



**CHAMPAIGN COUNTY BOARD**  
**ENVIRONMENT and LAND USE COMMITTEE (ELUC)**  
County of Champaign, Urbana, Illinois  
Thursday, September 5, 2013 - 6:00 p.m.

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

**Committee Members:**

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

Alan Kurtz  
Pattsi Petrie  
Jon Schroeder

## **AGENDA**

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I. Call to Order	
II. Roll Call	
III. Approval of Minutes	
A. ELUC Committee meeting – August 8, 2013	1-5
IV. Approval of Agenda/Addenda	
V. Public Participation	
VI. Communications	
VII. <b><u>Items to be Approved by ELUC</u></b>	
A. Recreation & Entertainment License: Car-X Crazy K, Champaign County Fairgrounds, 1302 N Coler, Urbana – September 21, 2013	6-11
B. Rescheduling the October 10, 2013 ELUC Committee meeting to October 3, 2013 to allow ELUC Members to Attend the Citizen Planner Workshop (Details under Item X. <u>For Information Only</u> )	12
VIII. <b><u>Items to be Approved by ELUC for Recommendation to the County Board</u></b>	
A. <b>Case 747-AM-13</b> – Recommendation to Approve a Zoning Map Amendment for Warner Farm Equipment, Inc. to change from AG-1 to B-1 Rural Trade Center to bring an existing Farm Equipment business into compliance	13-21
B. <b>Case 757-AT-13</b> – Amend Zoning Ordinance as follows: Part A – Adopt updated Flood Insurance Study effective 10/2/13 Part B – Adopt updated Digital Flood Insurance Rate Maps (DFIRM) for Champaign County effective 10/2/13 – see new maps at <a href="http://www.illinoisfloodmaps.org">www.illinoisfloodmaps.org</a>	22-45

Part C – Adopt a new Special Flood Hazard Areas Ordinance based on minimum requirements of the National Flood Insurance Program & State of Illinois

- IX. **Item to Receive & Place on File by ELUC to allow for 30 day Review Period**  
*Preliminary Recommendation from Zoning Board of Appeals (ZBA) for Zoning Ordinance Text Amendment*
- A. **Case 761-AT-13** – Amend Zoning Ordinance by amending the Champaign County Land Evaluation and Site Assessment (LESA) System in Section 3; Section 5.3 – Footnote 13; and Subsection 5.4 46-54
- X. **For Information Only**
- A. Invitation to ELUC Members to Attend the Citizen Planner Workshop on October 10, 2013 55-56
- XI. Monthly Reports
- A. July 2013 57-65
- XII. Other Business
- XIII. Chair’s Report
- XIV. Semi-Annual Review of Closed Session Minutes
- XV. Designation of Items to be Placed on the Consent Agenda
- XVI. Adjournment



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

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**MINUTES – SUBJECT TO REVIEW AND APPROVAL**

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DATE: Thursday, August 8, 2013  
TIME: 6:00 p.m.  
PLACE: Lyle Shields Meeting Room  
Brookens Administrative Center  
1776 E Washington, Urbana, IL 61802

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**Committee Members**

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

**County Staff:** John Hall (Director of Planning & Zoning), Deb Busey (County Administrator), Beth Brunk (Recording Secretary)

**Others Present:** Susan Chavarria (Ch Co Regional Planning Commission), Andy Kass (Planning & Zoning), John Jay & Gary Maxwell (Champaign Co Board)

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**MINUTES**

**I. Call to Order**

In Mr. Langenheim’s absence, Mr. Esry as Committee Vice-Chair called the meeting to order at 6:01 p.m.

**II. Roll Call**

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

**III. Approval of Minutes**

A. ELUC Committee meeting – June 6, 2013

**MOTION** by Mr. Kurtz to approve the minutes for the June 6, 2013 meeting as distributed; seconded by Mr. Schroeder. Upon vote, **the MOTION CARRIED unanimously.**

**Ms. Berkson entered the meeting at 6:02 p.m.**

**IV. Approval of Agenda**

**MOTION** by Ms. Petrie to approve the agenda as distributed; seconded by Mr. Schroeder.

1 Ms. Petrie wondered if Agenda Item X. should be removed since it has been rescinded by the Office of the  
2 State Fire Marshall. Mr. Esry thought it would be prudent to discuss this issue as another Board member,  
3 Max Mitchell, would like the County Board to oppose it now so it will be on record.  
4

5 Upon vote, the **MOTION CARRIED unanimously.**  
6

7 **V. Public Participation**

8 Mr. Esry noted that there was a five minute limit per individual that wishes to speak to the Committee in  
9 Public Participation.

10  
11 Larry Hall, Jean Fisher, Julia Hall, Mark Fisher, Darren Wright supported the denial of petition to amend  
12 the Zoning Ordinance by reclassifying a certain property – Case 687-AM-11.  
13

14 Alan Singleton, Elitsa Dimitrova opposed the denial of petition to amend the Zoning Ordinance by  
15 reclassifying a certain property – Case 687-AM-11.  
16

17 **VI. Communications**

18 Mr. Kurtz noted that Stan Harper and Ralph Langenheim contacted him prior to the meeting that they  
19 would not be able to attend tonight.  
20

21 **VII. Items to be Approved by ELUC Committee for Recommendation to the County Board**

- 22  
23 A. Champaign County Regional Planning Commission (CCRPC) County Planning Contract  
24 Proposal for FY2014  
25

26 **MOTION** by Mr. Kurtz to approve the Champaign County Regional Planning Commission County Planning  
27 Contract Proposal for FY2014; seconded Ms. Berkson.  
28

29 Ms. Chavarria of CCRPC explained that she had provided the County Planning Contract Proposal  
30 FY2014 for Committee review at the June ELUC meeting. Staff did not receive any comments. Ms.  
31 Petrie stated that her comments did not pertain to the quality of RPC staff. However, she is unable  
32 to support this contract arrangement due to consistency. The separation of long-range planning  
33 between CCRPC, County Planning & Zoning and the GIS Consortium is not best practice in urban  
34 planning. Ms. Petrie tasked Ms. Chavarria to come up with an organizational structure that would  
35 consolidate all planning functions. She also stated that a vital component of this contract is to  
36 research grant opportunities.  
37

38 Mr. Schroeder will support this contract to go to the full County Board for discussion. Mr. Kurtz  
39 agreed and hoped that County Board members will give input to Ms. Chavarria before the meeting  
40 so she has an opportunity to respond appropriately. Ms. Berkson agreed with Ms. Petrie that  
41 pursuing grants should be a high priority.  
42

43 Upon vote, the **MOTION CARRIED unanimously.**  
44

45 Even though the vote was unanimous, Ms. Petrie asked that this item not be placed on the Consent  
46 Agenda for the County Board meeting on August 22<sup>nd</sup>.  
47

- 48 B. Case 760-V-13 – Recommendation to Approve a Variance to Zoning Ordinance for Sangamon Valley  
49 Public Water District.  
50

51 **MOTION** by Mr. Schroeder to approve variance to the Champaign County Zoning Ordinance for Sangamon  
52 Valley Public Water District; seconded Mr. Kurtz.  
53

1 Mr. Kurtz is hoping the Committee will pass this item so the Sangamon Valley Public Water District  
2 can move on with their business. Ms. Petrie stated that she will support this but if the Sangamon  
3 Valley Public Water District cannot work with the Village of Mahomet on future issues, she will not  
4 be able to support them.  
5

6 Upon vote, **the MOTION CARRIED unanimously.**

- 7  
8 C. Notice of Intent (NOI) from 3/1/14-2/28/19 for National Pollutant Discharge Elimination System  
9 (NPDES) Municipal Separate Storm Sewer System (MS4) Storm Water discharge Permit with IEPA

10  
11 **MOTION** by Mr. Schroeder to approve the Notice of Intent from 3/1/14-2/28/19 for the National Pollutant  
12 Discharge Elimination System Municipal Separate Storm Sewer System Storm Water Discharge Permit with  
13 Illinois Environmental Protection Agency; seconded Ms. Berkson. Upon vote, **the MOTION CARRIED**  
14 **unanimously.**  
15

16 **VIII. Item to Receive & Place on File by ELUC Committee to allow for 30 day Review Period**

17 Preliminary Recommendation from Zoning Board of Appeals (ZBA) for Zoning Ordinance Text Amendment

- 18 A. Case 757-AT-13: Amend Zoning Ordinance as follows:

19 Part A – Adopt updated Flood Insurance Study effective 10/2/13

20 Part B – Adopt updated Digital Flood Insurance Rate Maps (DFIRM) for  
21 Champaign County effective 10/2/13 – see new maps at

22 [www.illinoisfloodmaps.org](http://www.illinoisfloodmaps.org)

23 Part C – Adopt a new Special Flood Hazard Areas Ordinance based on minimum  
24 requirements of the National Flood Insurance Program & State of Illinois  
25

26 **MOTION** by Mr. Schroeder to receive and place on file the Champaign County Zoning Ordinance  
27 amendment to adopt the updated Flood Insurance Study effective 10/2/13; the updated Digital Flood  
28 Insurance Rate Maps for Champaign County effective 10/2/13; and a new Special Flood Hazard Areas  
29 Ordinance based on minimum requirements of the National Flood Insurance Program and the State of  
30 Illinois; seconded by Mr. Kurtz. Upon vote, **the MOTION CARRIED unanimously.**  
31

32 **IX. Item on Remand from the County Board for Reconsideration**

- 33 A. Resolution No. 8504 – Deny Petition to Amend the Zoning Ordinance by Reclassifying Certain  
34 Property - Case 687-AM-11  
35

36 **MOTION** by Mr. Schroeder to approve the denial to amend the Zoning Ordinance by reclassifying a  
37 certain property in Case 687-AM-11; seconded by Ms. Berkson.  
38

39 Ms. Petrie wanted to ask Mr. Joel Fletcher of the State’s Attorney’s Office a few questions. The Acting  
40 Chair affirmed this request. Ms. Petrie understood that the other court case concerning an RLA was  
41 different from the Jones’ case. Mr. Fletcher explained that in the Gerdes case, crop dusting was the  
42 exclusive use of the RLA. The only issue in the Gerdes case was whether crop dusting was an agricultural  
43 purpose. In the Jones’ case, there is an issue as to whether agriculture use of this RLA is the principal use  
44 of the land. This is distinguishable from the Gerdes case.  
45

46 Ms. Petrie also understood that if the RLA is approved; that land use does not automatically pass to the  
47 next owner of the property. Mr. Fletcher was not certain but believed that a new owner would have to  
48 apply again with the Illinois Department of Transportation for an RLA.  
49

50 In planning law, Ms. Petrie noted the primacy for first use of the land which in this case is residences and  
51 housing. An RLA use is not appropriate as it does not fall within the original zoning of the area. Mr.  
52 Fletcher responded that these are broad principles and cannot be applied reflexively in any context.  
53 Generally speaking, it is an uphill battle when applying a new different use to an area.

1  
2 Ms. Petrie commented on the summary of traffic comparison that Mr. Singleton provided. She felt the  
3 analysis is comparing apples to oranges. Airplanes are dangerous but highway noise is not. Mr. Fletcher  
4 could not respond to Mr. Singleton's document as he has not had time to review it.  
5

6 Mr. Kurtz commented that there is no way to enforce the number of landings in a 28-day period as  
7 stipulated in the Jones' special conditions. He also had safety concerns about the landing strip abutting  
8 Illinois State Route 136. Any miscalculation in landing or takeoff could have tragic consequences with the  
9 traffic on that highway. Mr. Kurtz had confidence in the ZBA's decision and will support the denial of the  
10 zoning change. Ms. Berkson noted that the public safety use of the RLA was exempted from the special  
11 conditions, and that could become a large use. In Mr. Schroeder's experience, RLAs were used in crop  
12 dusting which meant a two-month window of usage. He was concerned that the petitioner is trying to  
13 expand on the original intent of the RLA which is agricultural use. He will support this resolution.  
14

15 Upon vote, the **MOTION CARRIED unanimously.**  
16

17 **X. For Information Only**

- 18 A. Proposed Rule by the Office of the State Fire Marshall to require Fire Sprinkler Systems to be  
19 installed in all new single-family dwellings/duplexes and existing assembly occupancies (100 or more  
20 people) within five years

21 Mr. Esry noted that this proposed rule has been pulled by the State Fire Marshall. Champaign  
22 County Board member Max Mitchell would like to see the Board pass a resolution opposing this.  
23 Mr. Kurtz did not believe sprinklers should be installed in private homes unless the homeowner  
24 wants it. Ms. Berkson commented that it is common to have an occasional smoke alarm from food  
25 preparation on the kitchen stove. Imagine the cost of insuring against sprinkler activation from this  
26 situation.  
27

28 Ms. Petrie would not want to support a resolution when it is unknown how any new proposed rule  
29 would be worded. Secondly, she thought more safety in private dwellings is positive but perhaps it  
30 would need to move forward in smaller incremental steps. Mr. Schroeder would be against a  
31 resolution that opposes something that is not there.  
32

33 **XI. Monthly Reports**

- 34 A. May 2013  
35 B. June 2013  
36

37 **MOTION** by Mr. Kurtz to receive and place on file the Planning & Zoning Monthly Reports for May and June 2013;  
38 seconded by Ms. Berkson.  
39

40 Ms. Petrie was appreciative that the report now contains a table summarizing the conversion of Best Prime  
41 Farmland as a result of County zoning approval.  
42

43 Upon vote, the **MOTION CARRIED unanimously.**  
44

45 **XII. Other Business**

46 None  
47

48 **XIII. Chair's Report**

49 None  
50

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

52 VII B, VII C, IX A  
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**xv. Adjournment**

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

There being no further business, Mr. Esry adjourned the meeting at 7:05 p.m.



STATE OF ILLINOIS,  
Champaign County  
Application for:  
Recreation & Entertainment License

**FILED**  
AUG 15 2013  
Gordy Hulten  
CHAMPAIGN COUNTY CLERK

Applications for License under County Ordinance No. 55 Regulating Recreational & Other Businesses within the County (for use by businesses covered by this Ordinance other than Massage Parlors and similar enterprises)

For Office Use Only

License No. \_\_\_\_\_

Date(s) of Event(s) 9-21-13

Business Name: Car X Crazy K

License Fee: \$ 10.00

Filing Fee: \$ 4.00

TOTAL FEE: \$ 14.00

Checker's Signature: \_\_\_\_\_

**Filing Fees:**

Per Year (or fraction thereof):	\$ 100.00
Per Single-day Event:	\$ 10.00
Clerk's Filing Fee:	\$ 4.00

Checks Must Be Made Payable To: Gordy Hulten, Champaign County Clerk

The undersigned individual, partnership, or corporation hereby makes application for the issuance of a license to engage a business controlled under County Ordinance No. 55 and makes the following statements under oath:

- A.
1. Name of Business: Car-X Crazy K, NFP
  2. Location of Business for which application is made: \_\_\_\_\_  
2216 South Neil Street, Champaign, Illinois 61820
  3. Business address of Business for which application is made: \_\_\_\_\_  
103 North Coler Avenue, Urbana, Illinois 61801 217-352-1800
  4. Zoning Classification of Property: Commercial MATT DEERING
  5. Date the Business covered by Ordinance No. 55 began at this location: DR BECKY
  6. Nature of Business normally conducted at this location: fairgrounds
  7. Nature of Activity to be licensed (include all forms of recreation and entertainment to be provided): charity race, live music, food and beverage vendors
  8. Term for which License is sought (specifically beginning & ending dates): \_\_\_\_\_  
September 21, 2013 through September 21, 2013
- (NOTE: All annual licenses expire on December 31st of each year)
9. Do you own the building or property for which this license is sought? No
  10. If you have a lease or rent the property, state the name and address of the owner and when the lease or rental agreement expires: Champaign County Fairgrounds  
1302 North Coler Avenue, Urbana, Illinois 61801 - September 21, 2013
  11. If any licensed activity will occur outdoors attach a Site Plan (with dimensions) to this application showing location of all buildings, outdoor areas to be used for various purposes and parking spaces. See page 3, Item 7.

**INCOMPLETE FORMS WILL NOT BE CONSIDERED FOR A LICENSE AND WILL BE RETURNED TO APPLICANT**

- B. If this business will be conducted by a person other than the applicant, give the following information about person employed by applicant as manager, agent or locally responsible party of the business in the designated location:

Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Place of Birth: \_\_\_\_\_ Social Security No.: \_\_\_\_\_  
Residence Address: \_\_\_\_\_  
Citizenship: \_\_\_\_\_ If naturalized, **place** and **date** of naturalization: \_\_\_\_\_

If, during the license period, a new manager or agent is hired to conduct this business, the applicant MUST furnish the County the above information for the new manager or agent within ten (10) days.

Information requested in the following questions must be supplied by the applicant, if an individual, or by all members who share in profits of a partnership, if the applicant is a partnership.

If the applicant is a corporation, all the information required under Section D must be supplied for the corporation and for each officer.

Additional forms containing the questions may be obtained from the County Clerk, if necessary, for attachment to this application form.

- C. 1. Name(s) of owner(s) or local manager(s) (include any aliases): \_\_\_\_\_  
Date of Birth: \_\_\_\_\_ Place of Birth: \_\_\_\_\_  
Social Security Number: \_\_\_\_\_ Citizenship: \_\_\_\_\_  
If naturalized, state **place** and **date** of naturalization: \_\_\_\_\_
2. Residential Addresses for the past three (3) years: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. Business, occupation, or employment of applicant for four (4) years preceding date of application for this license: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

EACH OFFICER MUST COMPLETE SECTION D. OBTAIN ADDITIONAL FORM PAGES IF NEEDED FROM THE COUNTY CLERK AND ATTACH TO THIS APPLICATION WHEN FILED.

- D. Answer **only** if applicant is a Corporation:

1. Name of Corporation exactly as shown in articles of incorporation and as registered:  
Car-X Crazy K, NFP
2. Date of Incorporation: 03.18.2011 State wherein incorporated: Illinois

Recreation & Entertainment License Application  
Page Three

3. If foreign Corporation, give name and address of resident agent in Illinois:

N/A

Give first date qualified to do business in Illinois: N/A

4. Business address of Corporation in Illinois as stated in Certificate of Incorporation:

306 West Church Street, Champaign, Illinois 61820

5. Objects of Corporation, as set forth in charter:

6. Names of all Officers of the Corporation and other information as listed:

Name of Officer: Parham Parastaran Title: President

Date elected or appointed: 02-13-2013 Social Security No.:

Date of Birth: Place of Birth: Tehran, Iran

Citizenship: Yes

If naturalized, place and date of naturalization: Danville, Illinois 1989

Residential Addresses for past three (3) years:

to July 27, 2012 - 2910 Valleybrook Drive, Champaign, Illinois 61822

July 27, 2012 to present - 4606 Westborough, Champaign, Illinois 61822

Business, occupation, or employment for four (4) years preceding date of application for this license: Owner - President Nona, Inc.

Car-X Franchisee in Champaign, Illinois and Normal, Illinois

7. A site plan (with dimensions) must accompany this application. It must show the location of all buildings, outdoor areas to be used for various purposes and parking spaces.

As applicant did in connection with its 2012 application, the applicant proposes to include for this item the County's maps and site plans for the Champaign County Fairgrounds.

Recreation & Entertainment License Application  
Page Three

3. If foreign Corporation, give name and address of resident agent in Illinois:

N/A

Give first date qualified to do business in Illinois: N/A

4. Business address of Corporation in Illinois as stated in Certificate of Incorporation:

306 West Church Street, Champaign, Illinois 61820

5. Objects of Corporation, as set forth in charter:

6. Names of all Officers of the Corporation and other information as listed:

Name of Officer: Jennifer Parastaran

Title: Secretary

Date elected or appointed: 02-13-2013

Social Security No.:

Date of Birth:

Place of Birth: Sandwich, Illinois

Citizenship: Yes

If naturalized, place and date of naturalization:

Residential Addresses for past three (3) years:

to July 27, 2012 - 2910 Valleybrook Drive, Champaign, Illinois 61822

July 27, 2012 to present - 4606 Westborough, Champaign, Illinois 61822

Business, occupation, or employment for four (4) years preceding date of application for this license: Owner - Secretary Nona, Inc.

Car-X Franchisee in Champaign, Illinois and Normal, Illinois

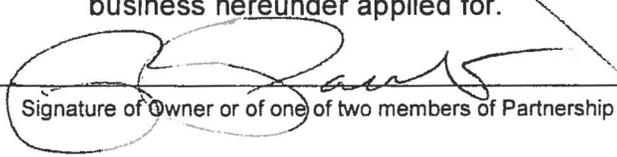
7. A site plan (with dimensions) must accompany this application. It must show the location of all buildings, outdoor areas to be used for various purposes and parking spaces.

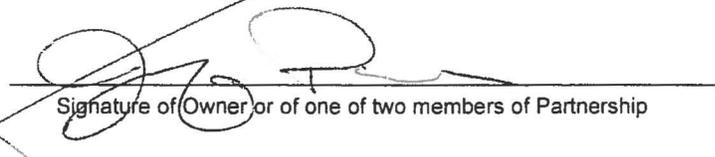
**AFFIDAVIT**

(Complete when applicant is an **Individual or Partnership**)

I/We swear that I/we have read the application and that all matters stated thereunder are true and correct, are made upon my/our personal knowledge and information and are made for the purpose of inducing the County of Champaign to issue the permit hereunder applied for.

I/We further swear that I/we will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of the business hereunder applied for.

  
Signature of Owner or of one of two members of Partnership

  
Signature of Owner or of one of two members of Partnership

\_\_\_\_\_  
Signature of Manager or Agent

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

**AFFIDAVIT**

(Complete when applicant is a **Corporation**)

We, the undersigned, president and secretary of the above named corporation, each first being duly sworn, say that each of us has read the foregoing application and that the matters stated therein are true and correct and are made upon our personal knowledge and information, and are made for the purpose of inducing the County of Champaign to issue the license herein applied for.

We further swear that the applicant will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of applicant's place of business.

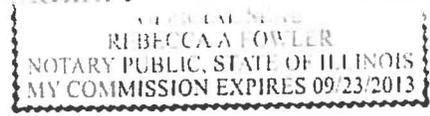
We further swear that we are the duly constituted and elected officers of said applicant and as such are authorized and empowered to execute their application for and on behalf of said application.

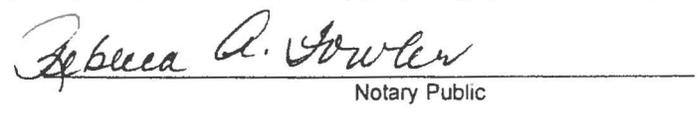
  
Signature of President

  
Signature of Secretary

\_\_\_\_\_  
Signature of Manager or Agent

Subscribed and sworn to before me this 3<sup>rd</sup> day of July, 2013.



  
Notary Public

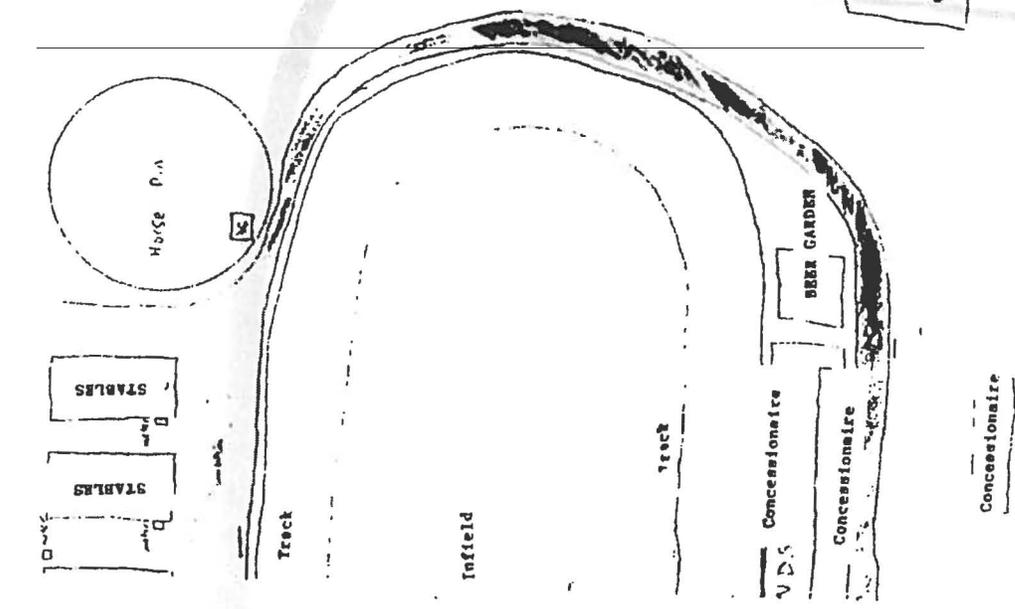
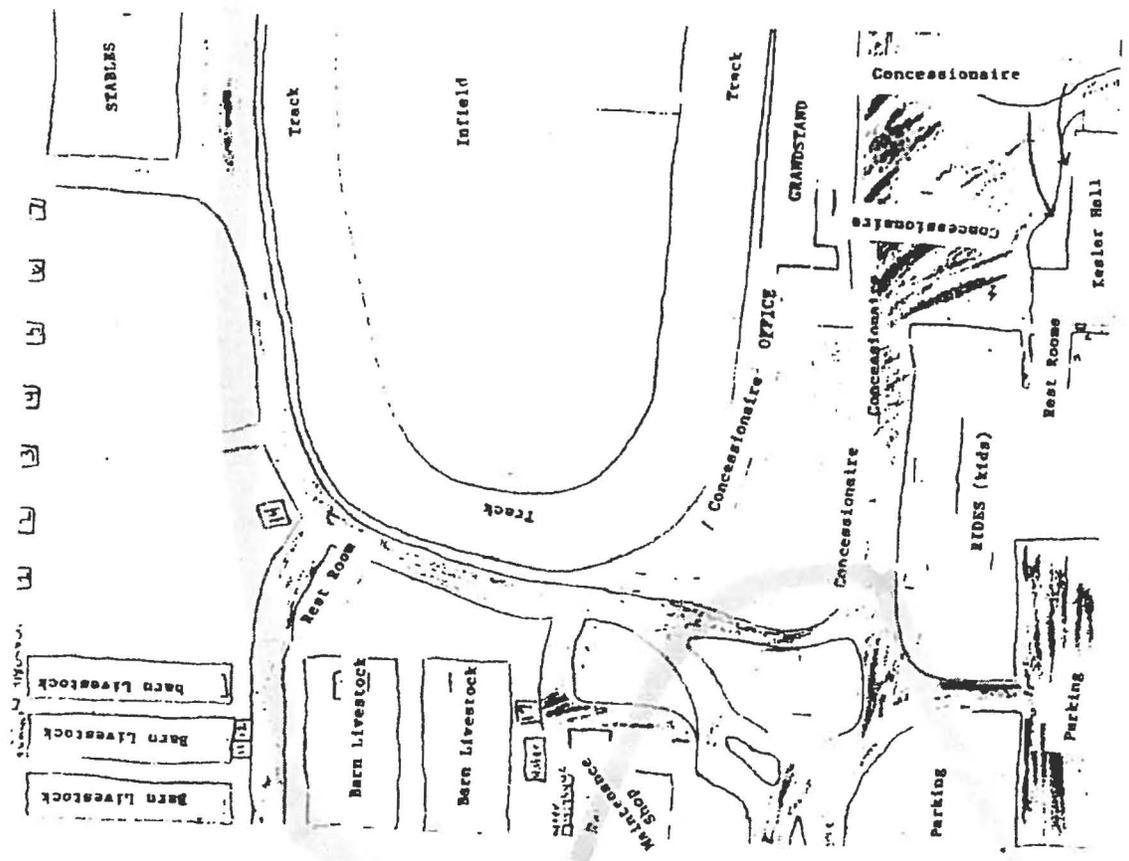
This **COMPLETED** application along with the appropriate amount of cash, or certified check made payable to MARK SHELDEN, CHAMPAIGN COUNTY CLERK, must be turned in to the Champaign County Clerk's Office, 1776 E. Washington St., Urbana, Illinois 61802. A \$4.00 Filing Fee should be included.

20110531 03:31 FAIR 2172676296 >> 2172681241

P2/3

20110531 03:31 FAIR 2172676296 >> 2172681241

P3/7



SITE MAP  
 CHAMPAIGN  
 COUNTY  
 FAIR GROUND

DATE: August 26, 2013  
TO: Environment and Land Use Committee  
FROM: Susan Monte, RPC Planner  
RE: Request to Change ELUC Meeting Date  
from Thursday, October 10, 2013 to Thursday, October 3, 2013

Requested Action Approve

This year, the 2013 Citizen Planner Workshop will be held on Thursday, October 10, 2013. ELUC members are cordially invited to attend this Workshop, which is scheduled to occur 4:45 pm to 8 pm. on that Thursday. (Additional information about the 2013 Citizen Planner Workshop is provided in this packet.) The predetermined October 10 ELUC meeting date will pose a conflict for ELUC members who want to attend the Workshop.

**This request is that the October ELUC meeting date officially be changed from Thursday, October 10, 2013 to Thursday, October 3, 2013.**

The results of a preliminary poll conducted this week were that five of seven ELUC members indicated they could be available to attend ELUC on the proposed alternate Thursday, October 3 ELUC meeting date.

Champaign County  
Department of

**PLANNING &  
ZONING**

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

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

To: **Environment and Land Use Committee**

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

Date: **August 26, 2013**

RE: **Zoning Ordinance Map Amendment Case 747-AM-13**

Request: **Amend the Zoning Map to change the zoning district designation from the AG-1 Agriculture Zoning District to the B-1 Rural Trade Center Zoning District to bring an existing Farm Equipment Sales and Service business into compliance.**

Petitioner: **Warner Brothers, Inc.**

---

### *STATUS*

The Zoning Board of Appeals voted 5 to 0 (with one member absent) to RECOMMEND ENACTMENT of this amendment at the August 15, 2013, public hearing.

This is a zoning map amendment to accommodate a long standing rural business (a Kinze farm implement dealer) that has never had proper zoning. This is related to another case, 731-S-12, that was approved by the ZBA at the same meeting. Case 731-S-12 authorized the commercial storage, dispensing, and mixing of liquid fertilizer in a 750,000 gallon storage tank on property next door to the implement dealership. Access to the fertilizer tank in Case 731-S-12 will be across the subject property in Case 747-AM-13.

The subject property for both zoning cases is located in Rantoul Township that has a Plan Commission and protest rights. The Township had concerns regarding truck traffic generated by the fertilizer business in Case 731-S-12 and the petitioners reached a road use agreement with Rantoul Township to assist in maintenance costs of the Township roads. The ZBA is the final authority on Case 731-S-12 and no County Board action is required.

No protest from the Township has been filed and a protest on behalf of the Township is not anticipated.

The ZBA found that the proposed map amendment will help achieve the Champaign County Land Resource Management Plan; is consistent with the *LaSalle* and *Sinclair* factors; and will help achieve the Purpose of the Zoning Ordinance. The Summary Finding of Fact is attached.

One special condition was recommended and is briefly reviewed below.

This amendment is ready for a final recommendation to the County Board for the meeting on September 19, 2013.

---

**Case 747-AM-13**

Warner Brothers, Inc. Rezoning AG-1 to B-1

August 26, 2013

**RECOMMENDED SPECIAL CONDITION OF APPROVAL**

- A. A Change of Use Permit shall be applied for within 30 days of the approval of Case 747-AM-13 by the County Board.**

The above special condition is required to ensure the following:

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

**ATTACHMENTS**

- A Case Maps (Location, Land Use, Zoning)
- B Plat of Survey received August 8, 2013
- C Summary Finding of Fact

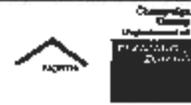
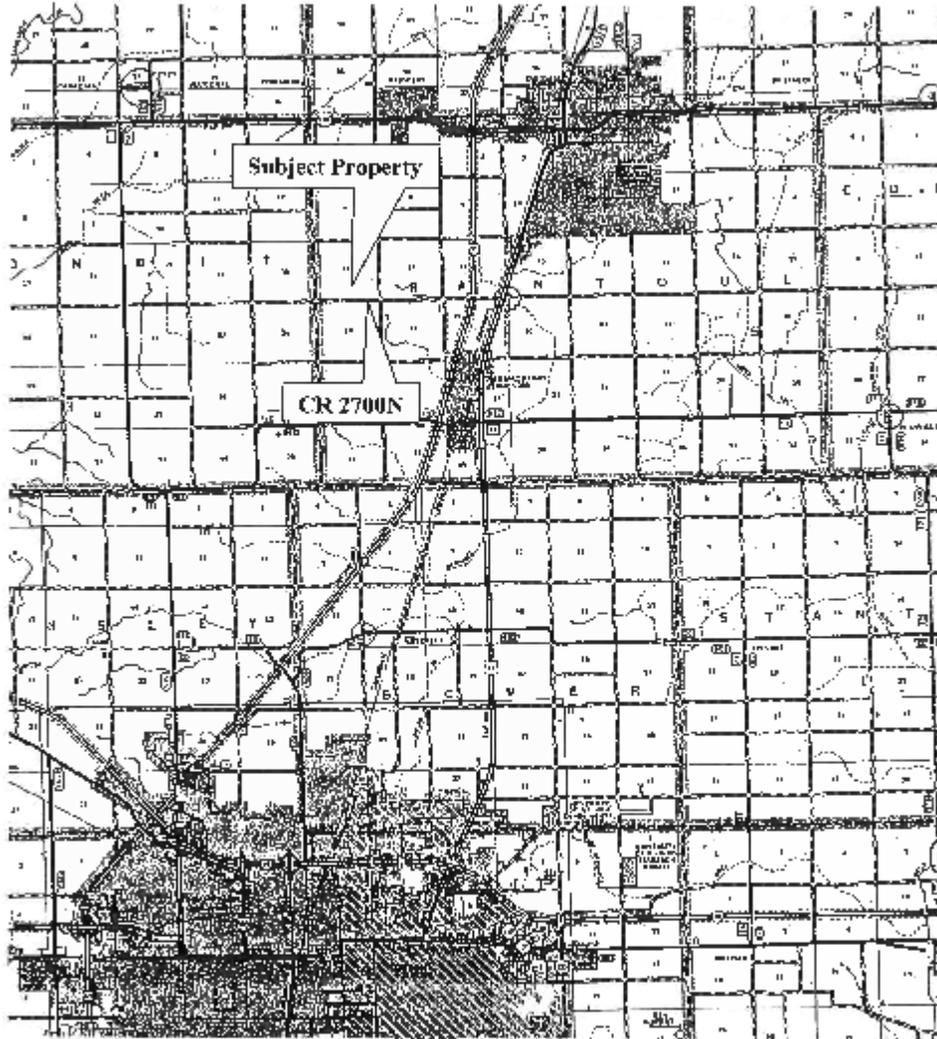
**Attachment A. Case Maps (Location, Land Use, Zoning)**

August 26, 2013

**ATTACHMENT A. LOCATION MAP**

Case 747-AM-13

March 22, 2013



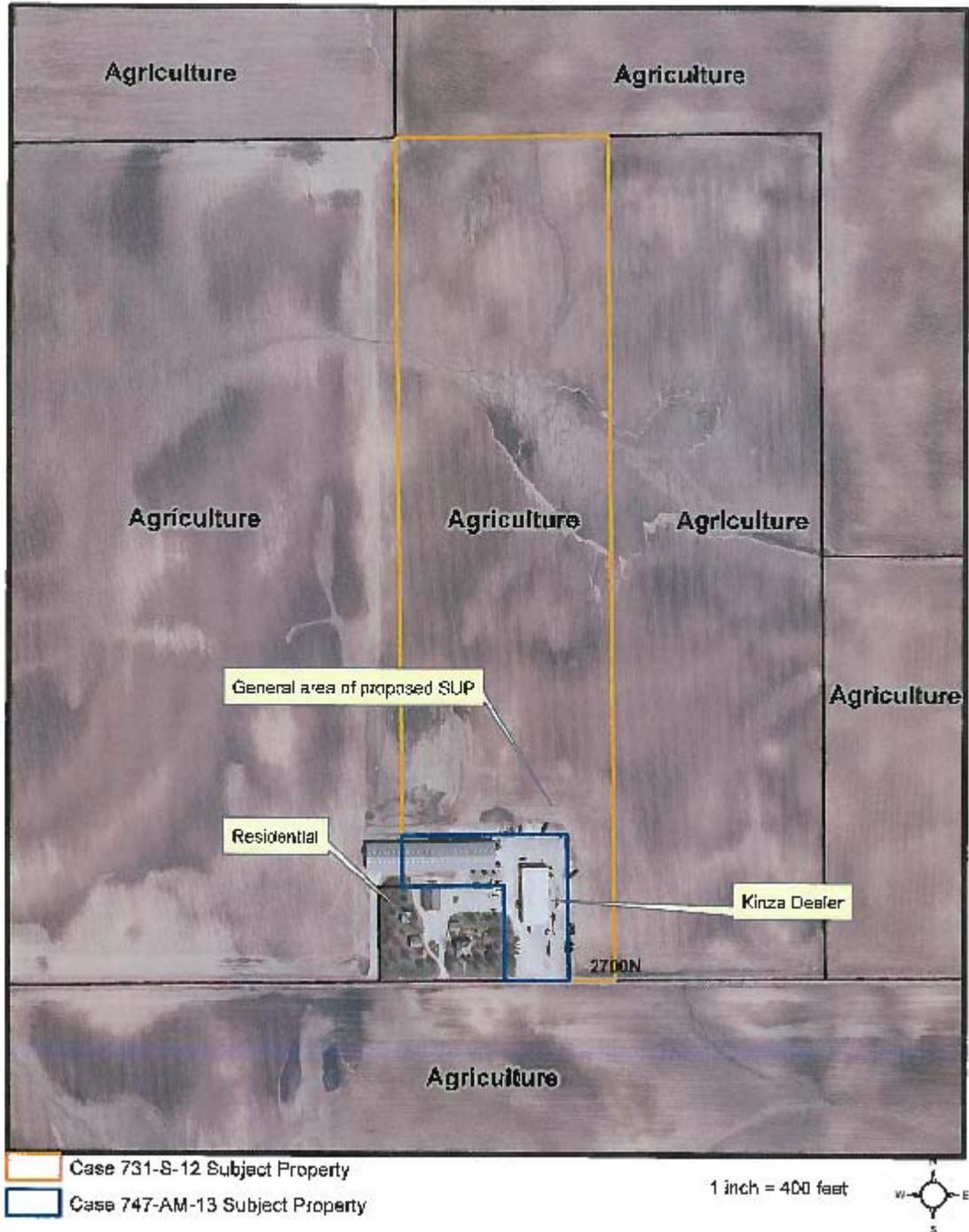
**Attachment A. Case Maps (Location, Land Use, Zoning)**

August 26, 2013

**Attachment A: Land Use Map**

**Case 747-AM-13**

**March 22, 2013**



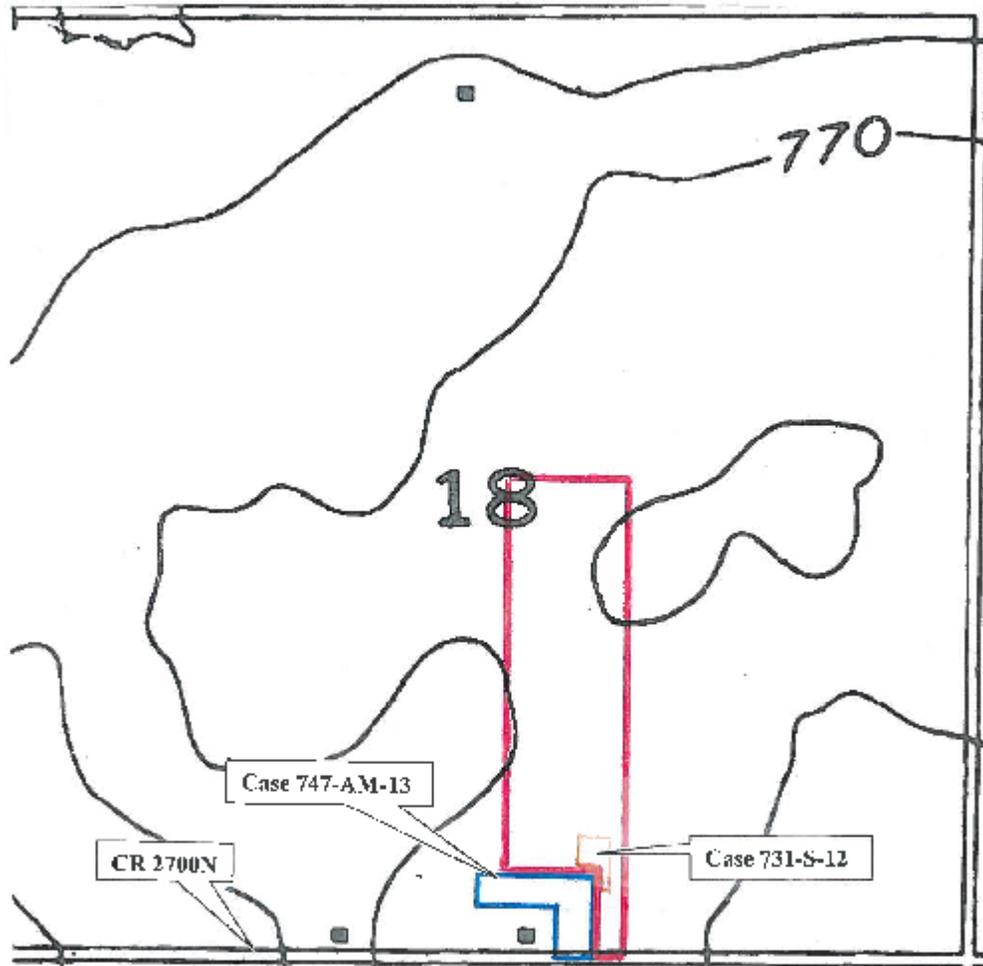
# Attachment A. Case Maps (Location, Land Use, Zoning)

August 26, 2013

## ATTACHMENT A. ZONING MAP

Case: 747-AM-13

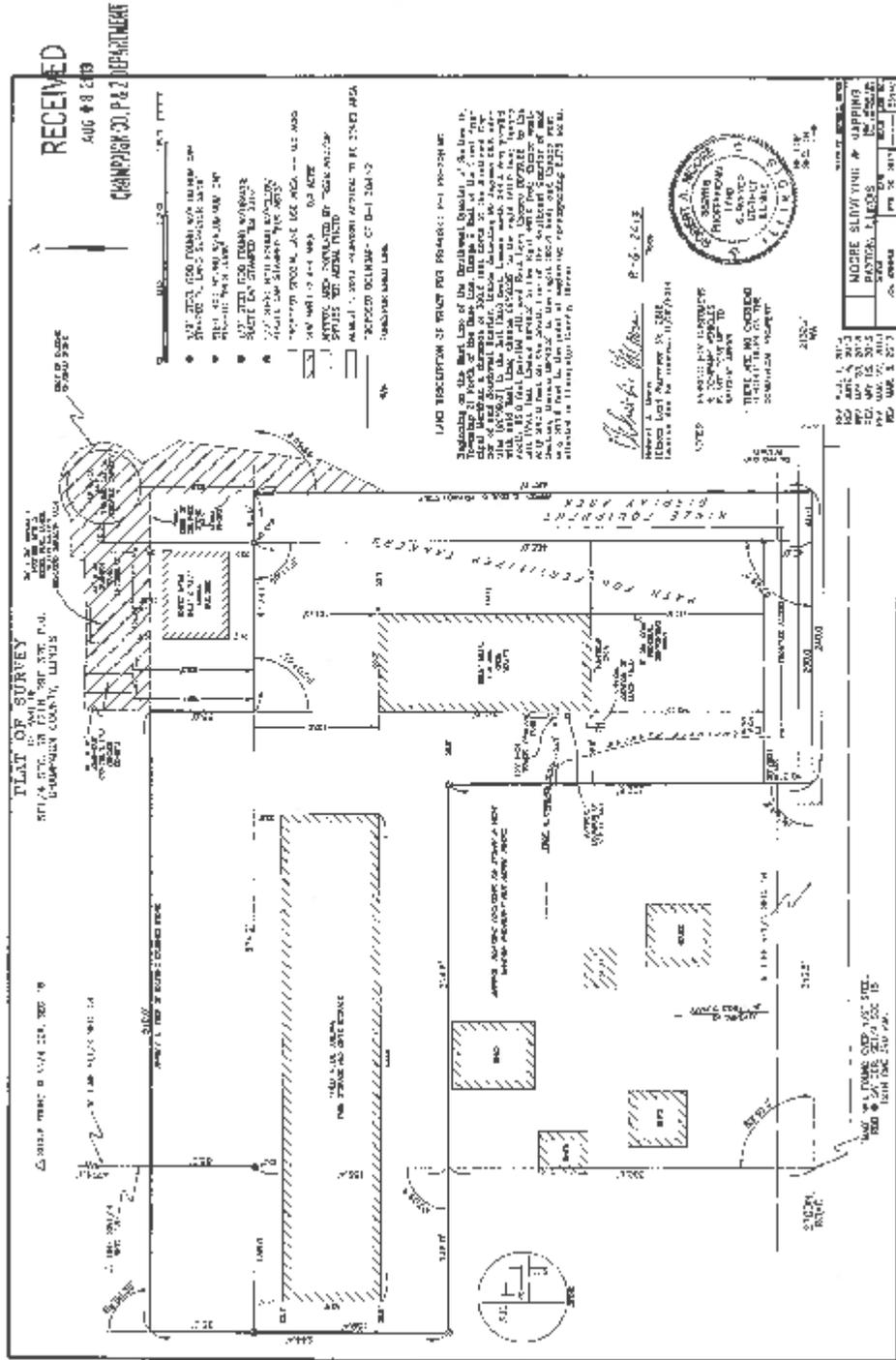
March 22, 2013



AG-1 Agriculture	R-1 Single Family Residence	R-4 Multiple Family Use	B-2 Neighborhood Business	B-5 General Business	 City of Department of Planning & Community Development
AG-2 Agriculture	R-2 Single Family Residence	R-3 Mobile Home Area	B-3 Highway Business	I-1 Light Industry	
CR Conservation-Recreation	R-3 Two-Family Residence	B-1 Rural Life Center	B-4 General Business	I-2 Heavy Industry	

# Attachment B. Plat of Survey

August 26, 2013



## Attachment C. Summary Finding of Fact

August 26, 2013

### SUMMARY FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **March 28, 2013, May 16, 2013, and June 13, 2013, July 25, 2013, and August 15, 2013**, the Zoning Board of Appeals of Champaign County finds that:

1. The proposed amendment **WILL HELP ACHIEVE** the Land Resource Management Plan because of the following (objectives and policies are very briefly summarized):

- A. The proposed map amendment **WILL HELP ACHIEVE** the following LRMP goals:

**Goal 4 Agriculture** because while it will either not impede or is not relevant to the other Objectives and Policies under this goal, it **WILL HELP ACHIEVE** the following:

- It **WILL HELP ACHIEVE** Objective **4.1 requiring minimization of the fragmentation of farmland, conservation of farmland, and stringent development standards on best prime farmland** because of the following:
  - It will **HELP ACHIEVE** Policy **4.1.1 requiring that other land uses only be accommodated under very restricted conditions or in areas of less productive soils** (see Item 14.A.(2)).
  - It **DOES** conform with Policy **4.1.6 requiring that the use, design, site and location are consistent with policies regarding suitability, adequacy of infrastructure and public services, conflict with agriculture, conversion of farmland, and disturbance of natural areas** (see Item 14.A.(3)).
- It will **HELP ACHIEVE** Objective **4.2 requiring discretionary development to not interfere with agriculture** because it will **HELP ACHIEVE** the following:
  - Policy **4.2.1 requiring a proposed business in a rural area to support agriculture or provide a service that is better provided in the rural area** (see Item 14.B.(1)).
  - Policy **4.2.2 requiring discretionary development in a rural area to not interfere with agriculture or negatively affect rural infrastructure** (see Item 14.B.(2)).
  - Policy **4.2.3 requiring discretionary development recognize and provide for the right of agricultural activities to continue on adjacent land** (see Item 14.B.(3)).
  - Policy **4.2.4 requiring consideration of whether a buffer between proposed development and agricultural activities is necessary** (see Item 14.B.(4)).
- It **WILL HELP ACHIEVE** Objective **4.3 requiring any discretionary development to be on a suitable site** because of the following:

## Attachment C. Summary Finding of Fact

August 26, 2013

- It will **HELP ACHIEVE** Policy 4.3.2 requiring a discretionary development on best prime farmland to be well-suited overall (see Item 14.C.(2)).
  - It will **HELP ACHIEVE** Policy 4.3.3 requiring existing public services be adequate to support the proposed development effectively and safely without undue public expense (see Item 14.C.(3)).
  - It **WILL HELP ACHIEVE** Policy 4.3.4 requiring existing public infrastructure be adequate to support the proposed development effectively and safely without undue public expense (see Item 14.C.(4)).
  - It will **HELP ACHIEVE** Policy 4.3.5 requiring that a business or non-residential use on best prime farmland only if it serves surrounding agriculture and is appropriate in a rural area (see Item 14.C.(5)).
- B. **Goal 8 Natural Resources** because while it will either not impede or is not relevant to the other Objectives and Policies under this goal, it will **HELP ACHIEVE** the following:
- Objective 8.2 requiring the County to conserve its soil resources because it will **HELP ACHIEVE** the following:
    - Policy 8.2.1 requiring the County to minimize the conversion of farmland to non-agricultural development.
- C. The proposed amendment will **NOT IMPEDE** the following LRMP goal(s):
- **Goal 1 Planning and Public Involvement**
  - **Goal 2 Governmental Coordination**
  - **Goal 3 Prosperity**
  - **Goal 5 Urban Land Use**
  - **Goal 6 Public Health and Public Safety**
  - **Goal 7 Transportation**
  - **Goal 9 Energy Conservation**
  - **Goal 10 Cultural Amenities**
2. The proposed Zoning Ordinance map amendment **IS** consistent with the *LaSalle* and *Sinclair* factors because of the following:
- The amendment will allow the petitioners to continue to provide the needed products and services they offer to the agricultural community.
  - The subject property is suitable for the business and cannot be converted back to agricultural production.
3. The proposed Zoning Ordinance map amendment **WILL HELP ACHIEVE the purpose of the Zoning Ordinance** because:
- Establishing the B-1 District at this location **DOES** lessen and avoid congestion in the public streets (Purpose 2.0 (c) see Item 23.C.).
  - Establishing the B-1 District at this location will help classify, regulate, and restrict the location of the uses authorized in the B-1 District (Purpose 2.0 (i) see Item 23.I.).

## **Attachment C. Summary Finding of Fact**

August 26, 2013

- Establishing the B-1 District at this location will help make the existing buildings, structures, and uses conform to those authorized in the B-1 District (Purpose 2.0 (m) see Item 23.M.).
4. Regarding the error in the present Ordinance that is to be corrected by the proposed change:
- Approval of the amendment would bring the existing business into compliance with the Zoning Ordinance.

Champaign County  
Department of

**PLANNING &  
ZONING**

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

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

To: **Environment and Land Use Committee**

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

Date: **August 28, 2013**

RE: **Case 757-AT-13 Adoption of new Model Flood Hazard  
Ordinance and Updated Flood Insurance Rate Maps**

Request: **Amend the Champaign County Zoning Ordinance as follows:  
Part A. Adopt an updated Flood Insurance Study with  
an effective date of October 2, 2013.**

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

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

Petitioner: **Zoning Administrator**

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### *STATUS*

The Committee made a preliminary recommendation for approval of this recommended text amendment at the August 8, 2013, meeting.

No comments have been received from municipalities or townships and no protest is anticipated.

This text amendment is ready for a final recommendation to the County Board for the meeting on September 19, 2013, ahead of the October 2, 2013, deadline for adoption.

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### **ATTACHMENTS**

A Draft Amendment

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## Section 1. Purpose

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

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

## Section 2. Definitions

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

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

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

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

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

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

Examples of critical facilities where flood protection should be required include: emergency services facilities (such as fire and police stations), schools, hospitals retirement homes and senior care facilities, major roads and bridges, critical utility sites (telephone switching stations

or electrical transformers, and hazardous material storage facilities (chemicals, petrochemicals, hazardous or toxic substances).

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

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

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

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

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

**FEMA:** Federal Emergency Management Agency

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

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

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

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

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

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

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

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

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

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

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

**Historic Structure:** Any structure that is:

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

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

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

**Lowest Floor:** The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Section 7 of this Ordinance.

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

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

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

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

**NFIP:** National Flood Insurance Program.

**Recreational Vehicle or Travel Trailer:** A vehicle which is:

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

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

**SFHA:** See definition of floodplain.

**Start of Construction:** Includes substantial improvement and means the date the building permit was issued. This, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement or other improvement, was within one hundred eighty (180) days of the

permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation or placement of a manufactured home on a foundation. For a substantial improvement, actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building whether or not that alteration affects the external dimensions of the building.

**Structure:** see “Building”

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

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

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

The term does not include:

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

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

### **Section 3. Base Flood Elevation**

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

- A. The base flood elevation for the floodplains of Copper Slough, McCullough Creek, Saline Branch Ditch, Salt Fork River, Sangamon River, Upper Boneyard Creek and Phinney Branch Ditch shall be as delineated on the 100-year flood profiles in the countywide Flood Insurance Study of Champaign County prepared by FEMA and dated October 2, 2013.

- B. The base flood elevation for each floodplain delineated as an “AH Zone” or AO Zone” shall be that elevation (or depth) delineated on the county wide Flood Insurance Rate Map of Champaign County.
- C. The base flood elevation for each of the remaining floodplains delineated as an “A Zone” on the countywide Flood Insurance Rate Map of Champaign County shall be according to the best data available from federal, state or sources. Should no other data exist, an engineering study must be financed by the applicant to determine base flood elevations.

**Section 4. Duties of the Zoning Administrator**

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

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

- N. Maintain the accuracy of floodplain maps including notifying IDNR/OWR and/or submitting information to FEMA within 6 months whenever a modification of the floodplain may change the base flood elevation or result in a change to the floodplain map.

### **Section 5. Floodplain Development Permit**

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

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

### **Section 6. Preventing Increased Flood Heights and Resulting Damages**

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

- A. Except as provided in Section 6.B. of this Ordinance, no development shall be allowed which, acting in combination with existing and anticipated development will cause any increase in flood heights or velocities or threat to public health and safety. The following specific development activities shall be considered as meeting this requirement:
1. Bridge and culvert crossings of streams in rural areas meeting the conditions of the Illinois Department of Natural Resources, Office of Water Resources Statewide Permit Number 2.
  2. Barge fleeting facilities meeting the conditions of IDNR/OWR Statewide Permit Number 3.
  3. Aerial utility crossings meeting the conditions of IDNR/OWR Statewide Permit Number 4.
  4. Minor boat docks meeting the following conditions of IDNR/OWR Statewide Permit Number 5.
  5. Minor, non-obstructive activities such as underground utility lines, light poles, sign posts, driveways, athletic fields, patios, playground equipment, minor storage buildings not exceeding 70 square feet and raising buildings on the same footprint which does not involve fill and any other activity meeting the conditions of IDNR/OWR Statewide Permit Number 6.

6. Outfall Structures and drainage ditch outlets meeting the following conditions of IDNR/OWR Statewide Permit Number 7.
  7. Underground pipeline and utility crossings meeting the conditions of IDNR/OWR Statewide Permit Number 8.
  8. Bank stabilization projects meeting the conditions of IDNR/OWR Statewide Permit Number 9.
  9. Accessory structures and additions to existing residential buildings meeting the conditions of IDNR/OWR Statewide Permit Number 10.
  10. Minor maintenance dredging activities meeting the following conditions of IDNR/OWR Statewide Permit Number 11.
  11. Bridge and culvert replacement structures and bridge widening meeting the following conditions of IDNR/OWR statewide Permit Number 12.
  12. Temporary construction activities meeting the following conditions of IDNR/OWR statewide Permit Number 13.
  13. Any development determined by IDNR/OWR to be located entirely within a flood fringe area shall be exempt from State Floodway permit requirements.
- B. Other development activities not listed in 6.A. may be permitted only if:
1. A permit has been issued for the work by IDNR/OWR (or written documentation is provided that an IDNR/OWR permit is not required); or
  2. Sufficient data has been provided to FEMA when necessary, and approval obtained from FEMA for a revision of the regulatory map and base flood elevation.

### **Section 7. Protecting Buildings and Building Related Development**

- A. In addition to the state permit and damage prevention requirements of Section 6 of this ordinance, all buildings and building related development located in the floodplain shall be protected from flood damage below the flood protection elevation. This building protection requirement applies to the following situations:
1. Construction or placement of a new building or alteration or addition to an existing building and/ or building related development valued at more than one thousand dollars (\$1,000) or seventy (70) square feet.
  2. Substantial improvements or structural alterations made to an existing building and/ or building related development that increase the floor area by more than twenty percent (20%) or equal or exceed the market value by fifty percent (50%). Alteration shall be figured cumulatively subsequent to the adoption of this ordinance. If substantially improved, the existing structure and the addition must meet the flood protection standards of this section.
  3. Repairs made to a substantially damaged building and/ or building related development. These repairs shall be figured cumulatively subsequent to the adoption of this ordinance. If substantially damaged the entire structure must meet

the flood protection standards of this section within 24 months of the date the damage occurred.

4. Installing a manufactured home on a new site or a new manufactured home on an existing site. (The building protection requirements do not apply to returning a manufactured home to the same site it lawfully occupied before it was removed to avoid flood damage).
5. Installing a travel trailer or recreational vehicle on a site for more than one hundred eighty (180) days per year.
6. Repetitive loss to an existing building and/ or building related development as defined in Section 2. If repetitive loss occurs the entire structure must meet the flood protection standards of this section within 24 months of the date the damage occurred.

B. Residential or non-residential buildings can meet the building protection requirements of paragraph 7.A. by one of the following methods:

1. The building and/ or building related development may be constructed on permanent land fill in accordance with the following:
  - a. The lowest floor (including basement) shall be at or above the flood protection elevation.
  - b. The fill shall be placed in layers no greater than six inches before compaction and should extend at least ten (10) feet beyond the foundation before sloping below the flood protection elevation.
  - c. The fill shall be protected against erosion and scour during flooding by vegetative cover, riprap, or other structural measure.
  - d. The fill shall be composed of rock or soil and not incorporate debris or refuse material.
  - e. The fill shall not adversely affect the flow of surface drainage from or onto neighboring properties and when necessary storm water management techniques such as swales or basins shall be incorporated.
  - f. Footings shall be placed on undisturbed earth or a Licensed Illinois Professional Engineer shall certify in writing that the building shall be reasonably safe from flooding.
2. The building or building related development may be elevated in accordance with the following:
  - a. The building or improvements and/ or building related development shall be elevated on stilts, piles, walls, crawlspace, or other foundation that is permanently open to flood waters.
  - b. The lowest floor and all electrical, heating, ventilating, plumbing, and air conditioning equipment and utility meters on the property shall be located at or above the flood protection elevation except that water and sewer pipes, electrical and telephone lines, submersible pumps, and other service

facilities may be located below the flood protection elevation provided they are waterproofed.

- c. If walls are used to elevate the building and/ or building related development, all enclosed areas below the flood protection elevation shall address hydrostatic pressures by allowing the automatic entry and exit of flood waters. Designs must either be certified by a licensed professional engineer or by having a minimum of one (1) permanent opening on each wall no more than one (1) foot above grade with a minimum of two (2) openings per enclosed area. The openings shall provide a total net area of not less than one (1) square inch for every one (1) square foot of enclosed area subject to flooding below the base flood elevation. Insect screens may cover flood openings provided that the insect screen does not unduly impede the entry and exit of floodwaters.
  - d. The foundation and supporting members shall be anchored, designed, and certified so as to minimize exposure to hydrodynamic forces such as current, waves, ice, and floating debris.
  - e. All structural components below the base flood elevation shall be constructed of materials resistant to flood damage.
  - f. The area below the flood protection elevation shall be used solely for parking or building access and not later modified or occupied as habitable space.
  - g. Footings shall be placed on undisturbed earth or a Licensed Illinois Professional Engineer shall certify in writing that the building shall be reasonably safe from flooding.
  - h. In lieu of the above criteria, the design methods to comply with these requirements may be certified by an Illinois Licensed Professional Engineer or Illinois Licensed Architect.
3. The building and/ or building related development may be constructed with a crawlspace located below the flood protection elevation provided that the following conditions are met:
- a. The building and/ or building related development must be designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
  - b. Any enclosed area below the flood protection elevation shall have openings that equalize hydrostatic pressures by allowing for the automatic entry and exit of floodwaters. There shall be a minimum of one-permanent opening on each wall no more than one (1) foot above grade- with a minimum of two (2) openings per enclosed area. The openings shall provide a total net area of not less than one (1) square inch for every one (1) square foot of enclosed area subject to flooding below the base flood elevation. Insect screens may cover flood openings provided that the insect screen does not unduly impede the entry and exit of floodwaters.

- c. The interior grade of the crawlspace below the flood protection elevation must not be more than two (2) feet below the lowest adjacent exterior grade.
- d. The interior height of the crawlspace measured from the interior grade of the crawlspace to the top of the foundations wall must not exceed four (4) feet at any point.
- e. An adequate drainage system must be installed to remove floodwaters from the interior area of the crawlspace within a reasonable period of time after a flood event.
- f. Portions of the building and/ or building related development below the base flood elevation must be constructed with materials resistant to flood damage.
- g. Utility systems within the crawlspace and outside of the crawl space including all electrical, heating, ventilating, plumbing, air conditioning equipment, and utility meters on the property, must be elevated above the flood protection elevation except for the following:
  - (1) Water and sewer pipes, electrical and telephone lines, submersible pumps, and other service facilities may be located below the flood protection elevation provided they are waterproofed.
  - (2) Fuel storage tanks must either be elevated above the flood protection elevation or adequately anchored to prevent floatation following manufacturers recommendations and protected from flood debris impact.
- h. Footings shall be placed on undisturbed earth or a Licensed Illinois Professional Engineer shall certify in writing that the building shall be reasonably safe from flooding.

- C. Non-residential buildings and/ or non-residential building related development may be structurally dry floodproofed (in lieu of elevation) to meet the building protection requirements of paragraph 7.A. provided an Illinois Licensed Professional Engineer or Illinois Licensed Architect certifies that:
  - 1. Below the flood protection elevation the structure and attendant utility facilities are watertight and capable of resisting the effects of the base flood.
  - 2. The design accounts for flood velocities, duration, rate of rise, hydrostatic and hydrodynamic forces, the effects of buoyancy, and the impact from debris and ice.
  - 3. Floodproofing measures will be incorporated into the design and operable without human intervention and without an outside source of electricity.
  - 4. Levees, berms, floodwalls and similar works are not considered floodproofing for the purpose of this subsection.
  - 5. Footings shall be placed on undisturbed earth or a Licensed Illinois Professional Engineer shall certify in writing that the building shall be reasonably safe from flooding.

- D. Manufactured homes or travel trailers to be permanently installed on site must be in conformance with the Zoning Ordinance and shall be elevated as follows:
1. elevated to or above the flood protection elevation in accordance with Section 7.B.; and
  2. anchored to resist flotation, collapse, or lateral movement by being tied down in accordance with the rules and regulations for the Illinois Mobile Home Tie-Down Act issued pursuant to 77 Ill. Adm. Code § 870.
- E. Travel trailers and recreational vehicles on site for more than one hundred eighty (180) days per year must be in conformance with the Zoning Ordinance and shall meet the elevation requirements of section 7.D. unless the following conditions are met:
1. The vehicle must be either self-propelled or towable by a light duty truck.
  2. The hitch must remain on the vehicle at all times.
  3. The vehicle must not be attached to external structures such as decks and porches.
  4. The vehicle must be designed solely for recreation, camping, travel, or seasonal use rather than as a permanent dwelling.
  5. The vehicles largest horizontal projections must be no larger than four hundred (400) square feet.
  6. The vehicle's wheels must remain on the axles and with inflated tires.
  7. Air conditioning units must be attached to the frame so as to be safe for movement out of the floodplain.
  8. Propane tanks as well as electrical and sewage connections must be quick-disconnect. Propane tanks must also either be elevated above the flood protection elevation or adequately anchored to prevent floatation following manufacturers recommendations and protected from flood debris impact.
  9. The vehicle must be licensed and titled as a recreational vehicle or park model.
  10. The vehicle must either entirely be supported by jacks rather than blocks, or have a hitch jack permanently mounted, have the tires touching the ground and be supported by blocks in a manner that will allow the blocks to be easily removed by use of the hitch jack.
- F. Garages, sheds or other minor accessory structures constructed ancillary to an existing residential use must meet the building protection requirements of paragraph 7.A. by one of the methods in paragraph 7.B. unless the following conditions are met:
1. The garage or shed must be non-habitable.
  2. The garage or shed must be used only for the storage of vehicles and tools and cannot be modified later into another use.
  3. The garage or shed must be located outside of the floodway or have the appropriate state and/or federal permits.

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

## **Section 8. Subdivision Requirements**

- A. The County Board shall take into account hazards, to the extent that they are known, in all official actions related to land management use and development.
- B. New subdivisions, manufactured home parks, annexation agreements, planned unit developments, and additions to manufactured home parks and subdivisions shall meet the damage prevention and building protections standards of Sections 6 and 7 of this ordinance. Any proposal for such development shall include the following data:
  1. The base flood elevation and the boundary of the floodplain. Where the base flood elevation is not available from an existing study, the applicant shall be responsible for calculating the base flood elevation.
  2. The boundary of the floodway when applicable.
  3. A signed statement by a Licensed Illinois Professional Engineer that the proposed plat or plan accounts for changes in the drainage of surface waters in accordance with the Plat Act (765 ILCS 205/2).

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

## **Section 9. Public Health and Other Standards**

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

## **Section 10. Carrying Capacity and Notification.**

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

## **Section 11. Variances**

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

granted using criteria more permissive than the requirements of Sections 6 and 7 of this ordinance subject to the conditions that:

- a. The repair or rehabilitation is the minimum necessary to preserve the historic character and design of the structure.
- b. The repair or rehabilitation will not result in the structure being removed as a certified historic structure.

#### D. Agriculture

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

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

**Section 12. Fees**

- A. No development permit nor variance application shall be accepted without the specified fee having been received by the Department, except when the Zoning Administrator determines that the application of the permit or variance was due solely to staff error.
- B. No filing fee for a variance shall be refunded after the required legal notice has been made by mail or publication unless the Zoning Administrator determines that such filing was due solely to staff error.
- C. In no event shall refunds be given for amounts less than \$50 dollars.
- D. No floodplain determination or Base Flood Elevation estimates shall be provided until payment of the specified fee has been received by the Department.
- E. Fee Schedule:
  - 1. Floodplain Development Permits .....\$100
  - 2. Special Flood Hazard Area Variance.....\$200

3. Flood Determinations, except as made in conjunction with applications for Floodplain Development Permits, Special Flood Hazard Area Variance or other applications made pursuant to the Champaign County Zoning Ordinance or Subdivision Regulations .....\$25
4. Base Flood Elevation Estimate, except as made in conjunction with applications for Floodplain Development Permits, Special Flood Hazard Area Variance or other applications made pursuant to the Champaign County Zoning Ordinance or Subdivision Regulations:
  - a. BFE established by publication or previous estimate.....\$25
  - b. BFE established by estimate pursuant to Section 3, Paragraph C. ....\$250

**Section 13. Disclaimer of Liability**

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

## Section 14. Penalty

- A. Failure to obtain a permit for development in the floodplain or failure to comply with the conditions of a permit or a variance shall be deemed to be a violation of this ordinance.
- B. Upon due investigation, the Zoning Administrator may determine that a violation of the minimum standards of this ordinance exists. The Zoning Administrator shall notify the owner in writing of such violation. If such owner fails after ten (10) days notice to correct the violation:
  - 1. The State's Attorney shall make application to the circuit court for an injunction requiring conformance with this ordinance or make such other order as the court deems necessary to secure compliance with the ordinance.
  - 2. Any person who violates this ordinance shall upon conviction thereof be fined not less than fifty dollars (\$50) or more than seven hundred fifty (\$750) for each offense.
  - 3. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.
  - 4. The State's Attorney shall record a notice of violation on the title of the property.
  - 5. The Zoning Administrator shall inform the owner that any such violation is considered a willful act to increase flood damages and therefore may cause coverage by a Standard Flood Insurance Policy to be suspended.
- C. The Zoning Administrator is authorized to issue an order requiring the suspension of the subject development. The stop-work order shall be in writing, indicate the reason for the issuance, and shall order the action, if necessary, to resolve the circumstances requiring the stop-work order. The stop-work order constitutes a suspension of the permit.
- D. No site development permit shall be permanently suspended or revoked until a hearing is held by the Zoning Board of Appeals.
  - 1. Written notice of such hearing shall be served on the permittee and shall state the following:
    - a. The grounds for the complaint, reasons for suspension or revocation.
    - b. The time and place of the hearing.
  - 2. At such hearing the permittee shall be given an opportunity to present evidence on their behalf.
  - 3. At the conclusion of the hearing, the Zoning Board of Appeals shall determine whether the permit shall be suspended or revoked.
- E. Nothing herein shall prevent the Zoning Administrator from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible.

**Section 15. Abrogation and Greater Restrictions**

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

**Section 16. Severability**

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

**Section 17. Effective Date**

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

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

\_\_\_\_\_  
(Clerk)

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

\_\_\_\_\_  
(County ~~CEO~~ Board Chair)

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

\_\_\_\_\_  
(Clerk)

## APPENDIX A

### ADOPTING ORDINANCE AND AMENDMENTS

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

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

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

#### **Amendments:**

1. Ordinance No. 736 adopted February 24, 2005
  - Renumbers [and changes content of] existing Sections 9 and 10
  - Section 10, Fees
    - Entire section amended to add required fees.
  
2. Ordinance No. \_\_\_\_ adopted \_\_\_\_\_ 2005
  - Table of Contents
    - Add new Section 8 and renumber remaining sections.
  - Section 4, Duties of Zoning Administrator
    - Amend Paragraph G.
  - Section 8, Subdivision Requirements
    - Add this section and renumber remaining Sections 9 through 16

Champaign County  
Department of

**PLANNING &  
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To: **Environment and Land Use Committee**

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

Date: **August 26, 2013**

RE: **Zoning Ordinance Text Amendment Case 761-AT-13**

Request: **Amend the Champaign County Zoning Ordinance by amending the Champaign County Land Evaluation and Site Assessment (LESA) System that is referred to in Section 3; and Footnote 13 in Section 5.3; and subsection 5.4, as follows:**

**Part A. Revise Table A in Appendix A of the Champaign County LESA System to correct certain non-best prime farmland soil data and reclassify those soils to appropriate Agriculture Value Groups as necessary.**

**Part B. Revise Table A in Appendix A of the Champaign County LESA System to revise the Farmland Classification category to be consistent with the USDA Natural Resource Conservation Service “Farmland Classification” categories.**

Petitioner: **Zoning Administrator**

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### *STATUS*

The Zoning Board of Appeals voted 5 to 0 (with one member absent) to RECOMMEND ENACTMENT of this amendment at the August 15, 2013, public hearing.

The Environment and Land Use Committee authorized this text amendment at the June 6, 2013, meeting. Some of the soil data used in the LESA was incorrect for some of the lower classes of prime farmland soils. This amendment corrects soil data in the new LESA and only affects Appendix A of the new LESA. There are no substantive changes and no changes related to Best Prime Farmland or the soils that are considered Best Prime Farmland.

The amendment recommended by the ZBA is the same that was authorized by the Committee in June.

Standard protocol is for the Committee to make a preliminary recommendation on a proposed text amendment at the first Committee meeting following a ZBA recommendation and then make final recommendation to the County Board at the next regularly scheduled Committee meeting (October 3, 2013, in this instance). The one month delay in a final recommendation is intended to give municipalities and townships with plan commissions one month in which to provide comments or protests.

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**Zoning Administrator**

August 26, 2013

**ATTACHMENTS**

- A Summary Finding of Fact for Case 761-AT-13**
- B Proposed Amendment**

## Attachment A. Summary Finding of Fact

August 26, 2013

### SUMMARY FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on, **August 15, 2013**, the Zoning Board of Appeals of Champaign County finds that:

1. The proposed text amendment will **HELP ACHIEVE** the Land Resource Management Plan because of the following (objectives and policies are very briefly summarized):

- A. The proposed text amendment will **HELP ACHIEVE** the following LRMP goals:

**Goal 4 Agriculture** because while it will either not impede or is not relevant to the other Objectives and Policies under this goal, it will **HELP ACHIEVE** the following:

- Objective **4.1 requiring minimization of the fragmentation of farmland, conservation of farmland, and stringent development standards on best prime farmland** because it will **HELP ACHIEVE** the following:
  - Policy **4.1.1 requiring that other land uses only be accommodated under very restricted conditions or in areas of less productive soils (see Item 9.A.(1)).**
  - Policy **4.1.5 requiring the County to allow landowner by right development that is proportionate to tract size on lots that are greater than 5 acres in area (see Item 9.A.(2)).**
  - Policy **4.1.6 requiring that the use, design, site and location are consistent with policies regarding suitability, adequacy of infrastructure and public services, conflict with agriculture, conversion of farmland, and disturbance of natural areas (see Item 9.A.(3)).**
  - Policy **4.1.7 requiring a maximum lot size on new lots established by right on best prime farmland (see Item 9.A.(4)).**
  - Policy **4.1.8 requiring the County to consider LESA ratings when making land use decisions regarding a discretionary development (see Item 9.A.(5)).**
- Objective **4.3 requiring any discretionary development to be on a suitable site** because it will **HELP ACHIEVE** the following:
  - Policy **4.3.2 requiring a proposed business in a rural area to support agriculture or provide a service that is better provided in the rural area (see Item 9.B.(1)).**
  - Policy **4.3.5 requiring any business on best prime farmland to be appropriate in a rural area and on a site that is well suited (see Item 9.B.(2)).**
- It will **HELP ACHIEVE** Objective **4.5 requiring the County to review the Site Assessment portion of the LESA for possible updates (see Item 9.C.).**

## Attachment A. Summary Finding of Fact

August 26, 2013

**Goal 5 Urban Land Use** because while it will either not impede or is not relevant to the other Objectives and Policies under this goal, it will **HELP ACHIEVE** the following:

- Objective **5.1 ensure that the population growth and economic development is accommodated by new urban development in or adjacent to existing population centers** because it will **HELP ACHIEVE** the following:
  - Policy **5.1.4 requiring that discretionary development outside of the CUGA, but within an ETJ to be consistent with the municipal comprehensive plan, if the site is best prime farmland it must be well-suited, and the development is consistent with the LRMP (see Item 10.A.(1)).**
  - Policy **5.1.9 requiring discretionary development that is located within an ETJ and subject to an annexation agreement to undergo a coordinated municipal and County review process (see Item 10.A.(2)).**
- Objective **5.2 encourage any urban development to demonstrate good stewardship of natural resources** because it will **HELP ACHIEVE** the following:
  - Policy **5.2.2 ensure that urban development on best prime farmland is efficiently designed to avoid unnecessary conversion and encourage other jurisdictions to do the same (Item 10.B.(1)).**

**Goal 8 Natural Resources** because while it will either not impede or is not relevant to the other Objectives and Policies under this goal, it will **HELP ACHIEVE** the following:

- Objective **8.1 requiring the County to ensure adequate and safe supplies of groundwater** because it will **HELP ACHIEVE** the following:
  - Policy **8.1.1 requiring the County to ensure that a proposed discretionary development will have an adequate supply of water for the proposed use (see Item 13.A.(1)).**
  - Policy **8.1.5 requiring the County to ensure that groundwater contributions to natural surface hydrology are not disrupted by discretionary development (see Item 13.A.(2)).**
- Objective **8.2 requiring the County to conserve its soil resources to provide the greatest benefit to current and future generations** because it will **HELP ACHIEVE** the following:
  - Policy **8.2.1 requiring the County to minimize the destruction of its soil resources by non-agricultural development and will give special consideration to best prime farmland (see Item 13.B.(1)).**
- Objective **8.4 requiring the County to ensure that new development and ongoing land management practices maintain and improve surface water quality** because it will **HELP ACHIEVE** the following:

## Attachment A. Summary Finding of Fact

August 26, 2013

- Policy **8.4.1** requiring the County to incorporate the recommendations of adopted watershed plans in discretionary review of new development (see Item 13.C.(1)).
- Objective **8.5** requiring the County to encourage the maintenance and enhancement of aquatic and riparian habitats because it will **HELP ACHIEVE** the following:
  - Policy **8.5.1** requiring discretionary development to preserve existing habitat, enhance degraded habitat and restore habitat (see Item 13.D.(1)).
  - Policy **8.5.2** requiring discretionary development to cause no more than minimal disturbance to the stream corridor environment (see Item 13.D.(2)).
- Objective **8.6** that avoids loss or degradation of habitat because it will **HELP ACHIEVE** the following:
  - Policy **8.6.2** requiring new development to minimize the disturbance of habitat or to mitigate unavoidable disturbance of habitat (see Item 13.E.(1)).
  - Policy **8.6.3** requiring the County to use credible sources of information to identify priority areas for protection, restoration, preservation or enhancement (see Item 13.E.(2)).
  - Policy **8.6.4** requiring implementation of IDNR recommendations for discretionary development sites that contain endangered or threatened species (see Item 13.E.(3)).
- Objective **8.7** that requires the County to protect existing rural parkland and natural area preserves because it will **HELP ACHIEVE** the following:
  - Policy **8.7.1** requiring discretionary development to minimize the disturbance of natural quality, habitat value and aesthetic character of existing public and private parks (see Item 13.F.(1)).
  - Policy **8.7.3** requiring discretionary development to a reasonable contribution to support development of parks and preserves (see Item 13.F.(2)).
- Objective **8.8** that requires the County to encourage minimizing impacts on the atmosphere because it will **HELP ACHIEVE** the following:
  - Policy **8.8.1** requiring the County to require compliance with IEPA and IPCB standards for air quality in discretionary development (see Item 13.G.(1)).
  - Policy **8.8.2** requiring the County to identify existing source of air pollution and avoid locating sensitive land uses near those (see Item 13.G.(2)).

## Attachment A. Summary Finding of Fact

August 26, 2013

- It will **HELP ACHIEVE** Objective **8.9** requiring the County to adopt a natural resources specific assessment system (see Item 13.H.).
- B. The proposed text amendment will **NOT IMPEDE** the following LRMP goal(s):
- **Goal 1 Planning and Public Involvement**
  - **Goal 2 Governmental Coordination**
  - **Goal 6 Public Health and Public Safety**
  - **Goal 7 Transportation**
  - **Goal 9 Energy Conservation**
- C. The proposed text amendment is **NOT RELEVANT** the following LRMP goal(s):
- **Goal 3 Prosperity**
  - **Goal 10 Cultural Amenities**
2. The proposed Zoning Ordinance map amendment will **HELP ACHIEVE the purpose of the Zoning Ordinance** because it is either not directly related to the purposes of the Zoning Ordinance or is directly relate to the following purpose:
- Protecting productive agricultural lands from haphazard and unplanned intrusions of urban uses (Purposed 2.0n.).
3. The proposed text improvement **WILL IMPROVE the Zoning Ordinance** as follows:
- Correct information in the LESA System to be consistent with the NRCS.
  - Provide updated soils data to ensure that LESA scores are being calculated correctly.

**Attachment B. Proposed Amendment**  
Champaign County LESA Agriculture Value Groups

Table A Composition of Agriculture Value Groups

Agriculture Value Group	Relative LE <sup>1</sup>	Land Capability Classification	Farmland Classification	Adjusted Soil Productivity Index <sup>2</sup>	Map Unit Symbol and Soil Series	# Acres Countywide	Percentage of County Land	
1	100	1	Prime 1	98 - 100	154A Flanagan silt loam 198A Elburn silt loam 149A Brenton silt loam	100,553 17,641 16,465	15.74 2.76 2.58	21.08
2	100	2e, 2w	Prime 1, Prime 2	98 - 100	152A Drummer silty clay loam 679B Blackberry silt loam	254,484 4,985	39.82 0.78	40.60
3	94	1, 2e, 2w	Prime 1, Prime 2	93 - 95	171B Catlin silt loam 153A Pella silty clay loam 623A Kishwaukee silt loam 481A Raub silt loam	17,385 6,422 3,105 22,903	2.72 1.01 0.49 3.58	7.79
4	91	1, 2e, 2w	Prime 1, Prime 2	90 - 92	663B Clare silt loam 67A Harpster silty clay loam 234A Sunbury silt loam 56B Dana silt loam 219A Millbrook silt loam 490A Odell silt loam 687B Penfield loam 125A Selma loam	8,391 2,153 2,014 22,838 1,454 1,269 2,327 2,908	1.31 0.34 0.32 3.57 0.23 0.20 0.36 0.46	6.77
5	88	2e, 2s, 2w	Prime 1, Prime 2	87 - 89	148B2 Proctor silt loam 232A Ashkum silty clay loam 206A Thorp silt loam 146A Elliot silt loam 242A Kendall silt loam	15 29,196 2,641 761 1,441	0.002 4.57 0.41 0.12 0.23	5.33
6	87	3w	Prime 5	87	3107A Sawmill silty clay loam	11,080	1.73	1.73
7	85	1, 2e, 2w, 3w	Prime 1, Prime 2	83 - 86	56B2 Dana silt loam 330A Peotone silty clay loam 236A Sabina silt loam 102A La Hogue loam 233B Birbeck silt loam 235A Bryce silty clay 134A Camden silt loam	136 3,744 3,011 1,423 2,669 1,623 14	0.02 0.59 0.47 0.22 0.42 0.25 0.002	1.97

continued

**Attachment B. Proposed Amendment**  
Champaign County LESA Agriculture Value Groups

Appendix A

Table A Composition of Agriculture Value Groups (AVG) continued

Agriculture Value Group	Relative LE <sup>1</sup>	Land Capability Classification	Farmland Classification	Adjusted Soil Productivity Index <sup>2</sup>	Map Unit Symbol and Soil Series	# Acres Countywide	Percentage of County Land	
8	84	3e	Statewide Importance 30	84	687C2 Penfield loam	809	0.13	0.13
9	83	2e, 3w, 2s	Prime 1, Prime3	81 - 83	146B2 Elliott silty clay loam 622B Wyanet silt loam 134B Camdem silt loam 680B Campton silt loam 91A Swygert silty clay loam 146C2 Elliott silty clay loam 291B Xenia silt loam 448B Mona silt loam 3473A Rossburg silt loam	28,484 7,312 1,207 1,651 73 1,485 4,837 245 982	4.46 1.14 0.19 0.26 0.01 0.23 0.76 0.04 0.15	7.24
10	79	2e	Prime 1	78 - 79	387B Ockley silt loam 570B Martinsville silt loam	1,125 708	0.18 0.11	0.29
11	78	3e	Statewide Importance 30	78	622C2 Wyanet silt loam	6,331	1.00	1.00
12	76	2e, 3e	Prime 1	74 - 76	131B Alvin fine sandy loam 223B2 Varna silt loam 91B2 Swygert silty clay loam 150B Onarga sandy loam 223C2 Varna silt loam 91C2 Swygert silty clay loam 530B Ozaukee silt loam 618B Senachwine silt loam	205 8,040 2,791 290 3,116 411 509 269	0.03 1.26 0.44 0.05 0.49 0.06 0.08 0.04	2.44
13	75	3e	Statewide Importance 30	74 - 75	322C2 Russell silt loam 570C2 Martinsville loam	1,930 1,021	0.30 0.16	0.46
14	71	2e, 2w, 3e, 3w	Prime 1, Prime 2, Prime 5	68 - 73	23A Blount silt loam 530C2 Ozaukee silt loam 3302A Ambraw silty clay loam 23B2 Blount silt loam	804 411 2,794 808	0.13 0.06 0.44 0.13	0.76

continued

Table A Composition of Agriculture Value Groups (AVG) continued

**Attachment B. Proposed Amendment**  
Champaign County LESA Agriculture Value Groups

Appendix A

Agriculture Value Group	Relative LE <sup>1</sup>	Land Capability Classification	Farmland Classification	Adjusted Soil Productivity Index <sup>2</sup>	Map Unit Symbol and Soil Series	# Acres Countywide	Percentage of County Land	
15	69	3e, 4e	Statewide Importance 30	69	530D2 Ozaukee silt loam 618C2 Senachwine silt loam	543 850	0.09 0.13	0.21
16	66	4e	Statewide Importance 30 Not Prime	62 - 69	387C3 Ockley clay loam 570D2 Martinsville loam 223D3 Varna silty clay loam 622D3 Wyanet clay loam 618D2 Senachwine silt loam 530E2 Ozaukee silt loam	301 360 2,826 357 632 382	0.05 0.06 0.44 0.06 0.10 0.06	0.77
17	50	5w, 6e, 7e	Prime 2, Not Prime	37 -60	637A+ Muskego silty clay loam 618E2 Senachwine silt loam 618F Senachwine silt loam 241C3 Chatsworth silty clay 241D3 Chatsworth silty clay	47 511 398 36 285	0.01 0.08 0.06 0.01 0.05	0.20
18	n/a	n/a	Not Prime	n/a	533 Urban Land 802B Orthents loamy undulating 830 Landfill 865 Gravel Pit W Water	1,607 4,290 115 460 1,319	0.25 0.67 0.02 0.07 0.21	1.22

Table A Notes

1. LE is the weighted, average designated Land Evaluation score assigned to each Agriculture Value Group.
2. The “Adjusted Productivity Index” is derived from Productivity Index data published in Table S2 of Bulletin 811. The Productivity Indices provided in Table S2 are for 0% to 2% slopes and slightly eroded conditions. Productivity indices were adjusted for increasing slope and erosion in accordance with Table S3 of Bulletin 811: “Decimal Adjustments in Crop Yields and Productivity Indices Under an Optimum Level of Management for Various Slope Groups and Erosion Phases.

# Invitation to Attend the 2013 CITIZEN PLANNER WORKSHOP

**WORKSHOP:** The **2013 CITIZEN PLANNER WORKSHOP** is a local training opportunity for Plan Commissioners, Zoning Board of Appeals members, County Environment and Land Use Committee members, and interested others.

Planning officials work hard reading packets, reviewing cases, conducting public hearings, and considering policy matters; but they rarely get the chance to sit back and look at the big picture of what they do and the significance it has to the communities in which they live. Also, most officials are not professionals in the planning or development fields and can benefit from a bit of extra training on the topic. Even seasoned commissioners and board members appreciate the chance to step back from the task of plan review and approval, learn what's new in planning, and discuss their role with fellow commissioners and board members.



Experienced planners from the Illinois Chapter of the American Planning Association and the Chaddick Institute for Metropolitan Development at DePaul University will lead planning officials through an in-depth curriculum, including: tools of the trade - master plans, zoning codes, etc., roles of participants in the planning process, 'findings of fact' basics, open meetings/ethics, and regional planning.

**WHEN: Thursday, October 10, 2013, 4:45 pm – 8 pm**

4:45 pm - 6 pm - 'The Basics' - Planning Officials Curriculum

6:00 pm - 6:45 pm – A delicious autumn-inspired dinner buffet provided by *Dish Passionate Cuisine*

6:45 pm - 8 pm – 'Basics, Part 2' followed by special topic 'Site Plan Review'

**WHERE: Illinois Terminal, 4<sup>th</sup> Floor** – CityView Banquet and Meeting Center  
45 East University Avenue, Champaign

*(free parking available in parking lot east of Illinois Terminal—see map on next page)*

The Workshop is **free** for all invited Plan Commissioners, Zoning Board of Appeals members, and County Environment and Land Use Committee members.

**Please RSVP by 4 pm on October 1, 2013.**

Contact Pam Schroeder, CCRPC Administrative Secretary at (217) 819-4035.

Indicate whether you prefer a vegetarian dinner option.

Other guest registrants, please RSVP by October 1st, and select one of the following choices:

- 1) attend workshop with meal included and pay \$22 at the door; or
- 2) attend workshop with no meal (free of charge).

**SPONSORS:**

- Illinois State Section, American Planning Association – Illinois Chapter
- Champaign County
- Champaign County Regional Planning Commission
- City of Champaign
- Village of Mahomet
- Village of Rantoul
- Village of Savoy
- Village of St. Joseph
- City of Urbana

Illinois Terminal Free Parking for Citizen Planner Workshop Attendees:



Illinois Terminal Free Parking



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

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

## MONTHLY REPORT for JULY 2013<sup>1</sup>

### Zoning Cases

The distribution of cases filed, completed, and pending is detailed in Table 1. No zoning cases were filed in July and three were filed in July 2012. The average number of cases filed in July in the preceding five years was 1.4.

Two ZBA meetings were held in July and three cases were finalized. Two ZBA meetings were held in July 2012 and three cases were finalized. The average number of cases finalized in July in the preceding five years was 3.6.

By the end of July there were 9 cases pending. By the end of July 2012 there were 19 cases pending.

**Table 1. Zoning Case Activity in July 2013 & July 2012**

Type of Case	July 2013 2 ZBA meetings		July 2012 2 ZBA meetings	
	Cases Filed	Cases Completed	Cases Filed	Cases Completed
Variance	0	2	1	0
SFHA Variance	0	0	0	0
Special Use	0	0	1	1
Map Amendment	0	0	1	2
Text Amendment	0	1	0	0
Change of Non-conforming Use	0	0	0	0
Administrative Variance	0	0	0	0
Interpretation / Appeal	0	0	0	0
<b>TOTALS</b>	<b>0</b>	<b>3</b>	<b>3</b>	<b>3</b>
Total cases filed (fiscal year)	23 cases		23 cases	
Total cases completed (fiscal year)	30 cases		15 cases	
Case pending*	9 cases		19 cases	
* Cases pending includes all cases continued and new cases filed <u>but not decided</u>				

<sup>1</sup> Note that approved absences and sick days resulted in an average staffing level of 76% or the equivalent of 3.8 staff members (of the 5 authorized) present for each of the 22 work days in July.

## **Subdivisions**

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

## **Zoning Use Permits**

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

- 19 permits for 15 structures were approved in July compared to 11 permits for 9 structures in July 2012. The five-year average for permits in July in the preceding five years is 14.2. 9 other permit applications were received in July and were still under review at the end of the month.
- 13 months out of the last 34 months have equaled or exceeded the five-year average for number of permits (including July 2013, May 2013, December 2012, October 2012, September 2012, May 2012, April 2012, January 2012, December 2011, August 2011, February 2011, January 2011, September 2010).
- 5.6 days was the average turnaround (review) time for complete initial residential permit applications in July.
- \$4,677,100 was the reported value for the permits in July compared to a total of \$727,000 in July 2012. The five-year average reported value for authorized construction in July is \$1,581,896.
- 19 months in the last 54 months have equaled or exceeded the five-year average for reported value of construction (including July 2013, June 2013, February 2013, January 2013, November 2012, September 2012, August 2012, May 2012, April 2012, February 2012, January 2012, December 2011, November 2011, August 2011, June 2011, February 2011, August and May 2010 and March 2009).
- \$4,000 in fees were collected in July compared to a total of \$2,222 in July 2012. The five-year average for fees collected in July is \$2,843.
- 14 months in the last 50 months have equaled or exceeded the five-year average for collected permit fees (including July 2013, February 2013, January 2013, October 2012, September 2012, May 2012, April 2012, February 2012, January 2012, December 2011, June 2011, August 2010, and December and March 2009).
- There were also 3 lot split inquiries and 247 other zoning inquiries in July.
- Two rural addresses were issued in July.
- Minutes were begun for two ZBA meetings and completed for three ZBA meetings.

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**Table 2. Zoning Use Permits Approved in July 2013**

PERMITS	CURRENT MONTH			FISCAL YEAR TO DATE		
	#	Total Fee	\$ Value	#	Total Fee	\$ Value
AGRICULTURAL:						
Residential	1	0	400,000	3	0	1,000,000
Other	2	0	338,000	14	0	1,197,455
SINGLE FAMILY Residential:						
New - Site Built				8	5,414	2,430,662
Manufactured						
Additions	5	493	153,100	17	1,738	338,318
Accessory to Residential	4	694	73,000	21	4,120	352,754
TWO-FAMILY Residential						
<b>Average turn-around time for permit approval</b>			5.6 days			
MULTI - FAMILY Residential						
HOME OCCUPATION: Rural				1	33	0
Neighborhood	1	0	0	7	0	0
COMMERCIAL: New	2	2,278	3,550,000	6	6,110	5,980,000
Other	1	241	20,000	3	1,839	320,000
INDUSTRIAL: New						
Other						
OTHER USES: New				1	0	5,900,000
Other				1	0	932,000
SIGNS				1	66	200
TOWERS (Includes Acc. Bldg.)						
OTHER PERMITS	3	294	143,000	17	1,465	531,000
<b>TOTAL APPROVED</b>	19/15	\$4,000	\$4,677,100	100/75	\$20,785	\$18,982,389

\*19 permits were issued for 15 structures during July 2013; 18 permits will require Compliance Certificates (and inspections)

◇100 permits have been issued for 75 structures since December 1, 2012 (FY2013)

**NOTE:** Home occupations and other permits (change of use, temporary use) total 25 since December, 2012, (this number is not included in the total number of structures).

Of the 14 Zoning Use Permits *received* in July 2013, 5 were *approved*.

There were 13 Zoning Use Permits *approved* in July 2013 that were *received* in prior months.

**Conversion of Best Prime Farmland**

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

**Table 3. Best Prime Farmland Conversion**

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

**Zoning Compliance Inspections**

- One compliance inspection was made in July for a total of 46 compliance inspections so far in FY2013.
- No compliance certificates were issued in July for a total 28 compliance certificates so far in FY2013. The FY2013 budget anticipated a total of 510 compliance inspections for an average of 9.8 inspections per week.

**Zoning and Nuisance Enforcement**

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

- 15 new complaints were received in July compared to 6 new complaints in July 2012. Two complaints were referred to other agencies in July and 2 complaints were referred to other agencies in July 2012.
- 46 enforcement inspections were conducted in July compared to 40 in July 2012. 18 of the July 2013 inspections were for the 15 new complaints received in July.
- No contacts were made prior to written notification in July and none were made in July 2012.

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- 46 initial investigation inquiries were made in July for an average of 10.0 per week in July and 8.4 per week for the fiscal year. The FY2013 budget had anticipated an average of 8.4 initial investigation inquiries per week.
- 6 First Notices and no Final Notices were issued in July compared to 4 First Notices and no Final Notice in July 2012. The FY2013 budget anticipates a total of 30 First Notices.
- No cases were referred to the State's Attorney in July and none were referred in July 2012.
- 2 cases were resolved in July (none of the resolved cases were received in July) and 7 cases were resolved in July 2012.
- 442 cases remain open at the end of July compared to 435 open cases at the end of July 2012.
- Miscellaneous activities for enforcement in July included answering phones when Zoning Technicians were absent; helping with review of a Floodplain Development Permit; and coordinating with the State's Attorney regarding enforcement cases;

**APPENDICES**

**A Zoning Use Permits Authorized**

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**Table 3. Enforcement Activity During July 2013**

	FY2012 TOTALS <sup>1</sup>	Dec. 2012	Jan. 2013	Feb. 2013	March 2013	April 2013	May 2013	June 2013	July 2013	Aug. 2013	Sep. 2013	Oct. 2013	Nov. 2013	TOTALS <sup>1</sup> FY2013
Complaints Received	80	1	9	6	2	4	5	5	15					47
Initial Complaints Referred to Others	10	0	0	1	0	0	1	1	2					5
Inspections	515	35	49	29	29	43	38	18	46 <sup>4</sup>					287 <sup>5</sup>
Phone Contact Prior to Notice	13	0	0	0	0	0	1	2	0					3
First Notices Issued	24	0	7	1	2	0	1	2	6					19
Final Notices Issued	8	0	1	2	0	1	0	0	0					4
Referrals to State's Attorney	5	2	0	0	0	2	0	0	0					4
Cases Resolved <sup>2</sup>	69	0	8	9	2	7	11	6	2 <sup>6</sup>					45 <sup>7</sup>
Open Cases <sup>3</sup>	440	441	442	439	439	436	430	429	442					442 <sup>8</sup>

Notes

1. Total includes cases from previous years.
2. Resolved cases are cases that have been inspected, notice given, and violation is gone, or inspection has occurred and no violation has been found to occur on the property.
3. Open Cases are unresolved cases and includes any case referred to the State's Attorney or new complaints not yet investigated.
4. 18 inspections of the 46 performed were for the 15 complaints received in July, 2013.
5. 60 inspections of the 287 inspections performed in 2013 were for complaints received in 2013.
6. None of the resolved cases for July, 2013, were received in July, 2013.
7. 12 of the 45 cases resolved in FY 2013 were for complaints that were also received in FY 2013.
8. Total open cases include 29 cases that have been referred to the State's Attorney, some of which were referred as early as 2001.

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**APPENDIX A. ZONING USE PERMITS ACTIVITY DURING JULY, 2013**

<b>Permit Number</b>	<b>Zoning District; Property Description; Address; PIN</b>	<b>Owner Name</b>	<b>Date Applied, Date Approved</b>	<b>Project (Related Zoning Case)</b>
156-13-02 FP AG-1	A tract of land located in the S ½ of Section 28, St. Joseph Township; PIN: 28-22-28-400-003	Greg & Julie Izard	06/05/13 07/31/13	Construct a single family home with attached garage
164-13-01 AG-2	A tract of land located in the SW ¼ of Section 27, Champaign Township; 2604 Curtis Road, Champaign, IL PIN: 03-20-27-300-004	Curtis Road Church of Christ	06/13/13 07/05/13	Construct a storage shed
169-13-02 AG-2	A 3.6 acre tract of land located in the S ½ of the SW ¼ of the NW ¼ of the SW ¼ of Section 12, Mahomet Township; 709 N. Prairieview Road, Mahomet, Illinois PIN: 15-13-12-302-002, 010, & pt. of 013	Sangamon Valley Public Water District	06/18/13 07/03/13	Construct the Foundation Only for a water treatment plant  CASES: 718-S-12; 719-V-12; 749-V-13
169-13-03 AG-2	A tract of land located in the SE ¼ of the SE ¼ of the NE ¼ of the NE ¼ of Section 10, Mahomet Township; PIN: Pt. of 15-13-10-226-014	Sangamon Valley Public Water District	06/18/13 07/03/13	Construct the Foundation Only for a water storage tank and water pumping station  CASES: 750-S-13; 751-V-13; 760-V-13
170-13-02 AG-2	Lot 2, Denhart's Subdivision, Section 13, St. Joseph Township; 1204 Peters Drive, St. Joseph, IL PIN: 28-22-13-152-002	Robert K. Parrish	06/19/13 07/01/13	Construct an addition to an existing single family home
171-13-01 AG-1	A tract of land located in the E ½ of the NW ¼ of Section 13, Stanton Township; 2329 CR 2200N, St. Joseph, IL PIN: Pt. of 27-16-13-100-003 & 200-002	Tim Frerichs	06/20/13 07/01/13	Construct a storage shed for agriculture equipment
171-13-02 CR	A tract of land located in Part of the E ½ of the SW ¼ of Section 16, Mahomet Township; 705 W. Hickory, Mahomet, Illinois PIN: 15-13-16-300-005	Sportsman Club of Urbana	06/20/13 07/01/13	Establish a Temporary Use for a Fireworks Display, July 5, 2013, rain date, July 6, 2013

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**APPENDIX A. ZONING USE PERMITS ACTIVITY DURING JULY, 2013**

<b>Permit Number</b>	<b>Zoning District; Property Description; Address; PIN</b>	<b>Owner Name</b>	<b>Date Applied, Date Approved</b>	<b>Project (Related Zoning Case)</b>
172-13-01  AG-1	A 2 acre tract of land in the E ½ of the North 23 acres of the S ½ of the NE ¼ of Section 22, Stanton Township; 2061 CR 2200E, St. Joseph, Illinois PIN: 27-16-22-200-010	Timothy Summerville	06/21/13 07/01/13	Construct a second story addition to an existing garage attached to a single family home
175-13-01  AG-2	A tract of land being the SE ¼ of Section 33, Urbana Township; 4612 S. Philo Road, Urbana, Illinois PIN: 30-21-33-400-005	Roy Douglas and Mark Douglas	06/24/13 07/01/13	Construct a storage shed for agriculture equipment and seed
175-13-02  B-4	Lot 3 in Triumph Industrial Park, Section 33, Somer Township; 1414 Triumph Drive, Urbana, Illinois PIN: 25-15-33-401-004	Big Top Properties Series LSS LLC	06/24/13 07/24/13	Change the Use to establish a Sporting Goods Sales and Service store, <i>High Caliber Training Center</i>
178-13-01  AG-1	Two tracts of land located in the NW Corner of the NW ¼ of Section 7, South Homer Township; 2501 CR 1050N, Homer, Illinois PIN: 26-30-07-100-012 & 002	Robert Thomas	06/27/13 07/05/13	Construct a detached storage shed
179-13-01  R-1	Lot 152, Lincolnshire Fields NE Subdivision, Section 21, Champaign Township; 3309 Lakeshore Drive, Champaign, Illinois PIN: 03-20-21-402-003	Lisa Oakley	06/28/13 07/05/13	Construct an in-ground swimming pool with a 4' non-climbable fence with a self-closing, self-latching gate
179-13-02  B-4	A 1.5 acre tract of land in Part of the NE ¼ of the SE ¼ of the NE ¼ of Section 33, Somer Township; 3513 N. Cunningham Avenue, Urbana, Illinois PIN: 25-15-33-276-007	Benjamin McCurley/ Judy's Merchandise	06/28/13 07/01/13	Establish a Temporary Use for a Fireworks Sales Stand, June 28 through July 7, 2013
193-13-01  R-2	Lots 4 & 5 of Block 1 in Simeon H. Busey's Fourth Addition to Penfield, Section 4, Compromise Township; 213 East Street, Penfield, IL PIN: 06-12-04-308-004 & 009	Dennis Reed and Christine Rowland	07/12/13 07/24/13	Construct a detached garage

**Planning & Zoning Monthly Report**  
JULY 2013

**APPENDIX A. ZONING USE PERMITS ACTIVITY DURING JULY, 2013**

<b>Permit Number</b>	<b>Zoning District; Property Description; Address; PIN</b>	<b>Owner Name</b>	<b>Date Applied, Date Approved</b>	<b>Project (Related Zoning Case)</b>
193-13-02  AG-1	A tract of land located in the SE Corner of the E ½ of the SW ¼ of Section 23, Raymond Township; 2246 CR 200N, Longview, Illinois PIN: 21-34-23-300-004	Kevin Gaddis	07/12/13 07/24/13	Construct a covered porch addition to an existing home and to authorize construction of a previously constructed detached garage
193-13-03  AG-2	Lot 7 of The Meadows Subdivision, Section 36, Newcomb Township; 501 Arabian Circle, Mahomet, IL PIN: 16-07-36-302-013	Brian and Emily Tira	07/12/13 07/23/12	Construct an addition to an existing single family home
197-13-01  R-1	A tract of land being a part of the NW ¼ of the NW ¼ of Section 34, Compromise Township; 2109 CR 2500N, Thomasboro, Illinois PIN: Pt. of 06-10-34-100-002	Baier Family Funeral Services	07/16/13 07/26/13	Construct a covered porch addition to an existing single family home
198-13-01  AG-2	Lot 509 of Timberview 14 <sup>th</sup> and the North 180' of the South 308' of the East 10' of Lots 76, 77, and 78 in Timberview 8 <sup>th</sup> Subdivision, Section 16, Mahomet Township; 103 Sharon Drive, Mahomet, Illinois PIN: 15-13-16-103-030	Brandon Byrd	07/17/13 07/26/13	Place an above ground swimming pool on the subject property
*199-13-01	Under review	Chris Drewes	07/18/13	
*203-13-01	Under review	KH Farms	07/22/13	
*203-13-02	Under review	Marcia Powell	07/22/13	
*205-13-01	Under review	Armstrong Construction	07/24/13	
*206-13-01	Issued 08/01/13	Premiere Cooperative	07/25/13	
*206-13-02	Under review	Judy's Merchandise	07/25/13	
*210-13-01	Under review	Gunner Bohlen	07/29/13	
*211-13-01	Under review	Dayna & David Sawlaw	07/30/13	
*211-13-02	Under review	Elizabeth Buck	07/30/13	

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