

CASE 202-AT-26

PRELIMINARY MEMORANDUM

April 2, 2026

Petitioner: **Zoning Administrator**

Prepared by: **John Hall**, Zoning Administrator
Charlie Campo, Senior Planner

Request: **Amend Sections 5.5.2 and 5.5.3 of the Champaign County Zoning Ordinance to extend a temporary safety moratorium on Carbon Sequestration Activity to expire in 6 months after the effective date of the amendment.**

BACKGROUND

The County Board approved a 12-month temporary safety moratorium on carbon sequestration activities in Champaign County on 1/23/2025.

A Carbon Sequestration Activities Task Force was appointed on 3/20/2025.

A 6-month extension to the moratorium was approved by the County Board on December 18, 2025.

The Task Force has made good progress on a draft carbon sequestration amendment but review of the draft is ongoing and it is clear that a final carbon sequestration amendment cannot be adopted before the temporary moratorium expires on June 16, 2026.

The Zoning Administrator has recommended an additional 6-month extension to the temporary safety moratorium on carbon sequestration activities in Champaign County to be in place prior to the expiration of the current moratorium on June 16, 2026, to allow time for the Carbon Sequestration Activities Task Force to provide their recommendations and an amendment to the Zoning Ordinance to be adopted.

ATTACHMENTS

- A Proposed Text Amendment
- B Land Resource Management Plan (LRMP) Goals & Objectives (provided on the ZBA meetings website)
- C Preliminary Finding of Fact and Final Determination for Case 202-AT-26

Attachment A. Proposed Text Amendment

April 2, 2026

ATTACHMENT A: PROPOSED TEXT AMENDMENT

1. Amend Section 5.5 as follows:

5.5.2 Duration of this Moratorium

This Safety Moratorium on CARBON SEQUESTRATION ACTIVITY will expire ~~12~~ six months, or ~~365~~ 180 days, after its effective date.

5.5.3 Activities Impacted by this Moratorium

- A. Any CARBON SEQUESTRATION ACTIVITY, as defined in this moratorium, that is proposed after the effective date of this moratorium will not be approved by Champaign County until the expiration or revocation of this temporary moratorium.
- B. Any CARBON SEQUESTRATION ACTIVITY that is pending, as of the effective date of this moratorium, will be held in abeyance until the ~~12~~ six month-long moratorium has expired or been revoked.

PRELIMINARY DRAFT

202-AT-26

**FINDING OF FACT
AND FINAL DETERMINATION**

of

Champaign County Zoning Board of Appeals

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

Date: _____

Petitioner: Zoning Administrator

Request: Amend Sections 5.5.2 and 5.5.3 of the Champaign County Zoning Ordinance to extend a temporary safety moratorium on Carbon Sequestration Activity to expire in 6 months after the effective date of the amendment.

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FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **April 2, 2026**, the Zoning Board of Appeals of Champaign County finds that:

1. The petitioner is the Zoning Administrator.
2. The need for the amendment came about as follows:
 - A. The County Board approved a 12-month temporary safety moratorium on carbon sequestration activities in Champaign County on 1/23/2025.
 - B. A Carbon Sequestration Activities Task Force was appointed on 3/20/2025.
 - C. At their meeting on October 9, 2025, the Environment and Land Use Committee authorized a proposed Zoning Ordinance Text Amendment to extend the existing safety moratorium on carbon sequestration activity in Champaign County for an additional six months.
 - D. The County Board approved a 6-month extension to the temporary safety moratorium on carbon sequestration activities in Champaign County on 12/18/2025.
 - E. The Zoning Administrator has recommended an additional 6-month extension to the temporary safety moratorium on carbon sequestration activities in Champaign County to

be in place prior to the expiration of the current moratorium on June 16, 2026, to allow time for the Carbon Sequestration Activities Task Force to provide their recommendations.

3. Municipalities with zoning and townships with planning commissions have protest rights on all text amendments and they are notified of such cases. No comments have been received to date.

SUMMARY OF THE PROPOSED AMENDMENT

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

GENERALLY REGARDING THE LRMP GOALS, OBJECTIVES, AND POLICIES

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

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

REGARDING LRMP GOALS

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

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

Goal 1 has 4 objectives and 4 policies. The proposed text amendment will **NOT IMPEDE** the achievement of Goal 1.

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

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

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

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

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

Goal 3 has three objectives and no policies. The proposed text amendment will *NOT IMPEDE* the achievement of Goal 3.

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

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

Goal 4 has 9 objectives and 22 policies. The proposed text amendment will *NOT IMPEDE* the achievement of Goal 4.

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

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

Goal 5 has 3 objectives and 15 policies. The proposed text amendment will *NOT IMPEDE* the achievement of Goal 5 in general.

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

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

Goal 6 has 4 objectives and 7 policies. The proposed text amendment will *NOT IMPEDE* the achievement of Goal 6.

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

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

Goal 7 has 2 objectives and 7 policies. The proposed text amendment will *NOT IMPEDED* the achievement of Goal 7.

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

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

Goal 8 has 9 objectives and 36 policies. The proposed text amendment is directly relevant to the Objectives and policies that are reviewed below and *IS NECESSARY TO ACHIEVE Goal 8* for the following reasons:

- A. Objective 8.1 is entitled “Ground Water Quality and Availability” and states “**Champaign County will strive to ensure adequate and safe supplies of groundwater at reasonable cost for both human and ecological purposes.**”

The proposed text amendment *IS NECESSARY TO ACHIEVE Objective 8.1* because of the following:

- (1) Objective 8.1 has 9 policies. Policies 8.1.1, 8.1.2, 8.1.3, 8.1.4, 8.1.5, 8.1.6, 8.1.8, and 8.1.9 are not directly relevant to the proposed text amendment.
- (2) Policy 8.1.7 states “**The County will ensure that existing and new developments do not pollute the groundwater supply.**”

The proposed text amendment *IS NECESSARY TO ACHIEVE Policy 8.1.7* because the proposed amendment will impose a temporary moratorium on carbon sequestration activities in unincorporated Champaign County while the County Board works to adopt a comprehensive amendment regulating the sequestration of carbon within the unincorporated area.

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

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

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

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

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

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

REGARDING THE PURPOSE OF THE ZONING ORDINANCE

- 16. The proposed text amendment *IS NECESSARY TO ACHIEVE* the purpose of the Zoning Ordinance as established in Section 2 of the Ordinance for the following reasons:

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

The proposed text amendment will *IS NECESSARY TO ACHIEVE* this purpose to the extent that it will impose a temporary moratorium on carbon sequestration activities in unincorporated Champaign County while the County Board works to adopt a comprehensive amendment regulating the sequestration of carbon within the unincorporated area and that amendment will presumably minimize hazards to the Mahomet Aquifer from carbon sequestration.

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

The proposed amendment will *IS NECESSARY TO ACHIEVE* this purpose to the extent that it will impose a temporary moratorium on carbon sequestration activities in unincorporated Champaign County while the County Board works to adopt a comprehensive amendment regulating the sequestration of carbon within the unincorporated area and that amendment will presumably minimize hazards to the Mahomet Aquifer from carbon sequestration and thereby, in effect, conserve the value of land, BUILDINGS, and STRUCTURES throughout the COUNTY.

- 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 text amendment is not directly related to this purpose.

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

The proposed text amendment is not directly related to this purpose.

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

The proposed amendment will *IS NECESSARY TO ACHIEVE* this purpose to the extent that it will impose a temporary moratorium on carbon sequestration activities in unincorporated Champaign County while the County Board works to adopt a comprehensive amendment regulating the sequestration of carbon within the unincorporated area and that amendment will presumably minimize hazards to the Mahomet Aquifer from carbon sequestration and that will promote the public health, safety, comfort, morals, and general welfare.

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

The proposed text amendment is not directly related to this purpose.

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

The proposed text amendment is not directly related to this purpose.

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

The proposed text amendment is not directly related to this purpose.

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

The proposed text amendment is not directly related to this purpose.

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

The proposed text amendment is not directly related to this purpose.

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

The proposed text amendment will *HELP ACHIEVE* this purpose to the extent that it will impose a temporary moratorium on carbon sequestration activities in unincorporated Champaign County while the County Board works to adopt a comprehensive amendment regulating the sequestration of carbon within the unincorporated area.

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

The proposed text amendment is not directly related to this purpose.

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

The proposed text amendment is not directly related to this purpose.

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

The proposed text amendment is not directly related to this purpose.

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

The proposed text amendment is not directly related to this purpose.

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

The proposed text amendment is not directly related to this purpose.

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

The proposed text amendment is not directly related to this purpose.

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

The proposed text amendment is not directly related to this purpose.

SUMMARY FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **April 2, 2026**, the Zoning Board of Appeals of Champaign County finds that:

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

2. The proposed text amendment ***IS NECESSARY TO ACHIEVE*** the Zoning Ordinance because it will:
 - A. ***IS NECESSARY TO ACHIEVE*** the purpose of the Zoning Ordinance (see Item 16).

DOCUMENTS OF RECORD

1. Preliminary Memorandum dated March 26, 2026, with Attachments:
 - A Proposed Text Amendment
 - B Land Resource Management Plan (LRMP) Goals & Objectives (provided on the ZBA meetings website)
 - C Preliminary Finding of Fact, Summary Finding of Fact, and Final Determination for Case 202-AT-26

FINAL DETERMINATION

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

The Zoning Ordinance Text Amendment requested in **Case 202-AT-26** should *{BE ENACTED / NOT BE ENACTED}* by the County Board in the form attached hereto.

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

SIGNED:

Cynthia Cunningham, Chair
Champaign County Zoning Board of Appeals

ATTEST:

Secretary to the Zoning Board of Appeals

Date

Proposed Amendment

1. Amend Section 5.5 as follows:

5.5.2 Duration of this Moratorium

This Safety Moratorium on CARBON SEQUESTRATION ACTIVITY will expire ~~12~~ six months, or ~~365~~ 180 days, after its effective date.

5.5.3 Activities Impacted by this Moratorium

- A. Any CARBON SEQUESTRATION ACTIVITY, as defined in this moratorium, that is proposed after the effective date of this moratorium will not be approved by Champaign County until the expiration or revocation of this temporary moratorium.
- B. Any CARBON SEQUESTRATION ACTIVITY that is pending, as of the effective date of this moratorium, will be held in abeyance until the ~~12~~ six month-long moratorium has expired or been revoked.