

# COUNTY BOARD AGENDA - STUDY SESSION

County of Champaign, Urbana, Illinois

Tuesday, February 1, 2011 – 6:00 p.m.

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

## Page Number

### I. Call To Order

### II. Roll Call

### III. Approval of Agenda/Addenda

### IV. Environment & Land Use

- A. Direction to CCRPC Planner Regarding Proposed Update of the Site Assessment Portion of the Land Evaluation and Site Assessment System Pursuant to LRMP Priority Items 4.5a and 4.5 b (Deferred from January 11, 2010, Committee of the Whole) \*1-42
- B. Direction to Zoning Administrator Regarding Proposed Zoning Ordinance Text Amendments (deferred from October 5, 2010, Committee of the Whole)
1. Request to Amend the Champaign County Zoning Ordinance to Implement Land Resource Management Plan Policies 4.1.5, 4.1.7, and 4.1.9 \*43-54
  2. Request to Amend the Champaign County Zoning Ordinance to Implement Land Resource Management Plan Policies 4.1.6 and 4.3.1-4.3.4 \*55-61
  3. Request to Amend the Champaign County Zoning Ordinance to Implement Land Resource Management Plan Objective 4.4 \*62-68

### V. Public Participation

### VI. Adjournment



Date: December 29, 2010

To: Champaign County Board Committee of the Whole

From: Susan Monte, CCRPC Planner

Re: Direction to CCRPC Planner Regarding Proposed Update of the Site Assessment Portion of the Land Evaluation and Site Assessment (LESA) System Pursuant to LRMP Priority Items 4.5a and 4.5b

Request: Approve Proposal and Authorize Proceeding with the Proposed Update

Summary: This memorandum contains background information and a proposal for the Committee to consider in accordance with LRMP Priority Items 4.5a and 4.5b.

## Background

***The Champaign County Land Resource Management Plan (LRMP)***, adopted by the County in April 2010, includes two Priority Items for the County to consider implementing in order to achieve the LRMP Objective 4.5, as follows:

*By the year 2012, Champaign County will review the Site Assessment portion of 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.*

The first Priority Item 4.5a (text provided below) is a part of the FY 2010 County Planning Contract:

*LRMP Priority Item 4.5a - Submit a proposal to ELUC for Champaign County review of recommended changes to the Site Assessment portion of LESA.*

A second Priority Item 4.5b (text provided below) is part of the FY 2011 County Planning Contract:

*LRMP Priority Item 4.5b - Prepare changes to the Site Assessment portion of LESA and submit changes for public review and approval by ELUC and County Board.*

Background (continued)

**What is LESA?** LESA stands for a Land Evaluation and Site Assessment system. LESA is an analytical tool in the form of a numeric rating system which is used as an objective means to rate and rank a site for agricultural importance. A LESA system is designed to take into account both soil quality and other social and economic factors affecting a site's importance for agriculture.<sup>1</sup> Attachment B contains a brief history of LESA development in the U.S.

**How LESA is Used** LESA is used by federal, state and local government officials as a tool to assist in formulating policy or in making land use decisions that involve conversion of farmland. The LESA system can help units of government meet the following two overall objectives:

- Facilitate identification and protection of important agricultural land.
- Assist in implementing farmland protection policies.

**Components of LESA** A LESA system consists of two parts, a 'Land Evaluation' section and a 'Site Assessment' section:

The Land Evaluation section is used to evaluate a tract of farmland based upon the productivity of its soils. The soils information is based on data from the National Cooperative Soil Survey, one of the largest natural resource databases in the world.

The Site Assessment section considers non-soil factors relative to a specific parcel of land. Site assessment involves three major areas:

- Non-soil factors related to agricultural use of a site.
- Factors related to development pressures.
- Other public values of a site.

(Source: USDA NRCS website: <http://www.nrcs.usda.gov/programs/lesa/lesasysdesuses.html>)

**LESA in Champaign County** In 1983, two committees (a seven-member Land Evaluation Committee and a 12-member Site Assessment Committee) were formed to prepare a local version of LESA for County Board review. Champaign County adopted its LESA system in 1984. (Champaign County Resolution No. 2248 is provided as Attachment C.)

LESA is used by the County's Zoning Board of Appeals and/or County Board as a tool to assist in making a land use decision that involves farmland conversion in Champaign County whenever land in the rural zoning districts (AG-1 AG-2 and CR Districts) is proposed for either rezoning or a special use permit.

To obtain a LESA score for a particular site, the 'LE' or Land Evaluation score and the 'SA' or Site Assessment score are separately calculated.<sup>2</sup> Then each score is added up to result in a single number. The higher the total LESA score, the more highly rated a site is for agricultural use. A copy of the worksheet used by Department of Planning and Zoning staff to calculate the LESA score is provided as Attachment D.

***Why Update the "Site Assessment (SA) Portion of LESA?"***

- 1) The LESA system was developed by the USDA Soil Conservation Service during the early 1980's and was intended to be kept current by periodic review and revision.
- 2) Champaign County's LESA system was prepared by two committees of local representatives who recommended the system be reviewed every 5 years. Twenty-six years have passed since the Champaign County Board adopted the Champaign County LESA system in 1984.
- 3) Significant zoning and land use policy related changes have occurred since the County's LESA system was adopted in 1984, and these need to be included and referenced in an updated LESA. Examples of changes to include in a LESA update are:
  - The County Zoning Ordinance defines 'best prime farmland' as sites which have a Land Evaluation score of 85 or greater based on the County's LESA system.
  - The County adopted LRMP which includes a set of updated goals, objectives and policies and two County maps (Future Land Use - 2030 Map and the Land Use Management Areas Map) for use as guidance in making land-use decisions.
- 4) The Blue Ribbon Environmental Panel, in its 2004 Advisory Report to the County Board, recommended: "The County should complete an update of the Site Assessment portion of its LESA system with the goal of more fully integrating it into the Rural Residential Overlay or Rural Planned Development criteria for approval or denial of rural subdivisions."<sup>3</sup>
- 5) The Champaign County LRMP includes Objective 4.5 under its Agriculture Goal. Objective 4.5 is: "*By the year 2012, Champaign County will review the Site Assessment portion of 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.*"
- 6) The Land Evaluation and Site Assessment: A Guidebook for Rating Agricultural Lands (2<sup>nd</sup> Edition) provides the following (non-mandatory) guidelines:
  - Between 3 and 10 SA factors are recommended for a LESA. (The existing Champaign County LESA includes 20 SA factors.)
  - Illustrative SA factors of three types are provided: agricultural productivity factors; non-agricultural development pressure factors; and other factors that reflect public values of a site supporting retention in agriculture.
  - SA factors related directly to agricultural productivity may be the only pertinent SA factors if the planning and zoning process already provides for farm zoning. (Only 5 of the 11 illustrative SA factors related to agricultural productivity are included in the existing Champaign County LESA)
- 7) Agricultural Land/Water Resource Specialist Terry Savko, Office of Farmland Protection, Bureau of Land and Water Resources, Illinois Department of Agriculture, recommends that the update of the SA portion of the Champaign County LESA include review of SA factors to eliminate redundancy, and that the addition of an SA factor regarding wind turbine location be considered.

## **Proposal**

The Proposal for Committee review is provided as Attachment A.

## **Attachments**

- A Proposal to Update the Site Assessment Portion of the Champaign County LESA
- B Brief History of LESA Development
- C Champaign County Resolution No. 2248 (Champaign County Land Evaluation and Site Assessment System)
- D LESA Worksheet

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## **Notes:**

1. Land Evaluation and Site Assessment: A Guidebook for Rating Agricultural Lands, Second Edition. Prepared for the USDA Natural Resources Conversation Service by James R. Pease and Robert E. Coughlin. Soil and Water Conservation Society, 1996, p. 3.
2. In Champaign County, Champaign County Soil and Water Conservation District staff prepares the LE portion of the LESA score and Champaign County Department of Planning and Zoning staff prepares the SA portion of the LESA score. The LESA Worksheet provided as Attachment D is used to calculate a total LESA score.
3. The difference between the intended use of the SA (Site Assessment) factors of LESA and the intended use of the Rural Residential Overlay factors of the Champaign County Zoning Ordinance are worth noting. The SA factors are intended to assess the agricultural economic viability of a site. The RRO factors are intended to assess the suitability of a site for residential use.

## Proposal to Update the Site Assessment Portion of the Champaign County LESA

### Scope of Work

- 1) Form Update Committee
- 2) Work with Update Committee to review SA factors and weighting of SA factors. Includes the following tasks:
  - Consider if all existing SA factors are necessary for technical reasons and eliminate those not necessary for technical reasons.
  - Consider if all remaining existing SA factors are adequate for a proper LESA
  - Recommend any additional SA factors
  - Consider if the existing SA factor weighting is adequate and adjust SA factor weighting as necessary
- 3) Work with Update Committee to test proposed SA factor weighting in accordance with LESA Guidebook recommendations.
- 4) Provide opportunity to Update Committee to offer related recommendations to County Board regarding:
  - a) Whether the resulting proposed balance of relative weights of the LE (Land Evaluation) score and SA (Site Assessment) score is adequate or whether it should be adjusted to include more of a focus on agricultural productivity.
  - b) Whether the definition of 'best prime farmland' should be adjusted, based on 'SA' (Site Assessment) factors directly relevant to agricultural productivity.

### Update Committee

An Update Committee should be appointed by the County Board to represent public and key stakeholder perspectives and technical experts. Staff recommends a nine-member Update Committee be comprised of the following persons:

Resource Conservationist	Champaign County Soil & Water Conservation District
Member	Board of Directors, Champaign County Soil and Water Conservation District
2 Members	2 Champaign County Committee of the Whole/ELUC members
Member	Champaign County Farm Bureau Land Use Committee
Member	Original Site Assessment Committee of the Champaign County LESA System
Representative	development or real estate community
Past Member	Past Champaign County ZBA Chair/Member
Director	Champaign County Department of Planning and Zoning

Proposal to Update the Site Assessment Portion of the Champaign County LESA

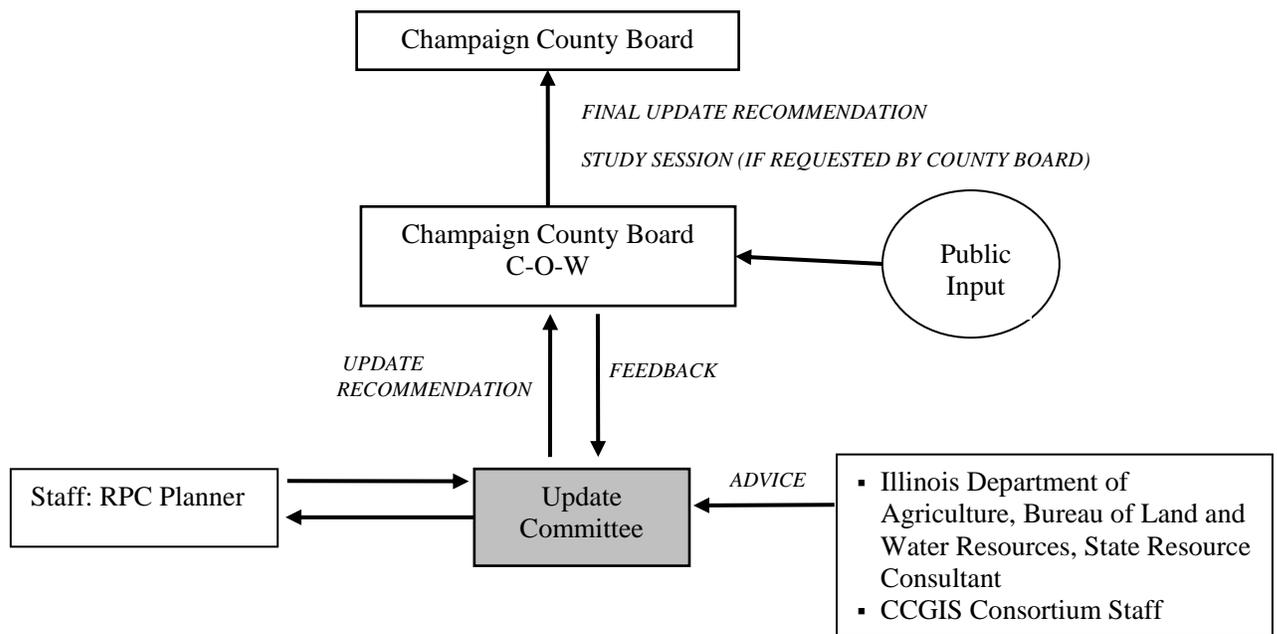
**Update Committee** (continued)

Update Committee meetings will be open to the public. Over the course of the project, a total of three, and potentially four, Update Committee meetings would be scheduled to occur during a weekday morning time period.

Resources available to the Update Committee are:

- Agricultural Land/Water Resource Specialist Terry Savko, Office of Farmland Protection, Bureau of Land and Water Resources, Illinois Department of Agriculture
- Champaign County Geographic Information Systems Consortium staff to be consulted, as needed

**Update Review Procedural Diagram**



**Proposed Update Timeline**

The approved FY 2011 County RPC Planner Work Plan includes time allocated toward completion of LRMP Priority Item 4.5b. A proposed Update Timeline follows on the next page:

## Proposal to Update the Site Assessment Portion of the Champaign County LESA

**Proposed Update Timeline**

1. Request County Board /Chair to establish Update Committee (UC)
2. Obtain County Board approval of UC  
\_\_\_\_\_ *prior to March 2011*
3. Complete intro memo to UC and draft of proposed adjustments to SA factors (DRAFT)
4. Review internally, revise as needed, and distribute to UC for review  
\_\_\_\_\_ *prior to March 2011*
5. Hold UC Meeting 1 prior to March 18 (Agenda: introduction; feedback regarding DRAFT; additional key stakeholder input recommendation, and propose testing method of SA factor scoring)
6. Revise DRAFT based on feedback received to date
7. Staff to conduct Test 1 of SA factor scoring based on revised DRAFT
8. Draft memo to UC regarding Test 1 results, revised DRAFT, and staff recommendation
9. Review internally, revise as needed, and distribute to UC for review  
\_\_\_\_\_ *prior to May 2011*
10. Hold UC Meeting 2 (Agenda: feedback regarding DRAFT; Test 1 results; staff recommendation; review project timeline for mid-course adjustment to add a fourth meeting as may be needed)
11. Revise DRAFT to include UC feedback
12. Staff to conduct Test 2 of SA Factor scoring
13. Draft memo to UC regarding Test 2 results, revised DRAFT and additional topics as applicable
14. Review internally, revise as needed, and distribute to UC for approval  
\_\_\_\_\_ *prior to July 2011*
15. Hold UC Meeting 3 or, as feasible, solicit UC feedback via email or online (Agenda: Approve final DRAFT and feedback regarding additional topics as applicable)  
\_\_\_\_\_ *prior to September 2011*
16. Prepare review package for County Board C-O-W
17. Review internally, revise as needed, and distribute to County Board Secretary  
\_\_\_\_\_ *prior to September 26, 2011*
18. Facilitate C-O-W and County Board review
  - ▶ October 4, 2011 C-O-W
  - ▶ Reserve October 25, 2011 County Board Study Session if requested
  - ▶ *Seek CB approval in November 2011*

## **Brief History of LESA Development With Focus on Illinois**

### **1981**

- ▶ The U.S. Congress enacted the Farmland Protection Policy Act (FPPA) as a subtitle of the 1981 Farm Bill. The FPPA directed federal agencies to evaluate their programs and projects and to modify their actions so as to produce the least impact on farmland and to assure that federal programs are administered in a manner that, to the extent practicable, will be compatible with state and local government and private programs and policies to protect farmland.
- ▶ USDA and local government officials recognized that standard soil surveys did not provide enough information to meet public policy needs regarding issues of farmland conversion and farmland protection. The Soil Conservation Service (now NRCS) developed and began testing a generic national model of a LESA system that provided for consistent terminology and a set of classification procedures using soil-based and other site factors. LESA was developed as a new instrument for making objective ratings regarding agricultural land suitability that had the capacity to provide a great deal of local flexibility.

### **1982**

- ▶ Illinois passed the Farmland Preservation Act (505 ILCS 75/1 et seq.) to protect the agricultural industry's land base. With passage of this Act, the Illinois Department of Agriculture was legislatively directed to review all state agency projects and activities that may have a direct or indirect effect upon the potential conversion of farmland in Illinois, and to determine compliance with rules adopted to implement the Farmland Preservation Act. *(Source: Illinois LESA System, Illinois Department of Agriculture, revised August, 2001)*

### **1983**

- ▶ The Illinois LESA System was adapted for use on a statewide basis by the Illinois Department of Agriculture, USDA Soil Conservation Service, University of Illinois Cooperative Extension Service, and the Association of Illinois Soil and Water Conservation Districts. That same year LESA was approved by Soil Conservation Service for use to assist in making land use decisions where agricultural land may be involved.

### **1992**

- ▶ Initial update of the Illinois LESA System.

### **1994**

- ▶ Congress enacted the Final Rule of the FPPA. The Final Rule includes LESA system criteria adapted for use by federal agencies in evaluating projects causing agricultural land conversion.

### **2001**

- ▶ Second update of the Illinois LESA System.

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RESOLUTION NO. 2248  
 A RESOLUTION ACCEPTING THE CHAMPAIGN COUNTY  
 LAND EVALUATION AND SITE ASSESSMENT SYSTEM

WHEREAS, the Environment and Land Use Committee has carefully studied the proposed Champaign County Land Evaluation and Site Assessment System and recommends the County Board accept the system as a tool to assist in making land use decisions; and,

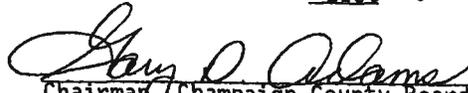
WHEREAS, the Champaign County Board has carefully considered the Land Evaluation and Site Assessment System and finds that this System could provide valuable guidance and assistance to the County Board, the Environment and Land Use Committee, and the Zoning Board of Appeals in making land use decisions affecting the future development of the County's agricultural land; and

WHEREAS, the Champaign County Board further finds the Land Evaluation and Site Assessment System an appropriate tool to be used in conjunction with the County's Land Use Goals and Policies, as a basis for the continued implementation of the County Zoning Ordinance and Ordinance Regulating Development in Special Flood Hazard Areas, and for the overall protection of the public health, safety and welfare of the residents of Champaign County;

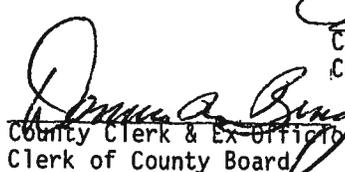
WHEREAS, the County Board, Environment and Land Use Committee and Zoning Board of Appeals shall use the Champaign County Land Evaluation and Site Assessment System as a tool for making land use decisions affecting agricultural land;

NOW, THEREFORE, BE IT RESOLVED, that the document entitled Champaign County Land Evaluation and Site Assessment System, dated February, 1984, is hereby adopted as a tool for making land use decisions.

PRESENTED, ADOPTED, APPROVED AND RECORDED this 21st day of February, A.D. 1984.

  
 Chairman, Champaign County Board  
 Champaign County, Illinois

ATTEST:

  
 County Clerk & Ex-Officio  
 Clerk of County Board

**Champaign County, Illinois**

**LAND EVALUATION  
AND  
SITE ASSESSMENT  
SYSTEM**



The following two Committees prepared this Land Evaluation and Site Assessment System for Champaign County, Illinois.

Land Evaluation Committee

Joe Barkley, Resource Conservationist, Champaign County Soil and Water Conservation District  
 Tyrone Clapper, Champaign County Zoning Administrator  
 Ken Kesler, Chairman, Board of Directors, Champaign County Soil and Water Conservation District  
 Ron Lowery, District Conservationist, Soil Conservation Service, United States Department of Agriculture  
 Bill McNamara, Senior Extension Adviser, Agriculture Cooperative Extension Service, University of Illinois  
 Lois Rocker, Associate Planner, Champaign County Regional Planning Commission  
 Bob Wendt, Manager, Champaign County Farm Bureau

Site Assessment Committee

Joe Barkley, Resource Conversationist, Champaign County Soil and Water Conservation District  
 Tyrone Clapper, Champaign County Zoning Administrator  
 Gerald Compton, Land Use Committee Co-Chairman, Champaign County Farm Bureau  
 Don Flessner, Member, Champaign County Board  
 Ken Kesler, Chairman, Board of Directors, Champaign County Soil and Water Conservation District  
 Amy Kummerow, Member, Champaign County Board  
 Ron Lowery, District Conservationist, Soil Conservation Service, United States Department of Agriculture  
 Lois Rocker, Associate Planner, Champaign County Regional Planning Commission  
 Susan Stone, Land Use Chairman, League of Women Voters  
 Laurel Talkington, Planner II, Planning and Economic Development Department, City of Champaign  
 Russell Taylor, Member, Champaign County Board  
 Clarence Thompson, President, Northwood, Inc.

State Resource Consultants

Ronald A. Darden, Superintendent, Division of Natural Resources, Illinois Department of Agriculture  
 Carolyn M. Sands, Former Staff Member, Bureau of Farmland Protection, Division of Natural Resources, Illinois Department of Agriculture

Typing, Printing and Graphics

Vicki Shingleton, Administrative Secretary, Champaign County Regional Planning Commission  
 Tom Reed, Graphics Technician, Champaign County Regional Planning Commission

CHAMPAIGN COUNTY  
LAND EVALUATION AND SITE ASSESSMENT SYSTEM

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## I. Introduction

The Champaign County Land Evaluation and Site Assessment system (LESA), is a program designed to evaluate the viability of a site for agricultural uses. Although the system itself was developed by the Soil Conservation Service of the U.S. Department of Agriculture, the County's LESA system was prepared locally to take into consideration local conditions such as physical characteristics of the land, compatibility of surrounding land uses, and urban growth factors affecting land development.

As its name implies, LESA is divided into two parts. First, in the Land Evaluation portion of the system, soils of a given area are rated and placed into groups ranging from the best to worst based on soil characteristics, capabilities, and productivity. The second part of the system, Site Assessment, identifies important factors other than soils that contribute to the quality of a site for agricultural uses. Application of LESA combines a value for Land Evaluation with a value for Site Assessment to determine the total value of a given site for agricultural uses. The Land Evaluation is assigned a maximum of 100 points, and the Site Assessment is assigned a maximum of 200 points. The total maximum number of points possible for any site is 300. The higher the total value of a site, the higher the agricultural economic viability, and the higher the cost for non-agricultural development.

The Champaign County LESA System will provide a valuable new tool to guide in making land use decisions in Champaign County. Applications of the LESA system will generally fall under two types of requests involving conversion of an agricultural use to a non-agricultural use. The most frequent application of LESA will be when a request is made to rezone a tract of land from the County's AG-1, Agriculture, AG-2, Agriculture, and/or CR, Conservation-Recreation Districts to another zoning district or districts. The LESA system can also be used for site comparison to minimize loss of productive land when it is essential to convert some agricultural land to a non-agricultural use.

In using LESA to help determine the advisability of a requested zoning change, reference should always be made to the Champaign County Zoning Ordinance for the range of permitted uses under the requested zoning designation. Although a request may be for a specific use, once the zoning is changed and the proposed use is not implemented, a number of other uses could be permitted without requiring further approval.

In applying LESA in Champaign County, the user of the system must remember that it is one among several tools to assist in making land use decisions; it should not be used alone. This document, which describes the County's LESA system, should be used in conjunction with the County's Land Use Goals and Policies, as a basis for the continued implementation of the County's Zoning Ordinance and the Ordinance Regulating Development of Special Flood Hazard Areas, and for the overall protection of the public health, safety and welfare of the residents of Champaign County. Since the County's LESA System is designed to be based on existing conditions, this system requires periodic review and possible modification to adjust for changing needs and conditions. Initial review should occur two years from the system's effective date and subsequent reviews should take place at least every five years.

The following sections of this document provide a detailed description of each part of the LESA system and instructions for calculating the total Land Evaluation and Site Assessment Value.

## II. Land Evaluation

In the agricultural Land Evaluation part, the soils of Champaign County have been placed into nine groups ranging from the best to the worst, based on their suitability for cropland production (See Table I).

For Champaign County, the soils were ranked according to three criteria: land capability classification, important farmland identification, and soil productivity. A relative value has been determined for each group; the best group was assigned a relative value of 100 with all other groups being assigned lower relative values. Table II shows the breakdown of the soils groups by three criteria and the relative value for each agricultural group.

The Land Evaluation procedure will help responsible planners and decision makers determine the importance of the County's soil resources in terms of their importance to the agricultural base. In addition, the Land Evaluation portion of the LESA System is intended to meet the following objectives:

- (1) It will determine land quality for agricultural uses.
- (2) It will distinguish between classes of land of differing quality to enable decision makers to select lands to be protected for agricultural uses.
- (3) It will be stable and consistently applicable with national land classification systems.
- (4) It will be technically sound and compatible with national land classification systems.
- (5) It will be flexible to accommodate differences among areas.

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TABLE I  
List of Soil Series and Evaluations  
Champaign County, Illinois

1	2	3	4	5	6	7	8	9
Map Symbol	Soil Series	Slope	Land Capability Class & Subclass	Important Farmland Determination	Productivity Index Local	Acres No	%	Agricultural Value Group
23A	Blount	0-2	IIw	Prime	105	1,005	.2	6
23B	Blount	2-5	IIe	Prime	105	624	.1	6
27B	Miami	2-5	IIe	Prime	110	267	*	6
27C2	Miami	5-10	IIIe	Statewide Importance	95	755	.1	7
27D2	Miami	10-15	IVe	Statewide Importance	80	429	.1	7
27E2	Miami	15-20	VIe	Non-Prime	60**	406	.1	8
56B	Dana	2-5	IIe	Prime	135	23,839	3.7	3
67	Harpster	0-2	IIw	Prime	135	2,252	.4	4
73	Ross	0-2	IIw	Prime	130	1,001	.2	4
91B	Swygert	1-5	IIe	Prime	115	3,448	.5	6
102A	La Hogue	0-3	I	Prime	130	1,476	.2	3
125	Selma	0-2	IIw	Prime	135	2,703	.4	4
131B	Alvin	1-5	IIe	Prime	100	212	*	6
134B	Camden	1-5	IIe	Prime	120	1,244	.2	5
146B	Elliott	1-5	IIe	Prime	130	31,039	4.8	5
148B	Proctor	1-5	IIe	Prime	135	8,881	1.4	3
149A	Brenton	0-3	I	Prime	150	16,183	2.5	1
150B	Onarga	1-5	IIe	Prime	110	268	*	6
152	Drummer	0-2	IIw	Prime	155	248,094	38.8	2
153	Pella	0-2	IIw	Prime	130	6,368	1.0	4
154A	Flanagan	0-3	I	Prime	160	99,607	15.6	1

\*Less than .1%  
\*\*Best Estimate

4.

1	2	3	4	5	6	7	8	9
Map Symbol	Soil Series	Slope	Land Capability Class & Subclass	Important Farmland Determination	Productivity Index Local	Acres No	%	Agricultural Value Group
171B	Catlin	2-7	Ile	Prime	145	16,069	2.5	3
194B	Morley	2-5	Ile	Prime	105	738	.1	6
194C2	Morley	5-12	IIIe	Statewide Importance	100	890	.1	7
194D2	Morley	12-20	IVe	Non-Prime	90**	251	*	8
198A	Elburn	0-3	I	Prime	155	17,048	2.7	1
199B	Plano	1-5	Ile	Prime	140	5,330	.8	3
206	Thorp	0-2	IIw	Prime	105	2,736	.4	6
219	Millbrook	0-2	I	Prime	135	1,426	.2	3
221B	Parr	2-5	Ile	Prime	120	7,708	1.2	5
221C2	Parr	5-10	IIIe	Statewide Importance	105	5,821	.9	7
221D3	Parr	10-15	IVe	Statewide Importance	90**	330	.1	7
223B2	Varna	2-5	Ile	Prime	120	11,142	1.7	5
223C3	Varna	5-12	IVe	Statewide Importance	105	3,044	.5	7
232	Ashkum	0-2	IIw	Prime	135	28,281	4.4	4
233B	Birkbeck	1-5	Ile	Prime	120	2,735	.4	5
234A	Sunbury	0-3	I	Prime	140	1,797	.3	3
235	Bryce	0-2	IIw	Prime	125	1,489	.2	5
236A	Sabina	0-3	IIw	Prime	130	2,760	.4	4
241D3	Chatsworth	7-15	VIIe	Non-Prime	50**	288	*	8
242A	Kendall	0-3	IIw	Prime	130	1,545	.2	4
243B	St. Charles	1-5	Ile	Prime	120	1,842	.3	5
291B	Xenia	2-5	Ile	Prime	120	5,299	.8	5
302	Ambraw	0-2	IIw	Prime	110	2,687	.4	6
322C2	Russell	4-11	IIIe	Statewide Importance	105	1,867	.3	7

\*Less than .1%  
\*\*Best Estimate.

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1	2	3	4	5	6	7	8	9
Map Symbol	Soil Series	Slope	Land Capability Class & Subclass	Important Farmland Determination	Productivity Index Local	Acres No	%	Agricultural Value Group
330	Peotone	0-2	IIw	Prime	125	3,678	.6	5
387B	Ockley	1-5	IIe	Prime	110	1,174	.2	6
387C3	Ockley	5-12	IVe	Statewide Importance	90	278	*	7
398A	Wea	0-3	I	Prime	120	3,213	.5	3
402	Colo	0-2	IIw	Prime	110**	10,643	1.7	6
440B	Jasper	1-5	IIe	Prime	125	2,410	.4	5
440C2	Jasper	5-10	IIIe	Statewide Importance	120	778	.1	7
448B	Mona	2-7	IIe	Prime	110	297	*	6
481A	Raub	0-3	I	Prime	140	22,269	3.5	3
490A	Odell	0-3	I	Prime	135	1,319	.2	3
570B	Martinsville	2-5	IIe	Prime	120	778	.1	5
570C2	Martinsville	5-10	IIIe	Statewide Importance	105	1,054	.2	7
57002	Martinsville	10-18	IVe	Statewide Importance	90	275	*	7
637	Muskego	0-2	IIIw	Statewide Importance	125**	44	*	7
533	Urban land	--	None	Non-Prime	0	1,235	.2	9
802	Orthents, Loam	--	None	Non-Prime	0	3,554	.6	9
865	Pits, gravel	--	None	Non-Prime	0	313	*	9
2027C	Miami-Urban land complex	2-10	None	Non-Prime	0	384	.1	9
2152	Drummer-Urban land complex	0-2	None	Non-Prime	0	4,300	.7	9
2154A	Flanagan- Urban land complex	0-3	None	Non-Prime	0	3,695	.6	9

\*Less than .1%

\*\*Best Estimate.

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1	2	3	4	5	6	7	8	9
<u>Map Symbol</u>	<u>Soil Series</u>	<u>Slope</u>	<u>Land Capability Class &amp; Subclass</u>	<u>Important Farmland Determination</u>	<u>Productivity Index Local</u>	<u>Acres No</u>	<u>%</u>	<u>Agricultural Value Group</u>
21718	Catlin-Urban land complex	2-7	None	Non-Prime	0	1,662	.3	9
2198A	Elburn-Urban land complex	0-3	None	Non-Prime	0	766	.1	9
2236A	Sabina-Urban land complex	0-3	None	Non-Prime	0	232	*	9
2481A	Raub-Urban land complex	0-3	None	Non-Prime	0	1,163	.2	9
W	Water	--	None	Non-Prime	0	1,262	.2	9

\*Less than .1%

\*\*Best Estimate

SOURCE: Soil Survey of Champaign County, Illinois, prepared by U.S. Department of Agriculture, Soil Conservation Service in cooperation with Illinois Agricultural Experiment Station.

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TABLE 2  
SOIL GROUPS FOR  
CHAMPAIGN COUNTY, Illinois

1	2	3	4	5	6	7
<u>Agricultural Group</u>	<u>Land Capability Class &amp; Subclass</u>	<u>Important Farmland Classification</u>	<u>Productivity Index</u>	<u>Acres</u>	<u>Percent</u>	<u>Relative<sup>1</sup> Value</u>
1	I	Prime	150-160	132,838	20.8	100
2	IIw	Prime	155	248,094	38.8	98
3	I, IIe	Prime	120-145	85,619	13.4	87
4	IIw	Prime	130-135	44,910	7.0	85
5	IIe, IIw	Prime	120-130	69,364	10.8	79
6	IIe, IIw	Prime	100-115	24,099	3.8	70
7	IIIe, IIIw, IVe	Statewide Importance	80-125	15,565	2.4	65
8	IVe, VIe, VIIe	Non-Prime	Below 90	945	.1	41
9	None	Non-Prime	0	18,566	2.9	0

<sup>1</sup> Appendix shows how Relative Value is determined.

### III. Site Assessment

Agricultural economic viability of a site cannot be measured in isolation from existing and impending land use needs of Champaign County. The Site Assessment process provides a system for identifying important factors, other than soils, that affect the economic viability of a site for agricultural uses.

This section describes each of 21 Site Assessment factors to be considered when a change to another land use is proposed in an area zoned AG-1, Agriculture, AG-2, Agriculture, or CR, Conservation-Recreation. The 21 Site Assessment factors are grouped into the following six major areas of consideration:

- A. Agricultural Land Uses
- B. Zoning and Prior Governmental Actions
- C. Compatibility and Impact of Uses
- D. Land Use Feasibility
- E. Existence of Infrastructure
- F. Environmental Impact

Based upon current land use data, land use regulations, site inspection and other pertinent information, a point value is determined by analyzing each site assessment factor and selecting a number value that best reflects the quality of the property in question.

#### SITE ASSESSMENT FACTORS, VALUES, AND DESCRIPTIONS OF FACTORS

##### A. Agricultural Land Uses

1. Percentage of Area in Agricultural Uses within one and one-half (1½) miles of Site.

90% or more	18
75% to 89%	16
50% to 74%	12
25% to 49%	8
Less than 25%	0

This factor is a major indicator of the agricultural character of an area. Areas in the County that are dominated by agricultural uses are generally more viable for farm purposes. The definition of "agricultural land uses" should be interpreted to mean all agricultural and related uses that can be considered to be part of the farm operation. This would include farmland (cropland), pasture lands, or timberlands whether or not in current production and farm residences, barns, and out-buildings. For a more extensive definition of "agriculture" see Section V Definitions.

The 1.5 mile area of consideration for this factor was selected for two reasons: First, in Champaign County, a 1.5 mile radius is a reasonable and manageable area when analyzing the land use and overall characteristics of the area. Second, the State of Illinois has set one and one-half miles as the jurisdictional boundary for municipal planning.

Since this factor is a major indicator of the agricultural character of an area, it has a maximum value of 18.

## 2. Land Use Adjacent to Site.

All Sides in Agricultural Uses	18
1 Side in Non-Agricultural Uses	16
2 Sides in Non-Agricultural Uses	12
3 Sides in Non-Agricultural Uses	8
All Sides in Non-Agricultural Uses	0

In order to limit potential nuisance complaints and other forms of conflict, pre-existing adjacent land uses shall be evaluated in all cases.

The term "agricultural uses" is defined as all uses related to the farm operation, as in Factor 1 above.

Since this factor is again a major indicator of the agricultural character of an area, it therefore has a maximum value of 18.

## 3. Percentage of Site in or Suitable for Agricultural Uses.

75% to 100%	10
50% to 74%	8
25% to 49%	6
10% to 24%	4
0 to 9%	0

This factor is to be utilized to assess the site's current use. Additionally, this factor may indicate the potential viability of the site for agricultural purposes.

Again, the term "agricultural uses" will mean the same as in Factors 1 and 2 above.

B. Zoning and Prior Governmental Actions

## 1. Percentage of land zoned AG-1, Agriculture, AG-2, Agriculture and/or CR, Conservation-Recreation within 1.5 miles of the Site.

90% or more	10
75% to 89%	8
50% to 74%	6
25% to 49%	4
Less than 25%	0

This factor is important since zoning regulations derive from police power. When land is zoned other than AG-1, AG-2 or CR, the potential exists for non-agricultural uses which may be incompatible with agriculture.

The 1.5 mile area of consideration was selected for the same reason as in Factor A.1.

2. Percentage of Site zoned AG-1, Agriculture, AG-2, Agriculture or CR, Conservation-Recreation.

90% to 100%	10
75% to 89%	8
50% to 74%	6
25% to 49%	4
24% or less	0

This factor is to be utilized to assess the site's current zoning. If the site is to be zoned other than AG-1, AG-2, or CR, the potential for non-agricultural uses which may not be compatible exists.

3. Have prior governmental actions committed site to development?

No	10
Partially	6
Yes	0

Frequently, actions by local government can commit a site for development. The major consideration under this factor is the existence of a comprehensive plan. This factor also recognizes that some communities do not have an adopted comprehensive plan. In addition, this factor recognizes that an adopted comprehensive plan does not necessarily mean the public infrastructure, such as utilities, streets, and other public services, is in place to support a particular development. Therefore, other governmental actions (such as the public infrastructure, the provisions of a capital improvements program and/or adopted resolution by a governmental body scheduling public improvements on or near the site) should be considered in conjunction with what a comprehensive plan shows land use to be.

If no comprehensive plan exists or the comprehensive plan shows land use as agriculture and no other governmental actions have committed the site for development, assign a high point value. If a comprehensive plan exists and shows land use other than for agriculture, but no other public governmental actions have committed the site for development, assign a partial value. Also, if no comprehensive plan has been adopted, but other governmental actions have committed the site for development, assign a partial value. Finally, if a comprehensive plan exists showing land use other than for agricultural uses and public improvements and services are available and support the development, assign a low value.

Prior Federal, State or local governmental financial support for conservation practices is an action by a government body which would commit a site to continue in agriculture, and therefore, the land should receive a high value.

C. Compatibility/Impact of Uses.

1. Distance from City or Village Corporate Limits.

More than 1.5 miles	10
1 to 1.49 miles	8
.5 to .99 miles	6
.25 to .49 miles	4
0 to .24 miles	2
Adjacent	0

A site adjacent to a city or village is more viable for urban development than a site located many miles from the nearest urban areas. Because urban uses are generally considered to be incompatible with agricultural pursuits, the impact on agricultural and rural areas will be minimized when development occurs close to established urban areas.

2. Compatibility of proposed use and zoning change with surrounding Agricultural Uses.

Incompatible	10
Somewhat Incompatible	6
Compatible	0

As in any land use change, compatibility with surrounding land uses must be determined. This factor more than any other deals with the problems encountered when agricultural and non-agricultural uses are permitted to mix. It becomes difficult to determine whether some uses are totally compatible. Also the density or intensity of similar uses become a gray area in terms of compatibility. Clearly a subdivision next to an animal confinement operation is incompatible and can be predicted to result in conflict. However, a large lot residential development located adjacent to row crop farming might result in less conflict. An agricultural supplier (seed dealer, fertilizer dealer, farm implement sales) could be considered compatible with agriculture. For these reasons, a point value for "somewhat incompatible" is included in this factor.

The term "surrounding" area in this instance will depend on the size of the parcel for which a land use change is proposed. The area that would be directly influenced by the proposed land use change will be considered "surrounding" area. Each land use change will have a different area of influence based on the size and intensity of the proposed use.

The Champaign County Zoning Ordinance provides for a range of uses permitted in each zoning district. Refer to the Champaign County Zoning Ordinance for the range of uses in the proposed zoning district.

D. Land Use Feasibility

1. Size of Site Feasible for Farming.

100 Acres or More	8
40 to 99 acres	6
20 to 39 acres	4
5 to 19 acres	2
under 5 acres	0

This factor recognizes that the size of a parcel of land has an impact on a site's viability for agricultural purposes. Also, it is a recognition that modern agriculture may require large tracts of land for efficiency purposes. A truck farm or animal confinement operation would be an exception.

## 2. Soil Limitations for Proposed Use and Proposed Zoning Change.

Severe	10
Moderate to Severe	8
Moderate	6
Slight to Moderate	4
Slight	0

Frequently, projects are proposed for sites where the soils present limitations for development. These limitations can and usually do increase the cost of the proposed development. This factor recognizes the need to select alternative sites which do not possess severe limitations for the proposed use. Refer to the Champaign County Zoning Ordinance for the range of permitted uses in the proposed zoning district.

Sources of information for this factor can be obtained from the Natural Resource Report prepared by the Champaign County Soil and Water Conservation District and Soil Survey of Champaign County, Illinois issued March 1982.

## 3. Depending on the proposed use or project, either factor 3.a. or factor 3.b., but not both, will be used. Factor 3.a. recognizes efforts to select sites on the least productive farmland when it is necessary to convert some agricultural land to a non-agricultural use. Factor 3.b. considers whether there is a need to rezone additional agricultural land for urban uses.

## a. Alternative Sites proposed on less productive land.

Yes	8
No	0

This factor can be used for site comparison where it is essential to convert some agricultural land to a non-agricultural use. Many times with a little investigation, sites for development on less productive agricultural land can be proposed as alternatives. The total points assigned to one site can be compared with the total points determined for any number of other sites. All other things being equal, converting the site with the lowest total point value would have the least adverse impact on the agricultural base. The site with the highest value should receive more protection than those with the lowest values. Any proposed conversion should consider the impact on adjacent agricultural areas and the local agricultural base.

## b. Need for additional land.

Vacant buildable land available	8
Little buildable land remaining	0

If large amounts of appropriately zoned land within the area are vacant and available for urban use, assign a high value. If there is little or no appropriately zoned land vacant, assign a low value. Availability of vacant land depends on a number of factors including but not limited to: zoning, available land on the market, size of parcel, location, access to transportation modes. Vacant land refers to both land with no structures or buildings or land with structures or buildings which could be utilized or removed by the proposed user. This factor promotes the concept of infilling, an objective specified in Champaign County's Land Use Goals and Policies.

E. Existence of Infrastructure

1. Availability of Central Sewage System.

More than 1.5 miles	10
.75 to 1.49 miles	8
.5 to .74	6
.25 to .49 miles	4
200 feet to .24 miles	2
200 feet or less <u>or</u> on-site	0

The availability to a site of a central sewer system with sufficient capacity encourages growth and reduces the long-term viability of a site for agriculture. The term "on site" is intended to include a sewer system which exists on the site with no extension necessary. According to the Illinois Private Sewage Disposal Act and Code, "new or renovated private sewage disposal systems shall not be approved where a public sanitary sewer is located within 200 feet of the property and is available for connection".

2. Availability of Central Water System.

More than 1.5 miles	10
.75 to 1.49 miles	8
.5 to .74 miles	6
.25 to .49 miles	4
200 feet to .24 miles	2
200 feet or less <u>or</u> on-site	0

This factor recognizes that the existence of a central water system encourages growth and reduces the long-term viability of a site for agriculture. As a central water system is extended into an agricultural area, the character of the area may change and more non-agricultural development occur. The term "on site" is intended to include water systems which currently exist or which will be constructed on the site with no need for extension.

3. Transportation.

Inadequate for Planned Use and Proposed Rezoning <sup>1</sup> site beyond 1.5 miles from City or Village Corporate Limits	10
Inadequate for Planned Use and Proposed Rezoning, Some minor improvements required - <sup>1</sup> site beyond 1.5 miles from City or Village Corporate Limits	8
Adequate for Planned Use and Proposed Rezoning <sup>1</sup> site beyond 1.5 miles of City or Village Corporate Limits	6
Inadequate for Planned Use and Proposed Rezoning - site within 1.5 miles of City or Village Corporate Limits	4
Inadequate for Planned Use and Proposed Rezoning, Some minor improvements required - <sup>1</sup> site within 1.5 miles of City or Village Corporate Limits	2
Adequate for Planned Use and Proposed Rezoning <sup>1</sup> site within 1.5 miles of City or Village Corporate Limits	0

<sup>1</sup>Use actual road miles to nearest corporate limits.

Access to transportation is a consideration in the location of all types of uses. The location of industrial, commercial, and residential uses within 1.5 miles of existing municipalities results in a more efficient movement of goods and people. The location of non-agricultural uses along rural roads may necessitate the upgrading and widening of rural roads, which results in a further loss of farmland. High volume/high speed traffic may not be compatible with agricultural uses.

The type of road providing access to a site whether existing or to be provided by a developer, and the availability of transportation modes are major factors in determining suitability of the planned use or proposed rezoning. Determining adequacy of the transportation infrastructure to the site depends on a number of factors such as loading (weight of vehicles and number of vehicles), roadway capacity to handle traffic volumes, traffic control devices (traffic signals, regulatory and guide signs, pavement markings, etc.), and availability of transportation modes (bus, rail, major highway). Since the type of transportation infrastructure to support the planned use or proposed rezoning may vary among governmental jurisdictions there may be a need to determine adequacy for a specific transportation component (pavement structure, intersection geometrics, number of lanes, etc). Sources for determining adequacy of the existing transportation infrastructure would be the appropriate government body having jurisdiction. This factor recognizes plans by the developer to provide transportation improvements as well as any existing plans for improvements by a government body.

4. Distance of site from fire protection service.

Not in fire protection district (FPD)	10
In a FPD, but more than 5 miles from fire protection service	8
2½ to 5 miles - volunteer	6
0 to 2.49 miles - volunteer	4
2½ to 5 miles - paid	2
0 to 2.49 miles - paid	0

Fire protection requires a combination of equipment, manpower, and availability and supply of water. This factor is also related to distance between fire station and proposed development. Distance should be calculated by actual road miles from fire protection service to the site.

F. Environmental Impact of Proposed Use and Zoning Change

1. Impact on Flooding/Drainage

Negative Impact	6
Some Impact	4
Little or none with special design or protective measures provided or required	2
None	0

This factor addresses whether the proposed use or zoning change will have impact on neighboring properties from surface runoff; this factor is also concerned with environmentally sensitive areas such as floodplains and wetlands. This factor takes into account whether reasonable provisions have been made to collect and divert surface runoff in order to reduce the likelihood of damage to adjoining properties. The selection and design of measures will depend on

varying local conditions such as soils, topography, physical features and the extent of impervious surface. Refer to Champaign County Zoning Ordinance for the range of permitted uses in the proposed zoning district.

2. Impact on historic, cultural, unique or important vegetation areas, or other areas of ecological importance.

Negative impact	6
Some impact	4
No impact	0

Situations may arise when a land use change will adversely affect unique historical, cultural or vegetation areas. These include unusual or locally important wildlife or vegetation, and areas of historic significance such as (1) a site or structure where an important historic event occurred (landmark), (2) a building or an area or district which is either architecturally unique or significant in local or broader traditions, and, (3) an area or site which may yield significant archeologic data or evidence. Refer to Champaign County Zoning Ordinance for the range of uses in the proposed zoning district.

3. Impact on recreation and open spaces.

Negative impact	6
Some impact	4
No impact	0

Limiting development in environmentally sensitive areas may provide opportunity for recreational open space and protect natural areas. Also, a land use change may result in conflicting uses and prevent or reduce public access for recreational purposes. This factor includes the physical space, services and facilities. Refer to the Champaign County Zoning Ordinance for the range of uses in the proposed zoning district.

4. Impact on Water Quality

Severe	10
Moderate to Severe	8
Moderate	6
Slight to Moderate	4
Slight	0

This factor reflects impacts on the quality of surface water and ground water. Surface water refers to streams or surface depressions such as lakes and reservoirs (natural or man-made). Groundwater begins as precipitation seeps downward into the ground through the soils, some serving the important needs of vegetation as soil moisture and some percolating deeper into the ground becoming our groundwater resources. Residential, commercial and industrial developments will have varying degrees of impact on surface and ground water quality. Design features may compensate for impacts on water quality. Refer to Champaign County Zoning Ordinance for the range of uses in the proposed zoning district.

## 5. Impact on Water Supply

Severe	10
Moderate to Severe	8
Moderate	6
Slight to Moderate	4
Slight	0

Although water use as a domestic supply may have first priority, it is only one of the multiple uses. Much water must be available for agricultural crops and animals, commercial and industrial development, waste treatment, fire protection, recreation, and fish and wildlife. This factor also reflects impacts on both ground and surface water. However, most of the water use for residential, commercial and industrial developments in the County comes from ground water. While Champaign County is blessed with abundant ground water resources, these water resources are finite and are not distributed uniformly. The term water supply or water use implies water withdrawals. The principal requisite for withdrawal use is that water must be taken from a groundwater or surface water source and conveyed to the place of use. Residential, commercial and industrial developments will have varying degrees of water withdrawals. Refer to the Champaign County Zoning Ordinance for the range of permitted uses in the proposed zoning district. Also refer to Water Use Act of 1983 when withdrawals can reasonably be expected to occur in excess of 100,000 gallons on any day from any new point at which underground water is diverted from its natural state.

IV. Instructions for Calculating the Total Land Evaluation and Site Assessment Value for a Site.

The following are instructions to determine the total Land Evaluation and Site Assessment value for the parcel in question. The Land Evaluation part and Site Assessment part each require separate calculations.

A. Land Evaluation Value

The Land Evaluation value will be provided by the Champaign Soil and Water Conservation District office to the Champaign County Zoning office when a petition is filed for a map amendment (rezoning). Otherwise, the Land Evaluation value can be calculated by working through the following steps:

1. Outline tract of land to be rezoned on a soils map. Soil maps can be found in the Soil Survey of Champaign County and are also available at the Champaign County Soil and Water Conservation District office.
2. Acreage of individual soil types within area of concern can be obtained by using a planimeter or other appropriate method or can be obtained from the Champaign County Soil and Water Conservation District.
3. From Column 9 of Table 1, select the appropriate Agricultural Value Group for each soil type and list them in a column to the right of the soil type.
4. From Column 7 of Table 2, select the relative value for each corresponding agricultural group.
5. Multiply the number of acres by the relative value for each soil type.
6. Total the product (acre x relative value) of each soil type and divide this number by the total number of acres in area of concern. This figure is the value of the Land Evaluation part of the LESA system. The maximum number of points possible for any given parcel is 100.
7. Example: an 80 acre tract of land has three soil types: 154A - Flanagan, 152 - Drummer and 56B - Dana. Based on the following calculations, the Value for the Land Evaluation part would be 93.

Soils	AG Group <sup>1</sup>	Relative Value <sup>2</sup>	Acres <sup>3</sup>	Product (Relative Value X Acres)
154A	1	100	20	2,000
152	2	98	20	1,960
56B	3	87	40	3,480
			80	7,440

<sup>1</sup>Agricultural Group - Obtained from Table 1.

<sup>2</sup>Relative Value - Obtained from Table 2.

<sup>3</sup>Acres - use a planimeter or can be obtained from the Champaign County Soil and Water Conservation District.

$$\begin{aligned}
 \text{Land Evaluation} &= \text{Total of Product} \div \text{Total number of acres in parcel.} \\
 &= \frac{7440}{80} \\
 &= 93
 \end{aligned}$$

B. Site Assessment Value

To establish the Site Assessment point value of the given parcel, work through the following steps:

1. Based upon local land use information, site inspection, and other pertinent data, assess the site for each factor shown in Section III.

2. A point value for each factor is determined by analyzing each Site Assessment factor and choosing the category that best suits the property in question.
3. Add all factor values to arrive at a Site Assessment subtotal. The maximum number of possible points for any given parcel is 200.

C. Assessing a Site for its Agricultural Viability

Once the value for the Land Evaluation part and Site Assessment part are obtained, add both values for the total points for each site.

The total maximum points possible for any site are 300. The Land Evaluation may be assigned a maximum of 100 points, and the Site Assessment may be assigned a maximum of 200 points.

The following breakdown should be used in evaluating a rezoning from AG-1, Agriculture, AG-2, Agriculture, and/or CR, Conservation-Recreation to another zoning district for protection of Agriculture:

220 - 300	-	Very High Rating for Protection
200 - 219	-	High Rating for Protection
180 - 199	-	Moderate Rating for Protection
179 or below	-	Low Rating for Protection

The higher the total points accrued for a site, the more agriculturally viable the given site will be. When considering a number of sites for a non-agricultural use, selection of the site with the lowest point score will usually result in protection of the best agricultural land in the most viable locations.

## V. Glossary

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

AG-1, AGRICULTURE: The AG-1, Agriculture District is intended to protect the areas of the County where soil and topographic conditions are best adapted to the pursuit of agricultural uses and to prevent the admixture of urban and rural uses which would contribute to the premature termination of agricultural pursuits. Source: Champaign County Zoning Ordinance.

AG-2, AGRICULTURE: The AG-2, Agriculture District is intended to prevent scattered indiscriminate urban development and to preserve the agricultural nature within areas which are predominantly vacant and which presently do not demonstrate any significant potential for development. This district is intended generally for application to areas within one and one-half (1½) miles of existing communities in the County. Source: Champaign County Zoning Ordinance.

AGRICULTURAL LAND: Land in farms regularly used for agricultural production. The term includes all land devoted to crop or livestock enterprises, for example, the farmstead lands, drainage ditches, water supply, cropland, pasture land, or timberland (whether or not in current production), and grazing land of every kind in farms.

CAPABILITY CLASS: Capability classes are broad groupings of soil mapping units that have similar potentials and/or limitations and hazards. These classes are useful as a means of introducing the map users to more detailed information on a soils map. The classes show the location, amount and general suitability of the soils for agricultural use.

The national capability classification shows soils groupings in eight classes:

- CLASS I - soils have few limitations that restrict their use.
- CLASS II - soils have some limitations that reduce the choice of plants or require moderate conservation practices.
- CLASS III - soils have severe limitations that reduce the choice of plants or require special conservation practices, or both.
- CLASS IV - soils have very severe limitations that reduce the choice of plants, require very careful management, or both.
- CLASS V - soils have little or no erosion hazard but have other limitations impractical to remove that limit their use largely to pasture, range, woodland, or wildlife food and cover.
- CLASS VI - soils have severe limitations that make them generally unsuited to cultivation and limit their use largely to pasture, range, woodland, or wildlife food and cover.

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- CLASS VII - soils have very severe limitations that make them unsuited to cultivation and that restrict their use largely to grazing, woodland, or wildlife.
- CLASS VIII - soils and landforms have limitations that preclude their use for commercial plant production and restrict their use to recreation, wildlife, or water supply, or to aesthetic purposes.

The soils in Champaign County fall into capability classes I thru IV, VI, and VII.

CAPABILITY SUBCLASS: Subclasses are groups of capability units within classes that have the same kinds of dominant limitations for agricultural use as a result of soil and climate. The subclass provides information about both the degree and kind of limitation. There are two subclasses that are used with the soils in Champaign County:

Subclass (e) erosion - applies to soils where the susceptibility to erosion is the dominant problem or hazard in their use. Erosion susceptibility and past erosion damage are the major soil factors for placing soils in this subclass.

Subclass (w) excess water - applies to soils where excess water is the dominant hazard or limitation in their use. Poor soil drainage, wetness, high water table, and overflow are the criteria for determining which soils belong in this subclass.

Capability CLASS I has no subclass.

CAPITAL IMPROVEMENTS PROGRAM: A proposed timetable or schedule of all future capital improvements to be carried out during a specific period and listed in order of priority, together with cost estimates and the anticipated means of financing each project.

COMPREHENSIVE PLAN: A plan intended to guide the growth and development of a community or region and one that includes analysis, recommendations and proposals for the community's land use, population, economy, housing transportation, and community facilities.

CONSERVATION: The preservation, protection, and restoration of natural resources and ecosystems.

CR, CONSERVATION-RECREATION: The CR, Conservation-Recreation District is intended to protect the public health by restricting development in areas subject to frequent or periodic floods and to conserve the natural and scenic areas generally along the major stream networks of the County. Source: Champaign County Zoning Ordinance.

DISTRICT: A section of the County/City/Village in which zoning regulations and standards are uniform. Source: Champaign County Zoning Ordinance. See Champaign County Zoning Ordinance for General Intent of all Zoning Districts.

FARMLAND OF STATEWIDE IMPORTANCE: This land is of statewide importance for the production of food, feed, fiber, forage and oilseed crops. Generally, additional farmlands of statewide importance include those that are nearly prime farmland and that economically produce high yields of crops when treated and managed according to acceptable farming methods. Some may produce as high a yield as prime farmlands if conditions are favorable.

INFRASTRUCTURE: The basic installations and facilities on which the continuance and growth of a community depends such as: roads, schools, utilities, transportation and communication systems.

LOT: A designated parcel, tract or area of land established by plat, subdivision or as otherwise permitted by law, to be used, developed or built upon as a unit. SOURCE: Champaign County Zoning Ordinance.

PRIME FARMLAND: Prime farmland is land that is best suited to food, feed, forage, fiber and oilseed crops. It may be cropland, pasture, woodland, or other land, but it is not urban and built up land or water areas. It either is used for food or fiber or is available for those uses. The soil qualities, growing season, and moisture supply are those needed for a well managed soil economically to produce a sustained high yield of crops. Prime farmland produces the highest yields with minimum inputs of energy and economic resources, and farming it results 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 flooded during the growing season. The slope ranges mainly from 0 to 5 percent.

PRODUCTIVITY INDEX: Productivity indexes for grain crops express the estimated yields of the major grain crops as a percentage of the average yields obtained under basic management. Soil productivity is strongly influenced by the capacity of a soil to supply the nutrient and soil-stored water needs of a growing crop in a given climate. "Source: Soil Productivity in Illinois, Circular 1156, University of Illinois, College of Agriculture, Cooperative Extension Office.

VI. APPENDIX

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DETERMINING RELATIVE VALUE  
CHAMPAIGN COUNTY

1	2	3	4	5
AGRICULTURAL GROUP	ADJUSTED PRODUCTIVITY INDEX FOR THE GROUP DIVIDED BY THE HIGHEST ADJUSTED PRODUCTIVITY INDEX	PRODUCT OF RELATIVE PRODUC- TIVITY INDEX	TIMES 100	RELATIVE VALUE
1	158/158	1.00	100	100
2	155/158	0.98	100	98
3	138/158	0.87	100	87
4	134/158	0.85	100	85
5	125/158	0.79	100	79
6	110/158	0.70	100	70
7	103/158	0.65	100	65
8	65/158	0.41	100	41
9	0/158	0.00	100	0

WORKSHEETS FOR DETERMINING RELATIVE VALUESGROUP I

<u>Map Symbol</u>	<u>Productivity Index</u>	X	<u>Acres</u>	=	<u>Product</u>
149A	150		16,183		2,427,450
154A	160		99,607		15,937,120
198A	155		<u>17,048</u>		<u>2,642,440</u>
		Total:	132,838		21,007,010

Total product  $\div$  total acres = weighted average.  
 $21,007,010 \div 132,838 = 158.14$  (Round to 158)

Weighted average  $\div$  highest weighted average of all groups (158) X 100 = Relative Value  
 $158 \div 158 \times 100 = \underline{100}$

GROUP II

<u>Map Symbol</u>	<u>Productivity Index</u>	X	<u>Acres</u>	=	<u>Product</u>
152	155		248,094		38,454,570

$38,454,570 \div 248,094 = 155$   
 $155 \div 158 \times 100 = 98.1$  (Round to 98)

GROUP III

<u>Map Symbol</u>	<u>Productivity Index</u>	X	<u>Acres</u>	=	<u>Product</u>
56B	135		23,839		3,218,265
102A	130		1,476		191,880
148B	135		8,881		1,198,935
171B	145		16,069		2,330,005
199B	140		5,330		746,200
219	135		1,426		192,510
234A	140		1,797		251,580
398A	120		3,213		385,560
481A	140		22,269		3,117,660
490A	135		<u>1,319</u>		<u>178,065</u>
		Total:	85,619		11,810,660

$11,810,660 \div 85,619 = 137.94$  (Round to 138)  
 $138 \div 158 \times 100 = 87.3$  (Round to 87)

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GROUP IV

<u>Map Symbol</u>	<u>Productivity Index</u>	X	<u>Acres</u>	=	<u>Product</u>
67	135		2,252		304,020
73	130		1,001		130,130
125	135		2,703		364,905
153	130		6,368		827,840
232	135		28,281		3,817,935
236A	130		2,760		358,800
242A	130		<u>1,545</u>		<u>200,850</u>
		Total:	44,910		6,004,480

$$6,004,480 \div 44,910 = 133.7 \text{ (Round to 134)}$$

$$134 \div 158 \times 100 = 84.81 \text{ (Round to } \underline{84})}$$

GROUP V

<u>Map Symbol</u>	<u>Productivity Index</u>	X	<u>Acres</u>	=	<u>Product</u>
134B	120		1,244		149,280
146B	130		31,039		4,035,070
221B	120		7,708		924,960
223B2	120		11,142		1,337,040
233B	120		2,735		328,200
235	125		1,489		186,125
243B	120		1,842		221,040
291B	120		5,299		635,880
330	125		3,678		459,750
440B	125		2,410		301,250
570B	120		<u>778</u>		<u>93,360</u>
		Total:	69,364		8,671,955

$$8,671,955 \div 69,364 = 125.02 \text{ (Round to 125)}$$

$$125 \div 158 \times 100 = 79.11 \text{ (Round to } \underline{79})}$$

## GROUP VI

<u>Map Symbol</u>	<u>Productivity Index</u>	X	<u>Acres</u>	=	<u>Product</u>
23A	105		1,005		105,525
23B	105		624		65,520
27B	110		267		29,370
91B	115		3,448		396,520
131B	100		212		21,200
150B	110		268		29,480
194B	105		738		77,490
206	105		2,736		287,280
302	110		2,687		295,570
387B	110		1,174		129,140
402	110		10,643		1,170,730
448B	110		<u>297</u>		<u>32,670</u>
		Total:	24,099		2,640,495

$$2,640,495 \div 24,099 = 109.56 \text{ (Round to 110)}$$

$$110 \div 158 \times 100 = 69.62 \text{ (Round to 70)}$$

## GROUP VII

<u>Map Symbol</u>	<u>Productivity Index</u>	X	<u>Acres</u>	=	<u>Product</u>
27C2	95		755		71,725
27D2	80		429		34,320
194C2	100		890		89,000
221C2	105		5,821		611,205
221D3	90 estimated		330		29,700
223C3	105		3,044		319,620
322C2	105		1,867		196,035
387C3	90		278		25,020
440C2	120		778		93,360
570C2	105		1,054		110,670
570D2	90		275		24,750
637	125		<u>44</u>		<u>5,500</u>
		Total:	15,565		1,610,905

$$1,610,905 \div 15,565 = 103.495 \text{ (Round to 103)}$$

$$103 \div 158 \times 100 = 65.2 \text{ (Round to 65)}$$

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GROUP VIII

<u>Map Symbol</u>	<u>Productivity Index</u>	X	<u>Acres</u>	=	<u>Product</u>
27E2	60 estimated		406		24,360
19402	90		251		22,590
24103	50 estimated		<u>288</u>		<u>14,400</u>
		Total:	945		61,350

$$61,350 \div 945 = 64.92 \text{ (Round to 65)}$$

$$65 \div 158 \times 100 = 41.14 \text{ (Round to } \underline{41})}$$

GROUP IX

Map Symbols for Group IX are urban built-up areas or water.

Productivity indices and product would be zero.

Relative Value is 0.

Date:  
Case #:

**LAND EVALUATION AND SITE ASSESSMENT  
WORKSHEET**

**Worksheet for calculating the total point value for the Land Evaluation and Site Assessment System. Refer to the Champaign County Land Evaluation and Site Assessment System manual for specific instructions and definitions.**

<b>I. Land Evaluation Value</b>	
---------------------------------	--

**II. Site Assessment**

**A. Agricultural Uses:**

<p><b>1. Percentage of Area in Agricultural Uses within one and one half (1 ½ ) miles of Site</b></p> <p>90% or more                      18  75% to 89%                        16  50% to 74%                        12  25% to 49%                        8  Less than 25%                    0</p>	
<p><b>2. Land Use Adjacent to Site</b></p> <p>All sides in Agricultural Use   18  1 Side in Non-Agricultural Uses   16  2 Sides in Non-Agricultural Uses   12  3 Sides in Non-Agricultural Uses   8  All Sides in Non-Agricultural Uses   0</p>	
<p><b>3. Percentage of Site in or Suitable for Agricultural Uses</b></p> <p>75% to 100%                      10  59% to 74%                        8  25% to 49%                        6  10% to 24%                        4  0% to 9%                            0</p>	

**B. Zoning and Prior Governmental Actions:**

<p><b>1. Percentage of land zoned AG-1, Agriculture, AG-2, Agriculture and /or CR, Conservation-Recreation within one-half (1/2) miles of Site</b></p> <p>90% or more                      10  75% to 89%                        8  50% to 74%                        6  25% to 49%                        4  Less than 25%                    0</p>	
<p><b>2. Percentage of Site zoned AG-1, Agriculture, AG-2, Agriculture or CR, Conservation-Recreation</b></p> <p>90% to 100%                      10  75% to 89%                        8  50% to 74%                        6  25% to 49%                        4  24% or less                        0</p>	
<p><b>3. Have prior governmental actions committed site to development</b></p> <p>No                                      10  Partially                              6  Yes                                      0</p>	

**C. Compatibility/Impact of Uses:**

<p><b>1. Distance from City or Village Corporate Limits</b></p> <p>More than 1.5 (1 ½) miles      10</p> <p>1 to 1.49 miles                      8</p> <p>.25 to .49 miles                      6</p> <p>0 to .49 miles                         4</p> <p>Adjacent                                 0</p>	
<p><b>2. Compatibility of proposed use and zoning change with surrounding Agricultural Uses</b></p> <p>Incompatible                          10</p> <p>Somewhat Compatible              6</p> <p>Compatible                              0</p>	

**D. Land Use Feasibility:**

<p><b>1. Size of Site Feasible for Farming</b></p> <p>100 acres or more                    8</p> <p>40 to 99 acres                         6</p> <p>20 to 39 acres                         4</p> <p>5 to 19 acres                         2</p> <p>Under 5 acres                         0</p>	
<p><b>2. Soil Limitations for Proposed Use and Proposed Zoning Change</b></p> <p>Severe                                  10</p> <p>Moderate to Severe                 8</p> <p>Moderate                                6</p> <p>Slight to Moderate                 4</p> <p>Slight                                    0</p>	
<p><b>3a. Alternative Sites proposed on less productive land</b></p> <p>Yes                                        8</p> <p>No                                         0</p> <p><i>or</i></p> <p><b>3b. Need for additional land</b></p> <p>Vacant buildable land available    8</p> <p>Little buildable land remaining    0</p>	

**E. Existence of Infrastructure:**

<p><b>1. Availability of Central Sewage System</b></p> <p>More than 1.5 (1 ½) miles      10</p> <p>.75 to 1.49 miles                    8</p> <p>.50 to .74 miles                      6</p> <p>.25 to .49 miles                      4</p> <p>200 feet to .24 miles               2</p> <p>200 feet or less or on-site        0</p>	
<p><b>2. Availability of Central Water System</b></p> <p>More than 1.5 (1 ½) miles      10</p> <p>.75 to 1.49 miles                    8</p> <p>.50 to .74 miles                      6</p> <p>.25 to .49 miles                      4</p> <p>200 feet to .24 miles               2</p> <p>200 feet or less or on-site        0</p>	
<p><b>3. Transportation</b></p> <p>* Inadequate for planned Use and Proposed Rezoning - Site beyond 1.5 (1 ½) miles from City or Village Corporate Limits      10</p> <p>* Inadequate for Planned Use &amp; Proposed Rezoning, Some Minor improvements required - site beyond 1.5 (1 ½) miles from City/Village Corporate Limits      8</p> <p>* Adequate for Planned Use &amp; Proposed Rezoning - site beyond 1.5 (1 ½) miles of City/Village or Village Corporate Limits      6</p> <p>* Inadequate for Planned Use &amp; Proposed Rezoning - site within      4</p>	

1.5 (1 ½) miles of City or Village Corporate Limits		
*Inadequate for Planned Use & Proposed Rezoning, Some minor improvements required - site within 1.5 (1 ½) miles of City/Village Corporate Limits	2	
*Adequate for Planned Use & Proposed Rezoning - site within 1.5 (1 ½) miles of City/Village Corporate Limits	0	
<b>4. Distance of site from fire protection service</b>		
Not in fire protection district (FPD)	10	
In a FPD, but more than 5 miles from fire protection service	8	
2 ½ to 5 miles - volunteer	6	
0 to 2.49 miles - volunteer	4	
2 ½ to 5 miles - paid	2	
0 to 2.49 miles - paid	0	

**F. Environment Impact of Proposed Use and Zoning Change:**

<b>1. Impact on Flooding/Drainage</b>		
Negative Impact	6	
Some Impact	4	
Little or none with special design or protective measures provided or required	2	
None	0	
<b>2. Impact on historic, cultural, unique or important vegetation areas, or other areas of ecological importance</b>		
Negative impact	6	
Some impact	4	
No Impact	0	
<b>3. Impact on Recreation and open spaces</b>		
Negative impact	6	
Some impact	4	
No Impact	0	
<b>4. Impact on Water Quality</b>		
Severe	10	
Moderate to Severe	8	
Moderate	6	
Slight to Moderate	4	
Slight	0	
<b>5. Impact on Water Supply</b>		
Severe	10	
Moderate to Severe	8	
Moderate	6	
Slight to Moderate	4	
Slight	0	

<b>Land Evaluation Total:</b>	
<b>Site Assessment Total:</b>	
<b>Total Land Evaluation and Site Assessment Point Value</b>	

(3)

**Assessing a Site Where Proposed Agricultural Uses are to be Converted:**

- 220 - 300                      **Very High Rating for Protection**
- 200 - 219                      **High Rating for Protection**
- 180 - 199                      **Moderate Rating for Protection**
- 179 or below                   **Low Rating for Protection**

Date: August 27, 2010

To: Champaign County Board Committee of the Whole Members

From: Susan Monte, CCRPC Planner  
John Hall, Director, Champaign County Department of Planning & Zoning

Regarding: Direction to Zoning Administrator Regarding Proposed Zoning Ordinance Text Amendment

**Request: Conduct a Champaign County Zoning Ordinance Text Amendment implementing Policies 4.1.5, 4.1.7 and 4.1.9 of the Land Resource Management Plan**

### Background

On April 22, 2010, the Board adopted the Champaign County Land Resource Management Plan (LRMP). On June 8, 2010, the Committee of the Whole approved the remaining FY 2010 planning contract work plan. The remaining FY 2010 work plan includes the task of amending the *Champaign County Zoning Ordinance* to include provisions of the following specific LRMP objectives and policies: Policies 4.1.5 and 4.1.6; Policy 4.1.9; Policies 4.3.1 - 4.3.4 and Objective 4.4.

This memorandum describes the proposed zoning text amendments intended to represent the changes to the Zoning Ordinance needed to implement LRMP Policies 4.1.5, 4.1.7 and 4.1.9. If authorized by the Committee, the proposed zoning ordinance text amendments will proceed to public hearing review to be held by the ZBA.

<i>LRMP Policy</i>	<i>Brief Description</i>
Policy 4.1.5	by right development limit
Policy 4.1.7	by right maximum lot size limit on best prime farmland
Policy 4.1.9	minimum lot size requirement for farm residence

Attachment A includes the complete text of Policies 4.1.5, 4.1.7 and 4.1.9, as well as the text of the directly relevant LRMP Goal 4 and Objective 4.1.

### Specific Issues Related to Policies

#### *Policies 4.1.5 and 4.1.7*

The existing Zoning Ordinance includes a 3-acre maximum lot size limit on Best Prime Farmland in the rural zoning districts. In some instances, implementing Policy 4.1.5 could result in lots larger than 3 acres. Proposed zoning ordinance provision 4.3.4G contains an exemption for those instances.

#### *Policy 4.1.9*

The existing Zoning Ordinance allows that a farm dwelling will pay no zoning permit fees. The basis of the decision of whether to allow an agricultural exemption from zoning permit fees should be the lot size at which the dwelling becomes accessory to the farming. A new zoning ordinance provision for a large minimum lot size for a farm dwelling is proposed to address this concern in Footnote 15 of Table 5.3 and Item 5.4.2 A.1. Attachment C contains description of large minimum lot size alternatives for Board review.

## **Other Considerations**

### *Close Loophole*

Staff recommends a proposed zoning provision to close a loophole in the existing Ordinance regarding lots created to meet mortgage underwriting requirements that limit the acreage allowed to be included in a home mortgage. Item d, shown below, is proposed to be located at the end of Subparagraph 5.4.2 A.2., following a list of the types of lots that are exempt from the RRO requirement:

- d. Any lot that is created pursuant to a mortgage for any reason must either conform to the requirements above or be in an established Rural Residential Overlay Zoning District.*

### *Clarification*

Staff recommends the following proposed zoning provision be added to Subsection 5.4.2 A to clarify that lots that were lawfully created under all previous limits are grandfathered. This is not a change from practice.

- 4. Any lot that was lawfully created prior to {effective date} that was in full conformance with similar limits that were in affect at the time the lot was created.*

## **Attachments**

- A Relevant Policies
- B Diagrams Comparing By Right Lots Authorized by Existing Zoning Ordinance and as Authorized by Policy 4.1.5
- C Alternatives for Minimum Lot Size for Farm Dwellings
- D Strike-Out Version of Draft Zoning Ordinance Text Amendment

## Relevant Policies

LRMP Policies 4.1.5 and 4.1.9 are policies under the LRMP Goal 4 and Goal 4 Objective 4.1, as stated below:

LRMP Goal 4                      Champaign County will protect the long term viability of agriculture in Champaign County and its land resource base.

LRMP Objective 4.1            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.

### LRMP 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.

### LRMP 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*.

### LRMP Policy 4.1.9

Establish a minimum lot size standard for a farm residence on agricultural land.

## Attachment B

### Diagrams Comparing By Right Lots Authorized by Existing Zoning Ordinance and as Authorized by Policy 4.1.5

The substance of much of LRMP Policy 4.1.5 is already in place in the existing Zoning Ordinance. The primary Zoning Ordinance change necessary to implement Policy 4.1.5 is to limit the number of new lots allowed to be created by right on the January 1, 1998 configuration of tracts based on the limits indicated in Policy 4.1.5.

The example diagrams below illustrate the existing Zoning Ordinance by right lot creation allowance and the proposed zoning amendment to limit the by right lot creation allowance to implement LRMP Policy 4.1.5. All parcels shown are assumed to be in the configuration existing on January 1, 1998.\*

#### 5 ACRE PARCEL



Existing Zoning Ordinance (ZO):

- no lot division permitted

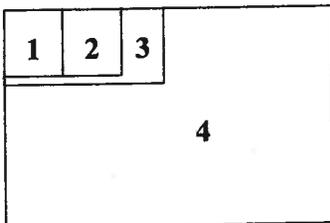
#### 5 ACRE PARCEL



Proposed ZO:

- no lot division permitted

#### 39 ACRE PARCEL

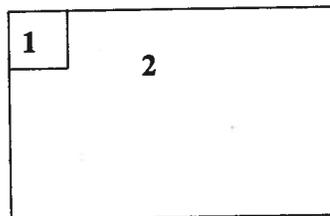


Existing ZO:

- 3 new lots can be created
- the leftover acreage counts as 1 lot

TOTAL # of potential by right lots: 4 lots

#### 39 ACRE PARCEL



Proposed ZO:

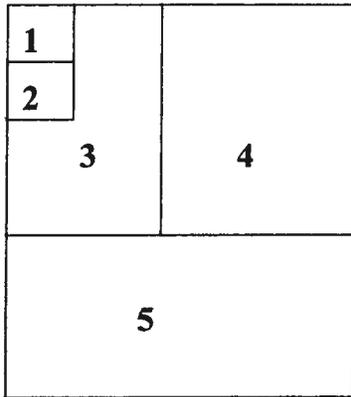
- 1 new lot can be created
- the leftover acreage counts as 1 lot

TOTAL # of potential by right lots: 2 lots

\* *Diagrams intended as illustrations only and are not drawn to scale*

Diagrams\* (continued)

**80 ACRE PARCEL**

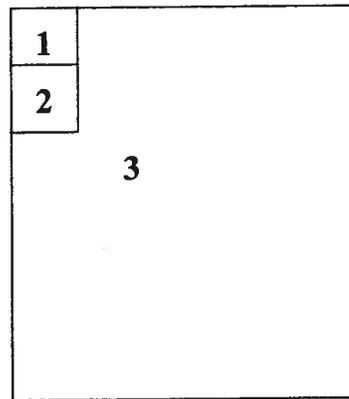


Existing ZO:

- 2 new lots can be created
- the leftover acreage counts as 1 lot
- plus two 35-acre (or larger) lots

TOTAL # of potential by right lots: **5 lots**

**80 ACRE PARCEL**

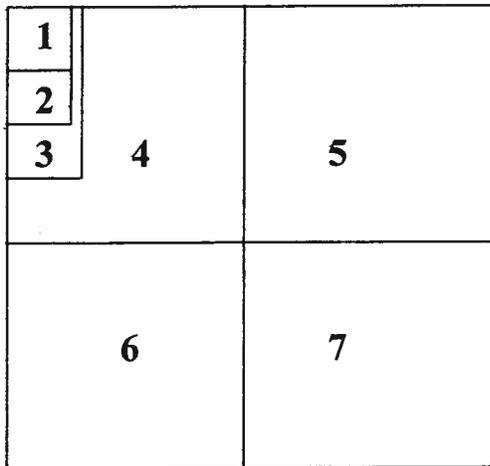


Proposed ZO:

- 2 new lots can be created
- the leftover acreage counts as 1 lot

TOTAL # of potential by right lots: **3 lots**

**160 ACRE PARCEL**

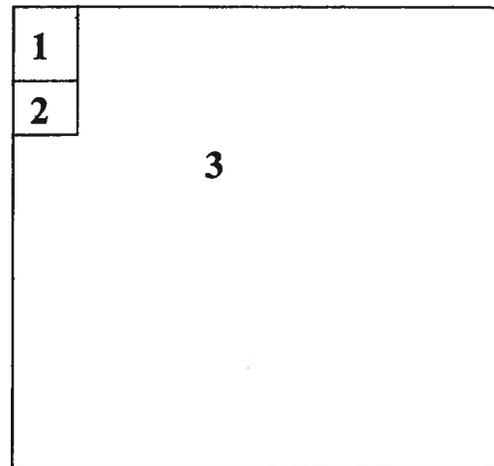


Existing ZO:

- 2 new lots can be created
- the leftover acreage counts as 1 lot
- plus four 35-acre (or larger) lots

TOTAL # of potential by right lots: **7 lots**

**160 ACRE PARCEL**



Proposed ZO:

- 2 new lots can be created
- the leftover acreage counts as 1 lot

TOTAL # of potential by right lots: **3 lots**

\* Diagrams intended as illustrations only and are not drawn to scale

## Attachment C

### Alternatives for Minimum Lot Size for Farm Dwellings

Under the existing Zoning Ordinance, new home construction can occur by right on a 35-acre or larger parcel of land, with no need to request County approval of a Rural Residential Overlay District (RRO). The existing Zoning Ordinance allows any number of 35-acre lots to be created for residential land use.

The existing zoning provision that allows any number of 35-acre lots to be created is not required by LRMP Policy 4.1.5. Someone wealthy enough to afford to purchase a 35-acre parcel of farmland in order to place a home on that parcel could claim the home is a farm dwelling and therefore an agriculture use, and then be exempted from the need for an RRO.

To best implement LRMP Policies 4.1.5 and 4.1.9, the County will need to establish a large minimum lot size for a farm dwelling. State law grants counties the authority to "...establish a minimum lot size for residences on land used for agricultural purposes" (55 ILCS 5/5-12001). The large minimum lot size for a farm dwelling would be the lot size on which a proposed farm dwelling is determined to be accessory to the agriculture land use.

Farmers will not be affected by the minimum lot size provision. The establishment of a dwelling for a farmer will continue to be exempt from the need to obtain an RRO.

Anyone who receives farming income from the tract of land on which they plan to build a home can try to claim the agriculture exemption and if the agriculture exemption is granted, the only zoning ordinance requirement that applies is the street setback. No permit fees can be charged for a farm dwelling.

Table C-1 describes various options for a proposed large minimum lot size for a farm residence. Staff recommends the County Board consider a minimum lot size for a farm dwelling that is larger than 35 acres, such as 40, 60, 70, or 80 acres.

Table C-1: Alternatives for Farm Dwelling Minimum Lot Size

<b>35 Acres</b>	<ul style="list-style-type: none"> <li>▶ A 35-acre lot size standard would allow a farm dwelling to be constructed on a vacant "remainder" portion of a parcel that previously was 40 acres in area as of January 1, 1998 and which, since then, has had the maximum of 3 new by right lots already created from it.</li> <li>▶ 6,738 35-acre or larger tracts exist in Champaign County, as per the Champaign County database of existing parcels as of January 1, 2009.</li> </ul>
<b>40 Acres</b>	<ul style="list-style-type: none"> <li>▶ A 40-acre minimum lot size requirement for a farm dwelling would represent a new standard.</li> <li>▶ Forty acres is an easy-to-remember, round number</li> <li>▶ more restrictive than current 35 acre exemption and would result in somewhat fewer claims for farm dwellings</li> <li>▶ 5,985 40-acre or larger tracts exist in Champaign County, as per the Champaign County database of existing parcels as of January 1, 2009.</li> </ul>

continued

Table C-1: Alternatives for Farm Dwelling Minimum Lot Size (continued)

<b>60 Acres</b>	<ul style="list-style-type: none"> <li>▶ A 60-acre minimum lot size requirement for a farm dwelling would represent a new standard.</li> <li>▶ more restrictive than current 35 acre exemption and would result in fewer claims for farm dwellings</li> <li>▶ 3,874 60-acre or larger tracts exist in Champaign County, as per the Champaign County database of existing parcels as of January 1, 2009.</li> </ul>
<b>80 Acres</b>	<ul style="list-style-type: none"> <li>▶ An 80-acre minimum lot size requirement for a farm dwelling would represent a new standard.</li> <li>▶ 80 acres is a size at which the traffic generated by the residence is small enough to not be a problem on any rural road.</li> <li>▶ 80 acres is a size at which the number of driveways will be greatly minimized (only eight driveways per square mile).</li> <li>▶ 80 acres is a size at which the number of dwellings that result will be very few and there will be fewer conflicts with agriculture.</li> <li>▶ 80 acres is more than twice as large as the current exemption and so it will reduce the number of lots that are exempt from the Ordinance. This is not related to the impacts of a dwelling, but is an added benefit and it means that not many lots will be exempt from paying fees.</li> <li>▶ 2,650 80-acre or larger tracts exist in Champaign County, as per the Champaign County database of existing parcels as of January 1, 2009.</li> </ul>

## Attachment D

### Strikeout Version of Draft Zoning Ordinance Text Amendment

#### *1. Add a definition for 'best prime farmland', 'farmstead', 'parcel', and 'remainder area lot'.*

##### Section 3.0 Definitions

BEST PRIME FARMLAND: Soils identified in the Champaign County Land Evaluation and Site Assessment (LESA) System with a Relative Value of 85 or greater and tracts of land with mixed soils that have a LESA System Land Evaluation rating of 85 or greater.

FARMSTEAD: That portion of a LOT that is or was occupied in 1988 by a lawful DWELLING and/or any ACCESSORY BUILDINGS and STRUCTURES or existing foundations thereof; and including any required YARD for any existing BUILDING or existing STRUCTURE that is or will no longer be in AGRICULTURE use; and also including any existing mature trees or lawn areas that were not in agricultural production in 1988. The area of a FARMSTEAD is the minimum dimensions required to encompass all BUILDINGS, STRUCTURES, foundations, mature trees, and lawn areas within a simple rectangular area.

PARCEL: A designated tract of land entered as a separate item on the real estate tax assessment rolls for the purpose of taxation.

REMAINDER AREA LOT: A 'remainder area lot' is that portion of a tract which existed as of January 1, 1998, that is BEST PRIME FARMLAND, and that is located outside of the boundaries of a LOT that is exempt from the requirement for establishment of the Rural Residential OVERLAY Zoning DISTRICT.

#### *2. Add a Paragraph 4.3.4 G that consolidates existing and new zoning ordinance requirements for residential lots in the rural districts.*

##### Subsection 4.3.4

- G. Special requirements for residential LOTS in the AG-1, AG-2, and CR DISTRICTS that are not used for AGRICULTURE
1. LOTS created after June 22, 1999, in the AG-1, AG-2, and CR DISTRICTS shall conform to the requirements of Subsection 5.4.3 in regards to the requirement for the establishment of the Rural Residential Overlay District.
  2. Minimizing the amount of BEST PRIME FARMLAND used for non-AGRICULTURE residential LOTS in the CR, AG-1 and AG-2 DISTRICTS
    - a. Any residential LOT on BEST PRIME FARMLAND in the CR, AG-1 and AG-2 DISTRICTS that is not used for AGRICULTURE shall not exceed a maximum of three acres in LOT AREA except as follows:
      - (1) Any LOT created out of any PARCEL that was 40 acres or larger and existed in the same dimensions and configurations on January 1, 1998,

may exceed three acres in LOT AREA provided that the total amount of BEST PRIME FARMLAND that is used for such LOTS shall not exceed three acres per 40 acres. Any FARMSTEAD area shall not count towards the three acres per 40 acre limit.

- (2) Any LOT created from a LOT that had a LOT AREA of 12 acres or less as of January 1, 1998.
- (3) Any LOT that includes a FARMSTEAD within the LOT AREA provided that the LOT AREA is no larger than the area of the FARMSTEAD.
- (5) Any LOT that is part of a Rural Residential Overlay District.
- (6) Any REMAINDER AREA LOT. No BY RIGHT CONSTRUCTION or BY RIGHT USE that requires a Zoning Use Permit shall be permitted on a REMAINDER AREA LOT.

- b. The total amount of BEST PRIME FARMLAND that can be used for non-AGRICULTURE residential LOTS in the CR, AG-1 and AG-2 DISTRICTS that are also in the Rural Residential Overlay DISTRICT shall meet the requirements of Subsection 5.4.3.

**3. *Revise the categories of “SUBDIVISIONS” under ‘Residential Uses’ in Section 5.2 as follows:***

SUBDIVISION(S) of one lot from less than 40 acres or no more than two lots from 40 acres or greater ~~totaling three LOTS or less~~

SUBDIVISION(S) of more than one lot from less than 40 acres or more than two lots from 40 acres or greater ~~totaling more than three LOTS~~ or with new STREETS or PRIVATE ACCESSWAYS

**4. *Revise Footnotes 9 and 10 in Section 5.2 as follows:***

9. SUBDIVISION(S) of a PARCEL that existed on January 1, 1998, into no more than one lot per PARCEL that is less than 40 acres in area or no more than two lots per PARCEL that is 40 acres or greater in area. See also subsection 5.4.2. ~~No more than three LOTS in total (in any number of subdivisions involving LOTS that are less than 35 acres in area) are allowed to be platted per parcel except as provided in Section 5.4.2.~~
10. SUBDIVISION(S) of a PARCEL that existed on January 1, 1998, into more than one lot per PARCEL that is less than 40 acres in area or more than two lots per PARCEL that is 40 acres or greater in area or with new STREETS or PRIVATE ACCESSWAYS. See also subsection 5.4.2. ~~No SUBDIVISION shall be created unless a Rural Residential OVERLAY DISTRICT has been created except as provided in Section 5.4.2~~

5. In Section 5.3, revise Footnote 13 to reference revised Paragraph “4.3.4 G” and add Footnote 15.

**Section 5.3 Schedule of Area, Height and Placement Regulations by District**

Zoning DISTRICTS	Minimum LOT Size <sup>12, 15</sup>		Maximum HEIGHT <sup>4, 11</sup>		Required YARDS (feet)					Maximum LOT COVERAGE	Special Provisions
	Area (square feet)	Average Width (feet)	Feet	Stories	Front Setback from STREET Centerline <sup>3</sup>			SIDE <sup>7</sup>	REAR <sup>6</sup>		
					STREET Classification						
					MAJOR	COLLECTOR	MINOR				
AG-1 AGRICULTURE	1 Acre	200	50	NR <sup>10</sup>	85	75	55	15	25	20%	(5), (13), (14)
AG-2 AGRICULTURE	20,000	100	50	NR <sup>10</sup>	85	75	55	10	20	25%	(5), (13)
CR Conservation-Recreation	1 Acre	200	35	2 1/2	85	75	55	15	25	20%	(5), (13)
R-1 Single FAMILY Residence	9,000	80	35	2 1/2	85	75	55	10	20	30%	(5), (8)
R-2 Single FAMILY Residence	6,500	65	35	2 1/2	85	75	55	10	20	30%	(5), (8)
R-3 Two FAMILY Residence	6,500 for 1st d.u. <sup>1</sup> 2,500 per additional d.u.	65	35	2 1/2	85	75	55	5	20	30%	(5)
R-4 Multiple FAMILY Residence	6,500 for 1st d.u. <sup>1</sup> 2,000 per additional d.u.	65	50	NR <sup>10</sup>	85	75	55	5	15	40%	(5), (9)
R-5 MANUFACTURED HOME PARK	SEE SPECIAL STANDARDS SECTION 6.2										
B-1 Rural Trade Center	6,500	65	NR <sup>10</sup>	NR <sup>10</sup>	85	75	55	10	20	50%	
B-2 Neighborhood Business	6,500	65	35	2 1/2	85	75	55	10	20	35%	(2)
B-3 Highway Business	6,500	65	40	3	85	75	55	5	20	40%	(2)
B-4 General Business	6,500	65	35	2 1/2	85	75	55	10	20	40%	(2)
B-5 Central Business	NR <sup>10</sup>	NR <sup>10</sup>	35	2 1/2	0	0	0	0	0	100%	(2)
I-1 Light Industry	10,000	100	75	NR <sup>10</sup>	85	75	55	10	20	50%	(2)
I-2 Heavy Industry	20,000	150	150	NR <sup>10</sup>	85	75	55	20	30	65%	(2)

Footnotes

1 - 12. [ no changes proposed ]

13. The following maximum LOT AREA requirements apply in the CR, AG-1 and AG-2 DISTRICTS:
- A) ~~LOTS that meet all of the following criteria may not exceed a maximum LOT AREA of three acres:~~
    - 1) ~~The LOT is RRO exempt;~~
    - 2) ~~The LOT has a Land Evaluation score greater than or equal to 85 on the County's Land Evaluation and Site Assessment System; and~~
    - 3) ~~The LOT is created from a tract that had a LOT AREA greater than or equal to 12 acres as of January 1, 1998.~~
  - B) ~~LOTS that meet both of the following criteria may not exceed an average maximum LOT AREA of two acres:~~
    - 1) ~~The LOT is located within a Rural Residential OVERLAY DISTRICT; and~~
    - 2) ~~The LOT has a Land Evaluation score of greater than or equal to 85 on the County's Land Evaluation and Site Assessment System.~~
  - C) ~~The following LOTS are exempt from the three-acre maximum LOT AREA requirement indicated in Paragraph A:~~
    - 1) ~~A 'Remainder Area Lot.' A 'Remainder Area Lot' is that portion of a tract which existed as of January 1, 1998 and that is located outside of the boundaries of a RRO-exempt LOT less than 35 acres in LOT AREA. No CONSTRUCTION or USE that requires a Zoning Use Permit shall be permitted on a 'Remainder Area Lot.'~~
    - 2) ~~Any LOT greater than or equal to 35 acres in LOT AREA.~~

Refer to Paragraph 4.3.4 G for maximum LOT AREA limits on BEST PRIME FARMLAND in the CR, AG-1 and AG-2 DISTRICTS

14. [retain Footnote 14 as is ]

15. The minimum lot size for a farm DWELLING that is used principally for AGRICULTURE is { 35 / 40 / 60 / 80 } acres.

## *7. Revise Subsection 5.4.2 as follows:*

### **5.4 Rural Residential OVERLAY Zoning DISTRICT**

#### **5.4.2 Exemptions**

- A. The following may be permitted in the CR, AG-1 and AG-2 DISTRICTS without the creation of a Rural Residential OVERLAY DISTRICT:
  - 1. The creation of any number of LOTS ~~greater than 35~~ that are each { 35 / 40 / 60 / 80 } acres or greater in area.
  - 2. The ~~creation of the first three LOT(S) ...area~~ creation of the first three LOT(S) ...area created out of any ~~PARCEL of land that existing existed~~ PARCEL of land that existing existed in the same dimensions and configurations as on January 1, 1998, ~~provided...LOTS: and that~~ provided...LOTS: and that comply with the following limits:
    - a. One new LOT out of any PARCEL that was more than five acres but less than 40 acres in area on January 1, 1998.

- b. No more than two new LOTS out of any PARCEL that was 40 acres or greater in area provided that the total amount of BEST PRIME FARMLAND occupied by the new LOTS does not exceed three acres per 40 acres of PARCEL existing in the same dimensions and configurations as on January 1, 1998.
- c. The leftover acreage of any PARCEL that existed on January 1, 1998, after the division of LOTS authorized in either (a) or (b) above and that conforms to all other requirements.
- d. Any LOT that is created pursuant to a mortgage for any reason must either conform to the requirements above or be in an established Rural Residential OVERLAY Zoning DISTRICT.

*(NOTE: Proposed Item d (above) is recommended to close a loophole in the current Ordinance related to lots that are created to meet mortgage underwriting requirements that limit the acreage allowed to be included in a home mortgage. If this change is not made the loophole will continue to exist.)*

~~3. No lot that is 5 acres or less in area may be further divided.~~

*(NOTE: The proposed deletion of Item 3 (above) is minor editing. This requirement has been relocated to Section 4 under the revised paragraph 4.3.4 G.)*

- ~~4.3.~~ The creation of any number of LOTS contained in a SUBDIVISION having received preliminary plat approval prior to June 22, 1999 for which preliminary plat approval remains in effect.
- 4. Any LOT that was lawfully created prior to {effective date} that was in full conformance with similar limits that were in affect at the time the LOT was created.

*(NOTE: Proposed Item 4 (above) is not specifically related to any new policy, but is recommended because it clarifies that lots that were lawfully created under all previous limits are grandfathered. This is not a change from practice. )*

Date: August 30, 2010

To: Champaign County Board Committee of the Whole Members

From: Susan Monte, CCRPC Planner  
John Hall, Director, Champaign County Department of Planning & Zoning

Regarding: Direction to Zoning Administrator Regarding Proposed Zoning Ordinance Text Amendment

**Request: Conduct a Champaign County Zoning Ordinance Text Amendment implementing Policies 4.1.6 and 4.3.1 - 4.3.4 of the Land Resource Management Plan**

## Background

On April 22, 2010, the Board adopted the Champaign County Land Resource Management Plan (LRMP). On June 8, 2010, the Committee of the Whole approved the remaining FY 2010 planning contract work plan. The remaining FY 2010 work plan includes the task of amending the *Champaign County Zoning Ordinance* to include provisions of the following specific LRMP objectives and policies: Policies 4.1.5 and 4.1.6; Policy 4.1.9; Policies 4.3.1 - 4.3.4 and Objective 4.4.

This memorandum describes the proposed zoning text amendments intended to represent the changes to the Zoning Ordinance needed to implement LRMP Policies 4.1.6 and 4.3.1 - 4.3.4. If authorized by the Committee, the proposed zoning ordinance text amendments will proceed to public hearing review to be held by the ZBA.

<i>LRMP Policy</i>	<i>Brief Description</i>
Policy 4.1.6	discretionary residential development limit on best prime farmland
Policy 4.3.1	‘suited overall’ site suitability standard for discretionary review on other than best prime farmland
Policy 4.3.2	‘well suited overall’ site suitability standard for discretionary review on best prime farmland
Policy 4.3.3	‘adequate public services’ site suitability criteria for discretionary review
Policy 4.3.4	‘adequate public infrastructure’ site suitability criteria for discretionary review

Attachment A includes the complete text of Policies 4.1.6 and Policies 4.3.1 - 4.3.4, and text of the directly relevant LRMP Goal 4 and Objective 4.1.

## Specific Issues Related to Policies

### *Policy 4.1.6*

Policy 4.1.6 introduces a guiding concept ‘minimizing the conversion of farmland’ which is somewhat similar to the existing review factor that ‘...proposed residential development should be compatible with surrounding agriculture.’ A new guiding concept introduced in Policy 4.1.6 is ‘minimizing the disturbance of natural areas’.

LRMP Policy 4.1.6 calls for the establishment of a limit regarding the amount of best prime farmland (BPF) conversion that may occur with residential discretionary development. The limit on the amount of BPF converted for residential development is 3 acres, inclusive of by right lots created, plus 3 acres for each 40 acres, inclusive of by right lots created, with an overall cap of 12 acres. Attachment B provides a description of the Policy 4.1.6 limits as applied to various parcel sizes.

*Policies 4.3.1 - 4.3.4*

LRMP Policies 4.3.1 - 4.3.4 specifically address site suitability standards and are relevant to the LRMP Policy 4.1.6 proposed guiding concepts that are intended to serve as a basis for County review of discretionary development:

- ▶ suitability of the site for the proposed use
- ▶ adequacy of infrastructure and public services for the proposed use
- ▶ minimizing conflict with agriculture
- ▶ minimizing the conversion of farmland
- ▶ minimizing the disturbance of natural areas

**Attachments**

- A Relevant Policies
- B Limits on Total Numbers of Potential Residential Lots and on Conversion of Best Prime Farmland
- C Strike-Out Version of Draft Zoning Ordinance Text Amendment

## Relevant Policies

LRMP Policies 4.1.6 and 4.3.1 - 4.3.4 are policies under the LRMP Goal 4 and Goal 4 Objective 4.1, and Objective 4.3, as stated below:

LRMP Goal 4                      Champaign County will protect the long term viability of agriculture in Champaign County and its land resource base.

LRMP Objective 4.1            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.

### LRMP 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*.

LRMP Objective 4.3            Champaign County will require that each *discretionary review* development is located on a suitable site.

### LRMP 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.

### LRMP 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.

### LRMP 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.

### LRMP Policy 4.3.2

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.

## Attachment B

### Proposed Total Numbers of Potential Residential Lots and Limits on Conversion of Best Prime Farmland

The proposed limits are proportionate to the size of a tract as it existed on January 1, 1998, with an upper cap of 12 acres in total of BPF that could be converted to residential use (either by right or discretionary) on parcels 120 acres or larger.

Table B-1: Proposed Total Numbers of Potential Residential Lots and Limits on Conversion of Best Prime Farmland

Parcel Size <sup>1</sup> (acres)	Proposed zoning amendment to implement LRMP Policies 4.1.5 and 4.1.6 (1 + 1 per 40 with cap of 2 By Right lots and limited RRO <sup>2</sup> lots on BPF <sup>2</sup> ) to result in the following total numbers of potential residential lots and limits on BPF conversion:
10	1 lot by right, plus leftover acreage as a second lot, plus 2 potential RRO lots if approved <b>3</b> acres total is the maximum conversion of best prime farmland allowable
20	1 lot by right, plus leftover acreage as a second lot, plus 2 potential RRO lots if approved <b>3</b> acres total is the maximum conversion of best prime farmland allowable
30	1 lot by right, plus leftover acreage as a second lot, plus 2 potential RRO lots if approved <b>3</b> acres total is the maximum conversion of best prime farmland allowable
40	2 lots by right, plus leftover acreage as a third lot, plus 3 potential RRO lots <sup>3</sup> if approved <b>6</b> acres total is the maximum conversion of best prime farmland allowable
50	2 lots by right, plus leftover acreage as a third lot, plus 3 potential RRO lots <sup>3</sup> if approved <b>6</b> acres total is the maximum conversion of best prime farmland allowable
60	2 lots by right, plus leftover acreage as a third lot, plus 3 potential RRO lots <sup>3</sup> if approved <b>6</b> acres total is the maximum conversion of best prime farmland allowable
80	2 lots by right, plus leftover acreage as a third lot, plus 6 potential RRO lots <sup>3</sup> if approved <b>9</b> acres total is the maximum conversion of best prime farmland allowable
100	2 lots by right, plus leftover acreage as a third lot, plus 6 potential RRO lots <sup>3</sup> if approved <b>9</b> acres total is the maximum conversion of best prime farmland allowable
120	2 lots by right, plus leftover acreage as a third lot, plus 9 potential RRO lots <sup>3</sup> if approved <b>12</b> acres total is the maximum conversion of best prime farmland allowable
160	2 lots by right, plus leftover acreage as a third lot, plus 9 potential RRO lots <sup>3</sup> if approved <b>12</b> acres total is the maximum conversion of best prime farmland allowable

Table B-1 Notes:

1. Based on parcel configuration as of January 1, 1998.
2. RRO = Rural Residential Overlay District and BPF = Best Prime Farmland
3. When a new street is required on a parcel, the number of potential RRO lots on parcels 40 acres and greater would be reduced by at least one potential RRO lot.

## Attachment C

### Strikeout Version of Draft Zoning Ordinance Text Amendment

#### *1. Add a definition for 'best prime farmland', 'suited overall', and 'well suited overall'..*

##### 3.0 Definitions

BEST PRIME FARMLAND: Soils identified in the Champaign County Land Evaluation and Site Assessment (LESA) System with a Relative Value of 85 or greater and tracts of land with mixed soils that have a LESA System Land Evaluation rating of 85 or greater.

SUITED OVERALL: A discretionary review performance standard to describe the site on which a development is proposed. A site may be found to be 'suited overall' if the site meets these criteria:

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

WELL SUITED OVERALL: A discretionary review performance standard to describe the site on which a development is proposed. A site may be found to be 'well-suited overall' if the site meets these criteria:

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

#### *2. Add new Subsection 5.4.3 with limits as outlined in LRMP Policy 4.1.6*

##### 5.4 Rural Residential OVERLAY Zoning DISTRICT

###### 5.4.3 Limit on Amount of BEST PRIME FARMLAND Acres Converted

- 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 additional 40 acres of PARCEL (including any existing RIGHT-OF-WAY), but not to exceed 12 acres in total.
- B. Any FARMSTEAD area shall not count towards the three acres per 40 acre limit.

**3. Revise Subsection 5.4.4 to include factors described in LRMP Policies 4.3.1-4.3.4**

5.4.3 ~~4~~ Establishment of the Rural Residential OVERLAY Zoning DISTRICT

C. BOARD Findings

1. The BOARD shall make the following findings before forwarding a recommendation to the GOVERNING BODY with respect to a map amendment case to create a Rural Residential OVERLAY DISTRICT:
  - a. That the proposed site is or is not suitable for the development of the specified maximum number of residences.
  - b. That the proposed residential development will or will not be compatible with surrounding AGRICULTURE.
2. In making findings, the BOARD shall consider the following factors:
  - a. The adequacy and safety of roads providing access to the site and infrastructure (e.g., drainage systems, culverts, bridges) to support the proposed development;
  - b. Effects on nearby farmland and farm operations;
  - c. Effects of nearby farm operations on the proposed residential development;
  - d. The LESA score of the subject site;
  - e. Effects on drainage both upstream and downstream including road drainage facilities;
  - f. The suitability of the site for onsite subsurface soil absorption or surface discharge wastewater systems;
  - g. The availability of water supply to this site;
  - h. ~~The availability of emergency services to the site;~~ adequacy of available public services (i.e., police protection, fire protection, and emergency ambulance service) to support the proposed development;
  - i. The flood hazard status of the site;
  - j. ~~The amount of disturbance to~~ Effects on wetlands, historic or archeological sites, natural or scenic areas or wildlife habitat;
  - k. The presence of nearby natural or man-made hazards; and
  - l. The amount of land to be converted from agricultural USES versus the number of DWELLING UNITS to be accommodated.

**4. Add Special Use criteria to Subsection 9.1.11 that include the standards of LRMP Policies 4.3.1 - 4.3.4**

9.1.11 SPECIAL USES

B. SPECIAL USE Criteria

A SPECIAL USE Permit shall not be granted by the BOARD unless the public hearing record and written application demonstrate:

1. that it is necessary for the public convenience at that location;
2. that it is so designed, located, and proposed as to be operated so that it will not be injurious to the DISTRICT in which it shall be located or otherwise detrimental to the public welfare;
3. that the subject property is on BEST PRIME FARMLAND and the site with proposed improvements is WELL SUITED OVERALL for the proposed SPECIAL USE; or the subject property is on other than BEST PRIME FARMLAND and the site with proposed improvements is SUITED OVERALL for the proposed SPECIAL USE;
4. that existing public services are adequate to support the proposed SPECIAL USE effectively and safely without undue public expense;
5. that existing public infrastructure, together with proposed improvements, is adequate to support the proposed development effectively and safely without undue public expense;
- ~~3.~~ 6. that it conforms to the applicable regulations and standards of and preserves the essential character of the DISTRICT in which it shall be located, except where such regulations and standards are modified by Section 6.
- ~~4.~~ 7. that granting the SPECIAL USE is in harmony with the general purpose and intent of this ordinance.
- ~~5.~~ 8. that, in the case of an existing NONCONFORMING USE, it will make such USE more compatible with its surroundings.
- ~~6.~~ 9. approval of a SPECIAL USE Permit shall authorize USE, CONSTRUCTION and operation only in a manner that is fully consistent with all testimony and evidence submitted by the petitioner or petitioner's agent(s).

Date: August 31, 2010

To: Champaign County Board Committee of the Whole Members

From: Susan Monte, CCRPC Planner  
John Hall, Director, Champaign County Department of Planning & Zoning

Regarding: Direction to Zoning Administrator Regarding Proposed Zoning Ordinance Text Amendment

**Request: Conduct a Champaign County Zoning Ordinance Text Amendment implementing Objective 4.4 of the Land Resource Management Plan**

### Background

On April 22, 2010, the Board adopted the Champaign County Land Resource Management Plan (LRMP). On June 8, 2010, the Committee of the Whole approved the remaining FY 2010 planning contract work plan. The remaining FY 2010 work plan includes the task of amending the *Champaign County Zoning Ordinance* to include provisions of the following specific LRMP objectives and policies: Policies 4.1.5 and 4.1.6; Policy 4.1.9; Policies 4.3.1 - 4.3.4 and Objective 4.4.

This memorandum describes the proposed zoning text amendments intended to represent the changes to the Zoning Ordinance needed to implement LRMP Objective 4.4. If authorized by the Committee, the proposed zoning ordinance text amendments will proceed to public hearing review to be held by the ZBA.

<i>LRMP Objective 4.4</i>	<i>Brief Description</i>
	special use added to discretionary review for rural residential overlay

Attachment A includes the complete text of Objective 4.4, and text of the directly relevant LRMP Goal 4.

### Specific Issues Related to Objective 4.4

#### *State's Attorney Review*

The existing Rural Residential Overlay District (RRO) zoning provisions were found by the State's Attorney to be potentially susceptible to legal challenges for the following reasons:

- 1) The existing RRO review procedure involves obtaining a zoning map amendment (a rezoning). The ability to impose conditions on a rezoning request is very limited. A condition of rezoning (conditional zoning) must be carefully constructed in order to be considered as valid. The validity of a condition is questionable in each of the following circumstances: if a condition is specific and not general; if there is nothing about a particular site that makes it uniquely suited to a residence; if there is not an overall public benefit to be gained; if the proposed zoning is inconsistent with a comprehensive plan; if it appears that the County is engaged in negotiations with a property owner for concessions in exchange for a zoning classification (e.g, contract zoning); or if a condition improperly delegates County zoning authority to a private party (e.g., if the property owner is required to enter into a restrictive covenant as a condition of RRO).

2) The existing RRO zoning provisions were found by the State's Attorney to be potentially susceptible to legal challenges because, over time, the RRO system of review may result in a pattern of land use which, if taken alone, could suggest that spot zoning is occurring. A special use review – either in lieu of or in conjunction with a rezoning – could more effectively assure that a residential subdivision is compatible with the surrounding area. For example, if a special use is granted to allow a residence, findings will have been made that the proposed residence is compatible with the surrounding land uses.

The limitations of the existing RRO zoning provisions outlined by the State's Attorney can be specifically addressed by proposing that a Special Use be required in addition to a rezoning. This additional special use requirement: 1) allows more flexibility in imposing standard or special conditions; 2) more effectively assures that proposed residential development is compatible with the surrounding area; 3) allows for clearly defining landowners rights at each stage of the approval process, and 4) facilitates a more streamlined approval process by limiting the cases that have to go to the County Board by meshing with the subdivision approval process.

#### *County Board Special Use or ZBA Special Use*

At the September 7 Committee of the Whole meeting, members will be asked to consider whether the Special Use to be required for a Rural Residential Development should be what is referred to as a "County Board Special Use" or a Special Use that can be approved by the ZBA.

#### *Special Use Standard Conditions*

Staff proposes certain standard conditions for a Special Use request for a Rural Residential Development. (Refer to Attachment C.) The standard conditions serve to alert the applicant to potential costs that may need to be incurred should specific site conditions warrant.

#### **Attachments**

- A Relevant Policies
- B Proposed Special Use Standard Conditions for a Rural Residential Overlay
- C Strike-Out Version of Draft Zoning Ordinance Text Amendment

## Relevant Policies

LRMP Objective 4.4 is an objective under the LRMP Goal 4, as stated below:

LRMP Goal 4                      Champaign County will protect the long term viability of agriculture in Champaign County and its land resource base.

### LRMP Objective 4.4

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

## Proposed Special Use Standard Conditions for a Rural Residential Development

The following proposed special use standard conditions address potential needs, only if they are applicable to the proposed Rural Residential Development:

1. Each residential LOT in the Rural Residential Development shall have at least one acre of buildable area that is not in the Special Flood Hazard Area.
2. More than two residential LOTS that are no larger than six acres in aggregate area shall front a new STREET that shall meet the standards of the relevant SUBDIVISION jurisdiction.
3. LOTS that front on and have access to existing STREETS shall have driveways co-located with other driveways as much as possible and each pair of co-located driveways shall not be closer than **{600}** feet to other driveways in the same Rural Residential Development that front existing STREETS.
4. Any DWELLING located more than **{140}** feet from a STREET shall have a minimum 20 feet wide driveway consisting of a minimum of six inches of gravel or similar all weather surface that shall be maintained with a vertical clearance of 13 feet six inches and with a minimum 20 feet by 40 feet turnaround area for emergency vehicles.
5. If so advised by the Illinois State Water Survey (ISWS) Center for Groundwater Science, the applicant shall contract the services of the ISWS to conduct or to provide a review the results of a recent groundwater investigation to determine if adequate groundwater resources exist on the site for the proposed RRO, without endangering groundwater availability for the existing neighboring residences.
6. If the proposed RRO is located in a 'high probability area' as defined as defined in the Illinois State Agency Historic Resources Preservation Act (20 ILCS 3420/), the applicant shall notify the Illinois State Historic Preservation Agency (ISHPA) to request information regarding whether the proposed site is a known cemetery or human burial site, and shall provide a copy of the ISHPA response.
7. If, upon notification regarding the proposed RRO, the Illinois Department of Natural Resources (IDNR) determines that potential adverse effects are possible to endangered or threatened species that may be present as a result of the proposed RRO and requests additional information about the proposed RRO, the applicant shall provide the additional requested information.

## Attachment C

### Strikeout Version of Draft Zoning Ordinance Text Amendment

*1. Revise Section 5.4.3 to establish requirement for a { County Board Special Use / Special Use } in addition to a rezoning for a Rural Residential Overlay District.*

#### **5.4.3 ~~4~~ Establishment of the Rural Residential OVERLAY Zoning DISTRICT**

- A. The establishment of the Rural Residential OVERLAY Zoning DISTRICT is an amendment to the *Champaign County Zoning Ordinance* and shall be implemented in accord with the provisions of Subsection 9.2 as modified herein.
- ~~B.~~ A { County Board Special Use / Special Use } approval for a Rural Residential Development is also required and shall be implemented in accordance with the provisions of Subsection 9.1.11 as modified herein.
- ~~C.~~ The Rezoning Approval and Special Use Approval stages must occur concurrently.
- ~~B. D.~~ The adoption of Rural Residential OVERLAY Zoning shall augment the provisions of the underlying DISTRICT but shall not alter any requirement otherwise applicable to the tract of land except as provided by this section.
- ~~C. E.~~ BOARD Findings

**2. Add { County Board Special Use / Special Use } requirement for a Rural Residential Development Subdivision**

**Section 5.2 Table of Authorized Principal USES**

Principal USES	Zoning DISTRICTS					Zoning DISTRICTS					I-1	I-2		
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2			B-3	B-4
<b>Residential Uses</b>														
BOARDING HOUSE						S								
DWELLING, SINGLE FAMILY													7	
DWELLING, TWO-FAMILY			S	S	S									
DWELLING, MULTI-FAMILY														
Fraternity, Sorority, or Student Cooperative														
Dormitory														
Home for the aged			S											
NURSING HOME			S											
MANUFACTURED HOME PARK								S						
HOTEL - No more than 15 LODGING UNITS	S	S	S							S			S	
HOTEL - over 15 LODGING UNITS														
TRAVEL TRAILER Camp			S											
Residential PLANNED UNIT DEVELOPMENT		S	S	S	S	S	S	S						
MANUFACTURED HOME in MANUFACTURED HOME PARK														
<u>SUBDIVISION(S) of one lot from less than 40 acres or no more than two lots from 40 acres or greater totaling three LOTS or less</u>	9	9	9											
<u>SUBDIVISION(S) of more than one lot from less than 40 acres or more than two lots from 40 acres or greater totaling more than three LOTS or with new STREETS or PRIVATE ACCESSWAYS</u>	B <sup>10</sup>	B <sup>10</sup>	B <sup>10</sup>											

**3. Revise Footnote 10 in Section 5.2 as follows:**

10. No SUBDIVISION(S) of a PARCEL that existed on January 1, 1998, into more than one lot per PARCEL that is less than 40 acres in area or more than two lots per PARCEL that is 40 acres or greater in area or with new STREETS or PRIVATE ACCESSWAYS shall be created unless a Rural Residential OVERLAY DISTRICT has been created and a Rural Residential Development County Board Special Use Permit has been authorized.. See Section 5.4. No SUBDIVISION shall be created unless a Rural Residential OVERLAY DISTRICT has been created except as provided in Section 5.4.2

**4. Add Special Use Standard Conditions for the category ‘Rural Residential Development County Board Special Use’**

**6.1.3 Schedule of Requirements and Standard Conditions**

The numbers in parentheses within Table 6.1.3 indicate Footnotes at the conclusion of Table 6.1.3. ....

SPECIAL USES or USE Categories	Minimum Fencing Required <sup>6</sup>	Minimum LOT Size		Maximum HEIGHT		Required YARDS (feet)					Explanatory or Special Provisions
		AREA (Acres)	Width (feet)	Feet	Stories	Front Setback from STREET Centerline <sup>2</sup>			SIDE	REAR	
						STREET Classification					
						MAJOR	COLLECTOR	MINOR			
<u>Rural Residential Development County Board Special Use Permit</u>	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	See below
<p>1. <u>Each residential LOT in the Rural Residential Development shall have at least one acre of buildable area that is not in the Special Flood Hazard Area.</u></p> <p>2. <u>More than two residential LOTS that are no larger than six acres in aggregate area shall front a new STREET that shall meet the standards of the relevant SUBDIVISION jurisdiction.</u></p> <p>3. <u>LOTS that front on and have access to existing STREETS shall have driveways co-located with other driveways as much as possible and each pair of co-located driveways shall not be closer than { 600 } feet to other driveways in the same Rural Residential Development that front existing STREETS.</u></p> <p>4. <u>Any DWELLING located more than {140 } feet from a STREET shall have a minimum 20 feet wide driveway consisting of a minimum of six inches of gravel or similar all weather surface that shall be maintained with a vertical clearance of 13 feet six inches and with a minimum 20 feet by 40 feet turnaround area for emergency vehicles.</u></p> <p>5. <u>If so advised by the Illinois State Water Survey (ISWS) Center for Groundwater Science, the applicant shall contract the services of the ISWS to conduct or to provide a review the results of a recent groundwater investigation to determine if adequate groundwater resources exist on the site for the proposed RRO, without endangering groundwater availability for the existing neighboring residences.</u></p> <p>6. <u>If the proposed RRO is located in a ‘high probability area’ as defined as defined in the Illinois State Agency Historic Resources Preservation Act (20 ILCS 3420/), the applicant shall notify the Illinois State Historic Preservation Agency (ISHPA) to request information regarding whether the proposed site is a known cemetery or human burial site, and shall provide a copy of the ISHPA response.</u></p> <p>7. <u>If, upon notification regarding the proposed RRO, the Illinois Department of Natural (IDNR) determines that potential adverse effects are possible to endangered or threatened species that may be present as a result of the proposed RRO and requests additional information about the proposed RRO, the applicant shall provide the additional requested information.</u></p>											

# Champaign County Board Study Session

February 1, 2011

# Champaign County Land Resource Management Plan (LRMP)

## LRMP Goal 4    Agriculture

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

- 1) *Implement Champaign County LRMP Objective 4.5*  
Update Site Assessment Portion of Champaign County Land Evaluation and Site Assessment System (LESA)
- 2) *Implement Champaign County LRMP Policies 4.1.5, 4.1.7 and 4.1.9*  
Proposed Zoning Ordinance Text Amendment regarding By Right Lot Limits in Rural Districts
- 3) *Implement Champaign County LRMP Policies 4.1.6 and 4.3.1 – 4.3.4*  
Proposed Zoning Ordinance Text Amendment regarding Review Standards for Discretionary Development in Rural Districts
- 4) *Implement Champaign County LRMP Objective 4.4*  
Proposed Zoning Ordinance Text Amendment to Require Special Use in Addition to Rezoning for Rural Residential Overlay

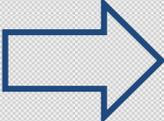
# **1) Implement Champaign County LRMP Objective 4.5**

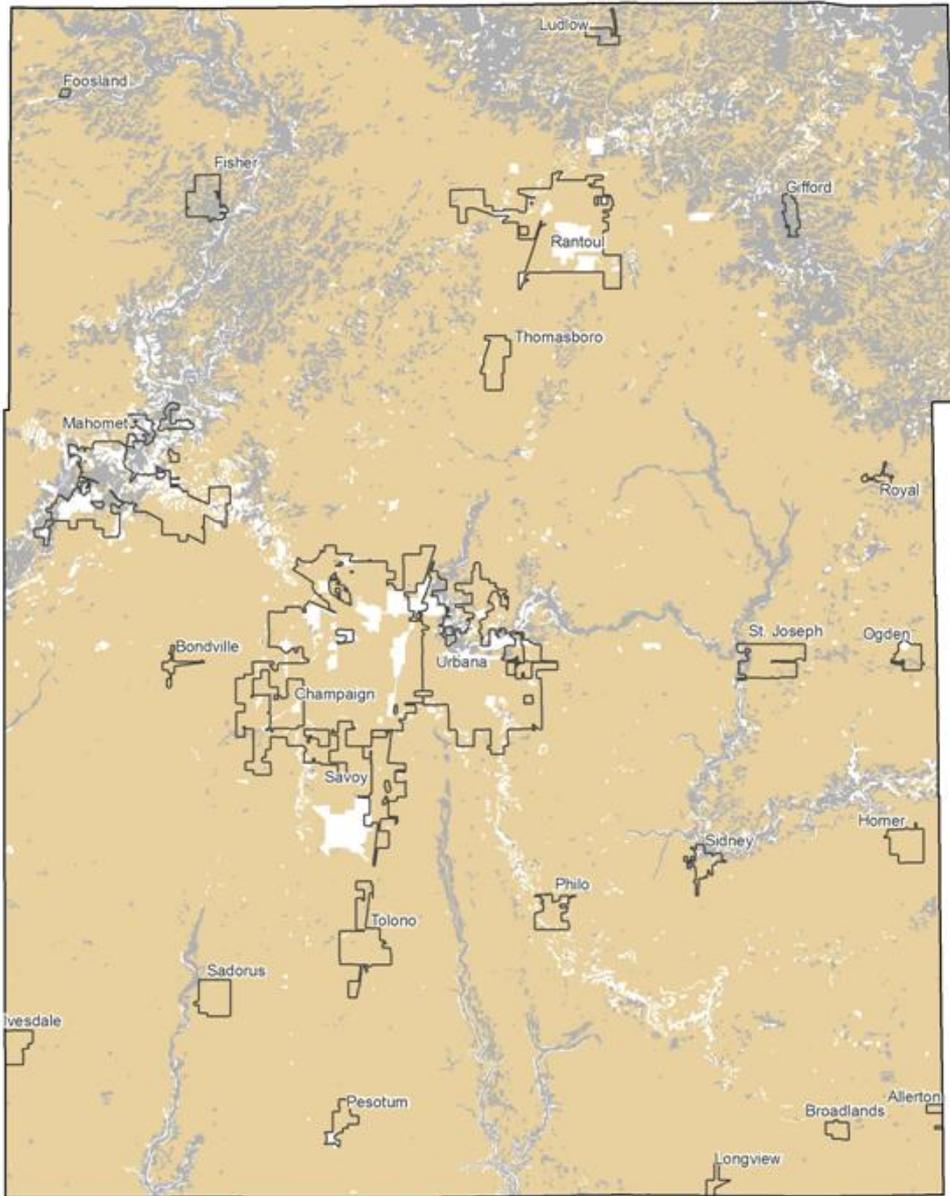
LRMP Goal 4 Champaign County will protect the long term viability of agriculture in Champaign County and its land resource base.

## **LRMP Objective 4.5**

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.

# Champaign County Land Evaluation and Site Assessment System

	Land Evaluation	100	maximum potential scores
	Site Assessment	200	
	LESA Score:	<hr/> 300	



**Farm Soils**  
Champaign County

- Legend**
- Land Evaluation Site Assessment (LESA) Rating
  - Best Prime Farmland
  - Prime Farmland
  - Non-Prime Farmland
  - Municipal Boundary

Date Map Prepared:  
October, 2007

Agriculture Value Group	LE Score	Approx. % County Soils	
1	100	20 %	77%
2	98	38 %	
3	87	13 %	
4	85	7 %	
5	79	10 %	92%
6	70	4 %	

*Best Prime Farmland  
approx. 77 % total land area*

LE portion of LESA

# WHY Update the SA Portion ?

## Champaign County Land Resource Management Plan (LRMP) Objective 4.5

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.

- LESA intended for periodic review and update
- zoning and land use policy changes have occurred since LESA adopted
- redundancy and relevance of existing SA factors to agricultural production

## Comparing LESA Score of Two Very Different Parcels

	<i>Existing LESA with 20 SA Factors</i>	<i>EXAMPLE* Revised LESA with 5 Existing SA Factors**</i>
100 acre parcel BEST PRIME FARMLAND remote County location	300	300
5 acre parcel not BEST PRIME FARMLAND located just outside of 1-1/2 mile Extra- Territorial Jurisdiction of municipality with adopted comprehensive land use plan	281	238

LESA  
Scores  
220 to 300:  
'Very High  
Rating for  
Protection'

\* Following non-mandatory guidelines in Land Evaluation and Site Assessment: A Guidebook for Rating Agricultural Lands (2<sup>nd</sup> Edition). The Example Revised LESA is assumed to assign 200 points for LE portion (soils) and 100 points for SA portion (site assessment).

\*\* Existing SA Factors retained in the Example Revised LESA are: SA Factors A1, A2, A3 , B1 and D1

## Scope of Work

- 1) *Form Committee*
- 2) *Committee to guide review of SA factors and weighting of SA factors*
- 3) *Committee to guide testing of proposed SA factor weighting*
- 4) *Committee provided opportunity to offer related recommendations to County Board*

## 9-Member Committee Proposed

Member	<input type="checkbox"/> Board of Directors, Champaign County Soil and Water Conservation District
2 Members	<input type="checkbox"/> 2 Champaign County Committee of the Whole/ELUC
Member	<input type="checkbox"/> Champaign County Farm Bureau Land Use Committee
Member	<input type="checkbox"/> Original Site Assessment Committee of the Champaign County LESA System
Representative	<input type="checkbox"/> development or real estate community
Past Member	<input type="checkbox"/> Past Champaign County ZBA Chair/Member
Resource Conservationist	<input type="checkbox"/> Champaign County Soil & Water Conservation District
Director	<input type="checkbox"/> Champaign County Department of Planning and Zoning

# Revised Project Timeline (Tentative)

<i>prior to April 2011</i>	<ul style="list-style-type: none"> <li>• Approve Proposal to Update SA Portion of LESA</li> <li>• Form Committee</li> </ul>
<i>prior to May 2011</i>	Committee Meeting 1
<i>prior to July 2011</i>	Committee Meeting 2
<i>prior to Sept 2011</i>	Committee Meeting 3
<i>Nov 1, 2011**</i>	<ul style="list-style-type: none"> <li>• C-O-W Review of Proposed Update</li> <li>• reserve Nov 29 2011 Study Session if requested</li> <li>• seek CB approval in December 2011</li> </ul>
<i>** to depend on 2011 harvest dates</i>	

## **2) Implement Champaign County LRMP Policies 4.1.5, 4.1.7 and 4.1.9**

LRMP Goal 4 Champaign County will protect the long term viability of agriculture in Champaign County and its land resource base.

### LRMP Objective 4.1

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.

- LRMP Policy 4.1.5  
Amend limit on number of new lots for by right uses

### **... Continue to Implement Champaign County LRMP Policy 4.1.4**

- LRMP Policy 4.1.4  
... guarantee landowners of 'good zoning lots' the by right 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.

**LOT:** *a designated parcel, tract or area of land established by plat, subdivision, or as otherwise permitted by law, to be used, developed or built upon as a unit.*

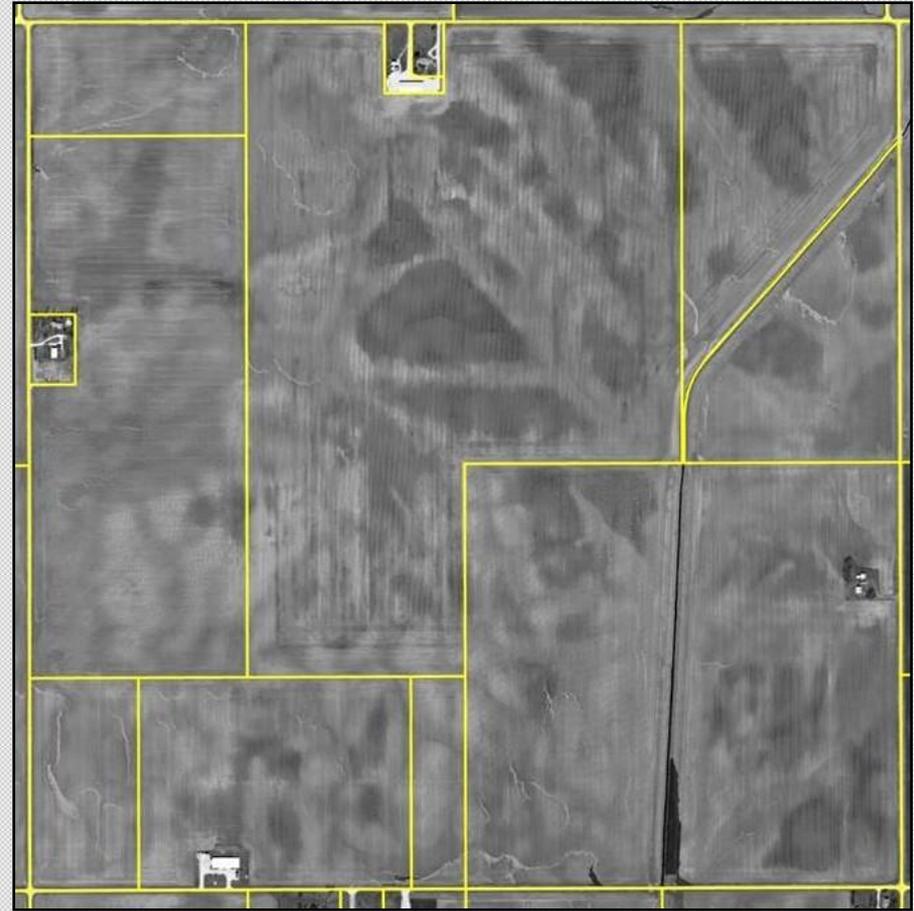
**NONCONFORMING LOT:** *a LOT which does not conform to the regulations and standards of the DISTRICT in which it is located.*

‘Good Zoning Lot’ = a conforming LOT

**PARCEL:** *A designated tract of land entered as a separate item on the real estate tax assessment rolls for the purpose of taxation.*



Aerial View



Aerial View with LOT boundaries

## Sample Township Section

Existing zoning limits regarding total number of lots for by right use are not based on a County land use policy

- 1 on each existing lot platted prior to January 1, 1998
  - 3 on each lot greater than 5 acres or less than 25 acres
  - 4 on each lot greater than or equal to 25 acres or less than or equal to 50 acres
  - 3 on each lot greater than 50 acres
- plus 1 per lot on any number of lots greater than 35 acres

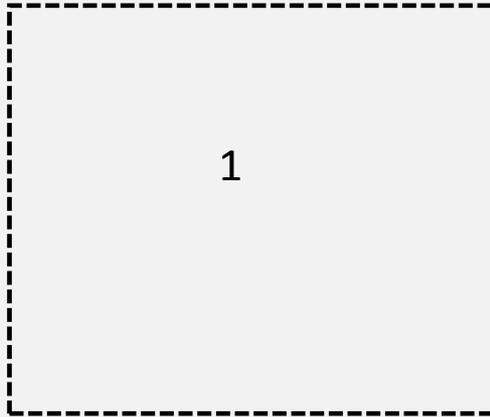
# Proposed zoning limits regarding total number of lots for by right use are based on Champaign County LRMP Policy 4.1.5

## LRMP 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.

# NUMBER OF RESIDENTIAL LOTS ALLOWED BY RIGHT

**January 1, 1998\***

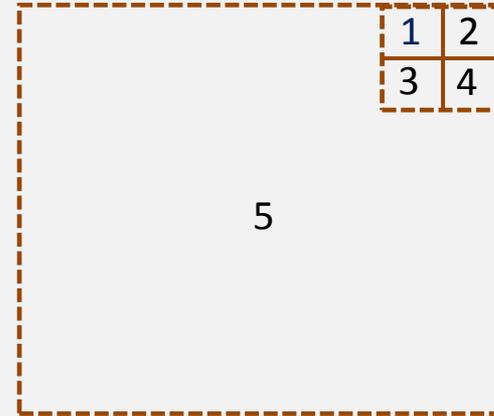


**Parcel A: 40 Acres**

A good zoning lot in conformance with the 1998 Zoning Ordinance

\*Champaign County began limiting rural development on November 18, 1997 and has used the 1/1/98 date ever since

**January 1, 2007**

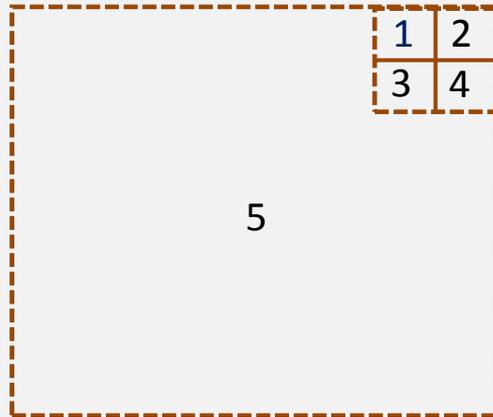


**Parcel A: 40 Acres**

In 2007, Parcel A divided into 4 “small” lots and a 35 acre lot as authorized by the Zoning Ordinance\*\*

\*\*current Zoning Ordinance limits on rural lots were adopted on December 20, 2005

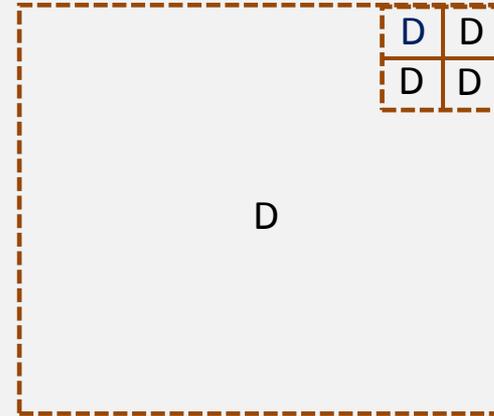
**February 1, 2011**



**Parcel A: 40 Acres**

All 5 lots remain vacant but are good lots according to the Ordinance.

**Future Uses  
Authorized by LRMP Policies**



D = Dwelling

**Parcel A: 40 Acres**

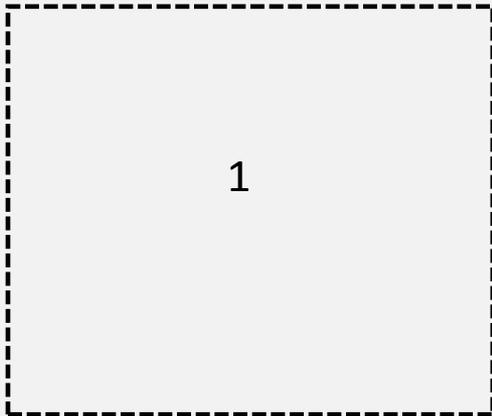
Policies 4.1.4 and 4.1.5 allow a new dwelling on each good zoning lot

**Future Division  
Authorized by LRMP Policies:**

The 5 lots exceed Policy 4.1.5 and no further division is allowed without rezoning

# NUMBER OF RESIDENTIAL LOTS ALLOWED BY RIGHT

**January 1, 1998\***



**Parcel B: 40 Acres**

A good zoning lot in conformance with the 1998 Zoning Ordinance

**January 1, 2007**



**Parcel B: 40 Acres**

Unchanged; good zoning lot

\*Champaign County began limiting rural development on November 18, 1997 and has used the 1/1/98 date ever since

**February 1, 2011**



**Parcel B: 40 Acres**

Not built on, but still a good Zoning lot according to the Ordinance

**Future Uses  
Authorized by LRMP Policies**



D = Dwelling

**Parcel B: 40 Acres**

Policies 4.1.4 and 4.1.5 allow a new dwelling

***Future Division  
Authorized by LRMP Policies***

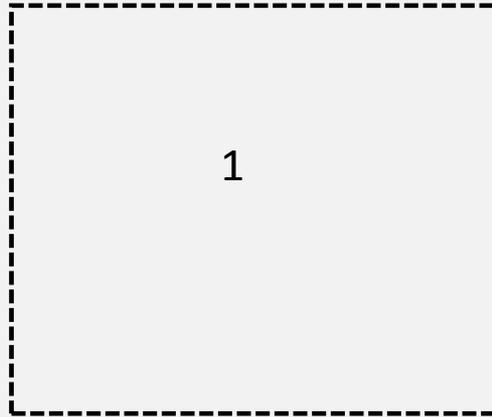


D = Dwelling

**Parcel B: 40 Acres**

Policy 4.1.5 allows division of 2 new lots (and 2 dwellings) if best prime farmland converted is no more than 3 acre per 40 acres)

**January 1, 1998\***



**Parcel C: 39 Acres**

A good zoning lot in conformance with the 1998 Zoning Ordinance

\*Champaign County began limiting rural development on November 18, 1997 and has used the 1/1/98 date ever since

**January 1, 2007**

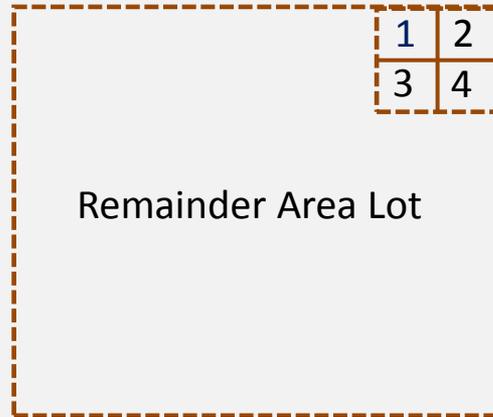


**Parcel C: 39 Acres**

In 2007, Parcel C divided into 4 “small” lots and a 34 acre Remainder Area Lot as authorized by the Zoning Ordinance\*\*

\*\*current Zoning Ordinance limits on rural lots were adopted on December 20, 2005

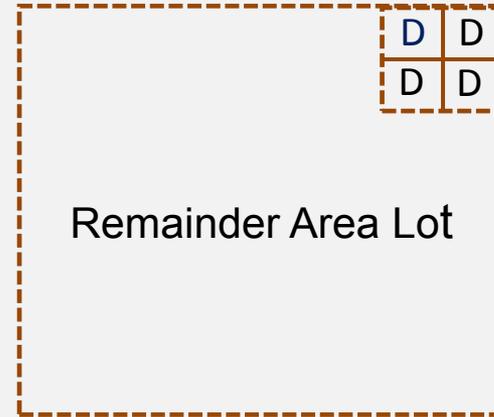
**February 1, 2011**



**Parcel C: 39 Acres**

The 4 small lots remain vacant but are good lots according to the Ordinance.

**Future Uses  
Authorized by LRMP Policies**



D = Dwelling

**Parcel C: 39 Acres**

Policies 4.1.4 and 4.1.5 allow a new dwelling on each good zoning lot

**Future Division  
Authorized by LRMP Policies:**

The 4 lots exceed Policy 4.1.5 and no further division is allowed without rezoning

## 2) *Implement Champaign County LRMP Policies 4.1.5, 4.1.7 and 4.1.9*

### LRMP Goal 4

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

### LRMP Objective 4.1

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.

- LRMP Policy 4.1.7  
Adjust maximum lot size limit on Best Prime Farmland

## LRMP 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*.

Minimizing conversion of BEST PRIME FARMLAND for by right residential lots

On lots less than 40 acres: No change proposed

3 acres is the maximum amount of BEST PRIME FARMLAND that may be converted for by right residential lots.

On lots 40 acres or larger: Propose change to allow a proportionate amount of BEST PRIME FARMLAND to be converted based on lot size

Allow maximum amount of 3 acres of BEST PRIME FARMLAND per 40 acres be converted for by right residential lots

## 2) *Implement Champaign County LRMP Policies 4.1.5, 4.1.7 and 4.1.9*

### LRMP Goal 4

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

### LRMP Objective 4.1

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.

- LRMP Policy 4.1.9  
Set minimum lot size standard for single family residence on large rural lots

# Statutory Language from Illinois Counties Code (55 ILCS 5/5-12001)

“ ... and counties may establish a minimum lot size for residences on land used for agricultural purposes.”

- In 1998 the legislature passed Public Act 90-261 which expanded counties' power to regulate land used for agricultural purposes to include the ability to set minimum lot sizes for residences on agricultural lands.
- The County can determine a lot size at which agriculture is the principal use and not just an added benefit.

## LRMP Policy 4.1.9

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

Existing Zoning allows a residence on large agricultural lot 35 acres or larger.

- With proposed adjustment to by right lot limits, the provision to allow the unlimited by right development of 35 acres lots will no longer exist.
- The following new zoning provision is proposed to allow the by right construction of a single family residence on large rural lots:

Any number of LOTS that are each { 35 / 40 / 60 / 80 } acres or greater in area.

- Farmers will not be affected. The establishment of a dwelling for a farmer will continue to be exempt from the need to obtain a rezoning for a Rural Residential Overlay.

## Establishing a minimum lot size for residences on land used for agricultural purposes.

- agriculture to be assumed as principal use on lot
- on selected lot size, a single family residence would be permitted by right

35 acres	<ul style="list-style-type: none"><li>• current standard</li></ul>
40 acres	<ul style="list-style-type: none"><li>• easy-to-remember, round number</li><li>• more restrictive than current 35 acre lot allowance</li></ul>
60 acres	<ul style="list-style-type: none"><li>• more restrictive than current 35 acre lot allowance</li></ul>
80 acres	<ul style="list-style-type: none"><li>• more than twice as restrictive as current 35-acre lot allowance</li><li>• lot size at which traffic generated by a dwelling is small enough to not be a problem on any rural road</li><li>• lot size at which number of driveways will be greatly minimized (only eight driveways per square mile)</li><li>• lot size at which number of dwellings that result would be very few and result in fewer conflicts with agriculture</li></ul>

### **3) Implement Champaign County LRMP Policies 4.1.6 and 4.3.1 – 4.3.4**

LRMP Goal 4 Champaign County will protect the long term viability of agriculture in Champaign County and its land resource base.

#### LRMP Objective 4.3

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

### **3) Implement Champaign County LRMP Policies**

#### **4.1.6 and 4.3.1 – 4.3.4**

Proposed Zoning Ordinance Text Amendment regarding Standards for Discretionary Development in Rural Districts

##### LRMP Policy 4.1.6

Discretionary residential development limit on Best Prime Farmland

##### LRMP Policy 4.3.1

Site suitability standard for discretionary development on other than Best Prime Farmland

##### LRMP Policy 4.3.2

Site suitability standard for discretionary development on Best Prime Farmland

##### LRMP Policy 4.3.3

Public services site suitability criteria for discretionary development

##### LRMP Policy 4.3.4

Public infrastructure site suitability criteria for discretionary development

## LRMP 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 4.1.6 proposed text amendment :

- Limits amount of Best Prime Farmland acres converted as result of residential discretionary development
- Limit proportionate to lot size (as existing on January 1, 1998)

Parcel size (acres)	Proposed Allowable Maximum Conversion of Best Prime Farmland (acres)
<b>10</b>	<b>3</b>
<b>40</b>	<b>6</b>
<b>80</b>	<b>9</b>
<b>100</b>	<b>9</b>
<b>120 and larger</b>	<b>12</b>

## Policy 4.1.6 proposed text amendment:

Adds Special Use criteria regarding site suitability to be considered by ZBA for residential discretionary development

ZBA already uses following criteria for review of each proposed rezoning for a Rural Residential Overlay District:

- On Best Prime Farmland, the site with proposed improvements is well suited overall
- On other than Best Prime Farmland, the site with proposed improvements is suited overall

ZBA already uses following criteria for review of special use requests and for review of proposed rezoning for Rural Residential Overlay District:

- Existing public services are adequate, effective, safe
- Existing public infrastructure with proposed improvements are adequate, effective, safe

## 4) *Implement Champaign County LRMP Objective 4.4*

### LRMP Goal 4

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

### LRMP Objective 4.4

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

# Proposed Zoning Ordinance Text Amendment to Implement Champaign County LRMP Objective 4.4

## Add Special Use requirement in addition to Rezoning

- Site specific conditions should be added by special use permit rather than by conditional rezoning, as is the current practice
- streamline approval process: concurrent review of rezoning and special use

## County Board Special Use vs. Special Use

- If ***County Board Special Use***, County Board receives ZBA recommendation and County Board has final authority to approve
- If ***Special Use***, ZBA has final authority to approve

## Proposed Zoning Ordinance Text Amendment to Implement Champaign County LRMP Objective 4.4

Add Standard Conditions to the Special Use permit requirement.

- Standard Conditions are optional.
- Standard Conditions are simply a way to make the developer aware of the Board's preference in the beginning and are intended to save everyone's time.
- Even if Standard Conditions are met, the Board is not required to approve the proposed Rural Residential Development.

# 7 Proposed Special Use Standard Conditions for Rural Residential Development

## **1 One Acre Not in Special Flood Hazard Area**

Each residential lot in the Rural Residential Development shall have at least one acre of buildable area that is not in the Special Flood Hazard Area.

## **2 Street Required**

More than two residential lots that are no larger than six acres in aggregate area shall front a new street that shall meet the standards of the relevant subdivision jurisdiction.

## **3 Driveway Requirement**

Lots that front on and have access to existing streets shall have driveways co-located with other driveways as much as possible and each pair of co-located driveways shall not be closer than **{ 600 }** feet to other driveways in the same Rural Residential Development that front existing streets.

# 7 Proposed Special Use Standard Conditions for Rural Residential Development

continued

## 4 **Driveway Requirement**

Any dwelling located more than **{140 }** feet from a street shall have a minimum 20 feet wide driveway consisting of a minimum of six inches of gravel or similar all weather surface that shall be maintained with a vertical clearance of 13 feet six inches and with a minimum 20 feet by 40 feet turnaround area for emergency vehicles.

## 5 **Groundwater Investigation**

If so advised by the Illinois State Water Survey (ISWS) Center for Groundwater Science, the applicant shall contract the services of the ISWS to conduct or to provide a review the results of a recent groundwater investigation to determine if adequate groundwater resources exist on the site for the proposed RRO, without endangering groundwater availability for the existing neighboring residences.

# 7 Proposed Special Use Standard Conditions for Rural Residential Development

continued

- 6 Known Cemetery or Human Burial Site in ‘High Probability Area’**  
If the proposed RRO is located in a ‘high probability area’ as defined as defined in the Illinois State Agency Historic Resources Preservation Act (20 ILCS 3420/), the applicant shall notify the Illinois State Historic Preservation Agency (ISHPA) to request information regarding whether the proposed site is a known cemetery or human burial site, and shall provide a copy of the ISHPA response.
  
- 7 Provide Additional Information to IDNR if Requested**  
If, upon notification regarding the proposed RRO, the Illinois Department of Natural (IDNR) determines that potential adverse effects are possible to endangered or threatened species that may be present as a result of the proposed RRO and requests additional information about the proposed RRO, the applicant shall provide the additional requested information.

## Next Steps

Request Approval of Revised Proposal to Update SA Portion of LESA  
..... LRMP Objective 4.5

Request Authorization to Proceed with Proposed / Revised Zoning Ordinance Text Amendments:

- By Right Lot Limits .....LRMP Policies 4.1.5, 4.1.7 and 4.1.9
- Review Standards for Discretionary Development  
..... LRMP Policies 4.1.6, 4.3.1 – 4.3.4
- Special Use in Addition to Rezoning for Rural Residential Overlay  
..... LRMP Objective 4.4