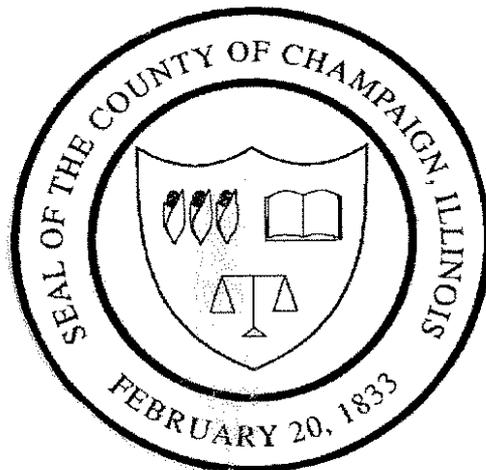


Environment & Land Use Committee Agenda

January 16, 2007



7:00 p.m.

*Lyle Shields Meeting Room
Brookens Administrative Center
1776 East Washington, Urbana, Il 61802
(217) 384-3708*

AGENDA

Champaign County Environment & Land Use Committee

Date: *January 16, 2007*

Time: *7:00 p.m.*

Place: *Lyle Shields Meeting Room
(Meeting Room 1)*

Members:

*Jan Anderson, Chris Doenitz, Matthew Gladney,
Brad Jones, Ralph Langenheim, Carrie Melin, Steve
Moser, Jon Schroeder (VC), Barbara Wysocki (C)*

*Brookens Administrative Center
1776 E. Washington St.
Urbana, Illinois*

Phone: *(217) 384-3708*

AGENDA

Old Business shown in Italics

1. **Call to Order**
2. **Approval of Agenda**
3. **Approval of Minutes (December 19, 2006)** 1 thru 2
4. **Public Participation**
5. **Correspondence**
 - A. **Mahomet Aquifer Consortium letter dated January 5, 2007, regarding the Committee on Regional Water Supply Planning for East Central Illinois** 3 thru 4
6. **County Board Chair's Report**
7. **Joint Champaign County – City of Champaign Enterprise Zone: Boundary Amendment: Illini Ethanol, LLC project at Royal.** 5 thru 12
8. ***Remanded Zoning Case 520-AM-05 Petitioner: Gene Bateman*** 13 thru 51

Request: Amend the Zoning Map to allow for the development of 2 single-family lots in the AG-1, Agriculture Zoning District by adding the Rural Residential Overlay (RRO) Zoning District

Location: Approximately seven acres of an existing 62.20 acre parcel in the East Half of the Northeast Quarter of Section 29 of Newcomb Township that is commonly known as the farm field that borders the south side of CR 2600N and the CR 200E.
9. **Zoning Case 562-AM-06 Petitioner: Ivanhoe Partners, LLC and Jason Barickman, Agent.** 52 thru 66

Request: Amend the Zoning Map to change the zoning district designation from the R-2, Single Family Residence Zoning District to the R-5, Manufactured Home Park Zoning District.

Zoning Case 562-AM-06 cont:

Location: **The West 500 feet of the South 1,722.12 feet of the Southeast Quarter of Section 4 of Urbana Township comprising approximately 19.065 acres and that is commonly known as the blocks surrounding Richard Drive and Gurth Drive and the west side of Ivanhoe Drive in the Ivanhoe Estates Manufactured Home Park at 26 Ivanhoe Drive, Urbana.**

- 10. **FY07 Regional Planning Commission County Work plan (annual work plan for the County Special Projects Planner at the RPC) 67 thru 69**
- 11. **Review of update to Champaign County Solid Waste Plan (part of the FY 07 RPC County Work Plan) 70 thru 84**
- 12. **Update on Enforcement Cases**
 - A. **Foreclosure on the “Monty” Maxwell property in the Village of Broadlands (Enforcement Case ZN99-03/36) 85**
 - B. **Foreclosure on property of Joseph Mefford at 2603 Campbell Drive, Champaign (Enforcement Case ZN01-30/14) 86**
- 13. **Monthly Report (November and December 2006)
(To be distributed at meeting)**
- 14. **Other Business**
- 15. **Determination of Items to be placed on the County Board Consent Agenda**
- 16. **Adjournment**

MINUTES OF SPECIAL MEETING

**Champaign County Environment
& Land Use Committee
Champaign County Brookens
Administrative Center
Urbana, IL 61802**

**DATE: December 19, 2006
TIME: 6:45 p.m.
PLACE: Meeting Room Two
Brookens Administrative Center
1776 E. Washington Street
Urbana, IL 61802**

MEMBERS PRESENT: Jan Anderson, Chris Doenitz, Matthew Gladney, Steve Moser, Jon Schroeder (VC), Barbara Wysocki (C)

**OTHER COUNTY
BOARD MEMBERS
PRESENT:**

None

MEMBERS ABSENT: Brad Jones, Ralph Langenheim, Carrie Melin

STAFF PRESENT: John Hall

OTHERS PRESENT: None

1. Call to Order, Roll Call

The meeting was called to order at 6:47 p.m. The roll was called and a quorum declared present.

2. Approval of Agenda

Mr. Moser moved, seconded by Mr. Doenitz to approve the agenda as submitted. The motion carried by voice vote.

3. Approval of Minutes (November 13, 2006)

Ms. Anderson moved, seconded by Mr. Moser to approve the November 13, 2006, minutes as submitted. The motion carried by voice vote.

4. Public Participation

None

5. Recreation and Entertainment License: ABSP, d.b.a. Longview Tavern, 206-210 Logan St,

Longview, IL. January 01, 2007 through December 31, 2007.

Mr. Hall stated that Longview is within the County's zoning jurisdiction although they are an incorporated village. He said that the Champaign County Recreation and Entertainment License Ordinance is written so that if a business is within an incorporated village a Recreation and Entertainment License is not required from the County. He said that the owners of the Longview Tavern submitted a Recreation and Entertainment License in 2006 for the first time and it did not occur to staff to check the Champaign County Recreation and Entertainment License Ordinance for this provision but in fact the County does not have jurisdiction for this license. He said that the County will refund the fees to the owners of the Longview Tavern. He noted that staff discovered this information yesterday therefore it was too late to cancel the meeting.

Ms. Wysocki stated that the owners of the Longview Tavern not only paid their fees for this year but also paid their fees for last year therefore both fees should be refunded.

Mr. Hall stated that the fees were received at the County Clerk's office and that office will be responsible for processing those refunds.

6. Other Business

None

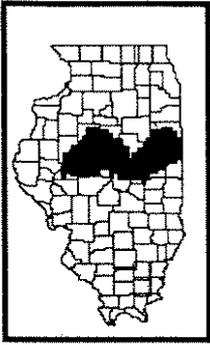
7. Adjournment

The meeting was adjourned at 6:52 p.m.

Respectfully submitted,

Secretary to the Environment and Land Use Committee

eluc\minutes\minutes.frm



Mahomet Aquifer Consortium

201 Devonshire Drive, Champaign, Illinois 61820

“... to further study the Mahomet Aquifer on a regional basis and to develop options
for the management of this valuable resource”
<http://www.MahometAquiferConsortium.org>

Board of Directors

Craig Cummings
City of Bloomington
(309) 434-2225

Nancy Erickson
Illinois Farm Bureau
(309) 557-3153

Sharon L. Martin
Asst. Secretary-Treasurer
(217) 687-2628

Mel Pleines, Chairman
Mackinaw Valley Water Auth.
(309) 392-2719

Dorland W. Smith, Sec.-Treas.
IL Water Authority Assn.
(309) 543-3147

Barry L. Suits
Illinois American Water Corp.
(217) 373-3243

Technical Advisers

Gary Clark
Office of Water Resources
IL Dept of Natural Resources
(217) 785-3334

Ed Mehnert
IL State Geological Survey
IL Dept of Natural Resources
(217) 244-2765

George Groschen
U.S. Geological Survey
(217) 344-0037 Ext. 3012

Allen Wehrmann
IL State Water Survey
IL Dept of Natural Resources
(217) 333-0493

TO: Companies, Organizations and Others Interested in Water Supply Planning
FROM: Mahomet Aquifer Consortium Board of Directors
SUBJECT: Committee on Regional Water Supply Planning for East Central Illinois
DATE: January 5, 2007

The Mahomet Aquifer Consortium (MAC) seeks to appoint 12 individuals to serve on a committee to fulfill the objectives of Governor Blagojevich’s Executive Order 2006-1 (Available on our web site www.MahometAquiferConsortium.org, see water supply study). Committee members will evaluate options for the management of both surface water and groundwater supplies. Members must be able to interact with each other and communicate with those in their interest area. Initially, the committee will meet approximately once a month and thereafter as necessary. The first major task of the committee, with the assistance of a consultant, will be to develop water demand scenarios for East Central Illinois to the year 2050. Committee members will be selected from among the following interests:

- | | | |
|-------------------|-----------------|-------------------------------|
| Agriculture | Water Utilities | Rural Water Districts |
| Small Business | Municipalities | Industries |
| Public | Counties | Soil and Water Conservation |
| Water Authorities | Environment | Electric Generating Utilities |

The following counties are included in the planning area and are divided into three regions. Committee members will reside in one of the following counties and will be selected to achieve geographic balance by region.

- | | | |
|------------------|----------------|---------------------|
| WEST | CENTRAL | EAST |
| Mason, Tazewell, | McLean, Macon, | Champaign, Ford, |
| Logan, Menard, | Dewitt, Piatt, | Vermilion, Iroquois |
| Cass, Sangamon | Woodford | |

Members will serve a three-year term or until disbandment of the program, whichever occurs first. They will serve without remuneration or reimbursement of expenses unless done by their employer. The first meeting will be held **February 16, 2007** at the Holiday Inn, Urbana, Illinois, but attendance at this meeting will be limited to Committee applicants. At this organizational meeting, all applicants will develop a short list of possible committee members. The MAC Board will make the final selection by interest and geographic region.

If you have any questions please call or email Dorland Smith at 309-543-3147 or dormsmit@fgi.net. Information regarding the Mahomet Aquifer Consortium and the Committee on Regional Water Supply Planning for East Central Illinois is available at www.MahometAquiferConsortium.org.

If you are interested in serving on this pioneering committee, please complete the attached application and return by February 2, 2007.

Committee on Regional Water Supply Planning for East Central Illinois

If you are interested in serving on this committee please complete this application and return by February 2, 2007 to:

Mahomet Aquifer Consortium
Attention: Dorland W. Smith, Secretary-Treasurer
201 Devonshire Drive, Champaign, IL 61820
or email application form to: dormsmit@fgi.net

Check one box for your area of interest:

- | | | | |
|--|--|---|---|
| <input type="checkbox"/> Agriculture | <input type="checkbox"/> Water Utilities | <input type="checkbox"/> Rural Water Districts | <input type="checkbox"/> Small Business |
| <input type="checkbox"/> Municipalities | <input type="checkbox"/> Industries | <input type="checkbox"/> Soil and Water Districts | <input type="checkbox"/> Environment |
| <input type="checkbox"/> Counties | <input type="checkbox"/> Water Authorities | <input type="checkbox"/> Public | |
| <input type="checkbox"/> Electric Generating Utilities | | | |

____ I want to submit this application to be considered to serve on the committee, and register to attend the February 16, 2007 meeting.

____ I want to submit this application to be considered to serve on the committee, but **can not** attend the February meeting.

Name (Print) _____
Street Address (residence) _____
City _____ State IL Zip Code _____ County _____
Phone No. () _____ Email _____

Name of Organization(if any) _____
Address _____ City _____ Zip _____
Phone No. () _____ Email _____

Include in space below a short biographical description of your relevant background and experience (not a full resume) and reason for your interest in serving on this committee.



TO: Environment & Land Use Committee

FROM: Brent Rose

DATE: January 16, 2007

RE: Joint Champaign County-City of Champaign Enterprise Zone:
Boundary Amendment

REQUESTED ACTION: Staff makes no recommendation at this time

Illini Ethanol, LLC of rural Ogden has completed an application for boundary expansion to include the property listed on page 1 of the application. This property has been purchased and is now owned by Illini Ethanol, LLC.

Attached is a map of the recently approved boundary expansions for Anderson's and for Clearview Development (Atkins). In the upper right hand corner of the map is the proposed Enterprise Zone boundary expansion (Gene Osterbur) up for discussion at this meeting. The proposed location is approximately 20 miles from the City of Champaign/Champaign Enterprise Zone. Therefore, a strip would need to be extended from the current zone to the proposed expansion in rural Ogden.

The current size of the Enterprise Zone is 9.091 square miles. The Enterprise Zone Act limits the total size of this Zone to 12 square miles. Approval of this boundary amendment would increase the size of the Zone to 9.197 square miles.

The Champaign County Board and the Champaign City Council must both approve the boundary amendment in order for this application to be sent to the State of Illinois for final approval. The Champaign City Council has not yet taken action on this application.

ILLINI ETHANOL LLC
ROYAL, ILLINOIS

November 15, 2006

Mr. Brent Rose
Economic Development Specialist
Champaign County Regional Planning Commission
1776 East Washington Street
Urbana, IL 61803-7760

Dear Brent:

Thanks once again for the visit Friday. Please find enclosed our application for Enterprise Zone status for the Illini Ethanol project at Royal in Champaign County. A couple of points about the application:

1. Mr. Herbert J. Osterbur is the current owner of the 62.5-acre parcel on which we will build the ethanol plant. We expect to complete purchase of the property within the next few weeks. If it is more appropriate to show Illini Ethanol LLC as the owner, please let me know and I'll amend.
2. Please note that my answer to 9b shows the number of full-time employees when the plant is operational. Construction is expected to take 12 to 14 months.

We understand that both the Champaign County Board and the Champaign City Council will act on our request. I look forward to opportunities to discuss our project as well as our application for Enterprise Zone and its importance to our effort.

Best wishes,



Reg Ankrom
Project Development

cc: Mr. Walker R. Filbert

REG ANKROM, MANAGER
PROJECT DEVELOPMENT
510 MAINE, SUITE 502
QUINCY, IL 62301

OFFICE: 217-641-3011
MOBILE: 217-779-2595
RANKROM@ENNOVALLC.COM

CITY OF CHAMPAIGN - CHAMPAIGN COUNTY ENTERPRISE ZONE

INDUSTRIAL PROJECT APPLICATION FORM

PROJECT INFORMATION

1. Name of Project: Illini Ethanol LLC
2. Project Address: (Parcel A) 2237 County Road 2700 E
Ogden, IL 61859
(Parcel B) County Road 2700E
Ogden, IL 61859
(62.5-acre farm adjoining north and west sides
of Parcel A)
3. Property Tax I.D. Number: (Parcel A) 17 - 18 - 08 - 400 - 006
(Parcel B) 17 - 18 - 08 - 400 - 005
4. Name of Property Owner: (Parcel A) Illini Ethanol LLC
(Parcel B) Herbert J. Osterbur
5. Contact Person(s) Walker R. Filbert, President
Illini Ethanol LLC
112 West Washington Street
Pittsfield, IL 62363
217-285-6460

Reg Ankrom, Manager
Project Development
Illini Ethanol LLC
510 Maine, Suite 502
Quincy, IL 62301
217-641-3011

6. General Description of Proposed Industrial Activity

Illini Ethanol LLC plans to build an ethanol production facility on the above described property. The facility will use approximately 37 million bushels of locally grown corn as feedstock to produce 100 million gallons of ethanol annually. The project's investment is expected to exceed \$160 million and employ approximately 40 persons full time with an annual payroll of more than \$2 million.

7. Type of Construction:

(Check all appropriate classifications; refer to Definitions on page 6.)

Rehabilitation on existing building

Expansion of existing building

Construction of new structure

8. Estimated Cost of:

Site	<u>\$ 1 million</u>
Capital Equipment	<u>\$ 64 million</u>
New Construction	<u>\$ 96 million</u>
Rehabilitation	<u>\$</u>
Expansion	<u>\$</u>
Total	<u>\$161 million</u>

9. Full-Time or Full-Time Equivalent (FTE) Job Generation:

a. Number of Current Full-Time or FTE Employees Within the Enterprise Zone prior to Starting Date of Construction (include employees relocated from another site within the Enterprise Zone)

b. Number of Full-Time or FTE Jobs to be Created Within 12 Months to Project Occupancy as a Result of New Investment (do not include current employees or Construction-related workers)

40

c. Number of Full-Time or FTE Jobs to be Retained as a Result of New Investment, i.e., jobs otherwise lost without New investment (include newspaper articles, letters, or Other documentation to support this number)

10. Expected Starting Date of Construction: First quarter 2007

Date of Occupancy: First quarter 2008

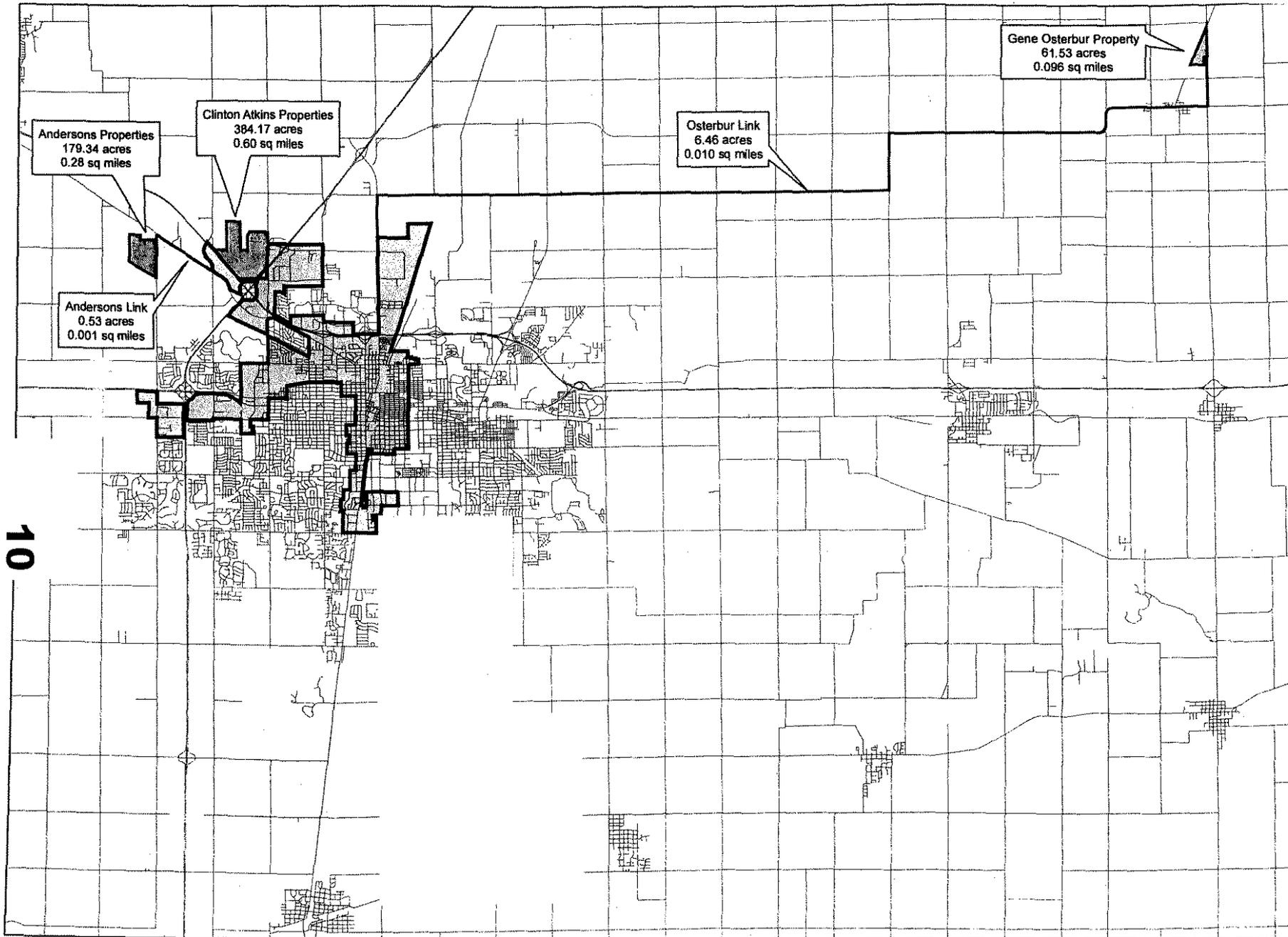
11. Does This Project Involve a Move from Another Location Within Champaign County?

 Yes x No

If Yes, State Previous Address: _____

12. Federal Employer's Identification Number 76-0833597

13. Unemployment Insurance Number _____



Andersons Properties
179.34 acres
0.28 sq miles

Clinton Atkins Properties
384.17 acres
0.60 sq miles

Andersons Link
0.53 acres
0.001 sq miles

Osterbur Link
6.46 acres
0.010 sq miles

Gene Osterbur Property
61.53 acres
0.096 sq miles

10

-  Proposed Enterprise Zone
-  Existing Enterprise Zone



6/20/2006



Gerald J. Schweighart, Mayor & Liquor Commissioner

102 N Neil St • Champaign IL 61820 • (217) 403-8720 • fax (217) 403-8725 • www.ci.champaign.il.us

January 9, 2007

Mr. Pius Weibel
Chair, Champaign County Board
1776 E. Washington
Urbana, IL 61801

Ms. Barbara Wysocki
Chair, Environment and Land
Use Committee
1776 E. Washington
Urbana, IL 61801

Dear Mr. Weibel and Ms. Wysocki:

The City of Champaign has recently learned that the Environment and Land Use Committee will be considering an application for an Enterprise Zone boundary amendment at its meeting on January 16, 2007. The proposal is to add territory that includes a three foot strip of land running from the northernmost portion of the existing Zone boundaries, eastward adjacent to township and/or County roadways to a site location near Royal. The request is made in order to assist in the development of an ethanol plant.

The Joint City/County Enterprise Zone ordinance and the supportive intergovernmental agreement, approved when the Zone was established, are based upon the premise that both entities will work in partnership to promote private investment and job creation in a designated area that is mutually beneficial to both the City and County. It is City Council policy to consider only those requests for Enterprise Zone boundary amendments for areas that are either already a part of the City limits or for areas subject to an annexation agreement. This policy ensures that both the City and the County ultimately benefit from the investment.

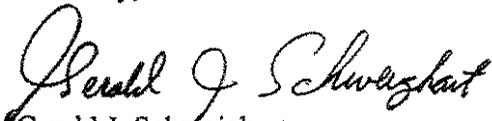
The request to extend the boundaries of the Joint City/County Enterprise Zone to Royal is not consistent with this policy. I strongly urge ELUC and the County Board to vote to deny this request.

As a technical matter, the proposed amendment must be legally described and advertised for public hearing in the News-Gazette within a specified time frame. The public hearing must also be held at a location within the boundaries of the Enterprise Zone. As of the date of this writing, these requirements have not been met and any votes taken to amend the boundaries would be invalid.

The Joint City/County Enterprise Zone expires on December 31, 2016, and the size of the Zone is nearing its statutory capacity of 12 square miles. Because of these limitations, I would like to suggest that the City and the County work together to establish a policy for how to best utilize this limited economic development tool in a way that benefits both entities.

I appreciate your consideration and urge you to contact Teri Legner, Economic Development Manager, or Craig Rost, Deputy City Manager for Development, to discuss this matter further. Craig or Teri may be reached at 403-8710.

Sincerely,



Gerald J. Schweighart
Mayor

Cc: City Council members
Craig Rost
Teri Legner
Bruce Knight
John Dimit
Jeanne Gustafson

To: **Environment and Land Use Committee**

From: **John Hall, Zoning Administrator**

Date: **January 9, 2007**

RE: **Case 520-AM-05 Rural Residential Overlay Map Amendment for proposed five lot RRO**

Champaign
County
Department of

**PLANNING &
ZONING**

Zoning Case 520-AM-05

Request: **Amend the Zoning Map to allow for the development of 2 single-family residential lots in the AG-1 Agriculture Zoning District by adding the Rural Residential Overlay (RRO) Zoning District.**

Petitioners: **Gene and Carolyn Bateman**

Location: **Approximately 6.8 acres in the East Half of the Northeast Quarter of Section 29 of Newcomb Township that is commonly known as the farm field that borders the south side of CR2600N and the west side of CR200N.**

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

(217) 384-3708
FAX (217) 328-2426

STATUS

This case was before the Committee at the November 13, 2006, meeting when the Committee remanded this case to the Zoning Board of Appeals (ZBA) in order for the ZBA to consider a revised request. The revised request is for fewer lots (two instead of the previous five lots) and the lots have been reconfigured such that all buildable area is outside of the "potential impact radius" of nearby gas pipelines. The ZBA considered the remanded case at their December 14, 2006, meeting and voted to "RECOMMEND APPROVAL" of the revised Rural Residential Overlay (RRO) rezoning. Relevant maps have been excerpted from the Documents of Record and are attached. The Summary of Evidence is attached and includes relevant testimony from the public hearing.

The ZBA is required to make two specific findings for RRO determinations and those findings are reproduced below in this memorandum and also appear in the Finding of Fact.

Recall that this is the first RRO to be proposed in the vicinity of the underground Manlove Gas Storage Facility in Newcomb and Brown Townships in the northwestern part of the County. See item 17 on pages 14 through 18 of the Summary of Evidence.

No frontage protests been received from neighboring landowners against the proposed rezoning. The subject property is not located within any municipal or village extraterritorial jurisdiction so there can be no municipal or village protest. Newcomb Township has a Plan Commission but the township has provided no communication regarding the proposed map amendment.

REQUIRED FINDINGS

With respect to map amendments requesting creation of a Rural Residential Overlay (RRO) Zoning District, Section 5.4.3 of the Zoning Ordinance requires the ZBA to make two specific findings before forwarding a recommendation to the County Board. The required findings are stated as follows in the Ordinance:

1. That the proposed site is or is not suitable for the development of the specified maximum number of residences; and
2. That the proposed residential development will or will not be compatible with surrounding agriculture.

The Land Use Regulatory Policies that were adopted on November 20, 2001, establish requirements for RROs proposed on "best prime farmland" that the land be "well suited" and that the land be used in the "most efficient way". The proposed RRO is not on best prime farmland so the higher requirements do not apply. The required findings on page 31 of the attached Final Determination have been reproduced below with references to the relevant items in the Summary of Evidence.

Required Finding 1. Regarding Whether the Site is Suitable for the Development of the Specified Maximum Number of Residences:

1. The proposed site **SUBJECT TO CONDITIONS, IS SUITED** for the development of **TWO** residences because:
 - A. **the site has more or less typical Champaign County conditions due to manmade hazards and safety concerns (see items 17. B., C, D, E, F*); and**
 - B. **much better than typical and nearly ideal conditions for the other considerations of adequacy of roads; effects on drainage; septic suitability; LESA score; and flood hazard status, and the availability of water is more or less typical (see items 22, 11, 12, 13, 14, 19, and 21*); and**
 - C. **the property is between 4 and 5 miles from the Cornbelt Fire Protection District (see item 15*); and**

and despite:

 - D. **the fact that there are high pressure gas pipelines in the vicinity (see item 17.*); and**
 - E. **the site has much worse than typical Champaign County conditions because it is bordered on one side by livestock management facilities (see item 23.B.(3)*); and**
 - F. **emergency services vehicle access is limited by flooding (see item 12.B.(1)(e)*).**

* refers to items in the Summary of Evidence

NOTE: This is not the actual finding. See the As-Approved Finding of Fact.

Required Finding 2. Whether the Proposed Residential Development Will or Will Not Be Compatible with Surrounding Agriculture:

2. Development of the proposed site under the proposed Rural Residential Overlay development **SUBJECT TO CONDITIONS, WILL BE COMPATIBLE** with surrounding agriculture because:
- A. **surface drainage that is much better than typical (see item 12.*); and**
 - B. **the condition to provide an easement for the drainage district tile (see items 24.B. (1) & (2)*); and**
 - C. **the adequacy of the roads that is nearly ideal Champaign County conditions (see item 11*); and**
 - D. **traffic generated by the proposed RRO District that will be only 100% more than without the RRO (see item 23.A.(1)*);**
- and despite:
- E. **the presence of adjacent livestock management facilities on one side and four other livestock management facilities within a one-mile radius of the property for a total of three active facilities that are by law allowed to expand up to 1,000 animal units (see item 23. B.(3)*); and**
 - F. **the presence of a drainage district tile near the proposed RRO District (see item 12.B.*).**

* refers to items in the Summary of Evidence

NOTE: This is not the actual finding. See the As-Approved Finding of Fact.

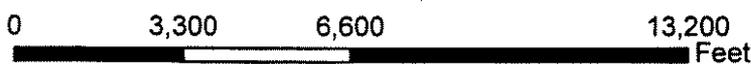
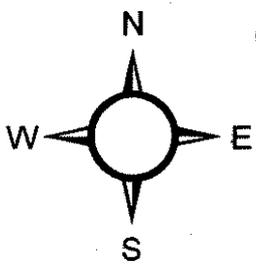
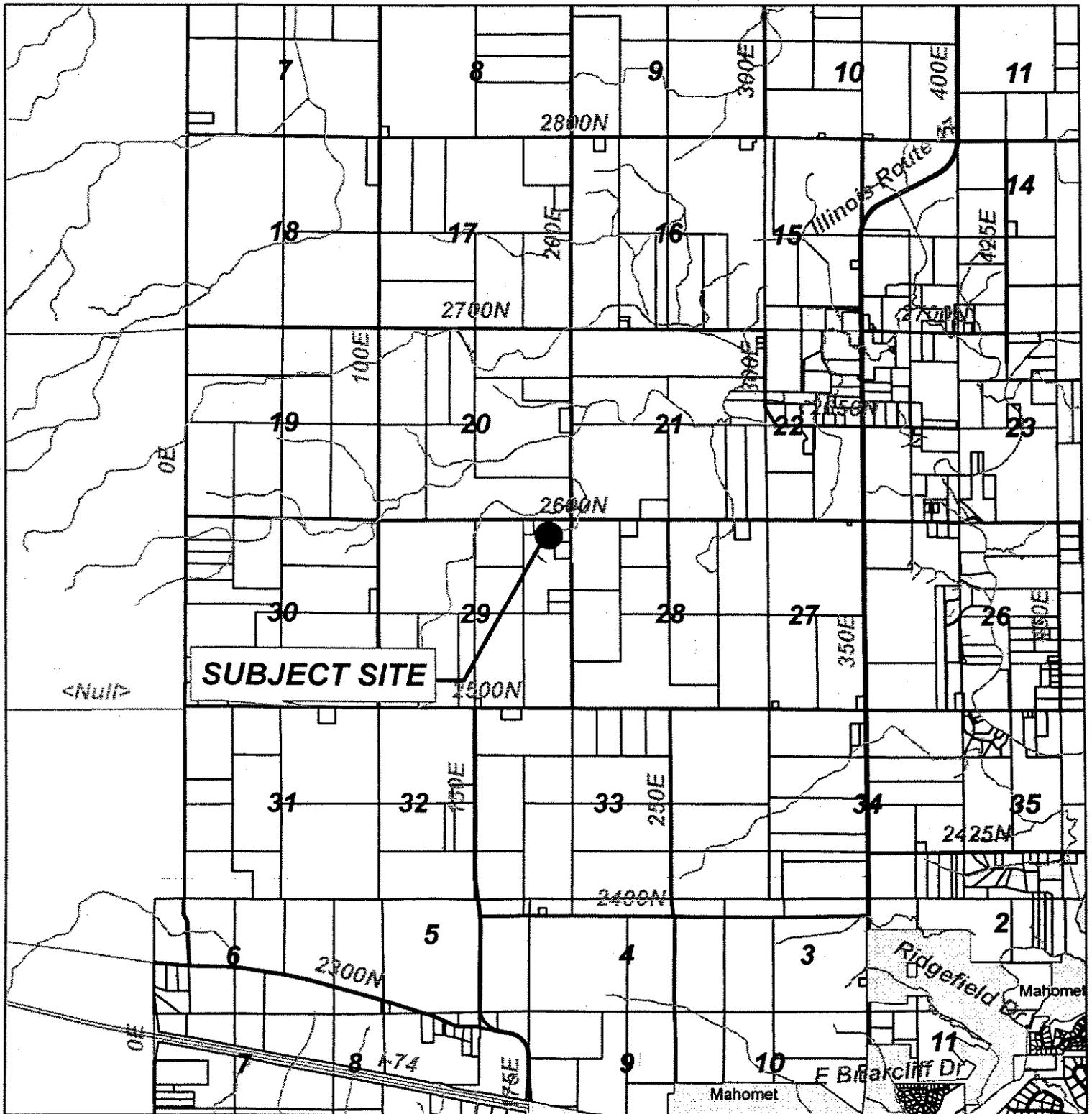
PROPOSED CONDITIONS

The ZBA approved several conditions to address safety concerns related to the high pressure gas pipelines; the presence of a drainage district tile; driveway access for emergency services vehicles; and the fact that the lots are not part of a Plat of Subdivision. The conditions are listed under item 24 of the Summary of Evidence.

ATTACHMENTS (excerpted from the Documents of Record)

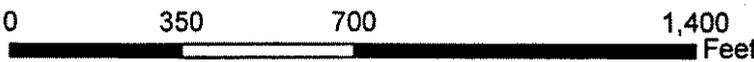
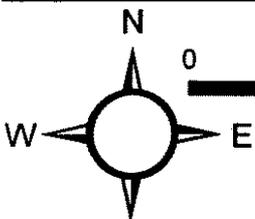
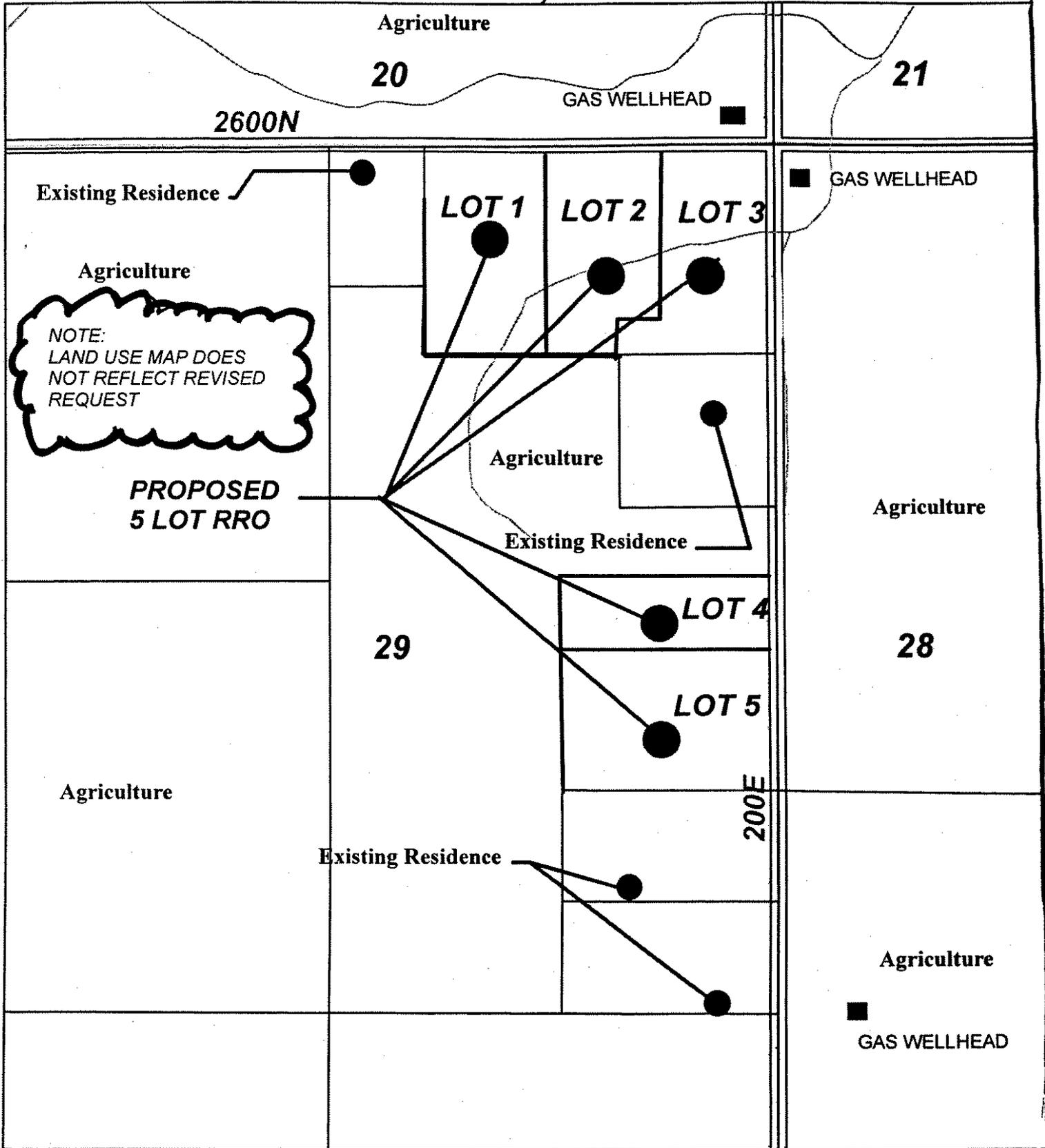
- A Zoning Case Maps (Location, Land Use, Zoning)
- B Revised Proposed Bateman Tracts received December 14, 2006, as revised at the public hearing (with indication of Potential Impact Radius for high pressure gas pipelines)
- C Summary of Evidence, Finding of Fact, and Final Determination of the Champaign County Zoning Board of Appeals as approved on remand on December 14, 2006 (UNSIGNED)

Attachment A Location Map
Case 520-AM-05
March 24, 2006



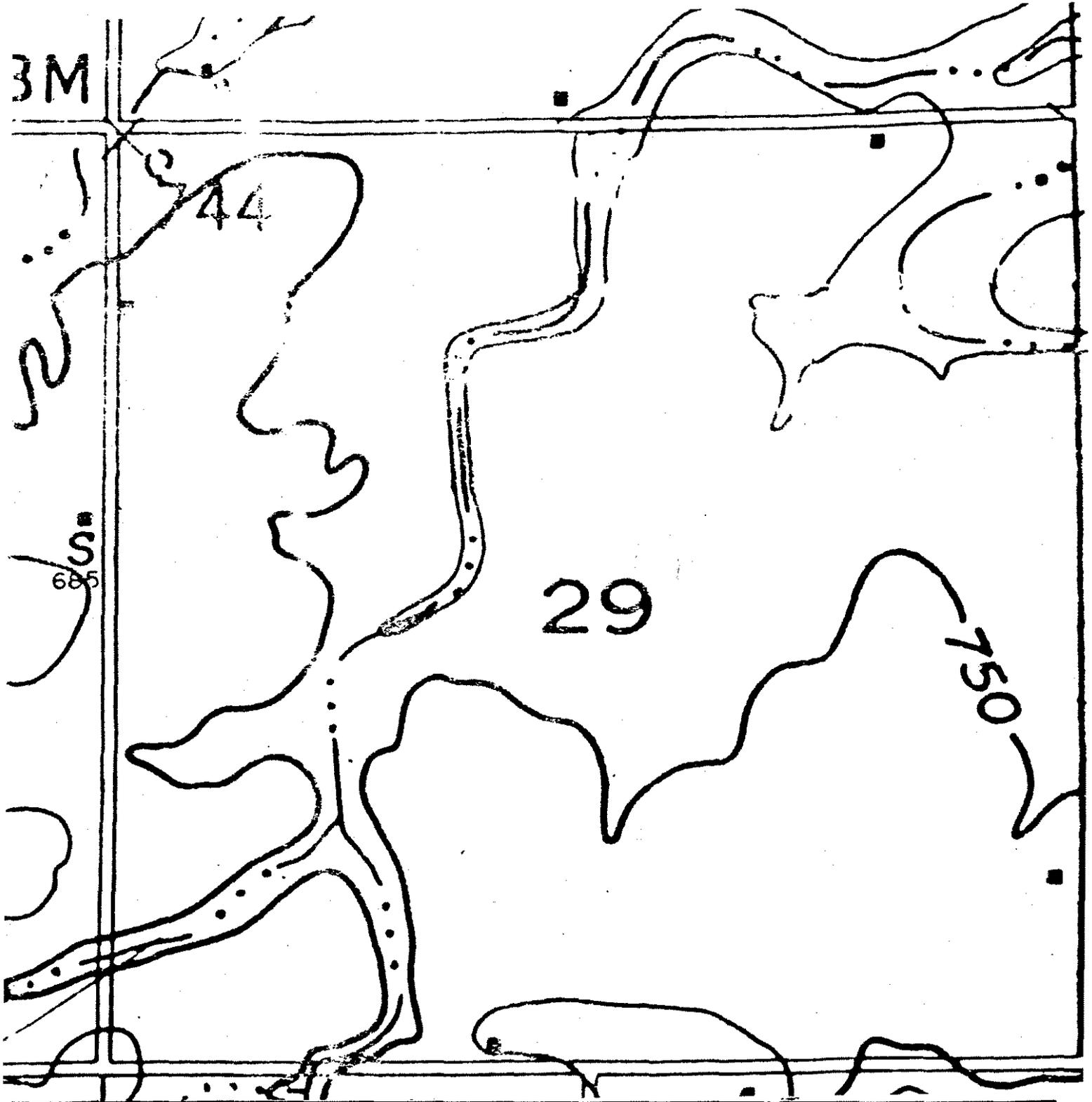
Champaign County
Planning and Zoning Department
1776 E. Washington Street
Urbana, IL 61802
217-384-3708

**Attachment A Land Use Map
Case 520-AM-05
March 24, 2006**



**Champaign County
Planning and Zoning Department
1776 E. Washington Street
Urbana, IL 61802
217-384-3708**

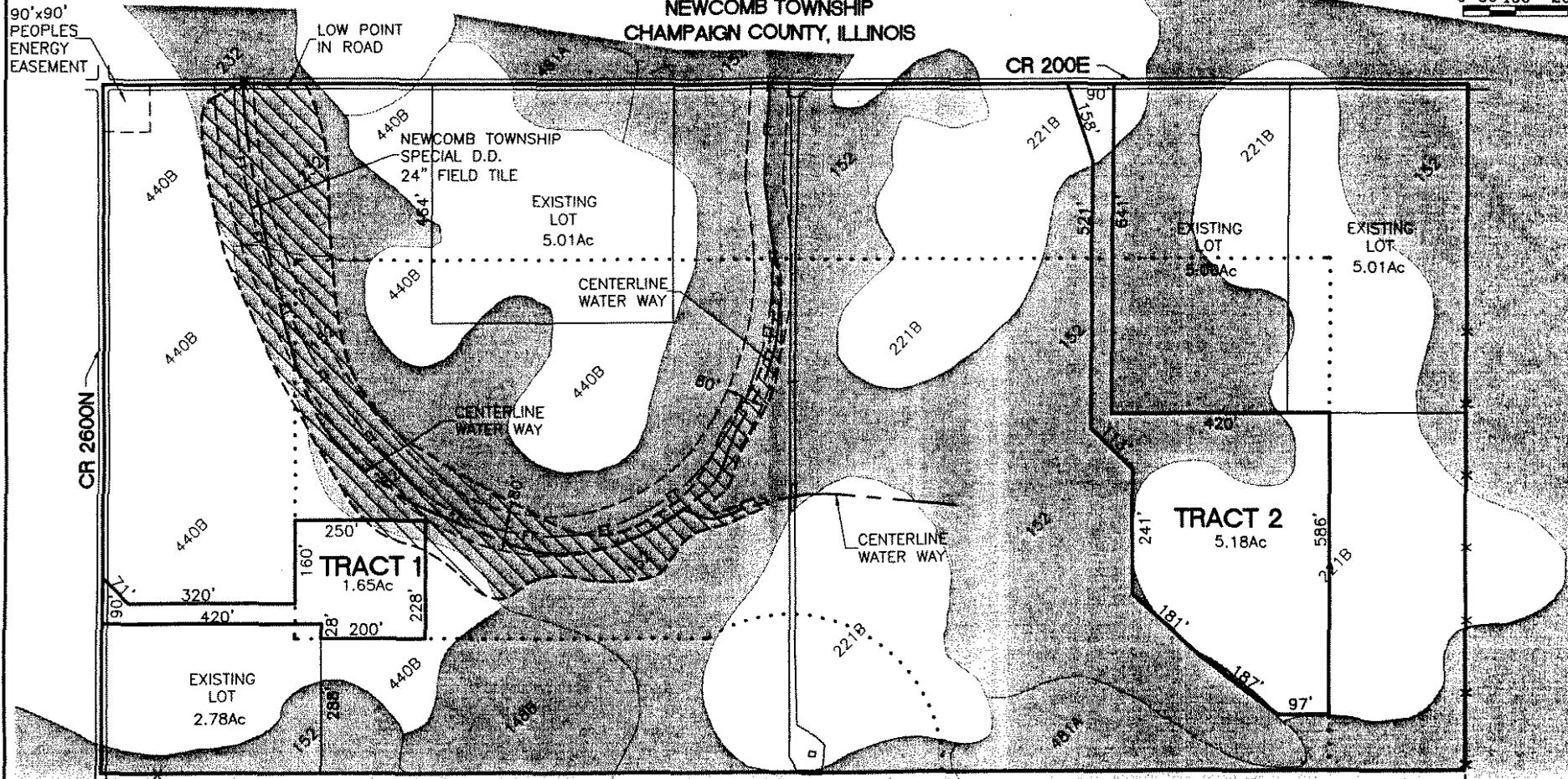
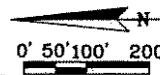
Attachment A Zoning Map
 Case520-AM-05
 March 24, 2006



AG-1 Agriculture	R-1 Single Family Residence	R-4 Multiple Family Res.	B-2 Neighborhood Business	B-5 Central Business
AG-2 Agriculture	R-2 Single Family Residence	R-5 Mobile Home Park	B-3 Highway Business	I-1 Light Industry
CR Conservation-	R-3 Two-family	B-1 Rural Trade	18	I-2 Heavy
			B-4 General	NORTH

Champaign
County
Department of
**PLANNING &
ZONING**

BATEMAN
PROPOSED TRACTS
NEWCOMB TOWNSHIP
CHAMPAIGN COUNTY, ILLINOIS



BPF SOILS
NON-BPF SOILS
HIGH WATER BACKUP
(SAME ELEV. AS LOW
POINT IN ROAD)
..... POTENTIAL IMPACT ZONE
SETBACK LINE

	BPF SOIL		NON-BPF SOIL		LE
TRACT 1	1.65Ac.	152 DRUMMER 0.07Ac. - 4.2%	440B JASPER	1.58Ac. - 95.8%	
TRACT 2	5.18Ac.	152 DRUMMER 1.51Ac. - 29.2%	221B PARR	3.67Ac. - 70.8%	84.5

E 1/2-NE 1/4-SEC 29-T21N-R7E-3rd PM
CHAMPAIGN COUNTY, ILLINOIS

Revised: 12/18/
Revised: 12/14/
Revised: 12/13/
Revised: 11/8/06
Revised: 10/12/
Revised: 10/11/
Job # 05114
Drawn By: BDB/CAM Date: 03/27/06 Revised: 07/13/06
HDC
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Champaign, Illinois 61824-0101
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**AS REVISED AT THE PUBLIC HEARING
DECEMBER 14, 2006**

**AS APPROVED ON REMAND
520-AM-05**

**FINDING OF FACT
AND FINAL DETERMINATION
of
Champaign County Zoning Board of Appeals**

Final Determination: **RECOMMEND APPROVAL**

Date: **December 14, 2006**

Petitioner: **Gene Bateman**

Request: **Amend the Zoning Map to allow for the development of 2 single-family residential lots in the AG-1 Agriculture Zoning District by adding the Rural Residential Overlay (RRO) Zoning District.**

SUMMARY OF EVIDENCE

From the documents of record and the testimony and exhibits received at the public hearing conducted on **March 30, 2006; April 13, 2006; July 13, 2006; August 31, 2006; October 12, 2006; and December 14, 2006**, the Zoning Board of Appeals of Champaign County finds that:

1. Gene Bateman and his wife, Caroline Bateman, are the owners of the subject property.
2. As described in the petition received October 12, 2005, the subject property consists of two tracts from an existing 62.20 acre parcel in the East Half of the Northeast Quarter of Section 29 of Newcomb Township that are as follows:
 - A. The north 631 feet of the East 1042.7 feet of the East Half of the Northeast Quarter of Section 29 for a total of 15 acres. The revised site plan received on March 29, 2006, increased this area to include the north 633 feet and the total area for this part increased to 15.13 acres.
 - B. The South 545 feet of the North 1960 feet of the East 641 feet of the Northeast Quarter of Section 29 for a total of 8 acres. The revised site plan received on March 29, 2006, changed this area to be the south 615 feet of the North 1960 feet of the East 591 feet of the Northeast Quarter of Section 29 for a revised total of 6.48 acres.
3. On the petition, when asked what error in the present Ordinance is to be corrected by the proposed change, the petitioner indicated the following:

Applying for RRO

4. Land use and zoning on the subject property and in the vicinity are as follows:

- A. The subject property is zoned AG-1 Agriculture and is currently vacant.
 - B. Land on all sides of the subject property is zoned AG-1 Agriculture and is used as follows:
 - (1) Land on the south and west is in agricultural production
 - (2) Land on the east, and north is in agricultural production and contains residential uses.
5. Regarding any relevant municipal or township jurisdiction:
- A. The subject property is not located within the mile-and-a-half extraterritorial planning jurisdiction of any village or municipality.
 - B. The subject property is located in Newcomb Township which has a plan commission. The plan commission has received notice of the meeting. Newcomb Township has protest rights on the proposed map amendment. In the event of a valid township protest, a three-fourths majority of the County Board will be required to grant the rezoning request instead of a simple majority. A township protest must be signed and acknowledged by the Township Board and filed with the Champaign County Clerk within 30 days of the close of the hearing at the ZBA. A certified mail notice of the protest must also be given to the Petitioner.

GENERALLY REGARDING THE REQUIREMENTS FOR ESTABLISHING AN RRO DISTRICT

6. Generally regarding relevant requirements from the *Zoning Ordinance* for establishing an RRO District:
- A. The Rural Residential Overlay (RRO) Zoning District is an overlay zoning designation that is in addition to the pre-existing (underlying) rural zoning. An RRO is established using the basic rezoning procedure except that specific considerations are taken into account in approvals for rezoning to the RRO District.
 - B. Paragraph 5.4.3.C.1 of the *Zoning Ordinance* requires the Zoning Board of Appeals to make two specific findings for RRO approval which are the following:
 - (1) That the proposed site is or is not suitable for the development of the specified maximum number of residences; and
 - (2) That the proposed residential development will or will not be compatible with surrounding agriculture.
 - C. Paragraph 5.4.3 C.1 of the *Zoning Ordinance* requires the Zoning Board of Appeals to consider the following factors in making the required findings:
 - (1) Adequacy and safety of roads providing access to the site;
 - (2) Effects on drainage both upstream and downstream;
 - (3) The suitability of the site for onsite wastewater systems;
 - (4) The availability of water supply to the site;

- (5) The availability of emergency services to the site;
- (6) The flood hazard status of the site;
- (7) Effects on wetlands, historic or archeological sites, natural or scenic areas or wildlife habitat;
- (8) The presence of nearby natural or man-made hazards;
- (9) Effects on nearby farmland and farm operations;
- (10) Effects of nearby farm operations on the proposed residential development;
- (11) The amount of land to be converted from agricultural uses versus the number of dwelling units to be accommodated;
- (12) The Land Evaluation and Site Assessment (LESA) score of the subject site

GENERALLY REGARDING CHAMPAIGN COUNTY LAND USE POLICIES

7. The Land Use Goals and Policies were adopted on November 29, 1977, and were the only guidance for County Map Amendments until the Land Use Regulatory Policies-Rural Districts (LURP) were adopted on November 20, 2001, as part of the Rural Districts Phase of the Comprehensive Zoning Review (CZR). The LURP's were amended September 22, 2005, but the amendment contradicts the current Zoning Ordinance and cannot be used in concert with the current Zoning Ordinance. The LURP's adopted on November 20, 2001, remain the relevant LURP's for discretionary approvals (such as map amendments) under the current Zoning Ordinance. Land Use Regulatory Policy 0.1.1 gives the Land Use Regulatory Policies dominance over the earlier Land Use Goals and Policies. LURP's that are relevant to any proposed RRO District are the following:
 - A. Land Use Regulatory Policy 1.1 provides that 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. Other land uses can be accommodated in those areas provided that:
 - (1) the conversion of prime farmland is minimized;
 - (2) the disturbance of natural areas is minimized;
 - (3) the sites are suitable for the proposed use;
 - (4) infrastructure and public services are adequate for the proposed use;
 - (5) the potential for conflicts with agriculture is minimized.

- B. Land Use Regulatory Policy 1.2 states that on the best prime farmland, development will be permitted only if the land is well suited to it, and the land is used in the most efficient way consistent with other County policies.
- C. Land Use Regulatory Policy 1.3.3 provides that development beyond the basic development right will be permitted if the use, design, site and location are consistent with County policy regarding:
 - (1) the efficient use of prime farmland;
 - (2) minimizing the disturbance of natural areas;
 - (3) suitability of the site for the proposed use;
 - (4) adequacy of infrastructure and public services for the proposed use; and
 - (5) minimizing conflict with agriculture.
- D. Land Use Regulatory Policy 1.4.2 states that non-agricultural land uses will not be permitted if they would interfere with farm operations or would damage or negatively effect the operation of agricultural drainage systems, rural roads or other agriculture related infrastructure.
- E. Land Use Regulatory Policy 1.5.3 states that development will not be permitted if existing infrastructure, together with proposed improvements, is inadequate to support the proposed development effectively and safely without undue public expense.
- F. Land Use Regulatory Policy 1.5.4 states that development will not be permitted if the available public services are inadequate to support the proposed development effectively and safely without undue public expense.

GENERALLY REGARDING THE MAXIMUM ALTERNATIVE DEVELOPMENT WITHOUT AN RRO

- 8. Regarding the maximum number of new zoning lots that could be created out of the subject property without the authorization for the RRO Zoning District:
 - A. As amended on February 19, 2004, by Ordinance No. 709 that was based on Case 431-AT-03 Part A, the *Zoning Ordinance* requires establishment of an RRO District for subdivisions with more than three lots (whether at one time or in separate divisions) less than 35 acres in area each (from a property larger than 50 acres) and/or subdivisions with new streets in the AG-1, AG-2, and CR districts (the rural districts) except that parcels between 25 and 50 acres may be divided into four parcels.

- B. The subject property was a 77.22 acre parcel on January 1, 1998, and since that time there have been three five-acre lots created. The 2.8 acre parcel in the northwest corner also existed as a separate parcel on January 1, 1998. The current 62.2 acre parcel could be divided into a 35 acre tract lot and a 27.2 acre remainder lot without having to obtain approval of the Rural Residential Overlay District as amended in Case 431-AT-03, Part A.

GENERALLY REGARDING THE PROPOSED RRO DISTRICT

9. The plan titled Proposed Bateman Tracts received October 12, 2005, was submitted in fulfillment of the Schematic Plan requirement and it has been revised throughout the public hearing and indicates the following:
- A. The RRO District is proposed to include five lots that occupy 23 acres of the 62.20 acre subject property. Lots 1, 2, 3 and 5 are proposed to be five acre lots and Lot 4 was proposed to be a three acre lot. Lot 4 was revised to be a 1.58 acre lot on the Revised Proposed Bateman Tracts received March 29, 2006.
 - B. The property is not within a FEMA regulated 100-year flood zone.
 - C. The site drains primarily to the northeast into an existing farmed waterway. The Revised Proposed Bateman Tracts received March 29, 2006, indicates the centerline of the waterway and indicates the high water backup elevation if the culvert near CR2600N would become blocked.
 - D. The Revised Proposed Bateman Tracts received July 13, 2006, has the following changes:
 - (1) A 90" x 90" easement for Peoples Energy is indicated at the intersection of CR2600N and CR200E.
 - (2) The centerline of the 24 inch diameter Newcomb Special Drainage District drainage tile is indicated. A 75 feet wide easement is indicated centered on the tile.
 - (3) Shared driveway entrances are indicated for Tracts 1 and 2 and for Tracts 4 and 5.
 - E. The Revised Proposed Bateman Tracts received October 12, 2006, has the following changes:
 - (1) An 80 feet wide easement for the Newcomb Special Drainage District tile.
 - (2) Revised lots.
 - F. The Revised Proposed Bateman Tracts received December 14, 2006, and as amended at the public hearing on December 14, 2006, has the following changes:
 - (1) The number of lots was reduced to two.
 - (2) All proposed lots are flag lots with access strips that are 680 feet long for Tract 2 and 340 feet long for Tract 1.

- F. The lots in the requested RRO District meet or exceed all of the minimum lot standards of the Zoning Ordinance.

GENERALLY REGARDING THE SOILS ON THE PROPERTY

10. A Natural Resource Report was prepared for the petitioner in 2003 and was based on the entire 77 acre tract. Staff re-examined the proposed 5 lot RRO and the results can be summarized as follows:
- A. Regarding the types of soils on the total property, their relative extent, and the relative values:
- (1) About 51% of the total 77 acre property consists of soils that are considered by Champaign County to be Best Prime Farmland and consists of Drummer silty clay loam, 0 to 2% slopes (map unit 152A); Ashkum silty clay loam (232A); Raub silt loam, 0 to 3% slopes (481A); and Clare silt loam, 1% to 5% slopes (663B; formerly 148B Proctor silt loam, 1% to 5% slopes).
 - (2) About 49% of the of the total 77 acre property consists of soils that are not considered Best Prime Farmland by Champaign County and consists of Wyanet silt loam, 2% to 5% slopes (622B; formerly 221B Parr silt loam, 2% to 5%); and Penfield Loam, 1% to 5% slopes (687B; formerly 440B Jasper loam, 1% to 5% slopes).
- B. The original 77 acre property is Best Prime Farmland under the Champaign County Land Use Regulatory Policies, as follows:
- (1) Best Prime Farmland is identified by the Champaign County Land Use Regulatory Policies – Rural Districts as amended on November 20, 2001, as any tract on which the soil has an average Land Evaluation Factor of 85 or greater using relative values and procedures specified in the *Champaign County, Illinois Land Evaluation and Site Assessment System*.
 - (2) The Land Evaluation Worksheet in the Natural Resource Report indicates the overall Land Evaluation factor for the soils on the subject property is 88. When encountering situations such as this, staff generally evaluates each site on an individual basis.
- C. Regarding the types of soils on the proposed RRO lots making up the 22.1 acres, their relative extent, and the relative values:
- (1) The proposed RRO lots have been located such that Best Prime Farmland soils make up only about 36% of the proposed lot area and Drummer silty clay loam makes up only about 25% of the proposed lot area.

- (2) An evaluation of the soils for the entire proposed RRO yields an average Land Evaluation score of 84.4 which rounds to 84 and thus the proposed RRO is not Best Prime Farmland on average.
 - (3) An evaluation of the soils for the specific lots proposed in this RRO as indicated on the revised Proposed Bateman Tracts received October 12, 2006, indicates the following:
 - (a) Tracts 1, 2, 3, and 5 are not Best Prime Farmland on average; and
 - (b) Tract 4 is Best Prime Farmland on average.
- D. Site specific concerns stated in the Natural Resource Action Report are as follows:
- (1) The subject property has 6 soils types that are moderate to severe limitations for the development in their natural unimproved state. The possible limitations include severe ponding and wetness that will adversely affect septic fields on the site.
 - (2) The subject area will be subject to erosion both during and after construction. Any areas left for more than 30 days, should be temporarily seeded or mulched and permanent vegetation established as soon as possible.
 - (3) The proposed design that uses 5 to 5.5 acre tracts is not an efficient use of prime farmland. A lot size of 1 acre would be more efficient use of the land.
 - (4) Drainage ways noted on the Surface Water Flow Map need to be maintained. A significant volume of water flows through the property in drainage ways that should be guarded with permanent easements.

GENERALLY REGARDING THE ADEQUACY AND SAFETY OF ROADS

11. Regarding the adequacy and safety of roads providing access to the proposed RRO District:
 - A. The Institute of Transportation Engineers publishes guidelines for estimating of trip generation from various types of land uses in the reference handbook *Trip Generation*. Various statistical averages are reported for single family detached housing in *Trip Generation* and the average Aweekday@ traffic generation rate per dwelling unit is 9.55 average vehicle trip ends per dwelling unit. *Trip Generation* does not report any trip generation results for rural residential development.
 - B. The staff report *Locational Considerations for Rural Residential Development In Champaign County, Illinois*, that led to the development of the RRO Amendment, incorporated an assumed rate of 10 average daily vehicle trip (ADT) per dwelling unit for rural residences. The assumption that each proposed dwelling is the source of 10 ADT is a standard assumption in the analysis of any proposed RRO.

- C. Based on the standard assumption that each proposed dwelling is the source of 10 ADT, the 5 proposed single-family residence in the requested RRO District are estimated to account for an increase of approximately 50 ADT in total but it is unclear if all the traffic flow will be in the same direction or if the traffic will be split between the east and the west and north and south.
- D. The Illinois Department of Transportation's *Manual of Administrative Policies of the Bureau of Local Roads and Streets* are general design guidelines for local road construction using Motor Fuel Tax funding and relate traffic volume to recommended pavement width, shoulder width, and other design considerations. The *Manual* indicates the following pavement widths for the following traffic volumes measured in Average Daily Traffic (ADT):
- (1) A local road with a pavement width of 16 feet has a recommended maximum ADT of no more than 150 vehicle trips.
 - (2) A local road with a pavement width of 18 feet has a recommended maximum ADT of no more than 250 vehicle trips.
 - (3) A local road with a pavement width of 20 feet has a recommended maximum ADT between 250 and 400 vehicle trips.
 - (4) A local road with a pavement width of 22 feet has a recommended maximum ADT of more than 400 vehicle trips.
- E. The Illinois Department of Transportation's *Manual of Administrative Policies of the Bureau of Local Roads and Streets* general design guidelines also recommends that local roads with an ADT of 400 vehicle trips or less have a minimum shoulder width of two feet. The roads in question both meet this minimum standard.
- F. The Illinois Department of Transportation measures traffic on various roads throughout the County and determines the annual average 24-hour traffic volume for those roads and reports it as Annual Average Daily Traffic (AADT). An IDOT map of AADT data for 2001 in the vicinity of the subject property is included as an attachment to the Preliminary Memorandum and indicates the following:
- (1) There is no AADT data reported for CR 2600 N between the subject property and the intersection of CR200E. The closest ADT in the vicinity of the subject property is approximately 1 mile south on CR2500N and has an ADT of 250.
 - (2) The pavement width of the both roadways, CR200E and CR 2600N adjacent to the subject property is approximately 18' wide. These roadways are contained within a minimum ROW width of 40 feet in the vicinity of the subject parcel and is constructed of oil and chip.

- G. The relevant geometric standards for visibility are found in the *Manual of Administrative Policies of the Bureau of Local Roads And Streets* prepared by the Bureau of Local Roads and Streets of the Illinois Department of Transportation. Concerns are principally related to the minimum stopping sight distance. Design speed determines what the recommended distance is. In regards to the proposed RRO, staff utilized the typical design speed of 55 mph for these two rural roadways and there appears to be no concerns related to stopping sight distance. The appropriate stopping site distance at 55 mph is 400 feet.
- H. The intersection of CR200E and CR2600E has no stop signs like most rural intersections and so there are visibility concerns for traffic approaching the intersection. Evidence relevant to traffic visibility concerns is as follows:
- (1) The relevant geometric standards for traffic visibility are found in the *Manual Of Administrative Policies Of The Bureau Of Local Roads And Streets* prepared by the Bureau of Local Roads and Streets of the Illinois Department of Transportation. The “minimum stopping sight distance” is determined by design speed and varies as follows:
 - A design speed of 30 miles per hour requires a minimum distance of 200 feet.
 - A design speed of 40 miles per hour requires a minimum distance of 275 feet.
 - A design speed of 50 miles per hour requires a minimum distance of 400 feet.
 - A design speed of 60 miles per hour requires a minimum distance of 525 feet.
 - A design speed of 70 miles per hour requires a minimum distance of 625 feet.
 - (2) The Champaign County Zoning Ordinance prohibits construction and establishes vegetation maintenance requirements in corner visibility triangles that are 50 feet back from the right of way lines at all street intersections. For Township roads with 60 feet wide rights of ways this provides a guaranteed stopping sight distance of only about 80 feet which is inadequate for speeds as low as 30 miles per hour.
 - (3) The speed limit on unmarked rural roads is 55 miles per hour which requires a corner visibility triangle of about 462 feet.
- I. Testimony at the April 13, 2006, public hearing regarding traffic can be summarized as follows:
- (1) Doug Turner who resides at 248CR2500N, Mahomet testified that he was concerned with the condition of CR200E and about three years ago CR200E was a gravel road that maybe two or three people drove on per week but now there are about 60 or 70 cars that travel CR200E per day. He said that CR200E has been oiled but it is falling apart and there is a 20 feet wide area that is impassable when a flood even occurs and he does not believe that CR200E has the ability to handle anymore traffic in its current condition.

condition.

- (2) Chris Doenitz who resides at 125 CR2300N, Mahomet testified that he travels CR200E with farm equipment and currently he has to dodge mailbox after mailbox and the more houses that built the worse it will become. He said that CR200E is an inadequate road for large farm equipment and traffic and the continued creation of five acre lots along the roads creates havoc for the new landowners and farmers. He said that if the RROs are approved they should be required to install their own infrastructure.

- J. Overall, the subject property and proposed RRO are comparable to "much better than typical" conditions for Champaign County in terms of common conditions for the adequacy and safety of roads providing access because the five proposed residences will only add about a 20% increase in traffic and the Average Annual Daily Traffic will still be less than the maximum recommended.

GENERALLY REGARDING DRAINAGE

12. Regarding the effects of the proposed RRO District on drainage both upstream and downstream:
 - A. The Engineers statement of general drainage conditions received for this five lot RRO dated October 4, 2005, as well as the revised site plan indicates the following:
 - (1) There is approximately ten (10) foot of topographic fall on the subject property from the southern property line to the intersection of CR 2600 N and CR 200E. There are drainage ways that bisect the northern portion of the property that feed into branches of the tributary of the Sangamon River. There is an approximate 1.5% slope on average for the subject property. The topographic contours do not indicate any areas of significant storm water ponding on the subject property. The Champaign County Zoning Ordinance does not contain minimum acceptable ground slope but 1% is normally considered a minimum desirable ground slope for residential development.
 - (2) Most of the subject property drains directly to a tributary of the Sangamon River.
 - (3) None of the property is located below the Base Flood Elevation (100-year flood).
 - (4) Storm water detention is not required due to the low percent of impervious area for the proposed RRO.
 - (5) Based on records in the Department of Planning and Zoning, Newcomb Special Drainage District has a 20 inch to 24 inch drainage tile that is located generally in the northeast corner of the subject property. The applicants engineer has provided the centerline of this tile and indicated the High Water Back-up area on the revised schematic plan.

- B. Testimony at the April 13, 2006, public hearing regarding drainage can be summarized as follows:
- (1) Doug Turner who resides at 248CR2500N, Mahomet testified generally as follows:
 - (a) He was representing the Newcomb Special Drainage District and the three Commissioners of the District are very concerned about the proposal.
 - (b) There is a 24 inch diameter district tile that runs through the proposed RRO and the drainage district is concerned about their ability to access the tile with the houses that are proposed to be constructed. He said that the District is concerned that the new owners will not be aware that the tile exists and the tile will be damaged during construction.
 - (c) The 24 inch tile is the only tile on the property that is a drainage district tile but there are 10 inch to 15 inch private tiles that branch off on the subject property.
 - (d) The drainage district tile is approximately 90 years old and at some point it will need to be replaced . At a minimum he estimates that the drainage district will require a 75 feet wide easement for maintenance of the tile.
 - (e) He said that the bridge to the south has adequate capacity but the bridge to the north is very old and is inadequate for a three inch rain. He said that he has lived in this neighborhood for 50 years and he has seen water backed up on this farm numerous times.
- C. Testimony at the July 13, 2006, public hearing regarding drainage can be summarized as follows:
- (1) Doug Turner who resides at 248CR2500N, Mahomet testified generally as follows:
 - (a) The Newcomb Special Drainage District Commissioners would like an 80 feet wide easement for the drainage district tile and they do not want any permanent structures or trees in the easement nor should there be any hook-ups to the tile without the prior written approval by the drainage district.
 - (b) The Newcomb Special Drainage District Commissioners would like the Batemans to grass the entire waterway on their property.
- D. Based on the available information the subject property is comparable to “much better than typical” conditions for Champaign County in terms of common conditions for the drainage effects on properties located both upstream and downstream because of the following:
- (1) None of the subject property is located in the Special Flood Hazard Area.
 - (2) Approximately 64% of the 5 proposed RRO lots is soil that is not considered a “wet soil”.

- (3) The subject property has good surface drainage with adequate drainage outlets and does not drain over adjacent land.

GENERALLY REGARDING SUITABILITY OF THE SITE FOR ONSITE WASTEWATER SYSTEMS

13. Regarding the suitability of the site for onsite wastewater systems:
 - A. No actual soil investigations or soil percolation test results have been submitted and none are required as a submittal for an RRO rezoning. As a practical matter the proposed buildable areas of the subject property are along the eastern and northern edges of the site. Proposed lot 3 contains the lowest elevation on the site as well as an existing drainage way but is still above the Base Flood Elevation. The buildable area for lot 3 is going to be near the center of the lot and in the southwest corner. The subject sites is made up of four different soils, Parr (221B), Ashkum (232), Drummer (152), and Jasper (440B).
 - B. The pamphlet *Soil Potential Ratings For Septic Tank Absorption Fields Champaign County, Illinois*, is a report that indicates the relative potential of the various soils in Champaign County for use with subsurface soil absorption wastewater systems (septic tank leach fields). The pamphlet contains worksheets for 60 different soils that have potential ratings (indices) that range from 103 (very highest suitability) to 3 (the lowest suitability). The worksheets for the soils on the best buildable area of the subject property are an attachment to the Preliminary Memorandum and can be summarized as follows:
 - (1) Jasper loam, (soil unit 440B), with 1% to 5% slopes has a very high suitability for septic tank leach fields with a soil potential index of 79. This soils is found to be present on lots 1 through 3 and is characterized as a moderate rated soil due to the slow percolation rate. The soil comprises 71%, 72% and 52% of lot 1, 2 and 3 respectively. Parr silt loam, 2% to 5% slopes (map unit 221B), has a very high suitability for septic tank leach fields with a soil potential index of 100. There are no required corrective measures necessary with this soil. There are only four soils in Champaign County with a higher rating and 55 soils that have lower ratings. Parr silt loam comprises 31% and 71% of Lots 4 and 5 respectively and it makes up most of the best buildable area on these two lots. A trace amount of Parr silt loam is also contained on lot 3.
 - (2) Parr silt loam, 2% to 5% slopes (map unit 221B), has a very high suitability for septic tank leach fields with a soil potential index of 100. There are no required corrective measures necessary with this soil. There are only four soils in Champaign County with a higher rating and 55 soils that have lower ratings. Parr silt loam comprises 53 and 54 percent of Lots 4 and 5 respectively and it makes up most of the best buildable area on these two lots. A trace amount of Parrr silt loam is also contained on lot 3.

- (3) Drummer silty clay loam, (soil unit #152) has a low suitability for septic tank leach fields with a soil potential index of only 53. Several corrective measures are required. There are only 19 soils with a lower suitability than Drummer and 40 soils with a higher suitability. Drummer soil is found on 4 of the five lots and comprises no more than 47% on lot 4 (the highest) and 16% of lot 1 (the lowest) concentration. No Drummer soils are situated on lot 3.
 - (4) Ashkum silty clay loam, (Soil unit #232), has a low suitability for septic tank leach fields with a soil potential index of 96 but the low permeability requires a large absorption field. There are only nine soils in Champaign County with a higher rating and 50 soils that have lower ratings. This soil makes up about 48% (about 2.4 acres) of the lot 3 and is not found on any of the other proposed RRO lots.
- C. Overall septic suitability of the soils on the subject property can be summarized as follows:
- (1) About 60% of the subject property consists of soils with a high or very suitability for septic tank leach fields.
- D. Based on the available information, the suitability of the soils on the subject property for septic systems are comparable to the “much better than typical” conditions for Champaign County in terms of common conditions for the septic suitability of soils for the proposed RRO District because of the following:
- (1) About 60% of the subject property consists of soils with a very high suitability for septic tank leach fields.

GENERALLY REGARDING THE AVAILABILITY OF GROUNDWATER AT THE SITE

14. Regarding the availability of water supply to the site:
- A. The Staff report *Locational Considerations And Issues For Rural Residential Development In Champaign County, Illinois* included a map generally indicating the composite thickness of water bearing sand deposits in Champaign County. The map was an adaptation of a figure prepared by the Illinois State Geological Survey for the Landfill Site Identification Study for Champaign County. A copy of the map from the Staff report is included as an attachment to the Preliminary Memorandum and indicates that the subject property is not within the area of limited groundwater availability.
 - B. Based on the available information, groundwater availability of the subject property for the proposed RRO District is comparable to the “typical” conditions for Champaign County in terms of common conditions for groundwater availability and the impact on neighboring wells because of the following:
 - (1) the subject property is not in the area with limited groundwater availability; and
 - (2) there is reasonable confidence of water availability; and
 - (3) there is no reason to suspect an impact on neighboring wells.

GENERALLY REGARDING THE AVAILABILITY OF EMERGENCY SERVICES TO THE SITE

15. Regarding the availability of emergency services to the site:
 - A. The subject property is located approximately 5.3 road miles from the Cornbelt Fire Protection District station in Mahomet. The Fire District chief has been notified of this request.
 - B. The nearest ambulance service is in Champaign.
 - C. Based on the available information, the emergency services conditions on the subject property are comparable to the "typical" conditions for Champaign County because of the following:
 - (1) The proposed RRO District is between 4 and 5 road miles from the Cornbelt Fire Protection District station in Mahomet.

GENERALLY REGARDING FLOOD HAZARD AND OTHER NATURAL OR MANMADE HAZARDS

16. Regarding the flood hazard status of the site:
 - A. Pursuant to Federal Emergency Management Agency Panel Number 170894- 0150B, the entire subject property is not located within the mapped Special Flood Hazard Area.
17. Regarding the presence of nearby natural or man-made hazards;
 - A. Gas pipeline easements are mentioned in the Open Title Policy submitted by the petitioner. Natural gas pipelines for the Manlove Gas Storage facility run along the south side of the subject property and across the street along the north and east sides of the subject property. There are also natural gas injection wells for the Manlove Gas Storage facility on the midpoint of the west side of the property and across the street at the northeast corner of the subject property.
 - B. Minimum safety requirements for gas pipelines are included under Title 49 of the Code of Federal Regulations (CFR), Part 192 that establishes the following:
 - (1) Potential impact radius (PIR) is defined by 49 CFR 192.03 as the radius of a circle within which the potential failure of a gas pipeline could have significant impact on people or property. PIR is determined by the formula $r=0.69*(\sqrt{p*d^2})$, where r' is the radius of a circular area in feet surrounding the point of pipeline failure, p' is the maximum allowable operating pressure (MAOP) in the pipeline segment in pounds per square inch and d' is the nominal diameter of the pipeline in inches.
 - (2) Class location is based upon population density using a standard class location unit that is defined by 49 CFR 192.5 as an onshore area that extends 220 yards on either side of the centerline of any continuous one mile length of pipeline. Defined class locations are the following:
 - (a) Each separate dwelling unit in a multiple dwelling unit building is counted as a separate building intended for human occupancy.

- (b) A Class 1 location is any class location unit that has 10 or fewer buildings intended for human occupancy
 - (c) A Class 2 location is any class location unit that has more than 10 but fewer than 46 buildings intended for human occupancy.
 - (d) A Class 3 location is any class location unit that has more than 46 buildings intended for human occupancy; or anywhere a pipeline lies within 100 yards (91 meters) of an identified site, which is either a building or a small, well-defined outside area (such as a playground, recreation area, outside theater, or other place of public assembly) that is occupied by 20 or more persons on at least 5 days a week for 10 weeks in any 12 month period. (The days and weeks need not be consecutive.)
 - (e) A Class 4 location is any class location unit where buildings with four or more stories above ground are prevalent.
- (3) Class location may change as a result of development within 220 yards of a pipeline and whenever an increase in population density indicates a change in class location for a segment of pipeline operating at a hoop stress not commensurate with that class location the pipeline operator must within 24 months of the change in class location make a study as outlined in 49 CFR 192.609 and reduce the operating pressure of the pipeline in the covered segment to that allowed by 49 CFR 192.611.
- (4) A high consequence area is undefined but is apparently an area where population density is great enough that the consequences in terms of impact on people or property from an undesired event are so great that a pipeline operator is required to develop and follow a written integrity management plan for all pipeline segments within high consequence areas. High consequence areas are classified as the following:
- (a) An area defined as either a Class 3 or 4 location under 49 CFR 192.5; or any area in a Class 1 or 2 location where the potential impact radius is greater than 660 feet (200 meters), and the area within a potential impact circle contains 20 or more buildings intended for human occupancy; or any area in a Class 1 or 2 location where the potential impact circle contains an identified site, which is either an outdoor area like a playground or other public gathering area; or a building such as a church, public meeting hall, or other public gathering place.
 - (b) Or the area within a potential impact circle containing 20 or more buildings intended for human occupancy; or an identified site.

- C. Regarding specific safety considerations related to the high pressure gas pipelines near the subject property:
- (1) The area around the subject property is classified under 14 CFR 192 as follows:
 - (a) The high pressure natural gas pipeline that follows the south and east lot lines of the subject property is apparently a Class 1 location.
 - (b) The high pressure natural gas pipeline and injection well that sits at the midpoint of the west lot line of the subject property is apparently a Class 1 location.
 - (c) There are also no high consequence areas on or near the subject property.
 - (2) In a letter dated July 12, 2006, and in testimony at the July 13, 2006, meeting Thomas L. Purrachio, Gas Storage Manager for The Peoples Gas Light and Coke Company testified as follows:
 - (a) Peoples' Gas facilities in the vicinity of the subject property are as follows:
 - i. A gas injection well is located on a small separate tract of land on the west side of the subject property and is served by a 12 inch diameter high pressure natural gas pipeline that extends to the north and has an associated 12 inch diameter alcohol pipeline.
 - ii. Three pipelines are adjacent to the south lot line of the subject property and also across the street from the subject property on the north and east sides and consist of a 12 inch diameter high pressure natural gas line and a 12 inch diameter alcohol line and a water line.
 - iii. There is a separate small tract of land at the northeast corner of the property where the three pipelines that are across the street from the subject property on the east side cross to the north side.
 - iv. People's Gas also has easements over the subject property that give People's the right to lay any additional lines they find "necessary or desirable" and when they install these new lines their overall easement expands by an appropriate dimension described in the easement document. They are limited, however, to place their lines within 50 feet of a section line, a quarter section line, a highway right-of-way line, or an established fence line.
 - v. The gas pipelines are nominal 12 inch diameter with a maximum operating pressure of 2,000 pounds per square inch (PSI) and are located approximately three to five feet below grade. Similar pipelines service the adjacent gas injection wells. This results in a

potential impact radius of 393 feet which is much greater than the potential impact radius for gas lines at 30 or 40 or 60 or 150 PSI that might be in normal subdivisions.

- (b) Peoples Gas requests the following:
 - i. A perimeter non-buildable easement area should be established on Tract 3 with a total easement width of 90 feet.
 - ii. The conceptual, preliminary, and final plats of subdivision should show the pipeline easement areas consistent with the 1965 easement document and any zoning approval should delineate maximum permissible building areas and expressly prohibit any construction of principal or accessory buildings anywhere outside the maximum permissible building areas. The majority of pipeline incidents nationwide are the result of third-party damage and the likelihood of third-party damage naturally increases with population density.
 - iii. Peoples Gas has not asked the Board to prohibit building within the red zone on the map of Manlove Storage Area and Bateman Property Development that is attached to the letter dated July 12, 2006, but the red zone is indicated to educate the Board and the public about requirements of the pipeline safety code.
 - iv. Peoples Gas has an outstanding safety record and endeavors to meet or exceed all pipeline safety regulations but the 393 feet of potential impact radius is a fair approximation of the pipeline and well rupture that occurred in 1998. In that event the wind was blowing from the southwest to the northeast and the farm ground was scorched for quite a distance to the northeast and one should not expect a pipeline rupture to go straight up, depending upon the weather.
 - v. The pipeline in the ground at the subject property already meets the more stringent requirement of a Class 2 area and Peoples Gas would not have to replace the existing pipelines if the subdivision were built as proposed.
 - vi. Although not a safety issue, on occasion maintenance activities require venting of gas at any time of day or night without notice to adjacent property owners that might result in noise for a few hours.

D. Testimony at the April 13, 2006, public hearing regarding the presence of high pressure gas pipelines can be summarized as follows:

- (1) Doug Turner who resides at 248CR2500N, Mahomet testified that his most vital concern about the proposed RRO is the adjacency to the Peoples Gas line. Peoples

Gas safety record is excellent but several years ago one of their lines ruptured and if the Board could have seen the fire that was created and the hole that was left the Board would understand his concern. He said that the fire was so hot that it melted the oil road and when the fire was put out a semi-tractor and trailer would have fit in the hole.

- E. The Revised Proposed Bateman Tracts received July 13, 2006, indicates the following in regards to pipeline safety:
- (1) The proposed RRO will affect the current class locations as follows:
 - (a) The high pressure natural gas pipeline that follows the east lot line of the subject property will take on two new buildings intended for human occupancy but should remain a Class 1 location.
 - (b) The high pressure natural gas pipeline and injection well at the midpoint of west lot line of the subject property and across the street to the north will take on three new buildings intended for human occupancy and also remain a Class 1 location.
 - (c) The proposed RRO will not create any high consequence areas.
 - (2) No part of any buildable area on any of the tracts is within the Potential Impact Radius of the adjacent high pressure gas pipeline.
- F. Based on the available information, the proposed RRO District is comparable to “more or less typical” conditions in terms of common conditions for flood hazard and other natural or man-made hazards for rural residential development in Champaign County because of the following:
- (1) None of the subject property is within the Special Flood Hazard Area.
 - (2) None of the roads that are required to access the subject property by emergency services are located within the 100 year floodplain.
 - (3) All proposed RRO lots have all of the buildable area outside of the Potential Impact Radius of high pressure gas pipelines on the north and east sides of the property.

GENERALLY REGARDING COMPATIBILITY WITH SURROUNDING AGRICULTURE AND THE EFFECTS OF NEARBY FARM OPERATIONS ON THE DEVELOPMENT

18. Regarding the likely effects of nearby farm operations on the proposed development:
- A. Modern agricultural operations are generally incompatible with rural residential development because of the following:
- (1) Row crop production produces noise, dust and odors that homeowners sometimes find objectionable. Farm operations may begin early and continue until well after dark exacerbating the impact of noise related to field work.

- (2) Livestock management facilities produce odors that homeowners sometimes find objectionable.

- B. Row crop production agriculture occupies most of the land area within the vicinity of the subject property.

- C. A diagram of livestock management facilities within one mile of the proposed RRO was prepared by staff and handed out at the April 13, 2006, meeting. The diagram indicates the following:
 - (1) There are apparently four active livestock management facilities within a one mile radius of the subject property and one inactive facility that are located as follows:
 - (a) An apparently inactive livestock management facility is located about ½ mile northeast of the subject property and is indicated as facility A on the staff diagram.

 - (b) A livestock management facility with apparently less than 50 cows is located immediately north of the subject property. This facility is indicated as B on the staff diagram.

A letter received on December 12, 2006, from Bob Bidner, 148 CR2600N, Mahomet, who lives on this property states that he no longer raises hogs at this address and the petitioner has his blessing if he wants to build more houses on the subject property.

 - (c) A livestock management facility is located south of and adjacent to the subject property. Doug Turner testified at the April 13, 2006, public hearing that he is the landowner to the south of the subject property there is always in excess of 50 cows at this property. Mr. Turner also testified that his sons own property east of the proposed RRO and their properties also have in excess of 50 cows and the cows travel to the fence line when the farmland is in pasture.

- D. Overall, the effects of nearby farm operations on the subject property are comparable to “much worse than typical conditions” for Champaign County because of the following:
 - (1) the proposed RRO District is bordered on one sides by livestock management facilities.

GENERALLY REGARDING THE LESA (LAND EVALUATION AND SITE ASSESSMENT) SCORE

- 19. Regarding the LESA (Land Evaluation and Site Assessment) score of the proposed RRO District:
 - A. The Champaign County, Illinois Land Evaluation and Site Assessment (LESA) System is a method of evaluating the viability of farmland for agricultural uses. The LESA system results in a score consisting of a Land Evaluation portion and a Site Assessment portion.

AS APPROVED ON REMAND

The score indicates the degree of protection for agricultural uses on that particular site and the degrees of protection are as follows:

- (1) An overall score of 220 to 300 indicates a very high rating for protection of agriculture.
- (2) An overall score of 200 to 219 indicates a high rating for protection of agriculture.
- (3) An overall score of 180 to 199 indicates a moderate rating for protection of agriculture.
- (4) An overall score of 179 or lower indicates a low rating for protection of agriculture.

B. The LESA worksheets for the subject property are an attachment to the Preliminary Memorandum. The component and total scores are as follows:

- (1) The Land Evaluation component rating for the proposed RRO District is 84.
- (2) The Site Assessment component rating for the proposed RRO District is 136 to 142.
- (3) The total LESA score is 220 to 226 and is a "high" rating for protection.
- (4) For comparison purposes, development on prime farmland soils located at or near a municipal boundary within an area with urban services should typically score between 154 and 182.

C. Based on the available information, the LESA score for the subject property compares to common conditions in Champaign County as follows:

- (1) The Land Evaluation score of 84 is comparable to much better than typical conditions for Champaign County.
- (2) The Site Assessment score of 136 to 142 is comparable to much better than typical conditions for Champaign County.
- (3) The total LESA score of 220 to 226 is comparable to much better than typical conditions for Champaign County.

GENERALLY REGARDING THE EFFICIENT USE OF BEST PRIME FARMLAND

20. The soils on the original 77 acres are considered best prime farmland but the proposed RRO averages to be less than Best Prime Farmland.

GENERALLY REGARDING THE EFFECTS ON WETLANDS, ARCHAEOLOGICAL SITES, AND NATURAL AREAS

21. Regarding the effects on wetlands, endangered species, natural areas, and archaeological sites:
- A. A copy of the Agency Action Report from the Endangered Species Program of the Illinois Department of Natural Resources was received on October 2, 2005, and included as an attachment to the Preliminary Memorandum. The subject property does not contain any significant wild life habitat. The subject property is not near any historic site. Nor are there any endangered species at the site or in the vicinity that could be adversely impacted. Therefore, the Department of Natural Resources terminated the consultation on October 20, 2005.

- B. The subject property is not in an area of high probability for archaeological resources. The Illinois State Historic Preservation Agency may need to be contacted regarding this project. Although there are no known significant resources within this project area.
- C. Based on the available information, the proposed RRO District is comparable to “typical” conditions in terms of common conditions for wetlands, endangered species, natural areas, and archaeological sites.

GENERALLY REGARDING OVERALL SUITABILITY OF THE SITE FOR RURAL RESIDENTIAL DEVELOPMENT

- 22. Compared to common conditions found at rural sites in Champaign County, the subject property is similar to the following:
 - A. “Ideal or Nearly Ideal” conditions for adequacy of roads.
 - B. “Much Better Than Typical” conditions for the following factors:
 - (1) effects on drainage.
 - (2) septic suitability;
 - (3) LESA score,
 - (4) Flood Hazard Status,
 - C. “More or Less Typical” conditions for the following four factors:
 - (1) Emergency Services;
 - (2) availability of water;
 - (3) Natural or man-made hazards;
 - D. “Much Worse Than Typical” conditions for the following two factors:
 - (1) effects of farms.

GENERALLY REGARDING COMPATIBILITY WITH SURROUNDING AGRICULTURE AND THE EFFECTS OF THE DEVELOPMENT ON NEARBY FARM OPERATIONS

- 23. Regarding the likely effects of the proposed development on nearby farm operations:
 - A. The adjacent land use on two sides of the subject property is agriculture and the property is surrounded by agriculture. Direct interactions between the proposed development and nearby farmland are likely to include the following:
 - (1) The added traffic from the proposed development will increase the conflicts with movement of farm vehicles. See the concerns related to adequacy and safety of roads.

The two single-family dwellings that will result from the proposed RRO will generate 100% more traffic than the non-RRO alternative development of only 1 homes.

- (2) Trespassing onto adjacent fields may be more likely resulting in damage to crops or to the land itself. The two single-family dwellings that will result from the proposed RRO may generate 100% more trespass than the non-RRO alternative development of only 1 home.
 - (3) Litter may blow into the adjacent crops making agricultural operations more difficult. The two single-family dwellings that will result from the proposed RRO may generate 100% more litter than the non-RRO alternative development of only 1 home.
 - (4) It is unlikely that drainage from the proposed development would significantly effect any adjacent farm operation.
 - (5) If trees are planted close to the perimeter of the property, they can be expected to interfere with some farming operations (such as harvesting) and may contribute to blockage of underground tiles (if any exist). Perimeter fencing, if installed, could also interfere with farming operations. It is unlikely that either trees or fencing on the proposed development would add any effects to adjacent farmland as compared to the non-RRO development.
- B. The indirect effects are not as evident as the direct effects.
- (1) A potential primary indirect effect of non-farm development on adjacent farmers (as identified in *Locational Considerations and Issues for Rural Subdivisions in Champaign County*) is that potential nuisance complaints from non-farm neighbors about farming activities can create a hostile environment for farmers particularly for livestock management operations.
 - (2) Champaign County has passed a right to farm resolution that addresses public nuisance complaints against farm activities. The resolution exempts agricultural operations from the Public Nuisance Ordinance (except for junk equipment) but does not prevent private law suits from being filed.
 - (3) The State of Illinois Livestock Management Facilities Act (510ILCS 77) governs where larger livestock facilities (those with more than 50 animal units, which is equivalent to 125 hogs) can be located in relation to non-farm residences and public assembly uses (churches, for example). The separation distances between larger livestock facilities and non-farm residences is based on the number of animal units occupying the livestock facility, and the number of non-farm residences in the vicinity. The smallest setback distance is for livestock management facilities of between 50 and 1,000 animal units and is 1/4 mile from any non-farm residence and 2 mile from any populated area. Regarding livestock facilities within the vicinity of the subject property:

- (a) A diagram of livestock management facilities within one mile of proposed RRO was prepared by staff and handed out at the April 13, 2006, meeting and testimony regarding livestock management facilities was given at the April 13, 2006 meeting. Active livestock management facilities border the subject property on the north, east, and south sides and each existing facility is already within one-quarter mile of an existing non-farm residence. None of the existing facilities are currently located within one-half mile of a populated area (10 or more non-farm residences).
- (b) The livestock management facilities on the east and south sides already have more than 50 cows each. With the proposed RRO each of these facilities could expand up to 1,000 cows with no new requirement under the Illinois Livestock Management Facilities Act. The proposed RRO would create a populated area within one-half mile of the facilities and expansion beyond 1,000 cows at each facility would be effected by the proposed RRO unless the expansion is limited such that the fixed capital cost of the new components constructed within a 2-year period could not exceed 50% of the fixed capital cost of a comparable entirely new facility.
- (c) It is not clear how large the livestock management facility on the north is in terms of livestock units but it appears to be less than 50. Facilities with fewer than 50 livestock units are exempt from the requirements of the Illinois Livestock Management Facilities Act. The proposed RRO would not create a populated area within one-half mile of the facility and expansion beyond 50 animal units would not be limited by the proposed RRO.

24. Regarding possible special conditions of approval:

A. Regarding the presence of the Manlove Gas Storage Facility on the subject property and the related high pressure gas pipelines on the property and related gas injection wells on adjacent property:

- (1) Prospective lot purchasers should be aware that the property is part of the Manlove Gas Storage Facility and the following condition will provide that notice:

Prospective lot purchasers shall be made aware of the presence of the Manlove Gas Storage Facility on the property and the presence of related high pressure gas pipelines on the property and the related gas injection wells on adjacent property

to ensure that

as much as possible, all prospective lot purchasers have full knowledge of the Manlove Gas Storage Facility prior to purchase of a lot.

- (2) Prospective lot purchasers should be made aware of the existing easements for Peoples Gas Light and Coke Company. Such notice would generally be given in a Plat of Subdivision but because the proposed lots are larger than five acres and because there are no new streets, a Plat of Subdivision cannot be required. The following condition will provide notice of the easements:

Prospective lot purchasers shall be made aware of the presence of easements for Peoples Gas Light and Coke Company as originally granted on November 30, 1965, and recorded at pages 71 and 72 in Book 809 of the Office of the Champaign County Recorder of Deeds; and all said easements shall be specifically mentioned in any deed for any lot in the Rural Residential Overlay District in Zoning Case 520-AM-05; and all said easements shall be indicated on any Plat of Survey that is prepared for any lot in said Rural Residential Overlay District

to ensure that

as much as possible, all prospective lot purchasers and lot owners have full knowledge of these easements before and after purchase.

- (3) Prospective lot purchasers should be made aware that gas venting occurs at injection wells at anytime of the day or night and without prior warning and results in significant noise and the following condition will provide that notice:

Prospective lot purchasers shall be made aware that noise is caused by gas venting that occurs at gas injection wells in the vicinity of the property at anytime of the day or night and without prior warning

to ensure that

as much as possible, all prospective lot owners have full knowledge of the gas venting and resultant noise prior to purchase of a lot.

B. Regarding compliance with the Champaign County Stormwater Management Policy:

- (1) Paragraph 7.2 B. of the Champaign County Stormwater Management Policy requires that if no easement exists for existing agricultural drainage tile an easement shall be granted for access and maintenance. There is no easement for the underground agricultural drainage tile in the swale and the following condition would document this requirement:

Prior to offering any lots for sale the petitioner shall dedicate a tile access and maintenance easement for the tile in the swale with an easement of width of 80 feet centered on the centerline of the swale and no construction nor earthwork shall occur within the tile easement and no woody vegetation shall be allowed to

to grow nor shall any connection be made without prior written approval of the Newcomb Special Drainage District

to ensure that

the existing agricultural drainage system can be easily maintained in the future; and is not harmed by the proposed Rural Residential Overlay Zoning District; and that said District complies with the requirements of the Champaign County Stormwater Management Policy.

- (2) Even if the petitioner replaces the tile in the swale there may be other tile that must be replaced by lot owners if disturbed during construction and the following condition will provide notice of that requirement:

Any underground drainage tile that must be relocated to accommodate any construction in the proposed Rural Residential Overlay Zoning District shall be replaced and relocated in conformance with the Champaign County Stormwater Management Policy

to ensure that

the existing agricultural drainage system is not harmed by the proposed Rural Residential Overlay Zoning District and that said District complies with the requirements of the Champaign County Stormwater Management Policy.

- C. The following special conditions will minimize the encroachment of driveways and mailboxes in the proposed RRO District into the right of way:

- (1) **All driveway entrance widths shall be 30 feet wide with a radius as approved by both the Newcomb Township Highway Commissioner and the Cornbelt Fire Protection District and evidence of both approvals shall be submitted to the Zoning Administrator prior to the issuance of any Zoning Compliance Certificate**

to ensure that

emergency services vehicles have adequate access to all properties.

- D. The following special conditions will ensure that the homes built outside of the Potential Impact Radius of the high pressure gas pipelines are accessible by emergency vehicles:

- (1) **All homes shall be served by driveways that have a paved surface consisting of at least six inches of rock that is at least 20 feet wide and a corner radius approved by the Cornbelt FPD and the Zoning Administrator shall verify the pavement prior to the issuance of any Zoning Compliance Certificate**

to ensure that

all homes are accessible by emergency vehicles.

- (2) **Each driveway shall be provided with a means of turnaround of adequate dimension to accommodate fire protection and emergency service vehicles that at a minimum shall consist of a hammerhead (or three-point) turnaround with a paved surface consisting of at least six inches of rock that is at least 20 feet wide with a minimum backup length of 40 feet and the Zoning Administrator shall verify the pavement prior to the issuance of any Zoning Compliance Certificate**

to ensure that

all homes are accessible by emergency vehicles.

- E. Because the proposed lots are larger than five acres and because there are no new streets the proposed RRO District will not require a Plat of Subdivision and a Plat of Subdivision cannot be made a requirement. A Plat of Subdivision is where one would normally expect to find out about easements on a property and any special no-build limitations that were part of the plat approval. The following condition makes up for this lack of a plat and will serve to provide notice to prospective lot purchasers of all of the special conditions of approval:

Prior to advertising any lots for sale the petitioner shall file a Miscellaneous Document with the Champaign County Recorder of Deeds stating that the Rural Residential Overlay Zoning District was authorized on the subject property subject to specific conditions and said Document shall contain all of the conditions of approval for Case 520-AM-05

to ensure that

prospective lot purchasers are aware of all of the conditions relevant to approval of the Rural Residential Overlay District on the subject property.

DOCUMENTS OF RECORD

1. Petition received October 12, 2005, with attachments
2. Preliminary Memorandum dated March 24, 2006, with attachments:
 - A Zoning Case Maps (Location, Land Use, Zoning)
 - B List of Petitioner Submittals
 - C Proposed Bateman Tracts received October 12, 2005
 - C1. HDC Drainage Statement, dated October 4, 2005
 - D. Newcomb Township Special Drainage District Map
 - E Champaign County Land Use Regulatory Policies
 - F Map of Areas of Limited Groundwater Availability
 - G Natural Resource Report received November 1, 2005
 - H Copy of Agency Action Report received October 12, 2005
 - I Illinois Department of Transportation Map of Street Names
 - J Illinois Department of Transportation Map of Annual Average Daily Traffic (AADT)
 - K Excerpted worksheets from *Soil Potential Ratings For Septic Tank Absorption Fields Champaign County, Illinois*
 - L Land Evaluation and Site Assessment (LESA) System Worksheet for Subject Property
 - M Table of Common Conditions Influencing the Suitability Of Locations For Rural Residential Development In Champaign County
 - N Comparing the Proposed Site Conditions to Common Champaign County Conditions
 - O Summary of Site Comparison for Factors Relevant To Development Suitability
 - P Summary of Comparison for Factors Relevant To Compatibility with Agriculture
 - Q DRAFT Summary of Evidence (included separately)
3. Supplemental Memorandum dated March 30, 2006, with attachments:
 - A Revised Proposed Bateman Tracts received March 29, 2006
 - B Staff photos of subject property
 - C Right of way grant
 - D Revised Draft Summary of Evidence
4. Revised Land Evaluation Worksheets from the Champaign County Soil and Water Conservation District (one worksheet per proposed tract; handout at the April 13, 2006, meeting)
5. Livestock Management Facilities Within One Mile Of Proposed RRO with map (staff handout at the April 13, 2006, meeting)
6. Illinois Livestock Management Facilities Act. General Requirements Related to Size of Facility (staff handout at the April 13, 2006, meeting)

7. Supplemental Memorandum dated July 7, 2006, with attachments:
 - A Approved minutes from the April 13, 2006, ZBA meeting
 - B Minutes for the March 30, 2006, ZBA meeting (included separately)
8. Letter dated July 12, 2006, from Thomas L. Puracchio, Gas Storage Manager for the People's Gas Light and Coke Company, with attachments
 - A Easement document for subject property
 - B Plan drawing showing existing pipeline locations on the subject property
9. Revised Proposed Bateman Tracts received July 13, 2006
10. Supplemental Memorandum dated August 25, 2006
11. Supplemental Memorandum dated October 5, 2006, with attachments:
 - A Minutes for the July 13, 2006 meeting (included separately)
 - B Revised Proposed Bateman Tracts received July 13, 2006
 - C Revised Site Comparison for Factors Relevant To Development Suitability
 - D Revised Summary of Site Comparison for Factors Relevant To Development Suitability
 - E Revised Draft Summary of Evidence
12. Supplemental Memorandum dated October 12, 2006, with attachments:
 - A pp. 628 & 629 from *Architectural Graphic Standards*, Robert T. Packard, AIA, ed.; John Wiley & Sons, Seventh Edition, 1981.
 - B Excerpt of Peoples Gas map of Manlover Gas Storage Field & Bateman Property Development received July 13, 2006 (included separately)
 - C Revised Proposed Bateman Tracts received October 12, 2006 (included separately)
 - D Revised Proposed Bateman Tracts received October 12, 2006 (with indication of Potential Impact Radius) (included separately)
 - E Revised Site Comparison for Factors Relevant To Development Suitability
 - F Revised Summary of Site Comparison for Factors Relevant To Development Suitability
 - G Excerpts from Title 49 of the Code of Federal Regulations
13. Supplemental Memorandum dated December 8, 2006
14. Supplemental Memorandum dated December 14, 2006, with attachments:
 - A Revised Proposed Bateman Tracts received December 14, 2006
 - B Letter from Bob Bidner received December 12, 2006
 - C ANNOTATED APPROVED Summary of Evidence dated October 12, 2006
15. Revised site plan received December 14, 2006, as revised at the public hearing

FINDING OF FACT

From the Documents of Record and the testimony and exhibits received at the public hearing conducted on **March 30, 2006; April 13, 2006; July 13, 2006; August 31, 2006; October 12, 2006;** the Zoning Board of Appeals of Champaign County finds that: **and December 14, 2006,**

1. The proposed site **SUBJECT TO CONDITIONS, IS SUITABLE** for the development of **TWO** residences because:
 - A. **the site has more or less typical Champaign County conditions due to manmade hazards and safety concerns; and**
 - B. **much better than typical and nearly ideal conditions for the other considerations of adequacy of roads; effects on drainage; septic suitability; LESA score; and flood hazard status, and the availability of water is more or less typical; and**
 - C. **the property is between 4 and 5 miles from the Cornbelt Fire Protection District; and**and despite:
 - D. **the fact that there are high pressure gas pipelines in the vicinity; and**
 - E. **the site has much worse than typical Champaign County conditions because it is bordered on one side by livestock management facilities; and**
 - F. **emergency services vehicle access is limited by flooding.**

2. Development of the proposed site under the proposed Rural Residential Overlay development **SUBJECT TO CONDITIONS, WILL BE COMPATIBLE** with surrounding agriculture because:
 - A. **surface drainage that is much better than typical; and**
 - B. **the condition to provide an easement for the drainage district tile; and**
 - C. **the adequacy of the roads that is nearly ideal Champaign County conditions; and**
 - D. **traffic generated by the proposed RRO District that will be only 100% more than without the RRO;**and despite:
 - E. **the presence of adjacent livestock management facilities on one side and four other livestock management facilities within a one-mile radius of the property for a total of three active facilities that are by law allowed to expand up to 1,000 animal units; and**
 - F. **the presence of a drainage district tile near the proposed RRO District.**

FINAL DETERMINATION

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

The Map Amendment requested in Case 520-AM-05, **SHOULD BE ENACTED** by the County Board **SUBJECT TO THE FOLLOWING CONDITIONS:**

- A. Prospective lot purchasers shall be made aware of the presence of the Manlove Gas Storage Facility on the property and the presence of related high pressure gas pipelines on the property and the related gas injection wells on adjacent property to ensure that as much as possible, all prospective lot purchasers have full knowledge of the Manlove Gas Storage Facility prior to purchase of a lot.**
- B. Prospective lot purchasers shall be made aware of the presence of easements for Peoples Gas Light and Coke Company as originally granted on November 30, 1965, and recorded at pages 71 and 72 in Book 809 of the Office of the Champaign County Recorder of Deeds; and all said easements shall be specifically mentioned in any deed for any lot in the Rural Residential Overlay District in Zoning Case 520-AM-05; and all said easements shall be indicated on any Plat of Survey that is prepared for any lot in said Rural Residential Overlay District to ensure that as much as possible, all prospective lot purchasers and lot owners have full knowledge of these easements before and after purchase.**
- C. Prospective lot purchasers shall be made aware that noise is caused by gas venting that occurs at gas injection wells in the vicinity of the property at anytime of the day or night and without prior warning to ensure that as much as possible, all prospective lot owners have full knowledge of the gas venting and resultant noise prior to purchase of a lot.**
- D. Prior to offering any lots for sale the petitioner shall dedicate a tile access and maintenance easement for the tile in the swale with an easement of width of 80 feet centered on the centerline of the swale and no construction nor earthwork shall occur within the tile easement and no woody vegetation shall be allowed to grow nor shall any connection be made without prior written approval of the Newcomb Special Drainage District to ensure that the existing agricultural drainage system can be easily maintained in the future; and is not harmed by the proposed Rural Residential Overlay Zoning District; and that said District complies with the requirements of the Champaign County Stormwater Management Policy.**

- E. Any underground drainage tile that must be relocated to accommodate any construction in the proposed Rural Residential Overlay Zoning District shall be replaced and relocated in conformance with the Champaign County Stormwater Management Policy to ensure that the existing agricultural drainage system is not harmed by the proposed Rural Residential Overlay Zoning District and that said District complies with the requirements of the Champaign County Stormwater Management Policy.**
- F. All driveway entrance widths shall be 30 feet wide with a radius as approved by both the Newcomb Township Highway Commissioner and the Cornbelt Fire Protection District and evidence of both approvals shall be submitted to the Zoning Administrator prior to the issuance of any Zoning Compliance Certificate to ensure that emergency services vehicles have adequate access to all properties.**
- G. All homes shall be served by driveways that have a paved surface consisting of at least six inches of rock that is at least 20 feet wide and a corner radius approved by the Cornbelt FPD and the Zoning Administrator shall verify the pavement prior to the issuance of any Zoning Compliance Certificate to ensure that all homes are accessible by emergency vehicles.**
- H. Each driveway shall be provided with a means of turnaround of adequate dimension to accommodate fire protection and emergency service vehicles that at a minimum shall consist of a hammerhead (or three-point) turnaround with a paved surface consisting of at least six inches of rock that is at least 20 feet wide with a minimum backup length of 40 feet and the Zoning Administrator shall verify the pavement prior to the issuance of any Zoning Compliance Certificate to ensure that all homes are accessible by emergency vehicles.**
- I. Prior to advertising any lots for sale the petitioner shall file a Miscellaneous Document with the Champaign County Recorder of Deeds stating that the Rural Residential Overlay Zoning District was authorized on the subject property subject to specific conditions and said Document shall contain all of the conditions of approval for Case 520-AM-05 to ensure that prospective lot purchasers are aware of all of the conditions relevant to approval of the Rural Residential Overlay District on the subject property.**

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

SIGNED:

Debra Griest, Chair
Champaign County Zoning Board of Appeals

ATTEST:

Secretary to the Zoning Board of Appeals

Date:

Champaign
County
Department of

**PLANNING &
ZONING**

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

(217) 384-3708
FAX (217) 328-2426

To: **Environment and Land Use Committee**
From: **John Hall, Zoning Administrator**
JR Knight, Associate Planner

Date: **January 16, 2007**

RE: **Zoning Case 562-AM-06**

Zoning Case 562-AM-06

Request **Amend the Zoning Map to change the zoning district designation from the R-2 Single Family Zoning District to the R-5 Manufactured Home Park Zoning District.**

Petitioners **Ivanhoe Partners, LLC & Jason Barickman**

STATUS

The Zoning Board of Appeals recommended approval of the attached map amendment at their meeting on December 14, 2006. This Case and a related Special Use Permit (Zoning Case 563-S-06) are proposed to bring the existing Ivanhoe Estates Manufactured Home Park into conformance with the *Zoning Ordinance*.

The subject property in this case was the subject of a court order entered on July 8, 1981 (See the discussion below.).

The ZBA recommended approval of this amendment with no conditions. The *Zoning Ordinance* contains extensive regulations for Manufactured Home Parks and the ZBA preferred to place any conditions on the Special Use Permit. The ZBA has not yet taken any action on the related Special Use Permit (Zoning Case 563-S-06). The proposed map amendment is within the extraterritorial jurisdiction of the City of Urbana. The City considered the map amendment at their meeting on January 8, 2007 where it defeated a resolution of protest.

COURT ORDER REGARDING SUBJECT PROPERTY

The subject property was the subject of a lawsuit in 1981 between a previous owner and Champaign County. The court ordered that the R-2 zoning of the subject property was invalid and the property should be treated as if it were zoned R-5. The previous owner, however, was supposed to file a petition for rezoning with the Zoning Office. The petition was never made apparently because of a miscommunication between the owner's lawyer and the Zoning Administrator. These events are reviewed in the history of Ivanhoe Estates given in Item 6 of the Approved Finding of Fact.

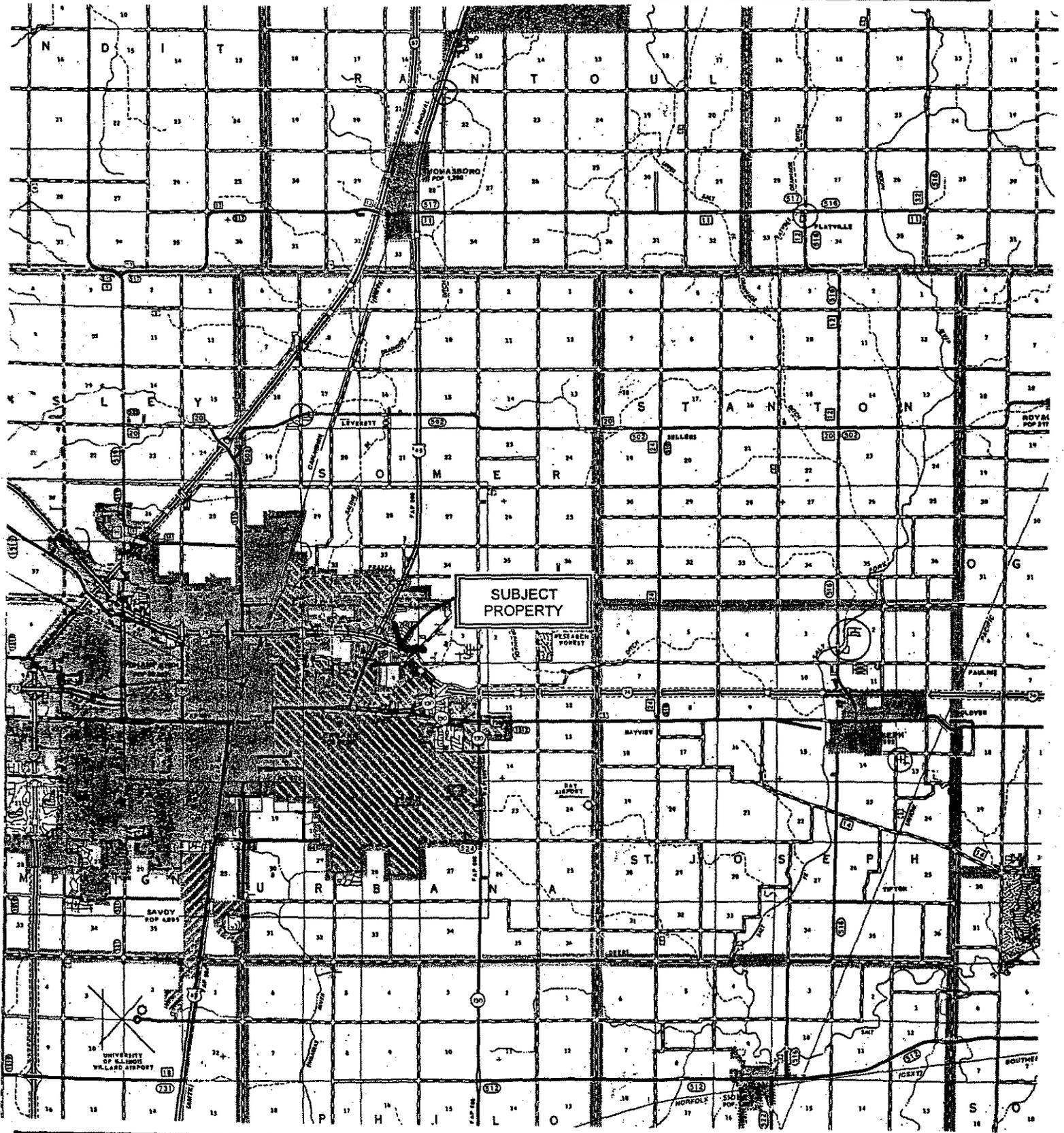
ATTACHMENTS

- A Case Maps (Location, Land Use, Zoning) for Case 562-AM-06**
- B As Approved Finding of Fact for Case 562-AM-06**

ATTACHMENT A. LOCATION MAP

Cases 562-AM-06, 563-S-06 & 564-V-06

DECEMBER 8, 2006



SUBJECT PROPERTY

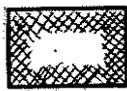
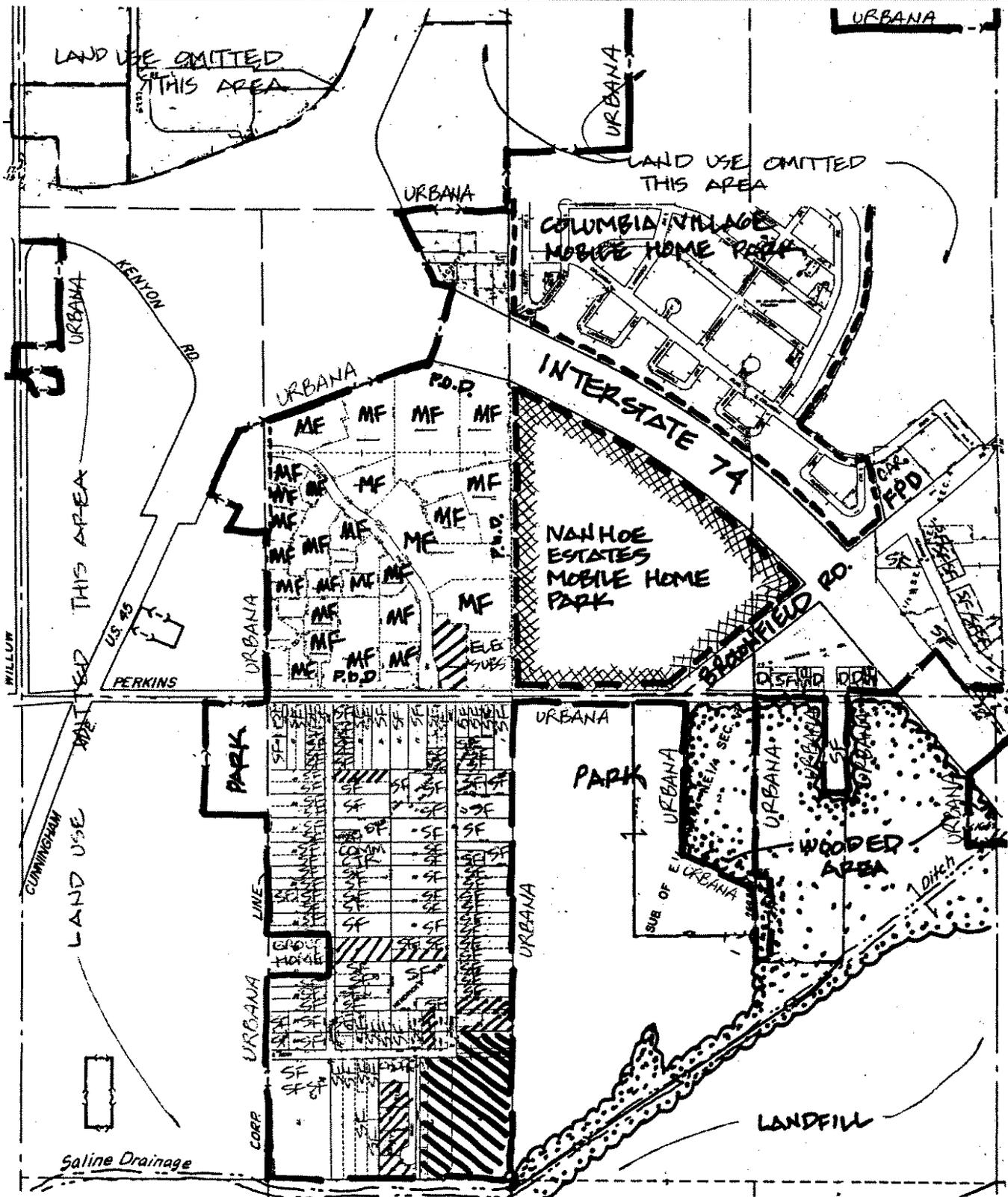


Champaign
County
Department of
**PLANNING &
ZONING**

ATTACHMENT A. LAND USE MAP

Cases 562-AM-06, 563-S-06 & 564-V-06

DECEMBER 8, 2006



Area of Concern



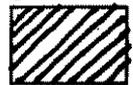
Single Family



Farmstead



MOBILE HOME PARK



COMMERCIAL



MULTIFAMILY RESIDENTIAL



DUPLEX RESIDENTIAL



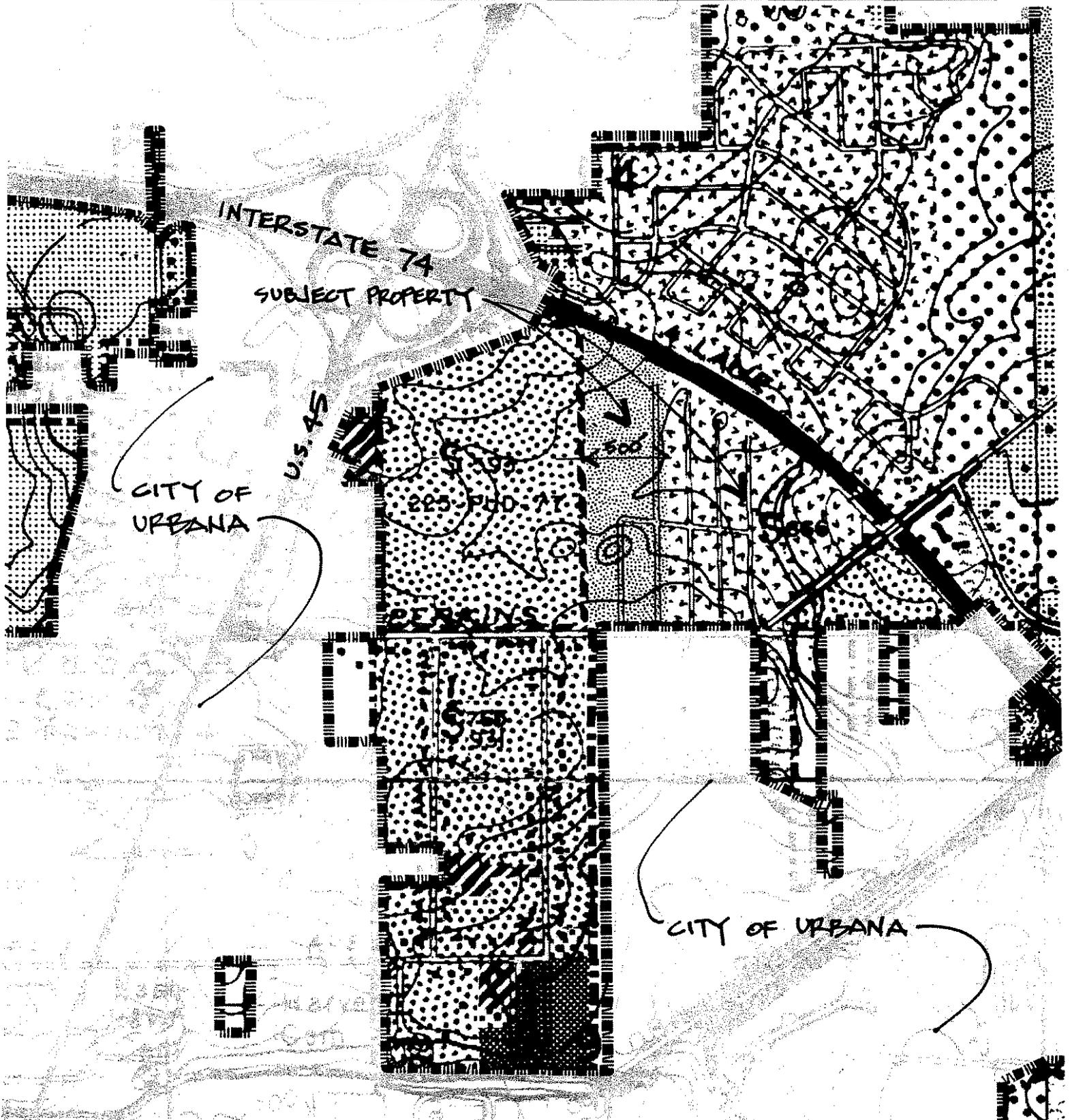
NORTH

Champaign County Department of PLANNING & ZONING

ATTACHMENT A. ZONING MAP

Cases 562-AM-06, 563-S-06 & 564-V-06

DECEMBER 8, 2006



AG-1 Agriculture	R-1 Single Family Residence	R-4 Multiple Family Res.	B-2 Neighborhood Business	B-5 Central Business
AG-2 Agriculture	R-2 Single Family Residence	R-5 Mobile Home Park	B-3 Highway Business	I-1 Light Industry
CR Conservation- Recreation	R-3 Two-family Residence	B-1 Rural Trade Center	I-2 Heavy Industry	



Champaign
County
Department of
**PLANNING &
ZONING**

AS APPROVED

562-AM-06

**FINDING OF FACT
AND FINAL DETERMINATION
of
Champaign County Zoning Board of Appeals**

Final Determination: **RECOMMEND APPROVAL**

Date: December 14, 2006

Petitioners: Ivanhoe Partners, LLC, and Jason Barickman, agent

Request: Amend the Zoning Map to change the zoning district designation from the R-2 Single Family Zoning District to the R-5 Manufactured Home Park Zoning District

FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **December 14, 2006**, the Zoning Board of Appeals of Champaign County finds that:

- *1. The petitioners are Ivanhoe Partners, LLC, 135 West Main Street, Urbana and Jason Barickman, agent.
2. The subject property is the West 500 feet of the South 1,722.12 feet of the Southeast Quarter of Section 4 of Urbana Township comprising approximately 19.065 acres and that is commonly known as the blocks surrounding Richard Drive and Gurth Drive and the west side of Ivanhoe Drive in the Ivanhoe Estates Manufactured Home Park at 26 Ivanhoe Drive, Urbana.
- *3. The subject property is located within the one and one-half mile extraterritorial jurisdiction (ETJ) of the City of Urbana. Municipalities are notified of all map amendment cases within their ETJ and have protest rights on such cases.
4. Regarding comments by petitioners, when asked on the petition what error in the present Ordinance is to be corrected by the proposed change, the petitioners indicated the following:
Existing 42-acre mobile home park is currently zoned R-2 in the northwest 20 acres. Non-conforming acres are the result of an expansion that occurred prior to the Petitioner's ownership.
5. Regarding comments by the petitioners when asked on the petition what other circumstances justify the amendment the petitioners indicated the following:
Owner cannot obtain state mobile home permits without county certification that property conforms with zoning laws.

*Same evidence as in related Zoning Cases 563-S-06

GENERALLY REGARDING LAND USE AND ZONING IN THE IMMEDIATE VICINITY

6. The subject property is zoned R-2 Single Family Residential. The subject property is the site of the Ivanhoe Estates MANUFACTURED HOME PARK, which has been in place on this property since before the adoption of County Zoning as follows:
 - A. February 1969- Use Permit Case 69-U-3 for a proposed 41 acre mobile home park to be bordered by Perkins Road, Brownfield Road, and Interstate 74 opens at the Urbana Zoning Board of Appeals. A newspaper clipping in the file for ZUPA 156-81-01 indicates that the Board approved the permit in March 1969. At this time it is not clear exactly what was approved but it is certain that not all of the current park was constructed by the date of adoption of the County Zoning Ordinance.
 - B. July 16, 1969- City of Urbana Building Permit No. 04133 issued for construction of the Ivanhoe Estates trailer park.
 - C. 1971- 1973- The Zoning Commission held hearings on the proposed Champaign County Zoning Ordinance. On December 16, 1971, at one of these hearings, John Goodell, the Commissioner of Public Works for Urbana, suggested that in areas where existing mobile home parks had permits to expand that were over a year old, the land should be placed in the AG-2 District instead of the R-5 District. This established that existing mobile home parks had no nonconforming rights for areas where there was no development before the adoption of zoning.
 - D. Spring of 1972- aerial photographs were taken by the Champaign County Supervisor of Assessments. The photograph of Ivanhoe Estates Mobile Home Park indicates that the northwest 4.6 acres of the property was not developed at that time. Also, the portion of the property that was later developed under Zoning Case 666-S-89 is not developed.
 - E. October 10, 1973, the Champaign County Zoning Ordinance (with Zoning Map) is adopted by the Champaign County Board. As originally adopted the Zoning Ordinance authorized "mobile home park" by right in the R-5 Mobile Home Park District.
 - F. February 4, 1981- Thomas Berns of Berns Clancy and Associates writes Larry Kirby, Champaign County Zoning Administrator, requesting a meeting to review requirements for expansion of the Ivanhoe Estates Mobile Home Park.
 - G. June 5, 1981, Zoning Use Permit Application 156-81-01 received for expansion of Ivanhoe Estates Mobile Home Park. There is no indication that this permit was approved by the Zoning Administrator, Larry Kirby.
 - H. July 8, 1981, Agreed Order in Circuit Court Case 81-C-630, Ivanhoe Mobile Home Park, Inc. vs. County of Champaign stated that the plaintiff, Ivanhoe Estates was allowed to use the portion of their property that was zoned R-2 Single Family Residential as if it were zoned R-5 MANUFACTURED HOME PARK; however, the order also states that Ivanhoe Estates was supposed to petition the County for a map amendment changing the zoning district designation from R-2 to R-5.

- I. July 9, 1981, Craig Webber, attorney for Ivanhoe Estates, writes Larry Kirby, Champaign County Zoning Administrator (CCZA), stating that he believes that Mr. Kirby will present a petition for map amendment to the Zoning Board of Appeals on behalf of Ivanhoe Estates.
 - J. November 30, 1981- Larry Kirby, CCZA, resigns his position.
 - K. Ordinance No. 297 (Case 624-AT-87) is passed, it changes the term MOBILE HOME PARK to MANUFACTURED HOME PARK; changes them to a Special Use in the R-5 District; and defines Section 6.2 as standard conditions.
 - L. Zoning Case 666-S-89 is a Special Use Permit for an expansion of Ivanhoe Estates that covers the land east of the block surrounding Rowena Drive. It authorized the construction of Rebecca Drive and the 17 MANUFACTURED HOME SITES that have access to Rebecca Drive.
- *7. Land use and zoning in the vicinity and adjacent to the subject property are as follows:
- A. Land north of the subject property is part of Interstate 74, however, north of the interstate the land is zoned R-5 Manufactured Home Park, and is in the Columbia Village MANUFACTURED HOME PARK.
 - B. Land east of the subject properties is zoned R-3, Two-Family Residence, and is a combination of apartments and single family dwellings.
 - C. Land south of the subject property is within the boundaries of the City of Urbana. It is zoned CRE under the Urbana Zoning Ordinance, the CRE zone is approximately equivalent to the CR Conservation Recreation District under the County Zoning Ordinance.
 - D. Land west of the subject property is zoned R-3 Two Family Residence and is the Willow Springs Condominiums, a Planned Unit Development (Case 225-PUD-77).

GENERALLY REGARDING THE EXISTING AND PROPOSED ZONING DISTRICTS

- 8. Regarding the existing and proposed zoning districts:
 - A. Regarding the general intent of zoning districts (capitalized words are defined in the Ordinance) as described in Section 5 of the Ordinance:
 - (1) The R-2 Single Family Residence DISTRICT is intended to provide areas for SINGLE FAMILY detached DWELLINGS, set on LOTS and is intended for application in mainly non-urban and developing areas where community facilities can be made readily available.
 - (2) The R-5, MANUFACTURED HOME PARK DISTRICT is intended to accommodate MANUFACTURED HOME PARKS and their associated USES in a medium density housing environment.
 - B. Regarding the different uses that are authorized in the existing and proposed zoning districts by Section 5.2 of the Ordinance:

AS APPROVED

- (1) There are 9 different types of uses authorized by right in the R-2 District and there are 13 different types of uses authorized by right in the R-5 District.
- (2) There are 10 different types of uses authorized by Special Use Permit in the R-2 District and 8 different types of uses authorized by Special Use Permit in the R-5 District.

GENERALLY REGARDING WHETHER THE SUBJECT PROPERTY IS WITHIN A MUNICIPAL ETJ AREA

9. Regarding any relevant municipal or township jurisdiction:
 - A. Amendments to the Champaign County Zoning Map can be protested by any zoned municipality within one-and-one-half miles of the subject property and/ or the township in which the subject property is located if it has a township plan commission. In the event of either a municipal or township protest, a three-fourths majority of the County Board will be required to grant the rezoning request instead of a simple majority.
 - B. The subject property is located within the mile-and-a-half extraterritorial planning jurisdiction of the City of Urbana. The City has received notice of this request. Regarding the City of Urbana comprehensive plan; the subject property appears to be indicated as Multi-Family on Future Land Use Map #5 of the City of Urbana Comprehensive Land Use Plan adopted in 2005.

REGARDING CHAMPAIGN COUNTY LAND USE GOALS AND POLICIES

10. The Land Use Goals and Policies were adopted on November 29, 1977, and were the only guidance for County Map Amendments until the Land Use Regulatory Policies- Rural Districts were adopted on November 20, 2001, as part of the Rural Districts Phase of the Comprehensive Zoning Review (CZR). The Land Use Regulatory Policies are not relevant to the proposed map amendment.

GENERALLY REGARDING POLICIES FOR RESIDENTIAL LAND USE

11. The subject property is currently zoned R-2 and is proposed to be rezoned to R-5; therefore the Residential Land Use Goals and Policies are relevant. There are seven residential land use policies in the Land Use Goals and Policies. In addition there are two utilities policies (7.3 and 7.3a) that are relevant.
12. Policy 2.1 of the Land Use Goals and Policies states that the Environment and Land Use Committee, in cooperation with municipal plan commissions, will examine current provisions of zoning and subdivision ordinances for the purposes of increasing the flexibility of regulations to encourage a greater range of site designs and housing types.

This policy does not seem to be relevant to any specific map amendment.

13. Policy 2.2 of the Land Use Goals and Policies states that the Environment and Land Use Committee will work with municipal plan commissions to review existing zoning patterns and regulations within urban areas and initiate proposals to encourage development and redevelopment of "in-town" areas.

This policy does not seem to be relevant to any specific map amendment.

14. Regarding the adequacy of utilities and fire protection at the subject property for the proposed map amendment:
- A. The following policies relate to adequacy of utilities and fire protection:
- (1) Policy 2.3 of the Land Use Goals and Policies states that the County Board will encourage new residential development in areas where public or private sewer and water utility systems are, or easily can be, provided and where police and fire protection are available. The County Board will permit new residential development in areas without access to public sewer and water utilities only if it can be determined that the use of individual septic systems will not cause contamination of aquifer and groundwater and will not cause health hazards.
 - (2) Subparagraph 6.2.3 F. (2) of the Zoning Ordinance requires that if a manufactured home park is connected to a public water supply, approved fire hydrants shall be located no more than 500 feet from any manufactured home. The subject property is within 500 feet of a fire hydrant.
 - (3) Policy 7.3 states that the County Board will encourage development only in areas where both sewer and water systems are available. In areas without public sewer and water systems, development may occur only if it is determined that individual septic systems can be installed and maintained in a manner which will not cause contamination of aquifers and groundwater and will not cause health hazards. Requests for development should demonstrate that wastewater disposal systems, water supply, fire and police protection are adequate to meet the needs of the proposed development.
 - (4) Policy 7.3A states that new subdivisions and zoning changes should meet these (7.3 above) standards and will be considered where they are not in conflict with the goals and policies of this Plan.
- B. Regarding the availability of a connected public water supply system:
- (1) The subject property currently has a connected public water supply system, as follows:
 - (a) There is a 10 inch water main that runs on the north side of Perkins Road.
 - (b) On the west side of each of the private accessways that provide access to the park is a 6 inch water main that connects into the 10 inch main north of Perkins Road.
 - (c) Each MANUFACTURED HOME SITE in the park has a water connection on the back of the MANUFACTURED HOME STAND that branches off of the 6 inch lines that run along the private accessways.
 - (2) In regards to the availability of a connected public water supply system, the proposed map amendment **CONFORMS** because the subject property is connected to a public water supply.
- C. Regarding the availability of a connected public sanitary sewer system:
- (1) The subject property is served by a connected public sanitary sewer system, as follows:

AS APPROVED

- (a) In the middle of each block of MANUFACTURED HOME SITES there is an 8 inch sanitary sewer line that provides connections to each site.
- (b) The 8 inch lines connect to a 15 inch line that runs through the middle of the subject property before connecting to a 36 inch line that runs through the west side of the subject property.
- (2) In regards to the availability of a connected public sanitary sewer system for the subject property the proposed map amendment **CONFORMS**.
- D. Regarding the adequacy of fire protection at this location for the proposed map amendment:
 - (1) The subject property is within the Carroll Fire Protection District and is located less than one road mile from the fire station. The Fire Protection District Chief has been notified of this request, but no comments have been received.
 - (2) The fire hydrants on the subject property, are sufficient to adequately serve the subject property according to subparagraph 6.2.3(F)(2) of the *Zoning Ordinance*, which requires that all MANUFACTURED HOME PARKS served by a connected public water supply system have fire hydrants throughout the park, no more than 500 feet from any MANUFACTURED HOME.
 - (2) In regards to adequate fire protection, the proposed map amendment **CONFORMS** to Policy 2.3.
- E. In regards to overall conformance with policies 2.3, 2.3 A., 7.3 and 7.3A the proposed map amendment **CONFORMS**.
- 15. Policy 2.4 of the Land Use Goals and Policies states that the Environment and Land Use Committee will examine undeveloped areas zoned residential to determine probability of development within the period covered by this Plan and the Committee will undertake study of possible alternative uses of the land.

This map amendment does not deal with any vacant land zoned residential so this policy is not relevant.
- 16. Policy 2.5 of the Land Use Goals and Policies states that the Zoning Board of Appeals, the Environment and Land Use Committee and the County Board will only support the development of residential areas separated from incompatible non-residential uses, unless natural or man-made buffering is provided.

The proposed map amendment **CONFORMS** because the subject property has residential uses to the west; a park to the south; and to the east the property is buffered by the rights-of-way of Interstate 74 and Brownfield Road, and is part of an existing development with proper zoning.
- 17. Policy 2.6 of the Land Use Goals and Policies states that the County Board will work for the maintenance of sound housing and the improvement, replacement or elimination of deteriorating housing in the County.

The proposed map amendment appears to *CONFORM* to this policy because the Petitioner has stated to staff that they wish to be able to replace MANUFACTURED HOMES within Ivanhoe Estates.

- 18. Policy 2.7 of the Land Use Goals and Policies states that where housing of greater density than one or two-family units is planned, the Zoning Board of Appeals and the Environment and Land Use Committee and the County Board will encourage the provision of underground or under-building parking to provide the maximum amount of useable open space around the building.

This policy is not relevant because the proposed development is only for a MANUFACTURED HOME PARK, which will only provide single family dwellings.

REGARDING GOALS FOR RESIDENTIAL USES

- 19. There are three goals for residential land use in the Land Use Goals and Policies. The third goal is not relevant to this map amendment. The third goal is as follows:

Residential development procedures which will promote the production of an adequate housing supply in a manner compatible with the goals and policies of this Land Use Plan.

- 20. The first residential land use goal in the Land Use Goals and Policies is as follows:

Residential neighborhoods which provide adequate housing to meet the needs of future residents of Champaign County, adequate recreation and open space, access to utilities, access to commercial and employment centers and other community support services.

The proposed map amendment appears to *ACHIEVE* this goal based on the following:

- A. The related Case 563-S-06 in which the provision of recreation space is a requirement.
- B. The access to utilities that was also reviewed in Case 563-S-06.
- C. The proximity to commercial and employment centers and other community support services in the Champaign-Urbana-Savoy area.

- 21. The second residential land use goal in the Land Use Goals and Policies is as follows:

An ample supply of housing with a variety of types and cost levels to meet the demand of Champaign County residents for the planning period, and to accommodate the needs of families of various sizes and with various occupations and incomes both for permanent and transient residents.

The proposed map amendment appears to *ACHIEVE* this goal because it will contribute to the variety of types and cost levels of housing that is available in Champaign County.

REGARDING GENERAL LAND USE POLICIES

22. There are two general land use policies in the Land Use Goals and Policies. The second land use policy is not relevant to any specific map amendment.
23. The first general land use policy is the following:

The County Board, the Environmental and Land Use Committee and the Zoning Board of Appeals will follow the policies of:

- i. encouraging new development in and near urban and village centers to preserve agricultural land and open space;
- ii. optimizing the use of water, sewer, and public transportation facilities; and reducing the need for extending road improvements and other public services.

Based on the review of the relevant residential and agricultural land use policies and goals, the proposed map amendment **CONFORMS** to this policy as follows:

- A. **CONFORMS** in regards to preserving agricultural land and open space because the amendment will not result in residential development intruding further into productive agricultural areas because it will simply allow the legal use of a pre-existing development on the urban fringe.
- B. **CONFORMS** in regards to encouraging new residential development in an area having access to utilities and adequate fire protection because there are sufficient fire hydrants to serve the subject property.

REGARDING GENERAL LAND USE GOALS

24. There are five general land use goals for all land use in the Land Use Goals and Policies. Three of the general land use goals are not relevant to the proposed map amendment for the following reasons:
- A. The first and fifth general land use goals are not relevant to any specific map amendment.
 - B. The second general land use goal is so generally stated that it is difficult to evaluate the degree of achievement by the proposed map amendment.
25. The third general land use goal is as follows:

Land uses appropriately located in terms of:

- i. utilities, public facilities,
- ii. site characteristics, and
- iii. public services.

Considerations of the proposed map amendment related to this goal are as follows:

- A. There are no subsidiary residential land use policies and goals or general policies that are specific to site characteristics, but the following considerations are relevant to site characteristics:

- (1) The subject property is located in a developed area, adjacent to the City of Urbana.
- (2) The subject property has a connected public sanitary sewer and a connected public water supply system.
- (3) The subject property is bounded on three sides by public rights-of-way and on the fourth by existing residential development.
- (4) The subject property contains a pre-existing use that was in place prior to the adoption of zoning.
- (5) The subject property will receive a higher level of site plan review as part of related Zoning Case 563-S-06.
- (6) In terms of site characteristics, the proposed map amendment *ACHIEVES* this goal.

B. Overall the proposed map amendment *ACHIEVES* the third general land use goal, based on the following:

- (1) The proposed map amendment *ACHIEVES* this goal in regards to the following:
 - (a) public facilities (see item 14.D.);
 - (b) public services (see item 14.D.);
 - (c) site characteristics (see above)
- (2) In regards to utilities based on degree of conformance with residential land use policy 2.3 (see item 14) and the degree of achievement of the first general land use policy (see item 23), the proposed map amendment *ACHIEVES* this goal.

26. The fourth general land use goal is as follows:

Arrangement of land use patterns designed to promote mutual compatibility.

Overall the fourth general land use goal will *BE ACHIEVED* by the proposed map amendment based on conformance or achievement with the preceding policies and goals.

DOCUMENTS OF RECORD

1. Application, received on September 1, 2006
2. Land Title Survey for the Ivanhoe Estates Mobile Home Park received on September 18, 2006
3. Preliminary Memorandum for Case 562-AM-06, with attachments:
 - A Case Maps (Location, Land Use, Zoning)
 - B ALTA Land Survey of subject property
 - C Annotated Survey of subject property
 - D Draft Finding of Fact for Case 562-AM-06
4. Preliminary Memorandum for related Case 563-S-06, with attachments:
 - A Case 666-S-88 Approved Site Plan
 - B ZBA Minutes for Case 666-S-88, from January 12, 1989 and March 9, 1989
 - C Setback Encroachments
 - D Draft Summary of Evidence for Case 563-S-06
5. Preliminary Memorandum for related Case 564-V-06
6. Supplemental Memorandum dated December 14, 2006, with attachments:
 - A Tables Comparing Supplemental Standard Conditions for MANUFACTURED HOME PARKS with Proposed
 - B Excerpt from Original Zoning Map of Champaign County
 - C Excerpts from General Plans for Ivanhoe Estates Mobile Home Park from ZUPA 156-81-01
 - D Court Order entered on July 9, 1981
7. Court Order entered on July 9, 1981
8. ZUPA 156-81-01, received June 5, 1981
9. Letter from Thomas Berns to Larry Kirby, dated February 4, 1981
10. Letter from Craig Webber to Larry Kirby dated July 9, 1981

FINAL DETERMINATION

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

The Map Amendment requested in Case 562-AM-06 should ***BE ENACTED*** by the County Board.

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

SIGNED:

Debra Griest, Chair
Champaign County Zoning Board of Appeals

ATTEST:

Secretary to the Zoning Board of Appeals

Date



TO: Environment and Land Use Committee

FROM: Susan Monte, RPC County Planner *SM*

DATE: January 9, 2007

RE: 2007 Work Program - RPC County Planner

REQUESTED

ACTION: Approve 2007 Work Program – RPC County Planner

BACKGROUND. Since December 2005, the County has funded the Technical Services contract with the Champaign County Regional Planning Commission (RPC) to provide full-time services of a planner generally tasked with responsibility for the County's planning needs, including but not limited to: plan and policy development; representing the County in intergovernmental planning programs; policy analysis; land use development ordinance drafting; and other planning tasks. To date, planning responsibilities assigned to the County Planner have included:

- review and revise *Champaign County Land Use Regulatory Policies – Rural Districts*
- complete processing of Comprehensive Zoning Review Phase One Text Amendments
- process selected zoning cases during re-staffing of Current Planner position
- designated County Recycling Coordinator since April, 2006

ELUC members should be aware of and approve the array of projects proposed as the **2007 Work Plan for the RPC County Planner** (refer to Attachment). Consistent with the County fiscal year, the 2007 Work Plan year is defined as December 1, 2006 through November 30, 2007.

The proposed 2007 Work Plan for the RPC County Planner includes an **Alternate** list of projects that could be worked on by the RPC County Planner during 2007 as time and resources allow -- either in addition to the 2007 Work Plan, or in lieu of items listed on the 2007 Work Plan if that is preferred. As the year progresses, the proposed 2007 Work Program may be modified by ELUC as necessary, for example, at such time that the County may choose to participate in one or more projects identified as a result of the big.small.all visioning process, or in order to optimize utilization of grant funding that could become available.

BUDGET/STAFFING IMPACT. No additional expenditures, budget amendments or budget transfers, and no additional staff or additions to the workload of existing staff are anticipated as a result of the proposed 2007 Work Program.

RECOMMENDATION. The staff recommends that ELUC approve the proposed 2007 Work Plan for the RPC County Planner.

ATTACHMENT: Proposed 2007 Work Plan - RPC County Planner dated 1/9/2007

Fiscal Year 2007 Work Plan for RPC County Planner

RECYCLING AND SOLID WASTE MANAGEMENT

Prepare 5-Year Update of County Solid Waste Management Plan

In 1991, as required by the Illinois Solid Waste Planning and Recycling Act (415 ILCS 15/1 et seq.), the County adopted the *Champaign County Solid Waste Management Plan*. A comprehensive review and update of the County’s Solid Waste Management Plan has not occurred since 1991. Such review will address the following issues, as identified in the 15-Year Update Report to be provided to the Illinois EPA this January: 1) recommendations and implementation schedule in the adopted plan; 2) current plan implementation efforts; 3) recycling program status; 4) current needs assessment data; and 5) new or revised recommendations and implementation schedule.

Priority Ranking: 1 # Hours (est.): 430 % Total Available Time (est.): 25%

Coordinate County Support of Recycling Efforts with Local Governments

- *Respond to City of Champaign Request that County Share Funding of Recycle Drop Site due to increasing operational costs....* Provide update to ELUC and recommend response options.
- *Plan Countywide Used Electronics (E-Scrap) Collection Event during 2007....* Over the past four years, three local ‘e-scrap’ collection events were organized by the recycling coordinators of Urbana and Champaign, respectively. As the need for e-scrap collection is ongoing, a broader countywide e-scrap collection event could be a successful endeavor.

Priority Ranking: 4 # Hours (est.): 85 % Total Available Time (est.): 5%

ORDINANCE AMENDMENTS

Zoning Ordinance Amendments

- *Text Amendments ...* process text amendment cases for a limited selection (approximately five) of proposed text amendments receiving broad bipartisan County Board support during the recent comprehensive zoning review.

Priority Ranking: 2 # Hours (est.): 300 % Total Available Time (est.): 17%

Subdivision Ordinance Amendments

- *Omnibus Text Amendment...* process revisions to the Subdivision Ordinance that include improvements to the following provisions: soil investigation requirement; County seal on plat; waiver criteria; multiple letters of credit; electronic data; personal bond; as-built plans; engineering oversight; pipeline impact areas; title search required for preliminary or minor plat.

Priority Ranking: 3 # Hours (est.): 350 % Total Available Time (est.): 20%

GENERAL PLANNING

Revise Champaign County Land Use Regulatory Policies – Rural Districts

Work with ELUC to reach consensus and recommend adjustments to selected *Land Use Regulatory Policy* statements, as necessary.

Priority Ranking: 2 # Hours (est.): 215 % Total Available Time (est.): 12%

Monitor trends, activities, legislation and grants relevant to County planning ... assist ELUC and County Board in developing and adopting clear, unambiguous policy statements with regard to land use and development matters; and to assist the County Board in constructively engaging other units of government to cooperatively develop and implement intergovernmental or special purpose plans, policies and programs within the constraints of the County’s limited resources.

Priority: ongoing # Hours (est.): 200 % Total Available Time (est.): 11%

GENERAL/ADMINISTRATIVE

Priority: ongoing # Hours (est.): 160 % Total Available Time (est.): 10%

ALTERNATE 2007 Work Program Tasks – RPC County Planner

RECYCLING AND SOLID WASTE MANAGEMENT

Report to ELUC regarding potential means to achieve the adopted Recommendations and Implementation Schedule of the County Solid Waste Management Plan

Priority Ranking: ongoing, as resources permit

GENERAL PLANNING

Develop Local Pre-Disaster Mitigation Plan for Champaign County

Pre-Disaster Mitigation (PDM) program funds may become available during FY 2007 or FY 2008 through the Illinois Emergency Management Agency for use toward planning and development of a local mitigation plan that meets Federal Emergency Management Agency requirements. Identified required elements of Plan development could be commenced prior to receiving grant funds.

Priority Ranking: as resources permit



DATE: January 9, 2007

TO: Environment and Land Use Committee

FROM: Susan Monte, County Planner *SMW*

RE: 15-Year Update Report Form on Solid Waste Management Plan to be forwarded to Illinois Environmental Protection Agency for Review

REQUESTED ACTION: For Information and Discussion

BACKGROUND. The *Champaign County Solid Waste Management Plan* was adopted on February 19, 1991, as required by the Illinois Solid Waste Planning and Recycling Act (SWPRA). This law requires that the County submit a report for review and comment to the Illinois EPA at five-, ten-, and 15-year intervals regarding necessary or appropriate revisions to its Solid Waste Management Plan.

15-YEAR UPDATE FORM TO ILLINOIS EPA. The Illinois EPA provides a simple update form to be completed in order to comply with SWPRA update requirements. A 15-year update form for the *Champaign County Solid Waste Management Plan* is due to the Illinois EPA on January 23, 2007. The Illinois EPA will review the completed update form and provide comments to the County within 90 days. The Illinois EPA will provide written confirmation of receipt of a completed update form meeting SWPRA requirements.

Attachment A is the Draft 15-Year Update Form for the *Champaign County Solid Waste Management Plan*. The update form reviews progress in the plan implementation and revised plan goals and recommendations. Staff will forward this draft update form with any necessary corrections and additional information, as needed, to the Illinois EPA prior to the January 23rd deadline.

UPDATE OR REVISIONS TO THE COUNTY SOLID WASTE MANAGEMENT PLAN.

The Illinois EPA is not authorized to approve county plans or plan updates. The SWPRA does not designate the required content of plan updates or the process to follow in completing revisions to a plan. Counties have the option of updating solid waste generation data, or preparing a more expansive document prior to the county adoption of an update or a revised Solid Waste Management Plan. Updates or revisions to the plan may be as brief or extensive as the County chooses, and the County may prepare its update or revised plan in whatever format best suits its resources. The County's update or revised plan would be expected to include the substance of the recommendation and implementation schedule most recently forwarded to the Illinois EPA. Illinois EPA grant assistance is not available for plan updates or revisions.

2005 LANDFILL CAPACITY REPORT AVAILABLE. The Illinois EPA annual report Nonhazardous Solid Waste Management and Landfill Capacity in Illinois: 2005 was released this month. The report is divided into sections representing Illinois EPA's administrative regions, with Region 4 including East Central Illinois counties. For your additional information, an excerpt of this report with a focus on Region 4 landfill capacity as of 2005 will be available for distribution at the January 15 ELUC meeting.

ATTACHMENT:

A Draft 15-Year Update Form for Champaign County Solid Waste Management Plan dated 1/9/2007

CHAMPAIGN COUNTY SOLID WASTE MANAGEMENT PLAN
FIVE-YEAR MUNICIPAL WASTE MANAGEMENT PLAN UPDATE

DRAFT

General Information

Local Government: Champaign County

Contact Person: Susan Monte, RPC County Planner

Address: Champaign County Regional Planning Commission (RPC)
 P.O. Box 17760
 Urbana, IL 61803-7760

Telephone: (217) 328-3313

Plan Adoption Date: February 19, 1991

Re-Adoption Date: May 31, 1996 (5-year update)

Re-Adoption Date: January 23, 2002 (10-year update)

15-Year Update Report Due: Due to IEPA January 23, 2007

1. Recommendations and Implementation Schedule Contained in the Adopted Plan:

The following recommendations appear in the original version of the *Champaign County Solid Waste Management Plan* (adopted by Resolution Number 3077 on February 19, 1991):

Approximately 46 recommendations were made in the 1991 Champaign County Solid Waste Management Plan. These included both specific and general recommendations directed at Champaign County, the City of Urbana, the City of Champaign and interested parties in the private and non-profit sector. The implementation schedule for most of these suggestions was left to the discretion of the implementing agency, the Intergovernmental Solid Waste Disposal Agency.

A. Source Reduction. Source Reduction recommendations can be divided into four different areas:

- post-consumer source reduction
- toxicity reduction
- increasing 'recyclability' of waste stream
- industrial source reduction

No specific implementation schedule was associated with the 18 Source Reduction recommendations.

Post-Consumer Source Reduction

- 1) An education coordinator should be part of the implementing agency's staff.
- 2) The County and municipal governments, as well as other municipal agencies, should encourage source reduction activities whenever possible.
- 3) County and municipal governments, as well as other municipal agencies, should encourage State and Federal officials and representatives to address the issue of source reduction in whatever means possible.
- 4) County and municipal governments, as well as other municipal agencies, should require that all departments complete a waste audit.
- 5) County and municipal governments should require that the ultimate disposal costs be calculated as part of their procurement process.

CHAMPAIGN COUNTY SOLID WASTE MANAGEMENT PLAN
 FIVE-YEAR MUNICIPAL WASTE MANAGEMENT PLAN UPDATE

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1. Recommendations and Implementation Schedule Contained in the Adopted Plan: (continued)

Toxicity Reduction and Increasing 'Recyclability' of Waste Stream

- 6) The education coordinator should develop materials to inform consumers of the type of hazardous waste in their home.
- 7) A separate publication on the alternatives to hazardous waste should be made available through local offices.
- 8) Implementation of toxicity reduction should be coordinated with other community groups.
- 9) County and municipal governments should encourage the introduction and passage [of legislation] at the State and Federal level that addresses the issue of toxicity reduction.
- 10) If the State or Federal governments do not pass legislation addressing the proper disposal of hazardous materials, or if no private firm establishes a comprehensive program for proper disposal of hazardous materials within 5 years, review of this plan should include consideration of banning these materials from any municipality owned or operated facilities or a review of the way and means of adding taxes on select hazardous materials.
- 11) If there has been no State or Federal legislation enacted to address problem components of the waste stream within five years of this plan's adoption, re-evaluation of deposits, surcharges and product bans and other related activities should be undertaken.
- 12) The education coordinator should include information on the recyclability of items in all program material as well as making sure retail and wholesale outlets use proper bags for the conveyance of purchases.

Industrial Source Reduction

- 13) The implementing authority should develop a waste audit program that would consist of staff visits to facilities to assist businesses and industries in determining where and how they may be able to reduce their waste generation and toxicity levels or to alter their waste to make it more easily processed.
- 14) Development of a waste audit disclosure report should be included as part of the review process within the economic development and planning departments of member governments.
- 15) The County and municipal governments should encourage efforts to reuse existing structures in the community as much as possible.
- 16) Demolition permits should have a 30-day waiting period.
- 17) The creation of a construction material recycling center should be investigated.
- 18) There should be a municipally sponsored Small Quantity Generator Program.

B. Recycling and Reuse. The 21 recommendations for recycling and reuse were divided into two separate implementation schedules: 17 recommendations for the next five years (1990-1995) and four long-term recommendations. The recommendations for 1990-1995 were divided into five categories: General, Residential, Yardwaste, Commercial, and Community Recycling Center.

1990-1995 Recommendations: General

- 19) The Cities and County should develop a unified recycling system and agency to operate the recycling programs.
- 20) The Cities and County, through their membership in the association, should develop a material recovery facility to 'mainstream' recycling in Champaign County.
- 20) The Cities and the County should consider altering the current licensing structure for haulers.

1990-1995 Recommendations: Residential

- 22) The City of Urbana should add HDPE/PET collection to their curbside routes.
- 23) The City of Champaign and the City of Urbana should expand their curbside collection programs to service buildings with 5-9 units with a targeted participation rate of 30%.
- 24) Both Cities should use educational and promotional means to raise participation rates to a targeted range of 45% - 55%.

CHAMPAIGN COUNTY SOLID WASTE MANAGEMENT PLAN
FIVE-YEAR MUNICIPAL WASTE MANAGEMENT PLAN UPDATE

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1. Recommendations and Implementation Schedule Contained in the Adopted Plan: (continued)

- 25) Both Cities should add the collection of cardboard/paperboard to the curbside programs (including the 5-9 unit buildings).
- 26) The County should maintain their current number of drop-offs.

1990-1995 Recommendations: Yardwaste

- 27) The City of Champaign should begin a nine-month yard waste collection program.
- 28) The City of Urbana should maintain their U-Bag and U-Tie Program
- 29) Both Cities should investigate the development of residential backyard composting programs.

1990-1995 Recommendations: Commercial

- 30) There should be no municipally sponsored programs intended to service large commercial and industrial firms in the County.
- 31) A partnership between the private haulers and the implementing authority should be developed to increase the recycling opportunities for small to medium sized businesses.
- 32) Both the Cities and the County should review their zoning, building codes, health and safety codes or any other ordinance or regulation that may hinder recycling activity in the commercial and industrial sector.

1990-1995 Recommendations: Community Recycling Center

- 33) CRC should re-evaluate its operations and determine whether collection or processing should be its primary function.
- 34) The in-town drop-off sites should be upgraded.

1990-1995 Recommendations: Community Recycling Center (continued)

- 35) CRC should determine how to optimize its current capacity without any major improvements.

Long-Term Recommendations

- 36) The database of waste generation recycling and disposal information should be routinely updated.
- 37) The municipal programs should continuously adapt the materials collected to the changing mix of recyclable materials.
- 38) Studies on how to service 10+ unit residential structures should be undertaken.
- 39) The recycling programs should be amended to accommodate generator-based waste reduction programs when appropriate.

C. Combustion for Energy Recovery. n/a

D. Combustion for Volume Reduction. Ten scenarios were considered within the body of Champaign County's Solid Waste Management Plan. Two of the 10 scenarios included the construction of a combustion facility. This facility was to be located in the vicinity of the University of Illinois' Abbott Power Plant. In the final analysis, these scenarios were not recommended to be the most effective way to achieve Champaign County's solid waste management goals.

E. Disposal in Landfills. Scenario #6 was chosen as the most cost-effective way to achieve Champaign County's solid waste management goals. This proposal calls for:

- 40) the construction of an in-county transfer station with a material recovery component, and the construction of an in-county landfill.

Scenario #6 states that the previously mentioned expanded curbside program (see residential recommendations) be implemented in 1992, the Transfer Station with material recovery be operational by 1992, and the new landfill open in 1995. The following six recommendations associated with the implementation of Scenario #6 are separated into four categories: Ownership; Operation and Procurement; Implementing Agency; Flow Control; and Financing.

CHAMPAIGN COUNTY SOLID WASTE MANAGEMENT PLAN
FIVE-YEAR MUNICIPAL WASTE MANAGEMENT PLAN UPDATE

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1. Recommendations and Implementation Schedule Contained in the Adopted Plan: (continued)

Ownership, Operation and Procurement

- 41) Local government should own the facilities.
- 42) Local government should develop a public/private partnership for the operation of the solid waste facilities.

Implementing Agency

- 43) Designate the Intergovernmental Solid Waste Disposal Association as the implementing agency.
- 44) Local municipal recycling programs should continue under the direction of the member governments until such time as ISWDA can consolidate service.

Flow Control

- 45) Flow Control should be enacted immediately after the adoption of the Solid Waste Management Plan to insure demand for services for the future in-county landfill and reduce the municipality's liability with regard to out-of-county disposal sites.

Financing

- 46) In Champaign County, solid waste facilities should be financed with revenue bonds.

2. Current Plan Implementation Efforts:

a. Which recommendations in the adopted plan have been implemented?

The following recommendations from the 1991 Champaign County Solid Waste Management Plan have been implemented:

Source Reduction

- 2) The County and municipal governments, as well as other municipal agencies, should encourage source reduction activities whenever possible.
- 8) Implementation of toxicity reduction should be coordinated with other community groups.
- 15) The County and municipal governments should encourage efforts to reuse existing structures in the community as much as possible.

Recycling and Reuse. Refer to 'Current Recycling Program' for details on how some of the initiatives below were implemented.

- 21) The Cities and County should consider altering the current licensing structure for haulers.
- 22) The City of Urbana should add HDPE/PET collection to its curbside routes. This change in curbside service was adopted in 1996.
- 23) The City of Champaign and City of Urbana should expand their curbside collection programs to service buildings with 5-9 units. Although municipally run curbside recycling has been discontinued in Champaign, some buildings with 5-9 units are receiving recycling services from independent haulers. The City of Urbana U-cycle program services both multi-family and single residences. Champaign requires by ordinance that haulers provide service to residences of 1-4 units.
- 25) Both Cities should add the collection of cardboard/paperboard to the curbside programs. Urbana provides this service. Although municipally run curbside recycling has been discontinued in Champaign, some independent haulers may supply these recycling services.
- 29) Both Cities should investigate the development of residential backyard composting programs. The City of Champaign ran a Pilot program whereby they would supply a resident with \$20.00 to begin their own backyard composting programs. The City ran an ad in the local newspaper and attracted approximately 30 participants.

CHAMPAIGN COUNTY SOLID WASTE MANAGEMENT PLAN
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2. Current Plan Implementation Efforts: (continued)

Community Recycling Center. Refer to 'Current Recycling Program' for details on how some of the initiatives below were implemented.

- 33) CRC should re-evaluate its operations and determine whether collection or processing should be its primary function.
- 34) The in-town drop-off sites should be upgraded.
- 35) CRC should determine how to optimize its current capacity without any major improvements.

Briefly describe which recommendations were not implemented and the reasons why these were not implemented.

Over the past fifteen years, few of the 46 recommendations from the Plan adopted in 1991 were implemented. The primary reason for this is due to the community's rejection of the Solid Waste Management Plan's implementing agency, the Intergovernmental Solid Waste Disposal Association (ISWDA). ISWDA was comprised of members from Champaign County, the City of Champaign, and the City of Urbana.

ISWDA was recommended to be the implementing agency because an intergovernmental agency would, according to the Solid Waste Management Plan, "... allow the broadest county representation,... allow multiple points for public input, and will .. offer a checks and balances system." One may infer from these statements that ISWDA's purpose was to develop a consensus between the various local municipalities, the private and non-profit sector, and the larger citizenry of Champaign County. Once plans moved forward, however, to centralize authority of Champaign County's solid waste management in the hands of ISWDA, it became apparent that there were many philosophical and practical barriers to ISWDA acting as the implementing agency. Large projects such as locating, financing and managing the recommended transfer and landfill facilities fostered disagreement and dissension. In addition, initiatives to standardize collection and processing procedures throughout the County through flow control measures met with resistance.

ISWDA proposed actions met with opposition mainly from four stakeholders. The farming community in Homer objected to the placement of a landfill in an area that was once farmland. The independent waste haulers who operated in the Urbana-Champaign area formed a Waste Haulers Association in August 1992 and lobbied for the privatization of solid waste management services in the City of Champaign and the City of Urbana. The Waste Haulers Association objected to the type of flow control restrictions suggested by ISWDA. These restrictions on where the haulers could take their solid waste were an integral part of the ISWDA plan to pay for the operation of a Champaign County landfill and transfer station. Local municipalities and regional nonprofit corporations raised doubts that ISWDA would operate these facilities as efficiently as would a private and/or nonprofit company.

In the Spring of 1992, after opposition was met from the farming community in Homer, and amidst negotiations with waste haulers to privatize collection of solid waste, the City of Champaign decided to withdraw from ISWDA. Champaign County had already relaxed its support for the inter-jurisdictional agency. The agency lost its original authority and its power to implement aspects of the Solid Waste Management Act became severely limited. Consequently, the following recommendations did not get implemented:

Source Reduction.

Post-Consumer Source Reduction

- 1) An education coordinator should be part of the implementing agency's staff.
- 3) County and municipal governments, as well as other municipal agencies, should encourage State and Federal officials and representatives to address the issue of source reduction in whatever means possible.

CHAMPAIGN COUNTY SOLID WASTE MANAGEMENT PLAN
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2. Current Plan Implementation Efforts: (continued)

- 4) County and municipal governments, as well as other municipal agencies, should require that all departments complete a waste audit.
- 5) County and municipal governments should require that the ultimate disposal costs be calculated as part of their procurement process.

Toxicity Reduction and Increasing 'Recyclability' of Waste Stream

- 6) The education coordinator should develop materials to inform consumers of the type of hazardous waste in their home.
- 7) A separate publication on the alternatives to hazardous waste should be made available through local offices.
- 9) County and municipal governments should encourage the introduction and passage [of legislation] at the State and Federal level that addresses the issue of toxicity reduction.
- 12) The education coordinator should include information on the recyclability of items in all program material as well as making sure retail and wholesale outlets use proper bags for the conveyance of purchases.

Industrial Source Reduction

- 13) The implementing authority should develop a waste audit program that would consist of staff visits to facilities to assist businesses and industries in determining where and how they may be able to reduce their waste generation and toxicity levels or to alter their waste to make it more easily processed.
- 14) Development of a waste audit disclosure report should be included as part of the review process within the economic development and planning departments of member governments.
- 16) Demolition permits should have a 30-day waiting period.
- 17) The creation of a construction material recycling center should be investigated.
- 18) There should be a municipally sponsored Small Quantity Generator Program.

Recycling and Reuse.

1990-1995 Recommendations: General

- 19) The Cities and County should develop a unified recycling system and agency to operate the recycling programs.
- 20) The Cities and County, through their membership in the association, should develop a material recovery facility to 'mainstream' recycling in Champaign County.

1990-1995 Recommendations: Residential

- 23) The City of Champaign and the City of Urbana should expand their curbside collection programs to service buildings with 5-9 units with a targeted participation rate of 30%.
- 24) Both Cities should use educational and promotional means to raise participation rates to a targeted range of 45% - 55%.
- 26) The County should maintain their current number of drop-offs.

1990-1995 Recommendations: Yardwaste

- 27) The City of Champaign should begin a nine-month yard waste collection program.
- 28) The City of Urbana should maintain their U-Bag and U-Tie Program

1990-1995 Recommendations: Commercial

- 31) A partnership between the private haulers and the implementing authority should be developed to increase the recycling opportunities for small to medium sized businesses.

1990-1995 Recommendations: Commercial

- 32) Both the Cities and the County should review their zoning, building codes, health and safety codes or any other ordinance or regulation that may hinder recycling activity in the commercial and industrial sector.

Long-Term Recommendations

- 36) The database of waste generation recycling and disposal information should be routinely updated.
- 37) The municipal programs should continuously adapt the materials collected to the changing mix of recyclable materials.

CHAMPAIGN COUNTY SOLID WASTE MANAGEMENT PLAN
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2. Current Plan Implementation Efforts: (continued)

- 38) Studies on how to service 10+ unit residential structures should be undertaken.
- 39) The recycling programs should be amended to accommodate generator-based waste reduction programs when appropriate.

Disposal in Landfills.

Scenario #6 was chosen as the most cost-effective way to achieve Champaign County's solid waste management goals. This proposal calls for:

- 40) the construction of an in-county transfer station with a material recovery component, and the construction of an in-county landfill.

Scenario #6 states that the previously mentioned expanded curbside program (see residential recommendations) be implemented in 1992, the Transfer Station with material recovery be operational by 1992, and the new landfill open in 1995. The following six recommendations associated with the implementation of Scenario #6 are separated into four categories: Ownership; Operation and Procurement; Implementing Agency; Flow Control; and Financing.

Ownership, Operation and Procurement

- 41) Local government should own the facilities.
- 42) Local government should develop a public/private partnership for the operation of the solid waste facilities.

Implementing Agency

- 43) Designate the Intergovernmental Solid Waste Disposal Association as the implementing agency.
- 44) Local municipal recycling programs should continue under the direction of the member governments until such time as ISWDA can consolidate service.

Flow Control

- 45) Flow Control should be enacted immediately after the adoption of the Solid Waste Management Plan to insure demand for services for the future in-county landfill and reduce the municipality's liability with regard to out-of-county disposal sites.

Financing

- 46) In Champaign County, solid waste facilities should be financed with revenue bonds.

b. Which recommendations in the adopted plan have been implemented according to the plan's schedule?

As stated in the preceding pages, the implementation schedule for most of these recommendations was left to the discretion of the implementing agency, the Intergovernmental Solid Waste Disposal Agency. As a result of the agency's failure, there were not scheduled implementation dates for most of the 46 recommendations outlined in the Solid Waste Management Plan adopted in 1991.

Briefly describe which recommendations were not implemented according to the adopted plan's schedule, and attach a revised implementation schedule.

The reasons for no implementation of the above-cited recommendations according to schedule is covered in the above section entitled 'Briefly describe which recommendations were not implemented and the reasons why these were not implemented.'

3. Recycling Program Status

Because the Illinois Environmental Protection Agency's annual landfill capacity report includes data on each adopted plan's recycling status, information on recycling percentages is not being requested on this form.

a. Has the program been implemented throughout the County or planning area?

Yes No

CHAMPAIGN COUNTY SOLID WASTE MANAGEMENT PLAN
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3. Recycling Program Status (continued)

- b. Has a recycling coordinator been designated to administer the program?
 Yes No If yes, when? April 20, 2006 (Champaign County Resolution No. 5337)
- c. Does the program provide for separate collection and composting of leaves?
 Yes No
- d. Does the recycling program provide for public education and notification to foster understanding of and encourage compliance with the program?
 Yes No
- e. Does the recycling program include provisions for compliance, including incentives and penalties?
 Yes No If yes, please describe.
- f. Does the program include provisions for recycling the collected materials, identifying potential markets for at least three materials, and promoting the use of products made from recovered or recycled materials among businesses, newspapers, and local governments?
 Yes No If yes, please describe.
- g. Provide any other pertinent details on the recycling program.

Introduction

The following six recommendations regarding recycling were adopted as part of the Solid Waste Management Plan 10-Year Update (County Resolution No. 4497 dated January 23, 2002):

1. Champaign County shall, as resources permit, encourage recycling initiated by municipalities or by private or non-profit groups and encourage education efforts made by such groups.
2. The County should consider using any excess funds from waste hauler licensing to promote recycling efforts.
3. The County should encourage all departments to promote and educate staff on office recycling efforts.
5. The County should monitor, where information exists, County recycling rates and consider programming changes should current rates fall below 20% for non-market related reasons.
6. The County should, as possible, encourage landscape waste recycling efforts.
7. The County should, as possible, consider requiring businesses that contract with the County to practice commercial and/or industrial recycling.

These recommendations were adopted subsequent to the decline and failure of the ISWDA. As noted previously, the failure of the ISWDA was considered an indicator of a total lack of support and rejection of centralized government intervention in solid waste and recycling activities in Champaign County during the early to mid-1990's. (For additional discussion regarding ISWDA failure, refer to Page 5 under the heading 'Briefly describe which recommendations were not implemented and the reasons why these were not implemented').

CHAMPAIGN COUNTY SOLID WASTE MANAGEMENT PLAN
 FIVE-YEAR MUNICIPAL WASTE MANAGEMENT PLAN UPDATE

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g. Provide any other pertinent details on the recycling program (continued)

- insert additional information regarding Hometown Assistance Grant Program results here -

Recycling is not mandatory in unincorporated Champaign County, and business and institutions are free to choose whether or not to institute a recycling program. Residential recycling is also not mandatory in unincorporated Champaign County. Recycling programs within the County have been established at the University of Illinois and curbside recycling programs are either operated or required by the two largest municipalities within the County, the City of Champaign and City of Urbana. In other communities within the County, private haulers may elect to provide recycling services to residents for an additional charge.

The following is a description of recycling programs in various Champaign County communities and at the University of Illinois.

City of Champaign

The City strongly supports recycling and encourages all citizens to take part in waste reduction. Citizens may take part by participating in the City's curbside recycling service or by bringing materials to the public drop-off site operated by the City of Champaign.

City ordinances provide for curbside recycling to all citizens who live in a single to four-plex residence. This service is provided by the waste hauler who is required to provide recycling as part of basic service and must accept the following materials: newspaper, glass jars or bottles, tin cans, aluminum cans and HDPE plastic containers. Haulers must provide curbside collection of recyclables at least once a week and can not count materials toward the "per container cost" of service. Citizens interested in participating in the curbside recycling program should call their local waste hauler.

The City also provides a 24-hour, 7 days a week, free recycling drop-off site. The drop-off site is open to the public and is located at 1701 Hagan Drive, Champaign, Illinois. The facility is just east of the Home Depot shopping center on Bloomington Road. The drop-off site operates a two-sort program in which materials should be separated into two types, containers and fibers. Materials recycled at the drop off site include most plastic, glass and metal food & beverage containers. Plastic food & beverage containers with the #1 through #8, but not styrofoam, are accepted. All glass & metal food & beverage containers can also be recycled at this site. Large plastic objects such as lawn furniture and toys are not accepted at the drop off site. Only those items listed above are accepted at the drop off site.

City of Urbana

The City of Urbana offers two recycling programs for residents. Urbana's residential curbside recycling program, U-CYCLE, began in 1986 and was one of the first citywide recycling programs offered in Illinois. Urbana's residential recycling program provides service to all residents in single-family through fourplex dwellings. The program serves an estimated 18,000 residents throughout the city.

The City of Urbana's recycling program expanded in 1999 when recycling was offered to all residents in apartment buildings, dormitories, fraternities/sororities, rooming houses and condominiums. The multifamily program now serves buildings with 5 or more dwelling units. The multifamily recycling program serves an estimated 15,000 residents in Urbana. Because of these programs, every resident in the City of Urbana has an opportunity to recycle.

University of Illinois

In the fall of 1997 the University's new Material Recovery Facility opened for business. This facility allows the campus to capture recyclable materials that formerly ended up in a landfill and to market it at a higher price. The facility is expected to enable the campus to improve its recycling rate to over 50% of its waste stream, exceeding a State-mandated goal of 40%. The value added by baling the material, a step necessary to prepare it for sale in the market, will now be retained by the campus. The new Material Recovery Facility will result in reduced disposal costs and extra revenue generated from the sale of materials.

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g. Provide any other pertinent details on the recycling program (continued)

The current campus recycling/diversion rate is 48.8% for non-construction & demolition (C&D) waste and 41.1% when including C&D waste.

Drop Sites

Champaign County has encouraged local drop sites that collect plastic, glass and metal food & beverage containers to be recycled. In 1993, Champaign County distributed over \$22,000 to six municipalities through the Hometown Assistance Grant Program. The purpose of these funds was to provide start-up costs for recycling drop-off centers in participating municipalities.

- *insert additional information regarding drop sites here* -

Few of the original sites established remain in operation. Originally, the drop off sites were funded either by the municipality or combined efforts of the municipality and the township. Communities with sites in operation as of November, 2001 included: Homer, Philo, Odgen, Sidney and St. Joseph.

Landscape Waste

The Landscape Recycling Center is operated by the City of Urbana on behalf of the City of Urbana, the City of Champaign and Champaign County. The Landscape Recycling Center (LRC) is a not-for-profit facility operated by the Urbana Public Works Department. LRC provides service to Urbana-Champaign and all of Champaign County. At LRC, grass clippings, brush and plant cuttings are collected and turned into products such as fertile mulches and composts to benefit specific types of plants and be re-used in local landscape efforts.

-*insert additional information regarding LRC here* -

- (continued on next page) -

CHAMPAIGN COUNTY SOLID WASTE MANAGEMENT PLAN
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4. Current Needs Assessment Information (optional)

A comprehensive needs assessment regarding Champaign County solid waste and recycling needs has not occurred since the original Plan was prepared prior to the County's adoption of the *Champaign County Solid Waste Management Plan* in 1991.

-insert any available information -

The 19th edition of the Illinois EPA annual report Nonhazardous Solid Waste Management and Landfill Capacity in Illinois: 2005 describes the management of nonhazardous municipal solid waste by the State's solid waste landfills, transfer stations and compost facilities. Region 4 includes East Central Illinois counties. From this publication, an estimate of 17 years remain as the landfill life expectancy of landfills serving Region 4.

5. New Recommendations and Implementation Schedule

Review of Recommendations and Implementation Schedule adopted as part of 10-Year Update on January 23, 2002

The revised Recommendations and Implementation Schedule from the Champaign County Solid Waste Management Plan 10-Year Update adopted January 23, 2002 are provided below:

Recognizing the demonstrated lack of political sentiment for centralized government-administered countywide solid waste management, Champaign County should pursue a practical approach to solid waste management in the next five years. At this time, Champaign County has no further plans to construct a transfer or landfill facility. The County will focus its limited resources upon providing support for the current source reduction and recycling efforts initiated by local municipalities, and by the private and nonprofit sectors. The central goal of the County should be to reduce the amount of municipal waste that is landfilled outside of the County by reducing the waste stream and improving the ratio of waste recycled to waste generated.

The following recommendations are intended to improve the reduction of the amount of waste generated and to increase the amount of waste recycled:

1. Champaign County shall, as resources permit, encourage recycling initiated by municipalities or by private or non-profit groups and encourage education efforts made by such groups.
2. The County should consider using any excess funds from waste hauler licensing to promote recycling efforts.
3. The County should encourage all departments to promote and educate staff on office recycling efforts.
4. The County should, as possible, encourage volume-based collection fees.
5. The County should monitor, where information exists, County recycling rates and consider programming changes should current rates fall below 20% for non-market related reasons.
6. The County should, as possible, encourage landscape waste recycling efforts.
7. The County should, as possible, consider requiring businesses that contract with the County to practice commercial and/or industrial recycling.

CHAMPAIGN COUNTY SOLID WASTE MANAGEMENT PLAN
FIVE-YEAR MUNICIPAL WASTE MANAGEMENT PLAN UPDATE

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5. **New Recommendations and Implementation Schedule** (continued)

■ ■ **10-Year Update Recommendation Implemented**

The following recommendation from the *Champaign County Solid Waste Management Plan 10-Year Update* adopted January 23, 2002 has been implemented, as limited resources have permitted:

1. Champaign County will, as resources permit, encourage recycling initiated by municipalities or by private or non-profit groups and encourage education efforts made by such groups.

Contributions to advertising & staffing of recycling collection events... In recent years, Champaign County has contributed toward the advertising cost of local recycling hazardous waste collection and tire collection drop-off events held once annually (most typically) and typically organized by the City of Champaign or the City of Urbana. The County has, at least on one occasion, provided staff to assist at a collection event.

Host Zero Waste Grant Workshop... On October 6, 2006, the County hosted a workshop held by the Illinois Department of Economic Opportunity for representatives of local area schools.

■ ■ **10-Year Update Recommendations Not Yet Implemented**

The following recommendations from the *Champaign County Solid Waste Management Plan 10-Year Update* adopted January 23, 2002 have not yet been implemented:

2. The County will consider using any excess funds from waste hauler licensing to promote recycling efforts.

The primary revenue sources for the Solid Waste Management Fund are the fees collected from local waste hauler licensing and investment interest earned on the current fund balance. This fund currently pays the administrative costs associated with the licensure of waste haulers in Champaign County, and provides contributions to intergovernmental recycling and drop-off events. Over the past five years, the County has contributed a portion of the advertising costs of occasional hazardous waste and tire collection drop-off events alternately coordinated by the Cities of Urbana and Champaign.

The following table indicates the amount of revenue from annual waste hauler licenses and total revenues of the Solid Waste Management Fund 676-011 over the past five years.

Solid Waste Management Fund 676-011 Revenues Since 2002

Fiscal Year	Revenue from Waste Hauler Licenses	Total Revenue
2002	\$ 1,400	\$ 2,834
2003	\$ 1,550	\$ 2,406
2004	\$ 1,650	\$ 2,697
2005	\$ 1,600	\$ 3,794
2006	\$ 1,500 *	\$ 5,000 *

* Projected

** Budgeted

Though the County contributes toward the advertising costs of the occasional local recycling drop-off events, this recommendation is not yet considered as implemented only because no assessment

CHAMPAIGN COUNTY SOLID WASTE MANAGEMENT PLAN
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5. **New Recommendations and Implementation Schedule** (continued)

■ ■ 10-Year Update Recommendations Not Yet Implemented (continued)

has been done to determine whether funds collected from waste hauler licensing are considered as excess funds.

3. The County will encourage all departments to promote and educate staff on office recycling efforts.

At the present time, most County offices practice recycling on a variable and limited basis. No comprehensive or countywide effort to promote office recycling and to educate staff has occurred to date, possibly due, in part, to limited resources available and to the lack of a countywide policy in place. The County Board also lacks the authority to impose operational mandates on the elected department heads who oversee the preponderance of County employees.

Over the past several years, aluminum can recycling containers have been distributed by the County at locations in County buildings. Additionally the County has hired a local recycling company to collect and recycle computer paper, large documents, and office paper from recycling containers provided throughout the County campus and Courthouse site. Most County offices utilize recycled printer cartridges as a cost-saving measure. Some County offices order recycled paper for use in copiers and some County offices encourage employees to print double-sided copies as often as possible. Some County office employees voluntarily recycling office items such as portfolios, binders, folders, recording tapes, etc by placing these items in the supply room for others to re-use.

4. The County will, as possible, encourage volume-based collection fees.

Ordinance #522, the 'Waste Haulers Licensure Ordinance' was adopted by the County on November, 19, 1996. The Ordinance regulates the storage, collection, transportation and disposal of solid waste occurring within County jurisdiction. A fixed annual fee is assessed to each waste hauler operating within the County jurisdiction, based on the number of vehicles used for collection and transportation of solid waste. The collection fee schedule has not been modified since its adoption in 1996.

The County lacks the authority to tax waste generation or to impose fees that are unrelated to the costs of operating the licensing program itself. The County's lack of statutory authority makes volume-based fees impractical.

5. The County will monitor, where information exists, County recycling rates and consider programming changes should current rates fall below 20% for non-market related reasons.

Estimated recycling rates are available from the City of Urbana : recycling rate = 22% currently
 - *insert available info/statistics available regarding recycling rates -*

6. The County will, as possible, encourage landscape waste recycling efforts.

- *insert description of County landscape waste recycling efforts...*

7. The County will, as possible, consider requiring businesses that contract with the County to practice commercial and/or industrial recycling.

- *insert description of contractor recycling*

CHAMPAIGN COUNTY SOLID WASTE MANAGEMENT PLAN
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5. New Recommendations and Implementation Schedule (continued)

■ ■ **Proposed Recommendations and Implementation Schedule for Consideration by Champaign County as Part of a 15-Year Update**

The County will continue to focus its limited resources upon providing support for the current source reduction and recycling efforts initiated by local municipalities, and by the private and nonprofit sectors. The central goal of the County should be to reduce the amount of municipal waste that is landfilled outside of the County by reducing the waste stream and improving the ratio of waste recycled to waste generated.

The seven recommendations adopted as a part of the 10-Year Update in 2002 are proposed to be retained as a part of the 15-Year Update to be considered by the County. As the proposed 15-Year Update to the County Solid Waste Management Plan is examined by the Champaign County Environment and Land Use Committee, additional recommendations may be added to the following seven recommendations. Any added recommendation will serve to further address the central County goal of reducing the amount of waste generated and further improving the ratio of waste recycled to waste generated. The following recommendations from the 10-Year Update adopted in 2002 are proposed to be carried forward as part of the Champaign County Solid Waste Management Plan 15-Year Update:

1. Champaign County will, as resources permit, encourage recycling initiated by municipalities or by private or non-profit groups and encourage education efforts made by such groups.
2. The County will consider using any excess funds from waste hauler licensing to promote recycling efforts.
3. The County will encourage all departments to promote and educate staff on office recycling efforts.
4. The County will monitor, where information exists, County recycling rates and consider programming changes should current rates fall below 20% for non-market related reasons.
5. The County will, as possible, encourage countywide monitoring, collection and reporting of recycling rates.
6. The County will, as possible, encourage landscape waste recycling efforts.
7. The County will, as possible, consider requiring businesses that contract with the County to practice commercial and/or industrial recycling.

Champaign
County
Department of

**PLANNING &
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Urbana, Illinois 61802

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FAX (217) 328-2426

To: **Environment and Land Use Committee**

From: **John Hall**, Director & Zoning Administrator
Jamie Hitt, Zoning Officer

Date: **January 10, 2007**

RE: **Foreclosure on Edward M. "Monty" Maxwell property in the Village of Broadlands (Enforcement Case ZN99-03/36)**

Requested Action:

Authorization is requested for the State's Attorney to seek foreclosure against the Maxwell property in the Village of Broadlands. The County was previously awarded a Memorandum of Judgment for \$9,800 in fines against this property. See the background information below.

BACKGROUND

Edward M. "Monty" Maxwell had a life estate in farmland in rural Champaign County on which there were dangerous structures and garbage and debris. The County began enforcement action to force clean up of the property in 1991 and again in 1998. The property was never cleaned up and the State's Attorney sued Mr. Maxwell. Mr. Maxwell eventually requested a jury trial and was found guilty of the violations of the Nuisance Regulations on March 9, 2001. A Memorandum of Judgment was awarded against Mr. Maxwell for \$9,800 in fines on June 6, 2001. Mr. Maxwell passed away in September 2005 and the Maxwell heirs cleaned up the property in December 2005.

Mr. Maxwell's only assets were two lots in the Village of Broadlands, Lots 2 & 3 of Block 1 of a Subdivision of Lots 1, 2, 3, 4, 5 & 6 of the Original Town of Broadlands. The two lots were recently been appraised for \$7,500. The appraisal was paid for out of the Planning & Zoning budget.

Foreclosure on the two lots is a necessary step in securing Court approval of a Sheriff's sale of the lots in order to recapture some portion of the Memorandum of Judgment.

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To: **Environment and Land Use Committee**

From: **John Hall, Director & Zoning Administrator**
Jamie Hitt, Zoning Officer

Date: **January 10, 2007**

RE: **Foreclosure on Joseph Mefford property at 2603 Campbell Drive,
Champaign (Enforcement Case ZN01-30/14)**

Requested Action:

Authorization is requested for the State's Attorney to seek foreclosure against the property at 2603 Campbell Drive, Champaign. The County previously demolished the dangerous structure on this property and has already placed a lien on the property to recover the demolition costs. See the background information below.

BACKGROUND

The Mefford property at 2603 Campbell Drive, Champaign, is the site of a former dangerous structure. The duplex on the property was partially destroyed by a fire on May 2, 2001, and was uninhabitable thereafter. The Planning and Zoning Department started receiving complaints about the property thereafter and began enforcement action against the owner, Joseph Mefford. An agreement was signed on October 2, 2002, in which Mr. Mefford agreed to allow the County to demolish the dangerous structure. In December 2002 the County Board approved a proposal to demolish the building and it was demolished on October 2, 2003, at a cost of \$7,335.75. A lien for that amount was placed on the property on November 20, 2003.

The property has recently been appraised for \$11,000. The appraisal was paid for out of the Planning & Zoning budget.

Foreclosure on the property is a necessary step in securing Court approval of a Sheriff's sale of the property in order to recapture the demolition costs.

