

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

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

RE: ZONING MAP AMENDMENT PROCEDURE

Attached please find materials related to an application of a Zoning Map Amendment (rezoning) request to the provisions of the Champaign County Zoning Ordinance. Rezoning property in unincorporated Champaign County requires a public hearing before the Zoning Board of Appeals (ZBA), followed by consideration by the Environment and Land Use Committee (ELUC), and lastly, consideration by the full County Board. The ZBA conducts all land use public hearings, and along with ELUC, makes a recommendation with respect to rezoning requests. The County Board is the final authority regarding rezoning requests for unincorporated Champaign County.

Completed applications are required to be submitted no less than 22 days in advance of the next available ZBA public hearing date. Agenda items are docketed on a first-come first-serve basis, based upon submission of the completed application and filing fee. Docket space is limited for each meeting; extra time should be anticipated in the event of an overloaded docket, etc. Please contact this Department to determine the date of the next available public hearing date.

The Zoning Board of Appeals is a seven member board appointed by the Champaign County Board to conduct all zoning and land use public hearings for unincorporated Champaign County. The ZBA meets regularly on Thursdays during the second full week of the month and on the last (4th or 5th) Thursday of the month to conduct its public hearings. Rezoning cases generally appear before the ZBA at a minimum of two meetings, as this is the only level at which testimony can be given and received. The petitioner or an agent must be present at the public hearing to give testimony and answer any questions from the Board members, staff, or any other interested party.

This Department serves as staff for the Zoning Board of Appeals, and prepares all notifications and memorandum for land use cases. Staff does not, however, make recommendations regarding zoning cases. As required by state law, all public hearings before the ZBA are published as public notices in the News Gazette. The By-laws of the ZBA further require that all landowners within 250 feet of the subject property be notified of the request by regular mail. If applicable, notice is also given to the Township Supervisor, the Drainage District Commissioner, the Fire District Chief, as well as any municipality within one and one-half miles of the site.

Department staff prepares all case memoranda, which outline the available facts and issues of the request. These memoranda provide a review of the request, and a series of case maps regarding location, land use, and zoning of the property and its surrounding area. The memos are mailed to the ZBA members, the petitioner, and any other interested party approximately one week prior to the public hearing date. Members of the ZBA may visit the site; however, please be advised that communications with Board members outside of the public hearing are considered ex-parte communications, and are prohibited. All questions and comments regarding the case should be directed to the full Board during the course of the public hearing.

After conducting the public hearing, the Zoning Board will make a recommendation of either approval or denial of the rezoning request to the Environment and Land Use Committee. This committee is comprised of seven County Board members who will consider the recommendation of the ZBA, and will also make a recommendation to the full County Board. Attendance is not required at either the ELUC or County Board level; however, both of these meetings are open to the public. The County Board members are open to lobbying outside of their meetings, but only once the case has left the Zoning Board of Appeals. It should be

noted that ELUC will not take public testimony during the course of its consideration of the request, and public comment at County Board meetings is limited to the Audience Participation portion of the meeting.

In the event that a site is within the One and One-Half Mile Extraterritorial Jurisdiction of a municipality, the municipality retains subdivision jurisdiction, as well as the right to consider a protest/no protest vote with respect to rezoning requests. The municipality with ETJ will conduct its own meetings with respect to the case, and although the petitioner's attendance is not required at municipal meetings, it may be advisable to attend in order to answer any questions that may arise.

In the event of a municipal protest, a three-fourths favorable majority of the County Board will be required to grant the rezoning request, as opposed to a simple majority. This super-majority can also be enforced if a formal protest is filed by any contiguous landowner(s) holding more than 20% of directly adjacent property frontage. Either protest, municipal or frontage, must be filed with the County Clerk prior to the County Board meeting date, with certified mail notice given to the petitioner. These protests, while enforcing a super-majority of the County Board, do not have any effect on the number of votes required for affirmative recommendations at either the ZBA or ELUC.

Additionally, all rezoning cases are subject to review by the Champaign County Soil and Water Conservation District (SWCD) by way of a Natural Resource Report. Applications are available from this Department, and the filing fee (separate and apart from the rezoning case filing fee) is based upon the acreage of the site. Please allow **45 business days** for inspection, evaluation, and processing of the report. Questions regarding this report should be directed to the SWCD at (217) 352-3536 extension 3.

Some uses and/or structures may also require a Special Use Permit and/or a Variance from the Zoning Ordinance, both of which require a hearing process with the Zoning Board of Appeals. These cases are usually done concurrent with the Zoning Amendment hearing process and have their own associated fees.

Upon approval of the rezoning request, a Zoning Use Permit must be received from this Department, which authorizes new construction and/or establishment of a new use on the subject property. The fee for this permit is based upon the size and type of the new structure(s), including signs and parking areas. If no new construction is proposed, a Change of Use Permit must be applied for, which has a filing fee of \$65.

A site plan is also required to be submitted with the Zoning Use Permit Application, which generally requires a greater level of detail than site plans submitted in conjunction with the rezoning application. All structures and facilities, both interior and exterior, are required to be noted and dimensioned, and interior spaces and uses should be delineated as well. Specific notations with respect to parking requirements, outdoor storage, screening, signage, etc., will also be required, if applicable.

All new construction for public use, including parking areas, is subject to the provisions of the Illinois Environmental Barriers Act. This site plan must indicate compliance with or exemption from the Act through a sealed and signed statement from an Illinois Registered Architect or Structural Engineer. While this Department is required to ensure that the site plans indicate compliance with the IEBA, we are not eligible to interpret the Act. Therefore, questions regarding specific provisions of the Act and its applicability should be directed to your architect or engineer.

This handout is an outline of the major provisions regarding Zoning Map Amendment applications. Please contact the Department of Planning and Zoning at 217-384-3708 for further information. Copies of the Zoning Ordinance and the Zoning Board of Appeals By-laws are also available for purchase at the Department of Planning and Zoning, Brookens Administrative Center, 1776 East Washington Street, Urbana, Illinois 61802. Thank you.

FOR OFFICE USE ONLY

Township _____ Section _____
Case No. _____ Receipt # _____
Date _____
Current Zoning District _____
Proposed Zoning District _____
PIN _____

**CHAMPAIGN COUNTY, ILLINOIS
PETITION FOR ZONING AMENDMENT (ZONING MAP)**

1. Petitioner Name(s) <i>Petitioner must own at least 50% of the property</i>	Phone	Address
_____	_____	_____
_____	_____	_____
_____	_____	_____

Email of lead petitioner: _____

2. Address of subject parcel(s): _____

3. Property Identification Number (PIN): _____

4. Legal Description [*Note: This petition cannot be processed unless an accurate and complete legal description of subject parcel(s) is included with this form*]

5. Area of parent tract: _____ acres or _____ square feet

6. Present Zoning District: _____ Proposed Zoning District: _____

7. Error in the present Ordinance to be corrected by the proposed change in the Ordinance (explain fully):

8. Other circumstances which justify the Amendment (explain fully):

9. Additional comments by Petitioner: _____

10. Time schedule for development (if applicable): _____

11. Attach an accurate site plan, no larger than 11x17, showing the boundaries of the subject property, adjacent streets, existing and proposed buildings, driveways and other structures. Provide dimensions, sufficient to accurately determine the size and location of all structures. Indicate any known easements. *[Note: other drawings may also be required.]*

12. I acknowledge that I am required to submit the attached Application for a Natural Resource Information Report and pay associated fees to the Champaign County Soil and Water Conservation District within one week of submitting this Map Amendment application. _____ (Initial here)

13. Additional exhibits submitted by Petitioner: _____

14. Petitioner Signature(s)

Date

NOTE: If signed by persons other than petitioner(s), state whether Agent or Attorney and give address and telephone number.



Natural Resource Information Report Application

Champaign County Soil and Water Conservation District

2110 West Park Court Suite C Champaign, IL 61821

(217) 352-3536 Extension 3 --- www.ccswcd.com

Petitioner(s)

Name: _____

Address: _____

Phone: _____

Email: _____

Contact Person (if applicable)

Name: _____

Address: _____

Phone: _____

Email: _____

Site Location & Proposed Use

Township Name: _____ Township _____, Range _____, Section(s) _____

Project or Subdivision Name: _____ Number of Acres: _____

Current Use of Site: _____ Proposed Use: _____

Type of Request

- ☐ Change in Zoning from _____ to _____
- ☐ Variance (please describe on separate page)
- ☐ Special Use Permit (please describe on separate page)

Name of County of Municipality the request is being filed with: _____

In addition to this completed application form, please include the following to ensure proper processing:

- ☐ **Plat of Survey/Site Plan** – show location, legal description, and property measurements
- ☐ **Concept Plan** – show locations of proposed lots, buildings, roads, stormwater detention, open areas, etc.
- ☐ If available: topography map, field tile map, copy of soil boring and/or wetland studies
- ☐ **Check for appropriate NRI fee** (please make checks payable to Champaign County SWCD)

Please send electronic shape files for GIS software to info@ccswcd.com

Fee Schedule:

CCSWCD staff will determine when a full report or summary letter is necessary.

Full Report: \$400 for five acres or less, plus \$10 for each additional acre or fractional acre

Summary Report Letter: \$100

Fee for first five acres or less \$ _____

_____ additional acres at \$10 each \$ _____

Total NRI Fee \$ _____

Note: After all required plans and fees have been submitted to CCSWCD, Please allow **45 business** days for inspection, evaluation, and processing of the report.

It is understood that the petitioner(s) or their agent(s) give permission for a representative(s) of the Champaign County Soil and Water Conservation District to visit and conduct an evaluation of the site(s) described above. The completed NRI report expiration date will be 3 years after the date reported.

Signed _____ Date _____

Petitioner or Agent

FOR OFFICE USE ONLY

Date app received: _____ Date all received: _____ Board Meeting Date: _____

Fee Due: \$ _____ Fee Paid: \$ _____ Date Paid: _____ Check #: _____ Request/Refund? \$ _____