

CASE 058-AT-22

PRELIMINARY MEMORANDUM

JULY 5, 2022

Petitioner: Zoning Administrator

Request: Amend the Champaign County Zoning Ordinance as follows:

1. Revise, add, or remove defined terms to Section 3.0 as follows:
 - A. Add defined terms in Section 3.0: COMPOST, COMPOSTABLE WASTE, CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY, FOOD SCRAP, GARBAGE, GARDEN COMPOST OPERATION, GENERAL CONSTRUCTION OR DEMOLITION DEBRIS, HOUSEHOLD WASTE DROP-OFF POINT, LANDSCAPE WASTE COMPOST FACILITY, ONE-DAY COMPOSTABLE WASTE COLLECTION EVENT, PERMANENT COMPOSTABLE WASTE COLLECTION POINT, POLLUTION CONTROL FACILITY/NEW POLLUTION CONTROL FACILITY, RECYCLING CENTER, SPECIFIC MATERIAL COLLECTION SITE.
 - B. Revise defined terms in Section 3.0: LANDSCAPE WASTE, LANDSCAPE WASTE PROCESSING FACILITY.
 - C. Remove defined terms from Section 3.0: REFUSE DUMP, SANITARY LANDFILL.
2. Add SPECIFIC MATERIAL COLLECTION SITE authorized as a second PRINCIPAL USE on a LOT as a SPECIAL USE Permit in AG-1 or AG-2 Zoning Districts in Section 4.2.1.
3. Add POLLUTION CONTROL FACILITY/NEW POLLUTION CONTROL FACILITY as exempt from Zoning Ordinance in Section 4.3.7.
4. Revise Section 5.2 TABLE OF AUTHORIZED PRINCIPAL USES as follows:
 - A. Change “AUTOMOBILE Salvage Yard (junkyard)” to “JUNK YARD or AUTOMOBILE SALVAGE YARD” as a listed PRINCIPAL USE.
 - B. Amend “Recycling of non-hazardous materials (all storage and processing indoors)” to be “RECYCLING CENTER with no Outdoor STORAGE nor Outdoor OPERATIONS” to be allowed By Right in the B-4, B-5, I-1, or I-2 Zoning Districts.
 - C. Add “RECYCLING CENTER with Outdoor STORAGE and/or Outdoor OPERATIONS” to be allowed by Special

- Use Permit in the B-4, or B-5 Zoning Districts and By Right in the I-1 or I-2 Zoning Districts.
- D. Add “CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY” to be allowed by Special Use Permit in the I-1 or I-2 Zoning Districts and add Special Use Standards to Table 6.1.3.
 - E. Revise “LANDSCAPE WASTE COMPOSTING FACILITY” to be allowed by Special Use Permit in the AG-2, I-1, or I-2 Zoning Districts.
 - F. Add “PERMANENT COMPOSTABLE WASTE COLLECTION POINT” as a listed PRINCIPAL USE to be allowed by SPECIAL USE Permit in AG-2, B-1, B-4, B-5, I-1, or I-2 Zoning Districts.
 - G. Add “SPECIFIC MATERIAL COLLECTION SITE” as a listed PRINCIPAL USE to be allowed by SPECIAL USE Permit in AG-1, AG-2, B-1, B-4, B-5, I-1, or I-2 Zoning Districts.
5. Add Standard Conditions to Section 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES OF SPECIAL USES: CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY and COMPOSTABLE WASTE COLLECTION POINT.
 6. Remove Standard Conditions to Section 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES OF SPECIAL USES: Public or Commercial SANITARY LANDFILL.
 7. Revise Section 7.1.2(J)3 to indicate JUNK YARD or AUTOMOBILE SALVAGE YARD as prohibited STORAGE or OPERATIONS for a RURAL HOME OCCUPATION.

Location: Unincorporated Champaign County

Time Schedule for Development: As soon as possible

Prepared by: Susan Burgstrom, Senior Planner
John Hall, Zoning Administrator

BACKGROUND

At its June 9, 2022 meeting, ELUC reviewed memoranda dated February 28, April 28, 2022 and June 2, 2022 regarding proposed changes to materials management and waste-related land uses. ELUC approved opening a ZBA public hearing for these amendments at its June 9, 2022 meeting.

The proposed omnibus text amendment will update and clarify zoning ordinance provisions for material management and waste-related uses. No update of this category of uses has occurred since 1996. A summary of the proposed zoning ordinance text amendments follows:

- Include the exemption from county zoning for “pollution control facilities” and “new pollution control facilities,” based on Illinois statute provisions.
- Update defined terms as needed, add specific material management and waste-related uses that are not ‘pollution control facility’ or “new pollution control facility” uses, and update minimum special use standards and accessory use standards accordingly.

NEW AND REVISED LAND USES

Over the years, the P&Z Department has received inquiries for some types of materials management and waste-related uses that did not fit within the available land uses in the Zoning Ordinance. The proposed amendment establishes more specific uses so that when applications come in, the County has relevant and appropriate regulations to apply in each situation.

Current Land Uses in Zoning Ordinance	Proposed Land Uses
AUTOMOBILE Salvage Yard (junkyard)	JUNK YARD or AUTOMOBILE SALVAGE YARD
Recycling of non-hazardous materials (all storage and processing indoors)	<ul style="list-style-type: none"> • RECYCLING CENTER with no Outdoor STORAGE nor Outdoor OPERATIONS • RECYCLING CENTER with Outdoor STORAGE and/or Outdoor OPERATIONS
LANDSCAPE WASTE PROCESSING FACILITIES	LANDSCAPE WASTE COMPOSTING FACILITY or LANDSCAPE WASTE PROCESSING FACILITY
	PERMANENT COMPOSTABLE WASTE COLLECTION POINT
	SPECIFIC MATERIAL COLLECTION SITE
	CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY

AMENDMENT PART 1: DEFINITIONS

The proposed text amendment removes the defined terms for “sanitary landfill,” considered a “pollution control facility” or “new pollution control facility” and not subject to zoning ordinance provisions and the outdated “refuse dump” definition. Definitions proposed to be added describe contemporary material management and waste-related uses.

In the Zoning Ordinance, words and phrases that are in CAPITAL LETTERS are those that have definitions in Section 3.0.

AMENDMENT PART 2: SPECIFIC MATERIAL COLLECTION SITE

A SPECIFIC MATERIAL COLLECTION SITE is “a site that serves an integral part of needed infrastructure for a specific material reuse or recycle OPERATION. The site receives scheduled deliveries of a specific nonhazardous or non-putrescible material (e.g., glass containers/bottles) up to a limited maximum capacity, for temporary STORAGE on site until it is picked up for transport to an off-site processing facility.”

This part of the proposed amendment allows a SPECIFIC MATERIAL COLLECTION SITE to be a second principal use on a lot with a Special Use Permit in the AG-1 and AG-2 Agriculture zoning districts. A recent inquiry regarding collecting glass for recycling at a Township facility prompted the inclusion of AG-1 and AG-2 zoning districts for this part of the amendment. This would allow the Township facility to have a concrete bunker to collect the glass, which would be considered a second principal use.

AMENDMENT PART 3: EXEMPTION FOR POLLUTION CONTROL FACILITY AND NEW POLLUTION CONTROL FACILITY

The proposed text amendment adds defined terms for a “pollution control facility” and “new pollution control facility.” The Illinois Environmental Protection Act (415 ILCS 5/39.2) allows these facilities to be exempt from County zoning, and, instead, authorizes the County to conduct a separate comprehensive siting approval review and public hearing process for a proposed new pollution control facility.

AMENDMENT PART 4.A: JUNK YARD or AUTOMOBILE SALVAGE YARD

The current land use in the Zoning Ordinance is “AUTOMOBILE Salvage Yard (junkyard)” does not link it to the related definition in Section 3.0. The proposed rewording of this land use to “JUNK YARD or AUTOMOBILE SALVAGE YARD” adds appropriate capitalization so that this land use is linked to a matching definition in Section 3.0, which is: “A LOT, land, BUILDING, or STRUCTURE, or part thereof used primarily for the collecting, storage, and/or sale of scrap metal, or for the collecting, dismantling, storage, and salvaging of machinery or vehicles not in running condition and for the sale of parts therefrom.”

AMENDMENT PART 4.B: RECYCLING CENTER with no Outdoor STORAGE nor Outdoor OPERATIONS, and 4.C: RECYCLING CENTER with Outdoor STORAGE and/or Outdoor OPERATIONS

The existing zoning provisions allow for one kind of recycling center—one with all storage and processing indoors. The proposed amendment expands the range of types of recycling facilities to allow for: (1) a recycling facility with no outdoor storage or outdoor operations; (2) a recycling facility with limited outdoor storage and/or outdoor operations (similar to the limited options allowed for a contractor facility).

Recycling with no outdoor storage and operations would be allowed by-right in the B-4, B-5, I-1 and I-2 zoning districts. Recycling with outdoor storage and operations would need a Special Use Permit in B-4 and B-5, and would be allowed by-right in I-1 and I-2.

AMENDMENT PART 4.D: CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY

The only known known operating and permitted construction and demolition debris recycling facility in Champaign County is Henson Disposal and Recycling. In 2016, Henson Disposal & Recycling opened its permitted C&D Recycling Facility in Urbana to accept all construction and demolition debris (wood, shingles, bricks, concrete, rock, asphalt, metal, cardboard and paper, glass, bulk and clear plastics, drywall and plaster, vinyl siding, carpet, pad, tile and flooring).

The proposed text amendment adds “construction and demolition debris recycling facility” zoning provisions to allow applications to authorize or permit such a facility provided that specific limitations and standards are met. There are significant proposed additions to the standard conditions in Section 6.1.3. for this type of facility.

AMENDMENT PART 4.E: LANDSCAPE WASTE COMPOSTING FACILITY or LANDSCAPE WASTE PROCESSING FACILITY

The “Landscape Waste Processing Facilities” land use is already in the Zoning Ordinance. The proposed amendment would add a composting aspect to the land use. There are significant proposed additions to the standard conditions in Section 6.1.3. for this type of facility.

AMENDMENT PART 4.F: PERMANENT COMPOSTABLE WASTE COLLECTION POINT

Section 22.55(d-6) of the Illinois Environmental Protection Act allows limited “permanent compostable waste collection points” to take place with appropriate local review and approvals. The text amendment proposal is to allow this use by Special Use Permit review and approval. No IEPA permit is needed for this type of event.

AMENDMENT PART 4.G: SPECIFIC MATERIAL COLLECTION SITE

See Amendment Part 2 above for background on this proposed land use. An example application for this use would be for glass to be separately collected for recycling. At present, glass bottles/containers are very minimally recycled effectively in Champaign County. There are no glass processors nearby in central Illinois, and it costs a fortune for local waste haulers to transport heavy glass long distances. The current limited system of glass bottle recycling combines glass bottles with all recyclable materials into one bin. Estimates are that a very minimal percentage of collected glass actually may be recycled effectively. Glass is rare in that it is 100% recyclable. This method is problematic in that glass is crushed during handling & sorting, and too large an amount of glass ends up being landfilled. A SPECIFIC MATERIAL COLLECTION SITE would facilitate the recycling of glass separately from other materials so as to reduce the amount of glass that goes in a landfill.

AMENDMENT PART 5: STANDARD CONDITIONS ADDED TO SECTION 6.1.3

The proposed amendment adds standard conditions in Section 6.1.3 for three of the proposed land uses:

- CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY
- PERMANENT COMPOSTABLE WASTE COLLECTION POINT
- LANDSCAPE WASTE COMPOST FACILITY, or LANDSCAPE WASTE PROCESSING FACILITY

The standard conditions establish standards for separations from residential areas and fencing, among other things. They also reinforce Illinois Environmental Protection Agency requirements for these specific uses.

AMENDMENT PART 6: STANDARD CONDITIONS REMOVED FROM SECTION 6.1.3

The proposed amendment removes the ‘Public or Commercial SANITARY LANDFILL’ standard conditions. The definition of SANITARY LANDFILL is also proposed to be removed as part of the amendment.

A sanitary landfill is considered to be a type of “pollution control facility” and is not subject to zoning ordinance provisions.

AMENDMENT PART 7: REVISION TO RURAL HOME OCCUPATION STANDARDS

The proposed amendment seeks to prohibit “JUNK YARD or AUTOMOBILE SALVAGE” as STORAGE or OPERATIONS in RURAL HOME OCCUPATIONS.

FOOD SCRAP FACILITY REMOVED FROM AMENDMENT

Earlier versions of the proposed amendment included a food scrap facility and related standard conditions. These items were removed from the proposed amendment because State requirements prohibit food scrap facilities unless the water table is five feet or deeper. Champaign County water table levels are shallower than this, and therefore a food scrap facility would not be feasible here.

ATTACHMENTS

- A Legal advertisement
- B ELUC Memorandum dated February 28, 2022
 - Exhibit A: Proposed Amendment dated February 28, 2022
- C ELUC Memorandum dated June 2, 2022, with attachments:
 - ELUC Memorandum dated April 28, 2022
 - Exhibit A: Proposed Amendment dated April 28, 2022
- D Land Resource Management Plan (LRMP) Goals & Objectives
(provided on the ZBA meetings website)
- E Preliminary Finding of Fact, Summary Finding of Fact, and Final Determination for Case 058-AT-22 dated July 14, 2022, with attachment:
 - Exhibit A: Proposed Amendment dated June 15, 2022

LEGAL PUBLICATION: WEDNESDAY, JUNE 29, 2022

CASE: 058-AT-22

NOTICE OF PUBLIC HEARING IN REGARD TO AN AMENDMENT TO THE TEXT OF THE CHAMPAIGN COUNTY ZONING ORDINANCE

CASE 058-AT-22

The Champaign County Zoning Administrator, 1776 East Washington Street, Urbana, has filed a petition to amend the text of the Champaign County Zoning Ordinance. The petition is on file in the office of the Champaign County Department of Planning and Zoning, 1776 East Washington Street, Urbana, IL.

A public hearing will be held **Thursday, July 14, 2022 at 6:30 p.m.** prevailing time in the Shields-Carter Meeting Room, Brookens Administrative Center, 1776 East Washington Street, Urbana, IL, at which time and place the Champaign County Zoning Board of Appeals will consider a petition for the following:

Amend the Champaign County Zoning Ordinance as follows:

1. Revise, add, or remove defined terms to Section 3.0 as follows:
 - A. Add defined terms in Section 3.0: COMPOST, COMPOSTABLE WASTE, CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY, FOOD SCRAP, GARBAGE, GARDEN COMPOST OPERATION, GENERAL CONSTRUCTION OR DEMOLITION DEBRIS, HOUSEHOLD WASTE DROP-OFF POINT, LANDSCAPE WASTE COMPOST FACILITY, ONE-DAY COMPOSTABLE WASTE COLLECTION EVENT, PERMANENT COMPOSTABLE WASTE COLLECTION POINT, POLLUTION CONTROL FACILITY/NEW POLLUTION CONTROL FACILITY, RECYCLING CENTER, SPECIFIC MATERIAL COLLECTION SITE.
 - B. Revise defined terms in Section 3.0: LANDSCAPE WASTE, LANDSCAPE WASTE PROCESSING FACILITY.
 - C. Remove defined terms from Section 3.0: REFUSE DUMP, SANITARY LANDFILL.
2. Add "SPECIFIC MATERIAL COLLECTION SITE" authorized as a second PRINCIPAL USE on a LOT as a SPECIAL USE Permit in AG-1 or AG-2 Zoning Districts in Section 4.2.1.
3. Add "POLLUTION CONTROL FACILITY/NEW POLLUTION CONTROL FACILITY" as exempt from Zoning Ordinance in Section 4.3.7.
4. Revise Section 5.2 TABLE OF AUTHORIZED PRINCIPAL USES as follows:
 - A. Change "AUTOMOBILE Salvage Yard (junkyard)" to "JUNK YARD or AUTOMOBILE SALVAGE YARD" as a listed PRINCIPAL USE.
 - B. Amend "Recycling of non-hazardous materials (all storage and processing indoors)" to be "RECYCLING CENTER with no Outdoor STORAGE nor

Outdoor OPERATIONS” to be allowed By Right in the B-4, B-5, I-1, or I-2 Zoning Districts.

- C. Add “RECYCLING CENTER with Outdoor STORAGE and/or Outdoor OPERATIONS” to be allowed by Special Use Permit in the B-4, or B-5 Zoning Districts and By Right in the I-1 or I-2 Zoning Districts.
 - D. Add “CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY” to be allowed by Special Use Permit in the I-1 or I-2 Zoning Districts and add Special Use Standards to Table 6.1.3.
 - E. Revise “LANDSCAPE WASTE COMPOSTING FACILITY” to be allowed by Special Use Permit in the AG-2, I-1, or I-2 Zoning Districts.
 - F. Add “PERMANENT COMPOSTABLE WASTE COLLECTION POINT” as a listed PRINCIPAL USE to be allowed by SPECIAL USE Permit in AG-2, B-1, B-4, B-5, I-1, or I-2 Zoning Districts.
 - G. Add “SPECIFIC MATERIAL COLLECTION SITE” as a listed PRINCIPAL USE to be allowed by SPECIAL USE Permit in AG-1, AG-2, B-1, B-4, B-5, I-1, or I-2 Zoning Districts.
- 5. Add Standard Conditions to Section 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES OF SPECIAL USES: “CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY”, “PERMANENT COMPOSTABLE WASTE COLLECTION POINT”, and “LANDSCAPE WASTE COMPOST FACILITY, or LANDSCAPE WASTE PROCESSING FACILITY.”
 - 6. Remove Standard Conditions to Section 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES OF SPECIAL USES: Public or Commercial SANITARY LANDFILL
 - 7. Revise Section 7.1.2(J)3 to indicate “JUNK YARD or AUTOMOBILE SALVAGE YARD” as prohibited STORAGE or OPERATIONS for a RURAL HOME OCCUPATION.

All persons interested are invited to attend said hearing and be heard. If you would like to submit comments or questions before the meeting, please call the P&Z Department at 217-384-3708 or email zoningdept@co.champaign.il.us no later than 4:30 pm the day of the meeting. The hearing may be continued and reconvened at a later time.

Ryan Elwell, Chair
Champaign County Zoning Board of Appeals

TO BE PUBLISHED: WEDNESDAY, JUNE 29, 2022, ONLY

Send bill and one copy to: Champaign County Planning and Zoning Dept.
Brookens Administrative Center
1776 E. Washington Street
Urbana, IL 61802
Phone: 384-3708

Champaign County
Department of



**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: Environment and Land Use Committee
From: John Hall, Director & Zoning Administrator
Susan Monte, Planner & County Recycling Coordinator
Date: February 28, 2022
RE: Update to Zoning Ordinance requirements for Material Management/
Waste-Related Uses
Request: Request approval to proceed with a public hearing for Zoning Ordinance
omnibus text amendment as follows:

- a. Add defined terms to Section 3.0
 - COMPOST
 - COMPOSTABLE WASTE
 - COMPOSTABLE WASTE COLLECTION POINT
 - CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY
 - FOOD SCRAP
 - FOOD SCRAP COMPOSTING FACILITY
 - GARBAGE
 - GENERAL CONSTRUCTION OR DEMOLITION DEBRIS POLLUTION CONTROL FACILITY/NEW POLLUTION CONTROL FACILITY
 - RECYCLING CENTER
- b. Revise defined terms in Section 3.0
 - LANDSCAPE WASTE
 - LANDSCAPE WASTE COMPOST FACILITY
- c. Remove defined terms from Section 3.0
 - DUMP, REFUSE
 - SANITARY LANDFILL
- d. Add POLLUTION CONTROL FACILITY/NEW POLLUTION CONTROL FACILITY as exempt from Zoning Ordinance in Section 4.3.7
- e. In Section 5.2, add COMPOSTABLE WASTE COLLECTION POINT to be allowed by Special Use Permit in AG-2, B-1, B-3, B-4, B-5, I-1, or I-2 Zoning Districts, and add Special Use Standards to Table 6.1.3.
- f. In Section 5.2, amend “Recycling of non-hazardous materials (all storage and processing indoors)” to be RECYCLING CENTER with no Outdoor STORAGE nor Outdoor OPERATIONS to be allowed by Special Use Permit in the B-3 Zoning District and By Right in the B-4, B-5, I-1, or I-2 Zoning Districts.

- Continued -

Request: Continued

- g. In Section 5.2, add FOOD SCRAP COMPOST FACILITY to be allowed by Special Use Permit in the AG-1, AG-2, or I-2 Zoning Districts and add Special Use Standards to Table 6.1.3.
- h. In Section 5.2, add RECYCLING CENTER with Outdoor STORAGE and/or Outdoor OPERATIONS to be allowed by Special Use Permit in the B-3, B-4, or B-5 Zoning Districts and By Right in the I-1 or I-2 Zoning Districts.
- i. In Section 5.2, add CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY to be allowed by Special Use Permit in the I-1 or I-2 Zoning Districts and add Special Use Standards to Table 6.1.3.
- j. In Section 5.2, revise LANDSCAPE WASTE COMPOSTING FACILITY to be allowed by Special Use Permit in the AG-2, I-1, or I-2 Zoning Districts.
- k. Revise Section 7.1.1(I)3 to remove “salvage” and “recycling” as prohibited NEIGHBORHOOD HOME OCCUPATION activities. Revise Section 7.1.2(J)3 to indicate JUNK YARD or AUTOMOBILE SALVAGE YARD as prohibited STORAGE or OPERATIONS for a RURAL HOME OCCUPATION.

OVERVIEW

The proposed omnibus text amendment will update and clarify zoning ordinance provisions for material management and waste-related uses. No update of this category of uses has occurred since 1996. A summary of the proposed zoning ordinance text amendments follows:

- Include the exemption from county zoning for “pollution control facilities” and “new pollution control facilities,” based on Illinois statute provisions.
- Update defined terms as needed, add specific material management and waste-related uses that are not “pollution control facility” or “new pollution control facility” uses, and update minimum special use standards and accessory use standards accordingly.

BACKGROUND

Pollution Control Facility or New Pollution Control Facility

The proposed text amendment adds defined terms for a “pollution control facility” and “new pollution control facility.” The Illinois Environmental Protection Act (415 ILCS 5/39.2) allows these facilities to be exempt from County zoning, and, instead, authorizes the County to conduct a separate comprehensive siting approval review and public hearing process for a proposed new pollution control facility.¹

Definitions Amendments

The proposed text amendment removes the defined terms for “sanitary landfill,” considered a “pollution control facility” or “new pollution control facility” and not subject to zoning ordinance provisions² and the outdated “refuse dump” definition. Definitions proposed to be added describe contemporary material management and waste-related uses.

Food Scrap Composting Facility

The amendment proposes to add zoning provisions to allow applications to be considered for limited degrees of food scrap composting to take place in unincorporated Champaign County with appropriate review and approval procedures. The proposed added provisions include:

Food Scrap Composting Facility. To be eligible for review as a Special Use Permit subject to approval, and not as a Pollution Control Facility with local siting approvals needed--a proposed food scrap composting facility must meet all stringent standards that exempts it as a “new pollution control facility” in 415 ILCS 5/3.330(a)(19). Additionally, the proposed facility would be required to obtain an IEPA permit prior to being eligible to operate.

One-Day Compostable Waste Collection Event. Section 22.55(d-5) of the Illinois Environmental Protection Act allows limited “one-day food scrap compost collection(s)” in accordance with requirements outlined in the Act, and with local government approval. In unincorporated Champaign County, this type of event could take place upon application and approval of a Temporary Use Permit. No IEPA permit is needed for this type of event, provided all provisions of Section 22.55(d-5) are met.

Compostable Waste Collection Point. Section 22.55(d-6) of the Illinois Environmental Protection Act allows limited “permanent compostable waste collection points” to take place with appropriate local review and approvals. The text amendment proposal is to allow this use by Special Use Permit review and approval. No IEPA permit is needed for this type of event, provided all provisions of Section 22.55(d-6) are met.

Construction and Demolition Debris Recycling Facility

The only known known operating and permitted construction and demolition debris recycling facility in Champaign County is Henson Disposal and Recycling. In 2016, Henson Disposal & Recycling opened its permitted C&D Recycling Facility in Urbana to accept all construction and demolition debris (wood, shingles, bricks, concrete, rock, asphalt, metal, cardboard and paper, glass, bulk and clear plastics, drywall and plaster, vinyl siding, carpet, pad, tile and flooring).

The proposed text amendment adds “construction and demolition debris recycling facility” zoning provisions, to allow applications to authorize or permit such a facility, provided that specific limitations and standards are met, including County Board approval and issuance of a Special Use Permit.

Recycling Center

The existing zoning provisions allow for one kind of recycling center—one with all storage and processing indoors. The proposed amendment expands the range of type of recycling facilities to allow more variability, to allow for: (1) a recycling facility with no outdoor storage or outdoor operations; (2) a recycling facility with limited outdoor storage and/or outdoor operations (similar to the limited options allowed for a contractor facility); or (3) a recyclable material drop-off facility.

Update to NHO Prohibited Activities and RHO Prohibited Activities

The text amendment proposes to: (1) remove “salvage” or “recycle” as prohibited Neighborhood Home Occupation activities; and (2) indicate that a junk yard or an automobile salvage yard shall be prohibited as Rural Home Occupation storage or operations.

ATTACHMENT

A Proposed Omnibus Text Amendment

Notes:

1. Refer to Champaign County Board Resolution No. 5167, Pollution Control Facility Siting Procedures for additional information.
2. In 1996, Ordinance No. 510 removed “public or commercial sanitary landfill” from Section 5.2 Table of Authorized Principal Uses.
3. The County Recycling Coordinator receives occasional inquiries regarding developing and operating a food scrap composting collection service locally. There is no IEPA permitted food scrap composting facility located in or nearby Champaign County to receive collected food scrap from either a prospective residential or commercial food scrap collection service. The Landscape Recycling Center (LRC) in Urbana has an IEPA permit as a “landscape waste processing facility” with only limited capacity to receive collected commercial food scrap for compost processing. At

some future point, LRC may be in a position to consider accepting collected food scrap from a residential foods scrap collection service, but this is not likely in the near- or mid-term.

4. Local siting approval of a Pollution Control Facility is required for organic waste composting regulated under 35 Ill. Adm. Code Part 807, including on farm organic waste composting, unless the facility operates within the exemptions outlined in Section 3.330(a)(19) of the Environmental protection Act.

ELUC memo
02/28/22

Proposed Omnibus Text Amendments for Material Management/Waste-Related Uses

Existing Zoning Ordinance text to be removed is indicated with strike-out. Text proposed to be added to the Zoning Ordinance is indicated with underlining.

1) Add, revise, or remove defined terms to Section 3.0

SECTION 3.0 DEFINITIONS

COMPOST

The humus-like product of the process of COMPOSTING waste, which may be used as a soil conditioner.

COMPOSTABLE WASTE

HOUSEHOLD WASTE that is source-separated FOOD SCRAP, HOUSEHOLD WASTE that is source-separated LANDSCAPE WASTE, or a mixture of both.

COMPOSTABLE WASTE COLLECTION POINT

A HOUSEHOLD WASTE DROP-OFF POINT approved by the COUNTY and in accordance with Subsection (d-6) of the Illinois Environmental Protection Act (415 ILCS)5/22.55).

CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY:

ESTABLISHMENTS that receive and process GENERAL CONSTRUCTION OR DEMOLITION DEBRIS for recycling.

DUMP, REFUSE

~~A LOT or tract of land or part thereof used for the disposal by abandonment, burial, or other means and for whatever purposes, of garbage, trash, refuse, junk, discarded machinery, vehicles or parts thereof, or solid waste material of any kind.~~

FOOD SCRAP

GARBAGE that is (i) capable of being decomposed into COMPOST by COMPOSTING, (ii) separated by the generator from other waste, including, but not limited to, GARBAGE that is not capable of being decomposed into COMPOST by COMPOSTING, and (iii) managed separately from other waste, including, but not limited to, GARBAGE that is not capable of being decomposed into COMPOSTING.

FOOD SCRAP COMPOSTING FACILITY

An entire FOOD SCRAP COMPOSTING OPERATION that is not considered to be a POLLUTION CONTROL FACILITY or NEW POLLUTION CONTROL FACILITY.

GARBAGE

Waste resulting from the handling, processing, preparation, cooking, and consumption of food, and wastes from the handling, processing, storage, and sale of produce.

GENERAL CONSTRUCTION OR DEMOLITION DEBRIS

Non-hazardous, uncontaminated materials resulting from the CONSTRUCTION, remodeling, repair and demolition of utilities, STRUCTURES, and roads, limited to the following: bricks, concrete, and other masonry materials; soil; rock; wood, including non-

Proposed Omnibus Text Amendments for Material Management/Waste-Related Uses

hazardous painted, treated, and coated wood and wood products; wall coverings; plaster; drywall; plumbing fixtures; non-asbestos insulation; asphalt roofing shingles and other roof coverings; reclaimed or other asphalt pavement; glass; plastics that are not sealed in a manner that conceals waste; electrical wiring and components containing no hazardous substances; and corrugated cardboard, piping or metals incidental to any of those materials.

HOUSEHOLD WASTE

Any solid waste (including GARBAGE, trash, and sanitary waste in septic tanks) derived from households (including single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas).

HOUSEHOLD WASTE DROP-OFF POINT

The portion of a site or facility used solely for the receipt and temporary STORAGE of HOUSEHOLD WASTE and in accordance with Section 22.55 of the Illinois Environmental Protection Act (415 ILCS)5/22.55).

LANDSCAPE WASTE

All accumulations of grass or shrubbery cuttings, leaves, tree limbs and trucks, and other materials accumulated as the result of the care of lawns, shrubbery, vines and trees.; excluding vegetative by-products from agricultural activities onsite.

LANDSCAPE WASTE PROCESSING COMPOST FACILITY

An entire LANDSCAPE WASTE COMPOSTING OPERATION that is not considered to be a POLLUTION CONTROL FACILITY or NEW POLLUTION CONTROL FACILITY. An establishment for grinding, chipping, splitting, sawing or composting landscape waste including the stockpiling, spreading, disposal or wholesale and/or retail sale of landscape waste materials processed on the site. The processing of landscape waste on the same lot on which it was generated is excluded from this definition.

POLLUTION CONTROL FACILITY or NEW POLLUTION CONTROL FACILITY: Any waste storage site, sanitary landfill, waste disposal site, waste transfer station, waste treatment facility, or waste incinerator, defined as such in the Illinois Environmental Protection Act (415 ILCS 5/3.330 et seq.).

RECYCLING CENTER: A site or facility that collects, stores, or processes only segregated, nonhazardous, nonspecial, homogenous, non-putrescible materials, such as dry paper, glass, cans or plastics, for the purpose of marketing or reusing the material in the manufacturing of new, reused or reconstituted products.

SANITARY LANDFILL: A method of disposing of refuse on land without creating nuisances or hazards to public health or safety, by utilizing the principles of engineering to confine the refuse to the smallest practical area, to reduce it to the smallest practical volume, and to cover it with a layer of earth at the conclusion of each day's operation, or at such more frequent intervals as may be necessary and to provide a final cover following final placement of refuse.

Proposed Omnibus Text Amendments for Material Management/Waste-Related Uses

2) Amend Section 4.3.7 to also exempt POLLUTION CONTROL FACILITY and NEW POLLUTION CONTROL FACILITY

4.3.7 Exemptions from Regulations and Standards

The following STRUCTURES and USES are exempted by this ordinance and permitted in any DISTRICT:

- A. Poles, towers, wires, cables, conduits, vaults, laterals, pipes, mains, valves, or any other similar distribution equipment of a public utility as defined in Public Utilities Act (220 ILCS 5/1-101 *et seq.*); provided that the installation shall conform, where applicable, to the rules and regulations of the Illinois Commerce Commission, the Federal Aviation Administration, and other public authorities having jurisdiction; ~~and~~
- B. AGRICULTURE except BUILDINGS and STRUCTURES used for ~~AGRICULTURAL~~ agricultural purposes shall be required to conform to SETBACK LINES. In the event that land and STRUCTURES cease to be used for ~~AGRICULTURAL~~ agricultural purposes, then and only then shall the remaining provisions of the ordinance apply.
- C. POLLUTION CONTROL FACILITIES and NEW POLLUTION CONTROL FACILITIES, provided that the following provisions have been met:
1. The GOVERNING BODY has granted siting approval for a POLLUTION CONTROL FACILITY or a NEW POLLUTION CONTROL FACILITY in accordance with the Illinois Environmental Protection Act (415 ILCS 5/39.2 et seq.).
 2. All permits required by the Illinois Environmental Protection Agency have been obtained, and copies of the state permits and state permit applications are submitted to the COUNTY.

3) Revise Section 5.2 TABLE OF AUTHORIZED PRINCIPAL USES

- a. Revise “~~JUNK YARD or AUTOMOBILE SALVAGE YARD~~ Salvage Yard (junkyard)” as a listed PRINCIPAL USE.
- b. Add ~~Recycling of non-hazardous materials (all storage and processing indoors)~~ RECYCLING CENTER with no Outdoor STORAGE nor Outdoor OPERATIONS to be allowed by SPECIAL USE Permit in the B-3 Zoning District, and By Right in the B-4, B-5, I-1, or I-2 Zoning Districts.
- c. Add “RECYCLING CENTER with Outdoor STORAGE and/or Outdoor OPERATIONS” to be allowed by SPECIAL USE Permit in the B-3, B-4, or B-5 Zoning Districts, and By Right in the I-1 or I-2 Zoning Districts.

Proposed Omnibus Text Amendments for Material Management/Waste-Related Uses

- d. Add FOOD SCRAP COMPOSTING FACILITY to be allowed by SPECIAL USE Permit in the AG-1, AG-2, or I-2 Zoning Districts.
- e. Add CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY to be allowed by SPECIAL USE Permit in the I-1 or I-2 Zoning Districts.
- f. Revise “LANDSCAPE WASTE COMPOSTING PROCESSING FACILITIES” as a listed PRINCIPAL USE to be allowed by SPECIAL USE Permit in the AG-2, I-1, or I-2 Zoning Districts.
- g. Add COMPOSTABLE WASTE COLLECTION POINT as a listed PRINCIPAL USE to be allowed by SPECIAL USE Permit in AG-2, B-1, B-3, B-4, B-5, I-1, or I-2 Zoning Districts.

4) Add Standard Conditions to Section 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES OF SPECIAL USES

a. FOOD SCRAP COMPOSTING FACILITY

- 1. Minimum Fencing Required shall be 6’ wire mesh, with specific location and area to be enclosed by required fencing to be determined by the ZBA.
- 2. Minimum LOT Size and Maximum HEIGHT standards shall be the same as applicable zoning DISTRICT.
- 3. Required YARDS standards shall be the same as applicable zoning DISTRICT at a minimum and shall additionally comply with the separation distance standards indicated in Item 7.
- 4. A FOOD SCRAP COMPOSTING FACILITY shall be eligible to apply for a SPECIAL USE Permit only if the facility is intended to operate within the exemptions outlined in Section 3.330(a)(19) of the Illinois Environmental Protection Act.
- 5. The operation of the FOOD SCRAP COMPOSTING FACILITY shall include site-specific dust, odor, and noise control measures, including the following:
 - (i) An Odor Impact Minimization Plan that provides guidance to onsite operation personnel by describing, at a minimum, the following items. If the operator will not be implementing any of these procedures, the plan shall explain why it is not necessary.
 - (I) An odor monitoring and data collection protocol for onsite odor sources, which describes the proximity of possible odor receptors and a method for assessing odor impacts at the locations of the possible odor receptors; and
 - (II) A description of meteorological conditions effecting migration of odors and/or transport of odor-causing material off-site. Seasonal

Proposed Omnibus Text Amendments for Material Management/Waste-Related Uses

variations that effect wind velocity and direction shall also be described; and

(III) A complaint response and record-keeping protocol; and

(IV) a description of design considerations and/or projected ranges of optimal operation to be employed in minimizing odor, including method and degree of aeration, moisture content of materials, feedstock characteristics, airborne emission production, process water distribution, pad and site drainage and permeability, equipment reliability, personnel training, weather event impacts, utility service interruptions, and site-specific concerns as applicable; and

(V) A description of operating procedures for minimizing odor, including aeration, moisture management, feedstock quality, drainage controls, pad maintenance, wastewater pond controls, storage practices (e.g., storage time and pile geometry), contingency plans (i.e., equipment, water, power, and personnel), biofiltration, and tarping as applicable.

6. Any use of livestock waste will be restricted. There must not be more than a total of 30,000 cubic yards of livestock waste in raw form or in the process of being composted at the site or facility at any one time.

7. All FOOD SCRAP, livestock waste, crop residue, uncontaminated wood waste, and paper waste must, by the end of each operating day, be processed and placed into an enclosed vessel in which air flow and temperature are controlled, or all of the following additional requirements must be met:

(i) The portion of the site or facility used for the COMPOSTING OPERATION must include a setback of at least 200 feet from the nearest potable water supply well.

(ii) The portion of the site or facility used for the COMPOSTING OPERATION must be located outside the boundary of the 10-year floodplain or floodproofed.

(iii) The portion of the site or facility used for the COMPOSTING OPERATION must be located at least one-eighth of a mile from the nearest residence, other than a residence located on the same PROPERTY as the site or facility.

(iv) The portion of the site or facility used for the COMPOSTING OPERATION must be located at least one-eighth of a mile from the PROPERTY line of all of the following areas:

(I) Facilities that primarily serve to house or treat people that are immunocompromised or immunosuppressed, such as cancer or AIDS patients; people with asthma, cystic fibrosis, or bioaerosol allergies; or children under the age of one year.

(II) Primary and secondary schools and adjacent areas that the schools use for recreation.

Proposed Omnibus Text Amendments for Material Management/Waste-Related Uses

(III) Any facility for childcare licensed under Section 3 of the Child Care Act of 1969; preschools; and adjacent areas that the facilities or preschools use for recreation.

(v) By the end of each operating day, all FOOD SCRAP, livestock waste, crop residue, uncontaminated wood waste, and paper waste must be (i) processed into windrows or other piles and (ii) covered in a manner that prevents scavenging by birds and animals and that prevents other nuisances.

8. FOOD SCRAP, livestock waste, crop residue, uncontaminated wood waste, paper waste, and COMPOST must not be placed within 5 feet of the water table.
9. The site or facility must meet all of the requirements of the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.).
10. The site or facility must not (i) restrict the flow of a 100-year flood, (ii) result in washout of FOOD SCRAP, livestock waste, crop residue, uncontaminated wood waste, or paper waste from a 100-year flood, or (iii) reduce the temporary water storage capacity of the 100-year floodplain, unless measures are undertaken to provide alternative storage capacity, such as by providing lagoons, holding tanks, or drainage around STRUCTURES at the facility.
11. The site or facility must not be located in any area where it may pose a threat of harm or destruction to the features for which:
 - (i) An irreplaceable historic or archaeological site has been listed under the National Historic Preservation Act (16 U.S.C. 470 et seq.) or the Illinois Historic Preservation Act;
 - (ii) A natural landmark has been designated by the National Park Service or the Illinois State Historic Preservation Office; or
 - (iii) A natural area has been designated as a Dedicated Illinois Nature Preserve under the Illinois Natural Areas Preservation Act.
12. A narrative must be provided describing how the FOOD SCRAP COMPOSTING FACILITY will operate, including:
 - (i) A description of proposed recordkeeping procedures that will be used at the facility; and
 - (ii) Measurement methods to be used and estimates of weights (tons) and volume (cubic yards) of materials accepted at the site; and
 - (iii) End uses of COMPOST (e.g., nurseries, landscapers, general public, forest preserve, etc.
13. A completed Closure Plan and Post-Closure Care Plan that includes cost estimates must be provided for the FOOD SCRAP COMPOSTING FACILITY.
14. An Illinois EPA permit showing conformance to all applicable regulations of Illinois Administrative Code Part 807 shall be presented to the Zoning Administrator prior to issuance of a COUNTY Zoning Use Permit.

Proposed Omnibus Text Amendments for Material Management/Waste-Related Uses

b. CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY

1. The CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY (CDDR FACILITY) must be equipped with a fence of at least eight feet in height located to secure the operating areas of the CDDR FACILITY during non-operating hours as well as assist in minimizing the potential for litter to leave the CDDR FACILITY.
2. Minimum LOT AREA shall be five acres, and the minimum LOT width and maximum HEIGHT standards shall be the same as applicable zoning DISTRICT.
3. Required YARDS standards shall be the same as applicable zoning DISTRICT at a minimum and shall additionally comply with the separation distance standards indicated in Item 4.
4. A CDDR FACILITY must be located at least 500 feet from any residential zoning district unless otherwise expressly approved as part of the SPECIAL USE permit. Considerations for modifying the location standard may include the separation of the residentially zoned PROPERTY from the proposed site by a designated truck route, active rail line, high voltage power transmission easement or other clearly demarcated land-use planning transition boundary.
5. GENERAL CONSTRUCTION OR DEMOLITION DEBRIS receiving/tipping areas must be CONSTRUCTED of a low permeability material (e.g., Portland cement concrete, asphalt concrete) that prevents infiltration and is able to withstand anticipated loads.
6. All loads containing putrescible materials must be tipped, processed and stored indoors or under cover until sent offsite for reuse, recycling, or disposal. Wood may be stored outside if sorted within 72 hours of receipt and immediately processed.
7. Any leachate or runoff from waste/recyclable material must be contained onsite.
8. All state discharge permits, or other applicable permits must be acquired prior to commencing operations.
9. All necessary permits must be acquired to store fuel or other regulated material onsite.
10. The SPECIAL USE Permit application must be accompanied by:
 - a). A site plan and architectural drawing depicting BUILDING and STRUCTURE elevations and descriptions of such BUILDINGS and STRUCTURES necessary to convey the architectural appearance and physical magnitude of the proposed improvements;
 - b). A narrative description of the activities proposed to be conducted indoors or under cover within the CDDR FACILITY boundaries;

Proposed Omnibus Text Amendments for Material Management/Waste-Related Uses

c). A narrative description of other proposed USES (such as, but not limited to truck storage, maintenance, fueling, and container STORAGE) and a demonstration that other such USES can be conducted in a safe and unobtrusive manner without interference with safe recycling activities on the site; and

d) A plan describing how incoming material will be handled (both under cover and outdoors), areas for sorting, processing, storing, baling and container STORAGE and all equipment that will be used.

e) A spill plan must be submitted for review and approval by the county as a condition of the SPECIAL USE Permit.

f) The site plan must include at least the following information:

i. A legal description of the subject property; access/egress point(s);

ii. Parking areas;

iii. Any BUILDINGS, STRUCTURES or fixed equipment;

iv. The extent of paved or impervious surfaces; material tipping/receiving areas;

v. Material processing areas;

vi. Areas of proposed material stockpiling (by material type);

vii. Material loading areas; and

viii. Fencing, berm or screening features.

11. The applicant must provide with a SPECIAL USE Permit application a proposed operating plan that contains at least all of the following information:

a) Number of employees anticipated at the facility;

b) Proposed hours of operations for receipt of general construction or demolition debris and for processing and shipment of general construction or demolition debris;

c) Proposed daily average/maximum volume (in tons) of general construction or demolition debris to be received at the CDDR FACILITY. The minimum amount of recyclable material shipped offsite must be at least 75% of the total incoming material on a quarterly basis, or more frequently if applicable regulations are more stringent;

d) The types of material tracking methods and recordkeeping to be employed to demonstrate compliance with applicable recycling thresholds. Records must be kept in accordance with regulatory standards. A daily record of incoming/outgoing material or waste must be kept and reported no less than quarterly to the Champaign County Recycling Coordinator or designee. All records must be maintained by the operator at the CDDR FACILITY for a period of at least three years or longer in the event of a dispute. The operator must allow reasonable

Proposed Omnibus Text Amendments for Material Management/Waste-Related Uses

access to inspect the CDDR FACILITY during operating hours for compliance with applicable approvals, permits and regulations;

e) The procedures by which all non-recyclable general construction or demolition debris will be removed and disposed within 72 hours of receipt. Describe the method and equipment used to load recyclable and non-recyclable general construction or demolition material prior to shipment from the CDDR FACILITY;

f) The end-use markets for separated general construction or demolition debris to demonstrate compliance with meeting applicable recycling thresholds;

g) A closure plan for the CDDR FACILITY;

h) The maximum number of vehicles (by vehicle type) proposed to utilize the CDDR FACILITY on a daily basis;

i) All processing equipment proposed to be utilized to prepare the recyclable general construction or demolition debris for stockpiling or shipment and the location and design of any noise-buffering elements, sheltering and operating controls to minimize noise impacts;

j) Operating methods employed to control odor, accidental combustion of materials, vectors, dust, and litter. Any and all air permits from the IEPA, USEPA, or other applicable regulatory authorities must be obtained as necessary;

k) The method and equipment utilized to load recyclable and non-recyclable general construction or demolition for shipment from the CDDR FACILITY; and

l) Typical and maximum anticipated height of stockpiled recyclable GENERAL CONSTRUCTION OR DEMOLITION DEBRIS for each recyclable material by type. Identification of the buffering and/or screening measures employed to minimize the visual impact of the proposed stockpiles from surrounding land USES.

12. The SPECIAL USE Permit will become effective upon receipt of a permit from the Illinois Environmental Protection Agency in accordance with Section 22.38 of the Illinois Environmental Protection Act ("The IEPA Act"). It must be a condition of the SPECIAL USE Permit that the CDDR FACILITY continues to operate in accordance with Section 22.38 of the IEPA Act and all other regulations and applicable permits.

c. COMPOSTABLE WASTE COLLECTION POINT

1. All provisions of Subsection (d-6) of Section 22.55 of the Illinois Environmental Protection Act shall be met (415 ILCS 5/22.55).

5) Remove Standard Conditions to Section 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES OF SPECIAL USES

1. Remove the 'Public or Commercial SANITARY LANDFILL' standard conditions.

Proposed Omnibus Text Amendments for Material Management/Waste-Related Uses

6) Amend Section 7.1.1 NEIGHBORHOOD HOME OCCUPATION Standards

1. Revise Item 3 under Paragraph I to remove “salvage” and “recycling” as prohibited NEIGHBORHOOD HOME OCCUPATION activities.

7) Amend Section 7.1.2 RURAL HOME OCCUPATION HOME Standards

1. Revise Item 3 under Paragraph J to provide that JUNK YARD or AUTOMOBILE SALVAGE are prohibited as STORAGE or OPERATIONS for a RURAL HOME OCCUPATION.

ELUC memo
02/28/22

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: Environment and Land Use Committee

From: Susan Monte, Planner & County Recycling Coordinator
John Hall, Director & Zoning Administrator

Date: June 2, 2022

Re: Authorization for a Public Hearing on Proposed Zoning Ordinance Omnibus
Text Amendment to Update Material Management/Waste-Related Uses

Action Requested: ELUC Approval

Background

The attached memorandum to ELUC dated April 28, 2022, contains information that is presently available for this request to authorize a public hearing.

Update

Staff will distribute a handout for review prior to the June 9 ELUC meeting to share clarification and potential adjustments to the proposed Zoning Ordinance omnibus text amendments.

Attachment: Memo to ELUC dated April 28, 2022

Champaign County
Department of



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: Environment and Land Use Committee
From: Susan Monte, Planner & County Recycling Coordinator
John Hall, Director & Zoning Administrator
Date: April 28, 2022
RE: Update to Zoning Ordinance requirements for Material Management/
Waste-Related Uses

Request: Request approval to proceed with a public hearing for Zoning Ordinance omnibus text amendment.

This updated request has undergone additional staff review since the March ELUC meeting. The omnibus text amendment is to include the following provisions:

- a. Add defined terms to Section 3.0
 - COMPOST
 - COMPOSTABLE WASTE
 - ONE-DAY COMPOSTABLE WASTE COLLECTION EVENT
 - PERMANENT COMPOSTABLE WASTE COLLECTION POINT
 - CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY
 - FOOD SCRAP
 - FOOD SCRAP COMPOSTING FACILITY
 - GARBAGE
 - GENERAL CONSTRUCTION OR DEMOLITION DEBRIS
 - LANDSCAPE WASTE COMPOST FACILITY
 - POLLUTION CONTROL FACILITY/NEW POLLUTION CONTROL FACILITY
 - RECYCLING CENTER
 - SPECIFIC MATERIAL COLLECTION SITE
- b. Revise defined terms in Section 3.0
 - LANDSCAPE WASTE
 - LANDSCAPE WASTE PROCESSING FACILITY
- c. Remove defined terms from Section 3.0
 - DUMP, REFUSE
 - SANITARY LANDFILL
- d. Add POLLUTION CONTROL FACILITY/NEW POLLUTION CONTROL FACILITY as exempt from Zoning Ordinance in Section 4.3.7
- e. In Section 5.2, add PERMANENT COMPOSTABLE WASTE COLLECTION POINT to be allowed by Special Use Permit in AG-2, B-1, B-4, B-5, I-1, or I-2 Zoning Districts, and add Special Use Standards to Table 6.1.3.

- continued -

Request: continued

- f. In Section 5.2, amend “Recycling of non-hazardous materials (all storage and processing indoors)” to be RECYCLING CENTER with no Outdoor STORAGE nor Outdoor OPERATIONS to be allowed by Special Use Permit in the B-3 Zoning District and By Right in the B-4, B-5, I-1, or I-2 Zoning Districts.
- g. In Section 5.2, add FOOD SCRAP COMPOST FACILITY to be allowed by Special Use Permit in the AG-1, AG-2, or I-2 Zoning Districts and add Special Use Standards to Table 6.1.3.
- h. In Section 5.2, add RECYCLING CENTER with Outdoor STORAGE and/or Outdoor OPERATIONS to be allowed by Special Use Permit in the B-3, B-4, or B-5 Zoning Districts and By Right in the I-1 or I-2 Zoning Districts.
- i. In Section 5.2, add CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY to be allowed by Special Use Permit in the I-1 or I-2 Zoning Districts and add Special Use Standards to Table 6.1.3.
- j. In Section 5.2, revise LANDSCAPE WASTE COMPOSTING FACILITY to be allowed by Special Use Permit in the AG-2, I-1, or I-2 Zoning Districts.
- k. Revise Section 7.1.2(J)3 to indicate JUNK YARD or AUTOMOBILE SALVAGE YARD as prohibited STORAGE or OPERATIONS for a RURAL HOME OCCUPATION.

Proposed Omnibus Text Amendments for Material Management/Waste-Related Uses

Note: A handout containing an updated version of Attachment A will be provided at the upcoming May ELUC meeting. The update will include additional content to address the remaining comments received to date.

Existing Zoning Ordinance text to be removed is indicated with strike-out. Text proposed to be added to the Zoning Ordinance is indicated with underlining.

1) Add, revise, or remove defined terms to Section 3.0

SECTION 3.0 DEFINITIONS

COMPOST

The humus-like product of the process of COMPOSTING waste, which may be used as a soil conditioner.

COMPOSTABLE WASTE

HOUSEHOLD WASTE that is source-separated FOOD SCRAP, HOUSEHOLD WASTE that is source-separated LANDSCAPE WASTE, or a mixture of both.

COMPOSTABLE WASTE COLLECTION POINT

A HOUSEHOLD WASTE DROP-OFF POINT approved by the COUNTY and in accordance with Subsection (d-6) of the Illinois Environmental Protection Act (415 ILCS)5/22.55).

CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY:

ESTABLISHMENTS that receive and process GENERAL CONSTRUCTION OR DEMOLITION DEBRIS for recycling.

DUMP, REFUSE

~~A LOT or tract of land or part thereof used for the disposal by abandonment, burial, or other means and for whatever purposes, of garbage, trash, refuse, junk, discarded machinery, vehicles or parts thereof, or solid waste material of any kind.~~

FOOD SCRAP

GARBAGE that is (i) capable of being decomposed into COMPOST by COMPOSTING, (ii) separated by the generator from other waste, including, but not limited to, GARBAGE that is not capable of being decomposed into COMPOST by COMPOSTING, and (iii) managed separately from other waste, including, but not limited to, GARBAGE that is not capable of being decomposed into COMPOSTING.

FOOD SCRAP COMPOSTING FACILITY

An entire FOOD SCRAP COMPOSTING OPERATION that is not considered to be a POLLUTION CONTROL FACILITY or NEW POLLUTION CONTROL FACILITY.

GARBAGE

Waste resulting from the handling, processing, preparation, cooking, and consumption of food, and wastes from the handling, processing, storage, and sale of produce.

Proposed Omnibus Text Amendments for Material Management/Waste-Related Uses

GENERAL CONSTRUCTION OR DEMOLITION DEBRIS

Non-hazardous, uncontaminated materials resulting from the CONSTRUCTION, remodeling, repair and demolition of utilities, STRUCTURES, and roads, limited to the following: bricks, concrete, and other masonry materials; soil; rock; wood, including non-hazardous painted, treated, and coated wood and wood products; wall coverings; plaster; drywall; plumbing fixtures; non-asbestos insulation; asphalt roofing shingles and other roof coverings; reclaimed or other asphalt pavement; glass; plastics that are not sealed in a manner that conceals waste; electrical wiring and components containing no hazardous substances; and corrugated cardboard, piping or metals incidental to any of those materials.

HOUSEHOLD WASTE DROP-OFF POINT

The portion of a site or facility used solely for the receipt and temporary STORAGE of household waste and in accordance with Section 22.55 of the Illinois Environmental Protection Act (415 ILCS)5/22.55).

LANDSCAPE WASTE

All accumulations of grass or shrubbery cuttings, leaves, tree limbs and trucks, and other materials accumulated as the result of the care of lawns, shrubbery, vines and trees,; excluding vegetative by-products from agricultural activities onsite.

LANDSCAPE WASTE COMPOST FACILITY

An entire LANDSCAPE WASTE COMPOSTING OPERATION that is not considered to be a POLLUTION CONTROL FACILITY or NEW POLLUTION CONTROL FACILITY.

LANDSCAPE WASTE PROCESSING FACILITY

An establishment for grinding, chipping, splitting, or sawing or ~~composting of~~ LANDSCAPE WASTE including the temporary stockpiling, spreading, disposal or wholesale and/or retail sale of landscape waste materials processed on the site. The processing of LANDSCAPE WASTE on the same lot on which it was generated is excluded from this definition.

POLLUTION CONTROL FACILITY or NEW POLLUTION CONTROL FACILITY: Any waste storage site, sanitary landfill, waste disposal site, waste transfer station, waste treatment facility, or waste incinerator, defined as such in the Illinois Environmental Protection Act (415 ILCS 5/3.330 et seq.).

RECYCLING CENTER: A site or facility that collects, stores, or processes only segregated, nonhazardous, nonspecial, homogenous, non-putrescible materials, such as dry paper, glass, cans or plastics, for the purpose of marketing or reusing the material in the manufacturing of new, reused or reconstituted products.

SANITARY LANDFILL: A method of disposing of refuse on land without creating nuisances or hazards to public health or safety, by utilizing the principles of engineering to confine the

Proposed Omnibus Text Amendments for Material Management/Waste-Related Uses

~~refuse to the smallest practical area, to reduce it to the smallest practical volume, and to cover it with a layer of earth at the conclusion of each day's operation, or at such more frequent intervals as may be necessary and to provide a final cover following final placement of refuse.~~

SPECIFIC MATERIAL COLLECTION SITE A site that serves an integral part of needed infrastructure for a specific material reuse or recycle OPERATION. The site receives scheduled deliveries of a specific nonhazardous or non-putrescible material (e.g., glass containers/bottles) up to a limited maximum capacity, for temporary STORAGE on site until it is picked up for transport to an off-site processing facility.

2) Amend Section 4.3.7 to also exempt POLLUTION CONTROL FACILITY and NEW POLLUTION CONTROL FACILITY

4.3.7 Exemptions from Regulations and Standards

The following STRUCTURES and USES are exempted by this ordinance and permitted in any DISTRICT:

- A. Poles, towers, wires, cables, conduits, vaults, laterals, pipes, mains, valves, or any other similar distribution equipment of a public utility as defined in Public Utilities Act (220 ILCS 5/1-101 ~~et seq.~~); provided that the installation shall conform, where applicable, to the rules and regulations of the Illinois Commerce Commission, the Federal Aviation Administration, and other public authorities having jurisdiction; ~~and~~
- B. AGRICULTURE except BUILDINGS and STRUCTURES used for ~~AGRICULTURAL~~ agricultural purposes shall be required to conform to SETBACK LINES. In the event that land and STRUCTURES cease to be used for ~~AGRICULTURAL~~ agricultural purposes, then and only then shall the remaining provisions of the ordinance apply.
- C. POLLUTION CONTROL FACILITIES and NEW POLLUTION CONTROL FACILITIES, provided that the following provisions have been met:
 - 1. The GOVERNING BODY has granted siting approval for a POLLUTION CONTROL FACILITY or a NEW POLLUTION CONTROL FACILITY in accordance with the Illinois Environmental Protection Act (415 ILCS 5/39.2 et seq.).
 - 2. All permits required by the Illinois Environmental Protection Agency have been obtained, and copies of the state permits and state permit applications are submitted to the COUNTY.

3) Revise Section 5.2 TABLE OF AUTHORIZED PRINCIPAL USES

- a. Revise "JUNK YARD or AUTOMOBILE SALVAGE YARD ~~Salvage Yard (junkyard)~~" as a listed PRINCIPAL USE.

Proposed Omnibus Text Amendments for Material Management/Waste-Related Uses

- b. Add ~~Recycling of non-hazardous materials (all storage and processing indoors)~~ RECYCLING CENTER with no Outdoor STORAGE nor Outdoor OPERATIONS to be allowed by SPECIAL USE Permit in the B-3 Zoning District, and By Right in the B-4, B-5, I-1, or I-2 Zoning Districts.
- c. Add “RECYCLING CENTER with Outdoor STORAGE and/or Outdoor OPERATIONS” to be allowed by SPECIAL USE Permit in the B-3, B-4, or B-5 Zoning Districts, and By Right in the I-1 or I-2 Zoning Districts.
- d. Add FOOD SCRAP COMPOSTING FACILITY to be allowed by SPECIAL USE Permit in the AG-1, AG-2, or I-2 Zoning Districts.
- e. Add CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY to be allowed by SPECIAL USE Permit in the I-1 or I-2 Zoning Districts.
- f. Revise “LANDSCAPE WASTE COMPOSTING ~~PROCESSING FACILITIES~~” as a listed PRINCIPAL USE to be allowed by SPECIAL USE Permit in the AG-2, I-1, or I-2 Zoning Districts.
- g. Add COMPOSTABLE WASTE COLLECTION POINT as a listed PRINCIPAL USE to be allowed by SPECIAL USE Permit in AG-2, B-1, B-3, B-4, B-5, I-1, or I-2 Zoning Districts.

4) Add Standard Conditions to Section 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES OF SPECIAL USES

- a. FOOD SCRAP COMPOSTING FACILITY
 - 1. Minimum Fencing Required shall be 6’ wire mesh, with specific location and area to be enclosed by required fencing to be determined by the ZBA.
 - 2. Minimum LOT Size and Maximum HEIGHT standards shall be the same as applicable zoning DISTRICT.
 - 3. Required YARDS standards shall be the same as applicable zoning DISTRICT at a minimum and shall additionally comply with the separation distance standards indicated in Item 7.
 - 4. A FOOD SCRAP COMPOSTING FACILITY shall be eligible to apply for a SPECIAL USE Permit only if the facility is intended to operate within the exemptions outlined in Section 3.330(a)(19) of the Illinois Environmental Protection Act.
 - 5. The operation of the FOOD SCRAP COMPOSTING FACILITY shall include site-specific dust, odor, and noise control measures, including the following:
 - (i) An Odor Impact Minimization Plan that provides guidance to onsite operation personnel by describing, at a minimum, the following items. If the operator will

Proposed Omnibus Text Amendments for Material Management/Waste-Related Uses

not be implementing any of these procedures, the plan shall explain why it is not necessary.

(I) An odor monitoring and data collection protocol for onsite odor sources, which describes the proximity of possible odor receptors and a method for assessing odor impacts at the locations of the possible odor receptors; and

(II) A description of meteorological conditions effecting migration of odors and/or transport of odor-causing material off-site. Seasonal variations that effect wind velocity and direction shall also be described; and

(III) A complaint response and record-keeping protocol; and

(IV) a description of design considerations and/or projected ranges of optimal operation to be employed in minimizing odor, including method and degree of aeration, moisture content of materials, feedstock characteristics, airborne emission production, process water distribution, pad and site drainage and permeability, equipment reliability, personnel training, weather event impacts, utility service interruptions, and site-specific concerns as applicable; and

(V) A description of operating procedures for minimizing odor, including aeration, moisture management, feedstock quality, drainage controls, pad maintenance, wastewater pond controls, storage practices (e.g., storage time and pile geometry), contingency plans (i.e., equipment, water, power, and personnel), biofiltration, and tarping as applicable.

6. Any use of livestock waste will be restricted. There must not be more than a total of 30,000 cubic yards of livestock waste in raw form or in the process of being composted at the site or facility at any one time.

7. All FOOD SCRAP, livestock waste, crop residue, uncontaminated wood waste, and paper waste must, by the end of each operating day, be processed and placed into an enclosed vessel in which air flow and temperature are controlled, or all of the following additional requirements must be met:

(i) The portion of the site or facility used for the COMPOSTING OPERATION must include a setback of at least 200 feet from the nearest potable water supply well.

(ii) The portion of the site or facility used for the COMPOSTING OPERATION must be located outside the boundary of the 10-year floodplain or floodproofed.

(iii) The portion of the site or facility used for the COMPOSTING OPERATION must be located at least one-eighth of a mile from the nearest residence, other than a residence located on the same PROPERTY as the site or facility.

Proposed Omnibus Text Amendments for Material Management/Waste-Related Uses

(iv) The portion of the site or facility used for the COMPOSTING OPERATION must be located at least one-eighth of a mile from the PROPERTY line of all of the following areas:

(I) Facilities that primarily serve to house or treat people that are immunocompromised or immunosuppressed, such as cancer or AIDS patients; people with asthma, cystic fibrosis, or bioaerosol allergies; or children under the age of one year.

(II) Primary and secondary schools and adjacent areas that the schools use for recreation.

(III) Any facility for childcare licensed under Section 3 of the Child Care Act of 1969; preschools; and adjacent areas that the facilities or preschools use for recreation.

(v) By the end of each operating day, all FOOD SCRAP, livestock waste, crop residue, uncontaminated wood waste, and paper waste must be (i) processed into windrows or other piles and (ii) covered in a manner that prevents scavenging by birds and animals and that prevents other nuisances.

8. FOOD SCRAP, livestock waste, crop residue, uncontaminated wood waste, paper waste, and COMPOST must not be placed within 5 feet of the water table.

9. The site or facility must meet all of the requirements of the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.).

10. The site or facility must not (i) restrict the flow of a 100-year flood, (ii) result in washout of FOOD SCRAP, livestock waste, crop residue, uncontaminated wood waste, or paper waste from a 100-year flood, or (iii) reduce the temporary water storage capacity of the 100-year floodplain, unless measures are undertaken to provide alternative storage capacity, such as by providing lagoons, holding tanks, or drainage around STRUCTURES at the facility.

11. The site or facility must not be located in any area where it may pose a threat of harm or destruction to the features for which:

(i) An irreplaceable historic or archaeological site has been listed under the National Historic Preservation Act (16 U.S.C. 470 et seq.) or the Illinois Historic Preservation Act;

(ii) A natural landmark has been designated by the National Park Service or the Illinois State Historic Preservation Office; or

(iii) A natural area has been designated as a Dedicated Illinois Nature Preserve under the Illinois Natural Areas Preservation Act.

12. A narrative must be provided describing how the FOOD SCRAP COMPOSTING FACILITY will operate, including:

(i) A description of proposed recordkeeping procedures that will be used at the facility; and

Proposed Omnibus Text Amendments for Material Management/Waste-Related Uses

(ii) Measurement methods to be used and estimates of weights (tons) and volume (cubic yards) of materials accepted at the site; and

(iii) End uses of COMPOST (e.g., nurseries, landscapers, general public, forest preserve, etc.

13. A completed Closure Plan and Post-Closure Care Plan that includes cost estimates must be provided for the FOOD SCRAP COMPOSTING FACILITY.

14. An Illinois EPA permit showing conformance to all applicable regulations of Illinois Administrative Code Part 807 shall be presented to the Zoning Administrator prior to issuance of a COUNTY Zoning Use Permit.

b. CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY

1. The CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY (CDDR FACILITY) must be equipped with a fence of at least eight feet in height located to secure the operating areas of the CDDR FACILITY during non-operating hours as well as assist in minimizing the potential for litter to leave the CDDR FACILITY.

2. Minimum LOT AREA shall be five acres, and the minimum LOT width and maximum HEIGHT standards shall be the same as applicable zoning DISTRICT.

3. Required YARDS standards shall be the same as applicable zoning DISTRICT at a minimum and shall additionally comply with the separation distance standards indicated in Item 4.

4. A CDDR FACILITY must be located at least 500 feet from any residential zoning district unless otherwise expressly approved as part of the SPECIAL USE permit. Considerations for modifying the location standard may include the separation of the residentially zoned PROPERTY from the proposed site by a designated truck route, active rail line, high voltage power transmission easement or other clearly demarcated land-use planning transition boundary.

5. GENERAL CONSTRUCTION OR DEMOLITION DEBRIS receiving/tipping areas must be CONSTRUCTED of a low permeability material (e.g., Portland cement concrete, asphalt concrete) that prevents infiltration and is able to withstand anticipated loads.

6. All loads containing putrescible materials must be tipped, processed and stored indoors or under cover until sent offsite for reuse, recycling, or disposal. Wood may be stored outside if sorted within 72 hours of receipt and immediately processed.

7. Any leachate or runoff from waste/recyclable material must be contained onsite.

8. All state discharge permits, or other applicable permits must be acquired prior to commencing operations.

Proposed Omnibus Text Amendments for Material Management/Waste-Related Uses

9. All necessary permits must be acquired to store fuel or other regulated material onsite.
10. The SPECIAL USE Permit application must be accompanied by:
- a). A site plan and architectural drawing depicting BUILDING and STRUCTURE elevations and descriptions of such BUILDINGS and STRUCTURES necessary to convey the architectural appearance and physical magnitude of the proposed improvements;
 - b). A narrative description of the activities proposed to be conducted indoors or under cover within the CDDR FACILITY boundaries;
 - c). A narrative description of other proposed USES (such as, but not limited to truck storage, maintenance, fueling, and container STORAGE) and a demonstration that other such USES can be conducted in a safe and unobtrusive manner without interference with safe recycling activities on the site; and
 - d). A plan describing how incoming material will be handled (both under cover and outdoors), areas for sorting, processing, storing, baling and container STORAGE and all equipment that will be used.
 - e). A spill plan must be submitted for review and approval by the county as a condition of the SPECIAL USE Permit.
 - f). The site plan must include at least the following information:
 - i. A legal description of the subject property; access/egress point(s);
 - ii. Parking areas;
 - iii. Any BUILDINGS, STRUCTURES or fixed equipment;
 - iv. The extent of paved or impervious surfaces; material tipping/receiving areas;
 - v. Material processing areas;
 - vi. Areas of proposed material stockpiling (by material type);
 - vii. Material loading areas; and
 - viii. Fencing, berm or screening features.
11. The applicant must provide with a SPECIAL USE Permit application a proposed operating plan that contains at least all of the following information:
- a). Number of employees anticipated at the facility;
 - b). Proposed hours of operations for receipt of general construction or demolition debris and for processing and shipment of general construction or demolition debris;
 - c). Proposed daily average/maximum volume (in tons) of general construction or demolition debris to be received at the CDDR FACILITY. The minimum amount

Proposed Omnibus Text Amendments for Material Management/Waste-Related Uses

of recyclable material shipped offsite must be at least 75% of the total incoming material on a quarterly basis, or more frequently if applicable regulations are more stringent;

d) The types of material tracking methods and recordkeeping to be employed to demonstrate compliance with applicable recycling thresholds. Records must be kept in accordance with regulatory standards. A daily record of incoming/outgoing material or waste must be kept and reported no less than quarterly to the Champaign County Recycling Coordinator or designee. All records must be maintained by the operator at the CDDR FACILITY for a period of at least three years or longer in the event of a dispute. The operator must allow reasonable access to inspect the CDDR FACILITY during operating hours for compliance with applicable approvals, permits and regulations;

e) The procedures by which all non-recyclable general construction or demolition debris will be removed and disposed within 72 hours of receipt. Describe the method and equipment used to load recyclable and non-recyclable general construction or demolition material prior to shipment from the CDDR FACILITY;

f) The end-use markets for separated general construction or demolition debris to demonstrate compliance with meeting applicable recycling thresholds;

g) A closure plan for the CDDR FACILITY;

h) The maximum number of vehicles (by vehicle type) proposed to utilize the CDDR FACILITY on a daily basis;

i) All processing equipment proposed to be utilized to prepare the recyclable general construction or demolition debris for stockpiling or shipment and the location and design of any noise-buffering elements, sheltering and operating controls to minimize noise impacts;

j) Operating methods employed to control odor, accidental combustion of materials, vectors, dust, and litter. Any and all air permits from the IEPA, USEPA, or other applicable regulatory authorities must be obtained as necessary;

k) The method and equipment utilized to load recyclable and non-recyclable general construction or demolition for shipment from the CDDR FACILITY; and

l) Typical and maximum anticipated height of stockpiled recyclable GENERAL CONSTRUCTION OR DEMOLITION DEBRIS for each recyclable material by type. Identification of the buffering and/or screening measures employed to minimize the visual impact of the proposed stockpiles from surrounding land USES.

12. The SPECIAL USE Permit will become effective upon receipt of a permit from the Illinois Environmental Protection Agency in accordance with Section 22.38 of the Illinois Environmental Protection Act ("The IEPA Act"). It must be a condition of the SPECIAL USE Permit that the CDDR FACILITY continues to

Proposed Omnibus Text Amendments for Material Management/Waste-Related Uses

operate in accordance with Section 22.38 of the IEPA Act and all other regulations and applicable permits.

c. COMPOSTABLE WASTE COLLECTION POINT

1. All provisions of Subsection (d-6) of Section 22.55 of the Illinois Environmental Protection Act shall be met (415 ILCS 5/22.55).

5) Remove Standard Conditions to Section 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES OF SPECIAL USES

1. Remove the 'Public or Commercial SANITARY LANDFILL' standard conditions.

6) Amend Section 7.1.2 RURAL HOME OCCUPATION HOME Standards

1. Revise Item 3 under Paragraph J to provide that JUNK YARD or AUTOMOBILE SALVAGE are prohibited as STORAGE or OPERATIONS for a RURAL HOME OCCUPATION.

04/28/22 memo

Attachment D: LRMP Goals, Objectives and Policies

can be found online at: http://www.co.champaign.il.us/CountyBoard/meetings_ZBA.php

PRELIMINARY DRAFT

058-AT-22

**FINDING OF FACT
AND FINAL DETERMINATION**

**of
Champaign County Zoning Board of Appeals**

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

Date: ***{July 14, 2022}***

Petitioner: **Zoning Administrator**

- Request: **1. Revise, add, or remove defined terms to Section 3.0 as follows:**
- A. Add defined terms in Section 3.0: COMPOST, COMPOSTABLE WASTE, CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY, FOOD SCRAP, GARBAGE, GARDEN COMPOST OPERATION, GENERAL CONSTRUCTION OR DEMOLITION DEBRIS, HOUSEHOLD WASTE DROP-OFF POINT, LANDSCAPE WASTE COMPOST FACILITY, ONE-DAY COMPOSTABLE WASTE COLLECTION EVENT, PERMANENT COMPOSTABLE WASTE COLLECTION POINT, POLLUTION CONTROL FACILITY/NEW POLLUTION CONTROL FACILITY, RECYCLING CENTER, SPECIFIC MATERIAL COLLECTION SITE.**
 - B. Revise defined terms in Section 3.0: LANDSCAPE WASTE, LANDSCAPE WASTE PROCESSING FACILITY.**
 - C. Remove defined terms from Section 3.0: REFUSE DUMP, SANITARY LANDFILL.**
- 2. Add SPECIFIC MATERIAL COLLECTION SITE authorized as a second PRINCIPAL USE on a LOT as a SPECIAL USE Permit in AG-1 or AG-2 Zoning Districts in Section 4.2.1.**
- 3. Add POLLUTION CONTROL FACILITY/NEW POLLUTION CONTROL FACILITY as exempt from Zoning Ordinance in Section 4.3.7.**
- 4. Revise Section 5.2 TABLE OF AUTHORIZED PRINCIPAL USES as follows:**
- A. Change “AUTOMOBILE Salvage Yard (junkyard)” to “JUNK YARD or AUTOMOBILE SALVAGE YARD” as a listed PRINCIPAL USE.**
 - B. Amend “Recycling of non-hazardous materials (all storage and processing indoors)” to be “RECYCLING CENTER with no**
-

Outdoor STORAGE nor Outdoor OPERATIONS” to be allowed By Right in the B-4, B-5, I-1, or I-2 Zoning Districts.

C. Add “RECYCLING CENTER with Outdoor STORAGE and/or Outdoor OPERATIONS” to be allowed by Special Use Permit in the B-4, or B-5 Zoning Districts and By Right in the I-1 or I-2 Zoning Districts.

D. Add “CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY” to be allowed by Special Use Permit in the I-1 or I-2 Zoning Districts and add Special Use Standards to Table 6.1.3.

E. Revise “LANDSCAPE WASTE COMPOSTING FACILITY” to be allowed by Special Use Permit in the AG-2, I-1, or I-2 Zoning Districts.

F. Add “PERMANENT COMPOSTABLE WASTE COLLECTION POINT” as a listed PRINCIPAL USE to be allowed by SPECIAL USE Permit in AG-2, B-1, B-4, B-5, I-1, or I-2 Zoning Districts.

G. Add “SPECIFIC MATERIAL COLLECTION SITE” as a listed PRINCIPAL USE to be allowed by SPECIAL USE Permit in AG-1, AG-2, B-1, B-4, B-5, I-1, or I-2 Zoning Districts.

5. Add Standard Conditions to Section 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES OF SPECIAL USES: CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY and COMPOSTABLE WASTE COLLECTION POINT.

6. Remove Standard Conditions to Section 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES OF SPECIAL USES: Public or Commercial SANITARY LANDFILL.

7. Revise Section 7.1.2(J)3 to indicate JUNK YARD or AUTOMOBILE SALVAGE YARD as prohibited STORAGE or OPERATIONS for a RURAL HOME OCCUPATION.

CONTENTS

Finding of Fact 2 - 13
Summary Finding of Fact 14
Documents of Record..... 15
Final Determination..... 16
Proposed Amendment 17 - 24

FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **July 14, 2022**, the Zoning Board of Appeals of Champaign County finds that:

1. The petitioner is the Zoning Administrator.
2. The proposed amendment is intended to amend the requirements for materials management and waste-related uses in the Zoning Ordinance.
3. Municipalities with zoning and townships with planning commissions have protest rights on all text amendments and they are notified of such cases.

SUMMARY OF THE PROPOSED AMENDMENT

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

GENERALLY REGARDING THE LRMP GOALS, OBJECTIVES, AND POLICIES

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

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

REGARDING LRMP GOALS

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

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

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

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

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

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

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

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

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

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

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

Goal 4 has 9 objectives and 22 policies. Objectives 4.4, 4.5, 4.6, 4.7, 4.8, 4.9 and their policies do not appear to be relevant to the proposed text amendment. The proposed amendment will ***HELP ACHIEVE*** Goal 4 for the following reasons:

- A. Objective 4.1 states as follows: **“Champaign County will strive to minimize the fragmentation of the County’s agricultural land base and conserve farmland, generally applying more stringent development standards on *best prime farmland*.”**

The proposed amendment will ***HELP ACHIEVE*** Objective 4.1 for the following reasons:

- (1) The proposed amendment ***WILL NOT IMPEDE*** the achievement of Policies 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.7, 4.1.8, and 4.1.9.
- (2) Policy 4.1.1 states: **“Commercial agriculture is the highest and best use of land in the areas of Champaign County that are by virtue of topography, soil and drainage, suited to its pursuit. The County will not accommodate other land uses except under very restricted conditions or in areas of less productive soils.”**

The proposed amendment will ***HELP ACHIEVE*** Policy 4.1.1 for the following reasons:

- a. The proposed uses are regulated by the Illinois Environmental Protection Agency in addition to having standard conditions regulated by the County through the Zoning Ordinance.

PRELIMINARY DRAFT

- (3) Policy 4.1.6 states: **“Provided that the use, design, site and location are consistent with County policies regarding:**
- i. Suitability of the site for the proposed use;**
 - ii. Adequacy of infrastructure and public services for the proposed use;**
 - iii. Minimizing conflict with agriculture;**
 - iv. Minimizing the conversion of farmland; and**
 - v. Minimizing the disturbance of natural areas; then**
- a) On best prime farmland, the County may authorize discretionary residential development subject to a limit on total acres converted which is generally proportionate to tract size and is based on the January 1, 1998 configuration of tracts, with the total amount of acreage converted to residential use (inclusive of by-right development) not to exceed three acres plus three acres per each 40 acres (including any existing right-of-way), but not to exceed 12 acres in total; or**
 - b) On best prime farmland, the County may authorize non-residential discretionary development; or**
 - c) The County may authorize discretionary review development on tracts consisting of other than best prime farmland.”**

The proposed amendment will **HELP ACHIEVE** Policy 4.1.6 for the following reasons:

- a. The ZBA has recommended that the proposed amendment will **HELP ACHIEVE** Objective 4.2 regarding no interference with agricultural operations.
 - b. The ZBA has recommended that the proposed amendment will **HELP ACHIEVE** Objective 4.3 regarding location at a suitable site and adequacy of infrastructure and public services.
 - c. The proposed amendment will **HELP ACHIEVE** the County’s policies regarding minimizing the conversion of best prime farmland as follows:
 - (a) The only policy regarding conversion of best prime farmland by non-residential discretionary development is Policy 4.1.6b., which states, “On best prime farmland the County may authorize non-residential development.” Policy 4.1.6.b. has no limit on the conversion of best prime farmland for non-residential discretionary development and is merely a statement of fact and therefore, the proposed amendment does help achieve Policy 4.1.6b.
- B. Objective 4.2 is entitled “Development Conflicts with Agricultural Operations” and states, “Champaign County will require that each *discretionary review* development will not interfere with agricultural operations.”

The proposed amendment will **HELP ACHIEVE** Objective 4.2 because of the following:

- (1) **Policy 4.2.1 states, “The County may authorize a proposed business or other non-residential *discretionary review* development in a rural area if the proposed development supports agriculture or involves a product or service that is better provided in a *rural* area than in an urban area.”**

The proposed amendment will **HELP ACHIEVE** Policy 4.2.1 for the following reasons:

- a. The Land Resource Management Plan (LRMP) provides no guidance regarding what products or services are better provided in a rural area and therefore that determination must be made in each zoning case.
 - b. A CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY **IS** a service better provided in a rural area as evidenced by the following:
 - (a) A CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY requires a minimum of five acres in lot area, which generally makes it infeasible for a CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY to be located inside a municipality.
 - c. A LANDSCAPE WASTE COMPOST FACILITY, or LANDSCAPE WASTE PROCESSING FACILITY **IS** a service better provided in a rural area as evidenced by the following:
 - (a) The location of a site for a LANDSCAPE WASTE COMPOST FACILITY or LANDSCAPE WASTE PROCESSING FACILITY must be located a minimum of 500 feet from any existing residence or residential DISTRICT, which is more available in a rural area.
 - d. A JUNK YARD or AUTOMOBILE SALVAGE YARD is proposed as a by-right use in the I-2 Heavy Industry Zoning District, which are generally adjacent to urban areas.
 - e. A RECYCLING CENTER with no Outdoor STORAGE nor Outdoor OPERATIONS is proposed as a by-right use only in the B-4, B-5, I-1, and I-2 zoning districts, which are generally adjacent to urban areas.
 - f. A RECYCLING CENTER with Outdoor STORAGE and/or Outdoor OPERATIONS is proposed as a Special Use Permit in the B-4 and B-5 zoning districts, which is a discretionary review that will allow for site specific review.
 - (a) This proposed use would also be allowed by-right in the I-1 and I-2 zoning districts, which are generally adjacent to urban areas.
- (2) **Policy 4.2.2 states, “The County may authorize *discretionary review* development in a rural area if the proposed development:**
- a) **is a type that does not negatively affect agricultural activities; or**
 - b) **is located and designed to minimize exposure to any negative affect caused by agricultural activities; and**
 - c) **will not interfere with agricultural activities or damage or negatively affect the operation of agricultural drainage systems, *rural* roads, or other agriculture-related infrastructure.”**

PRELIMINARY DRAFT

The proposed amendment will **HELP ACHIEVE** Policy 4.2.2 for the following reasons:

- a. The proposed amendment will require CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITIES, LANDSCAPE WASTE COMPOSTING FACILITIES, PERMANENT COMPOSTABLE WASTE COLLECTION POINTS, and SPECIFIC MATERIAL COLLECTION SITES to be authorized by a Special Use Permit (which is a discretionary development as defined in the Land Resource Management Plan) which will allow for site specific review.
 - b. A JUNK YARD or AUTOMOBILE SALVAGE YARD is proposed as a by-right use in the I-2 Heavy Industry Zoning District, which are generally adjacent to urban areas.
 - c. A RECYCLING CENTER with no Outdoor STORAGE nor Outdoor OPERATIONS is proposed as a by-right use only in the B-4, B-5, I-1, and I-2 zoning districts, which are generally adjacent to urban areas.
 - d. A RECYCLING CENTER with Outdoor STORAGE and/or Outdoor OPERATIONS is proposed as a Special Use Permit in the B-4 and B-5 zoning districts, which is a discretionary review that will allow for site specific review.
 - (a) This proposed use would also be allowed by-right in the I-1 and I-2 zoning districts, which are generally adjacent to urban areas.
- (3) Policy 4.2.3 states, **“The County will require that each proposed discretionary development explicitly recognize and provide for the right of agricultural activities to continue on adjacent land.”**

The proposed amendment will **HELP ACHIEVE** Policy 4.2.3 for the following reason:

- a. A special condition can be added to any discretionary review regarding the County’s Right to Farm resolution.
- (4) Policy 4.2.4 states, **“To reduce the occurrence of agricultural land use and non-agricultural land use nuisance conflicts, the County will require that all discretionary review consider whether a buffer between existing agricultural operations and the proposed development is necessary.”**

The proposed amendment will **HELP ACHIEVE** Policy 4.2.4 for the following reason:

- a. A CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY has a standard condition requiring an eight foot tall fence, and also must be located at least 500 feet from any residential zoning district.
- b. A LANDSCAPE WASTE COMPOST FACILITY or LANDSCAPE WASTE PROCESSING FACILITY has a standard condition that the compost area be located at least 500 feet from any residential zoning district.

- c. The proposed amendment will require CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITIES, LANDSCAPE WASTE COMPOSTING FACILITIES, PERMANENT COMPOSTABLE WASTE COLLECTION POINTS, and SPECIFIC MATERIAL COLLECTION SITES to be authorized by a Special Use Permit (which is a discretionary development as defined in the Land Resource Management Plan) which will allow for site specific review.
- C. Objective 4.3 is entitled “Site Suitability for Discretionary Review Development” and states: “Champaign County will require that each discretionary review development is located on a suitable site.”

The proposed amendment will **HELP ACHIEVE** Objective 4.3 because of the following:

- (1) **Policy 4.3.1 states “On other than best prime farmland, the County may authorize a discretionary review development provided that the site with proposed improvements is suited overall for the proposed land use.”**

The proposed amendment will **HELP ACHIEVE** Policy 4.3.1 for the following reasons:

- a. See the discussion under Policy 4.3.2 regarding achievement of Policy 4.3.2. If the proposed amendment achieves Policy 4.3.2, it will also achieve Policy 4.3.1.
- (2) **Policy 4.3.2 states, “On best prime farmland, the County may authorize a discretionary review development provided the site with proposed improvements is well-suited overall for the proposed land use.**

The proposed amendment will **HELP ACHIEVE** Policy 4.3.2 for the following reasons:

- a. The proposed amendment will require CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITIES, LANDSCAPE WASTE COMPOSTING FACILITIES, PERMANENT COMPOSTABLE WASTE COLLECTION POINTS, and SPECIFIC MATERIAL COLLECTION SITES to be authorized by a Special Use Permit (which is a discretionary development as defined in the Land Resource Management Plan) which will allow for site specific review, including the determination of whether a proposed site is well suited overall.
- (3) **Policy 4.3.3 states, “The County may authorize a discretionary review development provided that existing public services are adequate to support to the proposed development effectively and safely without undue public expense.”**

The proposed amendment will **HELP ACHIEVE** Policy 4.3.3 for the following reasons:

- a. The proposed amendment will require CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITIES, LANDSCAPE WASTE COMPOSTING FACILITIES, PERMANENT COMPOSTABLE WASTE COLLECTION POINTS, and SPECIFIC MATERIAL COLLECTION SITES to be authorized by a Special Use Permit (which is a

PRELIMINARY DRAFT

discretionary development as defined in the Land Resource Management Plan) which will allow for site specific review.

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

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

- a. The proposed amendment will require CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITIES, LANDSCAPE WASTE COMPOSTING FACILITIES, PERMANENT COMPOSTABLE WASTE COLLECTION POINTS, and SPECIFIC MATERIAL COLLECTION SITES to be authorized by a Special Use Permit (which is a discretionary development as defined in the Land Resource Management Plan) which will allow for site specific review.

- (5) **Policy 4.3.5 states, “On best prime farmland, the County will authorize a business or other non-residential use only if:**
- a. **It also serves surrounding agricultural uses or an important public need; and cannot be located in an urban area or on a less productive site; or**
- b. **the use is otherwise appropriate in a rural area and the site is very well suited to it.”**

The proposed amendment will **HELP ACHIEVE** Policy 4.3.5 for the following reasons:

- a. As reviewed for Policy 4.2.1 in this Finding of Fact:
- (a) A CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY **IS** a service better provided in a rural area.
- (b) A LANDSCAPE WASTE COMPOST FACILITY, or LANDSCAPE WASTE PROCESSING FACILITY **IS** a service better provided in a rural area.
- b. Materials management and waste-related uses serve an important public need because they help decrease several types of pollution.

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

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

Goal 5 has 3 objectives and 15 policies. The proposed amendment will **NOT IMPEDE** Goal 5 in general.

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

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

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

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

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

Goal 7 has 2 objectives and 7 policies. Objective 7.2 and its policies do not appear to be relevant to the proposed text amendment. The proposed amendment will *HELP ACHIEVE* Goal 7 for the following reasons:

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

The proposed amendment will *HELP ACHIEVE* Objective 7.1 for the following reasons:

- (1) Policy 7.1.1 states, “**The County will include traffic impact analyses in discretionary review development proposals with significant traffic generation.**”

The proposed amendment will *HELP ACHIEVE* Policy 7.1.1 for the following reasons:

- a. The proposed amendment will require CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITIES, LANDSCAPE WASTE COMPOSTING FACILITIES, PERMANENT COMPOSTABLE WASTE COLLECTION POINTS, and SPECIFIC MATERIAL COLLECTION SITES to be authorized by a Special Use Permit (which is a discretionary development as defined in the Land Resource Management Plan) which will allow for site specific review, including the determination of whether a traffic impact analysis is warranted.

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

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

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

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

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

PRELIMINARY DRAFT

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

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

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

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

REGARDING THE PURPOSE OF THE ZONING ORDINANCE

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

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

The proposed amendment is consistent with this purpose.

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

The proposed amendment is consistent with this purpose.

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

The proposed amendment is consistent with this purpose.

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is consistent with this purpose.

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is consistent with this purpose.

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is consistent with this purpose.

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

The proposed amendment is consistent with this purpose.

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

The proposed amendment is not directly related to this purpose.

PRELIMINARY DRAFT

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

The proposed amendment is consistent with this purpose.

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is consistent with this purpose.

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

The proposed amendment is not directly related to this purpose.

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

- A. A classification which allows materials management and waste-related uses to be developed while establishing minimum requirements that ensure the purposes of the Zoning Ordinance will be met.
- B. A means to regulate an activity for which there is demonstrated demand.

SUMMARY FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **July 14, 2022**, the Zoning Board of Appeals of Champaign County finds that:

1. The proposed Zoning Ordinance text amendment ***IS NECESSARY TO ACHIEVE*** the Land Resource Management Plan because:
 - A. The proposed Zoning Ordinance text amendment will ***HELP ACHIEVE*** LRMP Goals 4 and 7.
 - B. The proposed Zoning Ordinance text amendment ***WILL NOT IMPEDE*** the achievement of LRMP Goals 1, 2, 3, 5, 6, 8 and 9.
 - C. The proposed Zoning Ordinance text amendment is ***NOT RELEVANT*** to LRMP Goal 10.
2. The proposed text amendment ***WILL*** improve the Zoning Ordinance because it will:
 - A. ***HELP ACHIEVE*** the purpose of the Zoning Ordinance (see Item 16).
 - B. ***IMPROVE*** the text of the Zoning Ordinance (see Item 17).

DOCUMENTS OF RECORD

1. Legal advertisement for Case 058-AT-22
2. Preliminary Memorandum for Case 058-AT-22, with attachments:
 - A Legal advertisement
 - B ELUC Memorandum dated February 28, 2022
 - Exhibit A: Proposed Amendment dated February 28, 2022
 - C ELUC Memorandum dated June 2, 2022, with attachments:
 - ELUC Memorandum dated April 28, 2022
 - Exhibit A: Proposed Amendment dated April 28, 2022
 - D Land Resource Management Plan (LRMP) Goals & Objectives
(provided on the ZBA meetings website)
 - E Preliminary Finding of Fact, Summary Finding of Fact, and Final Determination for Case 058-AT-22 dated July 14, 2022, with attachment:
 - Exhibit A: Proposed Amendment dated June 15, 2022

FINAL DETERMINATION

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

The Zoning Ordinance Amendment requested in **Case 058-AT-22** should ***{BE ENACTED / NOT BE ENACTED}*** by the County Board in the form attached hereto.

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

SIGNED:

ATTEST:

Ryan Elwell, Chair
Champaign County Zoning Board of Appeals

Secretary to the Zoning Board of Appeals

Date

PROPOSED AMENDMENT DATED JUNE 15, 2022

The proposed omnibus text amendment includes the following provisions:

- a. Add defined terms to Section 3.0
 - COMPOST
 - COMPOSTABLE WASTE
 - CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY
 - FOOD SCRAP
 - GARBAGE
 - GARDEN COMPOST OPERATION
 - GENERAL CONSTRUCTION OR DEMOLITION DEBRIS
 - HOUSEHOLD WASTE DROP-OFF POINT
 - LANDSCAPE WASTE COMPOST FACILITY
 - ONE-DAY COMPOSTABLE WASTE COLLECTION EVENT
 - PERMANENT COMPOSTABLE WASTE COLLECTION POINT
 - POLLUTION CONTROL FACILITY/NEW POLLUTION CONTROL FACILITY
 - RECYCLING CENTER
 - SPECIFIC MATERIAL COLLECTION SITE
- b. Revise defined terms in Section 3.0
 - LANDSCAPE WASTE
 - LANDSCAPE WASTE PROCESSING FACILITY
- c. Remove defined terms from Section 3.0
 - DUMP, REFUSE
 - SANITARY LANDFILL
- d. Add SPECIFIC MATERIAL COLLECTION SITE authorized as a second PRINCIPAL USE on a LOT as a SPECIAL USE Permit in AG-1 or AG-2 Zoning Districts in Section 4.2.1.
- e. Add POLLUTION CONTROL FACILITY/NEW POLLUTION CONTROL FACILITY as exempt from Zoning Ordinance in Section 4.3.7.
- f. In Section 5.2, add PERMANENT COMPOSTABLE WASTE COLLECTION POINT to be allowed by Special Use Permit in AG-2, B-1, B-4, B-5, I-1, or I-2 Zoning Districts, and add Special Use Standards to Table 6.1.3.
- g. In Section 5.2, amend “Recycling of non-hazardous materials (all storage and processing indoors)” to be RECYCLING CENTER with no Outdoor STORAGE nor Outdoor OPERATIONS to be allowed By Right in the B-4, B-5, I-1, or I-2 Zoning Districts.
- h. In Section 5.2, add RECYCLING CENTER with Outdoor STORAGE and/or Outdoor OPERATIONS to be allowed by Special Use Permit in the B-4, or B-5 Zoning Districts and By Right in the I-1 or I-2 Zoning Districts.
- i. In Section 5.2, add CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY to be allowed by Special Use Permit in the I-1 or I-2 Zoning Districts and add Special Use Standards to Table 6.1.3.

PRELIMINARY DRAFT

- j. In Section 5.2, revise LANDSCAPE WASTE COMPOSTING FACILITY to be allowed by Special Use Permit in the AG-2, I-1, or I-2 Zoning Districts and amend Special Use Standards to Table 6.1.3.
- k. Revise Section 7.1.2(J)3 to indicate JUNK YARD or AUTOMOBILE SALVAGE YARD as prohibited STORAGE or OPERATIONS for a RURAL HOME OCCUPATION.

Existing Zoning Ordinance text to be removed is indicated with strike-out.

Text proposed to be added to the Zoning Ordinance is indicated with underlining.

1) Add, revise, or remove defined terms to Section 3.0

SECTION 3.0 DEFINITIONS

COMPOST

The humus-like product of the process of composting waste, which may be used as a soil conditioner.

COMPOSTABLE WASTE

Household waste that consists of only FOOD SCRAP, household waste that consists of only LANDSCAPE WASTE, or a mixture of both.

CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY

ESTABLISHMENTS that receive and process GENERAL CONSTRUCTION OR DEMOLITION DEBRIS for recycling.

DUMP, REFUSE

~~A LOT or tract of land or part thereof used for the disposal by abandonment, burial, or other means and for whatever purposes, of garbage, trash, refuse, junk, discarded machinery, vehicles or parts thereof, or solid waste material of any kind.~~

FOOD SCRAP

GARBAGE that is (i) capable of being decomposed into COMPOST by composting, (ii) separated by the generator from other waste, including, but not limited to, GARBAGE that is not capable of being decomposed into COMPOST by composting, and (iii) managed separately from other waste, including, but not limited to, GARBAGE that is not capable of being decomposed into COMPOST.

GARBAGE

Waste resulting from the handling, processing, preparation, cooking, and consumption of food, and wastes from the handling, processing, storage, and sale of produce.

GARDEN COMPOST OPERATION

An operation which (1) has no more than 25 cubic yards of LANDSCAPE WASTE, composting material or end-product COMPOST on-site at any one time and (2) is not engaging in commercial activity.

GENERAL CONSTRUCTION OR DEMOLITION DEBRIS

Non-hazardous, uncontaminated materials resulting from the CONSTRUCTION, remodeling, repair and demolition of utilities, STRUCTURES, and roads, limited to the following: bricks, concrete, and other masonry materials; soil; rock; wood, including non-hazardous painted, treated, and coated wood and wood products; wall coverings; plaster; drywall; plumbing fixtures; non-asbestos insulation; asphalt roofing shingles and other roof coverings; reclaimed or other asphalt pavement; glass; plastics that are not sealed in a manner that conceals waste; electrical wiring and components containing no hazardous substances; and corrugated cardboard, piping or metals incidental to any of those materials.

HOUSEHOLD WASTE DROP-OFF POINT

The portion of a site or facility used solely for the receipt and temporary STORAGE of household waste and in accordance with Section 22.55 of the Illinois Environmental Protection Act (415 ILCS)5/22.55).

LANDSCAPE WASTE

All accumulations of grass or shrubbery cuttings, leaves, tree limbs and trucks, and other materials accumulated as the result of the care of lawns, shrubbery, vines and trees., ~~excluding vegetative by-products from agricultural activities onsite.~~

LANDSCAPE WASTE COMPOST FACILITY

An entire LANDSCAPE WASTE COMPOSTING OPERATION with the exception of a GARDEN COMPOST OPERATION.

LANDSCAPE WASTE PROCESSING FACILITY

An establishment for grinding, chipping, splitting, or sawing or composting of LANDSCAPE WASTE including the temporary stockpiling, ~~spreading~~, disposal or wholesale and/or retail sale of landscape waste materials processed on the site. The processing of LANDSCAPE WASTE on the same lot on which it was generated is excluded from this definition.

ONE-DAY COMPOSTABLE WASTE COLLECTION EVENT

A household waste drop-off point approved by the COUNTY and in accordance with Subsection (d-5) of the Illinois Environmental Protection Act (415 ILCS) 5.22.55).

PERMANENT COMPOSTABLE WASTE COLLECTION POINT

A HOUSEHOLD WASTE DROP-OFF POINT approved by the COUNTY and in accordance with Subsection (d-6) of the Illinois Environmental Protection Act (415 ILCS)5/22.55).

POLLUTION CONTROL FACILITY or NEW POLLUTION CONTROL FACILITY

Any waste storage site, sanitary landfill, waste disposal site, waste transfer station, waste treatment facility, or waste incinerator, defined as such in the Illinois Environmental Protection Act (415 ILCS 5/3.330 et seq.).

RECYCLING CENTER

A site or facility that collects, stores, or processes only segregated, nonhazardous, nonspecial, homogenous, non-putrescible materials, such as dry paper, glass, cans or plastics, for the purpose of marketing or reusing the material in the manufacturing of new, reused or reconstituted products.

SANITARY LANDFILL

A method of disposing of refuse on land without creating nuisances or hazards to public health or safety, by utilizing the principles of engineering to confine the refuse to the smallest practical area, to reduce it to the smallest practical volume, and to cover it with a layer of earth at the conclusion of each day's operation, or at such more frequent intervals as may be necessary and to provide a final cover following final placement of refuse.

SPECIFIC MATERIAL COLLECTION SITE

A site that serves an integral part of needed infrastructure for a specific material reuse or recycle OPERATION. The site receives scheduled deliveries of a specific nonhazardous or non-putrescible material (e.g., glass containers/bottles) up to a limited maximum capacity, for temporary STORAGE on site until it is picked up for transport to an off-site processing facility.

2) Amend Section 4.2.1C to add SPECIFIC MATERIAL COLLECTION SITE

- a. Add Item 8. “A SPECIFIC MATERIAL COLLECTION SITE may be authorized as a second PRINCIPAL USE on a LOT as a SPECIAL USE Permit in the AG-1 Agriculture and AG-2 Agriculture DISTRICTS.”

3) Amend Section 4.3.7 to also exempt POLLUTION CONTROL FACILITY and NEW POLLUTION CONTROL FACILITY

The following STRUCTURES and USES are exempted by this ordinance and permitted in any DISTRICT:

- A. Poles, towers, wires, cables, conduits, vaults, laterals, pipes, mains, valves, or any other similar distribution equipment of a public utility as defined in Public Utilities Act (220 ILCS 5/1-101 *et. seq.*); provided that the installation shall conform, where applicable, to the rules and regulations of the Illinois Commerce Commission, the Federal Aviation Administration, and other public authorities having jurisdiction.; ~~and~~
- B. AGRICULTURE except BUILDINGS and STRUCTURES used for ~~AGRICULTURAL~~ agricultural purposes shall be required to conform to SETBACK LINES. In the event that land, and STRUCTURES cease to be used for ~~AGRICULTURAL~~ agricultural purposes, then and only then shall the remaining provisions of the ordinance apply.
- C. POLLUTION CONTROL FACILITIES and NEW POLLUTION CONTROL FACILITIES, provided that the following provisions have been met:
1. The GOVERNING BODY has granted siting approval for a POLLUTION CONTROL FACILITY or a NEW POLLUTION CONTROL FACILITY in accordance with the Illinois Environmental Protection Act (415 ILCS 5/39.2 et seq.).
 2. All permits required by the Illinois Environmental Protection Agency have been obtained, and copies of the state permits, and state permit applications are submitted to the COUNTY.

4) Revise Section 5.2 TABLE OF AUTHORIZED PRINCIPAL USES

- a. Change “AUTOMOBILE Salvage Yard (junkyard)” to “JUNK YARD or AUTOMOBILE SALVAGE YARD” as a listed PRINCIPAL USE.
- b. Add ~~Recycling of non-hazardous materials (all storage and processing indoors)~~ “RECYCLING CENTER with no Outdoor STORAGE nor Outdoor OPERATIONS” to be allowed By Right in the B-4, B-5, I-1, or I-2 Zoning Districts.
- c. Add “RECYCLING CENTER with Outdoor STORAGE and/or Outdoor OPERATIONS” to be allowed by SPECIAL USE Permit in the B-4, or B-5 Zoning Districts, and By Right in the I-1 or I-2 Zoning Districts.
- d. Add “CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY” to be allowed by SPECIAL USE Permit in the I-1 or I-2 Zoning Districts.

PRELIMINARY DRAFT

- e. Revise “LANDSCAPE WASTE COMPOSTING PROCESSING FACILITIES” as a listed PRINCIPAL USE to be allowed by SPECIAL USE Permit in the AG-2, I-1, or I-2 Zoning Districts.
- f. Add “PERMANENT COMPOSTABLE WASTE COLLECTION POINT” as a listed PRINCIPAL USE to be allowed by SPECIAL USE Permit in AG-2, B-1, B-4, B-5, I-1, or I-2 Zoning Districts.
- g. Add “SPECIFIC MATERIAL COLLECTION SITE” as a listed PRINCIPAL USE to be allowed by SPECIAL USE Permit in AG-1, AG-2, B-1, B-4, B-5, I-1, or I-2 Zoning Districts.

As shown in the table below:

Principal USES	Zoning DISTRICTS															
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2	
AUTOMOBILE Salvage Yard (junkyard) JUNK YARD or AUTOMOBILE SALVAGE YARD																
Recycling of non-hazardous materials (all storage and processing indoors) RECYCLING CENTER with no Outdoor STORAGE nor Outdoor OPERATIONS																
RECYCLING CENTER with Outdoor STORAGE and/or Outdoor OPERATIONS												S	S			
CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY														S	S	
LANDSCAPE WASTE COMPOSTING PROCESSING FACILITIES			S											S	S	
PERMANENT COMPOSTABLE WASTE COLLECTION POINT			S						S			S	S	S	S	
SPECIFIC MATERIAL COLLECTION SITE		S	S						S			S	S	S	S	

5) Add Standard Conditions to Section 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES OF SPECIAL USES

SECTION 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES OF SPECIAL USES

SPECIAL USES or USE Categories	Minimum Fencing Required ⁶	Minimum LOT Size		Maximum HEIGHT		Required YARDS (feet)					Explanatory or Special Provisions	
		AREA (Acres)	Width (feet)	Feet	Stories	Front Setback from STREET Centerline ²			SIDE	REAR		
						MAJOR	COLLECTOR	MINOR				
CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY	NR	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	*See below	
		<ol style="list-style-type: none"> The CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING FACILITY (CDDR FACILITY) must be equipped with a fence of at least eight feet in height located to secure the operating areas of the CDDR FACILITY during non-operating hours as well as assist in minimizing the potential for litter to leave the CDDR FACILITY. Minimum LOT AREA shall be five acres, and the minimum LOT width and maximum HEIGHT standards shall be the same as applicable zoning DISTRICT. Required YARDS standards shall be the same as applicable zoning DISTRICT at a minimum and shall additionally comply with the separation distance standards indicated in Item 4. A CDDR FACILITY must be located at least 500 feet from any residential zoning district unless otherwise expressly 										

PRELIMINARY DRAFT

SPECIAL USES or USE Categories	Minimum Fencing Required ⁶	Minimum LOT Size		Maximum HEIGHT		Required YARDS (feet)			Explanatory or Special Provisions
		AREA (Acres)	Width (feet)	Feet	Stories	Front Setback from STREET Centerline ²			
						MAJOR	COLLECTOR	MINOR	
		<p><u>approved as part of the SPECIAL USE permit. Considerations for modifying the location standard may include the separation of the residentially zoned PROPERTY from the proposed site by a designated truck route, active rail line, high voltage power transmission easement or other clearly demarcated land-use planning transition boundary.</u></p> <p>5. <u>GENERAL CONSTRUCTION OR DEMOLITION DEBRIS receiving/tipping areas must be CONSTRUCTED of a low permeability material (e.g., Portland cement concrete, asphalt concrete) that prevents infiltration and is able to withstand anticipated loads.</u></p> <p>6. <u>All loads containing putrescible materials must be tipped, processed and stored indoors or under cover until sent offsite for reuse, recycling, or disposal. Wood may be stored outside if sorted within 72 hours of receipt and immediately processed.</u></p> <p>7. <u>Any leachate or runoff from waste/recyclable material must be contained onsite.</u></p> <p>8. <u>All state discharge permits, or other applicable permits must be acquired prior to commencing operations.</u></p> <p>9. <u>All necessary permits must be acquired to store fuel or other regulated material onsite.</u></p> <p>10. <u>The SPECIAL USE Permit application must be accompanied by:</u></p> <ul style="list-style-type: none"> a. <u>A site plan and architectural drawing depicting BUILDING and STRUCTURE elevations and descriptions of such BUILDINGS and STRUCTURES necessary to convey the architectural appearance and physical magnitude of the proposed improvements;</u> b. <u>A narrative description of the activities proposed to be conducted indoors or under cover within the CDDR FACILITY boundaries;</u> c. <u>A narrative description of other proposed USES (such as, but not limited to truck storage, maintenance, fueling, and container STORAGE) and a demonstration that other such USES can be conducted in a safe and unobtrusive manner without interference with safe recycling activities on the site; and</u> d. <u>A plan describing how incoming material will be handled (both under cover and outdoors), areas for sorting, processing, storing, baling and container STORAGE and all equipment that will be used.</u> e. <u>A spill plan must be submitted for review and approval by the county as a condition of the SPECIAL USE Permit.</u> f. <u>The site plan must include at least the following information:</u> <ul style="list-style-type: none"> i. <u>A legal description of the subject property; access/egress point(s);</u> ii. <u>Parking areas;</u> iii. <u>Any BUILDINGS, STRUCTURES or fixed equipment;</u> iv. <u>The extent of paved or impervious surfaces; material tipping/receiving areas;</u> v. <u>Material processing areas;</u> vi. <u>Areas of proposed material stockpiling (by material type);</u> vii. <u>Material loading areas; and</u> viii. <u>Fencing, berm or screening features.</u> <p>11. <u>The applicant must provide with a SPECIAL USE Permit application a proposed operating plan that contains at least all of the following information:</u></p> <ul style="list-style-type: none"> a. <u>Number of employees anticipated at the facility;</u> b. <u>Proposed hours of operations for receipt of general construction or demolition debris and for processing and shipment of general construction or demolition debris;</u> c. <u>Proposed daily average/maximum volume (in tons) of general construction or demolition debris to be received at the CDDR FACILITY. The minimum amount of recyclable material shipped offsite must be at least 75% of the total incoming material on a quarterly basis, or more frequently if applicable regulations are more stringent;</u> d. <u>The types of material tracking methods and recordkeeping to be employed to demonstrate compliance with applicable recycling thresholds. Records must be kept in accordance with regulatory standards. A daily record of incoming/ outgoing material or waste must be kept and reported no less than quarterly to the Champaign County Recycling Coordinator or designee. All records must be maintained by the operator at the CDDR FACILITY for a period of at least three years or longer in the event of a dispute. The operator must allow reasonable access to inspect the CDDR FACILITY during operating hours for compliance with applicable approvals, permits and regulations;</u> e. <u>The procedures by which all non-recyclable general construction or demolition debris will be removed and disposed within 72 hours of receipt. Describe the method and equipment used to load recyclable and non-recyclable general construction or demolition material prior to shipment from the CDDR FACILITY;</u> f. <u>The end-use markets for separated general construction or demolition debris to demonstrate compliance with meeting applicable recycling thresholds;</u> g. <u>A closure plan for the CDDR FACILITY;</u> h. <u>The maximum number of vehicles (by vehicle type) proposed to utilize the CDDR FACILITY on a daily basis;</u> i. <u>All processing equipment proposed to be utilized to prepare the recyclable general construction or demolition debris for stockpiling or shipment and the location and design of any noise-buffering elements, sheltering and operating controls to minimize noise impacts;</u> j. <u>Operating methods employed to control odor, accidental combustion of materials, vectors, dust, and litter. Any and all air permits from the IEPA, USEPA, or other applicable regulatory authorities must be obtained as necessary;</u> k. <u>The method and equipment utilized to load recyclable and non-recyclable general construction or demolition for shipment from the CDDR FACILITY; and</u> l. <u>Typical and maximum anticipated height of stockpiled recyclable GENERAL CONSTRUCTION OR DEMOLITION DEBRIS for each recyclable material by type. Identification of the buffering and/or screening measures employed to minimize the visual impact of the proposed stockpiles from surrounding land USES.</u> 							

PRELIMINARY DRAFT

SPECIAL USES or USE Categories	Minimum Fencing Required ⁶	Minimum LOT Size		Maximum HEIGHT		Required YARDS (feet)				Explanatory or Special Provisions	
		AREA (Acres)	Width (feet)	Feet	Stories	Front Setback from STREET Centerline ²			SIDE		REAR
						STREET Classification					
						MAJOR	COLLECTOR	MINOR			
	<p>12. <u>The SPECIAL USE Permit will become effective upon receipt of a permit from the Illinois Environmental Protection Agency in accordance with Section 22.38 of the Illinois Environmental Protection Act ("The IEPA Act"). It must be a condition of the SPECIAL USE Permit that the CDDR FACILITY continues to operate in accordance with Section 22.38 of the IEPA Act and all other regulations and applicable permits.</u></p>										
<u>PERMANENT COMPOSTABLE WASTE COLLECTION POINT</u>	NR	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	*See below
	<p>1. <u>All provisions of Subsection (d-6) of Section 22.55 of the Illinois Environmental Protection Act shall be met (415 ILCS 5/22.55). These include:</u></p> <ol style="list-style-type: none"> 1. <u>Waste accepted at the collection point must be limited to the types of compostable waste authorized to be accepted under the approval.</u> 2. <u>Information promoting the collection point and signs at the collection point must clearly indicate the types of compostable waste approved for collection. To discourage the receipt of other waste, information promoting the collection point and signs at the collection point must also include (A) examples of compostable waste being collected and (B) examples of waste that is not being collected.</u> 3. <u>Compostable waste must be accepted only from private individuals. It may not be accepted from other persons, including, but not limited to, owners and operators of rented or leased residences where it was generated, commercial haulers, and other commercial, industrial, agricultural, and government operations or entities.</u> 4. <u>Compostable waste must be managed in a manner that protects against releases of the waste, prevents nuisances, and otherwise protects human health and the environment. Compostable waste must be properly secured to prevent it from being accessed by the public at any time, including, but not limited to, during the collection point's non-operating hours. Permanent compostable waste collection points must be adequately supervised during their operating hours.</u> 5. <u>Compostable waste must be secured in non-porous, rigid, leak-proof containers that:</u> <ol style="list-style-type: none"> a. <u>Are no larger than 10 cubic yards in size;</u> b. <u>Are covered, except when the compostable waste is being added to or removed from the container or it is otherwise necessary to access the compostable waste;</u> c. <u>Prevent precipitation from draining through the compostable waste;</u> d. <u>Prevent dispersion of the compostable waste by wind;</u> e. <u>Contain spills or releases that could create nuisances or otherwise harm human health or the environment;</u> f. <u>Limit access to the compostable waste by vectors;</u> g. <u>Control odors and other nuisances; and</u> h. <u>Provide for storage, removal, and off-site transfer of the compostable waste in a manner that protects its ability to be composted.</u> 6. <u>No more than a total of 10 cubic yards of compostable waste shall be located at the permanent compostable waste collection site at any one time.</u> 7. <u>Management of the compostable waste must be limited to the following: (A) acceptance, (B) temporary storage before transfer, and (C) off-site transfer.</u> 8. <u>All compostable waste received at the permanent compostable waste collection point must be transferred off-site to a permitted compost facility not less frequently than once every 7 days.</u> 9. <u>If a permanent compostable waste collection point receives waste other than compostable waste, then that waste must be disposed of not less frequently than once every 7 days.</u> 										
<u>LANDSCAPE WASTE COMPOST FACILITY, or LANDSCAPE WASTE PROCESSING FACILITY</u>	NR	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	*See below
	<p>The operation of a <u>LANDSCAPE WASTE DISPOSAL FACILITY COMPOST FACILITY or a LANDSCAPE WASTE PROCESSING FACILITY</u> shall not be allowed unless all permits required by the Illinois Environmental Protection Agency have been obtained, and copies of the state permits and state permit applications are submitted.</p> <p>The location of any portion of the site where composting of the landscape waste is taking place shall be:</p> <ol style="list-style-type: none"> 1) located a minimum of 500 feet from any existing residence or residential DISTRICT; 2) located a minimum of 200 feet from any potable water supply well; 3) operated to control runoff from the site and collect and manage any leachate that is generated on the site. <p>The location of the portion of any site where composting of the landscape waste is taking place and any area where landscape waste is stored or stockpiled shall be located outside the boundary of the 100-year floodplain or floodproofed pursuant to the requirements of Ordinance No. 209, <i>An Ordinance Regulating Development in Special Flood Hazard Areas</i> as amended.</p>										

PRELIMINARY DRAFT

SPECIAL USES or USE Categories	Minimum Fencing Required ⁶	Minimum LOT Size		Maximum HEIGHT		Required YARDS (feet)			Explanatory or Special Provisions
		AREA (Acres)	Width (feet)	Feet	Stories	Front Setback from STREET Centerline ²			
						STREET Classification			
			MAJOR	COLLECTOR	MINOR				
<p>The operation of the facility shall include appropriate dust, odor and noise control measures, and shall be consistent with all applicable requirements of 35 Ill. Adm. Code Part 830.</p> <ul style="list-style-type: none"> • <u>Section 830.202 Minimum Performance Standards and Reporting Requirements for Landscape Waste Compost Facilities.</u> • <u>Section 830.203 Location Standards for landscape Waste Compost Facilities.</u> • <u>Section 830.204 Additional Stormwater and Landscape Waste Leachate Controls at Permitted Landscape Waste Compost Facilities, and</u> • <u>Section 830.205 Additional Operating Standards for Permitted Landscape Waste Compost Facilities.</u> 									

6) Remove Standard Conditions to Section 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES OF SPECIAL USES

- a. Remove the ‘Public or Commercial SANITARY LANDFILL’ standard conditions.

7) Amend Section 7.1.2 RURAL HOME OCCUPATION HOME Standards

- a. Revise Item 3 under Paragraph J to provide that JUNK YARD or AUTOMOBILE SALVAGE are prohibited as STORAGE or OPERATIONS for a RURAL HOME OCCUPATION.