

# CASE NO. 732-AT-12

## SUPPLEMENTAL MEMORANDUM

August 15, 2013

Champaign County  
Department of

**PLANNING &  
ZONING**

Petitioner: **Zoning Administrator**

Prepared by: **John Hall**, Zoning Administrator  
**Andy Kass**, Associate Planner

Request: Amend the Champaign County Zoning Ordinance as follows:

**Part A. Revise paragraph 7.1.2B. as follows:**

- (1) Strike “non-family” and replace with “non-resident”.
- (2) Revise subparagraph 7.1.2B.i. to strike “five acres” and replace with “two acres in area”; and renumber the subparagraph to 7.1.2B.(1).
- (3) Revise subparagraph 7.1.2B.ii. to strike “five acres” and replace with “that are two acres in area”; add the phrase “and provided that”; and renumber the subparagraph to 7.1.2B.(2).
- (4) Add new subparagraph 7.1.2B.(3) to authorize that all employees may be present and working on the premises for no more than 5 days with any 30 day period due to inclement weather or as necessitated by other business considerations.
- (5) Add new subparagraph 7.1.2B.(4) to authorize that family members who are residents of the property when the HOME OCCUPATION is operating but who subsequently move from the premises may remain active in the HOME OCCUPATION and shall not be counted as a non-resident employee as long as their participation in the HOME OCCUPATION continues.

**Part B. Revise paragraph 7.1.2E. as follows:**

- (1) Strike “Second Division vehicle as defined by the Illinois Vehicle Code” and replace with “MOTOR VEHICLES”; and add the phrase “and parked at”.
- (2) Add new subparagraph 7.1.2E.(1) to require that the number of MOTOR VEHICLES and licensed trailers displaying the name of the RURAL HOME OCCUPATION or used in any way for the RURAL HOME OCCUPATION shall be within the limits established.
- (3) Renumber subparagraph 7.1.2E.i. to be 7.1.2E.(2) and strike “vehicles over 8,000 lbs. gross weight” and replace with “MOTOR VEHICLES that are either a truck tractor and/or a MOTOR VEHICLE with tandem axles, both as defined by the Illinois Vehicle Code (625 ILCS 5/1 et seq)”; and add the phrase “and all MOTOR VEHICLE loads and weights shall conform to the Illinois Vehicle Code (625 ILCS 5/15-111)”.
- (4) Renumber subparagraph 7.1.2E.ii. to be 7.1.2E.(3) and strike “vehicles” and replace with “MOTOR VEHICLES”; and strike “vehicles under 8,000 lbs. gross vehicle weight”; and insert “licensed”; and strike “and off-road vehicles”; and insert the phrase “or owner”.
- (5) Renumber subparagraph 7.1.2E.iii. to be 7.1.2E.(4) and strike “Second Division vehicles” and replace with “MOTOR VEHICLES and licensed trailers”; and strike “indoors” and replace with “in an enclosed building”; and add “outdoors subject to the following minimum separations for outdoor parking:”; and add the following subparagraphs:
  - (a) Add subparagraph 7.1.2E.(4)(a) to require that no more than 1 motor vehicle may be parked outdoors less than five feet from a side rear property line or less than 10 feet from a front property line.
  - (b) Add subparagraph 7.1.2E.(4)(b) to require that outdoor parking for more than one motor vehicle shall be no less than 50 feet from any lot line and no less than 100 feet from any offsite dwelling.

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- (c) Add subparagraph 7.1.2E.(4)(c) to require that outdoor parking for more than one motor vehicle that does not meet certain requirements shall be at least 10 feet from any lot line and be screened.
- (6) Add subparagraph 7.1.2E.(5) to require that paragraphs 7.1.2E. and 7.1.2F. apply to all new RURAL HOME OCCUPATION and to any expansion of a RURAL HOME OCCUPATION that is filed after September 1, 2012.
- (7) Add subparagraph 7.1.2E.(6) (a) and (b) to require the following:
  - (a) Any MOTOR VEHICLE or licensed trailer or piece of equipment that was included on an application for a RURAL HOME OCCUPATION that was received before September 1, 2012, may continue to be used provided that the total number of vehicles are not more than 10 and no more than 3 may be truck tractors or MOTOR VEHICLES with tandem axles as defined by the Illinois Vehicle Code.
  - (b) Any RURAL HOME OCCUPATION that complies with 7.1.2E.(6) shall be authorized to have the same number of motor vehicles or licensed trailers or pieces of equipment as long as it continues in business at that location and any MOTOR VEHICLE or licensed trailer or piece of equipment may be replaced with a similar motor vehicle or licensed trailer or piece of equipment.

**Part C. Add new paragraph 7.1.2F. as follows:**

- (1) Limit the number of motorized or non-motorized complete pieces of non-farm equipment in outdoor storage to 10 complete pieces, provided that the number of pieces of equipment that may be in outdoor storage shall be reduced by the number of MOTOR VEHICLES and licensed trailers that are also parked outdoors.
- (2) Require that equipment in outdoor storage meet the same separations required for MOTOR VEHICLES in 7.1.2E.(4)(b) and 7.1.2E.(4)(c).

**Part D. Revise paragraph 7.1.2H. to require that more than four vehicles for patrons and onsite employees shall be screened; and also provide that loading berths are not required for RURAL HOME OCCUPATIONS.**

**Part E. Revise paragraph 7.1.2K. as follows:**

- (1) Add the phrase "for other than equipment used in any RURAL HOME OCCUPATION"; and strike the phrase "screened as provided by Section 7.6, and replace with the phrase "shall be provided as follows:".
- (2) Add subparagraph 7.1.2K.(1) to require that no outdoor storage be located in any required off street parking spaces.
- (3) Add subparagraph 7.1.2K.(2) to require screening if outdoor storage occurs in any yard within 1,000 feet of certain specified uses of surrounding property.

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**STATUS**

Staff has identified two changes to the proposed amendment that are reviewed below and incorporated into all attachments.

A Revised Handout and Application Form are also attached.

An updated Finding of Fact is also included. The case may be ready for a final determination.

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## REDUCED SCREENING REQUIREMENT FOR SMALL RHOs

An addition to the proposed amendment has been made to exempt smaller RHOs with no more than two pieces of equipment that each weigh no more than 15,000 pounds gross weight, from the screening requirement except as required for vehicles. The specific revision is subparagraph 7.1.2 F.4.b. which is an exception to the screening requirement and states as follows:

- b. When there is are no more than two complete pieces of equipment (each weighing less than 15,000 pounds gross weight), in which case no SCREEN is required unless the total number of MOTOR VEHICLES (each weighing less than 15,000 pounds gross vehicle weight) and equipment is more than four in which case the required SCREEN shall be as required by 7.1.2 E.4.c.

## RHO PARKING REQUIREMENTS

The current RHO standards only refer to the requirements of the parking standards in Section 7.4. which is problematic for the following reasons:

- Paragraph 7.4 .1D.2. requires parking spaces for “industrial uses” to be “...surfaced with an all-weather dustless material.” which will be oil and chip at the least. Unfortunately, Section 7.4 does not provide a means of distinguishing what “industrial uses” are other than uses in an industrial district. RHOs are not required to have paved parking even though the Ordinance seems to require it, depending upon the specific use. Staff proposes to eliminate the confusion by the addition of paragraph by proposed paragraph 7.1.2E.4.c.(4) which states as follows:
  - (4) The requirements of Section 7.4 notwithstanding, paragraph 7.4.1 D. 2. shall not be applicable to any parking at a RURAL HOME OCCUPATION.
- Section 7.4 actually provides no clear standard for parking spaces for RHOs. In general, parking standards in 7.4 are either based on the square footage of the building (most RHOs do not have any buildings dedicated to the RHO use) or assume a factory-type shift basis and require a parking space for each three employees. Staff is not proposing to add a revised parking requirement for RHOs, but a comprehensive update to Section 7.4 is recommended whenever possible.

## REVISED HANDOUT AND APPLICATION

The RHO Handout reviewed at the June 13, 2013, public hearing has been revised and has two more example site plans. See attached.

A Revised RHO Application form is also attached.

## ATTACHMENTS

- A Revised Draft Amendment (ANNOTATED) to Sec. 7.1.2 Rural Home Occupations
- B Revised Draft Amendment (NON-ANNOTATED) to Sec. 7.1.2 Rural Home Occupations
- C Amended Section 7.1.2
- D Revised RHO Handout with four example RHO site plans (included separately)
- E Revised RHO Application Form (included separately)
- F Revised Finding of Fact (included separately)

Note: The indications for proposed changes are as follows:

- Changes proposed at the Committee of the Whole on September 25, 2012, are indicated in single strike out if deleted and single underlining for new text.
- Changes made during the ZBA public hearing are indicated in double strike out if deleted and double underlining for new text.
- Deletions and additions since the last ZBA meeting are highlighted.

**1. Revise existing paragraph 7.1.2E. and merge with a revised existing paragraph 7.1.2 H. (and reletter as required) to read as follows:**

- E. ~~Non-farm, Second Division vehicles as defined by the Illinois Vehicle Code~~ MOTOR VEHICLES and/ or licensed semitrailers and/ or licensed pole trailers; ~~used in and parked at any RURAL HOME OCCUPATION shall be limited as follows:~~
1. The number of MOTOR VEHICLES and/ or licensed semitrailers and/ or licensed pole trailers displaying the name of the RURAL HOME OCCUPATION and/ or used in any way for the at any RURAL HOME OCCUPATION shall be within the limits established in this paragraph.
  - ~~ii.2.~~ No more than three self-propelled vehicles over 8,000 lbs. gross weight MOTOR VEHICLES that are either a truck tractor and/ or a MOTOR VEHICLE with tandem axles, both as defined by the Illinois Vehicle Code (625 ILCS 5/1 et seq), shall be permitted authorized and all MOTOR VEHICLE loads and weights shall conform to the Illinois Vehicle Code (625 ILCS 5/15-111).
  - ~~ii.3.~~ No more than 10 ~~vehicles~~ MOTOR VEHICLES in total, including vehicles under 8,000 lbs. gross vehicle weight, and/ or licensed semitrailers and/ or licensed pole trailers off-road vehicle in total shall be permitted authorized excluding patron or employee or owner personal vehicles MOTOR VEHICLES.
  - ~~iii.4.~~ All ~~Second Division vehicles~~ MOTOR VEHICLES and licensed semitrailers and licensed pole trailers shall be stored indoors in an enclosed BUILDING or parked outdoors subject to the following minimum separations for outdoor parking:
    - a. No more than one MOTOR VEHICLE that conforms to paragraph 7.1.1 K. may be parked outdoors no less than five feet from a SIDE or REAR LOT LINE nor less than 10 feet from a FRONT LOT LINE; and
    - b. Outdoor parking for more than one MOTOR VEHICLE and any licensed semitrailer and any licensed pole trailer shall be no less than 50 feet from any lot line and no less than 100 feet from any off-site existing DWELLING conforming as to USE; or

~~iii. if less than 50 feet from any lot line and/ or less than 100 feet from any off-site existing DWELLING conforming as to USE, outdoor parking for more than one MOTOR VEHICLE shall be at least 10 feet from any LOT LINE; and~~

c. ~~Off-street parking spaces shall be provided as follows. In addition to parking spaces for MOTOR VEHICLES and/ or licensed semitrailers and/ or licensed pole trailers that are parked outdoors at a RURAL HOME OCCUPATION, off-street parking spaces shall also be provided in the minimum size and number required by Section 7.4 for all onsite employees and onsite patrons, and all parking shall be subject to the following:~~

~~(1) No parking shall occur in the STREET RIGHT OF WAY.~~

~~(2) Parking spaces shall be provided subject to the provisions of in the minimum size and number required by Section 7.4 for all onsite employees and onsite patrons. The requirements of Section 7.4 notwithstanding, all off-street parking and outside STORAGE of MOTOR VEHICLES and/ or any licensed semitrailer and/ or any licensed pole trailer that is visible from and located within 100 feet from either a residential DISTRICT or the BUILDING RESTRICTION LINE of a lot containing a DWELLING conforming to USE, shall be subject to the following SCREEN requirements:~~

~~(a) Any required SCREEN shall meet the requirements of paragraph 4.3.3 H.~~

~~(b) More than four MOTOR VEHICLES of no more than 15,000 pounds each shall be screened by a Type A SCREEN except that a Type B SCREEN may be erected along the REAR LOT LINE.~~

~~(c) A Type D SCREEN shall be required for more than one MOTOR VEHICLE that weighs more than 15,000 pounds gross vehicle weight or a combination of MOTOR VEHICLE and connected trailer that weighs more than 15,000 pounds gross vehicle weight or four or more licensed semitrailers and/ or licensed pole trailers.~~

~~(43) The requirements of Section 7.4 notwithstanding, a loading berth shall not be required for a RURAL HOME OCCUPATION.~~

~~(4) The requirements of Section 7.4 notwithstanding, paragraph 7.4.1 D. 2. shall not be applicable to any parking at a RURAL HOME OCCUPATION.~~

2. Insert new paragraph 7.1.2F. (and renumber as required) to read as follows:

F. Non-farm equipment and supplemental equipment attachments that may be stored and/ or used at any RURAL HOME OCCUPATION shall be limited as follows:

1. The number of complete pieces of equipment that are motorized or non-motorized and/ or the number of supplemental equipment attachments ~~and used in any way for~~ that may be stored and/ or used outdoors ~~at in any way for the a~~ RURAL HOME OCCUPATION shall be within the limits established in this paragraph and subject to the following:

a. ~~Complete pieces of Equipment shall include, but not be limited to, any motorized or non-motorized device or implement; trailers, except for licensed semitrailers and licensed pole trailers; bucket loaders; road graders; bulldozers; trenchers; backhoes; riding lawn mowers; devices mounted on trailers; and any agricultural equipment used for non-agricultural uses.~~

b. Equipment does not include MOTOR VEHICLES or licensed semitrailers or licensed pole trailers; hand tools or bench tools or tools mounted on a table or wheel barrows or similar tools.

c. A supplemental equipment attachment is any specialized device that attaches to equipment such as any device that attaches to a tractor by a 3-point hitch; or an extra loader bucket; or a snow blade attachment; or any similar device that attaches to either equipment or to a MOTORIZED VEHICLE.

d. There is no limit to the number of complete pieces of equipment or the number of supplemental equipment attachments that may be kept stored inside or used inside a BUILDING but at no time may the number of complete pieces of equipment ~~or the number of supplemental equipment attachments~~ that may be kept in outdoor STORAGE and/ or used outdoors exceed the limits of paragraphs 7.1.2 F.2, and 3.

e. All equipment and supplemental equipment attachments kept in outdoor STORAGE or used outdoors must be operable.

2. No more than 10 complete pieces of equipment may be kept in outdoor STORAGE and/ or used outdoors ~~provided however, that~~ subject to the following:

- a. The number of complete pieces of equipment that may be kept in outdoor STORAGE and/ or used outdoors shall be reduced by the number of MOTOR VEHICLES and / or licensed semitrailers and/ or licensed pole trailers also parked or used outdoors and all other complete pieces of equipment must be kept in an enclosed BUILDING. This limit shall apply to each individual piece of equipment provided
  - b. When a piece of equipment is on a trailer other than a semitrailer or pole trailer, the trailer is not and all equipment on the trailer are all counted as only one a-piece of equipment. Each piece of equipment that is on a semitrailer or pole trailer shall be considered as one piece of equipment.
  - c. When equipment is on a trailer other than a semitrailer or pole trailer, and the trailer is connected to a MOTOR VEHICLE the entire unit shall be considered to be only one MOTOR VEHICLE.
  - d. Each piece of equipment that is on a semitrailer or pole trailer shall be considered as one piece of equipment in addition to the semitrailer or pole trailer whether or not the semitrailer or pole trailer is connected to a MOTOR VEHICLE.
3. Supplemental equipment attachments may also be kept in outdoor STORAGE and/ or used outdoors subject to the following:
- a. The maximum number of supplemental equipment attachments that may be kept in outdoor STORAGE and/ or used outdoors is 15 but that limit shall be reduced by the number of MOTOR VEHICLES and / or licensed semitrailers and/ or licensed pole trailers and/ or complete pieces of equipment that are also parked or used outdoors.
  - b. Supplemental equipment attachments that are attached to equipment shall not be counted separately from that piece of equipment.
  - c. When supplemental equipment attachments are on a trailer other than a semitrailer or pole trailer, the trailer and all supplemental equipment attachments on the trailer are all counted as only one piece of equipment and when the trailer is connected to a MOTOR VEHICLE the entire unit shall be considered to be only one MOTOR VEHICLE.

4. Complete pieces of equipment and supplemental equipment attachments kept in outdoor STORAGE and/ or used outdoors must meet the following minimum separations for outdoor STORAGE of equipment:
- ~~i. Equipment in outdoor STORAGE shall be no less than 50 feet from any lot line and no less than 100 feet from any off-site existing DWELLING conforming as to USE; or~~
  - ~~ii. if less than 50 feet from any lot line and/ or less than 100 feet from any off-site existing DWELLING conforming as to USE, equipment stored outdoors shall be stored or used at least 10 feet from any LOT LINE and screened by a Type A-D SCREEN, as required by paragraph 7.1.2 K, except as follows:~~
    - ~~a. Equipment and any supplemental equipment attachment carried on a MOTOR VEHICLE or on a trailer connected to a MOTOR VEHICLE, in which case the required SCREEN shall be as required in paragraph 7.1.2 E.~~
    - ~~b. When there is no more than two complete pieces of equipment (each weighing less than 15,000 pounds gross weight), in which case no SCREEN is required unless the total number of MOTOR VEHICLES (each weighing less than 15,000 pounds gross vehicle weight) and equipment is more than four in which case the required SCREEN shall be as required by 7.1.2 E.4.c.~~

3. **Insert new paragraph 7.1.2 M. (and renumber as required) to read as follows:**

M. Applicability and nonconformities.

- 41. The above requirements of paragraphs 7.1.2E. and F. shall apply to any RURAL HOME OCCUPATION for which an application is received after May September 1, 2012, and to the expansion of any RURAL HOME OCCUPATION for which an application had been received on or before September 1, 2012.
- 52. The above requirements of paragraph 7.1.2E. and F. and the requirements of Section 8 notwithstanding:
  - a. Any MOTOR VEHICLE or licensed trailer or piece of equipment that was included in any application for, or present and noted in any inspection thereof by the Zoning Administrator or designee, or included in any authorization of a Zoning Compliance Certificate for any RURAL HOME OCCUPATION for which an application had been received by the Zoning Administrator on or before May September 1, 2012, and which would have, if considered in total, exceeded the applicable limits for MOTOR VEHICLES and equipment at that time may continue to be used in at that RURAL



~~HOME OCCUPATION provided that the total number of MOTOR VEHICLES in the RURAL HOME OCCUPATION are not more than 10 and further provided that no more than 3 such MOTOR VEHICLES are truck tractors or MOTOR VEHICLES with tandem axles, both as defined by the Illinois Vehicle Code (625 ILCS 5/1 et seq);~~

- b. ~~Any RURAL HOME OCCUPATION that complies with subparagraph 7.1.2EF.105-M.2.a. shall be authorized to have that same number and type of MOTOR VEHICLES or licensed trailers or pieces of equipment as long as it continues in business at that location and any such MOTOR VEHICLE or licensed trailer or piece of equipment may be replaced with a similar MOTOR VEHICLE or licensed trailer or piece of equipment.~~

4. **Revise paragraph 7.1.2 K. to read as follows:**

K. ~~Outdoor STORAGE for other than equipment used in any RURAL HOME OCCUPATION shall be limited to SIDE YARDS or the REAR YARD and screened as provided by Section 7.6; shall be screened as follows:~~

- (1) Outdoor STORAGE shall not be located in any required off-street PARKING SPACES.
- (2) A Type D SCREEN shall be located so as to obscure or conceal any part of any YARD used for outdoor STORAGE which is visible within 1,000 feet from any of the following circumstances:
  - (a) Any point within the BUILDING RESTRICTION LINE of any lot located in any R district or any lot occupied by a DWELLING conforming as to USE or occupied by a SCHOOL; church or temple; public park or recreational facility; public library, museum, or gallery; public fairgrounds; nursing home or hospital; recreational business use with outdoor facilities; or
  - (b) Any designated urban arterial street or MAJOR STREET.

5. **Revise paragraph 7.1.2 B. to read as follows:**

- B. ~~Non-resident, non-family~~ employees shall only be ~~permitted~~ authorized subject to the following limitations:
- i. on lots smaller than ~~five~~ two acres ~~in area~~ no more than one employee may be present on the premises and no more than one additional employee may report to the site for work performed off the premises; but
  - ii. on lots ~~five~~ two acres ~~in area~~ or larger no more than two employees may be present on the premises and no more than three

additional employees may report to the site for work performed off the premises; and ~~provided that~~

- ~~iii. all employees may be present and working on the premises for no more than five days within any 30 day period due to inclement weather or as necessitated by other business considerations; and further provided that~~
- ~~iv. family members who are resident on the property while the HOME OCCUPATION is operating but who mature and subsequently move from the premises may remain active in the home occupation and shall not be counted as a non-resident employee as long as their participation in the HOME OCCUPATION continues.~~

**1. Revise existing paragraph 7.1.2E. and merge with a revised existing paragraph 7.1.2 H. (and reletter as required) to read as follows:**

- E. Non-farm MOTOR VEHICLES and/ or licensed semitrailers and/ or licensed pole trailers used and parked at any RURAL HOME OCCUPATION shall be limited as follows:
1. The number of MOTOR VEHICLES and/ or licensed semitrailers and/ or licensed pole trailers displaying the name of the RURAL HOME OCCUPATION and/ or used at any RURAL HOME OCCUPATION shall be within the limits established in this paragraph.
  2. No more than three MOTOR VEHICLES that are either a truck tractor and/ or a MOTOR VEHICLE with tandem axles, both as defined by the Illinois Vehicle Code (625 ILCS 5/1 et seq), shall be authorized and all MOTOR VEHICLE loads and weights shall conform to the Illinois Vehicle Code (625 ILCS 5/15-111).
  3. No more than 10 MOTOR VEHICLES and/ or licensed semitrailers and/ or licensed pole trailers in total shall be authorized excluding patron or employee or owner personal MOTOR VEHICLES.
  4. All MOTOR VEHICLES and licensed semitrailers and licensed pole trailers shall be stored in an enclosed BUILDING or parked outdoors subject to the following:
    - a. No more than one MOTOR VEHICLE that conforms to paragraph 7.1.1 K. may be parked outdoors no less than five feet from a SIDE or REAR LOT LINE nor less than 10 feet from a FRONT LOT LINE; and
    - b. Outdoor parking for more than one MOTOR VEHICLE and any licensed semitrailer and any licensed pole trailer shall be at least 10 feet from any LOT LINE; and
    - c. In addition to parking spaces for MOTOR VEHICLES and/ or licensed semitrailers and/ or licensed pole trailers that are parked outdoors at a RURAL HOME OCCUPATION, off-street parking spaces shall also be provided in the minimum size and number required by Section 7.4 for all onsite employees and onsite patrons, subject to the following:
      - (1) No parking shall occur in the STREET RIGHT OF WAY.

- (2) The requirements of Section 7.4 notwithstanding, all off-street parking and outside STORAGE of MOTOR VEHICLES and/ or any licensed semitrailer and/ or any licensed pole trailer that is visible from and located within 100 feet from either a residential DISTRICT or the BUILDING RESTRICTION LINE of a lot containing a DWELLING conforming to USE, shall be subject to the following SCREEN requirements:
  - (a) Any required SCREEN shall meet the requirements of paragraph 4.3.3 H.
  - (b) More than four MOTOR VEHICLES of no more than 15,000 pounds each shall be screened by a Type A SCREEN except that a Type B SCREEN may be erected along the REAR LOT LINE.
  - (c) A Type D SCREEN shall be required for more than one MOTOR VEHICLE that weighs more than 15,000 pounds gross vehicle weight or a combination of MOTOR VEHICLE and connected trailer that weighs more than 15,000 pounds gross vehicle weight or four or more licensed semitrailers and/ or licensed pole trailers.
- (3) The requirements of Section 7.4 notwithstanding, loading berths are not required for Rural Home Occupations.
- (4) The requirements of Section 7.4 notwithstanding, paragraph 7.4.1 D. 2. shall not be applicable to any parking at a RURAL HOME OCCUPATION.

**2. Insert new paragraph 7.1.2F. (and renumber as required) to read as follows:**

- F. Non-farm equipment and supplemental equipment attachments that may be stored and/ or used at any RURAL HOME OCCUPATION shall be limited as follows:
  1. The number of complete pieces of equipment that are motorized or non-motorized and/ or the number of supplemental equipment attachments that may be stored and/ or used outdoors at a RURAL HOME OCCUPATION shall be within the limits established in this paragraph and subject to the following:
    - a. Equipment shall include any motorized or non-motorized device or implement; trailers, except for licensed semitrailers and licensed pole trailers; devices mounted on trailers; and any agricultural equipment used for non-agricultural uses.

- b. Equipment does not include MOTOR VEHICLES or licensed semitrailers or licensed pole trailers; hand tools or bench tools or tools mounted on a table or wheel barrows or similar tools.
  - c. A supplemental equipment attachment is any specialized device that attaches to equipment such as any device that attaches to a tractor by a 3-point hitch; or an extra loader bucket; or a snow blade attachment; or any similar device that attaches to either equipment or to a MOTORIZED VEHICLE.
  - d. There is no limit to the number of complete pieces of equipment or the number of supplemental equipment attachments that may be kept stored inside or used inside a BUILDING but at no time may the number of complete pieces of equipment or the number of supplemental equipment attachments that may be kept in outdoor STORAGE and/ or used outdoors exceed the limits of paragraphs 7.1.2 F.2. and 3.
  - e. All equipment and supplemental equipment attachments kept in outdoor STORAGE or used outdoors must be operable.
2. No more than 10 complete pieces of equipment may be kept in outdoor STORAGE and/ or used outdoors subject to the following:
- a. The number of complete pieces of equipment that may be kept in outdoor STORAGE and/ or used outdoors shall be reduced by the number of MOTOR VEHICLES and / or licensed semitrailers and/ or licensed pole trailers also parked or used outdoors and all other complete pieces of equipment must be kept in an enclosed BUILDING.
  - b. When equipment is on a trailer other than a semitrailer or pole trailer, the trailer and all equipment on the trailer are all counted as only one piece of equipment.
  - c. When equipment is on a trailer other than a semitrailer or pole trailer, and the trailer is connected to a MOTOR VEHICLE the entire unit shall be considered to be only one MOTOR VEHICLE.
  - d. Each piece of equipment that is on a semitrailer or pole trailer shall be considered as one piece of equipment in addition to the semitrailer or pole trailer whether or not the semitrailer or pole trailer is connected to a MOTOR VEHICLE.
3. Supplemental equipment attachments may also be kept in outdoor STORAGE and/ or used outdoors

4. Complete pieces of equipment and supplemental equipment attachments kept in outdoor STORAGE and/ or used outdoors must be stored or used at least 10 feet from any LOT LINE and screened as required by paragraph 7.1.2 K. except as follows:
  - a. Equipment and any supplemental equipment attachment carried on a MOTOR VEHICLE or on a trailer connected to a MOTOR VEHICLE, in which case the required SCREEN shall be as required in paragraph 7.1.2 E.
  - b. When there is no more than two complete pieces of equipment (each weighing less than 15,000 pounds gross weight), in which case no SCREEN is required unless the total number of MOTOR VEHICLES (each weighing less than 15,000 pounds gross vehicle weight) and equipment is more than four in which case the required SCREEN shall be as required by 7.1.2 E.4.c.

**3. Insert new paragraph 7.1.2M. (and renumber as required) to read as follows:**

- M. Applicability and nonconformities.
  1. The requirements of paragraphs 7.1.2E. and F. shall apply to any RURAL HOME OCCUPATION for which an application is received after September 1, 2012, and to the expansion of any RURAL HOME OCCUPATION for which an application had been received on or before September 1, 2012.
  2. The requirements of paragraphs 7.1.2E. and F. and the requirements of Section 8 notwithstanding:
    - a. Any MOTOR VEHICLE or licensed trailer or piece of equipment that was included in any application for, or present and noted in any inspection thereof by the Zoning Administrator or designee, or included in any authorization of a Zoning Compliance Certificate for any RURAL HOME OCCUPATION on or before September 1, 2012, and which would have, if considered in total, exceeded the applicable limits for MOTOR VEHICLES and equipment at that time may continue to be at that RURAL HOME OCCUPATION.
    - b. Any RURAL HOME OCCUPATION that complies with subparagraph 7.1.2 M.2.a. shall be authorized to have that same number and type of MOTOR VEHICLES or licensed trailers or pieces of equipment as long as it continues in business at that location and any such MOTOR VEHICLE or licensed trailer or piece of equipment may be replaced with a similar MOTOR VEHICLE or licensed trailer or piece of equipment.

**4. Revise paragraph 7.1.2 K. to read as follows:**

- K. Outdoor STORAGE used in any RURAL HOME OCCUPATION shall be limited to SIDE YARDS or the REAR YARD and shall be screened as follows:
- (1) Outdoor STORAGE shall not be located in any required off-street PARKING SPACES.
  - (2) A Type D SCREEN shall be located so as to obscure or conceal any part of any YARD used for outdoor STORAGE which is visible within 1,000 feet from any of the following circumstances:
    - (a) Any point within the BUILDING RESTRICTION LINE of any lot located in any R DISTRICT or any lot occupied by a DWELLING conforming as to USE or occupied by a SCHOOL; church or temple; public park or recreational facility; public library, museum, or gallery; public fairgrounds; nursing home or hospital; recreational business use with outdoor facilities; or
    - (b) Any designated urban arterial street or MAJOR STREET.

**5. Revise paragraph 7.1.2 B. to read as follows:**

- B. Non-resident employees shall only be authorized subject to the following limitations:
- i. on lots smaller than two acres in area no more than one employee may be present on the premises and no more than one additional employee may report to the site for work performed off the premises; but
  - ii. on lots that are two acres in area or larger no more than two employees may be present on the premises and no more than three additional employees may report to the site for work performed off the premises; and
  - iii. all employees may be present and working on the premises for no more than five days within any 30 day period due to inclement weather or as necessitated by other business considerations; and
  - iv. family members who are resident on the property while the HOME OCCUPATION is operating but who mature and subsequently move from the premises may remain active in the home occupation and shall not be counted as a non-resident employee as long as their participation in the HOME OCCUPATION continues.

**Attachment C: Amended Section 7.1.2 Rural Home Occupations**

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**SECTION 7.1.2 RURAL HOME OCCUPATIONS**

**7.1.2 RURAL HOME OCCUPATIONS** as defined in Section 3, are permitted as an **ACCESSORY USE** in any dwelling in the AG-1, Agriculture; AG-2, Agriculture; and CR, Conservation-Recreation Districts subject to the following standards:

- A. **RURAL HOME OCCUPATIONS** shall not be located on lots fronting on streets located wholly within a recorded subdivision or within 500 feet of a residential zoning district.
- B. Non-resident employees shall only be authorized subject to the following limitations:
  - 1. On lots smaller than two acres in area, no more than one employee may be present on the premises and no more than one additional employee may report to the site for work performed off the premises; but
  - 2. On lots that are two acres in area or larger, no more than two employees may be present on the premises and no more than three additional employees may report to the site for work performed off the premises; and
  - 3. All employees may be present and working on the premises for no more than five days within any 30 day period due to inclement weather or as necessitated by other business considerations; and
  - 4. Family members who are resident on the property while the **HOME OCCUPATION** is operating but who mature and subsequently move from the premises may remain active in the home occupation and shall not be counted as a non-resident employee as long as their participation in the **HOME OCCUPATION** continues.
- C. Changes to the exterior of the **DWELLING** or **ACCESSORY BUILDING** which would indicate that it is being utilized in whole or in part for any purpose other than that of a residential or farm **BUILDING** are prohibited.
- D. No more than one **SIGN** not more than six square feet in area shall be permitted.
- E. Non-farm **MOTOR VEHICLES** and/ or licensed semitrailers and/ or licensed pole trailers used and parked at any **RURAL HOME OCCUPATION** shall be limited as follows:
  - 1. The number of **MOTOR VEHICLES** and/ or licensed semitrailers and/ or licensed pole trailers displaying the name of the **RURAL HOME OCCUPATION** and/ or used at any **RURAL HOME OCCUPATION** shall be within the limits established in this



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paragraph.

2. No more than three MOTOR VEHICLES that are either a truck tractor and/ or a MOTOR VEHICLE with tandem axles, both as defined by the Illinois Vehicle Code (625 ILCS 5/1 et seq), shall be authorized and all MOTOR VEHICLE loads and weights shall conform to the Illinois Vehicle Code (625 ILCS 5/15-111).
3. No more than 10 MOTOR VEHICLES and/ or licensed semitrailers and/ or licensed pole trailers in total shall be authorized excluding patron or employee or owner personal MOTOR VEHICLES.
4. All MOTOR VEHICLES and licensed semitrailers and licensed pole trailers shall be stored in an enclosed BUILDING or parked outdoors subject to the following:
  - a. No more than one MOTOR VEHICLE that conforms to paragraph 7.1.1 K. may be parked outdoors no less than five feet from a SIDE or REAR LOT LINE nor less than 10 feet from a FRONT LOT LINE; and
  - b. Outdoor parking for more than one MOTOR VEHICLE and any licensed semitrailer and any licensed pole trailer shall be at least 10 feet from any LOT LINE; and
  - c. In addition to parking spaces for MOTOR VEHICLES and/ or licensed semitrailers and/ or licensed pole trailers that are parked outdoors at a RURAL HOME OCCUPATION, off-street parking spaces shall also be provided in the minimum size and number required by Section 7.4 for all onsite employees and onsite patrons, subject to the following:
    - (1) No parking shall occur in the STREET RIGHT OF WAY.
    - (2) The requirements of Section 7.4 notwithstanding, all off- street parking and outside STORAGE of MOTOR VEHICLES and/ or any licensed semitrailer and/ or any licensed pole trailer that is visible from and located within 100 feet from either a residential DISTRICT or the BUILDING RESTRICTION LINE of a lot containing a DWELLING conforming to USE, shall be subject to the following SCREEN requirements:
      - (a) Any required SCREEN shall meet the requirements of paragraph 4.3.3 H.

**Attachment C: Amended Section 7.1.2 Rural Home Occupations**

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- (b) More than four MOTOR VEHICLES of no more than 15,000 pounds each shall be screened by a Type A SCREEN except that a Type B SCREEN may be erected along the REAR LOT LINE.
    - (c) A Type D SCREEN shall be required for more than one MOTOR VEHICLE that weighs more than 15,000 pounds gross vehicle weight or a combination of MOTOR VEHICLE and connected trailer that weighs more than 15,000 pounds gross vehicle weight or four or more licensed semitrailers and/ or licensed pole trailers.
  - (3) The requirements of Section 7.4 notwithstanding, loading berths are not required for Rural Home Occupations.
  - (4) The requirements of Section 7.4 notwithstanding, paragraph 7.4.1 D. 2. shall not be applicable to any parking at a RURAL HOME OCCUPATION.
- F. Non-farm equipment and supplemental equipment attachments that may be stored and/ or used at any RURAL HOME OCCUPATION shall be limited as follows:
  - 1. The number of complete pieces of equipment that are motorized or non-motorized and/ or the number of supplemental equipment attachments that may be stored and/ or used outdoors at a RURAL HOME OCCUPATION shall be within the limits established in this paragraph and subject to the following:
    - a. Equipment shall include any motorized or non-motorized device or implement; trailers, except for licensed semitrailers and licensed pole trailers; devices mounted on trailers; and any agricultural equipment used for non-agricultural uses.
    - b. Equipment does not include MOTOR VEHICLES or licensed semitrailers or licensed pole trailers; hand tools or bench tools or tools mounted on a table or wheel barrows or similar tools.
    - c. A supplemental equipment attachment is any specialized device that attaches to equipment such as any device that attaches to a tractor by a 3-point hitch; or an extra loader bucket; or a snow blade attachment; or any similar device

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that attaches to either equipment or to a **MOTORIZED VEHICLE**.

- d. There is no limit to the number of complete pieces of equipment or the number of supplemental equipment attachments that may be kept stored inside or used inside a **BUILDING** but at no time may the number of complete pieces of equipment or the number of supplemental equipment attachments that may be kept in outdoor **STORAGE** and/ or used outdoors exceed the limits of paragraphs 7.1.2 F.2. and 3.
  - e. All equipment and supplemental equipment attachments kept in outdoor **STORAGE** or used outdoors must be operable.
2. No more than 10 complete pieces of equipment may be kept in outdoor **STORAGE** and/ or used outdoors subject to the following:
- a. The number of complete pieces of equipment that may be kept in outdoor **STORAGE** and/ or used outdoors shall be reduced by the number of **MOTOR VEHICLES** and / or licensed semitrailers and/ or licensed pole trailers also parked or used outdoors and all other complete pieces of equipment must be kept in an enclosed **BUILDING**.
  - b. When equipment is on a trailer other than a semitrailer or pole trailer, the trailer and all equipment on the trailer are all counted as only one piece of equipment.
  - c. When equipment is on a trailer other than a semitrailer or pole trailer, and the trailer is connected to a **MOTOR VEHICLE** the entire unit shall be considered to be only one **MOTOR VEHICLE**.
  - d. Each piece of equipment that is on a semitrailer or pole trailer shall be considered as one piece of equipment in addition to the semitrailer or pole trailer whether or not the semitrailer or pole trailer is connected to a **MOTOR VEHICLE**.
3. Supplemental equipment attachments may also be kept in outdoor **STORAGE** and/ or used outdoors
4. Complete pieces of equipment and supplemental equipment attachments kept in outdoor **STORAGE** and/ or used outdoors must be stored or used at least 10 feet from any **LOT LINE** and

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screened as required by paragraph 7.1.2 K. except as follows:

- a. Equipment and any supplemental equipment attachment carried on a MOTOR VEHICLE or on a trailer connected to a MOTOR VEHICLE, in which case the required SCREEN shall be as required in paragraph 7.1.2 E.
  - b. When there is no more than two complete pieces of equipment (each weighing less than 15,000 pounds gross weight), in which case no SCREEN is required unless the total number of MOTOR VEHICLES (each weighing less than 15,000 pounds gross vehicle weight) and equipment is more than four in which case the required SCREEN shall be as required by 7.1.2 E.4.c.
- G. Processes employed shall not create odor, dust, noise, gas, smoke, or vibration discernible at the property line other than of such a nature, quantity, intensity, duration, or time of occurrence customarily associated with AGRICULTURE.
- H. No storage of volatile liquid, flammable gases, hazardous material or explosives shall be permitted except as such might be kept for customary agricultural purposes in quantities and concentrations customarily found on farms.
- I. Prohibited RURAL HOME OCCUPATION Activities shall include:
- i. outdoor storage of any number of unlicensed vehicles or more than two licensed vehicles awaiting automobile or truck repair;
  - ii. outdoor automobile or truck repair OPERATIONS;
  - iii. salvage or recycling STORAGE or OPERATIONS;
  - iv. outdoor storage of any vehicle equipment or container used for solid waste hauling;
  - v. retail sale of articles not produced on the site except grain seed sales or as such sales are incidental to the provision of a service.
- J. Outdoor sales DISPLAY shall be limited to items produced on-site, shall occupy an area no larger than 500 square feet, and shall not be permitted in required SETBACKS or the SIDE and REAR YARDS.
- K. Outdoor STORAGE used in any RURAL HOME OCCUPATION shall be limited to SIDE YARDS or the REAR YARD and shall be screened as follows:
1. Outdoor STORAGE shall not be located in any required off-street PARKING SPACES.
  2. A Type D SCREEN shall be located so as to obscure or conceal any part of any YARD used for outdoor STORAGE which is visible within 1,000 feet from any of the following circumstances:

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- a. Any point within the BUILDING RESTRICTION LINE of any lot located in any R DISTRICT or any lot occupied by a DWELLING conforming as to USE or occupied by a SCHOOL; church or temple; public park or recreational facility; public library, museum, or gallery; public fairgrounds; nursing home or hospital; recreational business use with outdoor facilities; or
  - b. Any designated urban arterial street or MAJOR STREET.
- L. All RURAL HOME OCCUPATIONS shall obtain a Zoning Use Permit in accordance with Section 9.1.2 of the Champaign County Zoning Ordinance prior to operation.
- M. Applicability and nonconformities.
- 1. The requirements of paragraphs 7.1.2E. and F. shall apply to any RURAL HOME OCCUPATION for which an application is received after September 1, 2012, and to the expansion of any RURAL HOME OCCUPATION for which an application had been received on or before September 1, 2012.
  - 2. The requirements of paragraph 7.1.2E. and F. and the requirements of Section 8 notwithstanding:
    - a. Any MOTOR VEHICLE or licensed trailer or piece of equipment that was included in any application for, or present and noted in any inspection thereof by the Zoning Administrator or designee, or included in any authorization of a Zoning Compliance Certificate for any RURAL HOME OCCUPATION on or before September 1, 2012, and which would have, if considered in total, exceeded the applicable limits for MOTOR VEHICLES and equipment at that time may continue to be at that RURAL HOME OCCUPATION.
    - b. Any RURAL HOME OCCUPATION that complies with subparagraph 7.1.2 M.2.a. shall be authorized to have that same number and type of MOTOR VEHICLES or licensed trailers or pieces of equipment as long as it continues in business at that location and any such MOTOR VEHICLE or licensed trailer or piece of equipment may be replaced with a similar MOTOR VEHICLE or licensed trailer or piece of equipment.

**REVISED DRAFT**

**732-AT-12**

**FINDING OF FACT  
AND FINAL DETERMINATION**

**of**

**Champaign County Zoning Board of Appeals**

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

Date: August 15, 2013

Petitioner: Zoning Administrator

- Request:
- Part A. Revise paragraph 7.1.2B. as follows:
    - (1) Strike “non-family” and replace with “non-resident”.
    - (2) Revise subparagraph 7.1.2B.i. to strike “five acres” and replace with “two acres in area”; and renumber the subparagraph to 7.1.2B.(1).
    - (3) Revise subparagraph 7.1.2B.ii. to strike “five acres” and replace with “that are two acres in area”; add the phrase “and provided that”; and renumber the subparagraph to 7.1.2B.(2).
    - (4) Add new subparagraph 7.1.2B.(3) to authorize that all employees may be present and working on the premises for no more than 5 days with any 30 day period due to inclement weather or as necessitated by other business considerations.
    - (5) Add new subparagraph 7.1.2B.(4) to authorize that family members who are residents of the property when the HOME OCCUPATION is operating but who subsequently move from the premises may remain active in the HOME OCCUPATION and shall not be counted as a non-resident employee as long as their participation in the HOME OCCUPATION continues.
  - Part B. Revise paragraph 7.1.2E. as follows:
    - (1) Strike “Second Division vehicle as defined by the Illinois Vehicle Code” and replace with “MOTOR VEHICLES”; and add the phrase “and parked at”.
    - (2) Add new subparagraph 7.1.2E.(1) to require that the number of MOTOR VEHICLES and licensed trailers displaying the name of the RURAL HOME OCCUPATION or used in any way for the RURAL HOME OCCUPATION shall be within the limits established.
    - (3) Renumber subparagraph 7.1.2E.i. to be 7.1.2E.(2) and strike “vehicles over 8,000 lbs. gross weight” and replace with “MOTOR VEHICLES that are either a truck tractor and/or a MOTOR VEHICLE with tandem axles, both as defined by the Illinois Vehicle Code (625 ILCS 5/1 et seq)”; and add the phrase “and all MOTOR VEHICLE loads and weights shall conform to the Illinois Vehicle Code (625 ILCS 5/15-111)”.
    - (4) Renumber subparagraph 7.1.2E.ii. to be 7.1.2E.(3) and strike “vehicles” and replace with “MOTOR VEHICLES”; and strike “vehicles under 8,000 lbs. gross vehicle weight”; and insert “licensed”; and strike “and off-road vehicles”; and insert the phrase “or owner”.
    - (5) Renumber subparagraph 7.1.2E.iii. to be 7.1.2E.(4) and strike “Second Division vehicles” and replace with “MOTOR VEHICLES and licensed trailers”; and strike “indoors” and replace with “in an enclosed building”; and add “outdoors subject to the following minimum separations for outdoor parking:”; and add the following subparagraphs:
      - (a) Add subparagraph 7.1.2E.(4)(a) to require that no more than 1 motor vehicle may be parked outdoors less than five feet from a side rear property line or less than 10 feet from a front property line.

- (b) Add subparagraph 7.1.2E.(4)(b) to require that outdoor parking for more than one motor vehicle shall be no less than 50 feet from any lot line and no less than 100 feet from any offsite dwelling.
- (c) Add subparagraph 7.1.2E.(4)(c) to require that outdoor parking for more than one motor vehicle that does not meet certain requirements shall be at least 10 feet from any lot line and be screened.
- (6) Add subparagraph 7.1.2E.(5) to require that paragraphs 7.1.2E. and 7.1.2F. apply to all new RURAL HOME OCCUPATION and to any expansion of a RURAL HOME OCCUPATION that is filed after September 1, 2012.
- (7) Add subparagraph 7.1.2E.(6) (a) and (b) to require the following:
  - (a) Any MOTOR VEHICLE or licensed trailer or piece of equipment that was included on an application for a RURAL HOME OCCUPATION that was received before September 1, 2012, may continue to be used provided that the total number of vehicles are not more than 10 and no more than 3 may be truck tractors or MOTOR VEHICLES with tandem axles as defined by the Illinois Vehicle Code.
  - (b) Any RURAL HOME OCCUPATION that complies with 7.1.2E.(6) shall be authorized to have the same number of motor vehicles or licensed trailers or pieces of equipment as long as it continues in business at that location and any MOTOR VEHICLE or licensed trailer or piece of equipment may be replaced with a similar motor vehicle or licensed trailer or piece of equipment.
- Part C. Add new paragraph 7.1.2F. as follows:
  - (1) Limit the number of motorized or non-motorized complete pieces of non-farm equipment in outdoor storage to 10 complete pieces, provided that the number of pieces of equipment that may be in outdoor storage shall be reduced by the number of MOTOR VEHICLES and licensed trailers that are also parked outdoors.
  - (2) Require that equipment in outdoor storage meet the same separations required for MOTOR VEHICLES in 7.1.2E.(4)(b) and 7.1.2E.(4)(c).
- Part D. Revise paragraph 7.1.2H. to require that more than four vehicles for patrons and onsite employees shall be screened; and also provide that loading berths are not required for RURAL HOME OCCUPATIONS.
- Part E. Revise paragraph 7.1.2K. as follows:
  - (1) Add the phrase “for other than equipment used in any RURAL HOME OCCUPATION”; and strike the phrase “screened as provided by Section 7.6, and replace with the phrase “shall be provided as follows:”.
  - (2) Add subparagraph 7.1.2K.(1) to require that no outdoor storage be located in any required off street parking spaces.
  - (3) Add subparagraph 7.1.2K.(2) to require screening if outdoor storage occurs in any yard within 1,000 feet of certain specified uses of surrounding property.

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**FINDING OF FACT**

From the documents of record and the testimony and exhibits received at the public hearing conducted on **January 31, 2013; February 14, 2013; February 28, 2013; April 11, 2013; June 13, 2013; and August 15, 2013**, the Zoning Board of Appeals of Champaign County finds that:

1. The petitioner is the Zoning Administrator.
2. The proposed amendment is intended to amend the requirements for Rural Home Occupations (RHO) in Section 7.1.2 of the Zoning Ordinance.
3. Municipalities with zoning and townships with planning commissions have protest rights on all text amendments and they are notified of such cases. No comments have been received to date.

**SUMMARY OF THE PROPOSED AMENDMENT**

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

**GENERALLY REGARDING THE LRMP GOALS, OBJECTIVES, AND POLICIES**

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

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

**REGARDING LRMP GOALS**



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

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

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

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

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

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

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

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

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

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

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

Goal 4 has 9 objectives and 22 policies. ~~The proposed amendment *WILL NOT IMPEDE* the achievement of Goal 4.~~ The proposed amendment *WILL HELP ACHIEVE* Goal 4 for the following reasons:

- A. Objective 4.3 states as follows: “Champaign County will require that each discretionary review development is located on a suitable site.”

The proposed amendment *WILL HELP ACHIEVE* Objective 4.3 for the following reasons:

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

The proposed amendment *WILL HELP ACHIEVE* Policy 4.3.4 for the following reasons:

- (a) While an RHO is not a discretionary development the proposed amendment is intended to mitigate impacts an RHO will have on existing infrastructure through weight limits and limiting the number of vehicles to ensure that

undue public expense does not occur. This is directly related to Objective 4.3.

B. The proposed amendment **WILL NOT IMPEDE** the achievement of Objectives 4.1, 4.2, 4.4, and 4.9 and Policies 4.1.1, 4.1.2, 4.1.3, 4.1.6, 4.1.7, 4.1.8, 4.2.3, 4.2.4, 4.3.1, 4.3.2, 4.3.3, 4.3.5, 4.6.1, 4.6.2, 4.6.3, and 4.9.1. Objective 4.5, 4.6, 4.7, and 4.8 and Policies 4.1.4, 4.1.5, and 4.1.9 are **NOT RELEVANT** to the proposed amendment.

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

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

Goal 5 has 3 objectives and 15 policies. The proposed amendment is **NOT RELEVANT** to Goal 5 in general.

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

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

Goal 6 has 4 objectives and 7 policies. The proposed amendment ~~{WILL NOT IMPEDE / WILL HELP ACHIEVE}~~ Goal 6 for the following reasons:

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

The proposed amendment ~~{WILL NOT IMPEDE / WILL HELP ACHIEVE}~~ Objective 6.1 for the following reasons:

(1) ~~Part of intent of the specific limits on the number and weight of vehicles, equipment, and trailers that can be parked at a RURAL HOME OCCUPATION is to minimize traffic impacts and promote public safety.~~

B. ~~The proposed amendment is **NOT RELEVANT** to Objectives 6.2, 6.3, and 6.4 and Policies 6.1.1, 6.1.2, 6.1.3, 6.1.4, 6.2.1, 6.2.2, and 6.2.3.~~

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

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

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

Goal 7 has 2 objectives and 7 policies. The proposed amendment ~~{WILL NOT IMPEDE/ WILL HELP ACHIEVE}~~ Goal 7 for the following reasons:

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

The proposed amendment ~~{WILL NOT IMPEDE/ WILL HELP ACHIEVE}~~ Objective 7.1 for the following reasons:

- (1) Part of intent of the specific limits on the number and weight of vehicles, equipment, and trailers that can be used and be parked at a RURAL HOME OCCUPATION is to minimize traffic impacts.

- (2) The proposed amendment will require all MOTOR VEHICLE loads and weights to conform to the Illinois Vehicle Code.

- B. The proposed amendment **WILL NOT IMPEDE** the achievement of Objective 7.2 and Policies 7.2.1 and 7.2.3. The proposed amendment is **NOT RELEVANT** to Policies 7.1.1, 7.2.2, 7.2.4, 7.2.5, and 7.2.6.

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

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

Goal 8 has 9 objectives and 36 policies. The proposed amendment **WILL NOT IMPEDE** the achievement of Goal 8.

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

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

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

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

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

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

16. The proposed amendment appears to **HELP ACHIEVE** the purpose of the Zoning Ordinance as established in Section 2 of the Ordinance for the following reasons:

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is not directly related to this purpose.

- C. Paragraph 2.0 (c) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to lessen and avoid congestion in the public streets.

The proposed amendment is directly related to this purpose by clarifying and/ or revising the existing regulations for the number and size of MOTOR VEHICLES that ~~can~~ may be used and/ or ~~be~~ parked at a RURAL HOME OCCUPATION.

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is not directly related to this purpose, but the amendment does limit the number and size of vehicles, equipment, trailers, and employees that may be parked at a RURAL HOME OCCUPATION, thus promoting public ~~safety~~ comfort and general welfare.

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

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is directly related to this purpose by clarifying and improving the existing standards to limit the intensity of a Rural Home Occupation.

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

The proposed amendment is directly related to this purpose by ~~clarifying and~~ improving the existing standards for the number and size of vehicles, trailers, or equipment and the number of employees that may participate in the RURAL HOME OCCUPATION.

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

The proposed amendment is not directly related to this purpose.

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

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

The proposed amendment is directly related to this purpose because the amendment will establish specific requirements for RHOs.

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

The proposed amendment is directly related to this purpose because the amendment is intended to ensure that Rural Home Occupations maintain compatibility with the Zoning Districts in which they are located.

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is not directly related to this purpose.

17. The proposed text amendment *WILL* improve the text of the Zoning Ordinance because it *WILL* provides the following:

- A. Clarification and/ or revision on how the number of non-farm vehicles, equipment, and trailers associated with a RURAL HOME OCCUPATION are regulated. Regarding the limit on the number of RHO vehicles and equipment:

- (1) The limit on vehicles and equipment in the current Ordinance refers to “non-farm Second Division vehicles” as defined in the Illinois Vehicle Code and “no more than three self-propelled vehicles over 8,000 pounds gross vehicle weight shall be

permitted” and “no more than 10 vehicles in total, including vehicles under 8,000 pounds gross vehicle weight, trailers, and off-road vehicles shall be permitted...”. The current limit on vehicles was adopted in Case 794-AT-92 on February 16, 1993, and all Zoning Administrators have interpreted that the phrase “off-road vehicles” refers to motorized equipment. Clarification of this was supported by the Zoning Board of Appeals in the public hearings on July 28, 2011, and December 15, 2011, for Case 695-I-11.

- (2) The April 5, 2013, Supplemental Memorandum contained a brief review of RHO applications received since 1/1/2000 to determine the numbers of vehicles and equipment that were indicated so that the ZBA would have a better idea of how often the current limit on vehicles and equipment had been an issue. The preliminary results were summarized as follows:
- (a) 48 RHO applications have been received
  - (b) 23 (48%) RHO applications included no vehicles
  - (c) 13 (27%) RHO applications included only 1 vehicle
  - (d) 12 RHO applications included more than 1 vehicle
  - (e) Of the RHO applications that included any vehicles, 17 RHO applications with vehicles also included trailers and only 5 of those included equipment and 1 included equipment without a trailer.
  - (f) There have been no variances for the limit on vehicles and “trailers and off-road vehicles” since at least 1/1/2000.
- (3) Regarding the proposed limit on numbers and weights of vehicles and/ or equipment that may be authorized at an RHO:
- (a) The proposed amendment makes the Ordinance limits on vehicles and equipment permissible at an RHO easier for the public to understand by simplifying the description of which vehicles are regulated and clearly identifying what shall be considered to be equipment;
  - (b) The proposed amendment retains the existing limit of 10 vehicles in total for an RHO and the same limit of 10 vehicles and/or equipment that may be stored outdoors.  
  
There is no reason to believe that the limit of 10 vehicles in total has caused any problem or needs to be reduced.
  - (c) The proposed amendment retains the existing limit of three for the limit on the number of heaviest vehicles that may be at an RHO; and eliminates the current weight limit of 8,000 pounds that applies to the other seven permissible vehicles at an RHO; and also adds a requirement that all vehicle weights must comply with the Illinois Vehicle Code. This improves the Ordinance in the following ways:
    - i. By requiring vehicles to comply with the weight limits of the Illinois Vehicle Code the proposed amendment prevents possible problems

that could arise under the existing Ordinance that does not have any weight limit on three vehicles at an RHO and those three vehicles could exceed the weight limits of the Illinois Vehicle Code which could cause maintenance problems for the local highway jurisdiction.

- ii. Retaining the existing limit of three for the limit on the number of heaviest vehicles that may be at an RHO ensures that the proposed amendment will not allow any greater number of semi-trucks or tandem axle vehicles at an RHO than may occur under the current Ordinance.
- iii. The existing weight limit of 8,000 pounds that applies to the other seven vehicles that may be at an RHO is much smaller than many common vehicles actually weigh and is unnecessarily restrictive for RHOs.
- iv. With the amendment the Zoning Ordinance will now work in concert with the Illinois Vehicle Code and support the efforts of the local highway jurisdiction but will not supplant or override the local highway jurisdiction.

(d) Regarding equipment, in addition to clearly identifying what shall be considered to be "equipment" the proposed amendment retains the same limit on the amount of equipment that may be stored outdoors but because it does not limit the amount of equipment that may be stored indoors it actually increases the total amount of equipment permissible at an RHO and adds new rules that allow greater flexibility in the numbers of equipment stored outdoors if the equipment is on a trailer and also if the trailer is connected to a motor vehicle, all of which should benefit RHO owners without unduly harming neighbors.

(4) The proposed amendment also makes the following changes to the parking requirements for vehicles at an RHO:

- (a) The current requirement that all Second Division vehicles parked outdoors must be 50 feet from any lot line and 100 feet from any off-site dwelling conforming to use is eliminated and replaced with a requirement that vehicles must be only 10 feet from a lot line except that one vehicle is allowed to be only five feet from a property line as authorized for a Neighborhood Home Occupation and the vehicle parking requirements from the Neighborhood Home Occupation (paragraph 7.1.1K.) are incorporated by reference. The current requirement for 50 and 100 feet separations do not apply to vehicles in the Business or Industrial Districts and are an unreasonable requirement for an RHO.
- (b) Parking in the street right of way is prohibited which is consistent with the purpose of the Ordinance.



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- (c) Screening requirements for parking areas that are currently in Section 7.4 are incorporated into the RHO requirements so that as much as possible, RHO requirements are all clearly stated in the RHO section and the current 8,000 pound gross vehicle weight limit that triggers the screening requirement is increased to 15,000 pounds gross vehicle weight.
  - (d) The current requirement that a Rural Home Occupation must have a loading berth (because it is required as part of Section 7.4) is eliminated. As a practical matter, the Zoning Administrator has not required a loading berth to be indicated on any RHO site plan but it has been required by the Ordinance. The proposed change will bring the Ordinance into line with practice.
  - (e) The current requirement paragraph 7.4.1 D. 2. that parking for any industrial use shall have an all-weather, dustless surface is eliminated. As a practical matter, the Zoning Administrator has not required paved parking for any RHO but it has been required by the Ordinance. The proposed change will bring the Ordinance into line with practice.
  - (5) The proposed amendment also makes the following changes to the screening requirements for outdoor storage of equipment at an RHO:

    - (a) Screening requirements for outdoor storage that are currently in Section 7.6 are incorporated into the RHO requirements so that as much as possible, RHO requirements are all clearly stated in the RHO section.
    - (b) Screening is not required when there is no more than two complete pieces of equipment (each weighing less than 15,000 pounds gross weight), unless the total number of MOTOR VEHICLES (each weighing less than 15,000 pounds gross vehicle weight) and equipment is more than four in which case the required SCREEN shall be the same as required for MOTOR VEHICLES (see 7.1.2 E.4.c.). This change may benefit some upstart RHOs by forestalling the expense of screening in the beginning years of the business.
- ~~C. Clarification of the screening requirements for outdoor storage of vehicles and non farm equipment.~~
- B. The proposed amendment adds specific rules regarding nonconformity of vehicles and equipment at RHOs that existed prior to September 1, 2012, to make it clear that no additional limits to number of vehicles and equipment are imposed on those existing RHOs.
- ~~D. No limits to RURAL HOME COCUPATIONS that existed prior to September 1, 2012, will be imposed other than a limit of 10 MOTOR VEHICLES and a limit of 3 MOTOR VEHICLES with tandem axles.~~

C. The proposed amendment will make the following changes regarding the regulation of employees at an RHO:

- ~~F.~~(1) An increase of one additional employee that may be present on the premises and an increase of two additional employees that may report to the site for work off premises on lots two acres or larger.
- ~~B.~~(2) Flexibility for family members who lived onsite when a RURAL HOME OCCUPATION was operating to no longer be considered a non-resident employee when they move from the property.
- ~~E.~~(3) Provisions for all RURAL HOME OCCUPATION employees to be onsite for no more than 5 days in a 30 day period for reasons such as inclement weather or other reasons.

D. The Zoning Board of Appeals has reviewed an updated RHO handout with illustrations of example RHO site plans and an updated RHO application form, which can be summarized as follow:

- (1) The updated RHO handout includes only a summary of the requirements related to vehicles and equipment and includes citations to the relevant Ordinance paragraphs.
- (2) The example RHO site plans illustrate all of the information that is required on a site plan for an RHO and include critical dimensions and explanatory notes and are drawn to scale.
- (3) The review of these materials by the ZBA at this time simply establishes that these materials are ready to be used upon adoption of the proposed amendment. The handout and application form can be updated later as the need arises.

## SUMMARY FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on, **January 31, 2013; February 14, 2013; February 28, 2013; April 11, 2013; June 13, 2013; and August 15, 2013**, the Zoning Board of Appeals of Champaign County finds that:

1. The proposed text amendment **HELPS ACHIEVE** the Land Resource Management Plan because of the following (objectives and policies are very briefly summarized):
  - A. The proposed text amendment **HELPS ACHIEVE** the following LRMP goals:

**Goal 4 Agriculture** because while it will not impede 4 Objectives and 16 Policies and is not relevant to 4 Objective and 3 Policies under this goal, it **HELPS ACHIEVE** the following:

    - Objective 4.3 **requiring that each discretionary development be located on a suitable site** because it **HELPS ACHIEVE** the following:
      - Policy 4.3.4 **requiring that existing public infrastructure be adequate to support the proposed development (see Item 9.A.(1)).**

**Goal 7 Transportation** because while it will not impede 1 Objective and 2 Policies and is not relevant to 5 Policies under this goal, it **HELPS ACHIEVE** the following:

    - Objective 7.1 **considering traffic impacts in all land use decisions and coordinating with other agencies when necessary (see Item 12.A.(1)&(2)).**
  - B. The proposed text amendment will **NOT IMPEDE** the following LRMP goal(s):
    - **Goal 1 Planning and Public Involvement**
    - **Goal 2 Governmental Coordination**
    - **Goal 3 Prosperity**
    - **Goal 6 Public Health and Public Safety**
    - **Goal 8 Natural Resources**
    - **Goal 9 Energy Conservation**
  - C. The proposed text amendment is **NOT RELEVANT** to the following LRMP goal(s):
    - **Goal 5 Urban Land Uses**
    - **Goal 10 Cultural Amenities**
2. The proposed amendment **HELPS ACHIEVE the purpose of the Zoning Ordinance** as follows:
  - A. Lessens and avoids congestion in the public streets (Purpose 2.0 (c); see Item 16.C.).
  - B. Regulates and limits the intensity of the use of lot areas, and regulating and determining the area of open spaces within and surrounding buildings and structure (Purpose 2.0 (h); see Item 16.H.).
  - C. Classifies, regulates, and restricts the location of a specific trade (Purpose 2.0 (i); see Item 16.I.).
  - D. Ensures compatibility in the Zoning Districts in which RHOs are authorized (Purpose 2.0 (l); see Item 16.L.).

3. The proposed text amendment **WILL IMPROVE** the Zoning Ordinance in the following ways:
- A. In regards to the proposed limits on the number of vehicles and equipment permissible at an RHO (see Item 17.A.(3)):
- (1) **it makes the Ordinance easier to understand** in regards to the limits on vehicles and equipment permissible at an RHO;
  - (2) **it helps protect rural roads** by making the weight limits on vehicles consistent with the Illinois Vehicle Code;
  - (3) **it helps protect neighbors by retaining current limits** for the total number of vehicles that are permissible at an RHO; and the current limit on the number of very large vehicles (such as semi-trucks and tandem axle vehicles); and the current limit on the amount of equipment that may be stored outdoors;
  - (4) **it helps RHO owners by eliminating current overly restrictive requirements** of the current 8,000 pound vehicle weight limit for RHOs; and by eliminating the need for screening of equipment if there is no more than two complete pieces of equipment; and including new rules that allow greater flexibility in the numbers of equipment stored outdoors if the equipment is on a trailer and also if the trailer is connected to a motor vehicle; and it actually increases the total amount of equipment permissible at an RHO because it does not limit the amount of equipment that may be stored indoors; and
  - (5) **it protects current RHO owners** by adding specific rules regarding nonconformity of vehicles and equipment at RHOs that existed prior to September 1, 2012.
- B. In regards to the proposed parking requirements for vehicles at an RHO and the outdoor storage requirements for equipment at an RHO(see Items 17.A.(4) and (5)):
- (1) **it makes the screening requirements easier to understand** in regards to an RHO;
  - (2) **it helps RHO owners by eliminating current overly restrictive requirements** for separation of parking from the property line and any off-site dwelling; and the 8,000 pound vehicle weight threshold for screening; and the requirement for a loading berth.
  - (3) **it ensures adequate protection for neighbors by retaining current screening requirements** even though the vehicle weight threshold is increased from 8,000 pound to 15,000 pounds.
- C. In regards to the proposed changes regarding the regulation of employees at an RHO (see Item 17.C.):
- (1) **it helps some RHO owners by increasing the number of employees allowed on properties two acres and larger.**
  - (2) **it helps all RHO owners by adding flexibility** to allow all workers to be onsite for short periods and for family members who move from the property.

- D. The Zoning Board of Appeals has reviewed an updated RHO handout with illustrations and an updated RHO application form and found that these materials are ready to be used upon adoption of the proposed amendment. The handout and application form can be updated later as the need arises.

**DOCUMENTS OF RECORD**

1. Preliminary Memorandum dated January 25, 2013, with attachments:
  - A Memo to the Champaign County Board Committee of the Whole dated February 1, 2012, with attachments:
    - B Proposed Amendment to Paragraph 7.1.2E.
  - B Memo to the Champaign County Board Committee of the Whole dated September 25, 2012, with attachments:
    - A Existing subsection 7.1.2 Rural Home Occupation
    - B Revised Proposed Amendment (Annotated) to Section 7.1.2 Rural Home Occupations dated September 20, 2012
    - C Revised Proposed Amendment (Non-Annotated) to Section 7.1.2 Rural Home Occupations dated September 20, 2012
    - D Table comparing Existing Ordinance Requirements for Rural Home Occupation to Proposed Amendment
  - C LRMP Land Use Goals, Objectives, and Policies & Appendix
2. Supplemental Memorandum dated January 31, 2013, with attachment:
  - A Draft Finding of Fact and Final Determination
  - B Memo to the Champaign County Board Committee of the Whole dated February 29, 2012 with attachments:
    - A Approved Minutes for Case 695-I-11 from the July 28, 2012, ZBA Meeting
    - B Approved Minutes for Case 695-I-11 from the December 15, 2012, ZBA Meeting
    - C Proposed Paragraph 7.1.2E.
3. Supplemental Memorandum dated February 8, 2013, with attachments:
  - A Revised Draft Amendment (ANNOTATED) to Section 7.1.2 to Rural Home Occupations
  - B Revised Draft Amendment (NON-ANNOTATED) to Section 7.1.2 to Rural Home Occupations
4. Supplemental Memorandum dated February 28, 2013, with attachment:
  - A Revised Draft Finding of Fact and Final Determination
5. Supplemental Memorandum dated April 5, 2013, with attachments:
  - A Draft Minutes of the February 28, 2013, Public Hearing (included separately)
  - B Revised Draft Amendment (ANNOTATED)
  - C Revised Draft Amendment (NON-ANNOTATED)
6. Supplemental Memorandum dated April 11, 2013, with attachments:
  - A Rural Home Occupation Application Form
  - B Draft Revisions to Rural Home Occupation Application Form
7. Supplemental Memorandum dated June 7, 2013, with attachments:
  - A Revised Draft Amendment (ANNOTATED) to Sec. 7.1.2 Rural Home Occupations
  - B Revised Draft Amendment (NON-ANNOTATED) to Sec. 7.1.2 Rural Home Occupations
  - C Amended Section 7.1.2

8. Draft RHO Handout with Example Site Plans A & B (handout at the June 13, 2013, public hearing)

9. Supplemental Memorandum dated August 9, 2013, with attachments:

A Revised Draft Amendment (ANNOTATED) to Sec. 7.1.2 Rural Home Occupations

B Revised Draft Amendment (NON-ANNOTATED) to Sec. 7.1.2 Rural Home Occupations

C Amended Section 7.1.2

D Table Comparing Existing Ordinance Requirements for Rural Home Occupation To Proposed in Case 732-AT-12

10. Supplemental Memorandum dated August 15, 2013, with attachments:

A Revised Draft Amendment (ANNOTATED) to Sec. 7.1.2 Rural Home Occupations

B Revised Draft Amendment (NON-ANNOTATED) to Sec. 7.1.2 Rural Home Occupations

C Amended Section 7.1.2

D Revised RHO Handout with four example RHO site plans (included separately)

E Revised RHO Application Form (included separately)

F Revised Finding of Fact (included separately)

**FINAL DETERMINATION**

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

The Zoning Ordinance Amendment requested in **Case 732-AT-12** should *{BE ENACTED / NOT BE ENACTED}* by the County Board in the form attached hereto.

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

SIGNED:

Eric Thorsland, Chair  
Champaign County Zoning Board of Appeals

ATTEST:

Secretary to the Zoning Board of Appeals

Date



**Proposed Amendment**

**1. Revise existing paragraph 7.1.2E. and merge with a revised existing paragraph 7.1.2 H. (and reletter as required) to read as follows:**

- E. Non-farm MOTOR VEHICLES and/ or licensed semitrailers and/ or licensed pole trailers used and parked at any RURAL HOME OCCUPATION shall be limited as follows:
1. The number of MOTOR VEHICLES and/ or licensed semitrailers and/ or licensed pole trailers displaying the name of the RURAL HOME OCCUPATION and/ or used at any RURAL HOME OCCUPATION shall be within the limits established in this paragraph.
  2. No more than three MOTOR VEHICLES that are either a truck tractor and/ or a MOTOR VEHICLE with tandem axles, both as defined by the Illinois Vehicle Code (625 ILCS 5/1 et seq), shall be authorized and all MOTOR VEHICLE loads and weights shall conform to the Illinois Vehicle Code (625 ILCS 5/15-111).
  3. No more than 10 MOTOR VEHICLES and/ or licensed semitrailers and/ or licensed pole trailers in total shall be authorized excluding patron or employee or owner personal MOTOR VEHICLES.
  4. All MOTOR VEHICLES and licensed semitrailers and licensed pole trailers shall be stored in an enclosed BUILDING or parked outdoors subject to the following:
    - a. No more than one MOTOR VEHICLE that conforms to paragraph 7.1.1 K. may be parked outdoors no less than five feet from a SIDE or REAR LOT LINE nor less than 10 feet from a FRONT LOT LINE; and
    - b. Outdoor parking for more than one MOTOR VEHICLE and any licensed semitrailer and any licensed pole trailer shall be at least 10 feet from any LOT LINE; and
    - c. In addition to parking spaces for MOTOR VEHICLES and/ or licensed semitrailers and/ or licensed pole trailers that are parked outdoors at a RURAL HOME OCCUPATION, off-street parking spaces shall also be provided in the minimum size and number required by Section 7.4 for all onsite employees and onsite patrons, subject to the following:
      - (1) No parking shall occur in the STREET RIGHT OF WAY.
      - (2) The requirements of Section 7.4 notwithstanding, all off- street parking and outside STORAGE of MOTOR VEHICLES and/ or any licensed semitrailer and/ or any licensed pole trailer that is visible from and located within 100 feet from either a residential DISTRICT or the BUILDING RESTRICTION LINE of a lot containing a DWELLING conforming to USE, shall be subject to the following SCREEN requirements:
        - (a) Any required SCREEN shall meet the requirements of paragraph 4.3.3 H.

- (b) More than four MOTOR VEHICLES of no more than 15,000 pounds each shall be screened by a Type A SCREEN except that a Type B SCREEN may be erected along the REAR LOT LINE.
  - (c) A Type D SCREEN shall be required for more than one MOTOR VEHICLE that weighs more than 15,000 pounds gross vehicle weight or a combination of MOTOR VEHICLE and connected trailer that weighs more than 15,000 pounds gross vehicle weight or four or more licensed semitrailers and/ or licensed pole trailers.
- (3) The requirements of Section 7.4 notwithstanding, loading berths are not required for Rural Home Occupations.
- (4) The requirements of Section 7.4 notwithstanding, paragraph 7.4.1 D. 2. shall not be applicable to any parking at a RURAL HOME OCCUPATION.

**2. Insert new paragraph 7.1.2F. (and renumber as required) to read as follows:**

- F. Non-farm equipment and supplemental equipment attachments that may be stored and/ or used at any RURAL HOME OCCUPATION shall be limited as follows:
- 1. The number of complete pieces of equipment that are motorized or non-motorized and/ or the number of supplemental equipment attachments that may be stored and/ or used outdoors at a RURAL HOME OCCUPATION shall be within the limits established in this paragraph and subject to the following:
    - a. Equipment shall include any motorized or non-motorized device or implement; trailers, except for licensed semitrailers and licensed pole trailers; devices mounted on trailers; and any agricultural equipment used for non-agricultural uses.
    - b. Equipment does not include MOTOR VEHICLES or licensed semitrailers or licensed pole trailers; hand tools or bench tools or tools mounted on a table or wheel barrows or similar tools.
    - c. A supplemental equipment attachment is any specialized device that attaches to equipment such as any device that attaches to a tractor by a 3-point hitch; or an extra loader bucket; or a snow blade attachment; or any similar device that attaches to either equipment or to a MOTORIZED VEHICLE.
    - d. There is no limit to the number of complete pieces of equipment or the number of supplemental equipment attachments that may be kept stored inside or used inside a BUILDING but at no time may the number of

complete pieces of equipment or the number of supplemental equipment attachments that may be kept in outdoor STORAGE and/ or used outdoors exceed the limits of paragraphs 7.1.2 F.2. and 3.

- e. All equipment and supplemental equipment attachments kept in outdoor STORAGE or used outdoors must be operable.
2. No more than 10 complete pieces of equipment may be kept in outdoor STORAGE and/ or used outdoors subject to the following:
    - a. The number of complete pieces of equipment that may be kept in outdoor STORAGE and/ or used outdoors shall be reduced by the number of MOTOR VEHICLES and / or licensed semitrailers and/ or licensed pole trailers also parked or used outdoors and all other complete pieces of equipment must be kept in an enclosed BUILDING.
    - b. When equipment is on a trailer other than a semitrailer or pole trailer, the trailer and all equipment on the trailer are all counted as only one piece of equipment.
    - c. When equipment is on a trailer other than a semitrailer or pole trailer, and the trailer is connected to a MOTOR VEHICLE the entire unit shall be considered to be only one MOTOR VEHICLE.
    - d. Each piece of equipment that is on a semitrailer or pole trailer shall be considered as one piece of equipment in addition to the semitrailer or pole trailer whether or not the semitrailer or pole trailer is connected to a MOTOR VEHICLE.
  3. Supplemental equipment attachments may also be kept in outdoor STORAGE and/ or used outdoors
  4. Complete pieces of equipment and supplemental equipment attachments kept in outdoor STORAGE and/ or used outdoors must be stored or used at least 10 feet from any LOT LINE and screened as required by paragraph 7.1.2 K. except as follows:
    - a. Equipment and any supplemental equipment attachment carried on a MOTOR VEHICLE or on a trailer connected to a MOTOR VEHICLE, in which case the required SCREEN shall be as required in paragraph 7.1.2 E.
    - b. When there is no more than two complete pieces of equipment (each weighing less than 15,000 pounds gross weight), in which case no SCREEN is required unless the total number of MOTOR VEHICLES (each weighing less than 15,000 pounds gross vehicle weight) and equipment is more than four in which case the required SCREEN shall be as required by 7.1.2 E.4.c.

**3. Insert new paragraph 7.1.2M. (and renumber as required) to read as follows:**

**M. Applicability and nonconformities.**

1. The requirements of paragraphs 7.1.2E. and F. shall apply to any RURAL HOME OCCUPATION for which an application is received after September 1, 2012, and to the expansion of any RURAL HOME OCCUPATION for which an application had been received on or before September 1, 2012.
2. The requirements of paragraphs 7.1.2E. and F. and the requirements of Section 8 notwithstanding:
  - a. Any MOTOR VEHICLE or licensed trailer or piece of equipment that was included in any application for, or present and noted in any inspection thereof by the Zoning Administrator or designee, or included in any authorization of a Zoning Compliance Certificate for any RURAL HOME OCCUPATION on or before September 1, 2012, and which would have, if considered in total, exceeded the applicable limits for MOTOR VEHICLES and equipment at that time may continue to be at that RURAL HOME OCCUPATION.
  - b. Any RURAL HOME OCCUPATION that complies with subparagraph 7.1.2 M.2.a. shall be authorized to have that same number and type of MOTOR VEHICLES or licensed trailers or pieces of equipment as long as it continues in business at that location and any such MOTOR VEHICLE or licensed trailer or piece of equipment may be replaced with a similar MOTOR VEHICLE or licensed trailer or piece of equipment.

**4. Revise paragraph 7.1.2 K. to read as follows:**

- K. Outdoor STORAGE used in any RURAL HOME OCCUPATION shall be limited to SIDE YARDS or the REAR YARD and shall be screened as follows:**
- (1) Outdoor STORAGE shall not be located in any required off-street PARKING SPACES.
  - (2) A Type D SCREEN shall be located so as to obscure or conceal any part of any YARD used for outdoor STORAGE which is visible within 1,000 feet from any of the following circumstances:
    - (a) Any point within the BUILDING RESTRICTION LINE of any lot located in any R DISTRICT or any lot occupied by a DWELLING conforming as to USE or occupied by a SCHOOL; church or temple; public park or recreational facility; public library, museum, or gallery; public fairgrounds; nursing home or hospital; recreational business use with outdoor facilities; or
    - (b) Any designated urban arterial street or MAJOR STREET.

**5. Revise paragraph 7.1.2 B. to read as follows:**

- B. Non-resident employees shall only be authorized subject to the following limitations:
- i. on lots smaller than two acres in area no more than one employee may be present on the premises and no more than one additional employee may report to the site for work performed off the premises; but
  - ii. on lots that are two acres in area or larger no more than two employees may be present on the premises and no more than three additional employees may report to the site for work performed off the premises; and
  - iii. all employees may be present and working on the premises for no more than five days within any 30 day period due to inclement weather or as necessitated by other business considerations; and
  - iv. family members who are resident on the property while the HOME OCCUPATION is operating but who mature and subsequently move from the premises may remain active in the home occupation and shall not be counted as a non-resident employee as long as their participation in the HOME OCCUPATION continues.

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# RHO

# RURAL HOME OCCUPATION

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## OVERVIEW OF REGULATIONS FOR RURAL HOME OCCUPATIONS

Rural Home Occupations are permitted only in the AG-1, Agriculture, AG-2, Agriculture and CR, Conservation-Recreation Zoning Districts. They are not permitted in some residential subdivisions or within 500 feet of a residential zoning district. Check with the Department of Planning and Zoning.

The following summarizes Section 7.1.2 of the Champaign County Zoning Ordinance ~~the Zoning Ordinance regulations~~ that applies to all Rural Home Occupations pursuant to. Rural Home Occupations are permitted as an accessory use to a residence (dwelling) subject to the following:

- A. All Rural Home Occupations must obtain a Zoning Use Permit prior to operation (see 7.1.2 L. of the Zoning Ordinance).
- B. **Prohibited** Activities include (see 7.1.2 I. of the Zoning Ordinance):
  - i. outdoor storage of any number of unlicensed vehicles or more than two licensed vehicles awaiting automobile or truck repair;
  - ii. outdoor automobile or truck repair;
  - iii. salvage or recycling;
  - iv. outdoor storage of any vehicle, equipment or container used for solid waste hauling;
  - v. retail sale of articles not produced on the site except grain seed sales or as such sales are incidental to providing a service.
- C. Limits on non-resident employees are established in paragraph 7.1.2 B. of the Zoning Ordinance but the primary limits are the following:
  - i. on lots smaller than two acres no more than one employee may be present on the premises and no more than one additional employee may report to the site for work performed off the premises.
  - ii. on lots two acres or larger no more than two employees may be present on the premises and no more than three additional employees may report to the site for work performed off the premises.
- D. Changes to the exterior of the dwelling or accessory building which would indicate that it is being utilized in whole or in part for any purpose other than that of a residential or farm building are prohibited (see 7.1.2 C. of the Zoning Ordinance).
- E. No more than one sign of not more than six square feet in area is permitted (see 7.1.2 D. of the Zoning Ordinance).
- F. Non-farm MOTOR VEHICLES that may be parked or used at any RURAL HOME OCCUPATION shall be limited as established in 7.1.2 E. of the Zoning Ordinance. The Zoning Ordinance defines a "MOTOR VEHICLE" as a self-propelled free-moving vehicle for the conveyance of goods or persons on a STREET. Some important limits are the following:

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NOTE: This handout summarizes the major provisions applying in unincorporated areas. Cities and Villages may have different regulations. Other restrictions may apply.

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Urbana, Illinois 61802. Phone: (217)384-3708

1. No more than three MOTOR VEHICLES that are either a truck tractor and/ or a MOTOR VEHICLE with tandem axles, both as defined by the Illinois Vehicle Code (625 ILCS 5/1 et seq), are allowed and all MOTOR VEHICLE loads and weights shall conform to the Illinois Vehicle Code (625 ILCS 5/15-111).
  2. No more than 10 MOTOR VEHICLES and/ or licensed semitrailers and/ or licensed pole trailers are allowed in total but that limit does not apply to patron or employee or owner personal MOTOR VEHICLES.
  3. All MOTOR VEHICLES and licensed semitrailers and licensed pole trailers shall be stored in a BUILDING or parked outdoors on the property subject to the following:
    - (a) The Zoning Ordinance does not require parking areas for Rural Home Occupations to be paved and no parking shall occur in the STREET RIGHT OF WAY.
    - (b) All required off-street parking must be indicated on the site plan and must conform to all Zoning Ordinance requirements.
    - (c) No more than 10 MOTOR VEHICLES and licensed semitrailers and/or licensed pole trailers and complete pieces of equipment or some combination thereof, may be kept outdoors but this limit does not apply to patron or employee or owner personal MOTOR VEHICLES. See paragraph 7.1.2 F.2. including rules for when equipment on a trailer is connected to a MOTOR VEHICLE
    - (d) The Zoning Ordinance limits how close parking may occur to the property boundary. See subparagraph 7.1.2 E.4.
    - (e) The Zoning Ordinance requires parking areas to be screened in some instances. See subparagraph 7.1.2 E.4.
- G. Non-farm equipment and attachments that may be stored and/ or used at any RURAL HOME OCCUPATION shall be limited as follows:
1. See 7.1.2 F. of the Zoning Ordinance for an explanation of what is “equipment”.
  2. All equipment and attachments kept outdoors or used outdoors must be operable.
  3. Equipment kept in outdoor STORAGE or used outdoors must be stored or used at least 10 feet from any LOT LINE (see 7.1.2 E.4. of the Zoning Ordinance) and screened as required by 7.1.2 K. of the Zoning Ordinance.
- H. Processes employed must not create odor, dust, noise, gas, smoke, or vibration discernable at the property line other than of such a nature, quantity, intensity, duration, or time or occurrence as would customarily be associated with agriculture.
- I. No storage of volatile liquid, flammable gases, hazardous material or explosives is permitted except as such might be kept for customary agricultural purposes in quantities and concentrations customarily found on farms.
- J. Outdoor sales displays must be limited to items produced on-site, and occupy an area no larger than 500 square feet. Displays are not permitted in required front, side or rear yard setbacks.

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- K. *(ONLY APPLIES IF CASE 756-at-13 IS APPROVED)* All exterior lighting used to illuminate the Outdoor STORAGE and/or OPERATIONS area and/or parking area and/or building exterior for a RURAL HOME OCCUPATION established after {EFFECTIVE DATE OF THE ORDINANCE} or any new Outdoor STORAGE and/or OPERATIONS area and/or parking area and/or building exterior that is added after {EFFECTIVE DATE OF THE ORDINANCE} to any existing RURAL HOME OCCUPATION shall be full-cutoff type lighting fixtures that shall be located and installed so as to minimize glare and light trespass onto adjacent properties as follows (see 7.1.2 L. of the Zoning Ordinance):
1. Full-cutoff means that the lighting fixture emits no light above the horizontal plane. The manufacturer's documentation of the full-cutoff feature shall be submitted for all exterior light fixtures.
  2. No lamp shall be greater than 250 watts.
  3. Locations and numbers of exterior lighting fixtures shall be indicated on the site plan (including floor plans and building elevation).
- L. The Rural Home Occupation regulations in the Zoning Ordinance have been amended over time since first adopted. Some Rural Home Occupations are legally nonconforming and do not have to conform to the newer requirements. See 7.1.2 N. of the Zoning Ordinance.

## **SCREEN STANDARDS**

The Zoning Ordinance defines a "SCREEN" as a STRUCTURE or landscaping element of sufficient opaqueness or density and maintained such that it completely obscures from view throughout its height the PREMISES upon which the SCREEN is located. Section 4.3.3 H. of the Zoning Ordinance establishes the following standards for required SCREENS for parking areas and outdoor storage areas:

1. Type A: Decorative opaque fence, shrubs or other vegetative material or a landscaped berm planted and maintained with a minimum HEIGHT of four feet as measured from the highest adjacent grade.
2. Type B: An opaque fence or wall with a minimum HEIGHT of four feet as measured from the highest adjacent grade.
3. Type C: A landscaped berm or an opaque fence or wall, or SCREEN PLANTING with a minimum HEIGHT of six feet as measured from the highest adjacent grade. A "SCREEN PLANTING" is a vegetative material of sufficient height and density to filter adequately from view, in adjoining DISTRICTS, STRUCTURES, and USES on the PREMISES upon which the screen planting is located.
4. Type D: A landscaped berm, or an opaque fence or wall, or SCREEN PLANTING with a minimum HEIGHT of eight feet as measured from the highest adjacent grade.

## **EXAMPLE SITE PLANS**

Example site plans illustrating these requirements and illustrating what is required to be on a site plan are attached to this handout.

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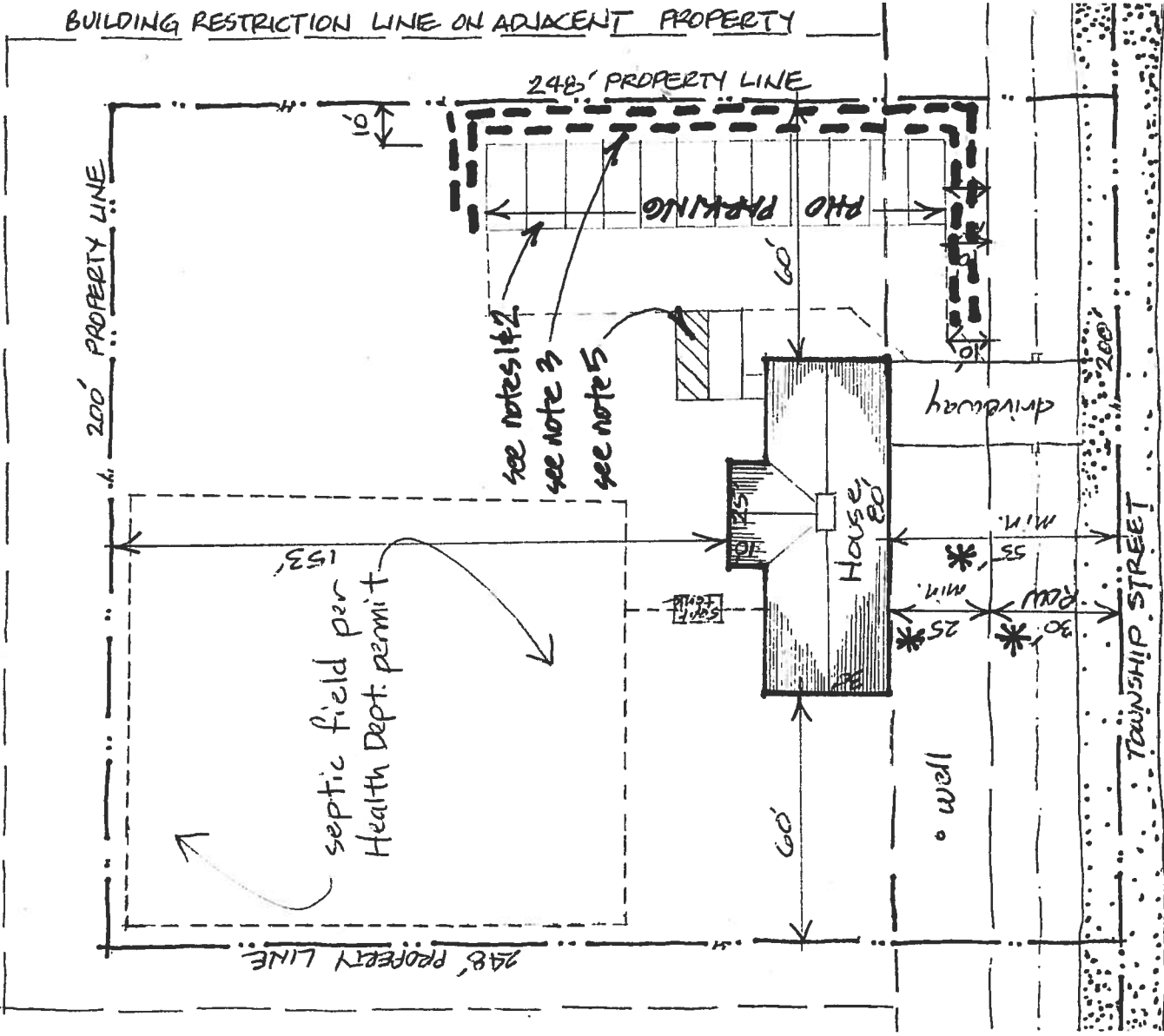
## Example RHO Site Plan A. RHO on One acre lot w/ no accessory building

This example assumes the following:

- the maximum number of RHO vehicles but
- no vehicle over 15,000 pounds gross weight
- the maximum number of employees;
- no patron vehicles; and
- dwellings exist on all adjacent lots

### Site Plan Notes

1. Parking spaces for onsite employees; max. 2 employees; each space min. 9'x20'; paving and striping not required
2. Parking spaces for RHO vehicles; max. 10 vehicles and/or equipment stored outdoors; each parking space min. 9'x20'; paving and striping not required; **NO PARKING IN STREET**
3. Screening is required for more than 4 vehicles or any vehicle more than 15,000 pounds gross wt.; Type A screening req. if less than 15,000 pounds gross weight); Arborvitae that is 4 feet tall at time of planting in two rows and spaced such that 50% of required screen shall be in place within 2 years (not req. if no dwelling on adjacent lot or if RHO parking is more than 100 feet from Building Restriction Line of adjacent lot)
4. Exterior lighting (optional; must be full cutoff; w/ max. 250 watt lamp)
5. Paved accessible parking space for RHO; 16' x 20' w/ striping and sign; also accessible path to accessible building entrance (Note: May not apply. Contact Doug Gamble at Illinois Capital Development Board (217-782-8530 or [Doug.gamble@illinois.gov](mailto:Doug.gamble@illinois.gov))
6. Sign (optional; not more than 6 square feet in area)



Note: Minimum required dimensions for setback and front yard vary depending upon the street classification at each location. Check with the Department of Planning and Zoning.

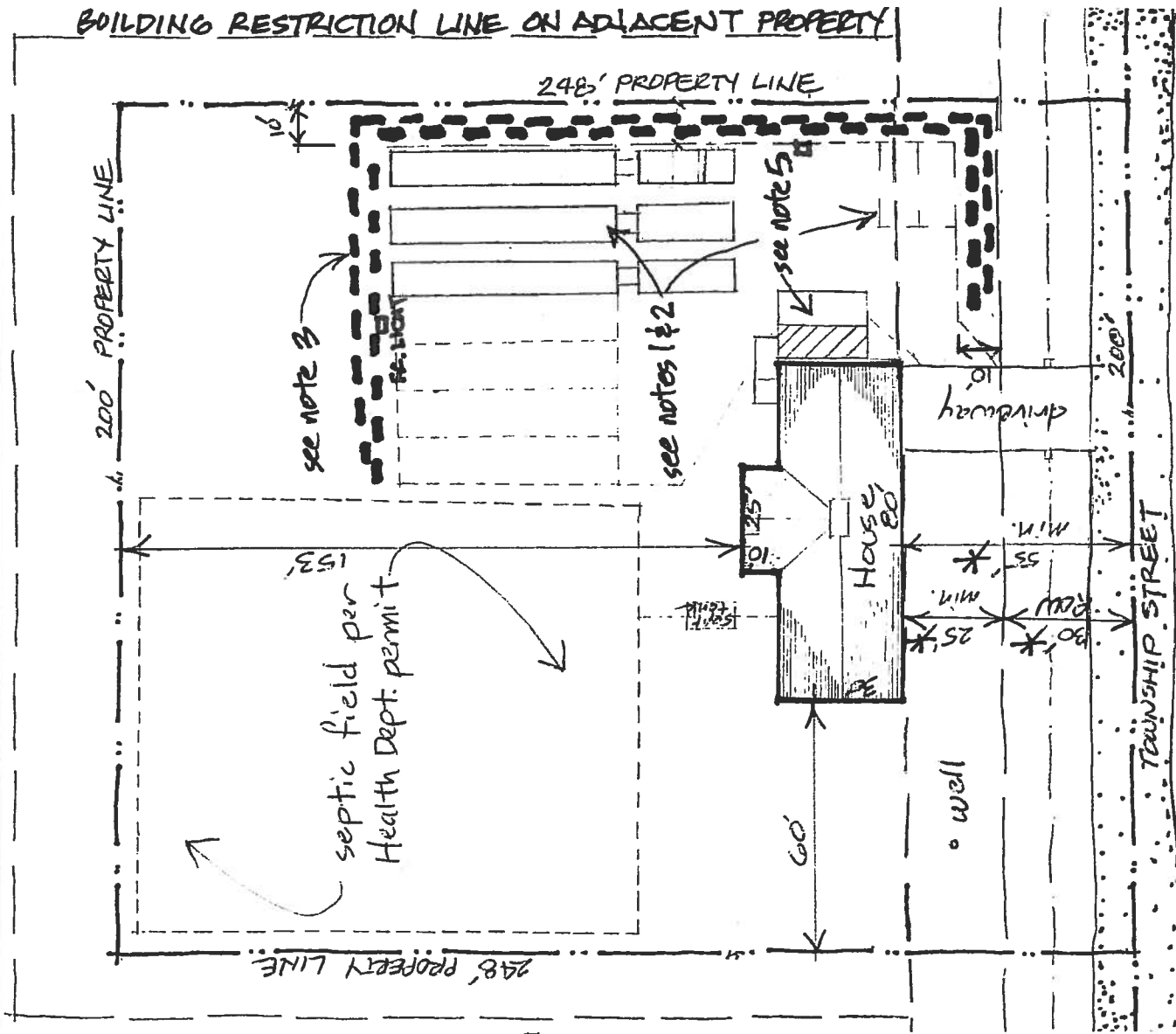
## Example RHO Site Plan B. Truck Tractor RHO on One acre lot w/ no accessory building

This example assumes the following:

- the maximum number of truck tractors and semitrailers;
- the maximum number of employees;
- no patron vehicles; and
- dwellings exist on all adjacent lots

### Site Plan Notes

1. Parking spaces for onsite employees; max. 2 employees; each space min. 9' x 20'; paving and striping not required
2. RHO parking spaces for three truck tractors and connected semitrailers and four unconnected semitrailers; paving not required
3. Screening is required for more than 4 vehicles or any vehicle more than 15,000 pounds gross wt.; Type D screening req. if more than 15,000 pounds gross weight); Arborvitae that is 6 feet tall at time of planting in two rows and spaced such that 50% of required screen shall be in place within 2 years (not req. if no dwelling on adjacent lot or if RHO parking is more than 100 feet from Building Restriction Line of adjacent lot)
4. Exterior lighting (optional; must be full cutoff; w/ max. 250 watt lamp)
5. Paved accessible parking space for RHO; 16' x 20' w/ striping and sign; also accessible path to accessible building entrance (Note: May not apply. Contact Doug Gamble at Illinois Capital Development Board (217-782-8530 or [Doug.gamble@illinois.gov](mailto:Doug.gamble@illinois.gov))
6. Sign (optional; not more than 6 square feet in area)



Note: Minimum required dimensions for setback and front yard vary depending upon the street classification at each location. Check with the Department of Planning and Zoning.

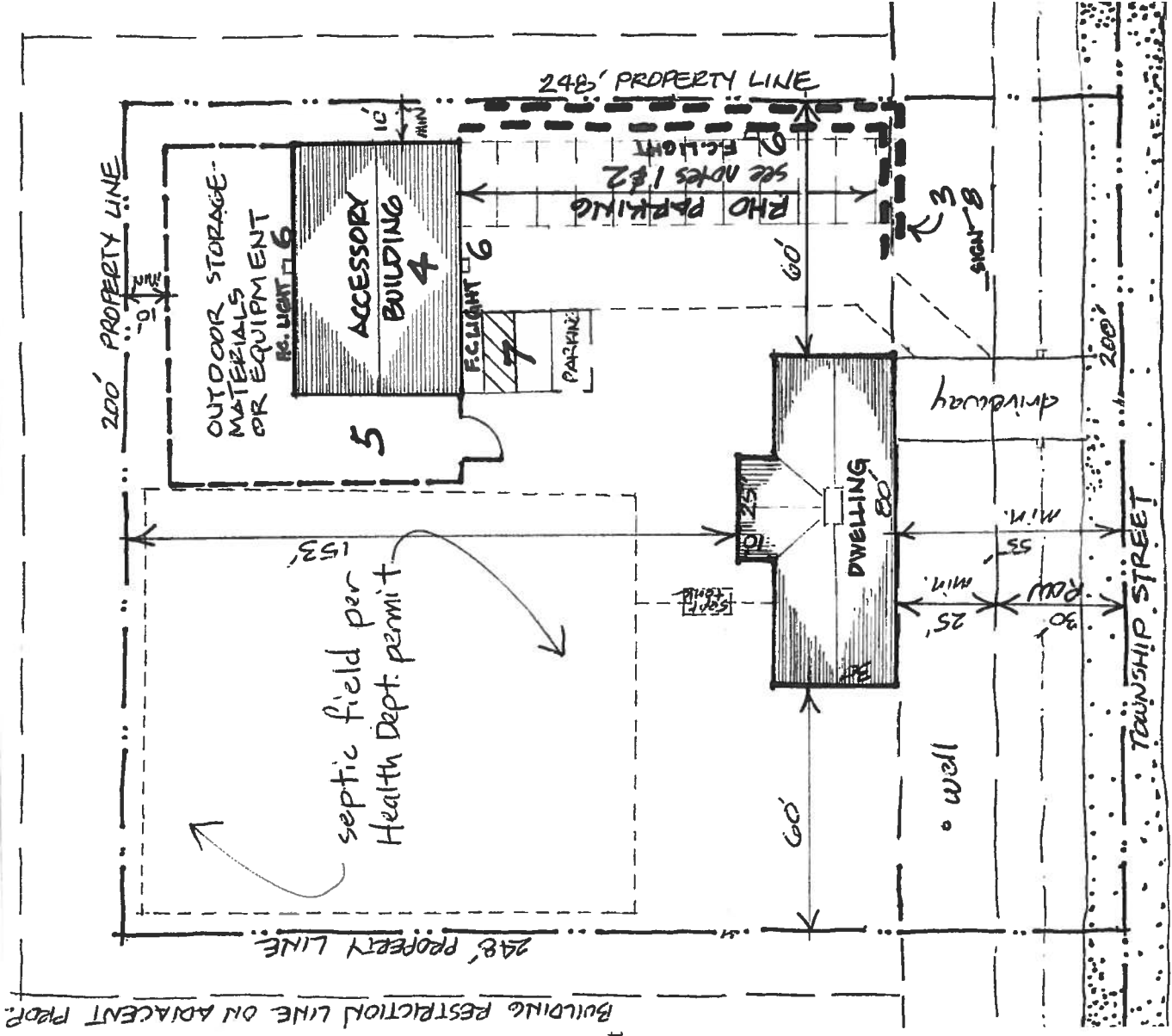
## Example RHO Site Plan C. RHO on One acre lot w/ accessory building & outdoor storage

This example assumes the following:

- the maximum number of RHO vehicles (but none w/ gross weight more than 15,000 pounds)
- the maximum number of employees;
- one accessory building for the RHO;
- outdoor storage for equipment or materials;
- no patron vehicles;
- dwellings exist on all adjacent lots; and
- exterior lights on accessory building and in parking area

### Site Plan Notes

- Parking spaces for onsite employees; max. 2 employees; each space min. 9' x 20'; paving and striping not required
- Parking spaces for RHO vehicles; max. 10 vehicles and/or equipment stored outdoors; each parking space min. 9' x 20'; paving and striping not required; **NO PARKING IN STREET**
- Screening is required for more than 4 vehicles or any vehicle more than 15,000 pounds gross wt.; Type A screening req. if less than 15,000 pounds gross weight); Arborvitae that is 4 feet tall at time of planting in two rows and spaced such that 50% of required screen shall be in place within 2 years (not req. if no dwelling on adjacent lot or if RHO parking is more than 100 feet from Building Restriction Line of adjacent lot)
- Accessory building for RHO (optional); Zoning Use Permit; must not look other than residential or agricultural
- Outdoor storage area (optional); any outdoor storage must be screened with Type D screen (8 feet tall); opaque fence)
- Exterior lighting (optional); must be full cutoff; w/ max. 250 watt lamp)
- Paved accessible parking space for RHO; 16' x 20' w/ striping and sign; also accessible path to accessible building entrance (Note: May not apply. Contact Doug Gamble at Illinois Capital Development Board (217-782-8530 or [Doug.gamble@illinois.gov](mailto:Doug.gamble@illinois.gov))
- Sign (optional; not more than 6 square feet in area)



Note: Minimum required dimensions for setback and front yard vary depending upon the street classification at each location. Check with the Department of Planning and Zoning.

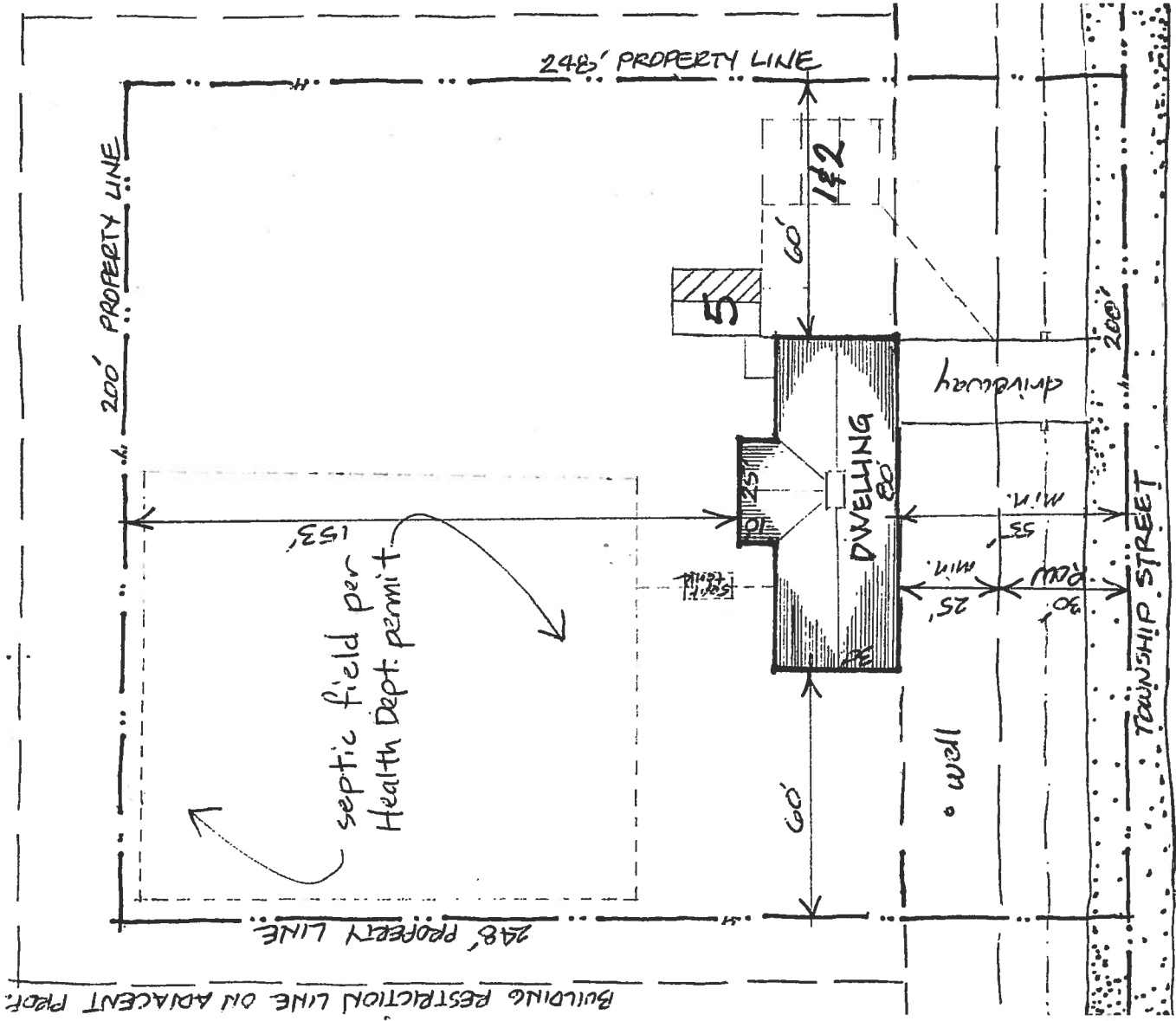
## Example RHO Site Plan D. Small RHO on One acre lot w/ no accessory building

This example assumes the following:

- no more than two pieces of equipment (kept on trailers) and no more than four RHO, employee, & patron vehicles & equipment in total (each less than 15,000 pounds gross weight)
- dwellings exist on all adjacent lots; and
- no exterior lights on parking area

### Site Plan Notes

1. Parking spaces for onsite employees; max. 2 employees; each space min. 9'x20'; paving and striping not required
2. No more than four parking spaces for RHO vehicles, employees, patrons, and equipment on trailers; each parking space min. 9'x20' paving and striping not required; **NO PARKING IN STREET**
3. Although screening is not required in this example, screening is required for more than 4 vehicles or any vehicle more than 15,000 pounds gross wt.; Type A screening req. if less than 15,000 pounds gross weight); Arborvitae that is 4 feet tall at time of planting in two rows and spaced such that 50% of required screen shall be in place within 2 years (not req. if no dwelling on adjacent lot or if RHO parking is more than 100 feet from Building Restriction Line of adjacent lot)
4. Exterior lighting (optional); must be full cutoff; w/ max. 250 watt lamp)
5. Paved accessible parking space for RHO; 16' x 20' w/ striping and sign; also accessible path to accessible building entrance (Note: May not apply. Contact Doug Gamble at Illinois Capital Development Board (217-782-8530 or [Doug.gamble@illinois.gov](mailto:Doug.gamble@illinois.gov))
6. Sign (optional); not more than 6 square feet in area)



Note: Minimum required dimensions for setback and front yard vary depending upon the street classification at each location. Check with the Department of Planning and Zoning.