



## CHAMPAIGN COUNTY BOARD ENVIRONMENT and LAND USE COMMITTEE (ELUC) AGENDA

County of Champaign, Urbana, Illinois

Thursday, July 5, 2018 - 6:30 p.m.

Lyle Shields Meeting Room

Brookens Administrative Center, 1776 E. Washington St., Urbana

### Committee Members:

Aaron Esry – Chair

Pattsi Petrie – Vice-Chair

Stephanie Fortado

Jim Goss

Robert King

Brooks Marsh

Kyle Patterson

- I. Call to Order
- II. Roll Call
- III. Approval of Agenda/Addenda
- IV. Approval of Minutes
  - A. ELUC Committee meeting – June 7, 2018 1 - 4
- V. Public Participation
- VI. Communications
- VII. **For Information Only**
  - A. Champaign County Hazard Mitigation Planning Team Update
  - B. Mahomet Aquifer Protection Task Force Update 5
  - C. Comment Period Regarding Coash Ash in Middlefork Floodplain 6
- VIII. **Items to Receive & Place on File by ELUC to Allow a 30-Day Review Period** *(to be distributed)*
  - A. Case 895-AT-18. Amend the Champaign County Zoning Ordinance to add “Solar Farm” as a new principal use under the category “industrial Uses” Electric Power Generating Facilities” and indicate that Solar Farm may be authorized by a County Board Special Use Permit in the AG-1 Zoning District and the AG-2 Zoning District; Add requirements and fees for “Solar Farm”; add any required definitions; and make Certain other revision to the Ordinance as detailed in the full legal description

Champaign County strives to provide an environment welcoming to all persons regardless of disabilities, race, gender, or religion. Please call 217-384-3776 to request special accommodations at least 2 business days in advance.

- IX. **Items to be Recommended to the County Board**
  - A. Case 905-AM-18. A request by Peter Folk, d.b.a. Gargoyle Technologies, to amend the Zoning Map to change the zoning district designation from AG-2 Agriculture and B-3 Highway Business Zoning District to the B-4 General Business Zoning District in Order to establish and operate a business office on a two-acre tract in the Northeast Quarter of the Southwest Quarter of Section 33, Township 20 North, Range 9 East of The Third Principal Meridian in Somer Township with an address of 3310 North Cunningham Avenue, Urbana 7 - 20
  
- X. Other Business
  
- XI. Chair's Report
  
- XII. Designation of Items to be Placed on Consent Agenda
  
- XIII. Adjournment

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

**MINUTES – SUBJECT TO REVIEW AND APPROVAL**

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DATE: Thursday, June 7, 2018  
 TIME: 6:30 p.m.  
 PLACE: Lyle Shields Meeting Room  
 Brookens Administrative Center  
 1776 E Washington, Urbana, IL 61802

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**Committee Members**

<b>Present</b>	<b>Absent</b>
Aaron Esry (Chair)	
Pattsi Petrie (Vice Chair)	
	Stephanie Fortado
Jim Goss	
Brooks Marsh	
	Robert King
Kyle Patterson	

**County Staff:** John Hall (Zoning Administrator), Susan Monte (Planner), Kathleen Oldrey (Planner),  
 Tammy Asplund (Recording Secretary)  
**Others Present:** Pius Weibel (County Board Chair)

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**MINUTES**

**I. Call to Order**

Committee Chair Esry called the meeting to order at 6:31 p.m.

**II. Roll Call**

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

**III. Approval of Agenda and Addenda**

**MOTION** by Petrie to approve the agenda with changes; seconded by Marsh. Upon vote, the **MOTION CARRIED** unanimously.

Chair Esry noted agenda item X.A. is not valid and is replaced by Item X.B. on the addendum.

**IV. Approval of Minutes**

A. ELUC Committee meeting – May 10, 2018

**MOTION** by Goss to approve the minutes of the May 10, 2018 ELUC meeting; seconded by Marsh. Upon vote, the **MOTION CARRIED** unanimously.

**V. Public Participation**

None

## VI. Communications

None

## VII. For Information Only

- A. *Champaign County MS4 Area Storm Water Program Unincorporated Environmental Justice Area Analysis for Year 5 (April 1 2018 – March 31, 2019)*

Ms. Oldrey reviewed the information contained in the agenda packet. She noted the report dropped two block groups from last year, because they were not relevant. According to Mr. Hall, there will be new set of MS4 requirements in 2020.

- B. *May 2018 Residential Electronics Collection Results*

Ms. Monte summarized the results from the May collection. She noted the event added an extra hour from the previous collection. According to Ms. Monte, this collection was the second largest event held by the County. Mr. Goss commented he participated and felt it was a very efficient process. Mr. Weibel commented he also thought the event was well-run.

- C. *Mahomet Aquifer Protection*

Ms. Monte announced the next meeting of the Task Force will be held on Monday, June 18 at 10:00 a.m. at the Seymour High School in Mahomet. She provided a legislative update. SB-274 is delayed. SB-3548 and SB-3549 have been re-referred to the Rules Committee. Ms. Monte relayed comments provided by County Board member Chris Stohr, who attended the recent sub-committee meeting regarding contamination threats. Mr. Stohr is concerned by legacy landfills located over the Mahomet Aquifer that are not identified on the IEPA website.

- D. *FY2018 County Planning Contract Status Update*

Ms. Monte reviewed the progress chart contained in the agenda packet. She noted the County planning contract work plan is 53% complete for 2018.

## VIII. Items to be Approved by ELUC

- A. *Recreation & Entertainment License: Hudson Farm Weddings & Events LLC for Live bands, DJ, yard games at the Hudson Farm, 1341 CR1800E, Urbana for May 14, 2018 through December 31, 2018*

Mr. Hall noted the license fee is limited by statute.

**MOTION** by Mr. Goss; seconded by Mr. Marsh. Upon vote, the **MOTION CARRIED** unanimously.

- B. *A Comprehensive Update of the Champaign County Land Resource Management Plan that was Adopted on 04/22/2010*

Ms. Petrie explained this agenda item is her suggestion. She stated the LRMP has been amended many times and is due for a comprehensive update. Ms. Petrie noted there is an item in the work plan to budget for a proposal in 2019, leading to an update to the LRMP in 2020.

**MOTION** by Ms. Petrie; seconded by Mr. Marsh. This being an item that does not require action, Ms. Petrie withdrew her motion.

C. *Additional Full Time Staff Position for the Department of Planning & Zoning*

Ms. Petrie explained it took three to four years to get an additional full-time employee added to the Planning & Zoning department. Ms. Petrie referenced a recent Farm Bureau article with John Hall outlining all the responsibilities of the office of Planning & Zoning. She stated she feels the department is understaffed.

Mr. Hall commented the Planning & Zoning department is not known for quick response times to complaints, due to limited resources. He stated the public would benefit from having more staffing on enforcement.

Mr. Hall noted he expects an award from penalties and fees from a nuisance case that was recently resolved. Upon receipt, he will propose the County adopt a building code.

Chair Weibel stated this is not an action item, but for consideration by Mr. Hall during the budget process.

D. *Recreation & Entertainment License: Fisher Community Fair, 226 E. Sangamon Avenue, Fisher for July 10 – July 14, 2018*

Mr. Hall noted the Sheriff has already signed off on this.

**MOTION** by Mr. Goss; seconded by Ms. Petrie. Upon vote, the **MOTION CARRIED** unanimously.

**IX. Items to Receive and Place on File by ELUC to Allow a 60-Day Review Period**

A. *Proposed FY2019 Champaign County Regional Planning Commission Planning Contract for Champaign County*

Ms. Monte reviewed the contract contained in the agenda packet. Ms. Monte noted there are two proposals that will be reviewed by Administrative Services prior to submittal to the County Board. She explained the requested increase in Proposal "A" relates to solid waste management, which has a separate fund. The requested increase in Proposal "B" relates to establish a joint municipal agency to address household hazardous waste collection and disposal.

**MOTION** by Ms. Petrie; seconded by Mr. Goss. Upon vote, the **MOTION CARRIED** unanimously.

**X. Items to be Recommended to the County Board**

A. *Cleanup of Garbage and Debris at 2141 CR1000N, Sidney*

Mr. Esry noted Item B replaces this item.

B. *An Intergovernmental Agreement between Champaign County and Disney Township for Clean-up of Garbage and Debris at 2141 CR1000N, Sidney*

Mr. Esry stated Sidney Township Supervisor Tim Osterbur is present to answer questions. Mr. Esry stated the County board has the authority to approve this, but does not have the budget. Sidney Township has agreed to pay for the clean-up. The State's Attorney and Sidney Township's attorney drafted the agreement.

In response to a question from Ms. Petrie, Mr. Osterbur responded the property already has approximately \$170,000 liens against it. Mr. Osterbur stated the clean-up will cost between \$30,000 and \$50,000. He noted the Township does not expect to recover the cost.

**MOTION** by Ms. Petrie; seconded by Mr. Marsh. Upon vote, the **MOTION CARRIED** unanimously.

**XI. Other Business**

A. *Approval of CLOSED Session Minutes – May 10, 2018*

**MOTION** by Mr. Goss; seconded by Ms. Petrie. Upon vote, the **MOTION CARRIED** unanimously.

**XII. Chair’s Report**

Mr. Esry stated the July meeting will take place if the Zoning Board has the solar farm ordinance ready.

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

X B

**XIV. Adjournment**

**MOTION** by Mr. Marsh; seconded by Ms. Petrie. Upon vote, the **MOTION CARRIED** unanimously.

There being no further business, Mr. Esry adjourned the meeting at 7:45 p.m.



## Memorandum

**To:** Environment and Land Use Committee  
**From:** Susan Monte, RPC Planner  
**Date:** June 27, 2018  
**Re:** Mahomet Aquifer Protection Task Force Update  
**Action Request:** Information Only

### Mahomet Aquifer Protection Task Force – Strategy

#### Stage 1

Sub-Committees – Complete work and present to Full Committee on Monday September 17, 2018

'A' Identify contamination threats to water quality of the Mahomet Aquifer

'B' Identify actions that might be taken to ensure the long-term protection of the Mahomet Aquifer

#### Stage 2

Full Task Force – Complete work by December 31, 2018

- Develop a state plan to maintain the groundwater quality of the Mahomet Aquifer
- Make legislative recommendations for future protection of the Mahomet Aquifer

### Sub-Committee A “Contamination Threat”

Objective: Identify contamination threats to water quality of the Mahomet Aquifer

Chair: Charles Hostetler, Senior Program Manager at PDC Technical Services Inc.

Meetings held: April 23, 2018 (Urbana); May 21, 2018 (Urbana); June 18, 2018 (Mahomet)

Upcoming Meetings:

July 16, 2018 Location: Illinois Farm Bureau, 1701 Towanda Avenue, Bloomington

August 20, 2018 Location (tbd)

### Sub-Committee B “Protection”

Objective: Identify actions that might be taken to ensure the long-term protection of the Mahomet Aquifer

Chair: Larry Stoner, City of Monticello Mayor

Meetings held: April 16, 2018 (Urbana); June 1, 2018 (Monticello)

Upcoming Meeting: July 9, 2018 Location: Livingston Center, 224 E. Livingston Street, Monticello

### Illinois EPA Mahomet Aquifer Protection Task Force [webpage:](http://epa.illinois.gov/topics/community-relations/sites/mahomet-aquifer-task-force/index)

<http://epa.illinois.gov/topics/community-relations/sites/mahomet-aquifer-task-force/index>



## Memorandum

**To:** Environment and Land Use Committee  
**From:** Susan Monte, RPC Planner  
**Date:** June 28, 2018  
**Re:** Comment Period regarding Coal Ash in Middlefork Floodplain  
**Action Request:** Information Only

### Update

More than two years have passed since the initial update provided to ELUC members about the continuing problem of coal ash leaking in the floodplain of the Middlefork River.

The IEPA review process of the coal ash remediation at the Middlefork River floodplain has been in progress since 2012 and is expected to be completed in October 2018. The IEPA review of the coal ash remediation does not include a formal public comment period. The Eco-Justice Collaborative organized a "People's Hearing: Risks of Leaving Coal Ash on the Banks of the Middle Fork" held in Danville IL on June 11, 2018 to share information and to receive public input about the continuing concerns about coal ash leakages into the Middlefork River floodplain.

Following the June 11 'people's hearing', several brief and very informative podcasts (most approximately 12 minutes in length) are now available on the Eco-Justice Collaborative [webpage](#). The podcasts include:

"Overview of the Coal Ash Problem" (12:51 mins) by Pam Richart, Co-Director, Eco-Justice Collaborative

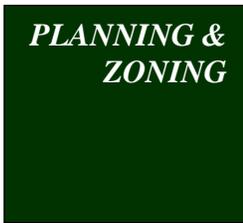
"Dynegy's Timeline/IEPA's Approval Process" (12:42 mins) by Rick Cobb, IEPA

"Impact of the Meandering Middle Fork on Dynegy's Coal Ash Pits" (12:20 mins) by Dr. Bruce Rhoads, Ph.D.

"Coal Ash as a Toxic Waste" (11:47 mins) by Abel Russ, Attorney

Also provided on the Eco-Justice Collaborative webpage are guides and suggestions for communicating to public officials about protecting us and the Middlefork River from coal ash.

Champaign County  
Department of



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

(217) 384-3708  
[zoningdept@co.champaign.il.us](mailto:zoningdept@co.champaign.il.us)  
[www.co.champaign.il.us/zoning](http://www.co.champaign.il.us/zoning)

To: **Champaign County Board**

From: **John Hall**, Zoning Administrator  
**Susan Burgstrom**, Senior Planner

Date: **June 27, 2018**

RE: **Recommendation for rezoning Case 905-AM-18**

Request: Amend the Zoning Map to change the zoning district designation from the AG-2 Agriculture and B-3 Highway Business Zoning District to the B-4 General Business Zoning District in order to establish and operate a business office on the following property:

A tract in the Northeast Quarter of the Southwest Quarter of Section 33, Township 20 North, Range 9 East of the Third Principal Meridian in Somer Township with an address of 3310 North Cunningham Avenue, Urbana.

Petitioner: **Peter Folk, d.b.a. Gargoyle Technologies**

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## ***STATUS***

The Zoning Board of Appeals (ZBA) voted 6-0, with 1 member absent, to “RECOMMEND ENACTMENT” of this map amendment at their June 14, 2018, meeting.

The ZBA found that the rezoning achieved or conformed to all relevant Goals, Objectives, and Policies from the Champaign County Land Resource Management Plan.

This case is not located within 1.5 miles of any municipality.

Special conditions of approval were recommended.

A neighbor to the north contacted the P&Z Department regarding a swale that runs through the eastern part of the subject property. She said that if the swale is filled or changed, she would have flooding issues on her property to the north. At the June 14, 2018 ZBA meeting, the petitioner said that he was aware of the swale, and has a drainage easement set aside in the northeast corner of the property.

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## **BACKGROUND**

Peter Folk, d.b.a. Gargoyle Technologies, would like to rezone a property in order to establish a business office in the vacant residential structure on the west half of the property. Future development would include a fenced outdoor storage area and two detached accessory structures for office expansion and storage.

A business office is not an authorized use in the B-3 Highway Business or AG-2 Agriculture Zoning Districts, but is allowed by-right in the B-4 Zoning District.

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

## **SPECIAL CONDITIONS**

The ZBA approved several special conditions which were agreed upon by the petitioner:

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

The above special condition is necessary to ensure the following:

**Conformance with Land Resource Management Plan Policy 4.2.3.**

- B. **A complete Stormwater Drainage Plan that conforms to the requirements of the Stormwater Management and Erosion Control Ordinance shall be submitted and approved as part of the Zoning Use Permit application for construction and all required certifications shall be submitted after construction prior to issuance of the Zoning Compliance Certificate.**

The special condition stated above is required to ensure the following:

**That the drainage improvements conform to the requirements of the Stormwater Management and Erosion Control Ordinance.**

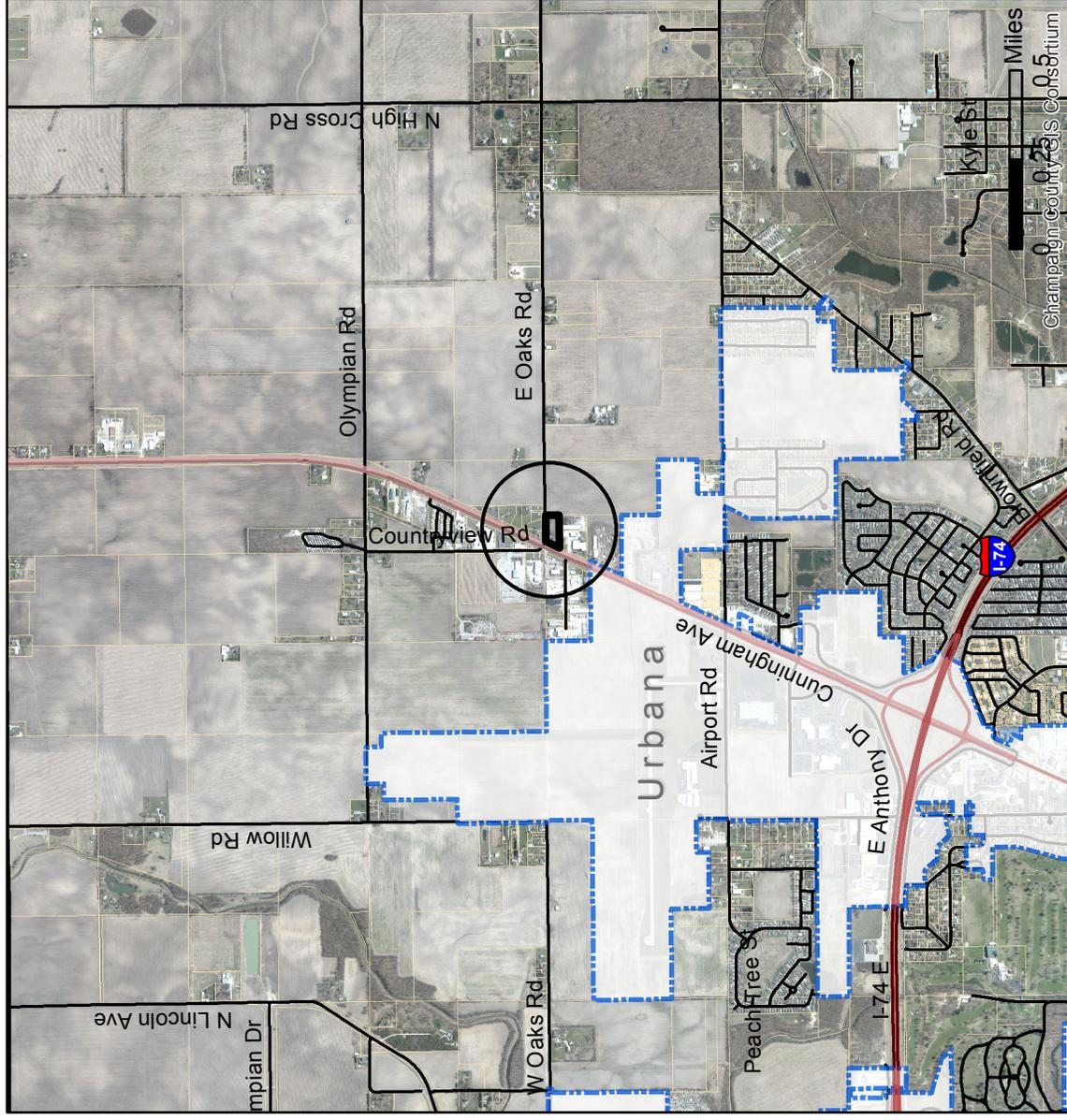
## **ATTACHMENTS**

- A Case Maps (Location, Land Use, Zoning)
- B Approved Site Plan from ZUPA 95-18-01 received April 4, 2018, and approved April 23, 2018
- C Approved Floor plan received April 17, 2018 and approved April 23, 2018
- D 2008 Contour Map on 2017 Aerial Photo
- E ZUPA #95-18-01, including special conditions, approved April 23, 2018
- F Copy of Right to Farm Resolution 3425
- G Summary Finding of Fact approved by ZBA on June 14, 2018

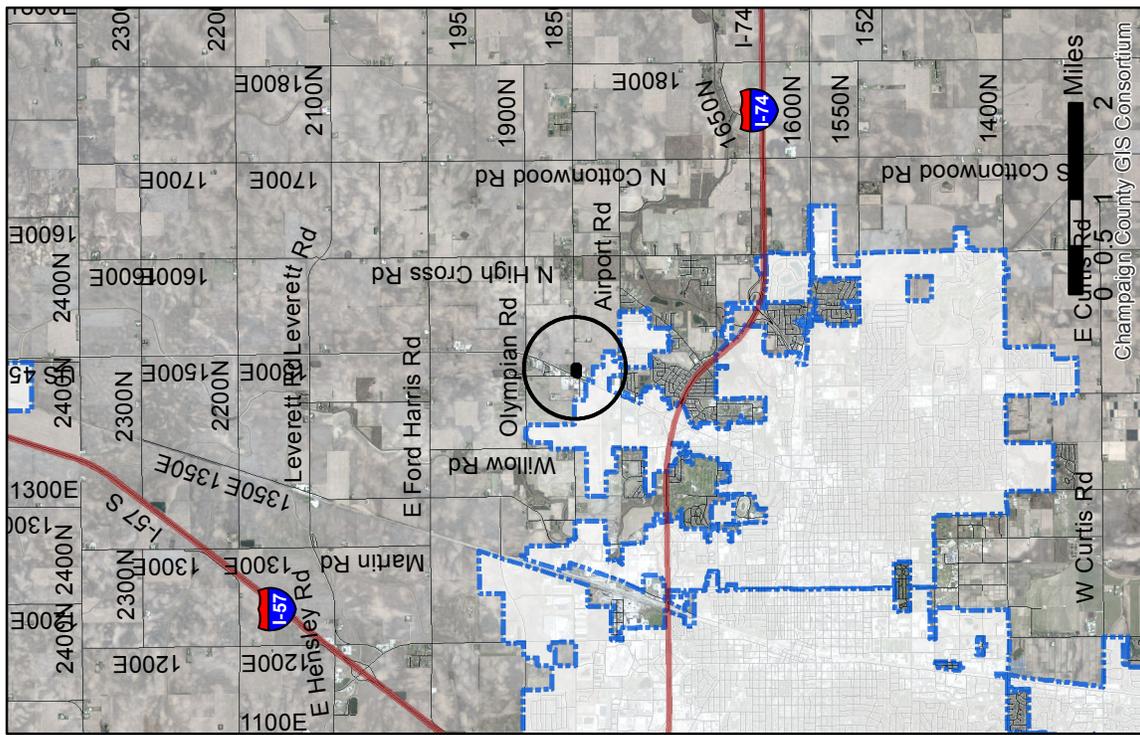
# Location Map

Case 905-AM-18  
May 31, 2018

Subject Property



Property location in Champaign County



## Legend

-  Subject Property
-  Corporate Limits
-  Parcels
-  Streets



Champaign County  
Department of  
**PLANNING &  
ZONING**

# Land Use Map

Case 905-AM-18  
May 31, 2018



Champaign County GIS Consortium

## Legend

-  Parcels
-  Subject Property
- SF Single Family Residential
- AG Agriculture
- COMM Commercial



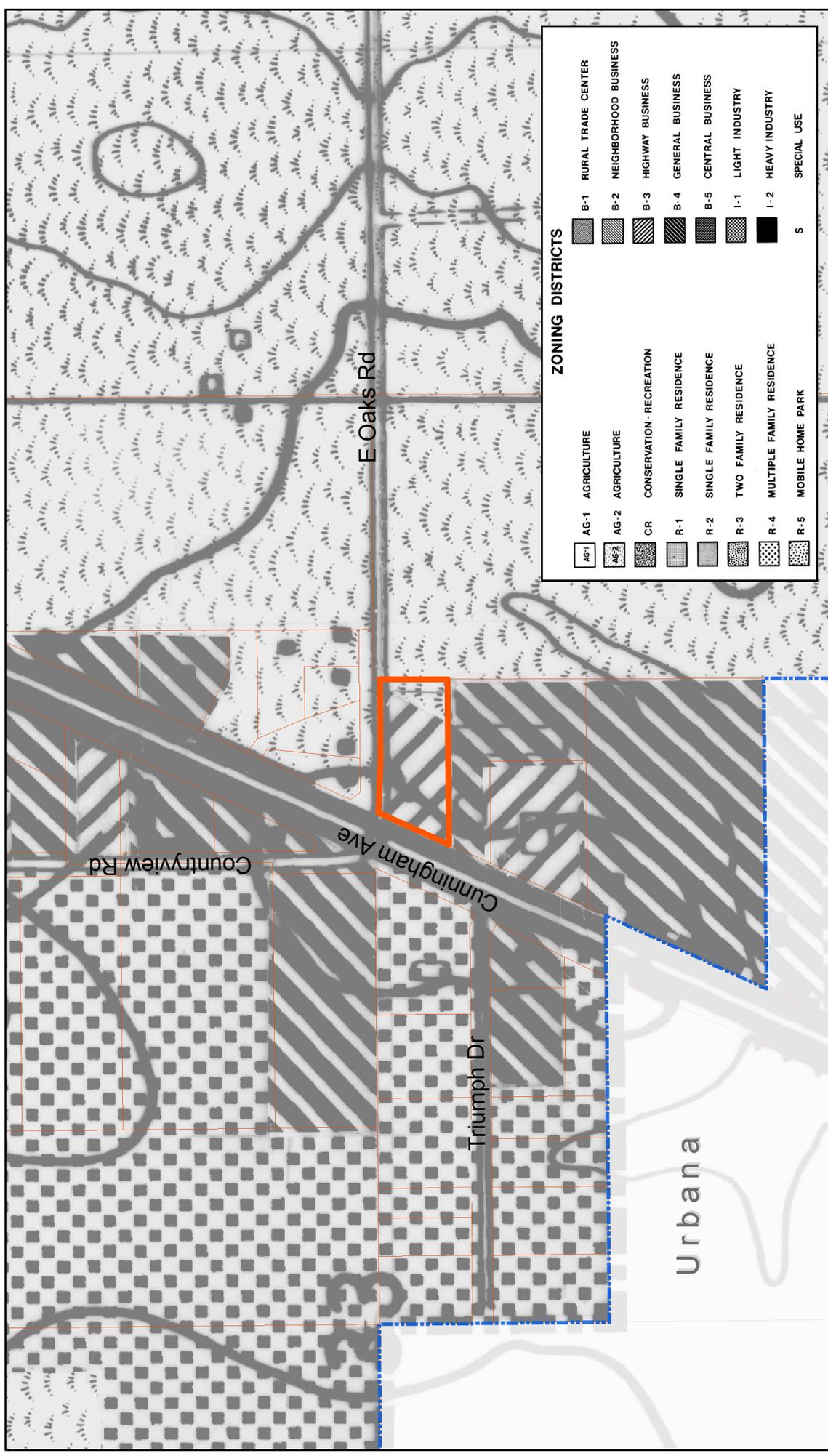
Champaign County  
Department of  
**PLANNING &  
ZONING**

# Zoning Map

Case 905-AM-18

May 31, 2018

Official Zoning Map does not scale exactly to the official CCGIS parcel layer. Subject property is split zoned B-3 and AG-2.



## Legend

Subject Property

Parcels

Urbana Corporate Limit

# Site Plan - 3310 N. Cunningham Ave., Urbana

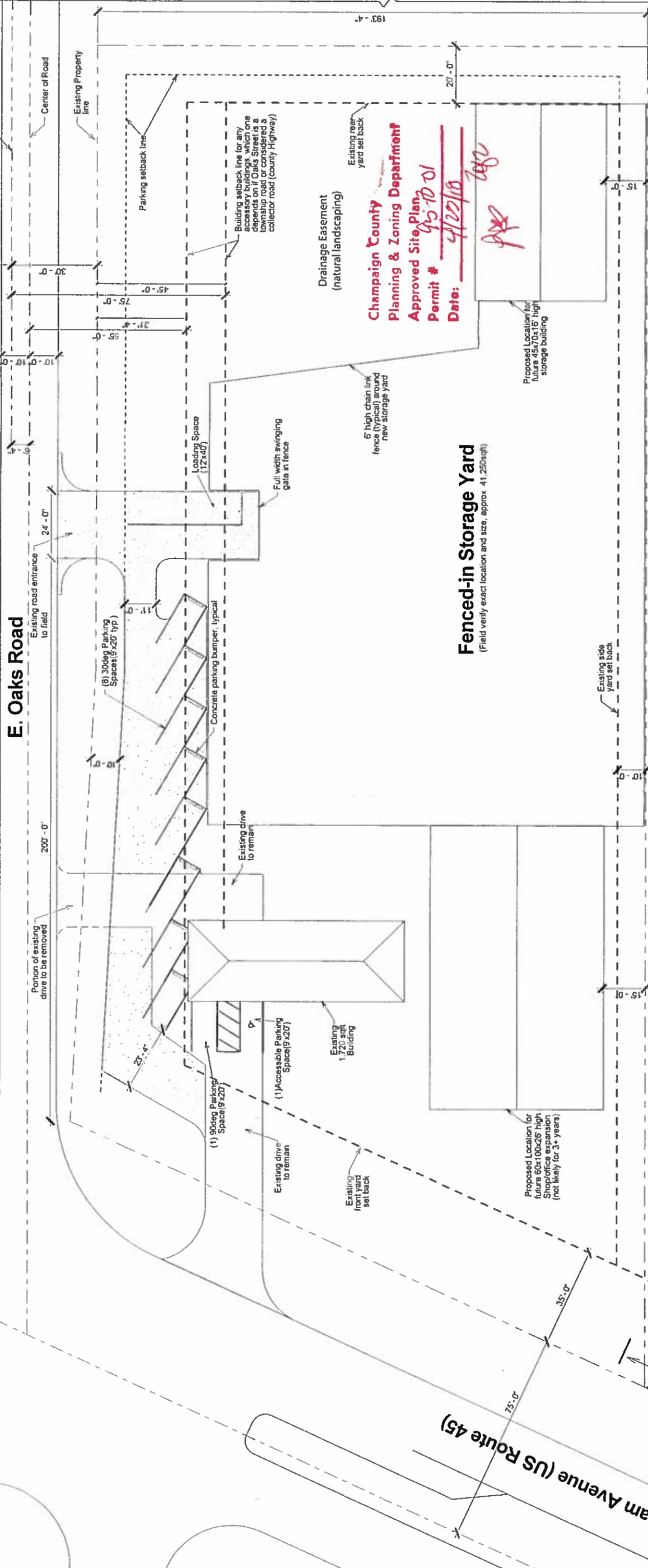
3310 N. Cunningham Avenue, Champaign County, Illinois



**RECEIVED**

APR 04 2018

CHAMPAIGN CO. P & Z DEPARTMENT



**Champaign County  
Planning & Zoning Department**  
Approved Site Plan  
Permit # 15-10-01  
Date: 4/22/18

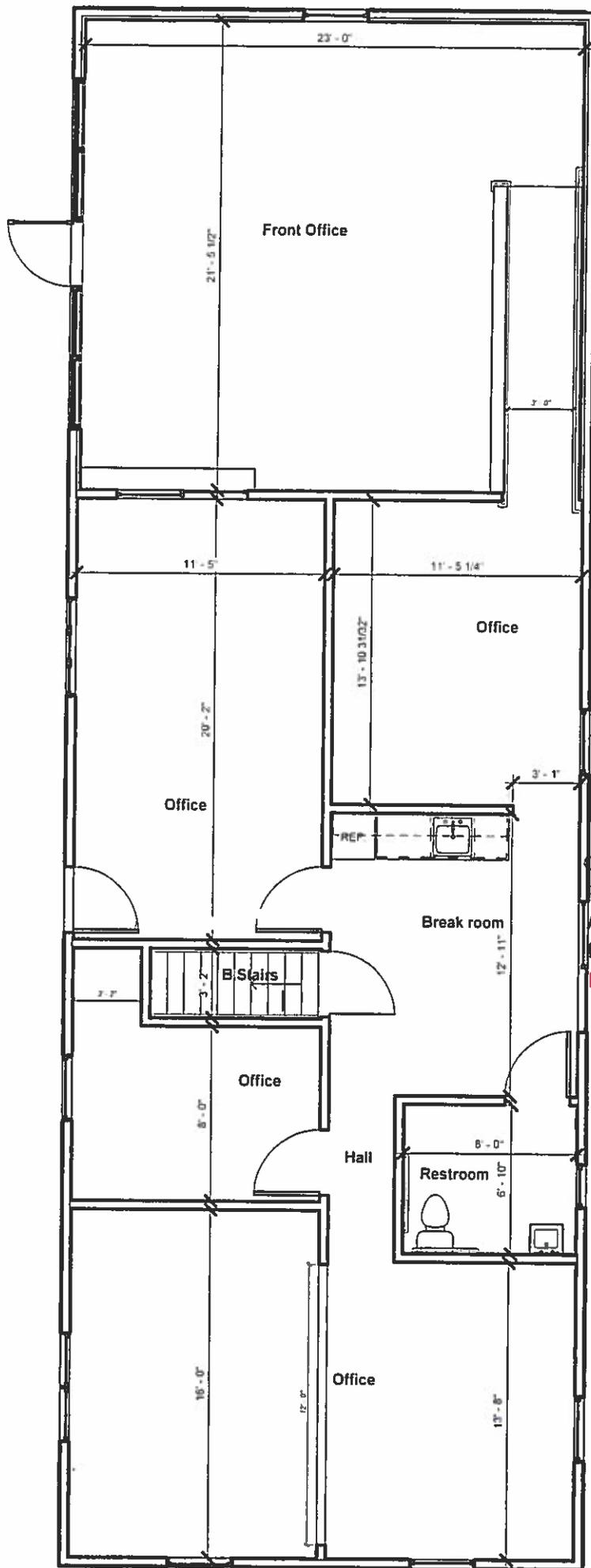
**Fenced-in Storage Yard**  
(Field verify exact location and size, approx 41,250sqft)

Volo Office Building Buildout 3310 N. Cunningham, Champaign County, IL	Date: 04/04/18
HAMPEL ARCHITECTS, AIA. 314 Wheaton Ave., Champaign, Illinois 61820 Phone (217)621-9901 g.hampel@comcast.net	Job#: 1117-5
	Drawing: A101

Existing building located on lot directly S of property. lot is Zoned B-4 General Business

Existing building located on lot directly S of property. lot is Zoned B-4 General Business

15' tall, 10' wide sign (modelled after Beck's sign two lots S)



Champaign County  
 Planning & Zoning Department  
 Approved Site Plan  
 Permit # 95-18-01  
 Date: 4/22/18

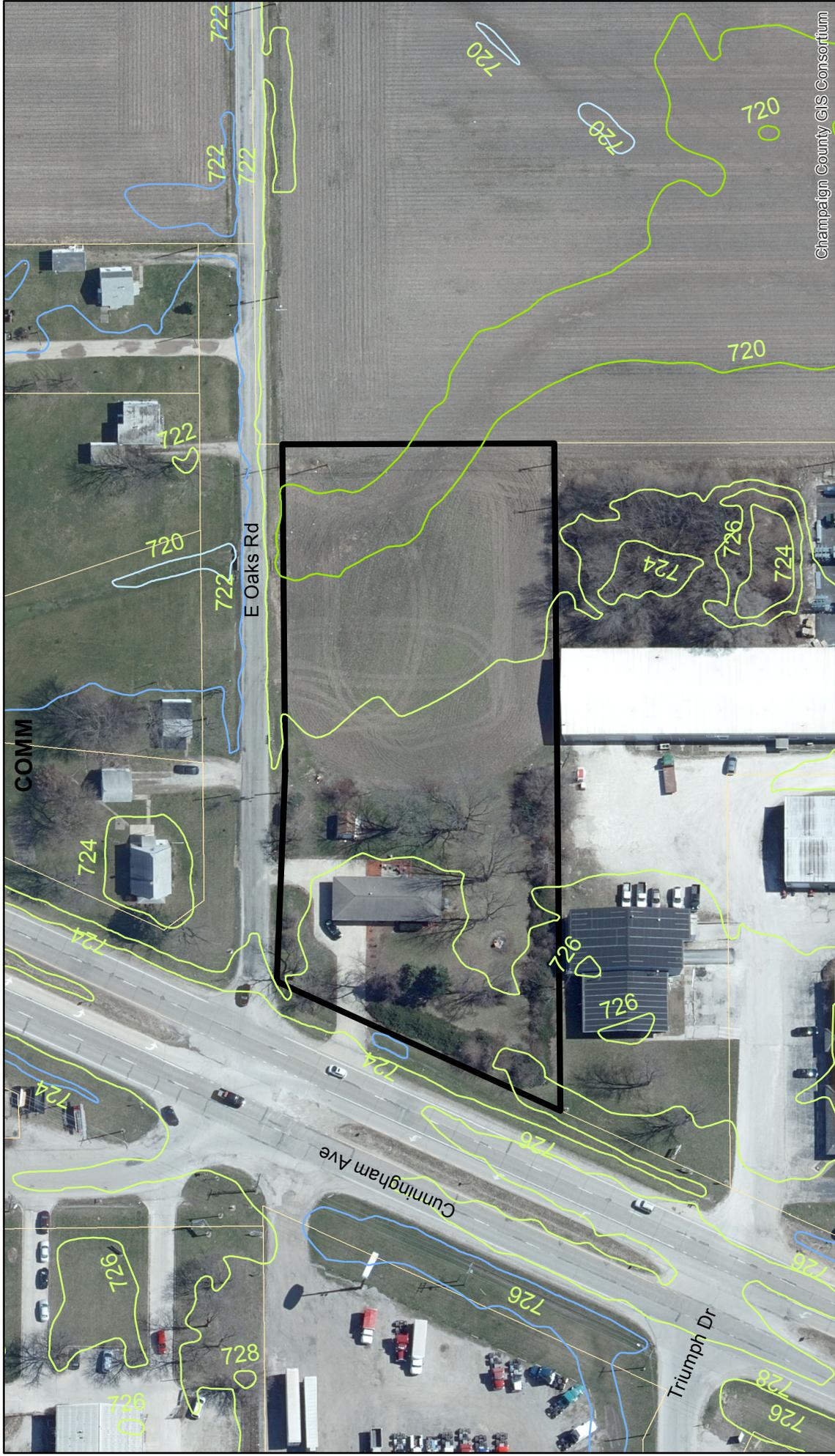
**RECEIVED**

APR 17 2018

CHAMPAIGN CO P & Z DEPARTMENT

# 2008 Contour Map on 2017 Aerial Photo

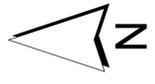
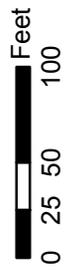
Case 905-AM-18  
May 31, 2018



Champaign County  
Department of  
PLANNING &  
ZONING

## Legend

- Subject Property
- Parcels
- Depression
- Depression Index
- Index
- Intermediate



CHAMPAIGN COUNTY, ILLINOIS  
**ZONING USE PERMIT**

No.: **95-18-01**

Application Date: 04/05/18

Township: **Somer** Section: **33** Receipt #: **5709**

P.I.N.: **25-15-33-426-001** Fee: **\$98.00**

Location (Address, directions, etc.): **3310 N. Cunningham Avenue, Urbana, Illinois**

Owner/s: **Gargoyle Technologies**

Issued to: Owner: **X** Agent: Zoning District: **B-3** Lot Area: **2 acres**

Legal Description: **The North 213.33 feet of the SE 1/4 of Section 33, T20N, R9E of the 3<sup>rd</sup> P.M., lying East of the Right of Way Line in the East Side of State Highway U.S. 45, except the East 819.64 feet thereof, in Champaign County, Illinois**

Project Is To: **Change the Use to establish a business office**

Use Is: Accessory: Principal: **X** Conforming: **X** Non-Conforming:

By: Appeal #: Special Use #: Variance #:

- Special Conditions:**
- 1. Applicant shall abide by the decision and any Special Conditions made in the pending Zoning Case 905-AM-18 including, if necessary, ceasing business office activities within 6 months of a final determination.**
  - 2. No signs are approved in this permit.**

**Standard Conditions**

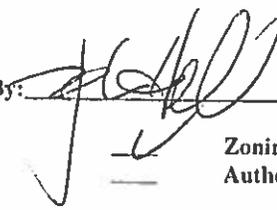
1. This permit is issued with the understanding that all construction, use and occupancy will be in compliance with the application as filed with the Planning and Zoning Department, and with all provisions of the Champaign County Zoning Ordinance.

2. This Zoning Use Permit expires if the work described in the application has not begun within 180 consecutive days from issuance or if the work is not substantially completed within 365 consecutive days from issuance.

3. As evidenced in the Zoning Use Permit Application, the owner has expressly granted permission for representatives of the Champaign County Department of Planning & Zoning to enter the premises at reasonable times for the purpose of inspection to ensure compliance with the Champaign County Zoning Ordinance.

4. A Zoning Compliance Certificate must be obtained from the Department of Planning and Zoning, in writing, prior to occupancy or use of the work or structures covered by this permit (Section 9.1.3).

Date: 4/23/18

Signed By: 

Zoning Administrator  
Authorized Agent

RESOLUTION NO. 3425

A RESOLUTION PERTAINING TO THE  
RIGHT TO FARM IN CHAMPAIGN COUNTY

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

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

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

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

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

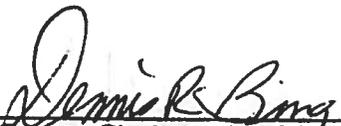
2. That the term "farm" as used in this resolution means that part of any parcel of land used for the growing and harvesting of crops, for the feeding, breeding, and management of livestock; for dairying or other agricultural or horticultural use or combination thereof.

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

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

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

  
\_\_\_\_\_  
Chairman, County Board of the  
County of Champaign, Illinois

ATTEST:   
\_\_\_\_\_  
County Clerk and Ex-Officio  
Clerk of the County Board

## SUMMARY FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **June 14, 2018**, the Zoning Board of Appeals of Champaign County finds that:

1. The proposed Zoning Ordinance map amendment will **HELP ACHIEVE** the Land Resource Management Plan because:
  - A. Regarding Goal 4:
    - (1) It will **HELP ACHIEVE** Objective 4.1 requiring minimization of the fragmentation of farmland, conservation of farmland, and stringent development standards on best prime farmland because of the following:
      - a. Policy 4.1.1, which states that commercial agriculture is the highest and best use of land in the areas of Champaign County that are by virtue of topography, soil and drainage, suited to its pursuit. The County will not accommodate other land uses except under very restricted conditions or in areas of less productive soils (see Item 13.D.(2)).
      - b. Policy 4.1.6 requiring that the use, design, site and location are consistent with policies regarding suitability, adequacy of infrastructure and public services, conflict with agriculture, conversion of farmland, and disturbance of natural areas (see Item 13.D.(3)).
      - c. Policy 4.1.8 requiring that the County consider the LESA rating for farmland protection when making land use decisions regarding a discretionary development (see Item 13.D.(4)).
    - (2) It will **HELP ACHIEVE** Objective 4.2 requiring discretionary development to not interfere with agriculture because of the following:
      - a. Policy 4.2.1 requiring a proposed business in a rural area to support agriculture or provide a service that is better provided in the rural area (see Item 13.C.(1)).
      - b. Policy 4.2.2 requiring discretionary development in a rural area to not interfere with agriculture or negatively affect rural infrastructure (see Item 13.C.(2)).
      - c. Policy 4.2.3 requiring that each proposed *discretionary development* explicitly recognize and provide for the right of agricultural activities to continue on adjacent land (see Item 13.C.(3)).
      - d. Policy 4.2.4 requiring that all discretionary review consider whether a buffer between existing agricultural operations and the proposed development is necessary (see Item 13.C.(4)).
    - (3) It will **HELP ACHIEVE** Objective 4.3 requiring any discretionary development to be on a suitable site because of the following:
      - a. Policy 4.3.2 requiring a discretionary development on best prime farmland to be well-suited overall (see Item 13.B.(2)).

- b. Policy 4.3.3 requiring existing public services be adequate to support the proposed development effectively and safely without undue public expense (see Item 13.B.(3)).
- c. Policy 4.3.4 requiring existing public infrastructure be adequate to support the proposed development effectively and safely without undue public expense (see Item 13.B.(4)).
- d. Policy 4.3.5 requiring that a business or non-residential use establish on best prime farmland only if it serves surrounding agriculture or is appropriate in a rural area (see Item 13.B.(5)).

(4) Based on achievement of the above Objectives and Policies, the proposed map amendment will **HELP ACHIEVE** Goal 4 Agriculture.

B. 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 8 Natural Resources
- Goal 9 Energy Conservation
- Goal 10 Cultural Amenities

C. Overall, the proposed map amendment will **HELP ACHIEVE** the Land Resource Management Plan.

2. The proposed Zoning Ordinance map amendment **IS** consistent with the *LaSalle* and *Sinclair* factors because of the following:

- A. This area has a mix of commercial, industrial, and single family residential uses. The subject property was a single-family residence that has not been occupied for some time.
- B. It is impossible to establish property values without a formal real estate appraisal which has not been requested nor provided and so any discussion of values is necessarily general.
- C. The gain to the public of the proposed rezoning is positive because it will develop a vacant residential structure that has not been used as a residence for some time.
- D. The ZBA has recommended that the proposed rezoning will **HELP ACHIEVE** Policy 4.2.1 regarding whether the proposed use is a service better provided in a rural area.
- E. The ZBA has recommended that the proposed rezoning will **HELP ACHIEVE** the Champaign County Land Resource Management Plan.

3. The proposed Zoning Ordinance map amendment will **HELP ACHIEVE** the purpose of the Zoning Ordinance because:
  - A. Establishing the B-4 District at this location **WILL** help classify, regulate, and restrict the location of the uses authorized in the B-4 District (Purpose 2.0 (i), see Item 21.G.).
  - B. Establishing the B-4 District at this location **WILL** help secure adequate light, pure air, and safety from fire and other dangers (Purpose 2.0 (a), see Item 21.A.).
  - C. Establishing the B-4 District at this location **WILL** lessen and avoid hazards to persons and damage to property resulting from the accumulation of runoff of storm or flood waters (Purpose 2.0 (d), see Item 21.D.).
  - D. The proposed rezoning **WILL NOT** hinder the development of renewable energy sources (Purpose 2.0(r), see Item 21.M.).

4. The proposed Zoning Ordinance map amendment is subject to the following special conditions:
  - A. **The owners of the subject property hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425 (see attached).**

The above special condition is necessary to ensure the following:

**Conformance with Land Resource Management Plan Policy 4.2.3.**

- B. **A complete Stormwater Drainage Plan that conforms to the requirements of the Stormwater Management and Erosion Control Ordinance shall be submitted and approved as part of the Zoning Use Permit application for construction and all required certifications shall be submitted after construction prior to issuance of the Zoning Compliance Certificate.**

The special condition stated above is required to ensure the following:

**That the drainage improvements conform to the requirements of the Stormwater Management and Erosion Control Ordinance.**