



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

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

Committee Members:

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

Alan Kurtz
Pattsi Petrie
Jon Schroeder

AGENDA

	Pages
I. Call to Order	
II. Roll Call	
III. Approval of Minutes	
A. ELUC Committee meeting – May 9, 2013	1-5
IV. Approval of Agenda/Addenda	
V. Public Participation	
VI. Communications	
VII. <u>Item to be Approved by ELUC Committee</u>	
A. Recreation & Entertainment License – Generations Music Booking Music Festival with live bands at Champaign County Fair Grounds, Urbana, July 4-7, 2013	6-12
B. Recreation & Entertainment License – WBGL Radio at vacant lot west of 4104 Fieldstone, Champaign, June 18, 2013	13-18
C. Recreation & Entertainment License – Last Call for Alcohol, Inc., 1505 Main St, Penfield, June 1 – December 21, 2013	19-27
D. Recreation & Entertainment License – Champaign County Fair Association Urbana, July 19-27, 2013 (Available at meeting)	
E. Request for Approval for Allocation of Hours – FY2013 Planning Contract General Planning Services Requests – CCRPC tasks related to Wilber Heights Subdivision	28-29

	Pages
VIII. <u>Items to Receive & Place on File by ELUC Committee to allow for 60 day Review Period</u>	
A. CCRPC/County Planning Contract FY2013 Status Update & FY2014 Contract Proposal	30-41
IX. <u>Items to be Approved by ELUC Committee for Recommendation to the County Board</u>	
A. Case 743-AT-13 – Final Recommendation to Approve Zoning Ordinance Text Amendment to allow Variances from Municipal Subdivision Regulations for Rural Water District Water Treatment Plant & Related Facilities	42-50
B. Proposed Resolution Opposing Water Withdrawal for Salt Fork of the Vermilion River for Coal Mine Use in Vermilion County	51-52
X. <u>Items to be Approved by ELUC for Referral to ZBA</u>	
A. Proposed Zoning Ordinance Text Amendment to Correct Certain Soil Data in Appendix A of the LESA System	53-58
B. Proposed Zoning Ordinance Text Amendment to Adopt New Floodplain Maps and New Special Flood Hazard Area Ordinance – see flood maps at www.illinoisfloodmaps.org	59-93
XI. Monthly Reports	
A. April 2013	94-100
XII. Other Business	
XIII. Chair’s Report	
XIV. Designation of Items to be Placed on the Consent Agenda	
XV. Determination to Cancel July ELUC Committee Meeting	
XVI. Adjournment	



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

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MINUTES – SUBJECT TO REVIEW AND APPROVAL

DATE: Thursday, May 9, 2013
 TIME: 6:00 p.m.
 PLACE: Lyle Shields Meeting Room
 Brookens Administrative Center
 1776 E Washington, Urbana, IL 61802

Committee Members

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

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

Others Present: Susan Monte (Ch Co Regional Planning Commission), John Jay (Champaign Co Board)

MINUTES

I. Call to Order

Committee Chair Langenheim called the meeting to order at 6:01 p.m.

II. Roll Call

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

III. Approval of Minutes

A. ELUC Committee meeting – April 4, 2013

MOTION by Mr. Esry to approve the minutes for the April 4, 2013 meeting as distributed; seconded by Mr. Kurtz. Upon vote, **the MOTION CARRIED unanimously.**

IV. Approval of Agenda

Mr. Langenheim asked to move Agenda Item VIII-D before Agenda Item VIII-A. The Committee agreed.

MOTION by Ms. Berkson to approve the agenda as amended; seconded by Mr. Esry. Upon vote, the **MOTION CARRIED unanimously.**

V. Public Participation

Marcus Harris – supported approving the zoning change in Case 741-AM-13

1 Alan Singleton, Wayne Ward – support zoning change in Case 687-AM-13
2 Larry Hall, Jean Fisher – opposed zoning change in Case 687-AM-13
3 Christine Main, Robert Illyes, Mary Kay Salecki, Peter Kuchinke, Keith Roll, Susan Forsyth, Tom Smith,
4 Traci Barkley, David Bodnar – supported Resolution to oppose water withdrawal from the Salt Fork of
5 the Vermilion River for coal mine use in Vermilion County
6

7 **VI. Communications**

8 Mr. Kurtz wanted to let the public know that he has been out of town on County business over the last
9 few days and was unable to respond to their e-mails, phone calls and letters but will do so as soon as
10 possible.
11

12 **VII. Items to be Approved by ELUC Committee**

- 13
14 A. Recreation & Entertainment License – Eastern Illinois A.B.A.T.E. Inc. for live bands at Rolling Hills
15 Campground in Penfield, June 7-9, 2013
16
17 B. Recreation & Entertainment License – Lake of the Woods Bar & Liquors for outside bands or
18 outside DJ
19

20 **OMINBUS MOTION** by Mr. Esry to approve items, VII-A & VII-B, Recreation & Entertainment Licenses
21 for A.B.A.T.E. Inc. and Lake of the Woods Bar & Liquors; seconded by Mr. Kurtz. Upon vote, the **MOTION**
22 **CARRIED unanimously.**
23

24 **VIII. Items to be Approved by ELUC Committee for Recommendation to the County Board**

- 25 A. Case 743-AT-13 – Final Recommendation to Approve Zoning Ordinance Text Amendment to allow
26 Variance from Municipal Subdivision Regulations for Rural Water District Water Treatment Plant &
27 Related Facilities
28

29 Mr. Langenheim indicated that the State’s Attorney has called for a revision in addition to further
30 modifications from the City of Urbana.
31

32 **MOTION** by Mr. Kurtz to defer this agenda item to the June 6th ELUC Committee meeting; seconded by
33 Ms. Berkson. Upon vote, the **MOTION CARRIED unanimously.**
34

- 35 B. Case 687-AM-11 –Recommendation to Deny Zoning Map Amendment to change the Zoning District
36 from CR Conservation Recreation to AG-1 Agriculture to establish a Restricted Landing Area
37 pursuant to Zoning Case 688-S-11
38

39 **MOTION** by Ms. Petrie to deny Zoning Map Amendment to change the Zoning District from CR
40 Conservation Recreation to AG-1 Agriculture to establish a Restricted Landing Area (RLA) pursuant to
41 Zoning Case 688-S-11; seconded by Mr. Kurtz.
42

43 Mr. Schroeder thought the biggest reason that the ZBA decided not to change the zoning is because
44 this would take 14 acres out of this small Conservation Recreation district into AG-1. Mr. Kurtz noted that
45 this case has been pending for two years. He had confidence that the ZBA has looked at this request very
46 carefully and supported their recommendation to deny. Ms. Berkson wondered if the petitioner, Dr. Phillip
47 Jones, would be willing to trade another 14 acres into the Conservation District as he owns much forested
48 land.
49

50 Mr. Hall stated that this case has taken two years due to some confusion about the petitioner’s
51 original request for a RLA and a heliport RLA. Ultimately, the petitioner clarified that the request was for
52 an RLA with limited helicopter use. Mr. Hall then had to get approval from the Illinois Department of
53 Transportation (IDOT) which occurred in April of 2012. The neighbors and petitioner were highly

1 motivated and gave much testimony and data. Eventually, the ZBA recommended denying this rezoning
2 request.
3

4 Ms. Petrie asked if IDOT defined “limited use”. Mr. Hall responded that IDOT did not but the ZBA did. Mr.
5 Schroeder wondered why the ZBA thought the rezoning was not worthy. Mr. Hall replied that the LRMP
6 refers to “discretionary develop approvals” which is in this context a request for a special use permit
7 pursuant to a map amendment. Both items get reviewed under the policies and are related. Mr.
8 Schroeder felt that the emphasis was more on the planned use development rather than the special use.
9 Mr. Kurtz noted that there was significant public opposition - 32 individuals signed a petition against the
10 rezoning.

11
12 Upon vote (a yes vote meant denial of the Zoning Map Amendment):

13 Yes: 5 – Esry, Schroeder, Langenheim, Kurtz, Petrie

14 No: 2 – Harper, Berkson

15 **MOTION CARRIED.**

16
17 Ms. Petrie inquired if there was an option to remand it back to the ZBA for them to consider the rezoning if
18 Dr. Jones would be interested in trading another 14 acres of his land into the Conservation Recreation
19 District. Mr. Hall affirmed that this could be done at the County Board meeting.
20

- 21 C. Case 741-AM-13 – Recommendation to Approve Zoning Map Amendment to change the Zoning
22 District from I-1 Light Industry to B-4 General Business to establish a firearm sales store and indoor
23 shooting range
24

25 **MOTION** by Mr. Esry to approve the Zoning Map Amendment to change the Zoning District from I-1 Light
26 Industry to B-4 General Business to establish a firearm sales store and indoor shooting range; seconded
27 by Mr. Kurtz.
28

29 Mr. Kurtz felt that the State of Illinois will eventually allow residents to carry concealed guns. He
30 has suggested to Senator Raoul who is the sponsor of a concealed-carry bill in Illinois that anyone
31 who gets a new Firearms Owner’s Identification Card must get training. It would be beneficial to
32 have a local facility where a person could learn how to handle and shoot a gun. Mr. Kurtz
33 supported this resolution.
34

35 **MOTION** by Mr. Kurtz to suspend the rules to question Marcus Harris in the audience; seconded by Ms.
36 Petrie. Upon vote, the **MOTION CARRIED unanimously.**
37

38 Mr. Harris explained that the closest shooting ranges in this area are in Decatur and Springfield.
39 This will be a 10-lane indoor range rated for both rifle and handgun with action targets. Mr. Harris
40 anticipated employing 12-13 people for his business. Guns will be sold on the premises with
41 mandatory background checks. This facility will have three classrooms to offer educational courses
42 such as the NRA basic pistol, Refuse to be a Victim (for women), gunshot wound first-aid, and
43 hunter’s safety.
44

45 Mr. Esry thanked Mr. Harris for bringing this venture of gun training and safety into the County.
46 Ms. Petrie asked what safeguards are in place for people bringing their guns into the facility. Mr.
47 Harris explained that security is a large issue – no firearms will be uncased until the individual is on
48 the range, and all firearms will be pointed down range at all times. Security cameras and range
49 officers will be able to enforce this requirement.
50

51 Ms. Petrie stated that she will vote no due to the way the zoning is being changed to accommodate
52 this business. Mr. Jay commented that he has received many positive calls from all over the County
53 supporting this business venture.
54

1 Upon vote:

2 Yes: 6 – Langenheim, Berkson, Esry, Schroeder, Harper, Kurtz

3 No: 1 – Petrie

4 **MOTION CARRIED.**

- 5
6 D. Case 734-AT-12 – Final Recommendation to Approve Zoning Ordinance Text Amendment to change requirements for “Contractor Facility”

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9 **MOTION** by Mr. Schroeder to approve Zoning Ordinance Text Amendment to change requirements for “Contractor Facility; seconded by Ms. Petrie. Upon vote, the **MOTION CARRIED unanimously.**

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12 E. Recommendation to Approve Compliance Commitment Agreement with the Illinois Environmental Protection Agency (IEPA) for the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer (MS4) Storm Water Discharge Permit

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16 **MOTION** by Mr. Esry to approve the Compliance Commitment Agreement with the Illinois Environmental Protection Agency (IEPA) for the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer (MS4) Storm Water Discharge Permit; seconded by Ms. Berkson. Upon vote, the **MOTION CARRIED unanimously.**

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21 F. Proposed Resolution Opposing Water Withdrawal from Salt Fork of the Vermilion River for Coal Mine Use in Vermilion County

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24 **MOTION** by Ms. Petrie to approve the Resolution opposing water withdrawal from Salt Fork of the Vermilion River for coal mine use in Vermilion County; seconded by Mr. Kurtz.

25
26
27 Mr. Schroeder asked who wrote this resolution and did Planning & Zoning vet the document. Mr. Hall responded that his department did not edit the resolution. A discrepancy he noted was that the County does not have a comprehensive plan but a Land Resource Management Plan. Additionally, in some parts of the resolution, it seemed as if the coal mine is proposed in Champaign County. Mr. Schroeder cannot support this resolution as it has been poorly written and not vetted through the Zoning Department. He has not had the chance to review it. Mr. Schroeder noted that this Board has no jurisdiction over Vermilion County.

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34 Mr. Kurtz stated that he supported the idea of this resolution.

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37 **MOTION** by Mr. Kurtz to defer this resolution for one month until the information can be reviewed and rewritten by the Planning & Zoning Department; seconded by Mr. Schroeder.

38
39
40 Ms. Berkson suggested that the resolution be rewritten and presented at the May Board Meeting. Ms. Petrie requested that the motion to defer be withdrawn to allow discussion for concerns. Mr. Schroeder felt that this document should not be rushed. Mr. Harper noted that the resolution was mailed to him, and he brought it to the meeting. He has attended some of the Homer meetings and noted that some of the farmers in the area have legitimate concerns. Mr. Harper agreed that some clarification is needed for the document and supported deferment. Mr. Kurtz suggested that any comments/concerns could be e-mailed to Mr. Hall with plenty of time to bring to the next ELUC meeting in June.

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49 **MOTION** by Ms. Petrie to suspend the rules to question Traci Barkley in the audience if delaying this resolution by one month will have any negative impact in relationship to what will be happening in Homer; seconded by Ms. Berkson.

1
2 Upon vote:

3 Yes: 4 – Harper, Petrie, Berkson, Langenheim

4 No: 3 – Kurtz, Schroeder, Esry

5 **MOTION CARRIED.**

6
7 Ms. Barkley stated that the IDNR permit application was submitted in June 2012 and is in process
8 now. There is no official proposal from Sunrise Coal to the Urbana-Champaign Sanitary District to
9 purchase a certain amount of the effluent in the Salt Fork River for their withdrawal downstream.
10 Ms. Barkley did not know when that could be granted.

11
12 Roll call vote to defer:

13 Yes: 5 – Kurtz, Petrie, Schroeder, Esry, Harper

14 No: 2 – Berkson, Langenheim

15 **MOTION CARRIED.**

16
17 **IX. Provided for Information Only**

18
19 A. C-U Area Medicine Take-Back Program

20 Ms. Monte wanted the Committee members to be aware of this program as it will be in the media
21 this Friday. It is a program that will serve to protect water resources and public safety.

22
23 Ms. Petrie hoped that this education campaign will cover how syringes, needles and thermometers
24 can be handled as those items are not accepted in this program.

25
26 B. Notice from the Illinois Department of Natural Resources regarding the Biggert-Waters Flood Insurance
27 Reform Act of 2012

28 There were no comments.

29
30 **X. Monthly Reports**

31 A. March 2013

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33 **MOTION** by Ms. Berkson to receive and place on file the Planning & Zoning Monthly Report for March 2013;
34 seconded by Mr. Kurtz. Upon vote, **the MOTION CARRIED unanimously.**

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36 **XI. Other Business**

37 Mr. Schroeder would like to talk about Cronus Chemical Fertilizer Plant in Douglas County at the next ELUC
38 meeting to clear up misinformation about it.

39
40 Ms. Petrie attended the public hearing last night at the Urbana-Champaign Sanitary District. She was
41 impressed by the turnout – approximately 90 people attended. Many different aspects were presented
42 which are worthy of consideration by this County Board. It may be in another county but we need to think
43 about things regionally.

44
45 **XII. Chair's Report**

46 None

47
48 **XIII. Designation of Items to be Placed on the Consent Agenda**

49 Mr. Langenheim stated that VIII-C and VIII-E should be placed on the Consent Agenda.

50
51 **XIV. Adjournment**

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

53 There being no further business, Mr. Langenheim adjourned the meeting at 7:53 p.m.



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

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

For Office Use Only

License No. _____
Date(s) of Event(s) July 4 - 7th, 2013
Business Name: Generations Music Booking, NFP
License Fee: \$ 40⁰⁰
Filing Fee: \$ 4.00
TOTAL FEE: \$ 44.⁰⁰
Checker's Signature: _____

FILED

MAY 20 2013

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

Gordy Hulten
CHAMPAIGN COUNTY CLERK

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

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

- A. 1. Name of Business: Generations Music Booking, NFP
2. Location of Business for which application is made: 1302 N. Coler, Urbana, IL (Champaign County Fairgrounds)
3. Business address of Business for which application is made: 2507 S. Neil St., Champaign, IL 61820
4. Zoning Classification of Property: Commercial/Non-profit
5. Date the Business covered by Ordinance No. 55 began at this location: temporary
6. Nature of Business normally conducted at this location: Fair + various entertainment events
7. Nature of Activity to be licensed (include all forms of recreation and entertainment to be provided): Christian music festival, anticipate 500-1,000 attendance
8. Term for which License is sought (specifically beginning & ending dates): July 4-7, 2013
(NOTE: All annual licenses expire on December 31st of each year)
9. Do you own the building or property for which this license is sought? No
10. If you have a lease or rent the property, state the name and address of the owner and when the lease or rental agreement expires: Champaign County Fair Association - Leased July 4-7.
11. If any licensed activity will occur outdoors attach a Site Plan (with dimensions) to this application showing location of all buildings, outdoor areas to be used for various purposes and parking spaces. See page 3, Item 7. Attached

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

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

Name: N/A Date of Birth: _____
Place of Birth: _____ Social Security No.: _____
Residence Address: _____
Citizenship: _____ If naturalized, **place** and **date** of naturalization: _____

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

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

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

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

- C. 1. Name(s) of owner(s) or local manager(s) (include any aliases): Corporation (Non-Profit) - Section D completed
Date of Birth: _____ Place of Birth: _____
Social Security Number: _____ Citizenship: _____
If naturalized, state **place** and **date** of naturalization: _____
2. Residential Addresses for the past three (3) years: _____

3. Business, occupation, or employment of applicant for four (4) years preceding date of application for this license: _____

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

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

1. Name of Corporation exactly as shown in articles of incorporation and as registered:
Generations Music Booking NFP
2. Date of Incorporation: 3/14/2013 State wherein incorporated: IL

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

N/A

Give first date qualified to do business in Illinois: _____

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

2507 S. Neil St.

Champaign, IL 61820

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

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

Name of Officer: James Eisenmenger Title: Secretary/Treasurer

Date elected or appointed: 3/14/13 Social Security No.: _____

Date of Birth: _____ Place of Birth: Chicago, IL

Citizenship: U.S.A.

If naturalized, **place** and **date** of naturalization: _____

Residential Addresses for past three (3) years: _____

1798 County Road 700 N

Sidney, IL 61877

Business, occupation, or employment for four (4) years preceding date of application for this license: Martin, Hood, Friese + Associates, LLC - Partner, CPA Firm

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

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

Give first date qualified to do business in Illinois: _____

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

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

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

Name of Officer: Luke Welchel Title: President
Date elected or appointed: 3/14/13 Social Security No.: _____
Date of Birth: _____ Place of Birth: Normal, IL
Citizenship: U.S.A.
If naturalized, place and date of naturalization: _____

Residential Addresses for past three (3) years: _____

current: 908 S. Kickapoo, Lincoln, IL 62656
past: 3210 KY Hwy 241 #5, Stanford, KY 40484
past: 349 Timothy Ave, Danville, KY 40422

Business, occupation, or employment for four (4) years preceding date of application for this license: _____

Restaurant manager - Katives Coffee
Office/Clerical - The Tabernacle Church

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

AFFIDAVIT

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

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

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

Signature of Owner or of one of two members of Partnership

Signature of Owner or of one of two members of Partnership

Signature of Manager or Agent

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

Notary Public

AFFIDAVIT

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

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

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

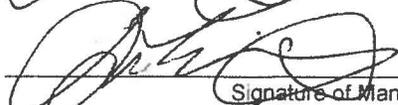
We further swear that we are the duly constituted and elected officers of said applicant and as such are authorized and empowered to execute their application for and on behalf of said application.



Signature of President

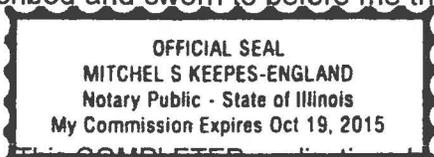


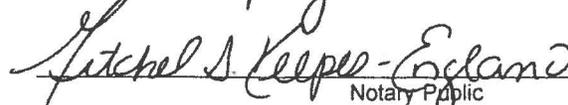
Signature of Secretary



Signature of Manager or Agent

Subscribed and sworn to before me this 17 day of May, 2013.





Notary Public

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



STATE OF ILLINOIS,
Champaign County
Recreation & Entertainment License
Check List and Approval Sheet

FOR ELUC USE ONLY

County Clerk's Office

- 1. Proper Application Date Received: 5-20-13
- 2. Fee Amount Received: 44.⁰⁰

Sheriff's Department

- 1. Police Record Approval: _____ Date: _____
- 2. Credit Check Disapproval: _____ Date: _____

Remarks: _____ Signature: _____

Planning & Zoning Department

- 1. Proper Zoning Approval: _____ Date: _____
- 2. Restrictions or Violations Disapproval: _____ Date: _____

Remarks: _____ Signature: _____

Environment & Land Use Committee

- 1. Application Complete Approval: _____ Date: _____
- 2. Requirements Met Disapproval: _____ Date: _____

Signature: _____

Remarks and/or Conditions: _____

County Fairgrounds



A - Parking

Lot rented to Carle, parking will be on infield of the track.

B - RV camping

C - Tent camping

D - Music stages (2 planned)



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

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

FILED
Filing Fees:
MAY 23 2013

Gordy Hulten
CHAMPAIGN COUNTY CLERK

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

For Office Use Only

License No. _____
Date(s) of Event(s) 6-18-13
Business Name: WBGL
License Fee: \$ 10.00
Filing Fee: \$ 4.00
TOTAL FEE: \$ 14.00
Checker's Signature: [Signature]

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

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

- A. 1. Name of Business: WBGL/IDCAG
2. Location of Business for which application is made: 4101 FIELDSTONE ROAD, CHAMPAIGN IL 61822
3. Business address of Business for which application is made: parent company: PO BOX 620, CARLINVILLE IL 62626
4. Zoning Classification of Property: I-1
5. Date the Business covered by Ordinance No. 55 began at this location: _____
6. Nature of Business normally conducted at this location: none - empty lot
7. Nature of Activity to be licensed (include all forms of recreation and entertainment to be provided): FREE OUTDOOR CONCERT OPEN TO THE PUBLIC
8. Term for which License is sought (specifically beginning & ending dates): JUNE 18, 2013 ONLY
(NOTE: All annual licenses expire on December 31st of each year)
9. Do you own the building or property for which this license is sought? NO
10. If you have a lease or rent the property, state the name and address of the owner and when the lease or rental agreement expires: HALLBECK HOMES - ALLOWING US TO USE EMPTY LOT AT NO CHARGE
11. If any licensed activity will occur outdoors attach a Site Plan (with dimensions) to this application showing location of all buildings, outdoor areas to be used for various purposes and parking spaces. See page 3, Item 7.

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

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

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

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

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

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

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

- C. 1. Name(s) of owner(s) or local manager(s) (include any aliases): _____
JEFF SCOTT WURTHMANN
Date of Birth: _____ Place of Birth: OHIO
Social Security Number: _____ Citizenship: USA
If naturalized, state **place** and **date** of naturalization: _____
2. Residential Addresses for the past three (3) years: _____
1203 HIGHLAND, MAHOMET, IL
3. Business, occupation, or employment of applicant for four (4) years preceding date of application for this license: WBGL STATION MANAGER

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

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

1. Name of Corporation exactly as shown in articles of incorporation and as registered: _____
2. Date of Incorporation: _____ State wherein incorporated: _____

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

Give first date qualified to do business in Illinois: _____

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

4101 FIELDSTONE ROAD CHAMPAIGN IL 61822

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

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

Name of Officer: _____ Title: _____

Date elected or appointed: _____ Social Security No.: _____

Date of Birth: _____ Place of Birth: _____

Citizenship: _____

If naturalized, **place** and **date** of naturalization: _____

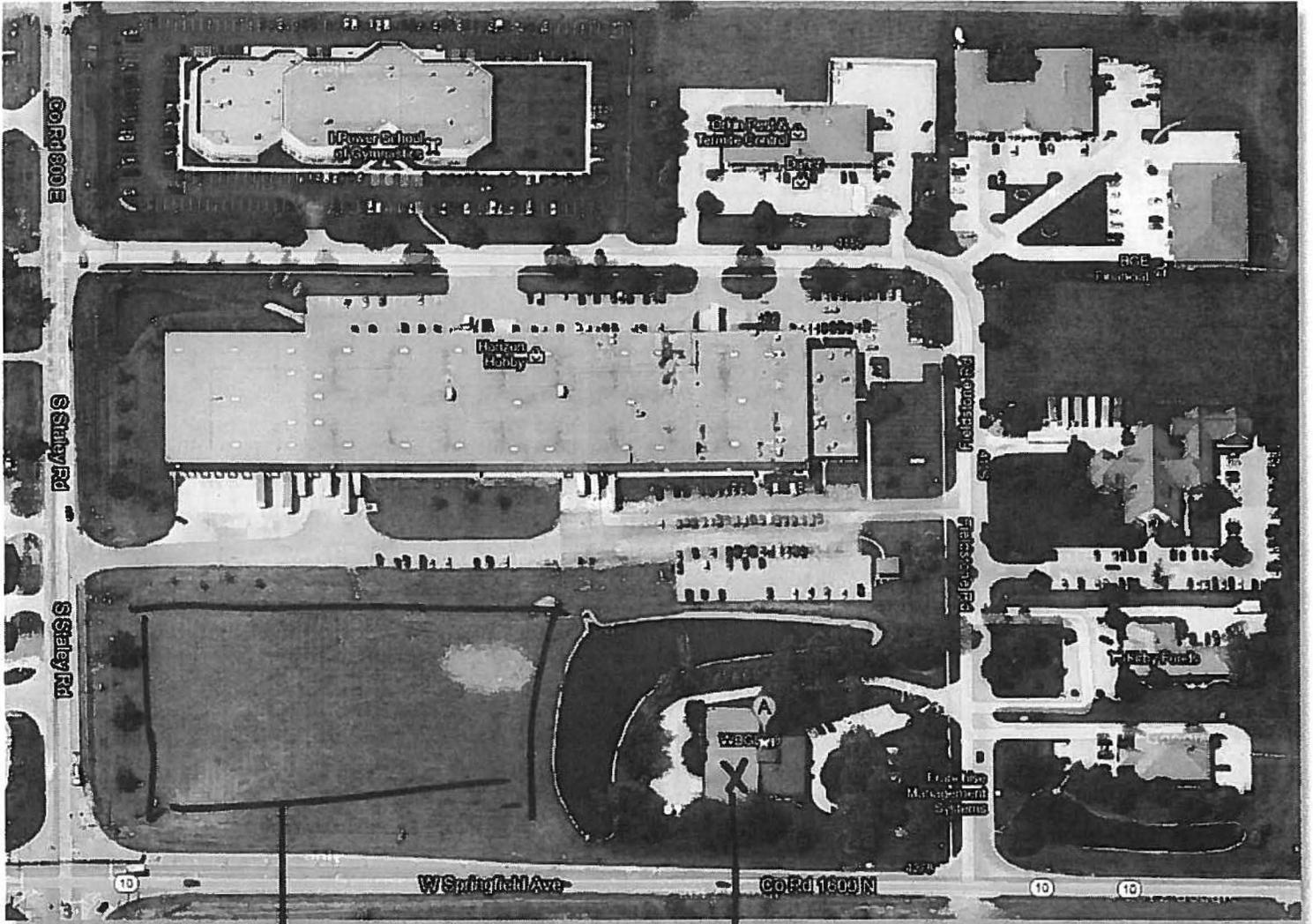
Residential Addresses for past three (3) years: _____

Business, occupation, or employment for four (4) years preceding date of application for this license: _____

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

SEE ENCLOSED "ATTACHMENT A"

ATTACHMENT A



CONCERT
LOCATION

WBGL
STUDIOS

AFFIDAVIT

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

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

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

Signature of Owner or of one of two members of Partnership

Signature of Owner or of one of two members of Partnership

Signature of Manager or Agent

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

Notary Public

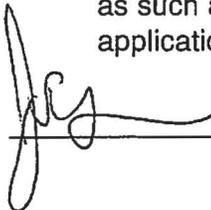
AFFIDAVIT

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

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

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

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



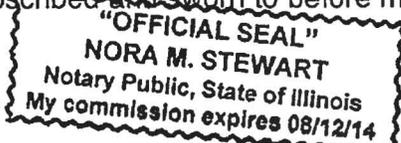
Signature of President

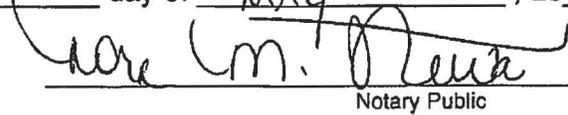


Signature of Secretary

Signature of Manager or Agent

Subscribed and sworn to before me this 22nd day of May, 2013.





Notary Public

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

ILLINOIS

Jesse White Secretary of State

DRIVER'S LICENSE

Lic. No.:
DOB:
Expires:
Issued:

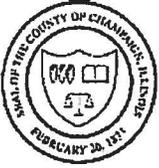
Class: DM
End:
Rest: B
Type: ORG

JEFFREY S. WILSON
1203 HIGHLAND DRIVE
MAHOMET IL 61853



Male

S



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

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

For Office Use Only

License No. 2013-011
Date(s) of Event(s) Annual
Business Name: _____
License Fee: \$ 70.00
Filing Fee: \$ 4.00
TOTAL FEE: \$ 74.00
Checker's Signature: _____

FILED

FILED
MAY 28 2013

Gordy Hulten
CHAMPAIGN COUNTY CLERK

Fees: Per Year (or fraction thereof): \$ ~~400.00~~ - 70.00
Per Single-day Event: \$ 10.00
Clerk's Filing Fee: \$ 4.00

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

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

- A. 1. Name of Business: Last Call For Alcohol, Inc
2. Location of Business for which application is made: 105 Main St.
Penfield IL 61862
3. Business address of Business for which application is made: _____
Same
4. Zoning Classification of Property: Commercial
5. Date the Business covered by Ordinance No. 55 began at this location: 8/21/06
6. Nature of Business normally conducted at this location: _____
Bar + Grill
7. Nature of Activity to be licensed (include all forms of recreation and entertainment to be provided): Bands + DJ's
8. Term for which License is sought (specifically beginning & ending dates): _____
June 1 2013 - Dec 31, 2013
(NOTE: All annual licenses expire on December 31st of each year)
9. Do you own the building or property for which this license is sought? NO
10. If you have a lease or rent the property, state the name and address of the owner and when the lease or rental agreement expires: HBT - 217
602 Country Fair Dr. Champaign IL 61821
11. If any licensed activity will occur outdoors attach a Site Plan (with dimensions) to this application showing location of all buildings, outdoor areas to be used for various purposes and parking spaces. See page 3, Item 7.

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

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

Name: Sheri L. Kaufman Date of Birth: _____
Place of Birth: Paxton IL. US Social Security No.: _____
Residence Address: 106 Walnut Penfield IL. 61862
Citizenship: _____ If naturalized, place and date of naturalization: _____

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

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

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

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

- C. 1. Name(s) of owner(s) or local manager(s) (include any aliases): _____
Date of Birth: _____ Place of Birth: _____
Social Security Number: _____ Citizenship: _____
If naturalized, state place and date of naturalization: _____
2. Residential Addresses for the past three (3) years: _____

3. Business, occupation, or employment of applicant for four (4) years preceding date of application for this license: _____

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

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

1. Name of Corporation exactly as shown in articles of incorporation and as registered:
Last Call For Alcohol Inc
2. Date of Incorporation: 8/21/04 State wherein incorporated: IL.

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

Give first date qualified to do business in Illinois: _____

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

Last Call For Alcohol Inc.

5. Objects of Corporation, as set forth in charter: 8/21/04

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

Name of Officer: Shere Kaufman Title: pres

Date elected or appointed: 8/21/04 Social Security No.: _____

Date of Birth: _____ Place of Birth: Paxton IL US

Citizenship: _____

If naturalized, place and date of naturalization: _____

Residential Addresses for past three (3) years: 106 Walnut P.O. Box 143

Penfield IL 61862

Business, occupation, or employment for four (4) years preceding date of application for this license: Last Call

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

AFFIDAVIT

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

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

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

Signature of Owner or of one of two members of Partnership

Signature of Owner or of one of two members of Partnership

Signature of Manager or Agent

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

Notary Public

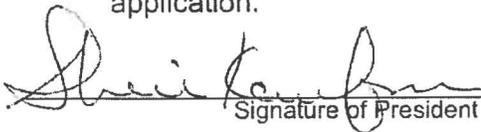
AFFIDAVIT

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

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

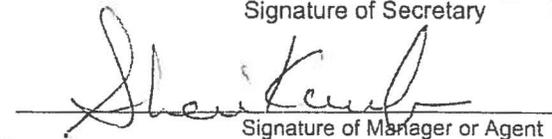
We further swear that the applicant will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of applicant's place of business.

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



Signature of President

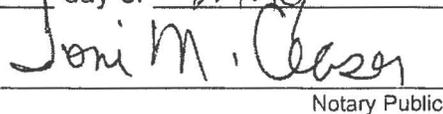
Signature of Secretary



Signature of Manager or Agent



Subscribed and sworn to before me this 28 day of May, 2013.



Notary Public

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

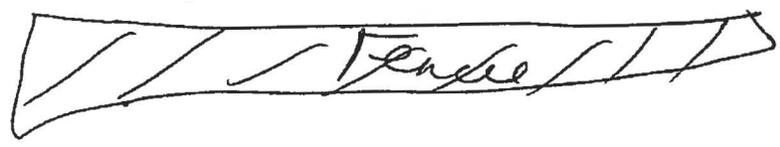
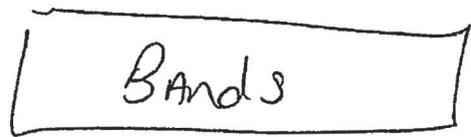
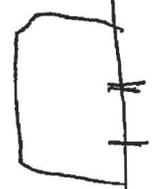
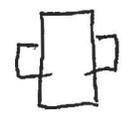
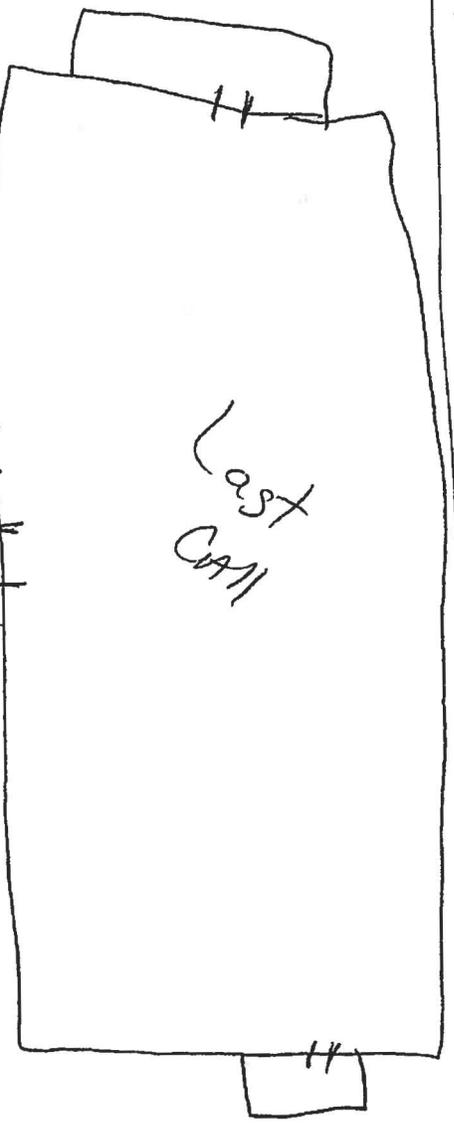
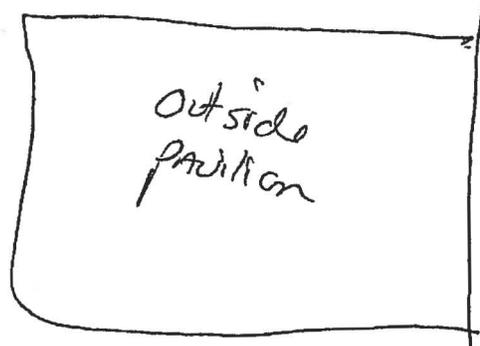
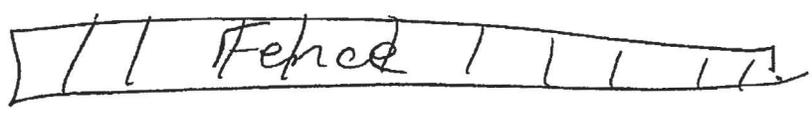
W

Main St

Road

N

S



Alley



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
05/28/2013

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER FRERICHS & STILLWELL INS SERV PO BOX 649 ST JOSEPH, IL 61873	CONTACT NAME: MARC FRERICHS PHONE (A/C No. Ext): 217-489-2027 FAX (A/C No.): 217-489-2143 E-MAIL ADDRESS:											
	<table border="1"> <tr> <th>INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> <tr> <td>INSURER A: AUTO-OWNERS INSURANCE</td> <td></td> </tr> <tr> <td>INSURER B: SPRINGFIELD FIRE & CASUALTY CO</td> <td></td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: AUTO-OWNERS INSURANCE		INSURER B: SPRINGFIELD FIRE & CASUALTY CO		INSURER C:		INSURER E:		INSURER F:
INSURER(S) AFFORDING COVERAGE	NAIC #											
INSURER A: AUTO-OWNERS INSURANCE												
INSURER B: SPRINGFIELD FIRE & CASUALTY CO												
INSURER C:												
INSURER E:												
INSURER F:												
INSURED LAST CALL FOR ALCHOL, INC PO BOX 143 PENFIELD, IL 61862												

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSTR LTR	TYPE OF INSURANCE	ADDL BDR INSR / WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GENL AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC		074604 07358542 12	08/21/2012	08/21/2013	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Per occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 1,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000 \$
	AUTOMOBILE LIABILITY ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Per accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB EXCESS LIAB OCCUR CLAIMS-MADE					EACH OCCURRENCE \$ AGGREGATE \$ \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N/A	071704 07012086	08/21/2012	08/21/2013	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER B L EACH ACCIDENT \$ 100,000 E L DISEASE - EA EMPLOYEE \$ 100,000 E L DISEASE - POLICY LIMIT \$ 500,000
B	LIQUOR LIABILITY		10-2012-2203	08/21/2012	08/21/2013	COMBINED SINGLE LIMIT \$500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

CERTIFICATE HOLDER CHAMPAIGN COUNTY LIQUOR CONTROL COMMISSION	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
---	--

ILLINOIS Jesse White Secretary of State
DRIVER'S LICENSE



Lic. No.: 51
DOB:
Expires:
Issued:
SHERI L KAUFMAN

Class: D
Exp: 12/31/94
Test: 12/31/94
Trans: ORG

Sheri L Kaufman
Fema)



FORM BCA 2.10 (rev. Dec. 2003)
ARTICLES OF INCORPORATION
 Business Corporation Act

Jesse White, Secretary of State
 Department of Business Services
 Springfield, IL 62756
 217-782-9522
 217-782-6961
 www.cyberdriveillinois.com

FILED
AUG 21 2008

JESSE WHITE
 SECRETARY OF STATE

Remit payment in the form of a cashier's check, certified check, money order or an Illinois attorney's or CPA's check payable to Secretary of State.

See Note 1 on back to determine fees.

Filing Fee: \$150 Franchise Tax \$25 Total \$ 175 File # 6505-193-1 Approved: S

----- Submit in duplicate ----- Type or Print clearly in black ink ----- Do not write above this line -----

1. Corporate Name: LAST CALL FOR ALCHOL, INC.

The corporate name must contain the word "corporation," "company," "incorporated," "limited" or an abbreviation thereof.

2. Initial Registered Agent: DIANE A MCKELLIP
First Name Middle Initial Last Name

Initial Registered Office: 105 N. MAIN P.O. BOX 143
Number Street Suite No. (P.O. Box alone is unacceptable)

PENFIELD IL 61862 CHAMPAIGN
City ZIP Code County

3. Purposes(s) for which the corporation is organized:
 (If more space is needed, attach additional 8 1/2" x 11" sheets.)

The transaction of any or all lawful businesses for which corporations may be incorporated under the Illinois Business Corporation Act.

4. Paragraph 1 — Authorized Shares, Issued Shares and Consideration Received:

Class	Number of Shares Authorized	Number of Shares Proposed to be Issued	Consideration to be Received Thereof
COMMON	1000	1000	\$ 1,000.00

TOTAL = \$

Paragraph 2 — The preferences, qualifications, limitations, restrictions and special or relative rights in respect of the shares of each class are:
 (If more space is needed, attach additional 8 1/2" x 11" sheets.)

(cont. on back)

ITEMS 5, 6 AND 7 ARE OPTIONAL

5. a. Number of Directors constituting the initial board of directors of the corporation: 1
 b. Names and Addresses of persons serving as directors until the first annual meeting of shareholders or until their successors are elected and qualify:

Name	Address	City, State, ZIP
SHERI LYN KAUFMAN	108 WALNUT, P.O. BOX 143	PENFIELD, IL 61862

6. a. It is estimated that the value of the property to be owned by the corporation for the following year wherever located will be: \$ _____
 b. It is estimated that the value of the property to be located within the State of Illinois during the following year will be: \$ _____
 c. It is estimated that the gross amount of business that will be transacted by the corporation during the following year will be: \$ _____
 d. It is estimated that the gross amount of business that will be transacted from places of business in the State of Illinois during the following year will be: \$ _____

7. Other Provisions: Attach a separate 8 1/2" x 11" sheet for any other provision to be included in the Articles of Incorporation (e.g., authorizing preemptive rights, denying cumulative voting, regulating internal affairs, voting majority requirements, fixing a duration other than perpetual, etc.).

NAME(S) & ADDRESS(ES) OF INCORPORATOR(S)

8. The undersigned incorporator(s) hereby declare(s), under penalties of perjury, that the statements made in the foregoing Articles of Incorporation are true.

Dated AUGUST 15, 2006
Month & Day Year

Signature and Name		Address		
1.	_____ Signature DIANE MCKELLIP Name (type or print)	1.	<u>P.O. BOX 221</u> Street <u>ROYAL</u> City/Town	<u>IL</u> State <u>61871</u> ZIP Code
2.	_____ Signature _____ Name (type or print)	2.	_____ Street _____ City/Town	_____ State _____ ZIP Code
3.	_____ Signature _____ Name (type or print)	3.	_____ Street _____ City/Town	_____ State _____ ZIP Code

Signatures must be in **BLACK INK** on an original document. Carbon copy, photocopy or rubber stamp signatures may only be used on conformed copies.

NOTE: If a corporation acts as incorporator, the name of the corporation and the state of incorporation shall be shown and the execution shall be by a duly authorized corporate officer. Type or print officer's name and title beneath signature.

Note 1 — Fee Schedule:

- The initial franchise tax is assessed at the rate of 15/100 of 1 percent (\$1.50 per \$1,000) on the paid-in capital represented in this state. (The minimum initial franchise tax is \$25.)
- The filing fee is \$150.
- The minimum total due (franchise tax + filing fee) is \$175.

Note 2 — Return to:

LAST CALL FOR ALCHOL, INC
Firm name
SHERI KAUFMAN
Attention
P.O. BOX 143
Mailing Address
PENFIELD, IL 61862
City, State, ZIP Code

Date: May 24, 2013
To: ELUC Members
From: Susan Chavarria, Regional Planning Manager
Regarding: Wilber Heights
Action Requested: Approve CCRPC tasks regarding Wilber Heights subdivision

Background

The Wilber Heights subdivision is located off North Market Street north of Champaign. The subdivision falls under County jurisdiction, with one of its three principal street maintained by the City of Champaign. There is a mix of industrial, commercial, and residential uses.

Flooding, sewer, and zoning issues make Wilber Heights a complex planning and engineering problem. Residents in the neighborhood have frequently asked for help in resolving these issues over the years, but little progress has been made.

Recommended Plan

The FY13 County Planning Contract with CCRPC has 290 hours remaining that can be used by any County office with approval from the County Administrator and County Board Chair. CCRPC staff recommends using some of these hours toward a multi-prong approach to improve the situation in Wilber Heights.

Flooding, sewer, and drainage remediation

1. Conduct in-person interviews with residents and business representatives. This would be done in a focus group setting, with the potential for multiple meetings. CCRPC estimates planning, advertising, conducting, and synthesizing results from meetings to take approximately 75-100 hours.
2. Conduct an income survey that is a pre-requisite to applying for Community Development Assistance Program (CDAP) funding through Illinois DCEO. This is a survey of households with seven questions regarding race, income, and other characteristics of residents. The survey would take approximately 25 hours to complete.
3. If the income survey shows that 51% or more of the households are of low-to-moderate income, the County can apply for CDAP funding. CDAP funds improvements to infrastructure such as storm and sanitary sewers. Proof of a health and safety issue is another requisite of receiving CDAP funding.

Assuming the subdivision qualifies, CCRPC recommends applying for Design Engineering funds in CDAP's 2014 funding cycle and Construction funds in their 2015 cycle. No local match is required for Design Engineering, but Construction projects require a 25% non-CDAP match. The Design Engineering deadline is generally in April each year, and the Construction deadline is generally in February each year.

4. The City of Champaign is going to look at ditch grading and storm drain cleanup along Wilber Avenue in the fall of this year based on requests they received from the most recent flooding event in March. CCRPC and Zoning staff have spoken with Alex Nagy at the city to see if the County might piggyback on that project for the other streets in the subdivision if feasible and economically reasonable for the County. Mr. Nagy asked that staff check back in late summer to pursue this shorter-term potential project.

Planning and zoning

CCRPC recommends working with the University of Illinois Department of Urban and Regional Planning to have them design a semester or year-long course where students would create planning products which might mitigate land use and zoning concerns for the subdivision.

Next Steps

CCRPC staff recommends that the County Board approve:

- Having CCRPC conduct public engagement meetings using County Planning Contract hours remaining for FY13.
- Having CCRPC conduct the income survey using County Planning Contract hours remaining for FY13.
- Having CCRPC begin completing a CDAP application for design engineering using County Planning Contract hours remaining for FY13 if the income survey results qualify.
- Asking County Board member Pattsy Petrie to coordinate with the University of Illinois Department of Urban and Regional Planning to pursue having a class devoted to mitigating planning and zoning issues for the subdivision.



Date: May 24, 2013

To: ELUC Members

From: Susan Chavarria, Regional Planning Manager

Regarding: Status Update for FY 2013 County Planning Contract

Action Requested: None - for information only

Champaign County has an annually renewed contract with Champaign County Regional Planning Commission for planning and technical services. In anticipation of requesting renewal for next year's contract, CCRPC staff provides the following status report for the current FY13 contract. As can be seen in the table, we are approximately 31% complete with the work plan as of May 24th.

Task	Hours			
	Allocated	Used	Remaining	% Complete
LRMP Implementation	885	253.5	631.5	29%
Recycling Events Coordination	150	138.5	11.5	92%
Planning Services Requests	295	4.5	290.5	2%
Administration	20	20	0	100%
Total	1350	416.5	933.5	31%

Status of LRMP Implementation tasks can be found on the following page. Of the 17 items in the FY13 work plan, nine have been initiated and five are complete.

LRMP Work Plan Status as of May 24, 2013

Work Plan ID	Priority Item	LRMP Work Plan Task	Hours Allocated	Hours Used	Staff Work Status
2013-1	9.4a	Update website for recycling events/information	10	10	complete
2013-2	various	Seek funding to implement GOPs	50	37.5	in progress
2013-3	7.2.4b	Participate in Greenways and Trails Committees	10	10	complete
2013-4	1.3.1	LRMP map changes recommendations	30	30	complete
2013-5	2.1.1	Review municipal service boundaries for map changes	30	30	complete
2013-6	8.4.5b	NPDES required annual reporting	40	28.5	complete
2013-7	5.1.8b	Intergovernmental annexation agreement feasibility	40	0	not started
2013-8	8.6.3/4	Amend Zoning Ordinance based on Policies 8.6.3 and 8.6.4	160	73	in progress
2013-9	8.1.9	Identify water contamination and follow up as directed by CB	40	26.5	in progress
2013-10	8.4.5a	Finalize public approval process for NPDES	75	8	in progress
2013-11	6.2.1b	Office of State Fire Marshal life safety regulations for multi-family/ purpose units	60	0	not started
2013-12	6.2.2	Office of State Fire Marshal life safety regulations for liquor license premises	40	0	not started
2013-13	6.2.3	Office of State Fire Marshal life safety regulations for recreation license premises	40	0	not started
2013-14	8.7.4	Develop an information package to conserve woodlands and other habitats	30	0	not started
2013-15	8.7.6	Develop an information package on natural resource management guidelines	30	0	not started
2013-16	8.5.1	Amend Zoning Ordinance to reflect Policy 8.5.1	100	0	not started
2013-17	8.6.2	Amend Zoning Ordinance to reflect Policy 8.6.2	100	0	not started
Total			885	253.5	29%



Date: May 24, 2013

To: ELUC Members

From: Susan Chavarria, Regional Planning Manager

Regarding: Proposed FY14 County Planning Contract Work Plan

Action Requested: None - for information only

Background

Champaign County has an annually renewable contract with Champaign County Regional Planning Commission for planning and technical services. The \$73,360 proposed contract amount for FY14 includes a 2% increase provisionally approved by Deb Busey.

Attachment A is the proposed FY14 General Work Plan. It includes 1,325 hours and focuses on implementing the LRMP, recycling coordination, and general planning services requests.

Attachment B contains the proposed LRMP Implementation Work Plan. The proposed work plan was completed in coordination with John Hall, Zoning Director. As per the request of County Board members, cost and time estimates are provided for each proposed task. It should be noted that estimates do not necessarily include sufficient time for County Board discussion and approval processes and are our best estimate at staff time for completing these tasks.

Next Steps

CCRPC staff would appreciate your input and finalization of the county planning contract work plan, including the LRMP implementation work tasks that will take us through December 2014. We will return in August to request approval of the work plan once your input has been received.

Attachment A: Proposed County Planning Contract for FY14
January 1, 2014 through December 31, 2014

	<u>Hours</u>	<u>Cost</u>
LRMP Implementation		
Working with the County Board and staff, priority implementation items will be identified that CCRPC planners can implement given available time and resources.	1,055	\$56,780
Recycling Events Coordination		
Countywide recycling collection initiatives in coordination with local entities have been spearheaded through the County contract for the last couple of years. Current challenges include seeking means to accommodate the ongoing need for household hazardous waste collection. <i>Typical activities: recycling events coordination and other initiatives intended to maximize awareness regarding materials management reduce, re-use or recycling opportunities in Champaign County.</i>	150	\$8,073
General Planning Services Requests		
County Board and/or County departments may solicit research for funding sources, grant writing assistance, data analyses, and reports on topics of common interest to the Board or County administration. <i>Typical activities: 2007 Hazard Mitigation Plan grant application, search for county facilities improvement funding, residential TIF research, Wilber Heights facilitation.</i>	100	\$5,382
Administration (budgeting, work plan, project management)	20	\$1,325
Non-staff expenses (supplies, services, capital outlay) <i>Typical expenses: printing finished documents, purchasing research materials, office supplies, yearly subscriptions/ memberships, etc.</i>		\$1,800
Total	1,325	\$73,360

Attachment B: Proposed LRMP Work Plan Items for FY14

Overview

The following table provides an overview of the FY14 LRMP Implementation work plan. More specific information on the implementation items is available on subsequent pages.

Work Plan ID	Priority Item	LRMP Objective/Priority Item	Hours	Cost
1	various	Monitor and pursue potential funding opportunities to achieve provisions of GOPs.	50	\$2,690
2	1.2.1	Prepare a report that informs County Board members of trends or new development with regard to land resource management conditions within the County each year.	30	\$1,615
3	1.3.1	Based on the annually prepared report of trends and new developments, provide a recommendation to ELUC regarding minor LRMP map changes each year. Provide public notice of LRMP changes and invite public input regarding proposed changes.	30	\$1,615
4	2.1.1	Review municipal limits and contiguous urban growth area boundaries with municipal representatives on a regular basis in order to update LRMP Future Land Use Map and Land Management Area Map boundaries. Complete review and revisions to LRMP maps in time for preparation of the annual report to be provided to the County Board each January.	30	\$1,615
5	7.2.4b	Participate in the Greenways and Trails Committees that are coordinated by CCRPC.	5	\$269
6	8.4.5a	Complete required annual update reports revisions for the Phase II National Pollutant Discharge Elimination System (NPDES) Storm Water Management Program.	30	\$1,615
7	8.1.9 8.4.1b	8.1.9 - Monitor IEPA annual reports and available data from IEPA and the MAC to identify contaminated land or groundwater areas requiring remediation in Champaign County. Submit proposal regarding Champaign County action or response for ELUC review and County Board adoption. 8.4.1b - Maintain an inventory of local and regional watershed plans to provide to the CCDPZ for review of applicable recommendations of local and regional watershed plans in discretionary review of new development.	30	\$1,615
8	8.4.5a	Complete the public input and approval process of required revisions for the Phase II National Pollutant Discharge Elimination System (NPDES) Storm Water Management Program.	90	\$4,844
9	6.1.1c	Amend the Champaign County Zoning Ordinance to reflect the requirements of the Champaign County Health Ordinance, and vice versa as they pertain to Policy 6.1.1: The County will establish minimum lot location and dimension requirements for all new rural residential development that provide ample and appropriate areas for onsite wastewater and septic systems.	200	\$10,764

Continued on next page

Work Plan ID	Priority Item	LRMP Objective/Priority Item	Hours	Cost
10	5.1.1c	Amend Champaign County Zoning Ordinance to include provisions of Policy 5.1.1: The County will encourage new urban development to occur within the boundaries of incorporated municipalities.	20	\$1,076
11	5.2.1b	Amend relevant Champaign County ordinances to include provisions of Policy 5.2.1: The County will encourage the reuse and redevelopment of older and vacant properties within urban land when feasible.	20	\$1,076
12	5.3.1c 5.3.2c	5.3.1c: Amend relevant Champaign County ordinances to include provisions of Policy 5.3.1: The County will: a. require that proposed new urban development in unincorporated areas is sufficiently served by available public services and without undue public expense; and b. encourage, when possible, other jurisdictions to require that proposed new urban development is sufficiently served by available public services and without undue public expense. 5.3.2c: Amend relevant Champaign County ordinances to include provisions of Policy 5.3.2: The County will: a. require that proposed new urban development, with proposed improvements, will be adequately served by public infrastructure, and that related needed improvements to public infrastructure are made without undue public expense; and b. encourage, when possible, other jurisdictions to require that proposed new urban development, with proposed improvements, will be adequately served by public infrastructure, and that related needed improvements to public infrastructure are made without undue public expense.	120	\$6,458
13	4.3.4c	Amend Champaign County Zoning Ordinance to include provisions of Policy 4.3.4: 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.	80	\$4,306
14	8.3.1	Amend Champaign County Zoning Ordinance to include provisions of Policy 8.3.1: The County will allow expansion or establishment of underground mineral and energy resource extraction operations only if: a) the operation poses no significant adverse impact to existing land uses; b) the operation creates no significant adverse impact to surface water quality or other natural resources; and c) provisions are made to fully reclaim the site for a beneficial use.	120	\$6,458
15	8.4.2b	Amend relevant Champaign County ordinances to include provisions of Policy 8.4.2: The County will require stormwater management designs and practices that provide effective site drainage, protect downstream drainage patterns, minimize impacts on adjacent properties and provide for stream flows that support healthy aquatic ecosystems.	200	\$10,764
Total			1,055	\$56,780

ANNUAL MONITORING TASKS

1. Monitor and pursue potential funding opportunities to achieve provisions of GOPs.

Estimated planner hours to implement: 50
Estimated cost to implement: \$2,690

Description: Research funding sources and respond to one grant opportunity. If more funding applications become available, each is unique and will consume a unique amount of time by the county planner; grant applications will require approval by the County Board.

Estimated hours to administer once implemented: Unknown
Estimated cost to administer: A portion of an awarded grant is usually set aside for administration
Resources needed to administer: Potential budget amendment and setting up account. This is a permanent item in the work plan.

Significance: There are about a dozen themes in the LRMP for which there is a need to search for funding opportunities related to local foods, greenways and trails, public infrastructure, historic/scenic/cultural amenities, animal habitats, groundwater, drainage improvements, environmental stewardship, educational programs and sustainability. There are no current county staff resources to consistently monitor such funding opportunities.

2. Priority Item 1.2.1 - Prepare a report that informs County Board members of trends or new development with regard to land resource management conditions within the County each year.

Estimated planner hours to implement: 30
Estimated cost to implement: \$1,615

Description: Conduct key person interviews with county and municipal agencies and prepare the report.
Estimated hours to administer once implemented: None
Estimated cost to administer: None
Resources needed to administer: None

Significance: This task gives the most up to date information available on best practices, new trends in development that could impact our rural areas, and new initiatives taking place amongst development related agencies in Champaign County. The LRMP action items can be better prioritized and implemented with this information.

3. Priority Item 1.3.1 - Based on the annually prepared report of trends and new developments, provide a recommendation to ELUC regarding minor LRMP map changes each year. Provide public notice of LRMP changes and invite public input regarding proposed changes.

Estimated planner hours to implement: 30
Estimated cost to implement: \$1,615
Description: Revise LRMP maps for approval by County Board.

Estimated hours to administer once implemented: None
Estimated cost to administer: None
Resources needed to administer: None. This is a permanent item in the work plan.

Significance: This update highlights changes which may impact decisions made at the County level.

4. Priority Item 2.1.1 - Review municipal limits and contiguous urban growth area boundaries with municipal representatives on a regular basis in order to update LRMP Future Land Use Map and Land Management Area Map boundaries. Complete review and revisions to LRMP maps in time for preparation of the annual report to be provided to the County Board each January.

Estimated planner hours to implement: 30

Estimated cost to implement: \$1,615

Description: Collect data from area municipalities, county clerk, and others to establish most recent boundaries. Update maps and present to County Board for approval.

Estimated hours to administer once implemented: None

Estimated cost to administer: None

Resources needed to administer: None. This is a permanent item in the work plan.

Significance: This update highlights changes to corporate limits and other boundaries which may impact decisions made at the County level, especially regarding zoning cases.

5. Priority Item 7.2.4b - Participate in the Greenways and Trails Committees that are coordinated by CCRPC.

Estimated planner hours to implement: 5

Estimated cost to implement: \$269

Description: Attend meetings and serve as a County representative for Greenways and Trails planning and implementation.

Estimated hours to administer once implemented: None

Estimated cost to administer: None

Resources needed to administer: None. This is a permanent item in the County Planner work plan.

Significance: The Greenways and Trails plan includes the Forest Preserve Districts and potential bicycle and pedestrian linkages to those areas. Land use planning and zoning cases could be impacted by the plan.

6. Priority Item 8.4.5a – Complete required annual update reports revisions for the Phase II National Pollutant Discharge Elimination System (NPDES) Storm Water Management Program.

Estimated planner hours to implement: 30

Estimated cost to implement: \$1,615

Description: Illinois EPA requires annual reporting on NPDES.

Estimated hours to administer once implemented: None

Estimated cost to administer: None

Resources needed to administer: None. This is a permanent item in the County Planner work plan.

Significance: County-level annual reporting is required statewide for NPDES.

- 7. Priority Item 8.1.9 - Monitor IEPA annual reports and available data from IEPA and the MAC to identify contaminated land or groundwater areas requiring remediation in Champaign County. Submit proposal regarding Champaign County action or response for ELUC review and County Board adoption.**

Priority Item 8.4.1b - Maintain an inventory of local and regional watershed plans to provide to the CCDPZ for review of applicable recommendations of local and regional watershed plans in discretionary review of new development.

Estimated planner hours to implement: 30
Estimated cost to implement: \$1,615

Description: Collect and synthesize information, write memo to CCDPZ.

Estimated hours to administer once implemented: None
Estimated cost to administer: None
Resources needed to administer: None. This is a permanent item in the County Planner work plan.

Significance: This data collection provides information that other agencies do not necessarily provide about our groundwater systems, which could impact zoning and other county decisions.

NEW TASKS

- 8. Priority Item 8.4.5a: Complete the public input and approval process of required revisions for the Phase II National Pollutant Discharge Elimination System (NPDES) Storm Water Management Program.**

Estimated planner hours to implement: 90
Estimated cost to implement: \$4,844

Description: Upon legal review by State Attorney's Office, proceed with public hearing and approval process for the revisions completed in 2013.

Estimated hours to administer once implemented: Annual update is a permanent item in the work plan, approximately 30 hours per year.
Estimated cost to administer: Included in annual work plan
Resources needed to administer: None.

Significance: Currently, the NPDES revisions are under legal review. The public input and approval process are requirements of completing the work item that began in 2013.

9. Priority Item 6.1.1c: Amend the Champaign County Zoning Ordinance to reflect the requirements of the Champaign County Health Ordinance, and vice versa as they pertain to Policy 6.1.1: *The County will establish minimum lot location and dimension requirements for all new rural residential development that provide ample and appropriate areas for onsite wastewater and septic systems.*

Estimated planner hours to implement: 200

Estimated cost to implement: \$10,764

Description: Research and create minimum lot location and dimension requirements and facilitate approval process. Then amend the Zoning and Health Ordinances to reflect those requirements.

Estimated hours to administer once implemented: Case by case basis

Estimated cost to administer: Case by case basis

Resources needed to administer: Zoning staff time to review cases.

Significance: The Zoning Department is concerned that for very small lots with very old or nonconforming septic systems the Zoning Ordinance does not adequately limit the amount of lot area that can be occupied by buildings and paving and that exacerbates the difficulties of replacing or establishing a proper septic system in the future. The Zoning Ordinance also does not require a septic permit prior to the Zoning Use Permit nor does it prohibit construction in that part of a lot that has been approved for a septic system. All of these problems will become much more difficult for a homeowner if and when the anticipated amendments are made to the Private Sewage Disposal Licensing Act and Code.

10. Priority Item 5.1.1c: Amend Champaign County Zoning Ordinance to include provisions of Policy 5.1.1: *The County will encourage new urban development to occur within the boundaries of incorporated municipalities.*

Estimated planner hours to implement: 20

Estimated cost to implement: \$1,076

Description: Identify potential incentives and information that might encourage such development; provide report to Zoning. Ordinance writing would depend on findings and would occur another year.

Estimated hours to administer once implemented: None

Estimated cost to administer: None

Resources needed to administer: None

Significance: The adopted LRMP prioritizes limiting urban impacts on our soil and agricultural resources. This work item will allow the Zoning Department to encourage urban rather than rural development in its zoning cases.

11. Priority Item 5.2.1b: Amend relevant Champaign County ordinances to include provisions of Policy 5.2.1: *The County will encourage the reuse and redevelopment of older and vacant properties within urban land when feasible.*

Estimated planner hours to implement: 20
Estimated cost to implement: \$1,076

Description: Identify potential incentives and information that might encourage such development; provide report to Zoning. Ordinance writing would depend on findings and would occur another year.

Estimated hours to administer once implemented: None
Estimated cost to administer: None
Resources needed to administer: None

Significance: The adopted LRMP prioritizes limiting urban impacts on our soil and agricultural resources. This work item will provide the background research necessary for the Zoning Department to decide how to amend the zoning ordinance regarding development on brownfield and greenfield sites.

12. Priority Item 5.3.1c: Amend relevant Champaign County ordinances to include provisions of Policy 5.3.1: *The County will: a. require that proposed new urban development in unincorporated areas is sufficiently served by available public services and without undue public expense; and b. encourage, when possible, other jurisdictions to require that proposed new urban development is sufficiently served by available public services and without undue public expense.*

Priority Item 5.3.2c: Amend relevant Champaign County ordinances to include provisions of Policy 5.3.2: *The County will: a. require that proposed new urban development, with proposed improvements, will be adequately served by public infrastructure, and that related needed improvements to public infrastructure are made without undue public expense; and b. encourage, when possible, other jurisdictions to require that proposed new urban development, with proposed improvements, will be adequately served by public infrastructure, and that related needed improvements to public infrastructure are made without undue public expense.*

Estimated planner hours to implement: 120
Estimated cost to implement: \$6,458

Description: Research “undue public expense” and case studies. Draft ordinance and submit for approval. This task includes drafting and revision hours, but does not include any approval meetings with the County Board, Committees, or ZBA.

Estimated hours to administer once implemented: None
Estimated cost to administer: None
Resources needed to administer: None

Significance: Larger developments and developments which could substantially impact local budgets because they need infrastructure should be considered in light of potential public costs for that infrastructure. This research will help determine who assumes the financial burden for such infrastructure and services.

13. Priority Item 4.3.4c: Amend Champaign County Zoning Ordinance to include provisions of Policy 4.3.4: *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.*

Estimated planner hours to implement: 80

Estimated cost to implement: \$4,306

Description: Draft an ordinance which requires a Traffic Impact Analysis to be completed for discretionary review developments.

Estimated hours to administer once implemented: Case-by-case basis

Estimated cost to administer: None

Resources needed to administer: None

Significance: There have been concerns that requests for Traffic Impact Analyses by the Zoning Department need to be consistently applied for zoning cases. This amendment would outline when they would be required and who would be responsible for their costs.

14. Priority Item 8.3.1: Amend Champaign County Zoning Ordinance to include provisions of Policy 8.3.1: *The County will allow expansion or establishment of underground mineral and energy resource extraction operations only if: a) the operation poses no significant adverse impact to existing land uses; b) the operation creates no significant adverse impact to surface water quality or other natural resources; and c) provisions are made to fully reclaim the site for a beneficial use.*

Estimated planner hours to implement: 120

Estimated cost to implement: \$6,458

Description: Draft ordinance language and submit for approval. This task includes drafting and revision hours, but does not include any approval meetings with the County Board, Committees, or ZBA.

Estimated hours to administer once implemented: None

Estimated cost to administer: None

Resources needed to administer: None

Significance: In light of nearby mineral extraction developments, such an amendment would help protect our County's natural resources more than our existing ordinance does.

15. Priority Item 8.4.2b: Amend relevant Champaign County ordinances to include provisions of Policy 8.4.2: *The County will require stormwater management designs and practices that provide effective site drainage, protect downstream drainage patterns, minimize impacts on adjacent properties and provide for stream flows that support healthy aquatic ecosystems.*

Estimated planner hours to implement: 200

Estimated cost to implement: \$10,764

Description: Research management designs and practices, gather public input especially from drainage districts, and draft ordinance language and submit for approval.

Estimated hours to administer once implemented: None

Estimated cost to administer: None

Resources needed to administer: None

Significance: This ordinance amendment seeks to better protect our surface water quality compared to existing ordinance language.

Champaign County
Department of

**PLANNING &
ZONING**

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

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

To: **Environmental and Land Use Committee**

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

Date: **May 29, 2013**

RE: **Zoning Ordinance Text Amendment Case 743-AT-13**

Request: **Request Final Recommendation to County Board to Amend the Zoning Ordinance to allow for a County Board approved variance when the requirement for annexation is a requirement for plat approval by a municipality involving the expansion and/or construction of a water treatment plant or related facilities owned and operated by a predominately rural water district, when the municipality has its own water treatment plant and related facilities.**

Petitioner: **Zoning Administrator**

STATUS

The Committee had deferred a recommendation in this case to the June 6 meeting to allow time for staff to develop alternative language with municipal staffs in the hope of forestalling municipal protests as much as possible. The status of municipal protests is summarized below and the alternative language is included as Attachment A.

A letter was received from the Village of Mahomet on May 15, 2013. The letter attempted to clarify the Village position regarding annexation. See Attachment B. The Village letter does not actually state that annexation will not be required as part of the approval of a subdivision plat for the expansion of the Sangamon Valley Public Water District treatment plant however that seems to be the intent.

The vagueness of the Village letter means that the text amendment is probably still necessary. The amendment is ready for a recommendation to the full Board.

MUNICIPAL PROTEST UPDATE

Based on the alternative language, the recommendation to the City of Urbana Plan Commission at their Thursday, May 23, meeting was for "No Protest". Unfortunately, the Plan Commission did not have a quorum and so made no formal recommendation. The Urbana staff has informed that the revised language was not well received by the Plan Commissioners who were present.

The City of Champaign has taken no action as of May 29, 2013, and no staff memorandum is yet available. The Plan Commission is supposed to review this Case at their June 5, 2013, meeting and the recommendation will be reported to ELUC.

A protest has not been received from the Village of Mahomet.

ATTACHMENTS

- A Revised paragraph 13.2.1 A.4.a.
- B Letter received from the Village of Mahomet on May 15, 2013
- C Proposed Amendment (without revised paragraph 13.2.1 A.4.a.)

Attachment A. Revised paragraph 13.2.1 A.4.a.

MAY 29, 2013

4. the SUBDIVISION regulations of a municipality where the LOT is within the jurisdiction of a municipality which has enacted SUBDIVISION regulations except for the following:
 - a. CONSTRUCTION or change of USE to establish or enlarge a water treatment plant or related facilities owned and operated by a predominately rural water district when such improvements are deemed necessary to serve the public health, safety, and well being of the residents of Champaign County when that CONSTRUCTION or change of USE is required to comply with municipal SUBDIVISION regulations including the requirement for annexation to a municipality and that municipality is a non-home rule municipality and has its own water treatment plant and related facilities. The GOVERNING BODY may authorize a VARIANCE from the requirement for compliance with the municipal SUBDIVISION regulations if the municipality will not consider plat approval without the requirement for annexation provided as follows:
 - (1) In addition to all other requirements of Section 9.1.9 the water district shall include with the application for VARIANCE a copy of a SUBDIVISION Plat for the subject property that has been prepared by a Licensed Illinois Surveyor in compliance with the technical platting requirements of the relevant municipal SUBDIVISION requirements but perfect compliance with the technical platting requirements shall not be required for the VARIANCE.
 - (2) The recommendation by the BOARD and the action by the GOVERNING BODY shall include a special condition that the VARIANCE shall not confer GOVERNING BODY approval or support for violation of the technical platting requirements of the relevant municipal SUBDIVISION requirements.
 - (3) The Zoning Administrator shall provide notice to the relevant municipality of the public hearing and the final determination for the VARIANCE and copies of any related Zoning Use Permit or Zoning Compliance Certificate that are authorized.

MAY 29, 2013



RECEIVED
MAY 15 2013
CHAMPAIGN CO. P & Z DEPARTMENT

RECEIVED
MAY 15 2013
CHAMPAIGN CO. P & Z DEPARTMENT

Village of Mahomet
Office of the Village Administrator
503 E. Main Street – P.O. Box 259 – Mahomet, IL 61853-0259
Phone: (217) 586-4456 ext. 12 Fax: (217) 586-5696
E-mail: msmigielski@mahomet-il.gov
Website: <http://mahomet.govoffice.com>

May 14, 2013

Mr. John Hall
Planning & Zoning Director
Champaign County Planning and Zoning Department
Brookens Administration Center
1776 East Washington Street
Urbana, Illinois 61802

RE: SANGAMON VALLEY PUBLIC WATER DISTRICT SITE
VILLAGE OF MAHOMET, CHAMPAIGN COUNTY, ILLINOIS

Dear Mr. Hall,

This letter is intended to inform you that there appears to have been some miscommunication/ misunderstanding between the Village of Mahomet and the Sangamon Valley Public Water District (SVPWD). SVPWD representatives are apparently under the mistaken impression that the Village of Mahomet Subdivision Ordinance requires annexation of any land parcel contiguous to the Village as a condition precedent to being subdivided. That impression is inaccurate in that annexation is strongly encouraged by Village policy, but is not required by any applicable Statute or Village Ordinance.

The Village understands that SVPWD has misrepresented these requirements to the County Zoning Board of Appeals, the ELUC, County Board members, and others. Hopefully this will set the record straight in this regard.

The Village also understands that the proposed expansion of the SVPWD Water Treatment Plant will involve a subdivision. The Village remains firm in its desire that SVPWD and the current landowner comply with all applicable Village Subdivision Ordinance requirements during the development process. This minimal requirement is for the protection of the various parties involved, as well as for any adjacent property owners who will be impacted by the Plant expansion.

If you have any questions, please contact me at any time.

Cc: Alan Kurtz, CC Board Chair
John Jay, CC Board
Gary Maxwell, CC Board
Meyer Brown
Stan Widener, Mahomet Trustee
William Olgier, Mahomet Trustee
Andrew Harper, Mahomet Trustee
Vicki Cook, Mahomet Trustee
Bruce Conaway, Mahomet Trustee
Bob Melot, Mahomet Village Planner

Sincerely,

Mell Smigielski
Mell Smigielski, Village Administrator

Page 1 of 1

1. Revised Subsection 9.1.9 to read as follows:

9.1.9 VARIANCES

A. Table of VARIANCE Classifications and Presiding Authority

VARIANCE Classification	Presiding Authority
<p>ADMINISTRATIVE VARIANCE:</p> <p>Deviation of 10 percent or less from regulation or standard of this ordinance related to the location of STRUCTURES or to bulk requirements</p>	<p>May be authorized by the Zoning Administrator in accordance with Section 9.1.10</p>
<p>Minor VARIANCE:</p> <p>Contested ADMINISTRATIVE VARIANCE</p> <p>Deviation of 10 percent or less from numerical regulations or standard of this ordinance not related to the location of STRUCTURES or to bulk requirements</p> <p>Deviation of more than 10 percent but not exceeding 25 percent from numerical regulation or standard of this ordinance</p>	<p>May be granted by the Hearing Officer or by the BOARD in accordance with Paragraph 9.1.5B and the requirements of this Section.</p>
<p>Major VARIANCE:</p> <p>Deviation exceeding 25 percent from numerical regulation or standard of this ordinance.</p> <p>Waiver from nonnumeric regulation or standard of this ordinance.</p> <p>Deviation from numerical regulation or standard of the <i>Champaign County Stormwater Management Policy</i> or <i>Champaign County Special Flood Hazard Areas Ordinance</i>.</p> <p>Waiver from nonnumeric regulations or standard of the <i>Champaign County Stormwater Management Policy</i> or <i>Champaign County Special Flood Hazard Ordinance</i>.</p>	<p>May be granted by the BOARD in accordance with the requirements of this Section.</p>
<p>County Board VARIANCE:</p> <p>Waiver from compliance with municipal subdivision regulations for the expansion and/or construction of a water treatment plant owned and operated by a rural water district.</p>	<p>May be granted by the GOVERNING BODY in accordance with the requirements of this Section.</p>

B. Prohibited VARIANCES

At no time shall the BOARD, ~~or~~ the Hearing Office or the GOVERNING BODY grant a VARIANCE in the following instances:

1. To grant a VARIANCE to allow a USE not permissible under the terms of this ordinance in the DISTRICT involved, or any USE expressly or by implication prohibited by the terms of this ordinance in said DISTRICT.
2. To waive compliance with any municipal, state, or federal regulation incorporated into this ordinance except as authorized in Section 13.
3. To waive compliance with any procedural requirement contained in this ordinance.
4. To waive compliance with regulations pertaining to NONCONFORMING LOTS, STRUCTURES, or USES, except as specifically authorized in Section 8.
5. To authorize any USE or CONSTRUCTION prohibited by Section 13.2.1.
6. To authorize a SMALL WIND TURBINE TOWER rotor diameter larger than 75 feet.

C. VARIANCE Criteria

1. A VARIANCE from the terms of this ordinance shall not be granted by the BOARD, ~~or~~ the Hearing Officer or the GOVERNING BODY unless a written application for a VARIANCE is submitted demonstrating all of the following:
 - a. that special conditions and circumstances exist which are peculiar to the land or STRUCTURE involved which are not applicable to other similarly situated land or STRUCTURES elsewhere in the same zoning DISTRICT;
 - b. that practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied prevent reasonable and

otherwise permitted USE of the land or STRUCTURES or CONSTRUCTION on the LOT;

- c. that the special conditions, circumstances, hardships, or practical difficulties do not result from actions of the applicant;
 - d. that the granting of the VARIANCE is in harmony with the general purpose and intent of this ordinance;
 - e. that the granting of the VARIANCE will not be injurious to the neighborhood, or otherwise detrimental to the public health, safety, or welfare.
2. No NONCONFORMING USE of the neighboring lands or STRUCTURES in the same DISTRICT, and no permitted USE of lands or STRUCTURES in other DISTRICTS shall be considered grounds for the issuance of a VARIANCE.

D. Findings

1. The BOARD, ~~or~~ the Hearing Officer or the GOVERING BODY shall make findings that the requirements of Section 9.1.9C have been met by the applicant for a VARIANCE, and justify the granting of the VARIANCE.
2. The BOARD, ~~or~~ the Hearing Officer or the GOVERING BODY shall further make a finding that the VARIANCE is the minimum variation that will make possible the reasonable use of the land or STRUCTURE.

E. Conditions

1. In granting any VARIANCE, the BOARD, ~~or~~ the Hearing Officer or the GOVERING BODY may prescribe appropriate conditions and safeguards in conformity with this ordinance. Violation of conditions under which the VARIANCE is granted shall be deemed a violation of this ordinance and punishable as provided in Section 11.2.3 of this ordinance.

F. Action of the GOVERNING BODY

1. In the case of a written protest against a VARIANCE on land which is located within a township with a plan commission, and the plan commission objects to the VARIANCE, the township board of trustees shall submit its written objections to the GOVERNING BODY within 15 days after the public

hearing at the Zoning Board of Appeals, and such VARIANCE shall not be approved except by the favorable vote of three-fourths of all members of the GOVERNING BODY.

2. Revise Section 9.2.2 to read as follows:

9.2.2 Action of the GOVERNING BODY

- A. In case of a written protest against any such action:
 - 1. signed by the OWNER or OWNERS of at least 20% of the land to be rezoned; or
 - 2. signed by the OWNER or OWNERS of land immediately touching, or immediately across the street, alley, or public right-of-way from, at least 20% of the perimeter of the land to be rezoned; and filed with the County Clerk, such action shall not be passed except by the favorable vote of three-fourths of all the members of the GOVERNING BODY.
- B. In the case of a written protest against any such action concerning the alteration of the Zoning classifications of land which lies within one and one-half miles of the limits of a ZONED MUNICIPALITY such written protest signed and acknowledged by the city/village council or president and board of trustees of a ZONED MUNICIPALITY nearest adjacent, and filed with the County Clerk, such amendment shall not be passed except by the favorable vote of three-fourths of all the members of the GOVERNING BODY.
- C. In the case of a written protest against any such text amendment or map amendment affecting an unincorporated area of a township with a plan commission, the township board of trustees shall submit its written objections to the GOVERNING BODY within 30 days after the public hearing at the Zoning Board of Appeals, and such amendment shall not be approved except by the favorable vote of three-fourths of all members of the GOVERNING BODY.

3. Revised Section 13 to read as follows:

SECTION 13 NON-INTERFERENCE WITH GREATER RESTRICTIONS OTHERWISE IMPOSED

- 13.1** It is not intended by this ordinance to interfere with, or abrogate or annul any easements, restrictions, covenants, or other agreements between parties, nor to

interfere with, or abrogate or annul any ordinances other than expressly repealed hereby. Rules, regulations, or permits previously adopted or issued, and not in conflict with any of the provisions of this ordinance, or which shall be adopted or provided shall remain in full force and effect except that where this ordinance imposes a greater restriction upon the USE of land or STRUCTURES, or upon the HEIGHT of STRUCTURES, or BUFFER STRIPS, COURTS, LOT AREA, LOT AREA per DWELLING UNIT or LODGING UNIT, BUILDING AREA, LOT COVERAGE, PARKING SPACES, SETBACK LINE, LOT width, or LOT depth, or any similar restrictions, than are required by or imposed by such ordinances, rules, regulations, or permits, the provisions of this ordinance shall control.

13.2.1 The BOARD or the GOVERNING BODY shall not approve VARIANCES or SPECIAL USE Permits, and the Zoning Administrator shall not issue Zoning Use Permits or Zoning Compliance Certificates when:

- A. The CONSTRUCTION or USE would violate:
1. the *Champaign County Special Flood Hazard Area Development Ordinance* (Ord. No 209, as amended);
 2. the *Illinois Plat Act* (765 ILCS 205/0.01 *et seq.*);
 3. the *Champaign County Subdivision Regulations* (Ord. No. 44, as amended);
 4. the SUBDIVISION regulations of a municipality where the LOT is within the jurisdiction of a municipality which has enacted SUBDIVISION regulations except for the following:
 - a. The requirement for annexation to a municipality pursuant to or as a requirement for plat approval by that municipality involving the expansion and/or construction of a water treatment plant or related facilities or a sewage treatment plant and related facilities owned and operated by a predominately rural water district, when the municipality has it's own water treatment plant and related facilities. If no plat approval shall be considered without the requirement for annexation then a VARIANCE from the requirement for compliance with the municipal SUBDIVISION regulations may be considered by the GOVERNING BODY.
 5. the *Champaign County Health Ordinance* (Ord. No. 573);
 6. the *Champaign County Public Nuisance Ordinance* (Ord. No. 468, as amended): or

7. any license ordinance of Champaign County.

B. The CONSTRUCTION or USE is located on a LOT or LOTS created in violation of said *Illinois Plat Act, Champaign County Subdivision Regulations* or municipal SUBDIVISION regulations except as provided for in 13.2.1A.4.a.

C. An outstanding violation of the *Zoning Ordinance* or any regulation listed in Section 13.2.1A exists on the LOT except when:

1. the Zoning Use Permit or Zoning Compliance Certificate is the sole impediment to correcting the violation;
2. the BOARD finds that granting a VARIANCE or SPECIAL USE Permit will facilitate correction of any non-*Zoning Ordinance* violations;
3. the VARIANCE, SPECIAL USE Permit, Zoning Use Permit or Compliance Certificate is required to effect any stipulation, agreement or court order resolving the violation; or
4. a municipality or the Champaign County Health Department has the legal authority to waive compliance with a regulation and stipulates in writing that it has no objection to issuing the VARIANCE, SPECIAL USE Permit, Zoning Use Permit or Zoning Compliance Certificate.

13.2.2 The above provisions notwithstanding, no VARIANCE, SPECIAL USE Permit, Zoning Use Permit or Zoning Compliance Certificate shall be denied for USE or CONSTRUCTION on LOTS created prior to May 21, 1991 solely because such LOTS were created in violation of the *Illinois Plat Act* or *Champaign County Subdivision Regulations* provided that such LOTS conform to all other applicable regulations and standards of this ordinance and the creation of such LOTS did not violate any applicable municipal SUBDIVISION ordinance in effect at the time such LOTS were created.

RESOLUTION NO. ____

**AUTHORIZING OPPOSITION OF WATER WITHDRAWAL
FROM THE SALT FORK OF VERMILION RIVER IN CHAMPAIGN COUNTY
FOR COAL MINE USE IN VERMILION AND CHAMPAIGN COUNTIES**

WHEREAS, coal mining interests have been securing mineral rights located within Vermilion and Champaign Counties, Illinois, have applied for a state mining permit and have secured a potable water supply in order to place an underground mine operation within the confines of Vermilion and Champaign Counties, Illinois; and

WHEREAS, coal mining interests have sought approximately 750,000 to 1,008,000 gallons per day raw water supply for onsite mining operations, including washing coal, from the Salt Fork of the Vermilion River in Champaign County and will discharge as much as 10% of the water withdrawn from the Salt Fork of the Vermilion River back to the river system laden with salts, heavy metals and suspended solids after use in coal washing operations and to suppress dust at the mine site; and

WHEREAS, the Salt Fork of the Vermilion River has many existing uses that rely on clean and abundant water, including 1) support of rare, threatened, and endangered species of mussels and fish, 2) downstream water withdrawals for the drinking water supply for the Village of Oakwood, 3) recreation including swimming, paddling, angling, etc.; and

WHEREAS, the Salt Fork of the Vermilion River is considered impaired per the Illinois Environmental Protection Agency due to excessive levels of pollutants and removing water from the Salt Fork of the Vermilion River will likely exacerbate existing water quality impairments and threaten existing uses; and

WHEREAS, Champaign County has adopted a ~~comprehensive~~ Land Resource Management Plan that heretofore places an emphasis on the protection of natural resources and the environment of the County; and

WHEREAS, performance criteria, as utilized by both state and federal mining law address concerns in the areas of mine site conformance to the County's ~~Comprehensive Land Use~~ Resource Management Plan, Conservation Lands Systems and other related conservation plans, prevention of water quality and quantity impacts, concurrent reclamation and visual impacts; and

WHEREAS, both state and federal law will be required to take into account consistency with local land use and development plans, which in this case is the Champaign County ~~Comprehensive Land~~ Resource Management Use Plan; and

WHEREAS, typical legacy impacts including depleted resources, degraded infrastructure, and land and water pollution left behind from prior and existing mines may place undue costs and adverse impacts on the tax payers of Champaign and Vermilion Counties with few local tax benefits, and is therefore unacceptable, and

WHEREAS, water quality impacts from underground mines are consistently underestimated and therefore the mitigation is consistently inadequate; and

WHEREAS, the practice of underground mining and the associated subsidence typically had a serious effect on area geology, particularly on flat surface lands, and that remediation of the subsidence has proven to be detrimental to the land; and

WHEREAS, the information coal mining interests has provided the County to date leaves many questions unanswered and is insufficient to determine if and how Champaign County would be able to meet any environmental performance criteria outlined by the County to address the negative impacts associated with surface water withdrawals.

NOW, THEREFORE BE IT RESOLVED that:

1. The Champaign County Board opposes water withdrawals from the Salt Fork of the Vermilion River in Champaign County for coal mine use in Vermilion and Champaign Counties.
2. Champaign County will continue to actively comment on any future plans of operations regarding water withdrawals and water discharges submitted on any such mine, including during any formal review by agencies and offices of the Federal and State Governments.

PRESENTED, PASSED, APPROVED, AND RECORDED this 20th day of June, A.D. 2013.

SIGNED:

ATTEST:

Alan Kurtz, Chair
 Champaign County Board
 Champaign, Illinois

Gordy Hulten,
 County Clerk and *Ex Officio* Clerk of the
 Champaign County Board

DATE: May 23, 2013

TO: Environment and Land Use Committee

FROM: Susan Monte, RPC Planner

RE: Proposed Zoning Ordinance Text Amendment to Correct Certain Soil Data in Appendix A of the Champaign County LESA System

Requested Action: Approve forwarding of the Proposed Text Amendment to Zoning Board of Appeals

Following the County Board approval of the Champaign County LESA Update on November 27, 2012, State Soil Scientist Ronald Collman conducted a technical review of the Champaign County LESA Update. He identified two types of specific corrections to be made to data in Appendix A, Table A, which will be required for final sign off of the LESA Update at the State Conservationist office:

- 1) Mr. Collman identified a few discrepancies in official Illinois soils data which forms the basis for the soils classifications systems data which are featured in Appendix A, Table A. Due to the discrepancies in state soils data, he requested that certain values shown for eight of 70 soil series map units found in Champaign County be adjusted as follows in Table A:

<i>Soils Series & Map Unit</i>	<i>Land Capability Class</i>	<i>Farmland Classification</i>	<i>Adjusted Productivity Index</i>
Muskego 637A+	'3w' to '5w'	'Not Prime' to 'Prime 2'	'89' to '60'
Penfield 687C2		'Not Prime' to 'Statewide Importance 30'	
Swygert 91A	'2w' to '2s'		
Elliot 146A	'2w' to '2s'		
Peotone 330A	'2w' to '3w'		
Bryce 235A	'2w' to '3w'		
Ozaukee 530C2	'2e' to '3e'		
Ozaukee 530D2	'3e' to '4e'		

- 2) To avoid potential confusion, Mr. Collman requested that Appendix A, Table A be adjusted to refer to the same 'Farmland Classification' categories as the USDA NRCS 'Farmland Classification' categories. This is a simple labeling correction, with no adjustment required to Table A values or rankings.

<i>Farmland Classification Categories</i>		
<i>Table A, Appendix A</i>	<i>USDA NRCS</i>	<i>USDA NRCS Farm Classification Description:</i>
'Not Prime'	Not Prime	<i>Not prime farmland</i>
'Prime' to 'Prime 1'	Prime 1	<i>All areas are prime farmland</i>
'Prime 1' to 'Prime 2'	Prime 2	<i>Prime farmland if drained</i>
'Prime 3'	Prime 3	<i>Prime farmland if protected from flooding or not frequently flooded during the growing season</i>
[n/a in Champaign County]	Prime 4	<i>Prime farmland if irrigated</i>
'Prime 2' to 'Prime 5'	Prime 5	<i>Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season</i>
'Statewide Importance' to 'Statewide Importance 30'	Statewide Importance 30	<i>Farmland of statewide importance</i>

Note: The USDA NRCS 'Farmland Classification' categories include additional Prime 6 through Prime 10 categories and two additional categories for Statewide Importance. These are omitted from the above table because no Champaign County soils have these designations.

Proposed Minor Corrections

Based on the revisions requested by Mr. Collman in Item 1 above, limited minor adjustments have been made to Agriculture Value Groups 7, 8, and 17 to account for the corrected Illinois soils data.

Based on Mr. Collman's request in Item 2 above, Table A is adjusted to refer to the exact same 'Farmland Classification' categories as the USDA NRCS 'Farmland Classification' categories. This is a simple labeling change to 'Farmland Classification' categories shown in Table A, with no impact to Table A values or rankings.

These proposed minor corrections to Table A in Appendix A of the Champaign County LESA have been reviewed by:

- Ronald Collman, State Soil Scientist
- Kevin Donoho, District Conservationist, USDA-Natural Resources Conservation Service
- Jonathon Manuel, Resource Conservationist, Champaign County Soil and Water Conservation District
- John Hall, Director Champaign County Department of Planning and Zoning

Attachment

1 LESA Update Appendix A, Table A with Proposed Minor Corrections

Table A Composition of Agriculture Value Groups

Agriculture Value Group	Relative LE ¹	Land Capability Classification	Farmland Classification	Adjusted Soil Productivity Index ²	Map Unit Symbol and Soil Series	# Acres Countywide	Percentage of County Land	
1	100	1	Prime1	98 - 100	154A Flanagan silt loam 198A Elburn silt loam 149A Brenton silt loam	100,553 17,641 16,465	15.74 2.76 2.58	21.08
2	100	2e, 2w	Prime1, Prime2	98 - 100	152A Drummer silty clay loam 679B Blackberry silt loam	254,484 4,985	39.82 0.78	40.60
3	94	1, 2e, 2w	Prime1, Prime2	93 - 95	171B Catlin silt loam 153A Pella silty clay loam 623A Kishwaukee silt loam 481A Raub silt loam	17,385 6,422 3,105 22,903	2.72 1.01 0.49 3.58	7.79
4	91	1, 2e, 2w	Prime1, Prime2	90 - 92	663B Clare silt loam 67A Harpster silty clay loam 234A Sunbury silt loam 56B Dana silt loam 219A Millbrook silt loam 490A Odell silt loam 687B Penfield loam 125A Selma loam	8,391 2,153 2,014 22,838 1,454 1,269 2,327 2,908	1.31 0.34 0.32 3.57 0.23 0.20 0.36 0.46	6.77
5	88	2e, 2s, 2w	Prime1, Prime2	87 - 89	148B2 Proctor silt loam 232A Ashkum silty clay loam 206A Thorp silt loam 146A Elliot silt loam 242A Kendall silt loam	15 29,196 2,641 761 1,441	0.002 4.57 0.41 0.12 0.23	5.33
6	87	3w	Prime5	87	3107A Sawmill silty clay loam	11,080	1.73	1.73
7	85	1, 2e, 2w, 3w	Prime1, Prime2	83 - 86	56B2 Dana silt loam 236A Sabina silt loam 102A La Hogue loam 233B Birbeck silt loam 134A Camden silt loam 330A Peotone silty clay loam 235A Bryce silty clay	136 3,011 1,423 2,669 14 3,744 1,623	0.02 0.47 0.22 0.42 0.002 0.59 0.25	1.97

continued

Table A Composition of Agriculture Value Groups (AVG) continued

Agriculture Value Group	Relative LE ¹	Land Capability Classification	Farmland Classification	Adjusted Soil Productivity Index ²	Map Unit Symbol and Soil Series	# Acres Countywide	Percentage of County Land	
8	84	3e	Statewide Importance 30	84	687C2 Penfield loam	809	0.13	0.13
9	83	2e, 2w, 3w	Prime1, Prime3	81 - 83	146B2 Elliott silty clay loam 622B Wyanet silt loam 134B Camdem silt loam 680B Campton silt loam 91A Swygert silty clay loam 146C2 Elliott silty clay loam 291B Xenia silt loam 448B Mona silt loam 3473A Rossburg silt loam	28,484 7,312 1,207 1,651 73 1,485 4,837 245 982	4.46 1.14 0.19 0.26 0.01 0.23 0.76 0.04 0.15	7.24
10	79	2e	Prime1	78 - 79	387B Ockley silt loam 570B Martinsville silt loam	1,125 708	0.18 0.11	0.29
11	78	3e	Statewide Importance 30	78	622C2 Wyanet silt loam	6,331	1.00	1.00
12	76	2e, 3e	Prime1	74 - 76	131B Alvin fine sandy loam 223B2 Varna silt loam 91B2 Swygert silty clay loam 150B Onarga sandy loam 223C2 Varna silt loam 91C2 Swygert silty clay loam 530B Ozaukee silt loam 618B Senachwine silt loam	205 8,040 2,791 290 3,116 411 509 269	0.03 1.26 0.44 0.05 0.49 0.06 0.08 0.04	2.44
13	75	3e	Statewide Importance 30	74 - 75	322C2 Russell silt loam 570C2 Martinsville loam	1,930 1,021	0.30 0.16	0.46
14	71	2e, 3e, 2w, 3w	Prime1, Prime2, Prime5	68 - 73	23A Blount silt loam 530C2 Ozaukee silt loam 3302A Ambraw silty clay loam 23B2 Blount silt loam	804 411 2,794 808	0.13 0.06 0.44 0.13	0.76

continued

Table A Composition of Agriculture Value Groups (AVG) continued

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

Table A Notes

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

continued

Table A Notes (continued)

3. In March, 2013, Acting State Soil Scientist Ronald Collman requested specific corrections to Table A based on certain discrepancies identified by him in official Illinois soils data. Based on this request, Table A values for eight soil series map units have been adjusted as follows:

Land Capability Class: Muskego 637A+ '3w' to '5w'; Swygert 91A and Elliot 146A '2w' to '2s'; Peotone 330A and Bryce 235A '2w' to '2s';

Ozaukee 530C2 '2e' to '3e'; Ozaukee 530D2 '3e' to '4e'

Farmland Classification: Muskego 637A+ 'Not Prime' to 'Prime2' and Penfield 687C2 'Not Prime' to 'Statewide Importance 30'

Adjusted Productivity Index: Muskego 637A+ '89' to '60'

Limited minor adjustments have been made to Agriculture Value Groups 7, 8, and 17 to account for the corrected Illinois soils data.

4. In March, 2013, Acting State Soil Scientist Ronald Collman requested, to avoid potential confusion, that Table A be adjusted to refer to the exact same 'Farmland Classification' categories as the USDA NRCS 'Farmland Classification' categories. Based on this request, a simple labeling change has been made to 'Farmland Classification' categories shown in Table A, with no impact to Table A values or rankings.

To: **Environment and Land Use Committee**

From: **John Hall, Director & Zoning Administrator**

Date: **May 29, 2013**

RE: **Adoption of new Model Flood Hazard Ordinance and Updated Flood Insurance Rate Maps**

Request: **Request approval to proceed with a public hearing for a text amendment to the Zoning Ordinance for the adoption of a new Model Flood Hazard Area Ordinance and Updated Flood Insurance Rate Maps**

BACKGROUND

The Federal Emergency Management Agency (FEMA) has partnered with state governments to convert existing Flood Insurance Rate Maps (FIRMs) to a new countywide Geographic Information System (GIS) format in a project known as the Flood Map Modernization Program.

The Flood Map Modernization Program in Illinois has been staffed by the Illinois State Water Survey (ISWS). Flood Map Modernization for Champaign County has been underway for some time and there have been several meetings involving the staffs of the various affected local governments.

A Flood Risk Information Open House was held at the Champaign Public Library on August 2, 2012, at which the new GIS based flood maps were made available for the public to see. Attachment A summarizes the changes from the current FIRMs.

The Department of Planning and Zoning reviewed the updated Flood Insurance Study and all new DFIRMs for the unincorporated area in the month of August 2012 and provided written comments to the ISWS. Other local governments also provided comments.

The new DFIRMs will be effective on October 2, 2013, and prior to that date the County must adopt not only the new DFIRMs but also the new model flood hazard area ordinance (see Attachment B) and the updated Flood Insurance Study.

The County has no discretion in adopting anything less than what is required by FEMA and the State of Illinois. These updated documents must be adopted by October 2, 2013, if the County is to continue participating in the National Flood Insurance Program (NFIP).

Approval to proceed will allow the public hearing to begin possible as early as June 27, 2013, with a ZBA recommendation to ELUC at the August 8, 2013, ELUC meeting and with adoption by the County Board no later than September 19, 2013. The rest of this memorandum provides a brief overview of the new flood maps, the new model flood hazard ordinance, and the new Flood Insurance Study.

OVERVIEW OF NEW DIGITAL FLOOD INSURANCE RATE MAPS

The principal focus of the Flood Map Modernization program is the digital Flood Insurance Rate Maps (DFIRMs). The most important differences between the current FIRMs and the DFIRMs can be summarized as follows:

- 1. The current FIRMs have no electronic data associated with them but the DFIRMs are based on GIS data that can be used in the County's GIS.**
- 2. The DFIRMs incorporate the best available information regarding the area subject to the 1% annual chance flood.** The DFIRMs incorporate several improvements that have become available since the 1984 FIRMs were adopted such as the NRCS hydraulic model of the Salt Fork River; the ISWS's digital floodplain mapping of the Embarras River; relevant Letters of Map Revision; and where relevant, digital topography.
- 3. The paper DFIRMs are generally easier to use than the current FIRMs.** Copies of the paper DFIRM maps will be at the ELUC meeting.

OVERVIEW OF MODEL ORDINANCE

The new model Special Flood Hazard Areas Ordinance is included as Attachment B. The only new requirements in the model Ordinance compared to the current Special Flood Hazard Area Ordinance appear to be the following:

- 1. The requirement to both have and provide copies of all other required federal, state, and local permits if a Champaign County Flood Development Permit is required** (see par. 5.B). This is a FEMA requirement found at 44CFR60.3(a)(2).
- 2. The requirement to maintain "the flood carrying capacity" of a watercourse** (see Sec. 10). This is a new requirement that is generally consistent with the existing program but does not appear to be a FEMA requirement. The source of this requirement must be determined in the public hearing to determine if the County Board has any discretion in adopting this requirement.

Note that the model Ordinance has no provision for Fees. Section 11 Fees from the current Special Flood Hazard Area Ordinance is proposed to be added (see Attachment C).

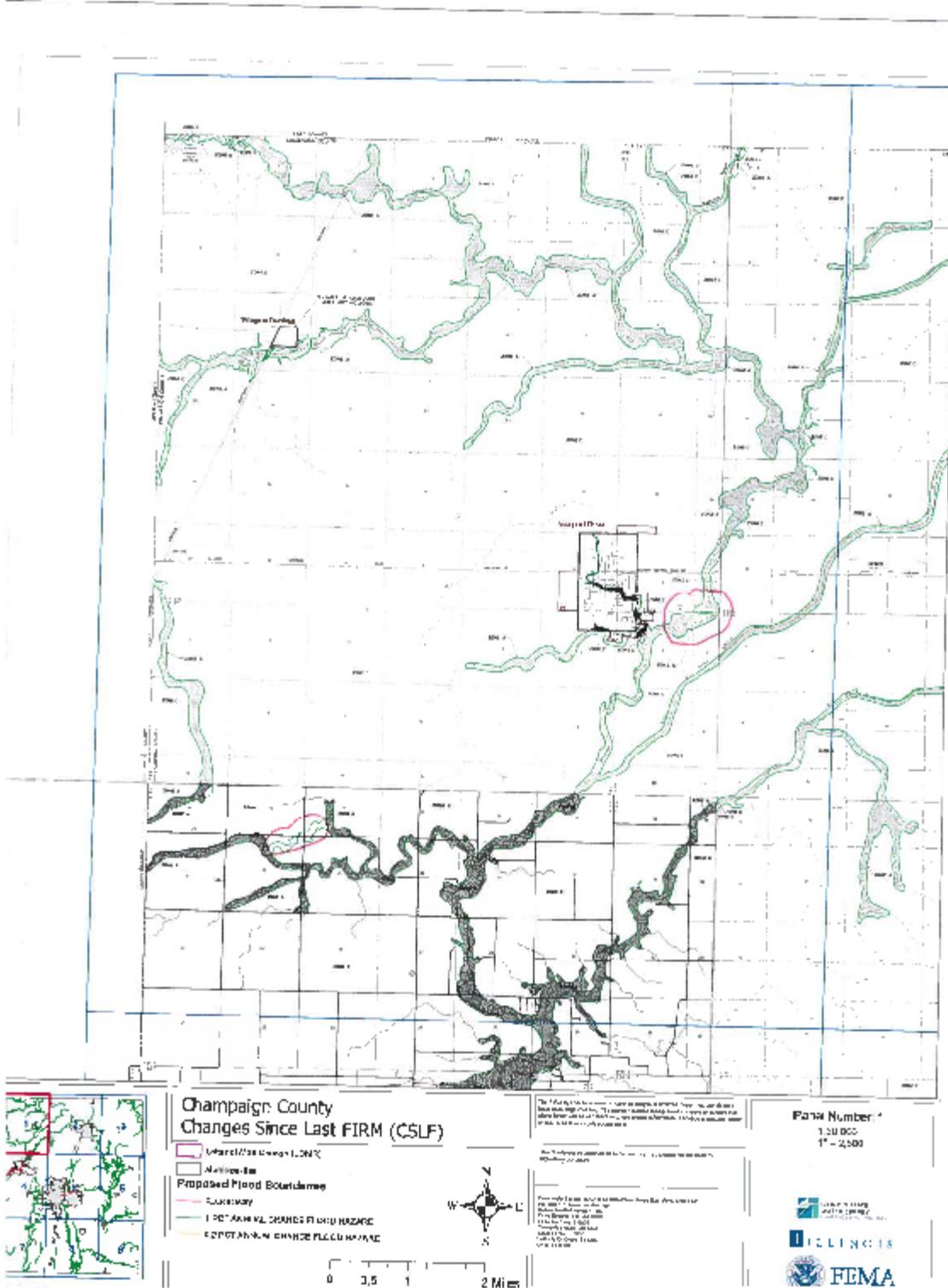
OVERVIEW OF NEW FLOOD INSURANCE STUDY

The Flood Insurance Study (FIS) is an inventory and analysis of relevant information regarding flood risk. The current adopted Champaign County FIS was dated 9/1/83. A Preliminary (Updated) Flood Insurance Study was received June 28, 2012. The FIS has not been included as an attachment but will be made available electronically as a handout under the ELUC Agenda.

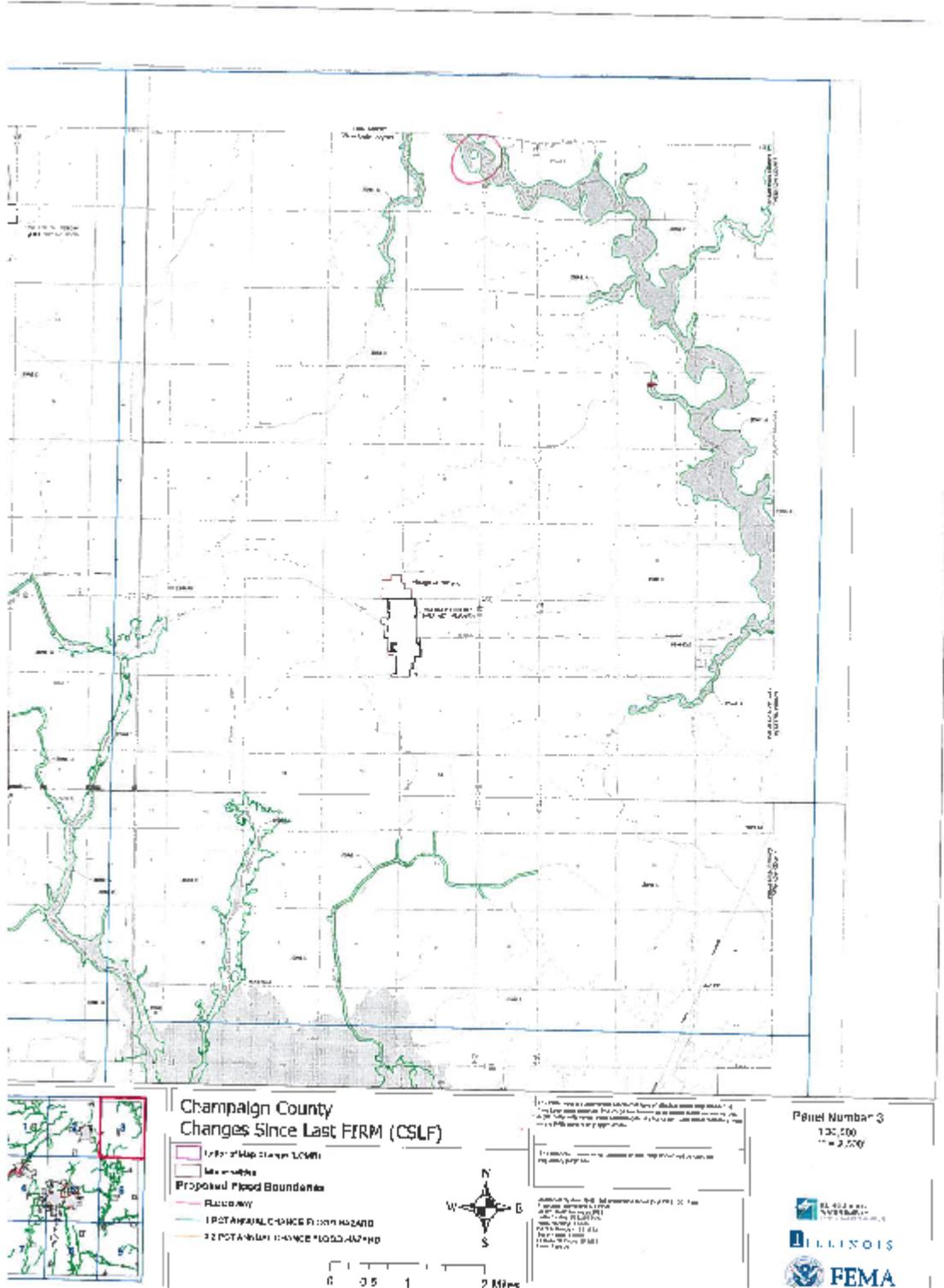
ATTACHMENT

- A Champaign County Changes Since Last FIRM received 8/2/12**
- B Updated Model Special Flood Hazard Areas Ordinance**
- C Sec. 11 Fees from the Champaign County Special Flood Hazard Areas Ordinance**
- D Preliminary (Updated) Flood Insurance Study received June 28, 2012** (not included with the memorandum but available on the ELUC meeting website)

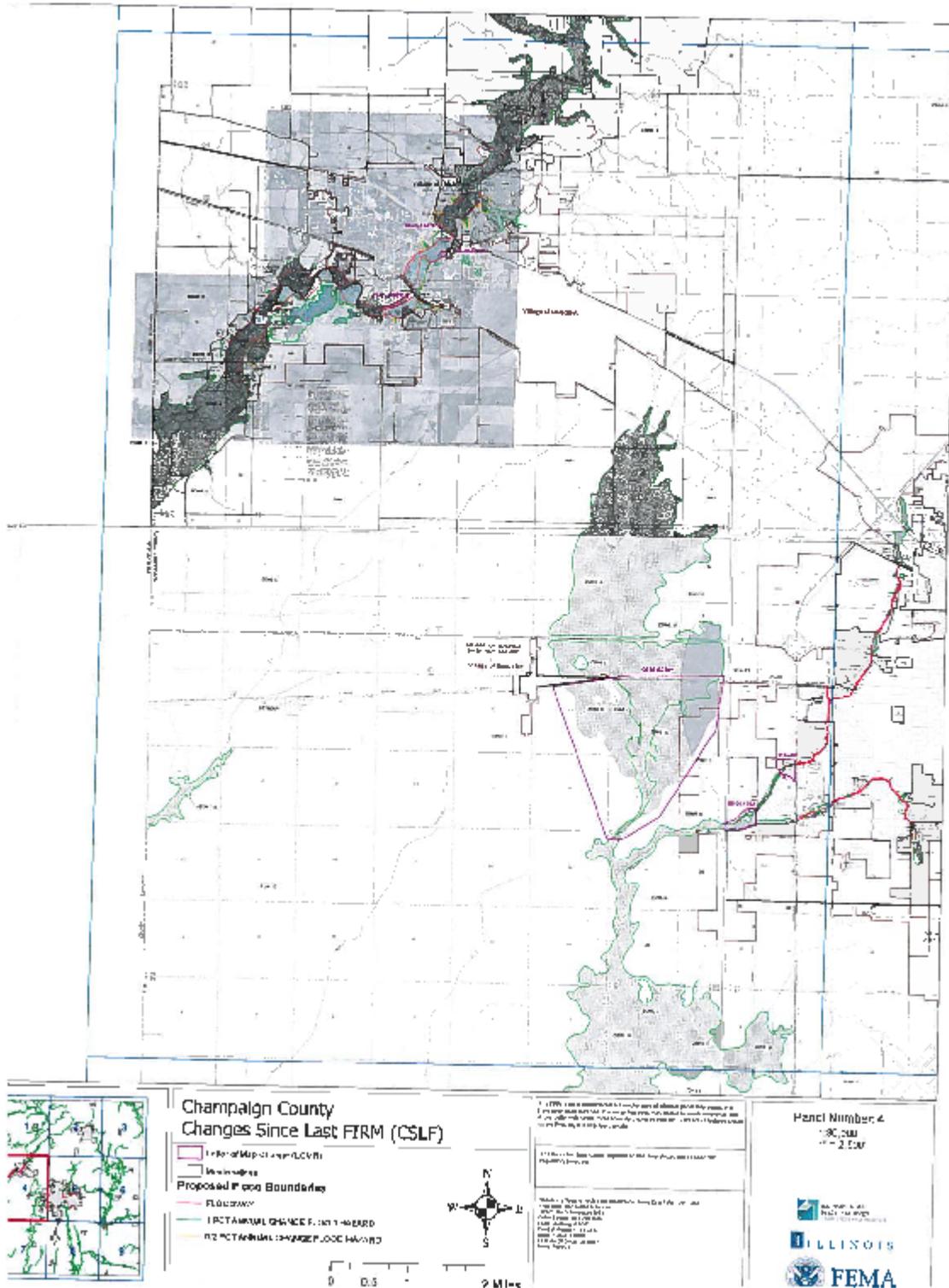
**Attachment A. Champaign County Changes Since Last FIRM
MAY 29, 2013**



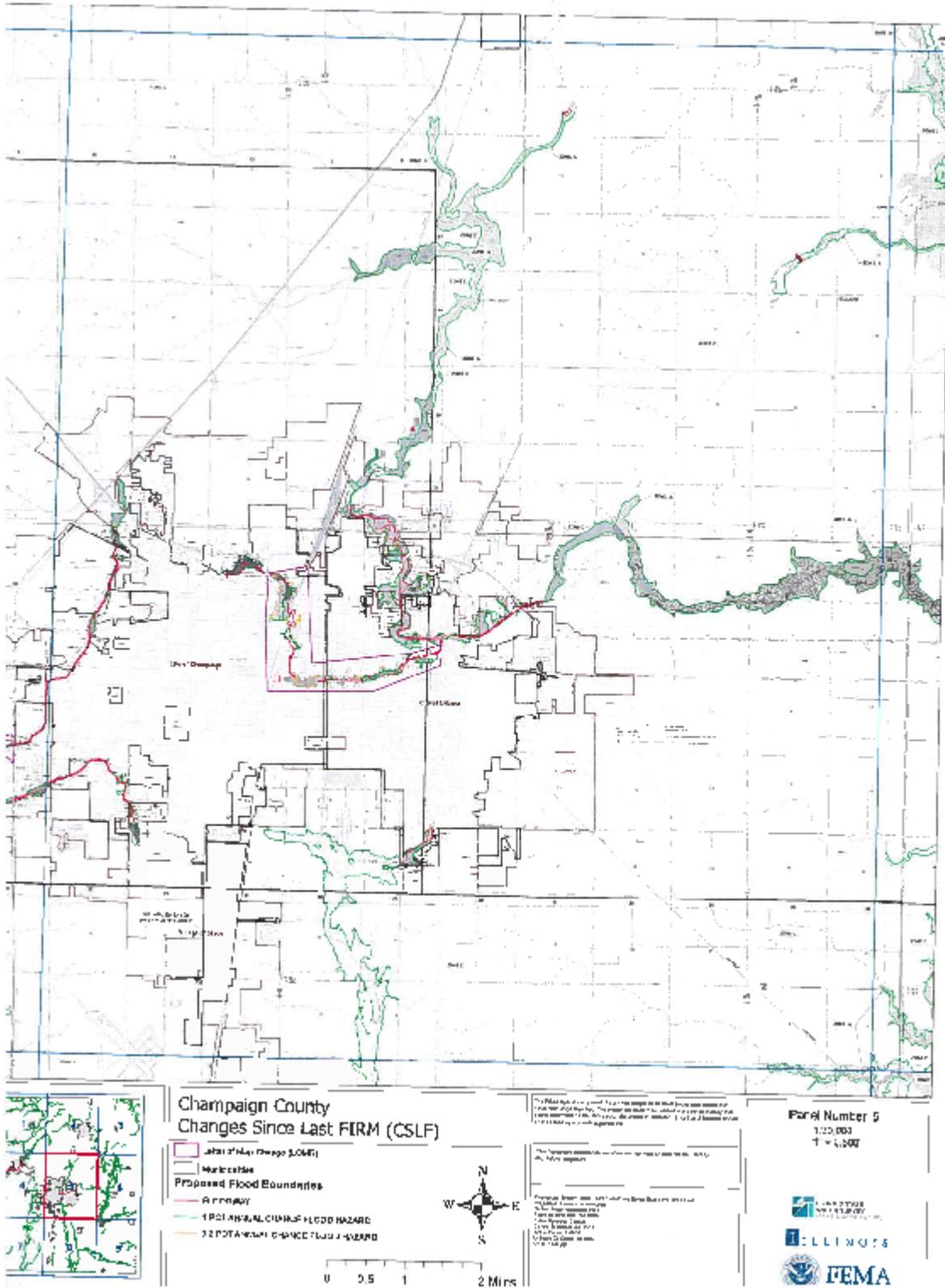
**Attachment A. Champaign County Changes Since Last FIRM
MAY 29, 2013**



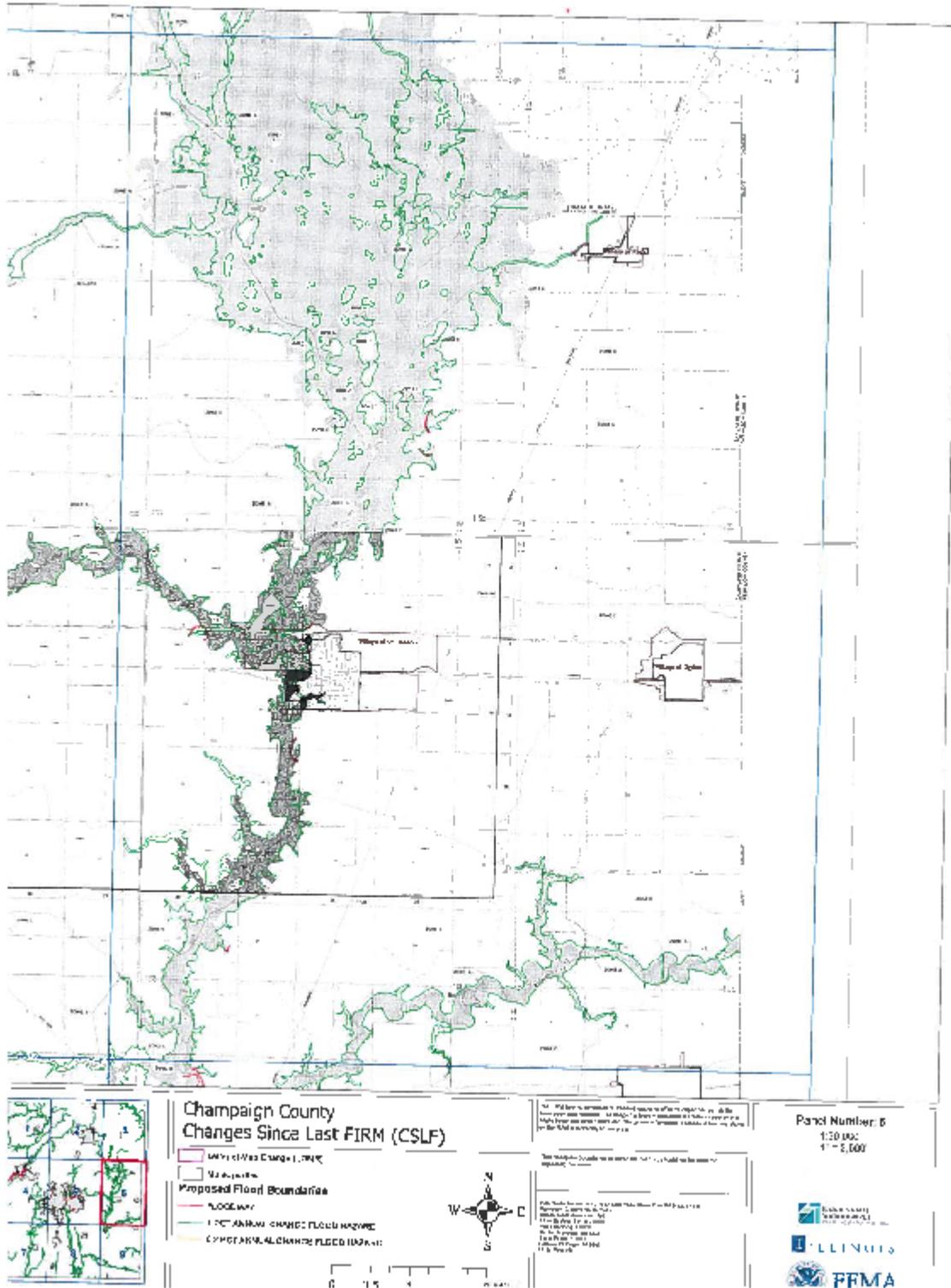
**Attachment A. Champaign County Changes Since Last FIRM
MAY 29, 2013**



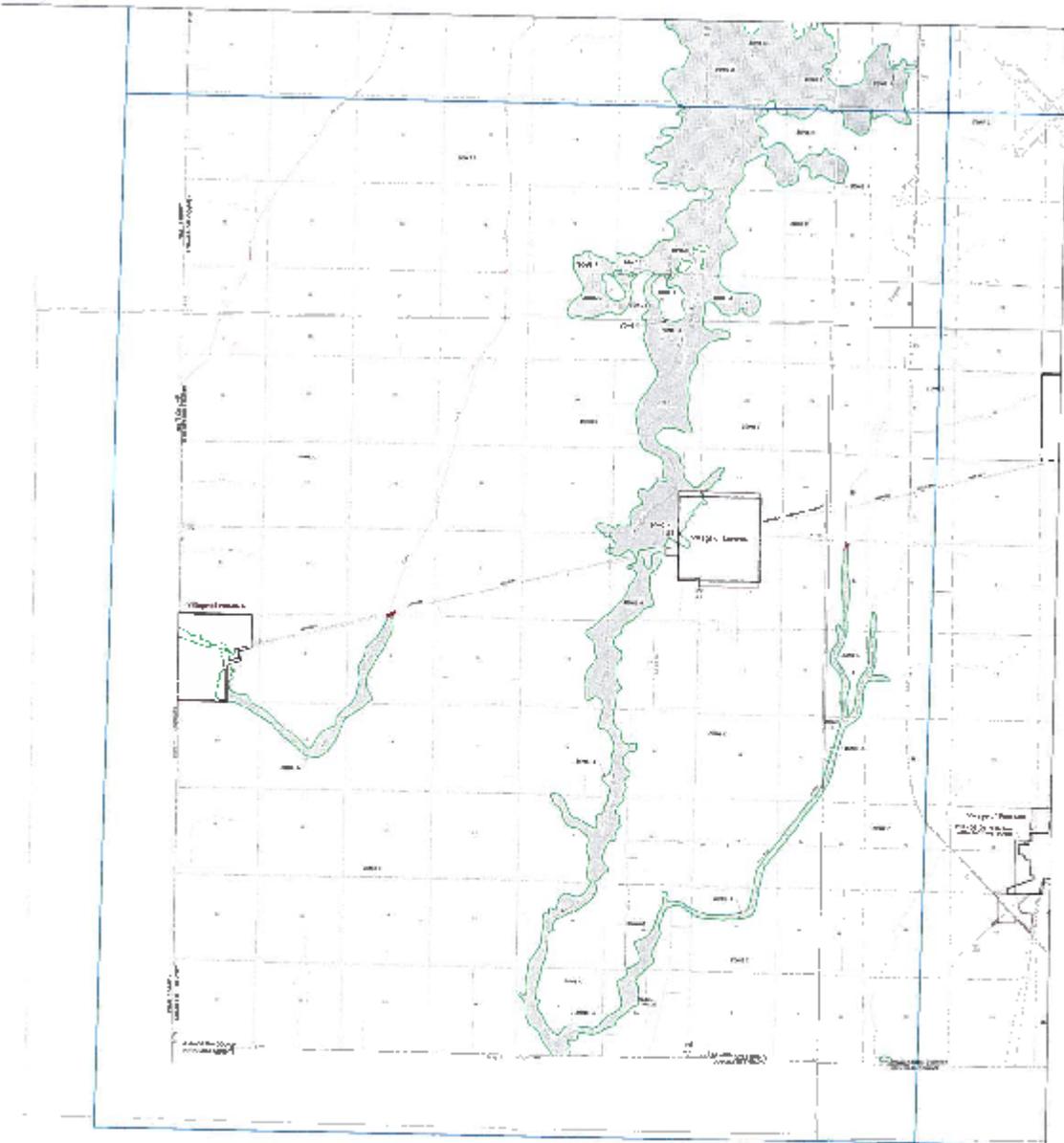
**Attachment A. Champaign County Changes Since Last FIRM
MAY 29, 2013**



**Attachment A. Champaign County Changes Since Last FIRM
MAY 29, 2013**



**Attachment A. Champaign County Changes Since Last FIRM
MAY 29, 2013**



**Champaign County
Changes Since Last FIRM (CSLF)**

- Land Use Change (LUC)
- Municipalities
- Proposed Flood Boundaries
- FLOODING
- 1" 100 ANNUAL CHANGES FLOOD HAZARD
- 0.5" 100 ANNUAL CHANGES FLOOD HAZARD



THIS MAP WAS PREPARED BY THE CHAMPAIGN COUNTY BOARD OF SUPERVISORS AND IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN PERMISSION OF THE BOARD OF SUPERVISORS.

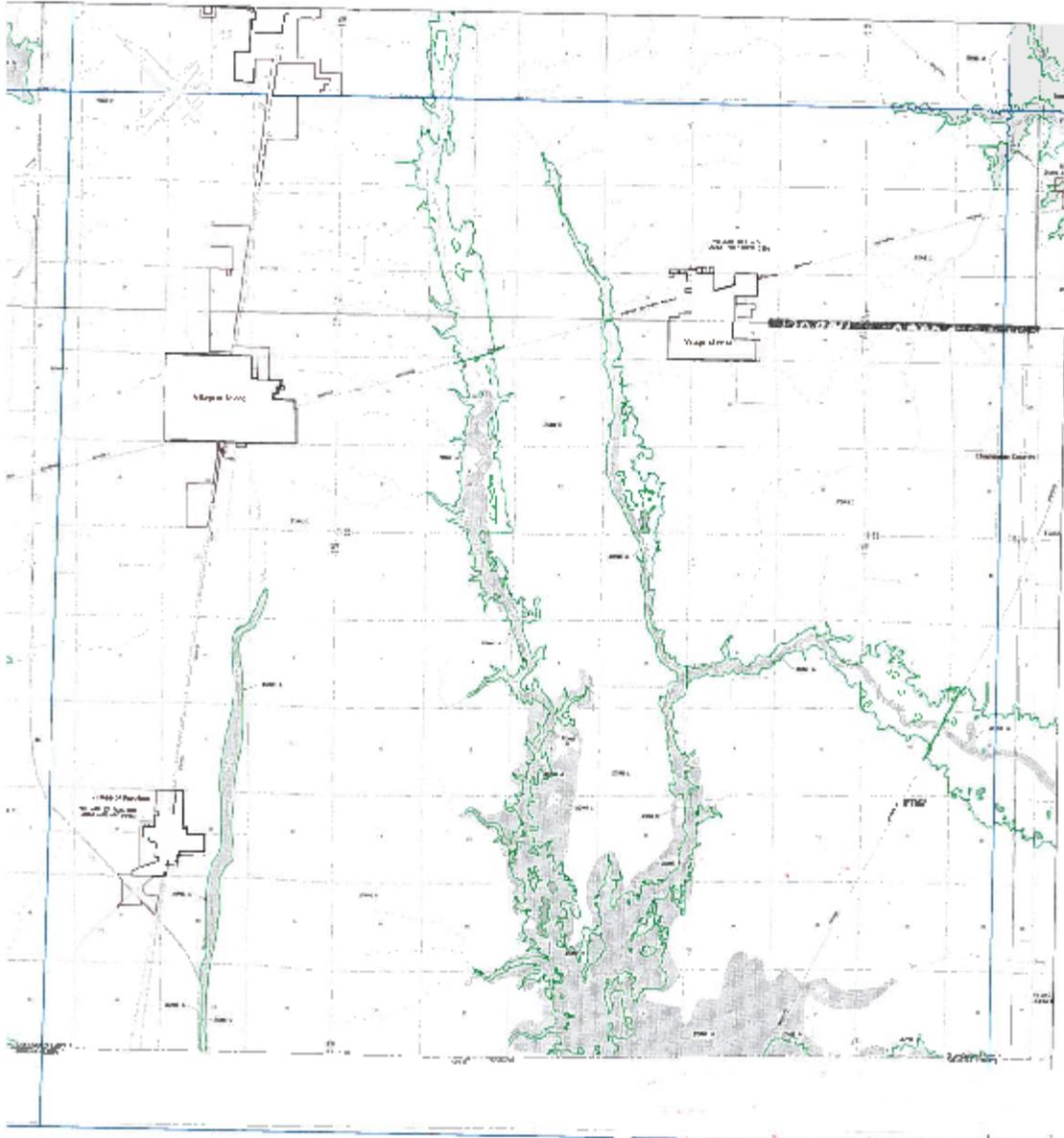
The Board of Supervisors is not responsible for any errors or omissions on this map.

DATE: 10/15/13
 DRAWN BY: J. LINCIS
 CHECKED BY: J. LINCIS
 APPROVED BY: J. LINCIS
 COUNTY BOARD OF SUPERVISORS

Panel Number: 7
 1:20,000
 1" = 2,000'



**Attachment A. Champaign County Changes Since Last FIRM
MAY 29, 2013**



**Champaign County
Changes Since Last FIRM (CSLF)**

- Other of Various Floods
- Flooded Area
- Proposed Flood Boundaries**
- Submerge
- 1 FOOT ANNUAL CHANGES FLOOD HAZARD
- 0.2 FOOT ANNUAL CHANGES FLOOD HAZARD



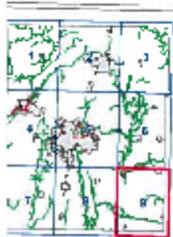
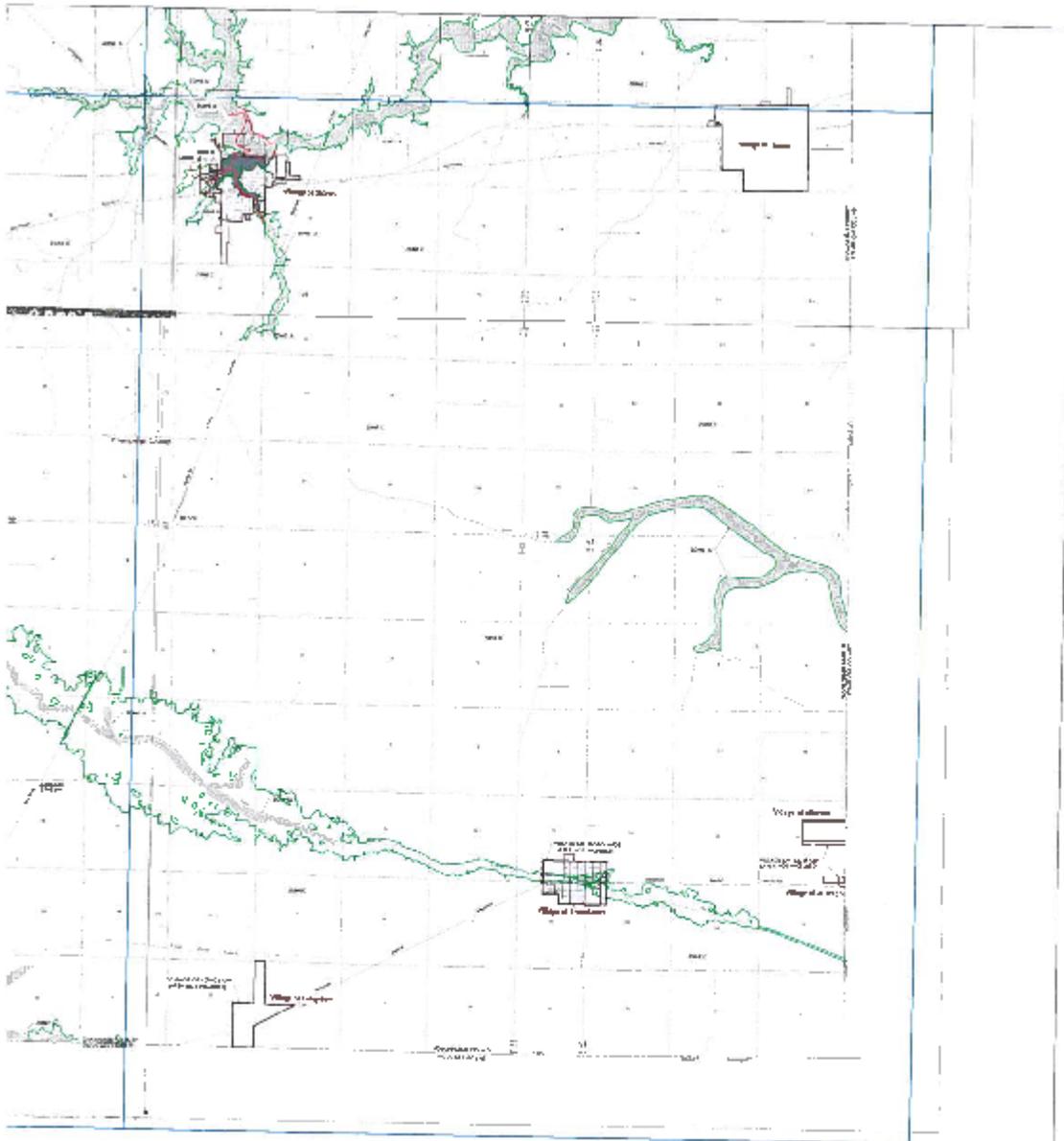
The FIRM data is a composite of various data sources and is not intended to be used for flood insurance purposes. It is not intended to be used for flood insurance purposes. It is not intended to be used for flood insurance purposes.

This document is a preliminary map and is not intended to be used for flood insurance purposes. It is not intended to be used for flood insurance purposes. It is not intended to be used for flood insurance purposes.

Panel Number: 8
1:25,000
1" = 2,500'

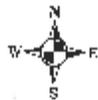


**Attachment A. Champaign County Changes Since Last FIRM
MAY 29, 2013**



**Champaign County
Changes Since Last FIRM (CSLF)**

- Water Storage Change
- Mark to-be
- Proposed Flood Boundaries**
- FLOODWAY
- 1% ANNUAL CHANCE FLOOD HAZARD
- 5% POTENTIAL CHANCE FLOOD HAZARD



This map was prepared as a result of a request for information from the FEMA Region IV office. The information was obtained from the local government and is not to be used for any other purpose without the permission of the local government.

The boundaries shown on this map are not to be used for any other purpose without the permission of the local government.

Panel Number: 9
1:10,000
1" = 1,500'



SPECIAL FLOOD DAMAGE PREVENTION HAZARD AREA
ORDINANCE

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60.3(d) for counties with approximate mapping

**AN ORDINANCE REGULATING DEVELOPMENT IN
FLOODPLAIN AREAS**

Be it ordained by the County Board of (*insert County name), Illinois as follows:

Section 1. Purpose.

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

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

Section 2. Definitions.

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

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

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

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

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

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

Examples of critical facilities where flood protection should be required include: emergency services facilities (such as fire and police stations), schools, hospitals retirement homes and senior care facilities, major roads and bridges, critical utility sites (telephone switching stations or electrical transformers, and hazardous material storage facilities (chemicals, petrochemicals, hazardous or toxic substances).

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

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

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

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

Expansion to an Existing Manufactured Home Park or Subdivision- The preparation of additional sites by the construction of facilities for servicing the

lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FEMA- Federal Emergency Management Agency

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

Flood Fringe- That portion of the floodplain outside of the regulatory floodway.

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

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

Floodplain and Special Flood Hazard Area (SFHA) - These two terms are synonymous. Those lands within the jurisdiction of the County that is subject to inundation by the base flood. The floodplains of the County are generally identified on the countywide Flood Insurance Rate Map of (**insert the name of the county*) prepared by the Federal Emergency Management Agency and dated (**insert countywide floodplain map effective date*). Floodplain also includes those areas of known flooding as identified by the community.

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

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

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

Floodway- That portion of the floodplain required to store and convey the base flood. The floodway for the floodplains of (**insert any rivers or streams with identified floodways*) shall be as delineated on the countywide Flood Insurance Rate Map of (**insert the name of the county*) prepared by FEMA and dated (**insert the date of the Floodplain Map*). The floodways for each of the remaining floodplains of the (**insert the name of the County*) shall be according to the best data available from the Federal, State, or other sources.

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

Historic Structure- Any structure that is:

1. Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register.

2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district.
3. Individually listed on the state inventory of historic places by the Illinois Historic Preservation Agency.
4. Individually listed on a local inventory of historic places that has been certified by the Illinois Historic Preservation Agency.

IDNR/OWR- Illinois Department of Natural Resources/Office of Water Resources.

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

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

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

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

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

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

NFIP- National Flood Insurance Program.

Recreational Vehicle or Travel Trailer- A vehicle which is:

1. built on a single chassis;

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

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

SFHA- See definition of floodplain.

Start of Construction- Includes substantial improvement and means the date the building permit was issued. This, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement or other improvement, was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation or placement of a manufactured home on a foundation. For a substantial improvement, actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building whether or not that alteration affects the external dimensions of the building.

Structure (see “Building”)

Substantial Damage- Damage of any origin sustained by a structure whereby the cumulative percentage of damage (**pick either: “subsequent to the adoption of this ordinance”, “during the life of the building” or “during a ten (10) year period”*) equals or exceeds fifty percent (50%) of the market value of the structure before the damage occurred regardless of actual repair work performed. Volunteer labor and materials must be included in this determination. The term includes “Repetitive Loss Buildings” (see definition).

Substantial Improvement- Any reconstruction, rehabilitation, addition or improvement of a structure taking place (**pick either: “subsequent to the adoption of this ordinance”, “during the life of the building” or “during a ten (10) year period”*) in which the cumulative percentage of improvements:

- equals or exceeds fifty percent (50%) of the market value of the structure before the improvement or repair is started, or
- increases the floor area by more than twenty percent (20%).

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

The term does not include:

1. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or

2. any alteration of a structure listed on the National Register of Historic Places or the Illinois Register of Historic Places.

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

Section 3. Base Flood Elevation.

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

- A. The base flood elevation for the floodplains of *(*insert name of all studied rivers, creeks and streams)* shall be as delineated on the 100-year flood profiles in the countywide Flood Insurance Study of *(*insert name of county)* prepared by the Federal Emergency Management Agency and *(*insert date of Flood Insurance Study)*.
- B. The base flood elevation for each floodplain delineated as an “AH Zone” or AO Zone” shall be that elevation (or depth) delineated on the county wide Flood Insurance Rate Map of *(*insert name of county)*.
- C. The base flood elevation for each of the remaining floodplains delineated as an “A Zone” on the countywide Flood Insurance Rate Map of *(*insert the name of the county)* shall be according to the best data available from federal, state or sources. Should no other data exist, an engineering study must be financed by the applicant to determine base flood elevations.

Section 4. Duties of the (*insert title of local official responsible for this ordinance).

The *(*insert title of local official responsible for this ordinance)* shall be responsible for the general administration of this ordinance and ensure that all development activities within the floodplains under the jurisdiction of the *(*insert the name of the County)* meet the requirements of this ordinance. Specifically, the *(*insert title of local official responsible for this ordinance)* shall:

- A. Process development permits in accordance with Section 5;
- B. ensure that all development in a floodway (or a floodplain with no delineated floodway) meets the damage prevention requirements of Section 6;

- C. ensure that the building protection requirements for all buildings subject to Section 7 are met and maintain a record of the “as-built” elevation of the lowest floor (including basement) or floodproof certificate;
- D. assure that all subdivisions and annexations meet the requirements of Section 8;
- E. ensure that water supply and waste disposal systems meet the Public Health standards of Section 9;
- F. if a variance is requested, ensure that the requirements of Section 11 are met and maintain documentation of any variances granted;
- G. inspect all development projects and take any and all penalty actions outlined in Section 13 as a necessary to ensure compliance with this ordinance;
- H. assure that applicants are aware of and obtain any and all other required local, state, and federal permits;
- I. notify IDNR/OWR and any neighboring communities prior to any alteration or relocation of a watercourse;
- J. provide information and assistance to citizens upon request about permit procedures and floodplain construction techniques;
- K. cooperate with state and federal floodplain management agencies to coordinate base flood data and to improve the administration of this ordinance;
- L. maintain for public inspection base flood data, floodplain maps, copies of state and federal permits, and documentation of compliance for development activities subject to this ordinance;
- M. perform site inspections to ensure compliance with this ordinance and make substantial damage determinations for structures within the floodplain, and
- N. maintain the accuracy of floodplain maps including notifying IDNR/OWR and/or submitting information to FEMA within six months whenever a modification of the floodplain may change the base flood elevation or result in a change to the floodplain map.

Section 5. Development Permit.

No person, firm, corporation, or governmental body not exempted by law shall commence any development in the floodplain without first obtaining a

Attachment B. Updated Model Special Flood Hazard Areas Ordinance
MAY 29, 2013

development permit from the *(*insert title of local official responsible for this ordinance)*. The *(*insert title of local official responsible for this ordinance)* shall not issue a development permit if the proposed development does not meet the requirements of this ordinance.

A. The application for development permit shall be accompanied by:

1. drawings of the site, drawn to scale showing property line dimensions;
2. existing grade elevations and all changes in grade resulting from excavation or filling;
3. the location and dimensions of all buildings and additions to buildings;
4. the elevation of the lowest floor (including basement) of all proposed buildings subject to the requirements of Section 7 of this ordinance, and
5. cost of project or improvements as estimated by a licensed engineer or architect. A signed estimate by a contractor may also meet this requirement.

B. Upon receipt of an application for a development permit, the *(*insert title of local official responsible for this ordinance)* shall compare the elevation of the site to the base flood elevation. Any development located on land that is shown by survey elevation to be below the current base flood elevation is subject to the provisions of this ordinance. In addition, any development located on land shown to be below the base flood elevation and hydraulically connected to a flood source, but not identified as floodplain on the current Flood Insurance Rate Map, is subject to the provisions of this ordinance. Any development located on land that can be shown by survey data to be higher than the current base flood elevation and which has not been filled after the date of the site's first Flood Insurance Rate Map is not in the floodplain and therefore not subject to the provisions of this ordinance.

The *(*insert title of local official responsible for this ordinance)* shall maintain documentation of the existing ground elevation at the development site and certification that this ground elevation existed prior to the date of the site's first Flood Insurance Rate Map identification.

The *(*insert title of local official responsible for this ordinance)* shall be responsible for obtaining from the applicant copies of all other federal, state, and local permits, approvals or permit-not-required letters that may be required for this type of activity. The *(*insert title*

of local official responsible for this ordinance) shall not issue a permit unless all other federal, state, and local permits have been obtained.

Section 6. Preventing Increased Flood Heights and Resulting Damages.

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

A. Except as provided in Section 6(B) of this ordinance, no development shall be allowed which, acting in combination with existing and anticipated development will cause any increase in flood heights or velocities or threat to public health and safety. The following specific development activities shall be considered as meeting this requirement*:

1. Bridge and culvert crossings of streams in rural areas meeting the conditions of the Illinois Department of Natural Resources, Office of Water Resources Statewide Permit Number 2:
2. Barge fleeting facilities meeting the conditions of IDNR/OWR Statewide Permit Number 3:
3. Aerial utility crossings meeting the conditions of IDNR/OWR Statewide Permit Number 4;
4. Minor boat docks meeting the following conditions of IDNR/OWR Statewide Permit Number 5:
5. Minor, non-obstructive activities such as underground utility lines, light poles, sign posts, driveways, athletic fields, patios, playground equipment, minor storage buildings not exceeding 70 square feet and raising buildings on the same footprint which does not involve fill and any other activity meeting the conditions of IDNR/OWR Statewide Permit Number 6:
6. Outfall Structures and drainage ditch outlets meeting the following conditions of IDNR/OWR Statewide Permit Number 7:
7. Underground pipeline and utility crossings meeting the conditions of IDNR/OWR Statewide Permit Number 8:
8. Bank stabilization projects meeting the conditions of IDNR/OWR Statewide Permit Number 9:

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

Section 7. Protecting Buildings.

- A. In addition to the state permit and damage prevention requirements of Section 6 of this ordinance, all buildings located in the floodplain shall be protected from flood damage below the flood protection elevation. This building protection requirement applies to the following situations:
1. Construction or placement of a new building valued at more than one thousand dollars (\$1,000) or seventy (70) square feet.
 2. Substantial improvements or structural alterations made to an existing building that increase the floor area by more than twenty percent (20%) or equal or exceed the market value by fifty percent (50%). Alteration shall be figured cumulatively (**pick either: “subsequent to the adoption of this ordinance”, “during the life of the building” or “during a 10- year period”*). If substantially improved, the existing

structure and the addition must meet the flood protection standards of this section.

3. Repairs made to a substantially damaged building. These repairs shall be figured cumulatively (**pick either: "subsequent to the adoption of this ordinance," "during the life of the building" or "during a 10-year period"*). If substantially damaged the entire structure must meet the flood protection standards of this section within 24 months of the date the damage occurred.
4. Installing a manufactured home on a new site or a new manufactured home on an existing site. (The building protection requirements do not apply to returning a manufactured home to the same site it lawfully occupied before it was removed to avoid flood damage).
5. Installing a travel trailer or recreational vehicle on a site for more than one hundred eighty (180) days per year.
6. Repetitive loss to an existing building as defined in Section 2.

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

1. The building may be constructed on permanent land fill in accordance with the following:
 - a. The lowest floor (including basement) shall be at or above the flood protection elevation.
 - b. The fill shall be placed in layers no greater than six inches before compaction and should extend at least ten (10) feet beyond the foundation before sloping below the flood protection elevation.
 - c. The fill shall be protected against erosion and scour during flooding by vegetative cover, riprap, or other structural measure.
 - d. The fill shall be composed of rock or soil and not incorporated debris or refuse material, and
 - e. shall not adversely affect the flow of surface drainage from or onto neighboring properties and when necessary stormwater management

techniques such as swales or basins shall be incorporated.

2. The building may be elevated on solid walls in accordance with the following:
 - a. The building or improvements shall be elevated on stilts, piles, walls, crawlspace, or other foundation that is permanently open to flood waters.
 - b. The lowest floor and all electrical, heating, ventilating, plumbing, and air conditioning equipment and utility meters shall be located at or above the flood protection elevation.
 - c. If walls are used, all enclosed areas below the flood protection elevation shall address hydrostatic pressures by allowing the automatic entry and exit of flood waters. Designs must either be certified by a licensed professional engineer or by having a minimum of one (1) permanent opening on each wall no more than one (1) foot above grade with a minimum of two (2) openings. The openings shall provide a total net area of not less than one (1) square inch for every one (1) square foot of enclosed area subject to flooding below the base flood elevation, and
 - d. the foundation and supporting members shall be anchored, designed, and certified so as to minimize exposure to hydrodynamic forces such as current, waves, ice, and floating debris.
 - i. All structural components below the flood protection elevation shall be constructed of materials resistant to flood damage.
 - ii. Water and sewer pipes, electrical and telephone lines, submersible pumps, and other service facilities may be located below the flood protection elevation provided they are waterproofed.
 - iii. The area below the flood protection elevation shall be used solely for parking or

building access and not later modified or occupied as habitable space, or

iv. in lieu of the above criteria, the design methods to comply with these requirements may be certified by a licensed professional engineer or architect.

3. The building may be constructed with a crawlspace located below the flood protection elevation provided that the following conditions are met:
 - a. The building must be designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
 - b. Any enclosed area below the flood protection elevation shall have openings that equalize hydrostatic pressures by allowing for the automatic entry and exit of floodwaters. A minimum of one opening on each wall having a total net area of not less than one (1) square inch per one (1) square foot of enclosed area. The openings shall be no more than one (1) foot above grade.
 - c. The interior grade of the crawlspace below the flood protection elevation must not be more than two (2) feet below the lowest adjacent exterior grade.
 - d. The interior height of the crawlspace measured from the interior grade of the crawl to the top of the foundations wall must not exceed four (4) feet at any point.
 - e. An adequate drainage system must be installed to remove floodwaters from the interior area of the crawlspace within a reasonable period of time after a flood event.
 - f. Portions of the building below the flood protection elevation must be constructed with materials resistant to flood damage, and
 - g. Utility systems within the crawlspace must be elevated above the flood protection elevation.

C. Non-residential buildings may be structurally dry floodproofed (in lieu of elevation) provided a licensed professional engineer or architect certifies that:

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1. Below the flood protection elevation the structure and attendant utility facilities are watertight and capable of resisting the effects of the base flood.
 2. The building design accounts for flood velocities, duration, rate of rise, hydrostatic and hydrodynamic forces, the effects of buoyancy, and the impact from debris and ice.
 3. Floodproofing measures will be incorporated into the building design and operable without human intervention and without an outside source of electricity.
 4. Levees, berms, floodwalls and similar works are not considered floodproofing for the purpose of this subsection.
- D. Manufactured homes or travel trailers to be permanently installed on site shall be:
1. Elevated to or above the flood protection elevation in accordance with Section 7(B), and
 2. anchored to resist flotation, collapse, or lateral movement by being tied down in accordance with the rules and regulations for the Illinois Mobile Home Tie-Down Act issued pursuant to 77 Ill. Adm. Code § 870.
- E. Travel trailers and recreational vehicles on site for more than one hundred eighty (180) days per year shall meet the elevation requirements of section 7(D) unless the following conditions are met:
1. The vehicle must be either self-propelled or towable by a light duty truck.
 2. The hitch must remain on the vehicle at all times.
 3. The vehicle must not be attached to external structures such as decks and porches
 4. The vehicle must be designed solely for recreation, camping, travel, or seasonal use rather than as a permanent dwelling.
 5. The vehicles largest horizontal projections must be no larger than four hundred (400) square feet.
 6. The vehicle's wheels must remain on axles and inflated.
 7. Air conditioning units must be attached to the frame so as to be safe for movement of the floodplain.

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8. Propane tanks as well as electrical and sewage connections must be quick-disconnect.
 9. The vehicle must be licensed and titled as a recreational vehicle or park model, and
 10. must either:
 - a. entirely be supported by jacks, or
 - b. have a hitch jack permanently mounted, have the tires touching the ground and be supported by block in a manner that will allow the block to be easily removed by used of the hitch jack.
- F. Garages, sheds or other minor accessory structures constructed ancillary to an existing residential use may be permitted provided the following conditions are met:
1. The garage of shed must be non-habitable.
 2. The garage or shed must be used only for the storage of vehicles and tools and cannot be modified later into another use.
 3. The garage or shed must be located outside of the floodway or have the appropriate state and/or federal permits.
 4. The garage or shed must be on a single family lot and be accessory to an existing principle structure on the same lot.
 5. Below the base flood elevation, the garage or shed must be built of materials not susceptible to flood damage.
 6. All utilities, plumbing, heating, air conditioning and electrical must be elevated above the flood protection elevation.
 7. The garage or shed must have at least one permanent opening on each wall not more than one (1) foot above grade with one (1) square inch of opening for every one (1) square foot of floor area.
 8. The garage or shed must be less than fifteen thousand dollars (\$15,000) in market value or replacement cost whichever is greater or less than five hundred and seventy six (576) square feet (24' x24').

9. The structure shall be anchored to resist floatation and overturning.
10. All flammable or toxic materials (gasoline, paint, insecticides, fertilizers, etc.) shall be stored above the flood protection elevation.
11. The lowest floor elevation should be documented and the owner advised of the flood insurance implications.

Section 8. Subdivision Requirements

The *(*insert name of the County governing board)* shall take into account hazards, to the extent that they are known, in all official actions related to land management use and development.

A. New subdivisions, manufactured home parks, annexation agreements, planned unit developments, and additions to manufactured home parks and subdivisions shall meet the damage prevention and building protections standards of Sections 6 and 7 of this ordinance. Any proposal for such development shall include the following data:

1. The base flood elevation and the boundary of the floodplain, where the base flood elevation is not available from an existing study, the applicant shall be responsible for calculating the base flood elevation;
2. the boundary of the floodway when applicable, and
3. a signed statement by a Licensed Professional Engineer that the proposed plat or plan accounts for changes in the drainage of surface waters in accordance with the Plat Act (765 ILCS 205/2).

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

Section 9. Public Health and Other Standards

A. Public health standards must be met for all floodplain development. In addition to the requirements of Sections 6 and 7 of this ordinance the following standards apply:

1. No development in the floodplain shall include locating or storing chemicals, explosives, buoyant materials, flammable liquids, pollutants, or other hazardous or toxic materials below the flood protection elevation unless such materials are stored in a floodproofed and anchored storage tank and certified by a professional engineer or floodproofed building constructed according to the requirements of Section 7 of this ordinance.

2. Public utilities and facilities such as sewer, gas and electric shall be located and constructed to minimize or eliminate flood damage.
 3. Public sanitary sewer systems and water supply systems shall be located and constructed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.
 4. New and replacement on-site sanitary sewer lines or waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding. Manholes or other above ground openings located below the flood protection elevation shall be watertight.
 5. Construction of new or substantially improved critical facilities shall be located outside the limits of the floodplain. Construction of new critical facilities shall be permissible within the floodplain if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor (including basement) elevated or structurally dry floodproofed to the 500-year flood frequency elevation or three feet above the level of the 100-year flood frequency elevation whichever is greater. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities.
- B. All other activities defined as development shall be designed so as not to alter flood flows or increase potential flood damages.

Section 10. Carrying Capacity and Notification.

For all projects involving channel modification, fill, or stream maintenance (including levees), the flood carrying capacity of the watercourse shall be maintained.

In addition, the (**insert name of County*) shall notify adjacent communities in writing thirty (30) days prior to the issuance of a permit for the alteration or relocation of the watercourse.

Section 11. Variances.

Whenever the standards of this ordinance place undue hardship on a specific development proposal, the applicant may apply to the *(*insert name of the elected or appointed board of appeals)* for a variance. The *(*insert the name of the elected or appointed board of appeals)* shall review the applicant's request for a variance and shall submit its recommendation to the *(*insert the name of the County governing board)*. The *(*insert the name of the County governing board)* may attach such conditions to granting of a variance as it deems necessary to further the intent of this ordinance.

A. No variance shall be granted unless the applicant demonstrates that all of the following conditions are met:

1. The development activity cannot be located outside the floodplain.
2. An exceptional hardship would result if the variance were not granted.
3. The relief requested is the minimum necessary.
4. There will be no additional threat to public health, safety or creation of a nuisance.
5. There will be no additional public expense for flood protection, rescue or relief operations, policing, or repairs to roads, utilities, or other public facilities.
6. The applicant's circumstances are unique and do not establish a pattern inconsistent with the intent of the NFIP, and
7. all other state and federal permits have been obtained.

B. The *(*insert the name of the elected or appointed board of appeals)* shall notify an applicant in writing that a variance from the requirements of the building protections standards of Section 7 that would lessen the degree of protection to a building will:

1. Result in increased premium rates for flood insurance up to twenty-five dollars (\$25) per one hundred dollars (\$100) of insurance coverage;
2. increase the risk to life and property, and
3. require that the applicant proceed with knowledge of these risks and that the applicant acknowledge in writing the assumption of the risk and liability.

C. Historic Structures

- a. Variances to the building protection requirements of Section 7 of this ordinance which are requested in connection with reconstruction, repair, or alteration of a historic site or historic structure as defined in “Historic Structures”, may be granted using criteria more permissive than the requirements of Sections 6 and 7 of this ordinance subject to the conditions that:
 1. The repair or rehabilitation is the minimum necessary to preserve the historic character and design of the structure.
 2. The repair or rehabilitation will not result in the structure being removed as a certified historic structure.

D. Agriculture

Any variance granted for an agricultural structure shall be decided individually based on a case by case analysis of the building's unique circumstances. Variances granted shall meet the following conditions as well as those criteria and conditions set forth in this ordinance.

In order to minimize flood damages during the 100-year flood and the threat to public health and safety, the following conditions shall be included for any variance issued for agricultural structures that are constructed at-grade and wet-floodproofed.

1. All agricultural structures considered for a variance from the floodplain management regulations of this ordinance shall demonstrate that the varied structure is located in wide, expansive floodplain areas and no other alternate location outside of the special flood hazard area exists for the agricultural structure. Residential structures or animal confinement facilities, such as farm houses, cannot be considered agricultural structures.
2. Use of the varied structures must be limited to agricultural purposes in zone A only as identified on the community's Flood Insurance Rate Map (FIRM).
3. For any new or substantially damaged agricultural structures, the exterior and interior building components and elements (i.e., foundation, wall framing, exterior and interior finishes, flooring, etc.) below the base flood elevation, must be built with flood-resistant materials in accordance with Section 7 of this ordinance.
4. The agricultural structures must be adequately anchored to prevent flotation, collapse, or lateral movement of the structures in accordance with Section 7 of this ordinance. All of the building's structural components must be capable of resisting specific flood-related forces including

hydrostatic, buoyancy, and hydrodynamic and debris impact forces. 5. Any mechanical, electrical, or other utility equipment must be located above the base flood elevation or floodproofed so that they are contained within a watertight, floodproofed enclosure that is capable of resisting damage during flood conditions in accordance with Section 7 of this ordinance.

5. The NFIP requires that enclosure or foundation walls, subject to the 100-year flood, contain openings that will permit the automatic entry and exit of floodwaters in accordance with Section 7(B) this ordinance.
6. The agricultural structures must comply with the floodplain management floodway provisions of Section 6 of this ordinance. No variances may be issued for agricultural structures within any designated floodway.
7. Wet-floodproofing construction techniques must be reviewed and approved by the floodplain administrator and a registered professional engineer or architect prior to the issuance of any floodplain development permit for construction.

Section 12. Disclaimer of Liability.

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

Section 13. Penalty.

Failure to obtain a permit for development in the floodplain or failure to comply with the conditions of a permit or a variance shall be deemed to be a violation of this ordinance. Upon due investigation, the *(*insert the title of the Official, Office or Agency, or Municipal Attorney)* may determine that a violation of the minimum standards of this ordinance exists. The *(*insert the title of the Official, Office or Agency, or Municipal Attorney)* shall notify the owner in writing of such violation.

A. If such owner fails after ten (10) days notice to correct the violation:

1. The *(*insert County name)* shall make application to the circuit court for an injunction requiring conformance with this ordinance or make such other order as the court deems necessary to secure compliance with the ordinance.

2. Any person who violates this ordinance shall upon conviction thereof be fined not less than fifty dollars (\$50) or more than seven hundred fifty (\$750) for each offense.
 3. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues, and
 4. the *(*insert County name)* shall record a notice of violation on the title of the property.
- B. The *(*insert the title of the Official, Office or Agency, or Municipal Attorney)* shall inform the owner that any such violation is considered a willful act to increase flood damages and therefore may cause coverage by a Standard Flood Insurance Policy to be suspended.

The *(*insert the title of the Official, Office or Agency, or Municipal Attorney)* is authorized to issue an order requiring the suspension of the subject development. The stop-work order shall be in writing, indicate the reason for the issuance, and shall order the action, if necessary, to resolve the circumstances requiring the stop-work order. The stop-work order constitutes a suspension of the permit. No site development permit shall be permanently suspended or revoked until a hearing is held by the *(*Board of Appeals)*. Written notice of such hearing shall be served on the permittee and shall state:

1. The grounds for the complaint, reasons for suspension or revocation, and
2. the time and place of the hearing.

At such hearing the permittee shall be given an opportunity to present evidence on their behalf. At the conclusion of the hearing, the *(*Board of Appeals)* shall determine whether the permit shall be suspended or revoked.

- C. Nothing herein shall prevent the *(*insert County name)* from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible.

Section 14. Abrogation and Greater Restrictions.

This ordinance repeals and replaces other ordinances adopted by the *(*insert the name of the County governing board)* to fulfill the requirements of the National Flood Insurance Program including: *(*insert date of prior floodplain ordinance)*. However, this ordinance does not repeal the original resolution or ordinance adopted to achieve eligibility in the program. Nor does this ordinance repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. Where this ordinance and other ordinance easements, covenants or deed restrictions conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

Section 15. Severability.

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

Section 16. Effective Date.

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

Passed by the *(*insert the name of the County governing board)* of the *(*insert County name)*, Illinois, this *(*insert date)* day of *(*insert month)*, 20*(*insert year)*.

—
(Clerk)

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

—
(County CEO)

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

—
(Clerk)

Attachment C. Sec. 11 Fees from the Champaign County Special Flood Hazard Areas Ordinance
MAY 29, 2013

Section 11 Fees

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

D. Fee Schedule:

- 1. Floodplain Development Permits\$100
- 2. Special Flood Hazard Area Variance.....\$200
- 3. Flood Determinations, except as made in conjunction with applications for Floodplain Development Permits, Special Flood Hazard Area Variance or other applications made pursuant to the Champaign County Zoning Ordinance or Subdivision Regulations..... \$25
- 4. Base Flood Elevation Estimate, except as made in conjunction with applications for Floodplain Development Permits, Special Flood Hazard Area Variance or other applications made pursuant to the Champaign County Zoning Ordinance or Subdivision Regulations:
 - a. BFE established by publication or previous estimates.....\$25
 - b. BFE established by estimate pursuant to Section 3, Paragraph C.\$25



Brookens Administrative
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MONTHLY REPORT for APRIL 2013¹

Zoning Cases

The distribution of cases filed, completed, and pending is detailed in Table 1. One zoning case was filed in April and two were filed in April 2012. The average number of cases filed in April in the preceding five years was 3.4.

Two ZBA meetings were held in April and six cases were finalized. Two ZBA meetings were held in April 2012 and three cases were finalized. The average number of cases finalized in April in the preceding five years was 2.0.

By the end of April there were 14 cases pending. By the end of April 2012 there were 13 cases pending.

Table 1. Zoning Case Activity in April 2013 & April 2012

Type of Case	April 2013 2 ZBA meetings		April 2012 2 ZBA meetings	
	Cases Filed	Cases Completed	Cases Filed	Cases Completed
Variance	1	3	0	3
SFHA Variance	0	0	0	0
Special Use	0	2‡	0	0
Map Amendment	0	2	2	0
Text Amendment	0	0	0	0
Change of Non-conforming Use	0	0	0	0
Administrative Variance	0	0	0	0
Interpretation / Appeal	0	0	0	0
TOTALS	1	7	2	3
Total cases filed (fiscal year)	15 cases		12 cases**	
Total cases completed (fiscal year)	17 cases‡		10 cases†	
Case pending*	14 cases‡		13 cases	
<p>* Cases pending includes all cases continued and new cases filed but not decided **Cases filed by the end of March 2012 was previously reported as 8 cases but review of the files indicated 10 cases to be the correct number of cases filed ‡One Special Use application was withdrawn in April 2013 and is included in Cases Completed †Cases completed by the end of March 2012 was previously reported as 4 cases but review of the files indicated 8 cases to be the correct number</p>				

¹ Note that approved absences and sick days resulted in an average staffing level of 87% or the equivalent of 4.4 staff members (of the 5 authorized) present for each of the 22 work days in April.

Subdivisions

There was no County subdivision application, review, or recording in April.

One municipal subdivision was reviewed for compliance with County zoning in April.

Zoning Use Permits

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

- 11 permits for 9 structures were received in April compared to 49 permits for 48 structures (including 30 wind turbines in the California Ridge Wind Farm) in April 2012. The five-year average for permits in April in the preceding five years is 22.0.
- 11 months out of the last 31 months have equaled or exceeded the five-year average for number of permits (including December 2012, October 2012, September 2012, May 2012, April 2012, January 2012, December 2011, August 2011, February 2011, January 2011, September 2010).
- 4.4 days was the average turnaround (review) time for complete initial residential permit applications in April.
- \$1,146,000 was the reported value for the permits in April compared to a total of \$9,664,538 in April 2012 (including the wind farm) and \$1,428,812 if the wind farm is not included. The five-year average reported value for authorized construction in April is \$2,778,812.
- 17 months in the last 51 months have equaled or exceeded the five-year average for reported value of construction (including February 2013, January 2013, November 2012, September 2012, August 2012, May 2012, April 2012, February 2012, January 2012, December 2011, November 2011, August 2011, June 2011, February 2011, August and May 2010 and March 2009).
- \$3,143 in fees were collected in April compared to a total of \$14,752 in April 2012 (including the wind farm) and \$3,948 if the wind farm is not included. The five-year average for fees collected in April is \$5,706.
- 13 months in the last 47 months have equaled or exceeded the five-year average for collected permit fees (including February 2013, January 2013, October 2012, September 2012, May 2012, April 2012, February 2012, January 2012, December 2011, June 2011, August 2010, and December and March 2009).
- There were also 9 lot split inquiries and 248 other zoning inquiries in April.
- Two rural addresses were issued in April
- Minutes were prepared and/or finalized for four ZBA meetings
- The variance application received in April required a much greater than normal amount of background research because of a proposed encroachment into a public street right of way.

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 APRIL 2013

Table 2. Zoning Use Permit Activity in April 2013

PERMITS	CURRENT MONTH			FISCAL YEAR TO DATE		
	#	Total Fee	\$ Value	#	Total Fee	\$ Value
AGRICULTURAL:		N.A.			N.A.	
Residential						
Other	2	N.A.	118,500	11	N.A.	829,455
SINGLE FAMILY Residential:						
New - Site Built	3	1,839	914,000	8	5,414	2,430,662
Manufactured						
Additions	2	483	62,500	8	985	122,018
Accessory to Residential	2	690	51,000	6	1,062	65,900
TWO-FAMILY Residential						
Average turn-around time for permit approval		4.4 days				
MULTI - FAMILY Residential						
HOME OCCUPATION: Rural	1	33	0	1	33	0
Neighborhood		N.A.		1	N.A.	0
COMMERCIAL: New				3	2,299	1,230,000
Other						
INDUSTRIAL: New						
Other						
OTHER USES: New						
Other						
SIGNS						
TOWERS (Includes Acc. Bldg.)						
OTHER PERMITS	1	98	0	7	681	24,100
TOTAL	11/ 9	\$3,143	\$1,146,000	45/ 6	\$10,474	\$4,702,135

*11 permits were issued for 9 structures during April 2013

◇45 permits have been issued for 36 structures since December 1, 2012 (FY2013)

NOTE: Home occupations and other permits (change of use, temporary use) total 9 since December, 2012, (this number is not included in the total # of structures).

Conversion of Best Prime Farmland

No Best Prime Farmland has been converted from agriculture to non-agricultural use as a result of any County zoning approval so far in FY2013.

Zoning Compliance Inspections

- No compliance inspections were made in April for a total of 35 compliance inspections so far in FY2013.
- No compliance certificates were issued in April so the total remains 21 compliance certificates so far in FY2013. The FY2013 budget anticipated a total of 510 compliance inspections for an average of 9.8 inspections per week.

Zoning and Nuisance Enforcement

Table 3 contains the detailed breakdown of enforcement activity for April 2012 and can be summarized as follows:

- 4 new complaints were received in April compared to 4 new complaints in April 2012. No complaints were referred to another agency in April or in April 2012.
- 43 enforcement inspections were conducted in April compared to 19 in April 2012. Two of the April inspections were for the 4 new complaints received in April.
- No contacts were made prior to written notification in April and three were made in April 2012.
- 43 initial investigation inquiries were made in April for an average of 9.6 per week in April and 8.6 per week for the fiscal year. The FY2013 budget had anticipated an average of 8.4 initial investigation inquiries per week.
- No First Notices and 1 Final Notice was issued in April compared to no First Notices and no Final Notice in April 2012. The FY2013 budget anticipates a total of 30 First Notices.
- 2 cases were referred to the State's Attorney in April and 1 case was referred in April 2012.
- 7 cases were resolved in April (1 of the resolved cases were received in April) and 3 cases were resolved in April 2012.
- 436 cases remain open at the end of April compared to 427 open cases at the end of April 2012.
- Miscellaneous activities for enforcement in April included a large FOIA request for all permits and violations on 5 different farms in 15 sections in 3 different townships; a second large FOIA request for copies of all permits on the Kraft property; documenting exemptions for an Ameren project; and responding to 26 zoning inquiries.

APPENDICES

A Zoning Use Permits Authorized

Planning & Zoning Monthly Report
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Table 3. Enforcement Activity During April 2013

	FY2012 TOTALS ¹	Dec. 2012	Jan. 2013	Feb. 2013	March 2013	April 2013	May 2013	June 2013	July 2013	Aug. 2013	Sep. 2013	Oct. 2013	Nov. 2013	TOTALS ¹ FY2013
Complaints Received	80	1	9	6	2	4								22
Initial Complaints Referred to Others	10	0	0	1	0	0								1
Inspections	515	35	49	29	29	43 ⁴								185 ⁵
Phone Contact Prior to Notice	13	0	0	0	0	0								0
First Notices Issued	24	0	7	1	2	0								10
Final Notices Issued	8	0	1	2	0	1								4
Referrals to State's Attorney	5	2	0	0	0	2								4
Cases Resolved ²	69	0	8	9	2	7 ⁶								26 ⁷
Open Cases ³	440	441	442	439	439	436								436 ⁸

Notes

1. Total includes cases from previous years.
2. Resolved cases are cases that have been inspected, notice given, and violation is gone, or inspection has occurred and no violation has been found to occur on the property.
3. Open Cases are unresolved cases and includes any case referred to the State's Attorney or new complaints not yet investigated.
4. 2 inspections of the 43 performed were for the 4 complaints received in April, 2013.
5. 28 inspections of the 185 inspections performed in 2013 were for complaints received in 2013.
6. 1 of the resolved cases for April, 2013, was received in April, 2013.
7. 7 of the 26 cases resolved in FY 2013 were for complaints that were also received in FY 2013.
8. Total open cases include 33 cases that have been referred to the State's Attorney, some of which were referred as early as 2001.

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APPENDIX A. ZONING USE PERMITS AUTHORIZED DURING APRIL 2013

Permit Number	Zoning District; Property Description; Address; PIN	Owner Name	Date Applied, Date Approved	Project (Related Zoning Case)
356-12-01 CR	Lot 1, E.E. Rogers Subdivision, Section 27, Crittenden Township; 177N 1600E, Villa Grove, Illinois PIN: 08-33-27-200-005	Larry & Julia Hall	12/21/12 04/15/13	Construct a detached garage/storage shed
86-13-01 CR	Tracts 1 & 2 of Stephens Section 6 Survey, Section 6, South Homer Township; 2559 CR 1200N, Homer, IL PIN: 26-30-06-200-012 & 011	Dave & Dianda Easter	03/27/13 04/09/13	Construct a single family home with attached garage
87-13-01 AG-1	The N 250' of the W 348.48' of the W 40 acres of the S 96 rods of that Part of Fractional Section 6, Hensley Township; 2328 CR 600E, Dewey, Illinois PIN: 12-14-06-300-003	Mark Kesler	03/28/13 04/09/13	Construct a detached garage/storage shed
91-13-01 AG-1	A tract of land being a part of the SW ¼ of Section 35, Brown Township; 3020 CR 400E, Fisher, Illinois PIN: 02-01-35-300-008	Todd & Renee Weitekamp	04/01/13 04/10/13	Construct a detached storage shed for agriculture equipment
93-13-01 AG-1	Lot 1, Deer Crossing Subdivision, Section 25, Newcomb Township; 536 CR 2550N, Mahomet, IL PIN: 16-07-25-101-001	Hoffman Ochs	04/03/13 04/09/13	Construct a single family home with attached garage
98-13-01 AG-2	The West 3 acres of the North 17 acres of the E ½ of the SE ¼ of Section 34, Somerset Township; 2903 East Oaks Road, Urbana, Illinois PIN: 25-15-34-400-008	Rick & Valerie Mathis	04/08/13 04/11/13	Construct an addition to an existing home and to authorize a previously constructed in-ground pool, pool house, pavilion, and an addition to an existing detached shed
98-13-02 CR	A tract of land consisting of 60 acres in the NE ¼ and the SE ¼ of Section 28, Kerr Township; 3515 CR 2800E, Penfield, Illinois PIN: 13-06-28-400-002	Rolling Hills Campground/ Eastern Illinois ABATE	04/08/13 04/10/13	Establish a Temporary Use for an outdoor gathering, June 7, 8 & 9, 2013
100-13-01	Lot 202 of a Replat of Lots 101, 102 & 103 of Summerfield North Subdivision; 545 CR 2500N, Dewey, Illinois PIN: 16-07-25-300-042	Patrick & Melissa Trainor 6	04/10/13 04/26/13	Construct a single family home with attached garage

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APPENDIX A. ZONING USE PERMITS AUTHORIZED DURING APRIL 2013

Permit Number	Zoning District; Property Description; Address; PIN	Owner Name	Date Applied, Date Approved	Project (Related Zoning Case)
105-13-01 CR	Two tracts of land comprising 3.90 acres in the SE ¼ of Section 5, Brown Township; 3521 CR 200E, Foolsland, Illinois PIN: 02-01-05-400-006	Robert Brian Harsha	04/15/13 04/18/13	Construct a detached storage shed for agriculture equipment
108-13-01 RHO AG-2	A tract of land located in the NE ¼ of the NE ¼ of Section 26, Somer Township; 4913 N. Cottonwood Road, Urbana, Illinois PIN: 25-15-26-200-008	Kyle R. Windler/ Jodi M. Johnson	04/18/13 04/26/13	Establish a Rural Home Occupation, <i>Jodi's Barbershop on Cottonwood</i>
112-13-01 R-1	Lot 38, Twin Oaks II Subdivision, Section 11, Mahomet Township; 1804 Lakeshore Drive, Mahomet, Illinois PIN: 15-13-11-226-002	Larry Waters	04/22/13 04/30/13	Construct a sunroom addition to an existing single family home
116-13-01	UNDER REVIEW			