

RE: SPECIAL USE PERMIT PROCEDURE

Attached please find materials related to an application of a Special Use Permit under the provisions of the Champaign County Zoning Ordinance. A Special Use Permit request requires a public hearing before the Champaign County Zoning Board of Appeals which is the granting authority with respect to such requests.

The Zoning Board of Appeals (ZBA) is a seven member board, the members of which are appointed by the Champaign County Board to conduct all zoning and land use public hearings for unincorporated Champaign County. The ZBA meets regularly on the second and fourth Thursdays of each month to conduct its public hearings. Special Use Permit cases generally appear before the ZBA at only one meeting; however, if the Board requests more information the case could be continued to the next available hearing. 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.

Completed applications are required to be submitted no less than 22 days in advance of the next available ZBA public hearing date. However, 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; therefore, an extra time frame 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.

This Department serves as staff for the Zoning Board of Appeals, and prepares all notifications and memorandum to be distributed to the Board and other interested parties. As required by state law, all public hearings before the ZBA are published as public notices in a newspaper of general circulation published in the county and having circulation where such property is located. If no local newspaper exists, then such notice is published 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. Staff does not, however, make recommendations within respect to zoning cases. The case 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 parties approximately one week prior to the public hearing.

Members of the Board may visit the property for a site analysis, 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 from any party should be directed to the full Board during the course of the public hearing.

Question numbers 12 through 15 on the application reflect the Special Use Permit criteria outlined in the Zoning Ordinance. The Board is required to make specific findings of fact with respect to each these criteria, and then render its decision based upon those findings. These questions should therefore be reviewed and answered as thoroughly as possible, as they are the petitioner's first opportunity to make affirmative findings with respect to their request. Outstanding questions combined with a considerable amount of testimony may warrant a continuation of the case to the next available ZBA docket.

An integral part of the Special Use Permit application is the site plan, which should include all existing and proposed structures, interior and exterior facilities, and applicable setback distances from the property lines. Structures and outdoor areas to be used in conjunction with the proposed use should be labeled with their appropriate uses.

In the event that a site is within the One and One-Half Mile Extraterritorial Jurisdiction (ETJ) of a municipality, the municipality retains subdivision jurisdiction, as well as the right to consider a protest/no protest vote with respect to Special Use Permit 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. A municipal protest with respect to a Special Use Permit has no impact on the number of affirmative votes, which remains constant at four out of seven required to grant the request.

All Special Use Permit requests are also subject to review by the Soil and Water Conservation District by way of a Natural Resource Report. Applications for this report are available from this Department, and its fee, separate and apart from the Special Use Permit application 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.

Pursuant to Section 6 of the Zoning Ordinance, certain Special Uses are subject to standard conditions, which will be imposed unless they are otherwise requested to be waived upon application. The Board is also permitted to impose additional conditions of approval as necessary to protect the public health, safety, and welfare.

Upon approval of the Special Use Permit, 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 \$98.

A site plan is also required to be submitted with the Zoning Use Permit Application, which generally requires a greater level of detail than the site plan submitted with the Special Use Permit 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 the site plans indicate compliance with the IEBA, we are not eligible to interpret the Act. Therefore, specific questions regarding specific provisions of the Act and its applicability should be directed your architect or engineer.

Lastly, approval of the Special Use Permit pursuant to the Zoning Ordinance criteria allows a use of a certain scope and intensity as proposed in the application and its site plan. Any future deviations from the approved request or any imposed conditions must be submitted to the Planning and Zoning Department, and any expansion deemed a significant deviation from the originally approved use must re-apply as another Special Use Permit.

This handout is an outline of the major provisions regarding Special Use Permit applications. Please contact the Department of Planning and Zoning at 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, IL 61802.

FOR OFFICE USE ONLY

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

**CHAMPAIGN COUNTY, ILLINOIS
APPLICATION FOR SPECIAL USE PERMIT**

1. Applicant Name(s)	Phone	Address
_____	_____	_____
_____	_____	_____
_____	_____	_____

Email of lead applicant: _____

2. Location of subject parcel(s) _____

3. Property Identification Number (PIN): _____

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

5. Area of subject property: _____ acres or _____ square feet

6. Existing use(s):

7. Number and type of **existing** principal buildings:

8. Number and type of **existing** accessory buildings and structures:

9. Number of **existing** dwelling units: _____

10. Proposed use(s): _____

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

12. Reasons the proposed use is necessary for the public convenience at the above noted location:

13. List those reasons which will ensure to the County that the proposed land use is designed, located, and operated so that it will not be injurious to the District in which it shall be located or otherwise detrimental to the public welfare. Attach plans if necessary.

14. Does the proposed use conform to the applicable regulations and standards of, and preserve the essential character of, the District in which it shall be located except where such regulations and standards are modified by Section 6 of the County Zoning Ordinance?

15. If the property is an existing non-conforming use, will the Special Use make its use more compatible with its surroundings?

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

17. Additional exhibits submitted by applicant:

18. Applicant 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? \$ _____