

**CHAMPAIGN COUNTY BOARD
ENVIRONMENT and LAND USE COMMITTEE AGENDA**

County of Champaign, Urbana, Illinois

Thursday, June 6, 2019 - 6:30 p.m.

Lyle Shields Meeting Room

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

Committee Members:

Aaron Esry – Chair

Eric Thorsland – Vice-Chair

Jodi Eisenmann

Stephanie Fortado

Jim Goss

Tanisha King-Taylor

Kyle Patterson

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- VI. Communications
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 - D. Illinois Senate Bill 0009
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 - A. Proposed Minor Amendments to the Land Resource Management Plan

- XI. **New Business: Items to be Recommended to the County Board**
 - A. Case 936-AM-19. A request by Jeff and Jolene Gensler to amend the Zoning Map to change the Zoning District designation from the current AG-1 Agriculture Zoning District to the proposed AG-2 Agriculture Zoning District in order to allow a two-family dwelling as a proposed Special Use in related Zoning Case 937-S-19, and subject to the requested variance in related zoning case 938-V-19, on a 0.69 acre tract in the Northwest Quarter of the Southwest Quarter of Section 16, Township 21 North, Range 9 East of the Third Principal Meridian in Rantoul Township and commonly known as the farmstead with an address of 2740 CR 1400E, Rantoul.

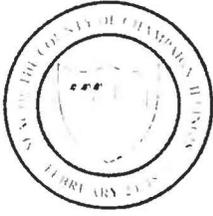
- XI. Other Business
 - A. March 2019 Monthly Report

 - B. Cancellation of July 4, 2019 ELUC Meeting

- XII. Chair's Report

- XIII. Designation of Items to be Placed on the Consent Agenda

- XIV. Adjournment



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

MINUTES –SUBJECT TO REVIEW AND APPROVAL

DATE: Thursday, May 9, 2019
 TIME: 6:30 p.m.
 PLACE: Lyle Shields Meeting Room
 Brookens Administrative Center
 1776 E Washington, Urbana, IL 61802

Committee Members

Present	Absent
Aaron Esry (Chair)	
Jodi Eisenmann	
Stephanie Fortado	
Jim Goss	
	Tanisha King-Taylor
Kyle Patterson	
Eric Thorsland (Vice-Chair)	

County Staff: John Hall (Zoning Administrator), Susan Monte (Planner), Rita Kincheloe (Recording Secretary)

Others Present: Giraldo Rosales (County Board Chair), Kathleen Oldrey (RPC) and Kelly Reynolds

MINUTES

I. Call to Order

Committee Chair Esry called the meeting to order at 6:32 p.m.

II. Roll Call

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

III. Approval of Agenda and Addenda

MOTION by Mr. Goss to approve the agenda as amended; second by Mr. Thorsland. Upon vote, the **MOTION CARRIED** unanimously.

IV. Approval of Minutes

A. ELUC Committee Meeting – March 7, 2019

MOTION by Mr. Thorsland to approve the minutes of the March 7, 2019 ELUC meeting; second by Ms. Eisenmann. Upon vote, the **MOTION CARRIED** unanimously.

V. Public Participation

Kelly Reynolds, who lives at 2710 E. Main Street, Urbana stated concerns of neglected property at 2712 E. Main Street, Urbana. Photos of property were passed around to Committee members.

VI. Communications

Mr. Esry welcomed Ms. Kincheloe as the Recording Secretary.

VII. New Business: for Information Only

A. 2018 Champaign County MS4 Area Storm Water Survey Results

Ms. Monte summarized the MS4 Area Storm Water second year water survey results which focused on the environmental justice areas of the County which represents 10% of the County. The survey asked perceptions as to whether the public perceived a storm drainage problem after a rain event, if there are locations that the public sees is being polluted, whether the public has recreations in any of these areas, and any additional comments. There were no remarkable results compared to the first survey.

B. Changes to Champaign County MS4 Environmental Justice Areas for Program Year 4/1/19-3/31/20

Ms. Oldrey stated that this was the third year doing the analysis and the purpose was to identify environmental justice areas in Champaign County MS4 jurisdiction as well as provide opportunities for public input and participation in these areas.

VIII. New Business: Items to be Approved by ELUC

A. Recreation & Entertainment License: CRS Ventures LLC for live bands at the Champaign County Fairgrounds, 1302 North Coler Avenue, Urbana for May 17, 2019

MOTION by Mr. Goss to approve; second by Mr. Thorsland. Upon vote, the **MOTION CARRIED** unanimously.

B. Direction Regarding Proposed Zoning Ordinance Text Amendment for PV Solar Farm Requirements in Response to Municipal Concerns

There was discussion to restructure the Amendment for further discussion at the June meeting.

MOTION by Ms. Fortado to direct staff regarding the Proposed Zoning Ordinance Text Amendment for PV Solar Farm requirements in response to municipal concerns to divide out the ½ mile issue from the time for comment and to bring back to ELUC to vote at the June meeting; seconded by Mr. Goss. Upon vote, the **MOTION CARRIED** unanimously.

C. Direction Regarding Proposed Zoning Ordinance Text Amendment for PV Solar Farm Requirements other than in Response to Municipal Concerns

MOTION by Mr. Goss to advance this to public comment to the ZPA; second by Mr. Thorsland. Upon vote, the **MOTION CARRIED** unanimously.

IX. New Business: Items to Receive and Place on File by ELUC Committee to Allow a Review Period Until June 6, 2019

- A. *Resolution Authorizing the Execution of an Intergovernmental Agreement to Provide for Champaign County Participation in a Land Bank with the Vermillion County Land Bank*

Mr. Hall discussed an email from Mr. Pat O’Shaughnessy, Executive Director of the Vermillion County Land Bank which spoke of success and Mr. Hall asked for specific numbers to show the success of the Vermillion County Land Bank. Mr. Goss discussed that it would cost about \$95,000 to be part of the Vermillion County Land Bank when we have 3 parcels valued at \$34,000. Mr. Hall expressed concern in moving these properties and mentioned that he was concerned on greatly lowering the value of the properties to move them, thus the reason for having the Land Bank. Mr. Thorsland and Mr. Hall would like to know Rantoul’s position as well as hear of some numbers from the Vermillion County Land Bank concerning the properties that they moved.

MOTION by Mr. Thorsland to place on file; second by Ms. Eisenmann. Upon vote, the **MOTION CARRIED** unanimously.

X. Items to be Recommended to the County Board

- A. *Resolution recommending County Board approval of the Annual Facility Inspection Report for the period 4/1/17 – 3/31/18 for the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Storm Water Discharge Permit with the Illinois Environmental Protection Agency (IEPA)*

Mr. Hall stated that the correct dates are 4/1/18 – 3/31/19. This Permit is very similar to the permit from last year as the items are the same year to year.

MOTION by Ms. Fortado; seconded by Mr. Thorsland. Upon vote, the **MOTION CARRIED** unanimously.

- B. *Resolution recommending County Board approval of the Notice of Intent (NOI) for period from April 1, 2019, to March 31, 2024, for the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Storm Water Discharge Permit with the Illinois Environmental Protection Agency (IEPA)*

Mr. Hall explained that the storm water program procedure is that we file a NOI with the EPA for every 5 year period or when we make a substantial change. A revised version was handed out at the meeting.

MOTION by Ms. Fortado; seconded by Mr. Patterson. Upon vote, the **MOTION CARRIED** unanimously.

XI. Other Business

- A. *Monthly Report – None*

XII. Chair’s Report

Mr. Esry mentioned that Jamie Hitt, Zoning Officer will retire the end of June.

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

- X. A and X. B

XIV. Adjournment

There being no further business, Mr. Esry adjourned the meeting at 7:59 p.m.

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

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

DATE: May 29, 2019
TO: Environment and Land Use Committee
FROM: Susan Monte, Planner
RE: Land Resource Management Conditions
Relevant to Champaign County: 2019 Annual Update

Information Only

Background

This item addresses Priority Item 1.2.1 of the Champaign County Land Resource Management Plan (LRMP): "Prepare a report that informs County Board members of trends or new developments with regard to land resource management conditions within the County each year."

1) *Champaign County Population Estimates 2018*

Various intergovernmental cost-share agreements or municipal partnership efforts (e.g., the Residential Electronics Collection events) are proportionately based on population data. Since 2012, planners have used the U.S. Census 2010 Decennial and population estimates data as a basis for cost-share agreements that are proportionately based on population.

Attachment A contains updated population estimate trends and current population estimates available from the U.S. Census Bureau Population Estimates 2018. This current data is available for all cities and towns within Champaign County.

Main observations regarding the U.S. Census Bureau Current Population Estimates 2018 include:

- The Champaign County population increased 4.4% since 2010.
- Since 2010, Mahomet and Savoy each experienced the greatest proportionate population increases.
- A total of 15 of the 22 municipalities located wholly within Champaign County experienced population decline since 2010.
- The population estimate for unincorporated Champaign County increased 1.4% since 2010.

2) *2017 Census of Agriculture Data*

The Census of Agriculture, conducted every five years, is the leading source of agriculture data for U.S. counties.

Attachment B contains an excerpt of County Summary Highlights: 2017 that includes Champaign County data. Additional summary description of the Champaign County data will be available prior to the upcoming ELUC meeting.

Attachments:

- A U.S. Census Bureau Population Estimates 2018 for Champaign County
- B Excerpt of County Summary Highlights: 2017 for Champaign County

Champaign County Population Estimates 2018

	Population Estimates Base April 1, 2010 ¹	Current Estimate ¹	Percent change ²	Proportion of Champaign County Estimated Population	Count
	April 1, 2010	July 1, 2018			
Champaign County:	201,081	209,983	4.4%		
Incorporated places w/population over 5,000					
Champaign	81,272	88,029	8.3%	41.9%	1
Urbana	41,675	42,046	0.9%	20.0%	2
Rantoul	12,954	12,691	-2.0%	6.0%	3
Mahomet	7,362	8,628	17.2%	4.1%	4
Savoy	7,296	8,418	15.4%	4.0%	5
<i>subtotal:</i>	150,559	159,812			
Incorporated places w/population 5,000 or less³					
Allerton (partial)	291	270	-7.2%	0.1%	6
Bondville	443	451	1.8%	0.2%	7
Broadlands	349	342	-2.0%	0.2%	8
Fisher	1,881	1,956	4.0%	0.9%	9
Foosland	101	99	-2.0%	<0.1%	10
Gifford	975	1,085	11.3%	0.5%	11
Homer	1,193	1,168	-2.0%	0.6%	12
Ivesdale (partial)	267	258	-3.4%	0.1%	13
Longview	153	150	-2.0%	<0.1%	14
Ludlow	371	362	-2.4%	0.2%	15
Ogden	810	811	0.1%	0.4%	16
Pesotum	551	534	-3.1%	0.3%	17
Philo	1,466	1,424	-2.9%	0.7%	18
Royal	293	289	-1.4%	0.1%	19
Sadorus	416	401	-3.6%	0.2%	20
St. Joseph	3,967	3,928	-0.9%	1.9%	21
Sidney	1,233	1,207	-2.1%	0.6%	22
Thomasboro	1,126	1,097	-2.5%	0.5%	23
Tolono	3,447	3,449	0.1%	1.6%	24
<i>subtotal:</i>	19,042	19,011			
Total incorporated population within Champaign County	169,601	178,823	5.4%	85.0%	
Unincorporated Champaign County⁴	31,109	31,531	1.4%	15.0%	

Notes provided on following page

Notes:

1. U.S. Census Bureau, QuickFacts, Champaign County, Illinois, Population estimates, July 1, 2018, (V2018)

<https://www.census.gov/quickfacts/>

2. Percent change in population between April 1, 2010 (estimates base) to July 1, 2018 (V2018) at U.S. Census Bureau, QuickFacts, <https://www.census.gov/quickfacts/>

3. The population and housing unit estimates are released on a flow basis throughout each year. Each new series of data (called vintages) incorporates the latest administrative record data, geographic boundaries, and methodology. Therefore, the entire time series of estimates beginning with the most recent decennial census is revised annually, and estimates from different vintages of data may not be consistent across geography and characteristics detail. When multiple vintages of data are available, the most recent vintage is the preferred data.

The vintage year (e.g., V2018) refers to the final year of the time series. The reference date for all estimates is July 1, unless otherwise specified. <https://www.census.gov/programs-surveys/popest/data/tables.html>

Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2018, 2018 Population Estimates

<https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk>

<https://www.census.gov/data/tables/time-series/demo/popest/2010s-counties-total.html>

4. Based on CCGISC data and aerial imagery, the entire Village of Allerton population is estimated to be within Vermilion County, and the entire Village of Ivesdale population estimated to be within Champaign County.

Table 1. County Summary Highlights: 2017 (continued)

[For meaning of abbreviations and symbols, see introductory text.]

Item		Bureau	Carhour	Carroll	Cass	Champaign	Christian
Farms	number	1 038	474	627	429	1 214	794
Land in farms	acres	431 055	114 628	245 721	197 561	582 689	402 703
Average size of farm	acres	421	242	392	461	480	507
Median size of farm	acres	160	94	131	124	160	137
Estimated market value of land and buildings							
Average per farm	dollars	3 460 532	1 013 115	3 150 456	2 946 206	4 471 916	4 381 139
Average per acre	dollars	8 219	4 189	8 039	6 398	9 317	8 638
Estimated market value of all machinery and equipment	\$1 000	301 211	46 897	168 990	115 114	392 115	247 546
Average per farm	dollars	290 184	98 750	269 522	268 331	322 994	311 771
Farms by size							
1 to 9 acres		108	35	67	14	168	87
10 to 49 acres		192	87	131	111	234	181
50 to 179 acres		259	208	156	125	234	152
180 to 499 acres		205	84	139	71	229	155
500 to 999 acres		131	35	75	46	155	88
1 000 acres or more		143	25	59	62	194	131
Total cropland	farms	968	425	568	390	1 153	747
Harvested cropland	acres	408 184	68 694	210 029	169 820	566 389	382 573
	farms	784	302	410	275	1 007	629
	acres	331 839	54 453	194 585	156 150	550 359	372 503
Irrigated land	farms	47	2	17	68	60	5
	acres	13 523	(D)	10 620	30 454	14 210	21
Market value of agricultural products sold (see text)	\$1 000	359 972	38 671	216 845	121 877	375 550	278 717
Average per farm	dollars	345 794	81 584	345 845	284 095	303 350	351 029
Crops including nursery and greenhouse crops	\$1 000	321 705	28 146	149 677	96 520	361 138	252 853
Livestock, poultry and their products	\$1 000	38 268	10 525	67 168	25 357	14 412	25 864
Farms by value of sales							
Less than \$2 500		269	211	227	154	256	227
\$2 500 to \$4 999		31	37	28	14	38	36
\$5 000 to \$9 999		35	38	43	31	60	43
\$10 000 to \$24 999		66	57	67	39	85	54
\$25 000 to \$49 999		67	41	21	26	98	53
\$50 000 to \$99 999		104	25	30	25	126	48
\$100 000 or more		466	65	241	140	551	333
Government payments (see text)	farms	828	325	474	362	999	631
	\$1 000	17 886	2 393	4 490	5 151	5 861	10 174
Total income from farm related sources	farms	640	211	382	218	745	428
	\$1 000	19 432	2 014	8 970	6 876	19 666	9 289
Total farm production expenses	\$1 000	308 006	31 017	168 620	90 664	262 414	186 897
Average per farm	dollars	289 023	65 437	268 932	211 804	216 157	235 387
Net cash farm income of the operations	farms	1 038	474	627	429	1 214	794
	\$1 000	97 294	12 061	61 685	43 040	138 663	111 283
Average per farm	dollars	93 732	25 444	98 381	100 327	114 220	140 155
Livestock and poultry							
Cattle and calves inventory	farms	166	127	169	74	100	114
	number	9 995	4 523	31 100	4 641	7 300	4 461
Beef cows	farms	121	113	115	63	70	98
	number	3 171	(D)	5 462	2 056	(D)	2 619
Milk cows	farms	4	1	18	4	3	-
	number	142	(D)	2 168	13	(D)	-
Cattle and calves sold	farms	144	111	164	63	93	92
	number	7 740	2 652	26 857	2 775	6 878	1 798
Hogs and pigs inventory	farms	33	11	15	22	17	16
	number	63 711	13 838	63 661	92 391	10 117	58 286
Hogs and pigs sold	farms	27	21	19	17	21	20
	number	247 760	91 746	145 325	260 417	24 558	145 835
Sheep and lambs inventory	farms	6	3	17	6	26	16
	number	1 203	120	375	232	460	786
Layers inventory (see text)	farms	41	21	21	11	46	22
	number	21 225	508	649	271	7 381	497
Broilers and other meat type chickens sold	farms	2	-	3	2	8	2
	number	(D)	-	76	(D)	2 392	(D)
Selected crops harvested							
Corn for grain	farms	645	147	302	203	798	455
	acres	241 210	21 639	133 944	86 133	277 293	190 461
	bushels	52 497 545	3 401 598	30 708 987	16 918 946	56 143 282	41 415 812
Corn for silage or greenchop	farms	13	3	33	6	11	11
	acres	675	132	2 199	114	563	167
	tons	18 566	2 480	45 067	2 044	11 298	3 807
Wheat for grain - all	farms	18	20	20	26	39	35
	acres	736	1 514	1 140	1 500	3 371	2 010
	bushels	64 898	86 348	103 705	86 233	258 342	158 534
Winter wheat for grain	farms	18	20	20	26	39	35
	acres	736	1 514	1 140	1 500	3 371	2 010
	bushels	64 898	86 348	103 705	86 233	258 342	158 534
Oats for grain	farms	7	-	12	-	10	3
	acres	90	-	251	-	192	19
	bushels	6 369	-	17 478	-	14 459	1 560
Barley for grain	farms	1	-	-	-	-	-
	acres	(D)	-	-	-	-	-
	bushels	(D)	-	-	-	-	-
Sorghum for grain	farms	-	2	-	-	1	-
	acres	-	(D)	-	-	(D)	-
	bushels	-	(D)	-	-	(D)	-
Sorghum for silage or greenchop	farms	-	-	-	-	-	-
	acres	-	-	-	-	-	-
	tons	-	-	-	-	-	-

continued

Table 1. County Summary Highlights: 2017 (continued)

[For meaning of abbreviations and symbols, see introductory text.]

Item		Illinois	Adams	Alexander	Bond	Boone	Brown
Selected crops harvested							
Soybeans for beans	farms	36 581	77	56	267	195	176
	acres	10 607 911	156 131	31 249	79 234	41 644	32 347
	bushels	599 908 475	8 624 161	1 401 912	4 375 104	1 944 875	1 748 521
Dry edible beans - excluding chickpeas and limas (see text)	farms	9	-	-	-	-	-
	acres	309	-	-	-	-	-
	cwt	8 881	-	-	-	-	-
Tabacco	farms	20	-	-	-	-	-
	acres	(D)	-	-	-	-	-
	pounds	479 347	-	-	-	-	-
Forage - land used for all hay and haylage, grass silage, and greenchop (see text)	farms	18 430	475	33	193	179	118
	acres	551 112	19 414	1 599	4 337	3 502	3 777
	tons, dry equivalent	1 568 894	53 955	3 117	11 673	12 702	11 338
Rice	farms	1	-	1	-	-	-
	acres	(D)	-	(D)	-	-	-
	cwt	(D)	-	(D)	-	-	-
Sunflower seed, all	farms	20	-	-	-	-	-
	acres	514	-	-	-	-	-
	pounds	684 889	-	-	-	-	-
Vegetables harvested for sale (see text)	farms	1 504	12	-	5	17	1
	acres	61 408	56	-	15	191	(D)
Potatoes	farms	227	1	-	1	2	-
	acres	8 112	(D)	-	(D)	(D)	-
Sweet potatoes	farms	77	2	-	1	-	-
	acres	44	(D)	-	(D)	-	-
Land in orchards (see text)	farms	992	10	1	8	14	-
	acres	5 564	33	(D)	32	65	-
Item		Bureau	Calhoun	Carroll	Cass	Champaign	Christian
Selected crops harvested							
Soybeans for beans	farms	603	177	225	228	827	484
	acres	145 109	27 490	44 470	65 038	266 472	178 951
	bushels	8 835 987	1 534 809	2 771 206	3 852 276	16 663 789	11 857 042
Dry edible beans - excluding chickpeas and limas (see text)	farms	-	-	-	-	-	-
	acres	-	-	-	-	-	-
	cwt	-	-	-	-	-	-
Tabacco	farms	-	-	-	-	-	-
	acres	-	-	-	-	-	-
	pounds	-	-	-	-	-	-
Forage - land used for all hay and haylage, grass silage, and greenchop (see text)	farms	162	126	176	59	135	146
	acres	3 385	3 355	7 195	2 953	2 357	2 206
	tons, dry equivalent	12 923	6 620	29 470	7 290	6 028	5 355
Rice	farms	-	-	-	-	-	-
	acres	-	-	-	-	-	-
	cwt	-	-	-	-	-	-
Sunflower seed, all	farms	-	-	-	1	2	-
	acres	-	-	-	(D)	(D)	-
	pounds	-	-	-	(D)	(D)	-
Vegetables harvested for sale (see text)	farms	8	7	9	3	29	11
	acres	155	34	(D)	53	202	18
Potatoes	farms	2	-	4	-	3	-
	acres	(D)	-	(D)	-	1	-
Sweet potatoes	farms	2	-	1	-	5	-
	acres	(D)	-	(D)	-	1	-
Land in orchards (see text)	farms	6	29	13	1	23	8
	acres	19	448	23	(D)	67	19

- continue -

May 2019 Residential Electronics Collection Results

	Total allowed to register online	Total registered once we closed...	Total registered after postcards went out...	Postcards collected on date of event:	Ppl who didn't get postcards or didn't register	Approx. total attendees:	Approx. no shows:	% showed up	% no show
Oct 15, 2016	708	715	674	681	35	716			
May 20, 2017	1040	1142	1099	924	50	974	125	89%	11%
Oct 14, 2017	1248	1296	1296	1072	31	1103	198	85%	15%
May 19, 2018	1600	1585	1545	1247	43	1290	255	83%	17%
Oct 13, 2018	1782	1595	1649	1266	54	1320	329	80%	20%
May 18, 2019	2240	2116	2115	1612	80	1692	423	80%	20%

Semis filled	Total Lbs. collected	Total Tons collected	Lbs. of TV's collected	% of TV's collected
	110,173	50.1	67,114	60.9%
7	125,429	62.7	85,144	67.9%
9	166,797	83.4	110,984	66.5%
8/10	161,796	80.9	105,013	64.9%
8/10	163,748	81.9	107,834	65.9%
9.5/11.5				

5/18/19 Event

weather: sunny & humid around 85 degrees, very windy

	Total allowed to register:	Total registered once we closed...	Total registered after postcards went out...	Postcards collected on date of event:	People who didn't get postcards + people who didn't register
8:00-8:15	140	138	141	113	5
8:15-8:30	140	137	136	105	5
8:30-8:45	140	131	132	97	5
8:45-9:00	140	125	127	93	5
9:00-9:15	140	137	139	107	5
9:15-9:30	140	128	128	95	5
9:30-9:45	140	134	133	107	5
9:45-10:00	140	126	123	103	5
10:00-10:15	140	137	138	101	5
10:15-10:30	140	131	130	105	5
10:30-10:45	140	138	137	109	5
10:45-11:00	140	129	127	101	5
11:00-11:15	140	135	132	90	5
11:15-11:30	140	124	124	102	5
11:30-11:45	140	126	130	83	5
11:45-12:00	140	140	138	101	5
	2240	2116	2115	1612	80

Approx TOTAL attendees:	1692
Approx no shows: 2115 - 1692 =	423

Participating communities:

1 Bondville	8
2 Broadlands	6
3 Champaign	1010
4 Fisher	27
5 Gifford	12
6 Homer	29
7 Ivesdale	6
8 Longview	1
9 Ludlow	3
10 Mahomet	172
11 Ogden	25
12 Rantoul	73
13 Royal	7
14 Sadorus	10
15 Savoy	84
16 Sidney	28
17 St. Joseph	87
18 Thomasboro	16
19 Tolono	58
20 Urbana	420
21 Unincorp Co/Other	33

2115

Avg per 15 min time slot b/n 8am-12pm:	132	132	101
--	-----	-----	-----

80% showed up
20% no show



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

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

DATE: May 28, 2019
TO: Environment and Land Use Committee
FROM: Susan Monte, Planner
RE: Passage of SB 9

Information Only

Illinois Senate Bill 9 Passes

On May 27, 2019, the Illinois Legislature passed SB9, the *Coal Ash Pollution Prevention Act*; the bill now awaits a signature from Governor Pritzker. A description of the legislation follows:

“The groundbreaking bill addresses the many waste pits filled with coal ash, the toxic byproduct of burning coal, located all over the state. Illinois is now the third state in the country to pass legislation providing significant coal ash protections above and beyond federal requirements. The legislation creates a regulatory framework to ensure polluters, not taxpayers, pay for needed closure and cleanup, guarantees public participation and transparency around cleanups for affected communities, and provides Illinois EPA the funds it needs to properly oversee closure and cleanup. It also requires Illinois to put in place standards for coal ash impoundments that are at least as protective as federal coal ash rule requirements, with additional protections against dust and water pollution.

SB9 amends the Illinois Environmental Protection Act and was sponsored by State Sen. Scott Bennett (D-Champaign). State Rep. Carol Ammons (D-Champaign) sponsored the bill in the House of Representatives. A large coalition of activists from around Illinois championed the legislation that will now proceed to Gov. J.B. Pritzker’s desk to be signed into law....

Illinois has the highest concentration of coal ash impoundments in the country. The Illinois EPA has found groundwater contamination from coal ash waste sites dating back to 2009. A 2018 report from environmental groups Environmental Integrity Project, Earthjustice, Prairie Rivers Network and Sierra Club analyzing data collected by ash dump owners under the federal coal ash rule found that 22 of 24 of Illinois’ reporting coal ash dumpsites have unsafe levels of toxic pollutants in the groundwater. Illinois joins Virginia and North Carolina in addressing coal ash through state level legislation.”¹

Will SB9 Apply to the Middle Fork?

Eco-Justice Collaborative planners respond:

“It’s hard to say how SB9 will apply to Dynegy’s closure plan. That’s because Dynegy’s plan has been in process for so long (seven years!!); permits are still being sought for

Will SB9 Apply to the Middle Fork? (continued)

riverbank stabilization; there are two Notices of Violation to Dynegy from the Illinois EPA; and Dynegy's closure plan has now been referred to the Attorney General's Office for enforcement. Also, Earthjustice and Prairie Rivers Network have filed suit.

What we CAN say, is that the impacts from the unlined, leaking coal ash pits along the state's only National Scenic River were constantly highlighted during the campaign for SB9, drawing even more attention to the urgent need to remove Dynegy's toxic waste. Having rules in place that require removal to be considered as an alternative; call for meaningful public involvement; and mandate strong financial guarantees only help us as we forge ahead with the Protect the Middle Fork campaign. We are evaluating how best to leverage this legislative win, and will let you know soon what we plan to do next - and how you can stay involved."²

Notes

1. Excerpt from Illinois Chapter Sierra Club post by katrina4cleanwater dated May 28, 2019
<https://sierraclubillinois.wordpress.com/2019/05/28/illinois-house-and-senate-pass-landmark-legislation-to-clean-up-coal-ash/>
2. Excerpt from "Does this Bill Apply to the Middle Fork?", Eco-Justice Collaborative webpage dated May 28, 2019
<https://ecojusticecollaborative.org>



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1776 E. Washington Street
Urbana, Illinois 61802

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zoningdept@co.champaign.il.us
www.co.champaign.il.us/zoning

DATE: May 29, 2019
TO: Environment and Land Use Committee
FROM: Susan Monte, Planner
RE: Dynegy Redesigning Middle Fork Riverbank Stabilization Project

Information Only

Dynegy Redesign of Middle Fork Riverbank Stabilization Project

The attached news article from The News-Gazette contains an update from Sarah Keller, engineer with the US Army Corps of Engineers, regarding notification she received from Dynegy officials. Dynegy officials notified her that they are redesigning the Middle Fork riverbank stabilization project as a result of discussions with the Army Corps of Engineers and the National Park Service.¹

Attachment A contains the news article text.

Attachment:

- A 'Dynegy re-evaluating plans for Middle Fork stabilization after public input,' The News-Gazette article dated May 21, 2019

Note:

1. "Dynegy re-evaluating plans for Middle Fork stabilization after public input", The News-Gazette, dated May 21, 2019
<http://www.news-gazette.com/>

Dynegy re-evaluating plans for Middle Fork stabilization after public inputThe News-Gazette
5/21/2019

Tue, 05/21/2019 - 8:40pm | Tracy Crane

NEWTOWN — Dynegy is going "back to the drawing board" to redesign a controversial riverbank-stabilization project along the Middle Fork River in a way that's more compatible with the waterway's designation as a National Scenic River, according to the United States Army Corps of Engineers.

Sarah Keller, an engineer with the corps, has been working with Dynegy officials in their quest to get work permits for the project along a section of bank that holds back toxic coal ash stored in pits on the company's former Vermilion Power Station property.

Keller said Dynegy officials notified her in writing May 13 that they are redesigning the stabilization project as a result of discussions with the Army Corps of Engineers and the National Park Service, which is involved in the permitting process due to the river's special designation.

Coal ash contains contaminants like mercury, cadmium and arsenic that can pollute waterways, groundwater, drinking water and the air.

In the last several years since Dynegy closed the coal-fired Vermilion Power Station along the Middle Fork, the river has continued to seriously erode the banks adjacent to the coal-ash pits, risking a spill into the river.

Last year, Dynegy decided to take short-term action to stabilize the bank while the company — now a subsidiary of Texas-based Vistra Energy — continues working with the Illinois Environmental Protection Agency on a permanent closure plan for the former power station property and coal-ash pits.

New legislation is moving forward in Springfield that could affect that closure plan and more than 80 other coal-ash sites around the state.

At a news conference Tuesday in Springfield, state Sen. Scott Bennett, D-Champaign, and state Reps. Mike Marron, R-Fithian, and Carol Ammons, D-Champaign, discussed a bill introduced by Bennett, which has already passed the Senate, that would require the IEPA and the Illinois Pollution Control Board to establish rules and regulations for handling coal ash on sites like the Dynegy property. The bill has also been approved by the House Energy and Environment committee with bipartisan support and now awaits a full vote in the House.

But in regards to Dynegy's short-term bank-stabilization plans, the input of local citizens may have played an important role in its decision to go back to the drawing board.

In an email, Keller said the National Park Service has voiced its continued concern over the previously proposed bank-stabilization design that would have included large white rock rip rap, stretching along the bank for 2,000 feet and would have required two construction seasons and closure of the river to recreation to make way for a construction site in the river channel.

The park service said the plan would result in an "adverse determination" under the National Wild and Scenic Rivers Act, according to Keller, who added that, as a result of that input, Dynegy acknowledged it will have to reduce the scope of the proposed project and choose a more environmentally friendly method in order to comply with the park service's requirements.

Dynegy re-evaluating plans for Middle Fork stabilization after public input

The News-Gazette
5/21/2019

"We spent some time brainstorming possible stabilization methods, and Dynegy indicated they would consult with alternative design firms that specialize in bioengineering and 'greener' stabilization approaches," Keller said. "Dynegy indicated their desire to choose a stabilization method that would not project/encroach into the river."

She also said that Dynegy is "proactively working on a plan for emergency stabilization in the event there is a catastrophic loss of bank this season," which has been a fear of government officials and others as the Middle Fork banks are more at risk of erosion during heavy spring rains.

"I have not seen the plan, but they have told me their goal is for it to be easily removable, short-term, and temporary in nature," Keller said of the emergency stabilization design.

On March 26, more than 200 people attended an IEPA hearing held to gather public comments on Dynegy's stabilization project, which the state agency must sign off on prior to the Corps of Engineers granting a permit.

Most of the more than 50 people who made formal comments objected to the project as not compatible for a national scenic river. Many called for the IEPA to demand that the coal ash be removed altogether from the three pits that are adjacent to the Middle Fork as the best long-term solution for protecting the environment.

River advocates have feared that Dynegy's stabilization project was a first step in its long-term plan to leave the coal ash next to the river forever. River advocates prefer more of a stop-gap stabilization until Dynegy can move the coal ash, which was stored in the pits for decades as a byproduct of the coal burning process at the former power plant.

Lan and Pam Richart, co-directors of Champaign-based Eco-Justice Collaborative, have been actively campaigning for the removal of the coal ash for years. Lan Richart said the news that Dynegy is going back to the drawing board was a surprise victory.

"All along, we've been saying that the project was too large, too destructive and wasn't a good idea, and a precursor to leaving the ash in place," he said.

Richart said it's a significant victory in the fight to protect the Middle Fork.

"We firmly believe that the hundreds of letters sent to the National Park Service by the public helped solidify the agency's position that the stream-bank stabilization originally proposed was not compatible with the river's designation as a National Scenic River," he said. "This is a good decision for the river and also for the people who enjoy and depend on it. We remain committed to continuing our campaign calling for the clean up of coal ash along the river."

Eco-Justice Collaborative, Prairie Rivers Network and other private citizens have also been campaigning for passage of Bennett's bill, which would require the state to develop rules for regulating the storage of coal-ash waste and the closure of coal-ash sites. Currently, Illinois has no such regulations, and the laws that do come into play when closing such sites apply only to groundwater. The legislation would also require companies to provide financial assurances — that coal-ash sites will be cleaned up even if the property owners abandon them.

Dynegy re-evaluating plans for Middle Fork stabilization after public input

The News-Gazette
5/21/2019

Marron said there are about 84 sites where coal ash is stored in Illinois, so it's imperative to have clear, concise guidelines to help alleviate environmental damage and encourage safe and responsible storage of coal ash.

Lan Richart said there are upwards of 50 unlined, leaking coal-ash impoundments on power plant sites throughout the state, and federal rules — the only ones currently in force in Illinois — do not include a permit process for closing these pits, nor a means of enforcement.

TO: **Environment and Land Use Committee**

FROM: **John Hall, Director**

DATE: **May 30, 2019**

RE: **Champaign County Participation in a Land Bank with the Vermilion
County Land Bank
(Update on Champaign County Land Bank Project)**

Champaign County
Department of



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

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

BACKGROUND

1. Participation by Champaign County in the proposed land bank will be provided for in an intergovernmental agreement that must be approved by the Champaign County Board.
2. Representatives from both the Village of Rantoul and the Vermilion County Land Bank Authority will be at the meeting to answer questions regarding the proposed land bank.
3. The County Executive will be at the meeting to hear whether the committee would be interested forwarding to the full board an Intergovernmental Agreement (IGA) governing the proposed land bank and if so, under what parameters:
 - a. The current Vermilion County IGA was included with the Committee's March Agenda Should the negotiated IGA to be substantially the same as the existing IGA for the Vermilion County Land Bank Authority?
 - b. Land bank membership "buy-in" and annual costs can include direct payments (out of pocket cash) and/or in-kind (donations of land to bank, data analysis, office space, etc.). What would the Committee like to see in terms of annual costs?
 - (a) Proposed is an amount equal to \$90,000 for the first 3 years to "catch up with current partner investment".
 - (b) Averaging costs would allow flexibility over time.
 - (c) Note that participation cost is over and above the costs of demolition of dangerous structures on properties that will be later conveyed to the land bank for disposal.
 - (d) The County currently has three properties that could be "in-kind" contributions. The total estimated value of all three properties is \$34,000.
 - (e) Note that it is expected that over the next few years the County will acquire a few more properties as a result of demolition of dangerous structures and also that the process of negotiating the IGA will reveal other in-kind contributions.



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

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

FILED

Filing Fee
MAY 24 2019

Deann Johnson
CHAMPAIGN COUNTY CLERK

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

Checks Must Be Made Payable To:

Champaign County Clerk

For Office Use Only

License No. 2019-FNT 36

Date(s) of Event(s) 7/16-14/2019

Business Name: FISHER FAIR

License Fee: \$ 50.00

Filing Fee: \$ 4.00

TOTAL FEE: \$ 54.00

Checker's Signature: [Signature]

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

- A.
1. Name of Business: Fisher Community Fair
 2. Location of Business for which application is made: 224 E. Sangamon St Fisher, IL 61843-0764
 3. Business address of Business for which application is made: PO Box 764 Fisher, IL 61843-0764
 4. Zoning Classification of Property: _____
 5. Date the Business covered by Ordinance No. 55 began at this location: 1941
 6. Nature of Business normally conducted at this location: Fair/Festival
 7. Nature of Activity to be licensed (include all forms of recreation and entertainment to be provided): CARNIVAL, WINE TESTING, CONCERT
 8. Term for which License is sought (specifically beginning & ending dates): July 10 - July 14, 2018

(NOTE: All annual licenses expire on December 31st of each year)

9. Do you own the building or property for which this license is sought? yes
10. If you have a lease or rent the property, state the name and address of the owner and when the lease or rental agreement expires: no
11. If any licensed activity will occur outdoors attach a Site Plan (with dimensions) to this application showing location of all buildings, outdoor areas to be used for various purposes and parking spaces. See page 3, Item 7.

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

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

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

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

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

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

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

- C. 1. Name(s) of owner(s) or local manager(s) (include any aliases): _____
JILL JALEEN WOOD ALLEN HARDESTI
Date of Birth: 1 Place of Birth: Urbana
Social Security Number: _____ Citizenship: yes
If naturalized, state place and date of naturalization: _____
2. Residential Address(es) for the past three (3) years: _____
506 E Market St.
Farmer City IL 61842
3. Business, occupation, or employment of applicant for four (4) years preceding date of application for this license: _____
Blue Ridge USD #18 Farmer City IL 61842

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

- D. Answer only if applicant is a Corporation:
1. Name of Corporation exactly as shown in articles of incorporation and as registered:
FISHER COMMUNITY FAIR & HORSE SHOW
2. Date of Incorporation: 1949 State wherein incorporated: IL

AFFIDAVIT
(Complete when applicant is an Individual or Partnership)

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

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

Signature of Owner or of one of two members of Partnership

Signature of Owner or of one of two members of Partnership

Signature of Manager or Agent

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

Notary Public

AFFIDAVIT
(Complete when applicant is a Corporation)

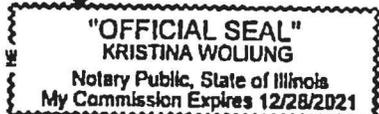
We, the undersigned, president and secretary of the above named corporation, each first being duly sworn, say that each of us has read the foregoing application and that the matters stated therein are true and correct and are made upon our personal knowledge and information, and are made for the purpose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

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

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

Signature of President

Signature of Secretary



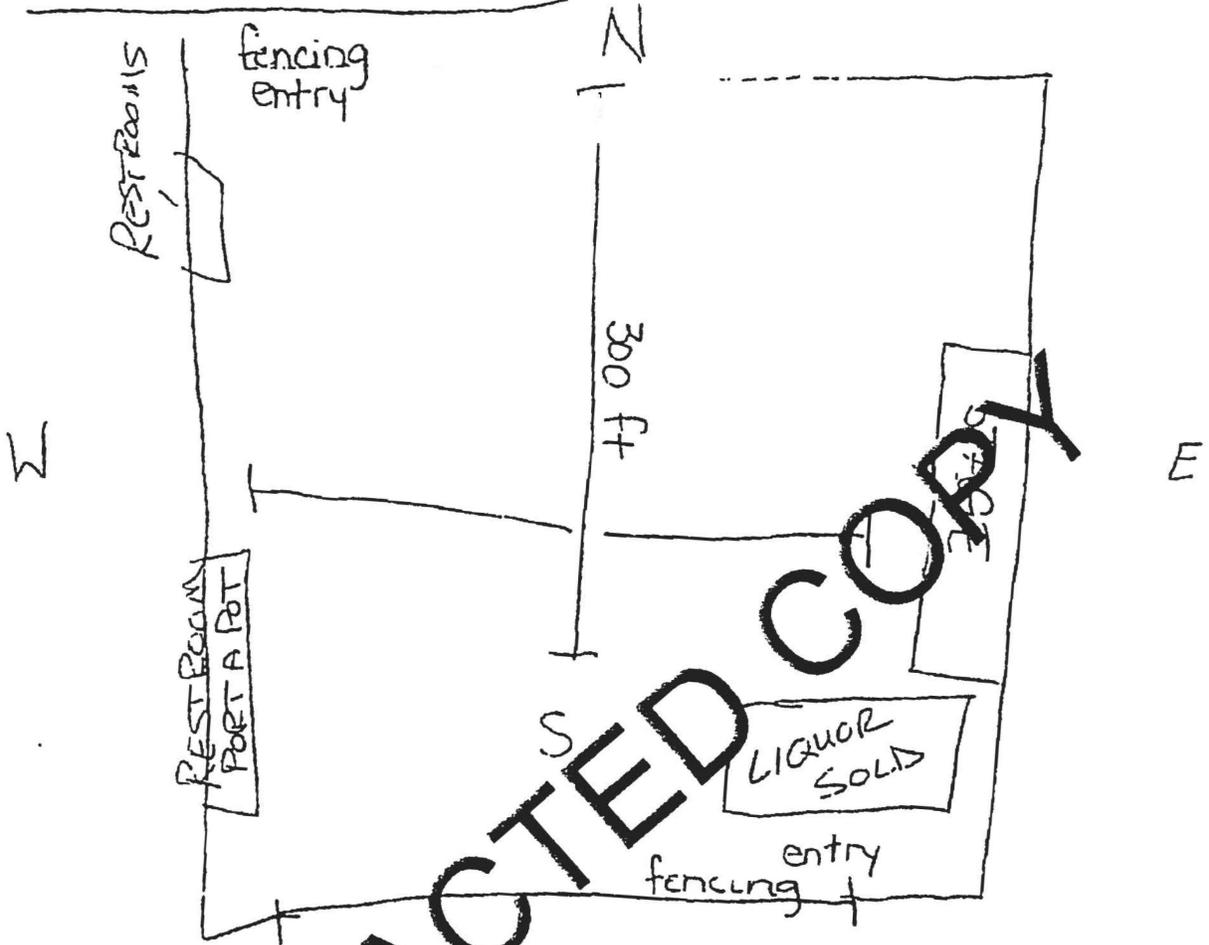
Signature of Manager or Agent

Subscribed and sworn to before me this 24 day of May, 2019.

Notary Public

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

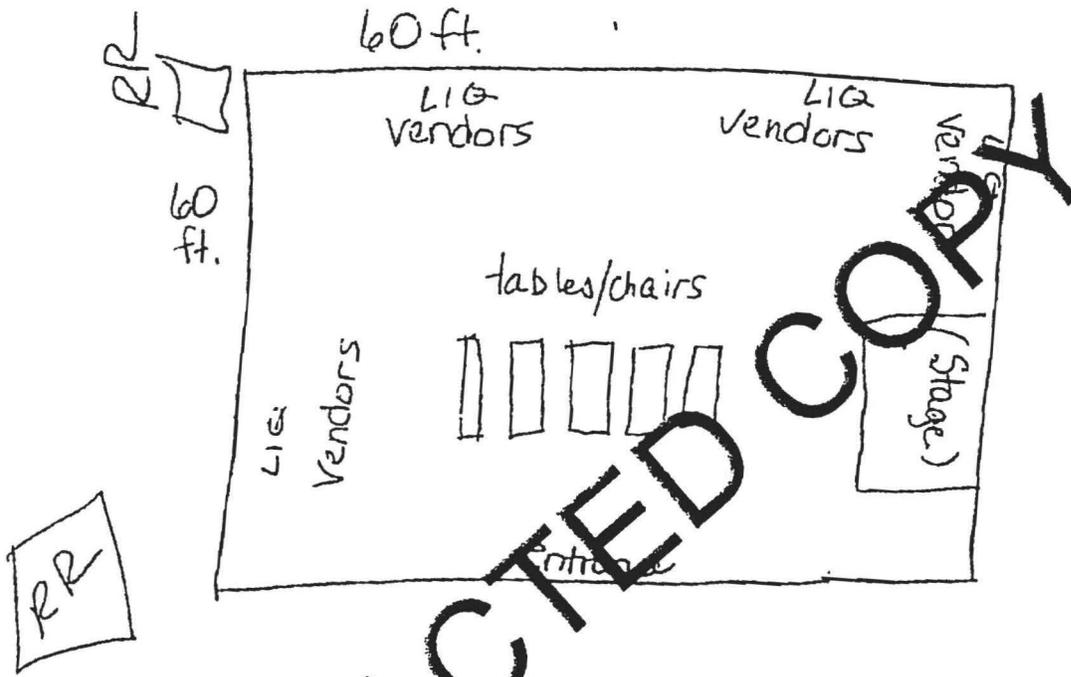
Day 1 - July 1st, 2014
Fisher Fair Grandstand area



REDACTED COPY



Day 2 July 13, 2019
Commercial Bldg



REDACTED COPY



FISHCMN-01

FRYLINDA

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
5/20/2019

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

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

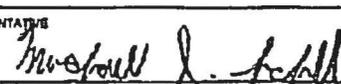
PRODUCER Burnham & Flower of Illinois 315 S Kalamazoo Mall Kalamazoo, MI 49007	CONTACT NAME	FAX (OC No): (269) 381-1173	FAX (OC No): (269) 381-6089	
	PHONE	ADDRESS:		
INSURED Fisher Community Fair & Horse Show Ms. Jill Hardesty 226 E. Sangamon Ave. Fisher, IL 61843	INSURER(S) AFFORDING COVERAGE		NAIC #	
	INSURER A: Houston Casualty Company			
	INSURER B:			
	INSURER C:			
	INSURER D:			
	INSURER E:			

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

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

INSR. LTR.	TYPE OF INSURANCE	ADDITIONAL INSURED	POLICY NUMBER	POLICY E.F. (MM/DD/YYYY)	POLICY EXP. (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR ORNL AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PER <input type="checkbox"/> LOC OTHER:		HNL1F111029	5/1/2019	5/1/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Per occurrence) \$ 500,000 MED EXP. (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ 5,000,000 PRODUCTS - COMP/OP AGG \$ COMBINED SINGLE LIMIT (Per accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY					EACH OCCURRENCE \$ AGGREGATE \$ \$
	UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/OWNER EXCLUDED? (If yes, describe view below)					PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	General Liability		HNL1F111029	5/1/2019	5/1/2020	Occurrence/Aggregate 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Fair Week 7/9 - 7/12 Major Event 7/12/2019 and 7/13/2019

CERTIFICATE HOLDER Illinois State Liquor Control Commission 101 W. Jefferson Springfield, IL 62702	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

Champaign County
Department of



Brookens Administrative
Center
1776 E. Washington Street
Urbana, Illinois 61802
(217) 384 3708
zoningdept@co.champaign.il.us
www.co.champaign.il.us/zoning

TO: **Environment and Land Use Committee**
FROM: **John Hall, Champaign County Zoning Administrator**
Susan Burgstrom, Champaign County Senior Planner
DATE: **May 29, 2019**
RE: **Alternatives Regarding Direction for Proposed Zoning Ordinance Text
Amendment for PV Solar Farm Requirements in Response to
Municipal Concerns (continued from the 5/9/19 ELUC meeting)**

BACKGROUND

At the 5/9/19 meeting the Committee reviewed a proposed amendment that (1) increased the minimum required separation from a solar farm to a municipality and (2) increased the time allowed for municipal comments.

The Committee requested separate alternative versions of the amendment.

Attachment B is a version of the amendment that adds significant time in which a municipality can decide how to respond to any proposed solar farm within one-and-one half miles. This version of the amendment retains the current minimum separation of one-half mile (see the highlighted lines in subparagraph (2)a.(a)) provided that the required municipal notification is provided and includes the added municipal review times both after the public hearing and at the Environment and Land Use Committee.

Attachment C is a version of the amendment that increases the minimum required separation from a solar farm to a municipality in addition to the changes proposed in Attachment B. This version of the amendment would be advertised as a separate amendment distinct from the version proposed in Attachment B. This approach is intended to minimize any confusion between the two alternatives and the County Board could adopt one or the other or neither.

ATTACHMENTS

- A Existing Section 6.1.5B.(2) of the Champaign County Zoning Ordinance**
- B Alternative Draft Changes to Section 6.1.5B.(2) in Response to Municipal Concerns (increase in notification and timing only)**
- C DRAFT Changes to Section 6.1.5B.(2) PV Solar Farm Requirements in Response to Municipal Concerns (includes increased separation)**

The existing Section 6.1.5B.(2) is as follows:

- (2) The PV SOLAR FARM County Board SPECIAL USE permit shall not be located in the following areas:
 - a. Less than one-and-one-half miles from an incorporated municipality that has a zoning ordinance unless the following is provided:
 - (a) No part of a PV SOLAR FARM shall be located within a contiguous urban growth area (CUGA) as indicated in the most recent update of the CUGA in the Champaign County Land Resource Management Plan, and there shall be a separation of one-half mile from a proposed PV SOLAR FARM to a municipal boundary at the time of application for the SPECIAL USE Permit, except for any power lines of 34.5 kVA or less and except for any proposed PV SOLAR FARM substation and related proposed connection to an existing substation.
 - (b) The PV SOLAR FARM SPECIAL USE permit application shall include documentation that the applicant has provided a complete copy of the SPECIAL USE permit application to any municipality within one-and-one-half miles of the proposed PV SOLAR FARM.
 - (c) If no municipal resolution regarding the PV SOLAR FARM is received from any municipality located within one-and-one-half miles of the PV SOLAR FARM prior to the consideration of the PV SOLAR FARM SPECIAL USE permit by the Champaign County Board, the ZONING ADMINISTRATOR shall provide documentation to the County Board that any municipality within one-and-one-half miles of the PV SOLAR FARM was provided notice of the meeting dates for consideration of the proposed PV SOLAR FARM SPECIAL USE Permit for both the Environment and Land Use Committee and the County Board.
 - b. Less than one-half mile from the CR Conservation Recreation Zoning District.

ATTACHMENT B. Alternative Draft Changes to Section 6.1.5B.(2) PV Solar Farm Requirements
in Response to Municipal Concerns (increase in notification and timing only)

MAY 29, 2019

1. Revise Section 6.1.5B.(2) as follows:

- (2) The PV SOLAR FARM County Board SPECIAL USE permit shall not be located in the following areas:
- a. Less than one-and-one-half miles from an incorporated municipality that has a zoning ordinance except for any power lines of 34.5 kVA or less and any related proposed connection to an existing substation. Any request for a waiver of this minimum separation shall include unless the following is provided:
 - (a) No part of a PV SOLAR FARM shall be located within a contiguous urban growth area (CUGA) as indicated in the most recent update of the CUGA in the Champaign County Land Resource Management Plan, and there shall be a separation of one-half mile from a proposed PV SOLAR FARM to a municipal boundary at the time of application for the SPECIAL USE Permit- ~~except for any power lines of 34.5 kVA or less and except for any proposed PV SOLAR FARM substation and related proposed connection to an existing substation.~~

{NOTE: The 11/5/18 letter from non-home rule municipalities requested an increase of the required separation to one-and-one-half miles and better notification to municipalities. This alternative version of the amendment only provides the better notification. Increasing the minimum separation distance to more than one-half mile will make all existing approved solar farms “nonconforming” which will interfere with the right to make repairs if an already approved PV SOLAR FARM is damaged to more than 50% of replacement value so changes are also proposed to Section 8 Nonconformities. See proposed changes to Zoning Ordinance Section 8.2. }

- (b) The ZONING ADMINISTRATOR shall notify in writing any municipality that is located within one-and one-half miles of any proposed PV SOLAR FARM upon the receipt of any substantial PV SOLAR FARM SPECIAL USE permit application in addition to any notice otherwise required.
- (~~b~~ c) The PV SOLAR FARM SPECIAL USE permit application shall include documentation that the applicant has provided a complete copy of the SPECIAL USE permit application to any municipality within one-and-one-half miles of the proposed PV SOLAR FARM.
- (d) Municipal subdivision approval for any PV SOLAR FARM land lease exceeding five years may be required by any relevant municipal authority that has an adopted comprehensive plan and when required said subdivision approval shall be necessary for compliance with Section 13.2.1.

**ATTACHMENT B. Alternative Draft Changes to Section 6.1.5B.(2) PV Solar Farm Requirements
in Response to Municipal Concerns (increase in notification and timing only)**

MAY 29, 2019

- (e) The public hearing for any proposed PV SOLAR FARM that is located within one-and-one-half miles of a municipality that has a zoning ordinance shall occur at a minimum of two BOARD meetings that are not less than 28 days apart to provide time for municipal comments during the public hearing, unless the 28-day comment period is waived in writing by any relevant municipality.
- (~~e~~ f) For any proposed PV SOLAR FARM that is located within one-and-one-half miles of a municipality that has a zoning ordinance, the ZONING ADMINISTRATOR shall notify said municipality of the recommendation by the BOARD after the close of the public hearing.

{Note: This part of the amendment was not requested in the 11/5/18 letter from non-home rule municipalities but a communication to any affected municipality at the end of the public hearing is reasonable to ensure good coordination.}

- (e g) After the initial review of the BOARD recommendation for the PV SOLAR FARM SPECIAL USE permit by the Environment and Land Use Committee of the COUNTY BOARD, if the Environment and Land Use Committee makes a preliminary determination to accept the BOARD recommendation, the PV SOLAR FARM SPECIAL USE permit shall remain at the Environment and Land Use Committee for a maximum 30-day comment period, or until the next regularly scheduled meeting, to allow comments regarding the PV SOLAR FARM SPECIAL USE permit to be received from any relevant municipal authority prior to the Environment and Land Use Committee recommendation to the County Board, unless the municipal comment period is waived in writing by any relevant municipality. If a PV SOLAR FARM is not located within one-and-one-half miles of a municipality the Environment and Land Use recommendation can be referred to the County Board without a municipal comment period.

{NOTE: This part of the amendment was not requested in the 11/5/18 letter from non-home rule municipalities but is consistent with comments made by some municipal planning staffs and should facilitate consideration by non-home rule municipalities. Note that the same review described above could be added under Section 9.2 Amendments to formalize the review of text amendments.}

- (e h) If no municipal resolution regarding the PV SOLAR FARM is received from any municipality located within one-and-one-half miles of the PV SOLAR FARM prior to the consideration of the

**ATTACHMENT B. Alternative Draft Changes to Section 6.1.5B.(2) PV Solar Farm Requirements
in Response to Municipal Concerns (increase in notification and timing only)**

MAY 29, 2019

PV SOLAR FARM SPECIAL USE permit by the Champaign County Board, the ZONING ADMINISTRATOR shall provide documentation to the County Board that any municipality within one-and-one-half miles of the PV SOLAR FARM was provided notice of the meeting dates for consideration of the proposed PV SOLAR FARM SPECIAL USE Permit for both the Environment and Land Use Committee and the County Board.

2. Add the following to Section 8.2.3 at the end:

The requirements of Section 8.2.3 shall not apply to any PV SOLAR FARM authorized prior to {effective date of this amendment} or PV SOLAR FARM equipment that is in the process of being repaired or replaced.

{Note: This part of the amendment was not requested in the 11/5/18 letter from non-home rule municipalities but is recommended to correct for making recently authorized PV SOLAR FARMS “nonconforming”. This part of the amendment makes clear that any recently authorized PV SOLAR FARM that later fails to operate and is in the process of being repaired will not lose its zoning right to operate. }

3. Add new Section 8.2.4 as follows:

8.2.4 For purposes of applicability of this Section 8.2 to any PV SOLAR FARM, any PV SOLAR FARM for which a SPECIAL USE permit had been authorized prior to {effective date of this amendment}, said PV SOLAR FARM may be constructed in compliance with the SPECIAL USE permit and subject to a duly approved Zoning Use Permit so long as the construction shall be consistent with the SPECIAL USE permit expiration requirements of Section 6.1.5T. and any special conditions of approval that may be applicable.

{Note: This part of the amendment was not requested in the 11/5/18 letter from non-home rule municipalities but is recommended to correct for making recently authorized PV SOLAR FARMS “nonconforming”. This part of the amendment corrects for that part of Section 8.2 that refers to “...a lawful USE of land exists...” and it makes clear that any recently authorized PV SOLAR FARM may be constructed pursuant to the standard requirement of a Zoning Use Permit, provided that the Special Use Permit has not expired. }

ATTACHMENT C. DRAFT Changes to Section 6.1.5B.(2) PV Solar Farm Requirements in
Response to Municipal Concerns (includes increased separation)

MAY 29, 2019

1. Revise Section 6.1.5B.(2) as follows:

- (2) The PV SOLAR FARM County Board SPECIAL USE permit shall not be located in the following areas:
- a. Less than one-and-one-half miles from an incorporated municipality that has a zoning ordinance except for any power lines of 34.5 kVA or less and any related proposed connection to an existing substation. Any request for a waiver of this minimum separation shall include unless the following is provided:
- (a) No part of a PV SOLAR FARM shall be located within a contiguous urban growth area (CUGA) as indicated in the most recent update of the CUGA in the Champaign County Land Resource Management Plan, ~~and there shall be a separation of one-half mile from a proposed PV SOLAR FARM to a municipal boundary at the time of application for the SPECIAL USE Permit, except for any power lines of 34.5 kVA or less and except for any proposed PV SOLAR FARM substation and related proposed connection to an existing substation.~~

{NOTE: The 11/5/18 letter from non-home rule municipalities requested an increase of the required separation to one-and-one-half miles and better notification to municipalities. Increasing the minimum separation distance to more than one-half mile will make all existing approved solar farms “nonconforming” which will interfere with the right to make repairs if an already approved PV SOLAR FARM is damaged to more than 50% of replacement value so changes are also proposed to Section 8 Nonconformities. See proposed changes to Zoning Ordinance Section 8.2.}

- (b) The ZONING ADMINISTRATOR shall notify in writing any municipality that is located within one-and one-half miles of any proposed PV SOLAR FARM upon the receipt of any substantial PV SOLAR FARM SPECIAL USE permit application in addition to any notice otherwise required.
- (b c) The PV SOLAR FARM SPECIAL USE permit application shall include documentation that the applicant has provided a complete copy of the SPECIAL USE permit application to any municipality within one-and-one-half miles of the proposed PV SOLAR FARM.
- (d) Municipal subdivision approval for any PV SOLAR FARM land lease exceeding five years may be required by any relevant municipal authority that has an adopted comprehensive plan and when required said subdivision approval shall be necessary for compliance with Section 13.2.1.

ATTACHMENT C. DRAFT Changes to Section 6.1.5B.(2) PV Solar Farm Requirements in Response to Municipal Concerns (includes increased separation)

MAY 29, 2019

- (e) The public hearing for any proposed PV SOLAR FARM that is located within one-and-one-half miles of a municipality that has a zoning ordinance shall occur at a minimum of two BOARD meetings that are not less than 28 days apart to provide time for municipal comments during the public hearing, unless the 28-day comment period is waived in writing by any relevant municipality.
- (f) For any proposed PV SOLAR FARM that is located within one-and-one-half miles of a municipality that has a zoning ordinance, the ZONING ADMINISTRATOR shall notify said municipality of the recommendation by the BOARD after the close of the public hearing.

{Note: This part of the amendment was not requested in the 11/5/18 letter from non-home rule municipalities but a communication to any affected municipality at the end of the public hearing is reasonable to ensure good coordination. }

- (g) After the initial review of the BOARD recommendation for the PV SOLAR FARM SPECIAL USE permit by the Environment and Land Use Committee of the COUNTY BOARD, if the Environment and Land Use Committee makes a preliminary determination to accept the BOARD recommendation, the PV SOLAR FARM SPECIAL USE permit shall remain at the Environment and Land Use Committee for a maximum 30-day comment period, or until the next regularly scheduled meeting, to allow comments regarding the PV SOLAR FARM SPECIAL USE permit to be received from any relevant municipal authority prior to the Environment and Land Use Committee recommendation to the County Board, unless the municipal comment period is waived in writing by any relevant municipality. If a PV SOLAR FARM is not located within one-and-one-half miles of a municipality the Environment and Land Use recommendation can be referred to the County Board without a municipal comment period.

{NOTE: This part of the amendment was not requested in the 11/5/18 letter from non-home rule municipalities but is consistent with comments made by some municipal planning staffs and should facilitate consideration by non-home rule municipalities. Note that the same review described above could be added under Section 9.2 Amendments to formalize the review of text amendments. }

- (h) If no municipal resolution regarding the PV SOLAR FARM is received from any municipality located within one-and-one-half miles of the PV SOLAR FARM prior to the consideration of the PV SOLAR FARM SPECIAL USE permit by the Champaign

ATTACHMENT C. DRAFT Changes to Section 6.1.5B.(2) PV Solar Farm Requirements in Response to Municipal Concerns (includes increased separation)

MAY 29, 2019

County Board, the ZONING ADMINISTRATOR shall provide documentation to the County Board that any municipality within one-and-one-half miles of the PV SOLAR FARM was provided notice of the meeting dates for consideration of the proposed PV SOLAR FARM SPECIAL USE Permit for both the Environment and Land Use Committee and the County Board.

2. Add the following to Section 8.2.3 at the end:

The requirements of Section 8.2.3 shall not apply to any PV SOLAR FARM authorized prior to {effective date of this amendment} or PV SOLAR FARM equipment that is in the process of being repaired or replaced.

{Note: This part of the amendment was not requested in the 11/5/18 letter from non-home rule municipalities but is recommended to correct for making recently authorized PV SOLAR FARMS “nonconforming”. This part of the amendment makes clear that any recently authorized PV SOLAR FARM that later fails to operate and is in the process of being repaired will not lose its zoning right to operate. }

3. Add new Section 8.2.4 as follows:

8.2.4 For purposes of applicability of this Section 8.2 to any PV SOLAR FARM, any PV SOLAR FARM for which a SPECIAL USE permit had been authorized prior to {effective date of this amendment}, said PV SOLAR FARM may be constructed in compliance with the SPECIAL USE permit and subject to a duly approved Zoning Use Permit so long as the construction shall be consistent with the SPECIAL USE permit expiration requirements of Section 6.1.5T. and any special conditions of approval that may be applicable.

{Note: This part of the amendment was not requested in the 11/5/18 letter from non-home rule municipalities but is recommended to correct for making recently authorized PV SOLAR FARMS “nonconforming”. This part of the amendment corrects for that part of Section 8.2 that refers to “...a lawful USE of land exists...” and it makes clear that any recently authorized PV SOLAR FARM may be constructed pursuant to the standard requirement of a Zoning Use Permit, provided that the Special Use Permit has not expired. }

Champaign County
Department of



Brookens Administrative
Center
1776 E. Washington Street
Urbana Illinois 61802

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

To: **Champaign County Environment & Land Use Committee**

From: **John Hall, Zoning Administrator**
Susan Burgstrom, Senior Planner

Date: **May 29, 2019**

RE: **Recommendation for rezoning Case 936-AM-19**

Request: **Amend the Zoning Map to change the zoning district designation from the AG-1 Agriculture Zoning District to the AG-2 Agriculture Zoning District in order to allow a two-family dwelling as a proposed Special Use in related Zoning Case 937-S-19, and subject to the requested variance in related zoning case 938-V-19.**

Petitioners: **Jeff and Jolene Gensler**

The Zoning Board of Appeals (ZBA) voted 6-0 to "RECOMMEND ENACTMENT" of this map amendment at its May 16, 2019 meeting. The ZBA found that the rezoning achieved all relevant Goals, Objectives, and Policies from the Champaign County Land Resource Management Plan. ZBA recommends one special condition for the rezoning, to ensure compliance with the Right to Farm Resolution 3425.

The ZBA unanimously approved the related Special Use Permit for a two-family dwelling in Case 937-S-19 and the set of variances for lot size, side and rear yards in Case 938-V-19.

BACKGROUND

In 2010, the petitioners constructed an unauthorized addition to a detached garage that was approved in 1978. Case 316-V-78 approved on August 24, 1978, allowed a variance for 2.5 foot side and rear yards for that garage. The 2010 addition linked the main residence to the expanded garage, making the garage part of the principal structure rather than an accessory structure. The petitioners also constructed a mother-in-law suite in the garage, effectively creating a second dwelling on the property. They built the mother-in-law suite for Mrs. Gensler's mother, who is disabled and needs assistance. The main residence has stairs leading to the bedrooms that her mother cannot manage. The petitioners sought an affordable alternative to an assisted living facility.

Current zoning does not allow a two-family dwelling in the AG-1 Agriculture Zoning District. A two-family dwelling is allowed via Special Use Permit in the AG-2 District. The petitioners seek to rezone to AG-2 and have requested a Special Use Permit in order to keep the two dwellings.

EXTRATERRITORIAL JURISDICTION

The subject property is within the one and one-half mile extraterritorial jurisdiction of the Village of Rantoul, a municipality with zoning. Zoned municipalities have protest rights in Map Amendment cases. Notice of the public hearing was sent to the Village. The Rantoul Comprehensive Plan Map adopted on February 14, 2006 and amended on March 11, 2008 shows the subject property in the "Industrial or Commercial" future land use.

The subject property is located within Rantoul Township, which has a Planning Commission. Townships with Plan Commissions have protest rights on a Map Amendment. The Township Plan Commission has been notified of this case. No comments have been received to date from either jurisdiction.

LAND EVALUATION AND SITE ASSESSMENT (LESA) RATING

Land Evaluation and Site Assessment (LESA) analysis was completed for the subject property. Regarding the LE score, soils are considered Best Prime Farmland, with an average LE score of 91. The Site Assessment (SA) portion of the LESA analysis for the subject property scored 145 out of 200 points, for an overall LESA score of 236. This falls under the second highest protection rating in LESA, which is "high rating for protection."

The garage addition did not take any land out of production. However, grass on the east side of the garage has increased from 16 feet to 20 feet of grass as shown in the 2008 and 2017 aerial photography. The petitioners' two propane tanks sit on the grass on the east side, which is not on their land. The grass on the north side has increased from 12 feet to 20 feet as well. This would suggest that the residential use is removing land from agricultural production, and it is not clear if this is the desire of the adjacent landowner who owns all but 2.5 feet of that grass area. In an email received May 8, 2019, Ms. Gensler stated that she spoke with the adjacent landowner, Mr. Anderson. She said that he will not protest their zoning requests, and he is not willing to sell any land.

COMMENTS RECEIVED

No comments were received before or during the May 16th ZBA meeting.

PROPOSED SPECIAL CONDITIONS

The following special condition was recommended by the ZBA for Case 936-AM-19:

- A. **The owners of the subject property hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.**

The above special condition is necessary to ensure the following:

Conformance with Land Resource Management Plan Policy 4.2.3.

The following special conditions were approved for related Case 937-S-19:

- A. **The petitioner shall apply for a Zoning Use Permit within 30 days of approval of rezoning Case 936-AM-19, to include any unauthorized existing structures, and pay associated permit fees for the existing structures.**

The special condition stated above is required to ensure the following:

That all structures on the subject property have the required Zoning Use Permits.

- B. **The Special Use Permit is contingent upon approval of Case 936-AM-19.**

The special condition stated above is required to ensure the following:

That the Special Use is consistent with Part 13.2.1 the Zoning Ordinance and ZBA recommendations.

The following special condition was approved for related Case 938-V-19:

A. The Variance is contingent upon approval of Case 936-AM-19.

The special condition stated above is required to ensure the following:

That the variance is consistent with Part 13.2.1 of the Zoning Ordinance.

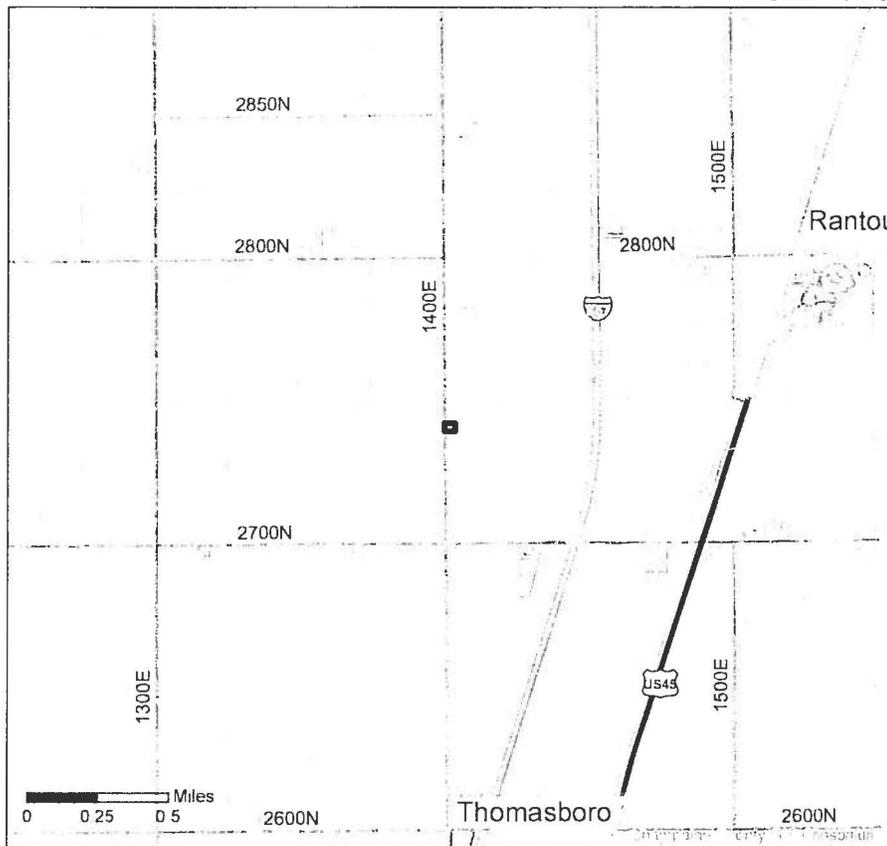
ATTACHMENTS

- A Case Maps (Location, I and Use, Zoning)
- B Site Plan received May 1, 2019
- C Aerial photography from 2017 and 2008
- D Copy of Right to Farm Resolution 3425
- E Summary Finding of Fact and Final Determination for Case 936-AM-19 as approved by ZBA on May 16, 2019

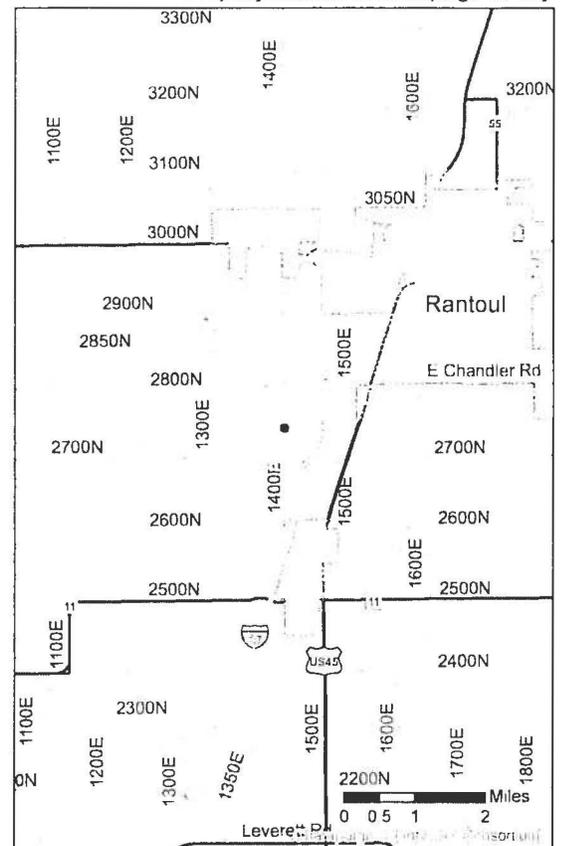
Location Map

Cases 936-AM-19, 937-S-19, and 938-V-19
 May 16, 2019

Subject Property



Property location in Champaign County



Legend

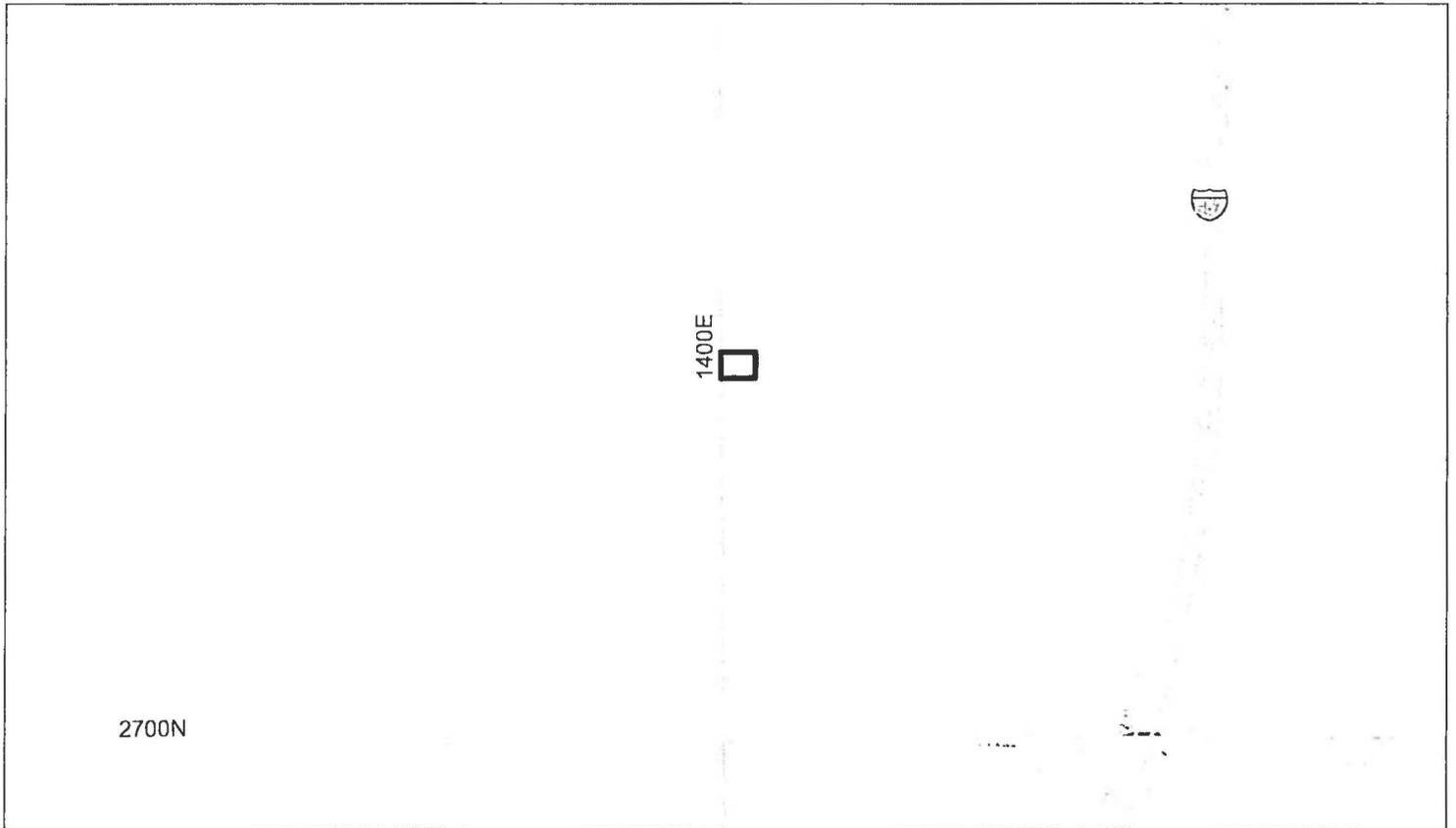
-  Subject Property
-  Municipal Boundary
-  Parcels
-  Streams
-  Streets



Land Use Map

Cases 936-AM-19, 937-S-19, and 938-V-19
May 16, 2019

Cases 936-AM-19/937-S-19/938-V-19 I LUC 06/06/19
Attachment A Page 2 of 3



Legend

-  Subject Property
-  Streets

- Residential
- Agriculture

0 205 410 820 Feet



Zoning Map

Cases 936-AM-19, 937-S-19, and 938-V-19
May 16, 2019

C:\s\936 AM 19\937 S 19\938 V 19 E LUG 06/06/19
Attachment A Page 3 of 3

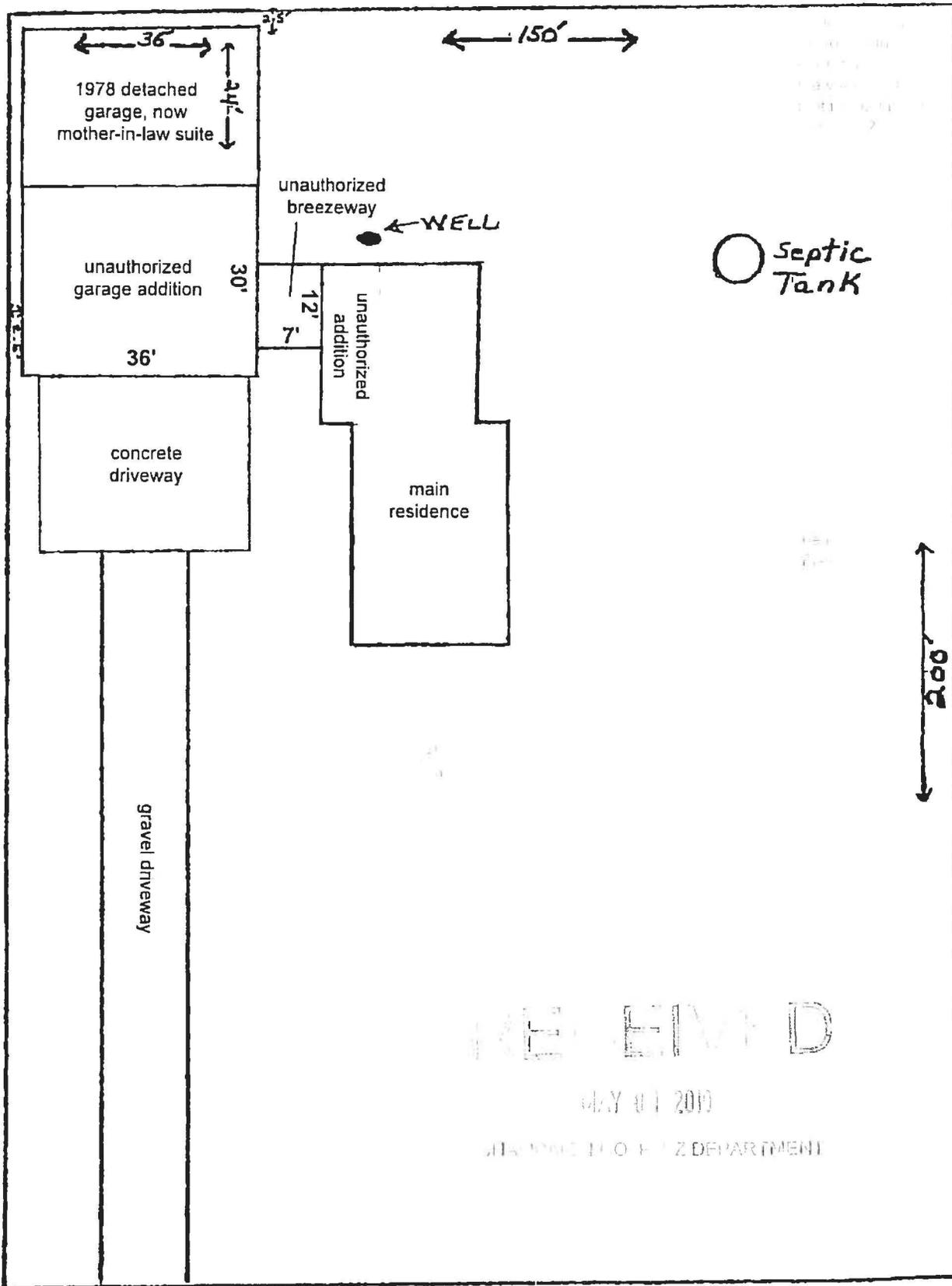


Legend

Subject Property

0 200 400 800 Feet





RECEIVED
MAY 01 2010
METRO POLICE DEPARTMENT

20-09-16-300-004 2017

Cases 9:35 AM 19/9/37 S 19/9/38 V-19 ELUC 06/06/19
Attachment C Page 1 of 2

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Champaign County GIS Consortium

20-09-16-300-004 2008

Cases 936 AM 19/937 S 19/938 V 19 E LUC 06/06/19
Attachment C Page 2 of 2

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RESOLUTION NO. 3425

A RESOLUTION PERTAINING TO THE
RIGHT TO FARM IN CHAMPAIGN COUNTY

WHEREAS, the Chairman and the Board of Champaign County have determined that it is in the best interest of the residents of Champaign County to enact a Right to Farm Resolution which reflects the essence of the Farm Nuisance Suit Act as provided for in the Illinois Compiled Statutes, 740 ILCS 70 (1992); and

WHEREAS, the County wishes to conserve, protect, and encourage development and improvement of its agricultural land for the production of food and other agricultural products; and

WHEREAS, when nonagricultural land uses extend into agricultural areas, farms often become the subject of nuisance suits. As a result, farms are sometimes forced to cease operations. Others are discouraged from making investments in farm improvements.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Chairman and the Board of Champaign County as follows:

1. That the purpose of this resolution is to reduce the loss to the county of its agricultural resources by limiting the circumstances under which farming operations are deemed a nuisance.

2. That the term "farm" as used in this resolution means that part of any parcel of land used for the growing and harvesting of crops, for the feeding, breeding, and management of livestock; for dairying or other agricultural or horticultural use or combination thereof.

3. That no farm or any of its appurtenances should be or become a private or public nuisance because of any changed conditions in the surrounding area occurring after the farm has been in operation for more than one year, when such farm was not a nuisance at the time it began operation.

RESOLUTION NO. 3425

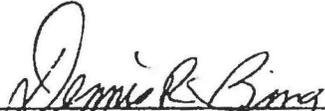
Page 2

4. That these provisions shall not apply whenever a nuisance results from the negligent or improper operation of any farm or its appurtenances.

PRESENTED, ADOPTED, APPROVED AND RECORDED this 24th day of
May, A.D., 1994.



Chairman, County Board of the
County of Champaign, Illinois

ATTEST: 

County Clerk and Ex-Officio
Clerk of the County Board

SUMMARY FINDING OF FACT FOR CASE 936-AM-19

From the documents of record and the testimony and exhibits received at the public hearing conducted on **May 16, 2019**, the Zoning Board of Appeals of Champaign County finds that:

1. The proposed Zoning Ordinance map amendment will **HELP ACHIEVE** the Land Resource Management Plan because:
 - A. Regarding Goal 4:
 - (1) It will **HELP ACHIEVE** Objective 4.1 requiring minimization of the fragmentation of farmland, conservation of farmland, and stringent development standards on best prime farmland because of the following:
 - a. Policy 4.1.1, which states 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. The County will not accommodate other land uses except under very restricted conditions or in areas of less productive soils (see Item 13.A.(1)).
 - b. Policy 4.1.6 requiring that the use, design, site and location are consistent with policies regarding suitability, adequacy of infrastructure and public services, conflict with agriculture, conversion of farmland, and disturbance of natural areas (see Item 13.A.(2)).
 - c. Policy 4.1.8 requiring that the County consider the LESA rating for farmland protection when making land use decisions regarding a discretionary development (see Item 13.A.(3)).
 - (2) It will **NOT IMPEDE** Objective 4.2 requiring discretionary development to not interfere with agriculture because of the following:
 - a. Policy 4.2.2 requiring discretionary development in a rural area to not interfere with agriculture or negatively affect rural infrastructure (see Item 13.B.(1)).
 - c. Policy 4.2.3 requiring that each proposed *discretionary development* explicitly recognize and provide for the right of agricultural activities to continue on adjacent land (see Item 13.B.(2)).
 - d. Policy 4.2.4 requiring that all discretionary review consider whether a buffer between existing agricultural operations and the proposed development is necessary (see Item 13.B.(3)).
 - (3) It will **HELP ACHIEVE** Objective 4.3 requiring any discretionary development to be on a suitable site because of the following:
 - a. Policy 4.3.2 requiring a discretionary development on best prime farmland to be well-suited overall (see Item 13.C.(1)).
 - b. Policy 4.3.3 requiring existing public services be adequate to support the proposed development effectively and safely without undue public expense (see Item 13.C.(2)).

SUMMARY FINDING OF FACT FOR CASE 936-AM-19 *(continued)*

- c. Policy 4.3.4 requiring existing public infrastructure be adequate to support the proposed development effectively and safely without undue public expense (see Item 13.C.(3)).
 - (4) It will **HELP ACHIEVE** Objective 4.7 requiring affirmation of the Champaign County Right to Farm Resolution (see Item 13.D.(1)).
 - (5) Based on achievement of the above Objectives and Policies, the proposed map amendment will **HELP ACHIEVE** Goal 4 Agriculture.
- B. Regarding Goal 6:
 - (1) It will **HELP ACHIEVE** Objective 6.1 regarding public health and safety (see Item 15.A.(1)).
- C. Regarding Goal 8:
 - (1) It will **HELP ACHIEVE** Objective 8.1 requiring Champaign County to only approve discretionary development when there is a sufficient supply an adequate supply of water (see Item 17.A.(1)).
 - (2) It will **HELP ACHIEVE** Objective 8.2 requiring Champaign County to strive to conserve its soil resources (see Item 17.B.(1)).
- D. The proposed amendment will **NOT IMPEDE** the following LRMP goal(s):
 - Goal 1 Planning and Public Involvement
 - Goal 2 Governmental Coordination
 - Goal 3 Prosperity
 - Goal 5 Urban Land Use
 - Goal 7 Transportation
 - Goal 9 Energy Conservation
 - Goal 10 Cultural Amenities
- E. Overall, the proposed map amendment will **HELP ACHIEVE** the Land Resource Management Plan.
2. The proposed Zoning Ordinance map amendment **IS** consistent with the LaSalle and Sinclair factors because of the following:
- A. This area has a mix of agricultural and residential land uses.
 - B. The rezoning will still be an agricultural zoning district, and therefore is not expected to affect the value of nearby properties.
 - C. The gain to the public of the proposed rezoning would be insignificant because the types of uses that could be established are mostly low intensity due to the small lot size.
 - D. The ZBA has recommended that the proposed rezoning will **HELP ACHIEVE** Policy 4.3.2 regarding whether the site with proposed improvements is well-suited overall for the proposed land use.

SUMMARY FINDING OF FACT FOR CASE 936-AM-19 *(continued)*

- E. The ZBA has recommended that the proposed rezoning will **HELP ACHIEVE** the Champaign County Land Resource Management Plan.
3. The proposed Zoning Ordinance map amendment will **HELP ACHIEVE** the purpose of the Zoning Ordinance because:
- A. Establishing the AG-2 District in this location will **NOT WORSE**n hazards to persons and damage to property resulting from the accumulation of runoff of storm or floodwaters because the subject property is not in the flood hazard area and the proposed Special Use is exempt from the Storm Water Management and Erosion Control Ordinance (Purpose 2.0 (d), see Item 21.D.).
 - B. Establishing the AG-2 District at this location **WILL** help classify, regulate, and restrict the location of the uses authorized in the AG-2 District (Purpose 2.0 (i), see Item 21.G.).
 - C. Establishing the AG-2 District at this location **WILL NOT** impact the protection of natural features (Purpose 2.0 (o), see Item 21.J.).
 - D. Establishing the AG-2 District at this location **WILL NOT** change the agricultural nature or character of the area (Purpose 2.0 (q), see Item 21.L.).
 - E. The proposed rezoning and proposed Special Use **WILL NOT** hinder the development of renewable energy sources (Purpose 2.0(r), see Item 21.M).
4. The proposed Zoning Ordinance map amendment is subject to the following special conditions:
- A. **The owners of the subject property hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425 (see attached).**

The special condition stated above is required to ensure the following:

Conformance with Land Resource Management Plan Policy 4.2.3.

MONTHLY REPORT for MARCH 2019¹

Champaign County
Department of

**PLANNING &
ZONING**

Brookens Administrative
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Zoning Cases

The distribution of cases filed, completed, and pending is detailed in Table 1. Five zoning cases were filed in March and three cases were filed in March 2018. The average number of cases filed in March in the preceding five years was 3.0.

Two Zoning Board of Appeals (ZBA) meetings were held in March and three cases were completed and one case was withdrawn. Three ZBA meetings were held in March 2018 and one case was completed and two cases were withdrawn. The average number of cases completed in March in the preceding five years was 2.0.

By the end of March there were 7 cases pending. By the end of March 2018 there were 9 cases pending.

Table 1. Zoning Case Activity in March 2019 & March 2018

Type of Case	March 2019 2 ZBA meetings		March 2018 3 ZBA meetings	
	Cases Filed	Cases Completed	Cases Filed	Cases Completed
Variance	0	1	2	1***
SFHA Variance	0	0	0	0
Special Use	2	2	1	2***
Map Amendment	2	0	0	0
Text Amendment	0	0	0	0
Change of Nonconforming Use	0	0	0	0
Administrative Variance	1**	1**	0	0
Interpretation / Appeal	0	0	0	0
TOTALS	5	4**	3	3***
Total cases filed (fiscal year)	12 cases		8 cases	
Total cases completed (fiscal year)	12 cases		9 cases	
Cases pending*	7 cases		9 cases	
* Cases pending includes all cases continued and new cases filed **An admin. variance application was submitted and withdrawn in March 2019 ***One variance and one special use permit case were withdrawn in March 2018				

¹ Note that approved absences and sick days resulted in an average staffing level of 83.5% or the equivalent of 5.9 full time staff members (of the 7 authorized) present on average for each of the 21 work days in March.

Subdivisions

No County subdivision application was received in March. No municipal subdivision plats were reviewed for compliance with County zoning in March.

Zoning Use Permits

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

- 11 permits for 10 structures were approved in March compared to 10 permits for 10 structures in March 2018. The five-year average for permits in March in the preceding five years was 14.2.
- 27 months out of the last 60 months have equaled or exceeded the five-year average for number of permits (including January 2019, February 2018, January 2018, October 2017, September 2017, March 2017, February 2017, January 2017, November 2016, September 2016, August 2016, July 2016, May 2016, April 2016, March 2016, February 2016, December 2015, October 2015, July 2015, June 2015, January 2015, December 2014, October 2014, August 2014, July 2014, June 2014, and May 2014).
- 3.0 days was the average turnaround (review) time for complete initial residential permit applications in March.
- \$986,275 was the reported value for the permits in March compared to a total of \$4,316,050 in March 2018. The five-year average reported value for authorized construction in March was \$2,467,075.
- 24 months in the last 60 months have equaled or exceeded the five-year average for reported value of construction (including January 2019, March 2018, February 2018, January 2018, October 2017, September 2017, April 2017, March 2017, November 2016, October 2016, September 2016, August 2016, May 2016, April 2016, March 2016, February 2016, January 2016, September 2015, July 2015, June 2015, December 2014, October 2014, June 2014, and May 2014).
- \$1,617 in fees were collected in March compared to a total of \$4,932 in March 2018. The five-year average for fees collected in March was \$4,112.
- 30 months in the last 60 months have equaled or exceeded the five-year average for collected permit fees (including December 2018, November 2018, September 2018, March 2018, February 2018, January 2018, December 2017, October 2017, May 2017, March 2017, January 2017, November 2016, October 2016, August 2016, April 2016, March 2016, February 2016, January 2016, December 2015, October 2015, September 2015, July 2015, January 2015, December 2014, November 2014, October 2014, August 2014, July 2014, June 2014, and May 2014).

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Table 2. Zoning Use Permits Approved in March 2019

PERMITS	CURRENT MONTH			FISCAL YEAR TO DATE		
	#	Total Fee	\$ Value	#	Total Fee	\$ Value
AGRICULTURAL:						
Residential				1	0	228,140
Other	1	0	100,000	3	0	214,000
SINGLE FAMILY Resid.:						
New - Site Built	2	1,098	580,000	5	2,376	1,574,000
Manufactured						
Additions	2	226	233,000	3	387	263,000
Accessory to Resid.	2	243	38,275	2	243	38,275
TWO-FAMILY Residential						
Average turn-around approval time for the above permit categories			3 days			
MULTI - FAMILY Residential						
HOME OCCUPATION:						
Rural						
Neighborhood	1	0	0	1	0	0
COMMERCIAL: New						
Other						
INDUSTRIAL: New						
Other				2	1,646	325,000
OTHER USES: New						
Other	3	50	35,000	3	50	35,000
SIGNS						
TOWERS (Incl. Acc. Bldg.)						
OTHER PERMITS				1	66	10,000
TOTAL APPROVED	11/10	\$1,617	\$986,275	21/19	\$4,768	\$2,687,415

*11 permits were issued for 10 structures in March 2019; 11 permits require inspection and Compl. Certif.
21 permits have been issued for 19 structures since 1/1/19

NOTE: Home occupations and Other permits (change of use, temporary use) total 1 since 1/1/19, (this number is not included in the total number of structures).

There were 7 Zoning Use Permit Apps. *received* in March 2018 and 7 of those were *approved*.
3 Zoning Use Permit Apps *approved* in March 2018 had been *received* in prior months.

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- There were also 6 lot split inquiries and 240 other zoning inquiries in March.
- Three rural addresses were issued in March.
- Minutes were completed for two ZBA meetings.

Conversion of Best Prime Farmland

Table 3 summarizes conversion of Best Prime Farmland as a result of any County zoning approval so far in 2018.

Table 3. Best Prime Farmland Conversion in 2018

	March 2019	2019 to date
Zoning Cases. Approved by the ZBA, a Zoning Case March authorize a new principal use on Best Prime Farmland that was previously used for agriculture.	0.0 acres	0.00 acres
Subdivision Plat Approvals. Approved by the County Board outside of ETJ areas, a subdivision approval March authorize the creation of new Best Prime Farmland lots smaller than 35 acres:	0.00 acres	0.0 acres
Outside of Municipal ETJ areas ¹		
Within Municipal ETJ areas ²	0.0 acre	0.0 acre
Zoning Use Permits. Approved by the Zoning Administrator, a Permit March authorize a new non-agriculture use on a lot that did not previously exist or was not previously authorized in either a zoning case or a subdivision plat approval.	0.0 acres	0.00 acres
Agricultural Courtesy Permits	0.00 acres	2.99 acres
TOTAL	0.00 acres	2.99 acres
NOTES		
1. Plat approvals by the County Board.		
2. Municipal plat approvals.		

Zoning Compliance Inspections

- No zoning compliance inspections were made in March.
- No zoning compliance certificates were issued in March. The 2019 budget anticipated a total of 180 compliance inspections and certificates for an average of 3.5 certificates per week. However, compliance inspections are typically done by temporary staffing and all temporary staffing continues to be needed to prepare the MS4 Storm Sewer System Map. Temporary staffing will resume compliance inspections after the MS4 Storm Sewer System Map has been completed.

Zoning and Nuisance Enforcement

Table 4 contains the detailed breakdown of enforcement activity for March 2019 and can be summarized as follows:

- 3 new complaints were received in March compared to 11 new complaint received in March 2018. One complaint was referred to another agency in March and no complaints were referred to another agency in March 2018.
- 34 enforcement inspections were conducted in March compared to 24 inspections in March 2018. Three of the 2019 inspections were for the new complaints.
- One contact was made prior to written notification in March and one was made in March 2018.
- 35 investigation inquiries were made in March for an average of 8.3 per week in March. The 2019 budget anticipates an average of 11.5 initial investigation inquiries per week.
- Four First Notices and no Final Notices were issued in March compared to one First Notices and no Final Notices that were issued in March 2018. The budget anticipated a total of 29 First Notices for 2019.
- No cases were referred to the State's Attorney's Office in March and none were referred in March 2018. The budget anticipated a total of 3 cases to be forwarded to the State's Attorney's Office in 2019.
- One case was resolved in March compared to one case that was resolved in March 2018. The 2018 budget anticipated a total of 62 resolved cases in 2019.
- 380 cases remain open at the end of March compared to 359 open cases at the end of March 2018.
- In addition to the activities summarized in Table 4, other activities of Enforcement staff in March included the following:
 1. Answering phones and helping customers when needed due to unavailability or absence of Zoning Technicians.
 2. Coordinated with land owners, complainants, and the State's Attorney's Office regarding enforcement cases that have been referred to the State's Attorney's Office and particularly those cases that involve dangerous structures.
 3. Coordinated the marketing of County owned properties at 1101 Carroll Avenue, Urbana and 2603 Campbell Drive, Champaign.
 4. Continued coordinating with IEPA and IDPH regarding enforcement issues related to a nonconforming manufactured home park.
 5. Responded to miscellaneous inquiries including but not limited to the following:
 - coordinated with the owner and the IEPA regarding clean-up of the collapsed structure at 1807 East Leverett Road, Champaign;
 - provided an update to a resident of Scottswood Subdivision regarding enforcement cases in the Scottswood Subdivision;

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- followed up on two complaints of burning of landscape waste and coordinated with the Sheriff's Department and sent a Notice of Violation for one complaint;
- coordinated with a landowner in Mahomet Township and with the Village of Mahomet regarding a proposed land division;
- coordinated with a homeowner's association about a vacant residence, inspected, and contacted the estate that owns the residence;
- assisted a landowner with a demolition permit for one of four dangerous structures under the same ownership;
- followed up on a complaint about a barking dog;
- coordinated with the Tenant's Union regarding the Champaign County Habitability Ordinance;
- assisted with the review of one floodplain development permit and with one permit that was just outside of the floodplain;
- continued coordinating with two property owners in southern Champaign Township regarding complaints and resolution of complaints about a home occupation.

APPENDICES

A Zoning Use Permit Activity In March 2019

B Active Land Disturbance Erosion Control Permits In The Champaign County MS4 Jurisdictional Area

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Table 4. Enforcement Activity During March 2019

	FY2018 TOTALS ¹	Jan. 2019	Feb. 2019	March 2019	April 2019	May 2019	June 2019	July 2019	Aug. 2019	Sep. 2019	Oct. 2019	Nov. 2019	Dec. 2019	TOTALS ¹ FY2019
Complaints Received	62	2	1	3										6
Initial Complaints Referred to Others	1	0	0	1										1
Inspections	423	19	41	34 ⁴										94 ⁵
Phone Contact Prior to Notice	6	0	0	1										1
First Notices Issued	27	1	2	4										7
Final Notices Issued	20	0	2	0										2
Referrals to State's Attorney	8	0	2	0										2
Cases Resolved ²	35	2	4	1 ⁶										7 ⁷
Open Cases ³	381	381	378	380										380 ⁸

Notes

1. Total includes cases from previous years.
2. Resolved cases are cases that have been inspected, notice given, and violation is gone, or inspection has occurred and no violation has been found to occur on the property.
3. Open Cases are unresolved cases and includes any case referred to the State's Attorney or new complaints not yet investigated.
4. 3 inspections of the 34 performed were for the 3 complaints received in March 2019.
5. 5 inspections of the 34 inspections performed in 2019 were for complaints received in 2019.
6. None of the resolved cases for March 2019, were received in March 2019.
7. None of the cases resolved in FY 2019 were for complaints that were also received in FY 2019.
8. Total open cases include 15 cases that have been referred to the State's Attorney (previously reported as 12 cases), one of which was referred as early as 2009. 2 of the 15 cases are currently active cases in Champaign County Circuit Court.

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APPENDIX A. ZONING USE PERMIT ACTIVITY IN MARCH 2019

Permit Number	Zoning District; Property Description; Address; PIN	Owner Name	Date Applied, Date Approved	Project (Related Zoning Case)
72-18-01 CR	Lot 40, The Meadows Subdivision, Section 36, Newcomb Township; 2402 Appaloosa Lane, Mahomet, Illinois PIN: 16-07-36-351-008	Brett Brady	03/13/18 NOT ISSUED	Construct an addition to an existing single family home APPLICATION WITHDRAWN
56-19-01 CR	A tract of land being a part of the SW ¼, Section 25, Newcomb Township; 2532 County Road 500E, Mahomet, Illinois PIN: 16-07-25-300-028	Laurie Hogan	02/25/19 03/01/19	Construct a garage addition to an existing single family home
57-19-01 AG-1	A .61 acre tract of land located in the S ½ of the SW ¼ of Section 30, Philo Township; 728 County Road 1200E, Tolono, Illinois PIN: 19-27-30-300-004	Carole Stephenson	02/26/19 03/05/19	Demolish the existing single family home with attached garage and return the ground to a level grade
58-19-01 R-1	Lot 54, Lake Park Subdivision #3, Section 36, Champaign Township; 54 Chestnut Court, Champaign, Illinois PIN: 03-20-36-280-016	Kenneth Suslick and Patricia Plaut	02/27/19 03/06/19	Construct an addition to an existing single family home
65-19-01 CR	A 5.31 acre tract of land located in the NW ¼ of the NE ¼ of Section 27, Crittenden Township; 1561 County Road 200N, Tolono, Illinois PIN: 08-33-27-200-020	Benjamin Shadwick	03/05/19 03/13/19	Construct a single family home with attached garage
74-19-01 R-1	A tract of land located in the NE ¼ of the S ½ of the W ½ of the SE ¼ of Section 5, Urbana Township; 100 E. Country Club Road, Urbana, Illinois PIN: 30-21-05-426-020	Urbana Country Club	03/15/19 03/15/19	Demolish the existing pool house and cabana framework

Land Disturbance Erosion Control Permit also required

*received and reviewed, however, not approved during reporting month

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APPENDIX A. ZONING USE PERMIT ACTIVITY IN MARCH 2019

Permit Number	Zoning District; Property Description; Address; PIN	Owner Name	Date Applied, Date Approved	Project (Related Zoning Case)
78-19-01 R-1	A .67 acre tract of land that is Part of Lot 21 of Assessor's Subdivision of the North ½ of Section 3, Urbana Township; 2303 Brownfield Road, Urbana, IL PIN: 30-21-03-176-008	Bob Mack	03/19/19 03/22/19	Demolish a single family home with attached garage and other structures on the subject property, and return the ground to a level grade
78-19-02 AG-1	A tract of land located in the NW ¼ of Section 25, Somer Township; 4906 N. Cottonwood Road, Urbana, Illinois PIN: 25-15-25-100-001	Gerry Windler	03/19/19 03/22/19	Construct an addition to an existing single family home
79-19-01 AG-1	A 5 acre tract of land located in the S ½ of the NW ¼ of Section 7, Mahomet Township; 2248 County Road 0E, Mahomet, Illinois PIN: 15-13-07-100-009	Travis Corry and Kathy Martin	03/20/19 03/26/19	Erect a ground mounted solar display
80-19-01 AG-1	The North 220' of Lot 1 of Bretzlaff Subdivision, Section 29, Tolono Township; 777 County Road 800N, Tolono, Illinois PIN: 29-26-29-200-021	Norman R. Mueller, Jr.	03/19/19 03/25/19	Construct a detached garage
80-19-02 AG-1	A 5 acre tract of land located in the NE Corner of the N ½ of the SE ¼ of Section 29, Compromise Township; 2549 County Road 2700E, Penfield, Illinois PIN: 06-12-29-400-006	Nicole and Jeff Bullington	03/21/19 03/21/19	Construct a single family home with attached garage

Land Disturbance Erosion Control Permit also required
 *received and reviewed, however, not approved during reporting month

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APPENDIX B. ACTIVE LAND DISTURBANCE EROSION CONTROL PERMITS

Permit Number; Zoning;	Property Description; Address; PIN	Owner Name	Date Applied Date Approved Date of Final Stabilization	Project (Related Zoning Case)
302-15-01 I-1	A tract of land located in the NE ¼ of Section 34, Tolono Township; 981 County Road 700N, Tolono, Illinois PIN: Pt. of 29-26-34-100-006	Eastern Illini Electric Coop	10/29/15 05/18/16	Construct an electrical substation
155-16-02 CR	A 53.79 acre tract of land located in the NW ¼ of Section 8, Urbana Township; 1206 N. Coler Avenue, Urbana, Illinois PIN: 30-21-08-176-001	Champaign County Fair Association	06/03/16 08/10/16	Construct a parking lot and bus shelter
195-16-01 CR	A 53.79 acre tract of land located in the NW ¼ of Section 8, Urbana Township; 1206 N. Coler Avenue, Urbana, Illinois PIN: 30-21-08-176-001	Champaign County Fair Association	07/13/16 08/02/16	Construct a detached storage shed
97-17-01 R-1	Lot 12, Lincolnshire Fields West 1 Subdivision, Section 21, Champaign Township; 3912 Clubhouse Drive, Champaign, Illinois PIN: 03-20-21-301-012	Tim and Toni Hoerr	04/07/17 04/27/17	Construct a single family home with attached garage and detached pool house