , we do not wash trucks, we do not even have a pressure washer. All spills and messes are swept, pigmat soaked up , or oil dry used. Most we ever have that gets pushed to the drain is melted off snow in the winter dripping off the truck wheels. The shop does have drains that go to an oil separator unit before going to outlet.

3. I would estimate around 10 trucks a day some days would be a lot less some maybe more. We usually only work on 2-3 new trucks a day have trucks for larger repairs for a week or so at a time.

4. We may install exterior lights on the building designated as building #1 near the doors to see better at night (we have not had an opportunity to inspect the building closely at night yet). Also possible some parking lot lights if there is a problem with visibility there, we will use full cut-off lights if we install any.

Big Rig Diesel Service LLC
P. 217-212-9122
1503 CR 2700 N.
Rantoul, IL 61866

RECEIVED

DEC 12 2019

CHAMPAIGN CO. P & Z DEPARTMENT



From: Susan Burgstrom <sburgstrom@co.champaign.il.us>
Sent: Tuesday, December 10, 2019 1:48 PM
To: 'bigrigdieselservice@gmail.com' <bigrigdieselservice@gmail.com>
Subject: questions for zoning case

Hi Kyle and Alex,

I would appreciate your help answering the following questions:

1. The ZBA members will likely ask whether the existing well(s) on the subject property have sufficient capacity for business demand. It would be useful to have documentation from a well professional. If you plan to dig a new well, ZBA will want documentation on that too.
2. Could you estimate the volume of wastewater that might be created from equipment repair (vehicle washing, etc)? Where will any wastewater drain to?
3. How much daily traffic do you estimate the business will create at the site?

4. Do you propose to install any new exterior lighting, and if so, would you be willing to make it full cutoff (dark sky friendly) lighting?

Thanks,
Susan

Susan Burgstrom, AICP
Senior Planner
Champaign County Department of Planning & Zoning
1776 East Washington Street
Urbana, IL 61802

P: 217-384-3708
F: 217-819-4021

Susan Burgstrom

From: Big Rig Diesel Service LLC <bigrigdieselservice@gmail.com>
Sent: Thursday, December 12, 2019 9:25 AM
To: Susan Burgstrom
Subject: zoning papers
Attachments: Big Rig Move.doc

We received the letter from our used oil and parts washer company today stating they are providing us services at the new facility I have attached it to this email. Also the question on wastewater , I could add, we use the parts washers to clean parts from the trucks we are working on, that cleaner / solvent stays in the parts washer system , Crystal Clean disposes of that waste for us as well and swaps the tank with new solvent when they come.

Big Rig Diesel Service LLC
P. 217-212-9122
1503 CR 2700 N.
Rantoul, IL 61866



RECEIVED

DEC 12 2019

CHAMPAIGN CO. P & Z DEPARTMENT



RECEIVED

DEC 12 2019

CHAMPAIGN CO P & Z DEPARTMENT

12/12/2019

Big Rig Diesel Service

RE: Used Oil and Parts Cleaner Services

To whom it may concern,

In response to your recent notification in which you stated that your business was relocating to a new location in Homer, IL

This letter is to confirm that all of the current services we provide at your current location will be transferred to this new facility. When we receive notification of the move completion, we will transfer the account in our records.

Current Services

**Used Oil Removal for Recycling
Parts Cleaner Service**

Please feel free to contact me if you have any questions or need any additional information.

Robert Grant
Branch Manager
Heritage-Crystal Clean, LLC
Bloomington, IL

(309) 829-2300 – Office
(309) 830-6042 – Cell
bob.grant@crystal-clean.com



Champaign County Land Resource Management Plan Goals, Objectives and Policies

LRMP Goals

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

Goal 1 Planning and Public Involvement

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

Goal 1 Objectives

Objective 1.1 Guidance on Land Resource Management Decisions

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

Objective 1.2 Updating Officials

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

Objective 1.3 Incremental Updates

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

Objective 1.4 Comprehensive Updates

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



Champaign County Land Resource Management Plan Goals, Objectives and Policies

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

Goal 1 Objectives and Policies

Objective 1.1 Guidance on Land Resource Management Decisions

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

Objective 1.2 Updating Officials

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

Policy 1.2.1

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

Objective 1.3 Incremental Updates

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

Policy 1.3.1

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

Objective 1.4 Comprehensive Updates

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

Policy 1.4.1

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

Policy 1.4.2

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

Goal 2 Governmental Coordination

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

Goal 2 Objectives

Objective 2.1 Local and Regional Coordination

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

Objective 2.2 Information Sharing

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



Champaign County Land Resource Management Plan Goals, Objectives and Policies

Goal 2 Objectives and Policies

Objective 2.1 Local and Regional Coordination

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

Policy 2.1.1

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

Policy 2.1.2

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

Policy 2.1.3

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

Objective 2.2 Information Sharing

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

Goal 3 Prosperity

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

Goal 3 Objectives

Objective 3.1 Business Climate

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

Objective 3.2 Efficient County Administration

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

Objective 3.3 County Economic Development Policy

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



Champaign County Land Resource Management Plan Goals, Objectives and Policies

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.

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.



Champaign County Land Resource Management Plan Goals, Objectives and Policies

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.



Champaign County Land Resource Management Plan Goals, Objectives and Policies

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.



Champaign County Land Resource Management Plan Goals, Objectives and Policies

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.



Champaign County Land Resource Management Plan Goals, Objectives and Policies

Goal 5 Objectives and Policies

Objective 5.1 Population Growth and Economic Development

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

Policy 5.1.1

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

Policy 5.1.2

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

Policy 5.1.3

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

Policy 5.1.4

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

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

Policy 5.1.5

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

Policy 5.1.6

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

Policy 5.1.7

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

Policy 5.1.8

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

Policy 5.1.9

The County will encourage any new *discretionary development* that is located within municipal extra-territorial jurisdiction areas and subject to an annexation agreement (but which is expected to remain in the unincorporated area) to undergo a coordinated municipal and County review process, with the municipality considering any



Champaign County Land Resource Management Plan Goals, Objectives and Policies

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.



Champaign County Land Resource Management Plan Goals, Objectives and Policies

Goal 6 Public Health and Public Safety

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

Goal 6 Objectives

Objective 6.1 Protect Public Health and Safety

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

Objective 6.2 Public Assembly Land Uses

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

Objective 6.3 Development Standards

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

Objective 6.4 Countywide Waste Management Plan

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

Goal 6 Objectives and Policies

Objective 6.1 Protect Public Health and Safety

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

Policy 6.1.1

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

Policy 6.1.2

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

Policy 6.1.3

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

Policy 6.1.4

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

Objective 6.2 Public Assembly Land Uses

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

Policy 6.2.1

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



Champaign County Land Resource Management Plan Goals, Objectives and Policies

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.



Champaign County Land Resource Management Plan Goals, Objectives and Policies

Policy 7.2.3

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

Policy 7.2.4

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

Policy 7.2.5

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

Policy 7.2.6

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

Goal 8 Natural Resources

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

Goal 8 Objectives

Objective 8.1 Groundwater Quality and Availability

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

Objective 8.2 Soil

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

Objective 8.3 Underground Mineral and Energy Resource Extraction

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

Objective 8.4 Surface Water Protection

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

Objective 8.5 Aquatic and Riparian Ecosystems

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

Objective 8.6 Natural Areas and Habitat

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

Objective 8.7 Parks and Preserves

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

Objective 8.8 Air Pollutants

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



Champaign County Land Resource Management Plan Goals, Objectives and Policies

Objective 8.9 Natural Resources Assessment System

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

Goal 8 Objectives and Policies

Objective 8.1 Groundwater Quality and Availability

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

Policy 8.1.1

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

Policy 8.1.2

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

Policy 8.1.3

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

Policy 8.1.4

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

Policy 8.1.5

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

Policy 8.1.6

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

Policy 8.1.7

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

Policy 8.1.8

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

Policy 8.1.9

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

Objective 8.2 Soil

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



Champaign County Land Resource Management Plan Goals, Objectives and Policies

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.



Champaign County Land Resource Management Plan Goals, Objectives and Policies

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.



Champaign County Land Resource Management Plan Goals, Objectives and Policies

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.



Champaign County Land Resource Management Plan Goals, Objectives and Policies

Goal 9 Energy Conservation

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

Goal 9 Objectives

Objective 9.1 Reduce Greenhouse Gases

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

Objective 9.2 Energy Efficient Buildings

Champaign County will encourage energy efficient building design standards.

Objective 9.3 Land Use and Transportation Policies

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

Objective 9.4 Reuse and Recycling

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

Objective 9.5 Renewable Energy Sources

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

Goal 9 Objectives and Policies

Objective 9.1 Reduce Greenhouse Gases

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

Policy 9.1.1

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

Policy 9.1.2

The County will promote energy efficient building design standards.

Policy 9.1.3

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

Objective 9.2 Energy Efficient Buildings

Champaign County will encourage energy efficient building design standards.

Policy 9.2.1

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

Policy 9.2.2

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

Objective 9.3 Land Use and Transportation Policies

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

Objective 9.4 Reuse and Recycling

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

Objective 9.5 Renewable Energy Sources

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



Champaign County Land Resource Management Plan Goals, Objectives and Policies

Goal 10 Cultural Amenities

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

Goal 10 Objective

Objective 10.1 Cultural Amenities

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

Goal 10 Objectives and Policy

Objective 10.1 Cultural Amenities

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

Policy 10.1.1

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



APPENDIX: LRMP 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, as amended. Terms already available in the Zoning Ordinance Definitions have been removed.

Contiguous Urban Growth Area (CUGA)

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 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 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.



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Appendix

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.

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.

RESOLUTION NO. 3425

**A RESOLUTION PERTAINING TO THE
RIGHT TO FARM IN CHAMPAIGN COUNTY**

WHEREAS, the Chairman and the Board of Champaign County have determined that it is in the best interest of the residents of Champaign County to enact a Right to Farm Resolution which reflects the essence of the Farm Nuisance Suit Act as provided for in the Illinois Compiled Statutes, 740 ILCS 70 (1992); and

WHEREAS, the County wishes to conserve, protect, and encourage development and improvement of its agricultural land for the production of food and other agricultural products; and

WHEREAS, when nonagricultural land uses extend into agricultural areas, farms often become the subject of nuisance suits. As a result, farms are sometimes forced to cease operations. Others are discouraged from making investments in farm improvements.

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

1. That the purpose of this resolution is to reduce the loss to the county of its agricultural resources by limiting the circumstances under which farming operations are deemed a nuisance.

2. That the term "farm" as used in this resolution means that part of any parcel of land used for the growing and harvesting of crops, for the feeding, breeding, and management of livestock; for dairying or other agricultural or horticultural use or combination thereof.


3. That no farm or any of its appurtenances should be or become a private or public nuisance because of any changed conditions in the surrounding area occurring after the farm has been in operation for more than one year, when such farm was not a nuisance at the time it began operation.

RESOLUTION NO. 3425

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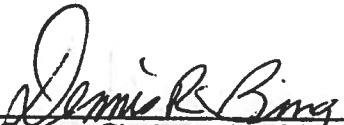
4. That these provisions shall not apply whenever a nuisance results from the negligent or improper operation of any farm or its appurtenances.

PRESENTED, ADOPTED, APPROVED AND RECORDED this 24th day of May, A.D., 1994.



Chairman, County Board of the
County of Champaign, Illinois

ATTEST:



County Clerk and Ex-Officio
Clerk of the County Board

SITE ASSESSMENT (SA) WORKSHEET

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

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

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

2a	Is the subject site Best Prime Farmland?	Yes	30 points	<u>30</u>
		No	0 points	

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

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

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

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

Factor 2b assigns value to a subject site if it exceeds the lot size and configuration limits noted. The 15% limit and 25-acre lot size limit featured are arbitrary values selected to represent the general concern about the conversion and loss of best prime farmland. The *Champaign County Zoning Ordinance* has included a maximum lot size limit on Best Prime Farmland since July, 2004.

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

SITE ASSESSMENT (SA) WORKSHEET

2c	<p>If the subject site is not Best Prime Farmland and is at least 51% Prime Farmland, which one of the following statements is correct:</p> <p>(1) The subject site is larger than 25 acres. (Yes 10 points)</p> <p>(2) All of the following statements are true:</p> <p>i. The subject site is part of a larger parcel that existed on April 12, 2011.</p> <p>ii. Since April 12, 2011, a separate portion or portions of that larger parcel have been converted to a non-agricultural use as the result of a rezoning or special use.</p> <p>iii. In total, the area of the subject site and those areas converted to a non-agricultural use (as identified in item ii. above) is larger than 25 acres. (Yes 10 points)</p> <p>(3) Neither (1) or (2) above apply to the subject site. (Yes 0 points)</p>		0
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Factor 2c assigns value to a subject site which is not Best Prime Farmland but which consists of at least 51% Prime Farmland and exceeds a 25-acre lot size and configuration as of April 12, 2011. The 25-acre size threshold is an arbitrary value selected to represent the general concern about the conversion and loss of Prime Farmland.

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

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

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

3	Is the subject site located within the Contiguous Urban Growth Area?	no yes	40 points 0 points	40
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Factor 3 is a general measure of development pressures which tend to support the conversion of agricultural sites to urban uses.

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

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

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

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

SITE ASSESSMENT (SA) WORKSHEET

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

4	Amount of the perimeter of a subject site that is adjacent to parcels with a principal use of agriculture.	91 to 100% of perimeter	20 points	<div style="border-bottom: 1px solid black; display: inline-block; width: 50px;">14</div>
		81 to 90% of perimeter	18 points	
71 to 80% of perimeter	16 points			
61 to 70% of perimeter	14 points			
51 to 60% of perimeter	12 points			
41 to 50% of perimeter	10 points			
31 to 40% of perimeter	8 points			
21 to 30% of perimeter	6 points			
11 to 20% of perimeter	4 points			
1 to 10% of perimeter	2 points			
none	0 points			
	a) If the subject site is Best Prime Farmland and/or at least 51% Prime Farmland, the amount of the perimeter of the subject site that is adjacent to parcels with a principal use of agriculture that existed on April 12, 2011.			
	b) If the subject site is less than 51% Prime Farmland, the amount of the perimeter of the subject site that is adjacent to parcels with a principal use of agriculture.			

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

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

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

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

Defined terms relevant to the scoring of this factor include:

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

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

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

SITE ASSESSMENT (SA) WORKSHEET

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

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

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

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

5	Distance from the subject site to the nearest city or village limits.	more than 3 miles	15 points	<u>10</u>
		1.51 to 3 miles	10 points	
		within 1.5 miles	5 points	
		adjacent	0 points	

Factor 5 awards higher points the further a subject site is from a city or village. Factor 5 is based on the general assumption that the further the subject site is from a municipality, the less chance there is of a nearby land use or development that would conflict with the agricultural land use of that subject site.

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

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

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

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

Defined terms relevant to the scoring of this factor include:

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

SITE ASSESSMENT (SA) WORKSHEET

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

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

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

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

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

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

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

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

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

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

SITE ASSESSMENT (SA) WORKSHEET

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

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

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

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

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

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

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

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

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

SITE ASSESSMENT (SA) WORKSHEET

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

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

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

9	What is the distance from the subject site to the nearest 10 non-farm dwellings?	more than 1 mile	20 points	<u>16</u>
		0.76 to 1 mile	18 points	
		0.51 to 0.75 mile	16 points	
		0.26 to 0.50 mile	14 points	
		0.01 to 0.25 mile	12 points	
		adjacent	0 points	

Factor 9 considers the proximity of the nearest 10 non-farm dwellings as a general indicator of an existing land use incompatibility with production agriculture and an incompatibility with livestock facilities vis-a-vis the *Illinois Livestock Management Facilities Act (510 ILCS 77/ et seq.)*

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

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

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

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

SITE ASSESSMENT (SA) WORKSHEET

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

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

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

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

SA Total Score	<u>142</u>
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CALCULATING THE TOTAL LESA SCORE

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

LE Total	100
SA Total	142
Total LESA Score	242

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

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

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

968-AM-19 Site Images



968-AM-19
12/12/19

On CR 1050N facing east (subject property on left, Frito Lay on right)



968-AM-19
12/12/19

From CR 2300E facing subject property

968-AM-19 Site Images



West side of Building 1/Office



East side of Building 1/Office

968-AM-19 Site Images



Residence east of Building 1/Office



Buildings 2 – 6 taken from Building 1 facing west

968-AM-19 Site Images



Subject property from CR2300N facing southeast (Frito Lay in back)



Residence north of subject property

PRELIMINARY DRAFT

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**FINDING OF FACT
AND FINAL DETERMINATION**

of

Champaign County Zoning Board of Appeals

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

Date: ***{January 16, 2020}***

Petitioners: **Kyle Britt and Alex Wilson, d.b.a. Big Rig Diesel Service, LLC**

Request: **Amend the Zoning Map to change the zoning district designation from
the AG-1 Agriculture District to the B-3 Highway Business District in
order to establish a Major Automobile Repair Shop.**

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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 16, 2020**, the Zoning Board of Appeals of Champaign County finds that:

1. Kyle Britt, 412 Deerpath St, Tolono, and Alex Wilson, 134 W Orleans St, Paxton, d.b.a. Big Rig Diesel Service, LLC, own the subject property. The petitioners are sole owners and stakeholders of Big Rig Diesel LLC.
2. The subject property is a newly created 6.8 acre tract in the Northwest Quarter of the Southwest Quarter and the Southwest Quarter of the Northwest Quarter of Section 12, Township 18N Range 10E of the Third Principal Meridian in Sidney Township, commonly known as part of the former Agrigenetics tract with an address of 2310 CR 1050 North (County Highway 15), Homer.
3. Regarding municipal extraterritorial jurisdiction and township planning jurisdiction:
 - A. The subject property is not located within the one and one-half mile extraterritorial jurisdiction of a municipality with zoning.
 - B. The subject property is located in Sidney Township, which does not have a Planning Commission.
4. Regarding comments by petitioners, when asked on the petition what error in the present Ordinance is to be corrected by the proposed change, the petitioner has indicated: **“Present ordinance is agriculture use only. New ordinance B-3 Highway Business will allow property to be used for an Automobile Repair Shop. Commercial use and Ag use semi-trucks and trailers will be maintained and repaired here.”**
5. Regarding comments by the petitioner when asked on the petition what other circumstances justify the rezoning, the petitioner has indicated: **“Property was already a business use before will be used still as a business but for commercial use, off the highway will be convenient to drive to. Also property is across from Frito Lay plant which sees a lot of truck traffic already.”**

GENERALLY REGARDING LAND USE AND ZONING IN THE IMMEDIATE VICINITY

6. Land use and zoning on the subject property and in the vicinity are as follows:
 - A. The subject property is a 6.8 acre tract and is currently zoned AG-1 Agriculture. It was in use as the Agrigenetics facility.
 - B. Land to the north of the subject property is zoned AG-1 Agriculture and is in agricultural production.
 - C. Land to the east of the subject property is zoned AG-1 Agriculture and is residential in use.
 - D. Land to the south of the subject property is zoned AG-1 Agriculture and is the Frito Lay storage facility.
 - E. Land to the west is zoned AG-1 Agriculture and is in agricultural production.

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7. Regarding site plan and operations of the subject property:
- A. The Site Plan received December 4, 2019, is the “Aerial Photo Site” page 16 of 117, which indicates the following existing buildings that total 38,848 square feet:
- (1) Office, 65 feet by 72 feet (4,680 square feet);
 - (2) Building 1, 80 feet by 160 feet (12,800 square feet);
 - a. In the petitioner’s business description received December 4, 2019, Building 1 would be the shop and office area.
 - (3) Building 2, 60 feet by 98 feet (5,880 square feet); to be used for cold storage;
 - (4) Building 3, 60 feet by 104 feet (6,240 square feet); to be used for cold storage;
 - (5) Building 4, 60 feet by 80 feet (4,800 square feet); to be used for cold storage;
 - (6) Building 5, 40 feet by 80 feet (3,200 square feet); to be used for cold storage; and
 - (7) Building 6, 26 feet by 48 feet (1,248 square feet); to be used for cold storage.
- B. The petitioners plan to renovate Building 1 by removing partition walls so that trucks have space to come in, and moving the overhead doors on the west and east ends of the building to the center of the walls they are on now. No other renovations are proposed at this time other than signage.
- C. The following are previous Zoning Use Permits for the subject property:
- (1) ZUPA #136-85-03 was approved for Vineyard Seed Company on May 16, 1985, for construction of a facility for seed drying, processing, and sales.
 - (2) ZUPA #175-86-02 was approved for Vineyard Seed Company on June 24, 1986, for new bins, sheller, and scales.
 - (3) ZUPA #110-87-03 was approved for Vineyard Seed Company on April 21, 1987, for construction of a warehouse.
 - (4) ZUPA #193-89-01 was approved for Vineyard Seed Company on July 12, 1989, for construction of a grading tower, corn storage, and ten grain bins.
 - (5) ZUPA #191-90-03 was approved for Vineyard Seed Company on July 11, 1990, for an addition to a warehouse.
 - (6) ZUPA #149-91-01 was approved for Vineyard Seed Company on May 29, 1991, for an addition to a sugar building.
- D. Previous zoning cases for and in the vicinity of the subject property are the following:
- (1) Case 533-S-85 was a Special Use Permit approved for Vineyard Seed Company on May 9, 1985, to establish a facility for seed drying, processing, and sales on the subject property.
 - (2) Case 441-S-82 was a Special Use Permit approved on May 27, 1982, for Frito Lay to construct a grain elevator and storage facility.

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- (3) Case 579-S-86 was a Special Use Permit approved on May 11, 1986, for Frito Lay to add a grain storage facility.
- (4) Case 898-S-18 was a Special Use Permit approved on January 24, 2019 for BayWa r.e. to establish a 150 megawatt PV solar farm.
- (5) Case 903-S-19 was a Special Use Permit approved on November 27, 2018, for FFP IL Community Solar to establish a 4 megawatt PV solar farm.

GENERALLY REGARDING THE EXISTING AND PROPOSED ZONING DISTRICTS

8. Regarding the existing and proposed zoning districts:
 - A. Regarding the general intent of zoning districts (capitalized words are defined in the Ordinance) as described in Section 5 of the Ordinance:
 - (1) The AG-1 Agriculture DISTRICT is intended to protect the areas of the COUNTY where soil and topographic conditions are best adapted to the pursuit of AGRICULTURAL USES and to prevent the admixture of urban and rural USES which would contribute to the premature termination of AGRICULTURE pursuits.
 - (2) The B-3 Highway Business DISTRICT is intended to provide areas for commercial establishments which primarily serve the needs of motorists and are intended for application only adjacent to major thoroughfares in the COUNTY.
 - B. Regarding the different uses that are authorized in the existing and proposed zoning districts by Section 5.2 of the Ordinance:
 - (1) There are 11 types of uses authorized by right in the AG-1 District and there are 49 types of uses authorized by right in the B-3 District:
 - a. The following seven uses are authorized by right in both the AG-1 District and B-3 District:
 - (a) Subdivisions totaling three lots or less;
 - (b) AGRICULTURE, including customary ACCESSORY USES;
 - (c) Minor RURAL SPECIALTY BUSINESS;
 - (d) Plant Nursery;
 - (e) Township Highway Maintenance Garage (must meet separations or SUP is required);
 - (f) Christmas Tree Sales Lot; and
 - (g) Temporary Uses.
 - b. The following three uses are authorized by right in the AG-1 District and are not authorized at all in the B-3 District:
 - (a) SINGLE FAMILY DWELLING;
 - (b) OFF-PREMISES SIGN within 660 feet of edge of the RIGHT-OF-WAY of an interstate highway; and
 - (c) OFF-PREMISES SIGN along federal highway except interstate highways.
 - c. The following 33 uses are authorized by right in the B-3 District and not at all in the AG-1 District:
 - (a) HOTEL – over 15 lodging units;

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- (b) TRAVEL TRAILER Camp;
 - (c) Commercial greenhouse;
 - (d) Greenhouse (not exceeding 1,000 square feet);
 - (e) Garden shop;
 - (f) PARKING GARAGE;
 - (g) PARKING LOT;
 - (h) Telegraph Office;
 - (i) MOTOR BUS Station;
 - (j) Roadside Produce Sales Stand;
 - (k) Artist Studio;
 - (l) Restaurant (indoor service only);
 - (m) Supermarket or Grocery Store;
 - (n) Drive-in Restaurant;
 - (o) Tavern or Night Club;
 - (p) Bakery (less than 2,500 sf);
 - (q) Dairy Store;
 - (r) Delicatessen;
 - (s) Confectionery Store;
 - (t) Retail Liquor Store;
 - (u) Locker, Cold Storage for Individual Use;
 - (v) **Major AUTOMOBILE Repair (all indoors);**
 - (w) Minor AUTOMOBILE Repair (all indoors);
 - (x) Gasoline Service Station;
 - (y) AUTOMOBILE Washing Facility;
 - (z) Automotive Accessories (new);
 - (aa) Antique Sales and Service;
 - (bb) Lawnmower Sales and Service;
 - (cc) Bait Sales;
 - (dd) Outdoor commercial recreational enterprise (except amusement park);
 - (ee) Private Indoor Recreational Development;
 - (ff) Public CAMP or picnic area; and
 - (gg) OFF-PREMISES SIGN.
- d. The following 8 uses are authorized by right in the B-3 District but require a Special Use Permit in the AG-1 District:
- (a) HOTEL – no more than 15 lodging units;
 - (b) SUBDIVISION(S) totaling more than 3 LOTS or with new STREETS or PRIVATE ACCESSWAYS (County Board Special Use Permit);
 - (c) Major RURAL SPECIALTY BUSINESS;
 - (d) Municipal or GOVERNMENT BUILDING;
 - (e) Police Station or Fire Station;
 - (f) Public park of recreational facility;
 - (g) Telephone Exchange; and
 - (h) Commercial Fishing Lake.
- e. There are no uses that are authorized by right in the AG-1 District that require a Special Use Permit in the B-3 District.

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- (2) There are 44 types of uses authorized by Special Use Permit (SUP) in the AG-1 District (including the eight uses authorized by right in the B-3 District, see above) and 12 types of uses authorized by SUP in the B-3 District:
- a. The following seven uses may be authorized by SUP in the both the AG-1 District and B-3 District:
 - (a) Township Highway Maintenance Garage (if all separations are met);
 - (b) Adaptive Reuse of GOVERNMENT BUILDINGS for any USE Permitted by Right;
 - (c) Private or commercial transmission and receiving towers (including antennas) over 100' in height;
 - (d) Radio or Television Station;
 - (e) Electrical Substation;
 - (f) HELIPORT-RESTRICTED LANDING AREAS; and
 - (g) VETERINARY HOSPITAL.

 - b. The following 29 uses may be authorized by Special Use Permit in the AG-1 District and not at all in the B-3 District:
 - (a) Residential PLANNED UNIT DEVELOPMENT;
 - (b) Artificial lake of 1 or more acres;
 - (c) Mineral extraction, Quarrying, topsoil removal, and allied activities;
 - (d) Elementary SCHOOL, Junior High SCHOOL, or High SCHOOL;
 - (e) Penal or correctional institution;
 - (f) Library, museum, or gallery;
 - (g) Sewage disposal plant or lagoon;
 - (h) RESIDENTIAL AIRPORTS;
 - (i) RESTRICTED LANDING AREAS;
 - (j) Farm Chemicals and Fertilizer Sales including incidental storage and mixing of blended fertilizer;
 - (k) Livestock Sales Facility and Stockyards;
 - (l) Slaughter Houses;
 - (m) Grain Storage Elevator and Bins;
 - (n) Riding Stable;
 - (o) Cemetery or Crematory;
 - (p) Pet Cemetery;
 - (q) KENNEL;
 - (r) OFF-PREMISES SIGN beyond 660' of the edge of the RIGHT-OF-WAY of an interstate highway;
 - (s) Contractors Facilities (with No Outdoor STORAGE nor Outdoor OPERATIONS);
 - (t) Contractors Facilities with Outdoor STORAGE and Outdoor OPERATIONS;
 - (u) AGRICULTURAL DRAINAGE CONTRACTOR Facility with no Outdoor STORAGE and/or Outdoor OPERATIONS;
 - (v) AGRICULTURAL DRAINAGE CONTRACTOR Facility with Outdoor STORAGE and/or Outdoor OPERATIONS;
 - (w) SMALL SCALE METAL FABRICATING SHOP;
 - (x) Gas Turbine Peaker;
 - (y) BIG WIND TURBINE TOWER (1-3 turbines);

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- (z) WIND FARM (COUNTY BOARD Special Use Permit);
 - (aa) PV SOLAR FARM (COUNTY BOARD Special Use Permit);
 - (bb) Sawmills, Planing Mills, and related activities; and
 - (cc) Pre-Existing Industrial Uses (existing prior to October 10, 1973).
- c. The following five uses may be authorized by SUP in the B-3 District and not at all in the AG-1 District:
- (a) Warehouse;
 - (b) Self-storage Warehouses, providing heat and utilities to individual units;
 - (c) Self-storage Warehouses, not providing heat and utilities to individual units;
 - (d) Gasoline and Volatile Oils Storage up to and including 80,000 gallon capacity in the Aggregate; and
 - (e) Liquefied Petroleum Gases Storage.

GENERALLY REGARDING THE LRMP GOALS, OBJECTIVES, AND POLICIES

9. 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 RELEVANT LRMP GOALS & POLICIES

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

10. LRMP Goal 1 is entitled “Planning and Public Involvement” and states:

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

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

11. LRMP Goal 2 is entitled “Governmental Coordination” and states:

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.

12. LRMP Goal 3 is entitled “Prosperity” and states:

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 **HELP ACHIEVE** Goal 3 for the following reasons:

- A. The three objectives are:
- (1) Objective 3.1 is entitled “Business Climate” and states: “Champaign County will seek to ensure that it maintains comparable tax rates and fees, and a favorable business climate relative to similar counties.”
 - (2) Objective 3.2 is entitled “Efficient County Administration” and states: “Champaign County will ensure that its regulations are administered efficiently and do not impose undue costs or delays on persons seeking permits or other approvals.”
 - (3) Objective 3.3 is entitled “County Economic Development Policy” and states: “Champaign County will maintain an updated Champaign County Economic Development Policy that is coordinated with and supportive of the LRMP.”
- B. Although the proposed rezoning is **NOT DIRECTLY RELEVANT** to any of these objectives, the proposed rezoning will allow the petitioners to move and grow their operations with proper zoning and to continue serving residents of Champaign County, and therefore the proposed rezoning can be said to **HELP ACHIEVE** Goal 3.

13. LRMP Goal 4 is entitled “Agriculture” and states:

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. Objectives 4.4, 4.5, 4.6, 4.8, 4.9 and their policies do not appear to be relevant to the proposed rezoning. The proposed amendment will **HELP ACHIEVE** Goal 4 for the following reasons:

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

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Objective 4.1 includes nine subsidiary policies. Policies 4.1.2, 4.1.3, 4.1.4, 4.1.5 and 4.1.9 do not appear to be relevant to the proposed rezoning. The proposed rezoning will **HELP ACHIEVE** Objective 4.1 because of the following:

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

The proposed rezoning will **HELP ACHIEVE** Policy 4.1.1 because the Site Plan received December 4, 2019, shows no plan to remove additional land from agricultural production.

- (2) Policy 4.1.6 states: **“Provided that the use, design, site and location are consistent with County policies regarding:**
- i. Suitability of the site for the proposed use;**
 - ii. Adequacy of infrastructure and public services for the proposed use;**
 - iii. Minimizing conflict with agriculture;**
 - iv. Minimizing the conversion of farmland; and**
 - v. Minimizing the disturbance of natural areas; then**
 - a) On best prime farmland, the County may authorize discretionary residential development subject to a limit on total acres converted which is generally proportionate to tract size and is based on the January 1, 1998 configuration of tracts, with the total amount of acreage converted to residential use (inclusive of by right development) not to exceed three acres plus three acres per each 40 acres (including any existing right-of-way), but not to exceed 12 acres in total; or**
 - b) On best prime farmland, the County may authorize non-residential discretionary development; or**
 - c) The County may authorize discretionary review development on tracts consisting of other than best prime farmland.”**

The proposed rezoning will **HELP ACHIEVE** Policy 4.1.6 for the following reasons:

- a. The soil on the subject property is best prime farmland and consists of 152A Drummer silty clay loam and 154A Flanagan silt loam, and has an average Land Evaluation (LE) score of 100.
- b. The Site Assessment (SA) portion of the LESA analysis scored 142 out of 200 points.
- c. The total LESA Score of 242 receives the second highest protection rating in LESA, which is “high rating for protection.”
- d. Regarding compliance with policies having to do with the suitability of the site for the proposed use, the ZBA has recommended that the proposed rezoning will **HELP ACHIEVE** Policy 4.3.2 regarding site suitability on best prime farmland.

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- e. Regarding compliance with policies having to do with the adequacy of infrastructure and public services for the proposed use, the ZBA has recommended that the proposed rezoning will **HELP ACHIEVE** Policy 4.3.3 regarding public services and Policy 4.3.4 regarding infrastructure.
 - f. Regarding compliance with policies having to do with minimizing conflict with agriculture, the ZBA has recommended that the proposed rezoning will **HELP ACHIEVE** Policy 4.2.1, Policy 4.2.2, Policy 4.2.3, and Policy 4.2.4 regarding minimizing conflict with agriculture.
 - g. There are no relevant policies having to do with minimizing the conversion of farmland, but the petitioners do not anticipate taking farmland out of production for the business.
 - h. Regarding compliance with policies having to do with minimizing the disturbance of natural areas, no new construction is proposed, and there are no natural areas on the subject property.
- (3) Policy 4.1.7 states, **“To minimize the conversion of best prime farmland, the County will require a maximum lot size limit on new lots established as by right development on best prime farmland.”**

The proposed rezoning will **NOT IMPEDE** Policy 4.1.4 because of the following:

- a. Should the rezoning to B-3 be approved, the maximum lot size would not apply to this parcel, because that regulation only applies to AG-1, AG-2, and CR districts.
- (4) Policy 4.1.8 states, **“The County will consider the LESA rating for farmland protection when making land use decisions regarding a discretionary development.”**

The proposed rezoning will **NOT IMPEDE** Policy 4.1.8 for the following reasons:

- a. The soil on the subject property is best prime farmland and consists of 152A Drummer silty clay loam and 154A Flanagan silt loam, and has an average Land Evaluation (LE) score of 100.
 - b. The Site Assessment (SA) portion of the LESA analysis scored 142 out of 200 points.
 - c. The total LESA Score of 242 receives the second highest protection rating in LESA, which is “high rating for protection.” Even though the LESA score indicates a “high rating for protection”, this set of buildings has existed since at least then 1980s, there has been no agricultural production on the 6.8 acre tract since about 2009, and no new construction is proposed.
- B. Objective 4.2 is entitled “Development Conflicts with Agricultural Operations” and states, “Champaign County will require that each *discretionary review* development will not interfere with agricultural operations.”

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

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

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

- a. The Land Resource Management Plan (LRMP) provides no guidance regarding what products or services are better provided in a rural area and therefore that determination must be made in each zoning case.
 - b. In the application packet received December 4, 2019, the petitioners stated that they do any and all repairs to diesel powered equipment, including agricultural and construction equipment and vehicles.
 - c. The B-3, Highway Business DISTRICT is intended to provide areas for commercial establishments which primarily serve the needs of motorists and are intended for application only adjacent to major thoroughfares in the COUNTY.
 - (a) The facility is located on CR 1050N (County Highway 15); a County Highway is considered to be Collector Street for zoning purposes, which is equivalent to an urban arterial street.
- (2) Policy 4.2.2 states, **“The County may authorize *discretionary review* development in a rural area if the proposed development:**
- a. **is a type that does not negatively affect agricultural activities; or**
 - b. **is located and designed to minimize exposure to any negative affect caused by agricultural activities; and**
 - c. **will not interfere with agricultural activities or damage or negatively affect the operation of agricultural drainage systems, *rural* roads, or other agriculture-related infrastructure.”**

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

- a. An Automobile Repair Shop must be located entirely indoors, with the exception of parking vehicles.
 - b. Agricultural drainage should not be affected because no new construction is proposed.
 - c. Item 13.C.(3): Policy 4.3.4 has information on traffic impacts that is relevant to Policy 4.2.2.
- (3) Policy 4.2.3 states, **“The County will require that each proposed *discretionary development* explicitly recognize and provide for the right of agricultural activities to continue on adjacent land.”**

The proposed rezoning will **HELP ACHIEVE** Policy 4.2.3 for the following reasons:

- a. The Petitioners understand that this is a rural area where agricultural activities take place.

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- b. A special condition has been proposed to ensure compliance with Right to Farm Resolution 3425.
- (4) Policy 4.2.4 states, **“To reduce the occurrence of agricultural land use and non-agricultural land use nuisance conflicts, the County will require that all discretionary review consider whether a buffer between existing agricultural operations and the proposed development is necessary.”**

The proposed rezoning will **HELP ACHIEVE** Policy 4.2.4 for the following reasons:

- a. The subject property has evergreen screening along CR 1050N (County Highway 15) and adjacent to the residential property to the east. Building 1, where auto repair operations will occur, serves as a partial buffer for the agricultural land to the north. No buffer currently exists for the west and part of the north side, but operations in that area will be limited to cold storage and should not need a buffer.
- C. Objective 4.3 is entitled “Site Suitability for Discretionary Review Development” and states: “Champaign County will require that each discretionary review development is located on a suitable site.”

Objective 4.3 includes five subsidiary policies. Policy 4.3.1 does not appear to be relevant to the proposed rezoning. The proposed rezoning will **HELP ACHIEVE** Objective 4.3 because of the following:

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

The proposed rezoning will **HELP ACHIEVE** Policy 4.3.2 for the following reasons:

- a. The soil on the subject property is best prime farmland and consists of 152A Drummer silty clay loam and 154A Flanagan silt loam, and has an average Land Evaluation (LE) score of 100.
- b. The Site Assessment (SA) portion of the LESA analysis scored 142 out of 200 points.
- c. The total LESA Score of 242 receives the second highest protection rating in LESA, which is “high rating for protection.”
- (a) Even though the LESA score indicates a “high rating for protection”, this set of buildings has existed since the 1980s, there has been no agricultural production on the 6.8 acre tract since about 2009, and no new construction is proposed.
- d. The subject property had been an agricultural business for many years.
- e. Agricultural drainage should not be affected.
- f. The subject property is not served by sanitary sewer and is not a large generator of wastewater.

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- g. The B-3, Highway Business DISTRICT is intended to provide areas for commercial establishments which primarily serve the needs of motorists and are intended for application only adjacent to major thoroughfares in the COUNTY.
- (a) The subject property fronts CR 1050N (County Highway 15), which is a rural collector with more significant traffic volumes than a township road.

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

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

- a. The subject property is located approximately 2.8 road miles from the Sidney Fire Protection District station. The District was notified of the case and no comments were received.

- (3) Policy 4.3.4 states, **“The County may authorize a discretionary review development provided that existing public infrastructure, together with proposed improvements, is adequate to support the proposed development effectively and safely without undue public expense.”**

The proposed rezoning will *HELP ACHIEVE* Policy 4.3.4 for the following reasons:

- a. The Illinois Department of Transportation measures traffic on various roads throughout the County and determines the annual average 24-hour traffic volume for those roads and reports it as Average Daily Traffic (ADT). The most recent ADT data is from 2016 in the vicinity of the subject property CR 1050 North (County Highway 15) had an ADT of 2,200.
- (a) The Illinois Department of Transportation’s *Manual of Administrative Policies of the Bureau of Local Roads and Streets* general design guidelines recommends that local roads with an ADT over 2,000 vehicle trips have a minimum shoulder width of eight feet made of aggregate or pavement. The gravel shoulders are about 4 feet wide on each side of CR 1050 North (County Highway 15).
- (b) The pavement surface of CR 1100 North (County Highway 15) in the vicinity of the subject property is paved and striped. The pavement width is about 24 feet, which would equate to a design volume of over 2,000 ADT. The road appears to have sufficient capacity for existing traffic plus the minimal increase created by the auto repair shop.
- (c) If the 6.8 acre subject property were developed for by right residential use, one more parcel could be created, thus allowing two dwellings. Based on the standard assumption that each proposed dwelling is the source of 10 ADT, the two residences that could be constructed by right on the property would create 20 average daily vehicle trips.

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- (d) Regarding traffic created by the proposed auto repair shop, in an email dated December 12, 2019, the petitioner stated, “I would estimate around 10 trucks a day; some days would be a lot less, some maybe more. We usually only work on 2-3 new trucks a day and have trucks for larger repairs for a week or so at a time.”
- (4) Policy 4.3.5 states, “**On best prime farmland, the County will authorize a business or other non-residential use only if:**
- a. **It also serves surrounding agricultural uses or an important public need; and cannot be located in an urban area or on a less productive site; or**
 - b. **the use is otherwise appropriate in a rural area and the site is very well suited to it.”**

The proposed rezoning will *HELP ACHIEVE* Policy 4.3.5 for the following reasons:

- a. The proposed use serves surrounding agriculture by servicing agricultural vehicles and equipment.
 - b. The proposed use is located on land that has not been in agricultural production for ten years.
 - c. Regarding whether the site is very well suited to the proposed land use, the ZBA has recommended that the proposed rezoning will *HELP ACHIEVE* Policy 4.3.2 regarding whether the site with proposed improvements is well-suited overall for the proposed land use.
- D. Objective 4.7 is entitled “Right to Farm Resolution” and states: “Champaign County affirms County Resolution 3425 pertaining to the right to farm in Champaign County.”

The proposed rezoning will *HELP ACHIEVE* Objective 4.7 because of the following:

- (1) A special condition has been added to ensure compliance with Right to Farm Resolution 3425.

14. 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 *NOT IMPEDE* the achievement of Goal 5.

15. 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. Objectives 6.2, 6.3, 6.4 and their policies do not appear to be relevant to the proposed rezoning. The proposed amendment will *HELP ACHIEVE* the achievement of Goal 6.

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

The proposed rezoning will **HELP ACHIEVE** Objective 6.1 because:

- (1) Policy 6.1.1 does not appear to be relevant to the proposed rezoning.
- (2) Policy 6.1.2 states, “**The County will ensure that the proposed wastewater disposal and treatment systems of discretionary development will not endanger public health, create nuisance conditions for adjacent uses, or negatively impact surface or groundwater quality.**”

The proposed rezoning will **HELP ACHIEVE** Policy 6.1.2 because:

- a. In an email received December 12, 2019, the petitioner stated, “There will be very minimal wastewater created, we do not wash trucks, we do not even have a pressure washer. All spills and messes are swept, pigmat soaked up, or oil dry used. Most we ever have that gets pushed to the drain is melted off snow in the winter dripping off the truck wheels. The shop does have drains that go to an oil separator unit before going to outlet.
 - b. In a second email received December 12, 2019, the petitioner stated, “We received the letter from our used oil and parts washer company today stating they are providing us services at the new facility I have attached it to this email. Also the question on wastewater, I could add, we use the parts washers to clean parts from the trucks we are working on, that cleaner / solvent stays in the parts washer system, Crystal Clean disposes of that waste for us as well and swaps the tank with new solvent when they come.”
- (3) Policy 6.1.3 states, “**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.**”
The proposed rezoning will **HELP ACHIEVE** Policy 6.1.2 because:
- a. In an email received December 12, 2019, the petitioner stated, “We may install exterior lights on the building designated as building #1 near the doors to see better at night (we have not had an opportunity to inspect the building closely at night yet). Also possible some parking lot lights if there is a problem with visibility there, we will use full cut-off lights if we install any.”
- (4) Policy 6.1.4 states, “**The County will seek to abate blight and to prevent and rectify improper dumping.**”

The proposed rezoning will **HELP ACHIEVE** Policy 6.1.2 because:

- a. The petitioners indicated in their application: “We keep no inventory of parts other than what the trucks that we are currently working on need and our used oil and coolant is stored in plastic totes and picked up by Heritage Crystal Clean. The same company will be servicing us at the Homer location.”

16. 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. Objective 7.2 and its subsidiary policies do not appear to be relevant to the proposed rezoning. The proposed rezoning will **HELP ACHIEVE** Goal 7 for the following reason:

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

The proposed rezoning will **HELP ACHIEVE** Objective 7.1 because:

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

The proposed rezoning will **HELP ACHIEVE** Policy 7.1.1 because:

- a. Item 13.C.(3): Policy 4.3.4 has information on traffic impacts; it would appear that the proposed business would not significantly increase traffic volumes.

- B. The proposed amendment will **NOT IMPEDE** the achievement of Objective 7.2 and its policies.

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

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

Goal 8 has 9 objectives and 36 policies. Objectives 8.3, 8.4, 8.5, 8.7, 8.8, and 8.9 and their subsidiary policies are not relevant to the proposed amendment.

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

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

Policies 8.1.2, 8.1.3, 8.1.4, 8.1.5, 8.1.6, 8.1.8, and 8.1.9 do not appear to be relevant to the proposed rezoning. The proposed rezoning will **HELP ACHIEVE** Objective 8.1 because:

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

The proposed rezoning will **HELP ACHIEVE** Policy 8.1.1 for the following reason:

- a. In an email received December 12, 2019, the petitioner stated, “The existing well should have sufficient capacity for our use. We only have 5 employees (3 are part-time), we would only be using the bathrooms and washing hands no washing machines, or showering so should be minimal use compared to the use it had when Mycogen was there. Less use than my residential household even. I have called a couple plumbers and Sims drilling to come out and inspect waiting on call back from Sims drilling , so far the plumbers have said they do not do inspections like that.”

- (2) Policy 8.1.7 states, “**The County will ensure that existing and new developments do not pollute the groundwater supply.**”

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The proposed rezoning will **HELP ACHIEVE** Policy 8.1.7 for the following reason:

- a. The petitioners indicated in their application: “our used oil and coolant is stored in plastic totes and picked up by Heritage Crystal Clean. The same company will be servicing us at the Homer location.”
- b. In an email received December 12, 2019, the petitioner stated, “We received the letter from our used oil and parts washer company today stating they are providing us services at the new facility I have attached it to this email. Also the question on wastewater, I could add, we use the parts washers to clean parts from the trucks we are working on, that cleaner/solvent stays in the parts washer system, Crystal Clean disposes of that waste for us as well and swaps the tank with new solvent when they come.”

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

Policies 8.6.1, 8.6.2, 8.6.5, and 8.6.6 are not relevant to the proposed amendment. The proposed rezoning will **HELP ACHIEVE** Objective 8.6 because of the following:

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

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

- a. The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location, per the Natural Resource Report received December 11, 2019 from the Champaign County Soil and Water Conservation District.

- (2) Policy 8.6.4 states, “**The County will require implementation of IDNR recommendations for discretionary development sites that contain endangered or threatened species, and will seek to ensure that recommended management practices are maintained on such sites.**”

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

- a. The subject property does not contain endangered or threatened species.

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

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

The proposed amendment will **NOT IMPEDE** the achievement of Goal 9.

19. 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.

The proposed amendment will **NOT IMPEDE** the achievement of Goal 10.

GENERALLY REGARDING THE LASALLE FACTORS

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

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

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

Table 1. Land Use and Zoning Summary

Direction	Land Use	Zoning
Onsite	Former Agrigenetics facility	AG-1 Agriculture (Proposed rezoning to B-3)
North	Agriculture	AG-1 Agriculture
East	Residential	AG-1 Agriculture
West	Agriculture, Residential	AG-1 Agriculture
South	Agriculture, Residential	AG-1 Agriculture

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

- (1) It is impossible to establish values without a formal real estate appraisal which has not been requested nor provided and so any discussion of values is necessarily general.
- (2) In regards to the value of nearby residential properties, it is not clear if the requested map amendment would have any effect.
- (3) This area is primarily an agricultural area and the subject property has been an agricultural research facility for decades.

C. ***LaSalle* factor: The extent to which the destruction of property values of the plaintiff promotes the health, safety, morals, and general welfare of the public.**

There has been no evidence submitted regarding property values. The proposed rezoning should not have a negative effect on the public health, safety, and welfare.

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The gain to the public of the proposed rezoning is positive because the proposed amendment would allow Big Rig Diesel Service to continue serving agricultural and commercial trucks and other vehicles in order to support area agricultural and commercial activities.

E. LaSalle factor: The suitability of the subject property for the zoned purposes.

In the review of Policy 4.3.2 the ZBA has recommended the following that the proposed rezoning will **HELP ACHIEVE** Policy 4.3.2 regarding whether the site with proposed improvements is well-suited overall for the proposed land use.

F. LaSalle factor: The length of time the property has been vacant as zoned considered in the context of land development in the vicinity of the subject property.

The subject property, which has been an agricultural research business for years, was auctioned off in October 2019.

G. Sinclair factor: The need and demand for the use.

(1) The ZBA has recommended that the proposed rezoning will **HELP ACHIEVE** Policy 4.2.1 regarding whether the proposed use **IS** a service better provided in a rural area.

(2) In the review of Policy 4.3.5 the ZBA has recommended the following:

a. The proposed use **DOES** serve surrounding agricultural land uses.

b. The proposed development **IS** otherwise appropriate in a rural area.

H. Sinclair factor: The extent to which the use conforms to the municipality's comprehensive planning.

The ZBA has recommended that the proposed rezoning will **HELP ACHIEVE** the Champaign County Land Resource Management Plan.

I. Overall, the proposed map amendment IS CONSISTENT with the LaSalle and Sinclair factors.**REGARDING THE PURPOSE OF THE ZONING ORDINANCE**

21. The proposed amendment will **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.

This purpose is directly related to the limits on building coverage and the minimum yard requirements in the Ordinance and the proposed site plan appears to be in compliance with those requirements.

- 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 requested Map Amendment should not decrease the value of nearby properties.

- 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 rezoning is not likely to significantly increase traffic, but no Traffic Impact Assessment has been done.

- 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 rezoning will not trigger the need for storm water management.

- 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.

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

(2) In regards to public comfort and general welfare, this purpose is similar to the purpose of conserving property values established in paragraph 2.0 (b) and is in harmony to the same degree.

- F. Paragraph 2.0 (f) states that one purpose of the Ordinance is regulating and limiting the height and bulk of BUILDINGS and STRUCTURES hereafter to be erected; and paragraph 2.0 (g) states that one purpose is establishing, regulating, and limiting the BUILDING or SETBACK lines on or along any STREET, trafficway, drive or parkway; and paragraph 2.0 (h) states that one purpose is regulating and limiting the intensity of the USE of LOT AREAS, and regulating and determining the area of OPEN SPACES within and surrounding BUILDINGS and STRUCTURES.

These three purposes are directly related to the limits on building height and building coverage and the minimum setback and yard requirements in the Ordinance and the proposed site plan appears to be in compliance with those limits.

- G. Paragraph 2.0 (i) of the Ordinance states that one purpose of the Ordinance is classifying, regulating, and restricting the location of trades and industries and the location of BUILDINGS, STRUCTURES, and land designed for specified industrial, residential, and other land USES; and paragraph 2.0 (j.) states that one purpose is dividing 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

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to carry out the purpose of the ordinance; and paragraph 2.0 (k) states that one purpose is fixing regulations and standards to which BUILDINGS, STRUCTURES, or USES therein shall conform; and paragraph 2.0 (l) states that one purpose is prohibiting USES, BUILDINGS, OR STRUCTURES incompatible with the character of such DISTRICT.

Harmony with these four purposes requires that the special conditions of approval sufficiently mitigate or minimize any incompatibilities between the proposed rezoning and adjacent uses, and that the special conditions adequately mitigate any problematic conditions.

- H. 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.

This purpose is directly related to maintaining compliance with the Zoning Ordinance requirements for the District and the specific types of uses and the proposed use will have to be conducted in compliance with those requirements.

- I. 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.
- (1) Agricultural research businesses have been on the subject property since the 1980s.
 - (2) The proposed rezoning will not take any land out of production.

- J. 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.

There are no natural features on the subject property.

- K. 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 rezoning will not require the development of public utilities or transportation facilities.

- L. 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 use will not take any land out of production.

- M. 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 rezoning will not hinder the development of renewable energy sources.

REGARDING SPECIAL CONDITIONS OF APPROVAL

22. The following are proposed Special Conditions of Approval.

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

The above special condition is necessary to ensure the following:

Conformance with Policy 4.2.3 of the Land Resource Management Plan.

- B. **A Change of Use Permit shall be applied for within 30 days of the approval of Case 968-AM-19 by the County Board.**

The above special condition is required to ensure the following:

The establishment of the proposed use shall be properly documented as required by the Zoning Ordinance.

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DOCUMENTS OF RECORD

1. Petition for Zoning Map Amendment received December 4, 2019, with attachments:
 - A Boundary Survey by Berns, Clancy & Associates dated November 13, 2019
 - B Property legal description
 - C Big Rig Diesel description
 - D Description of buildings on pages 16 to 33 of 117
2. Site Plan: Description of buildings page 16 of 117
3. Champaign County Land Resource Management Plan (LRMP) Goals, Objectives, and Policies
4. Champaign County Land Resource Management Plan (LRMP) Appendix of Defined Terms
5. Natural Resource Report by Champaign County Soil and Water Conservation District received December 11, 2019
6. Emails from petitioners received December 12, 2019
7. Preliminary Memorandum for Case 968-AM-19 dated January 9, 2020, with attachments:
 - A Case Maps (Location, Land Use, Zoning)
 - B Site Plan: Description of buildings page 16 of 117 received December 4, 2019
 - C Boundary Survey by Berns, Clancy & Associates dated November 13, 2019 and received December 4, 2019
 - D Big Rig Diesel description received December 4, 2019
 - E Natural Resource Report by Champaign County Soil and Water Conservation District received December 11, 2019
 - F Emails from petitioners received December 12, 2019
 - G LRMP Land Use Goals, Objectives, and Policies
 - H LRMP Appendix of Defined Terms
 - I Right to Farm Resolution 3425
 - J LESA Scoresheet completed by staff on December 5, 2019
 - K Site Images taken December 12, 2019
 - L Draft Finding of Fact and Final Determination dated January 16, 2020

SUMMARY FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **January 16, 2020**, the Zoning Board of Appeals of Champaign County finds that:

1. The proposed Zoning Ordinance map amendment will **HELP ACHIEVE** the Land Resource Management Plan because:
 - A. Regarding Goal 3 Prosperity:
 - (1) Although the proposed rezoning is **NOT DIRECTLY RELEVANT** to any of the Goal 3 objectives, the proposed rezoning will allow the petitioners to move and grow their operations with proper zoning and to continue serving residents of Champaign County.
 - (2) Based on achievement of the above and because it will either not impede or is not relevant to the other Objectives and Policies under this goal, the proposed map amendment will **HELP ACHIEVE** Goal 3 Prosperity.
 - B. Regarding Goal 4 Agriculture:
 - (1) It will **HELP ACHIEVE** Objective 4.1 requiring minimization of the fragmentation of farmland, conservation of farmland, and stringent development standards on best prime farmland because it will **HELP ACHIEVE** the following:
 - a. Policy 4.1.1, which states that 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 (see Item 13.A.(1)).
 - b. Policy 4.1.6 requiring that the use, design, site and location are consistent with policies regarding suitability, adequacy of infrastructure and public services, conflict with agriculture, conversion of farmland, and disturbance of natural areas (see Item 13.A.(2)).
 - c. Policy 4.1.7 requiring a maximum lot size limit on new lots established as by right development on best prime farmland (see Item 13.A.(3)).
 - d. Policy 4.1.8 requiring the County to consider the LESA rating for farmland protection when making land use decisions regarding a discretionary development (see Item 13.A.(4)).
 - (2) It will **HELP ACHIEVE** Objective 4.2 requiring discretionary development to not interfere with agriculture because it will **HELP ACHIEVE** the following:
 - a. Policy 4.2.1 requiring a proposed business in a rural area to support agriculture or provide a service that is better provided in the rural area (see Item 13.B.(1)).
 - b. Policy 4.2.2 requiring discretionary development in a rural area to not interfere with agriculture or negatively affect rural infrastructure (see Item 13.B.(2)).

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- c. Policy 4.2.3 requiring that each proposed *discretionary development* explicitly recognize and provide for the right of agricultural activities to continue on adjacent land (see Item 13.B.(3)).
 - d. Policy 4.2.4 requiring that all discretionary review consider whether a buffer between existing agricultural operations and the proposed development is necessary (see Item 13.B.(4)).
- (3) It will **HELP ACHIEVE** Objective 4.3 requiring any discretionary development to be on a suitable site because it will **HELP ACHIEVE** the following:
- a. Policy 4.3.2 requiring a discretionary development on best prime farmland to be well-suited overall (see Item 13.C.(1)).
 - b. Policy 4.3.3 requiring existing public services be adequate to support the proposed development effectively and safely without undue public expense (see Item 13.C.(2)).
 - c. Policy 4.3.4 requiring existing public infrastructure be adequate to support the proposed development effectively and safely without undue public expense (see Item 13.C.(3)).
 - d. Policy 4.3.5 requiring that a business or non-residential use establish on best prime farmland only if it serves surrounding agriculture and is appropriate in a rural area (see Item 13.C.(4)).
- (4) It will **HELP ACHIEVE** Objective 4.7 regarding County Resolution 3425 pertaining to the right to farm in Champaign County because a special condition of approval has been added affirming the petitioner's acceptance of Resolution 3425 (see Item 13.D.).
- (5) Based on achievement of the above Objectives and Policies, the proposed map amendment will **HELP ACHIEVE** Goal 4 Agriculture.
- C. Regarding Goal 6 Public Health and Safety:
- (1) The proposed amendment will **HELP ACHIEVE** Objective 6.1 requiring protection of the public health and public safety in land resource management decisions because it will **HELP ACHIEVE** the following:
- a. Policy 6.1.2 requiring that 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 (see Item 15.A.(2)).
 - b. Policy 6.1.3 seeking to prevent nuisances created by light and glare, limit excessive night lighting, and preserve clear views of the night sky (see Item 15.A.(3)).

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- c. Policy 6.1.4 seeking to abate blight and to prevent and rectify improper dumping (see Item 15.A.(4)).
- D. Regarding Goal 7 Transportation:
- (1) The proposed amendment will **HELP ACHIEVE** Objective 7.1 requiring the consideration of traffic impact in land use decisions because it will **HELP ACHIEVE** the following:
 - a. Policy 7.1.1 requiring traffic impact analyses for projects with significant traffic generation (see Item 16.A.(1)).
 - (2) Based on achievement of the above Objectives and Policies and because it will either not impede or is not relevant to the other Objectives and Policies under this goal, the proposed map amendment will **HELP ACHIEVE** Goal 7 Transportation.
- E. Regarding Goal 8 Natural Resources:
- (1) The proposed amendment will **HELP ACHIEVE** Objective 8.1 requiring the County to strive to ensure adequate and safe supplies of groundwater at reasonable cost for both human and ecological purposes because it will **HELP ACHIEVE** the following:
 - a. Policy 8.1.1 requiring the County to strive to ensure adequate and safe supplies of groundwater at reasonable cost for both human and ecological purposes (see Item 17.A.(1)).
 - b. Policy 8.1.7 requiring the County to ensure that existing and new developments do not pollute the groundwater supply (see Item 17.A.(2)).
 - (2) The proposed amendment will **HELP ACHIEVE** Objective 8.6 requiring the County to 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 because it will **HELP ACHIEVE** the following:
 - a. Policy 8.6.3 requiring that the County 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 (see Item 17.B.(1)).
 - b. Policy 8.6.4 requiring the County to implement IDNR recommendations for discretionary development sites that contain endangered or threatened species and to seek to ensure that recommended management practices are maintained on such sites (see Item 17.B.(2)).
- F. The proposed amendment will **NOT IMPEDE** the following LRMP goal(s):
- Goal 1 Planning and Public Involvement
 - Goal 2 Governmental Coordination
 - Goal 5 Urban Land Use
 - Goal 9 Energy Conservation
 - Goal 10 Cultural Amenities

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- G. Overall, the proposed map amendment will ***HELP ACHIEVE*** the Land Resource Management Plan.
2. The proposed Zoning Ordinance map amendment ***IS*** consistent with the *LaSalle* and *Sinclair* factors because of the following:
- A. The rezoning would allow Big Rig Diesel Service to continue serving agricultural and commercial trucks and other vehicles in order to support area agricultural and commercial activities.
 - B. The subject property is well-suited overall for the proposed land use.
 - C. The subject property and its vicinity have maintained the same uses for years.
 - D. The proposed use is a service better provided in a rural area.
 - E. The proposed use does serve surrounding agricultural land uses.
 - F. The proposed development is otherwise appropriate in a rural area.
3. The proposed Zoning Ordinance map amendment will ***HELP ACHIEVE*** the purpose of the Zoning Ordinance because:
- A. Establishing the B-3 District at this location will help classify, regulate, and restrict the location of the uses authorized in the B-3 District (Purpose 2.0 (i) see Item 21.G.).
 - B. Establishing the B-3 District at this location will not require the development of public utilities or transportation facilities (Purpose 2.0 (p) see Item 21.K.).
 - C. Establishing the B-3 District at this location will not take any land out of production (Purpose 2.0 (q) see Item 21.L.).
4. ***{NO SPECIAL CONDITIONS ARE HEREBY IMPOSED / THE SPECIAL CONDITIONS IMPOSED HEREIN ARE REQUIRED FOR THE PARTICULAR PURPOSES DESCRIBED BELOW:}***
- A. **The owners of the subject property hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.**

The above special condition is necessary to ensure the following:
Conformance with Policy 4.2.3 of the Land Resource Management Plan.
 - B. **A Change of Use Permit shall be applied for within 30 days of the approval of Case 968-AM-19 by the County Board.**

The above special condition is required to ensure the following:
The establishment of the proposed use shall be properly documented as required by the Zoning Ordinance.

FINAL DETERMINATION

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

The Zoning Ordinance Amendment requested in **Case 968-AM-19** should *{BE ENACTED / NOT BE ENACTED}* by the County Board in the form attached hereto.

SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS:

- A. **The owners of the subject property hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.**
- B. **A Change of Use Permit shall be applied for within 30 days of the approval of Case 968-AM-19 by the County Board.**

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

SIGNED:

Ryan Elwell, Chair
Champaign County Zoning Board of Appeals

ATTEST:

Secretary to the Zoning Board of Appeals

Date