



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

County of Champaign, Urbana, Illinois

Thursday, March 4, 2021 - 6:30 p.m.

Putman Meeting Room

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

Committee Members:

Eric Thorsland – Chair

Aaron Esry – Vice-Chair

Stephanie Fortado

Mary King

Kyle Patterson

Jacob Paul

Chris Stohr

THIS MEETING WILL BE CONDUCTED REMOTELY

This meeting will also be live streamed at: <https://www.facebook.com/champaigncountyillinois>

Agenda	Page #
I. Call to Order	
II. Roll Call	
III. Approval of Agenda/Addendum	
IV. Approval of Minutes	
A. February 4, 2021	1 - 5
V. Public Participation	
*Being accepted remotely through Zoom – for instructions go to: http://www.co.champaign.il.us/CountyBoard/ELUC/2021/210304_Meeting/210304_Zoom_meeting_procedure.pdf	
VI. Communications	
VII. New Business: For Information Only	
A. Champaign County Solid Waste Management – Information Series (Part 3 of 5)	6 - 8
VIII. New Business: Items to be Recommended to the County Board	
A. Zoning Case 999-AM-21. A request by Leon, Michelle and Brad Ash, d.b.a. Galesville Elevator Co. to amend the Zoning Map to change the zoning district designation from the B-5 Central Business Zoning District and the R-1 Single Family Residence Zoning District to the B-1 Rural Trade Center Zoning District for the continued use of a Grain Storage Elevator and Bins on Lots 7, 8, 9, 10, 11 and 12 of Block 2 of Howard – Original Town (now the unincorporated town of Lotus) and one to-be-vacated 40 foot wide road right-of-way located west of Lot 7 and one 2.44-acre tract, for a total of 3.431 acres, in the Southwest Quarter of the	9 - 21

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CHAMPAIGN COUNTY BOARD
ENVIRONMENT and LAND USE COMMITTEE (ELUC)
March 4, 2021 Agenda

Northwest Quarter of Section 31, Township 22 North Range 7 East of the Third Principal Meridian in Brown Township and commonly known as the Galesville Elevator Co., with an address of 10 CR 3050N, Foosland.

- IX. Other Business
 - A. Monthly Reports
 - i. January 22 - 30
- X. Chair's Report
- XI. Designation of Items to be Placed on the Consent Agenda
- XII. Adjournment



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

MINUTES – Subject to Review and Approval

DATE: Thursday, February 4, 2021
TIME: 6:30 p.m.
PLACE: Putman Meeting Room
Brookens Administrative Center
1776 E Washington, Urbana, IL 61802
and remote participation via Zoom

Committee Members

Present	Absent
Aaron Esry (Vice-Chair)	
Stephanie Fortado	
Mary King	
Kyle Patterson	
Jacob Paul	
Chris Stohr	
Eric Thorsland (Chair)	

County Staff: John Hall (Zoning Administrator), Susan Monte (Planner), and Mary Ward (Recording Secretary)
Others Present: None

MINUTES

I. Call to Order

Committee Chair Thorsland called the meeting to order at 6:30 p.m.

II. Roll Call

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

III. Approval of Agenda/Addendum

MOTION by Ms. King to approve the agenda, seconded by Ms. Fortado.

Upon vote, the **MOTION CARRIED** unanimously to approve the Agenda.

IV. Approval of Minutes

A. January 7, 2021

B. Closed Session Minutes of August 6, 2020

MOTION by Mr. Esry to approve the minutes of the January 7, 2021 meeting, seconded by Mr. Stohr.

Upon vote, the **MOTION CARRIED** unanimously.

MOTION by Mr. Esry to approve the Closed Session minutes of August 6, 2020. Seconded by Ms. Fortado.

Upon vote, the **MOTION CARRIED** unanimously.

40 **V. Public Participation**

41 None

42
43 **VI. Communications**

44 There were no communications to be shared with the committee.

45
46 **VII. New Business: For Information Only**

47 A. Champaign County Solid Waste Management – Information Series (Part 2 of 5)

48
49 Ms. Monte presented the second of five review sessions on Champaign County Solid Waste
50 Management. The purpose of the series is to provide a better understanding of what solid waste
51 management/planning has occurred at the county and the extent to which Champaign County presently
52 is involved in solid waste management. During 2021 work to complete the next 5-year update to the
53 Champaign County Solid Waste Management Plan will take place. Hopefully, that update will include
54 some suggested improvements to the Plan. This review can assist in preparing for a review of the
55 update. Any input that the committee may want to provide before the update review process will be
56 valuable.

57
58 Topics to be covered include: infrastructure: landfills, transfer stations, etc.; the Champaign County
59 Regional Pollution Control Facility Siting Procedures ordinance; estimating waste generation and landfill
60 diversion, and the Champaign County waste hauler license fee.

61
62 In the early 1980's there were hundreds of small dumps and landfills in Illinois and few recycling
63 opportunities. One estimate is that approximately 90% of discarded materials were landfilled. (More
64 recently, in 2017, it's estimated that 52% of solid waste generated in the U.S. was disposed of in
65 landfills.) In the 1980's, Illinois had no state-level approach to managing solid waste. Ms. Monte went
66 over landfill history in Champaign and Urbana. To Ms. Monte's knowledge, there is post-closure
67 monitoring ongoing at eight "basins" that comprise three former landfill sites within the Champaign-
68 Urbana city limits. One of the biggest challenges is controlling leachate leaks, which can be very costly
69 to address.

70
71 Ms. Monte discussed the Illinois waste management hierarchy. Landfills are at the bottom as the least
72 desirable method of managing solid waste materials. The IEPA has not updated this hierarchy in recent
73 years. Other waste management hierarchies recognize 'legacy landfills' as an unregulated type of
74 landfill as a least preferred management option.

75
76 The trend is that the number of landfills is decreasing over time. There are three standard landfill types:
77 Municipal Solid Waste, Industrial Waste and Hazardous Waste. Ms. Monte shared a graphic available
78 from the Illinois State Geological Survey and provided by Mr. Stohr showing where legacy landfills are
79 located in Illinois.

80
81 IEPA Region 4, which includes Champaign County, is now down to six operational landfills with a life
82 expectancy of 28 years. Landfilling is the most dominate but least desirable management method. In
83 Illinois, although the number of landfills is decreasing, the total capacity is increasing because existing
84 landfills are expanding.

85
86 Graphics were shared of the Mahomet Aquifer and where operational landfills and legacy landfills are
87 situated over the Aquifer. Landfills are the third largest source of greenhouse gas emissions in the U.S.

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Based on statewide data estimates, a waste generation rate for our region shows that each person generates 7.1 pounds of municipal solid waste per day. These are hard numbers to track as they don't consider composting and recycling activities. An ongoing challenge for counties is to track waste generation, recycling and composting activities. Municipal solid waste disposal rates are the easiest to track with recycling rates being the most difficult to track.

The Champaign County Regional Pollution Control Facility Siting Procedures Ordinance may need to be updated. It should be looked at every 5 to 10 years. A list of transfer stations is included in the memo in the ELUC packet. More transfer stations are the current trend, and inquiries have been made about establishing a transfer station in Rantoul and one north of Urbana. These would benefit local waste haulers and make their operations less costly.

The Champaign County Waste Hauler License Fee was recently reviewed and corrected and made more equitable. It generates some income to the Solid Waste Fund for the County. Ms. Monte would recommend looking at this again and updating to require some basic reporting by local haulers as many other counties do.

B. Online Registration Opens March 8, 2021 for IEPA One-Day Household Hazardous Waste Collection

This information is provided as advance notice of the media release to be distributed in mid-February and opens on March 8.

C. Public Review and Comment for Proposed Federally Enforceable State Operating Permit from the Illinois Environmental Protection Agency to Regulate Air Emissions for Beauty Quest Group Facility at 205 Shellhouse Drive, Rantoul

This is just for the committee's information. The Beauty Quest Group is the former Conair facility. We are not required to do anything about the proposed permit.

VIII. New Business: Items to be Recommended to the County Board

A. Resolution Authorizing Brookfield Properties and Champaign County Event Agreement for IEPA One-Day Household Hazardous Waste Collection on April 10, 2021

This is one of the agreements for the three community collection events this year. This is the lease agreement for Market Place Shopping Center. The plan is to have use of an expansive parking lot North and East of J.C. Penney. There is a cost that is shared between the County and the three municipalities listed.

Mr. Stohr asked a question to clarify if it was at Market Place and not at Parkland. Parkland will not host the Household Hazardous Waste Collections. Mr. Stohr also asked what roll the Champaign County Environmental Stewards have in this. They were formed as a non-profit to have an awareness campaign about the need to have improved options for the collection of household hazardous waste, e-waste, etc. The systems we have now are not convenient and not the most efficient use of our resources. One of the interests of that non-profit is to explore having a Regional Household Hazardous Collection Facility here in Champaign County.

MOTION by Mr. Esry and seconded by Ms. Fortado to approve the motion as read. Upon vote, the **MOTION CARRIED** unanimously.

- 138 B. Resolution Approving an Agreement between the County of Champaign, Parkland College and A-Team
139 Recyclers with regard to the Residential Electronics Collections on May 21-22, 2021 and October 15-16,
140 2021.

141
142 **MOTION** by Ms. King and seconded by Mr. Stohr to approve the motion as read.
143

144 Discussion followed. Ms. Monte said the agreement is designed to be flexible to expand to meet demand to
145 expand from one to two days. Since we're still in the pandemic, many people seem to be cleaning and
146 getting rid of e-waste, TV's and such. We also cannot have as many community service workers as we've
147 had in the past.
148

149 Upon vote, the **MOTION CARRIED** unanimously.
150

- 151 C. Resolution Approving an Intergovernmental Cost-Sharing Agreement between the County of Champaign,
152 the City of Champaign, the City of Urbana and the Village of Savoy for the Residential Electronics Collection
153 events and IEPA-Sponsored Household Hazardous Waste Collection Event in 2021.
154

155 **MOTION** by Mr. Stohr and seconded by Ms. King to approve the motion as read.
156

157 Ms. Monte said to note that the typical cost these events would be \$13,000 but with the pandemic cost is
158 \$23,000. Mr. Stohr asked if there has been any additional money made available? We fought to get these
159 events here in the past and now we seem to have them regularly. Ms. Monte said we are spending down
160 the Champaign County Municipal Waste Fund. This an Intergovernmental Cost Share Agreement, so the
161 costs are shared, plus we invite contributions from all municipalities that want to participate. The Waste
162 Fund is holding steady with the additional amounts coming in from the increase the Waste Hauler License
163 fees.
164

165 Upon vote, the **MOTION CARRIED** unanimously.
166

- 167 D. Resolution Approving Champaign County Opt-in Form to Illinois EPA to Participate in Manufacturer E-Waste
168 Program in 2022.
169

170 **MOTION** by Ms. Fortado and second by Mr. Patterson to approve the motion as read.
171

172 We continue to look for a permanent site for this. It is an ongoing search.
173

174 Upon vote, the **MOTION CARRIED** unanimously.
175

- 176 E. Resolution Accepting a Grant from the Illinois Housing Development Authority Strong Communities
177 Program
178

179 **MOTION** by Ms. King and seconded by Mr. Esry to approve the motion as read.
180

181 Mr. Hall said the County Board approved the application for the Grant in September of last year. The Grant
182 application was for \$69,500 for the demolition of dangerous structures in rural Urbana Township, Foosland
183 and possibly in rural St. Joseph Township. We have been approved to receive \$69,300 in the Grant. The
184 County will have to spend the monies first in order to be reimbursed. It will be for a two-year period
185 beginning no later than June 2021.
186

187 Mr. Thorsland asked if this was only good for demolition work because we don't have a building code for
188 improvements. Mr. Hall said that's correct. This is different than the APP Grant. This grant would allow
189 rehabilitation of structures, but rehabilitation assumes that you have a building code that sets a standard.
190 Champaign County has never adopted a building code. So, all we are doing is demolition. The Land Bank
191 applied with a couple of Vermilion County municipalities and received close to \$250,000 to spend on
192 rehabilitation. A building code is something we may want to think about in the near term.
193

194 Mr. Stohr asked if we had a list of properties that are ready for demo. We do have a list and hopefully the
195 grant will pay for the list. There is property in Urbana Township, one in Foosland and one in rural St.
196 Joseph Township.
197

198 Upon vote, the **MOTION CARRIED** unanimously.
199

200 F. Resolution Approving Contract for Sale of County Property Located at 504 South Dodson Dr., Urbana
201

202 **MOTION** by Mr. Esry and seconded by Mr. Paul to approve the motion as read.
203

204 This was recommended to the County Board in August, but it was pulled from the agenda due to major
205 changes to the contract that had been requested by the State's Attorney's Office. This Contract for Sale
206 is for a "quit-claim deed" rather than a warranty deed. This saves the State's Attorney's office a lot of
207 time in preparing paperwork. The prospective purchaser has been able to review a title search, so they
208 are comfortable with the fact that there are no liens against the property. The purchaser is aware of the
209 changes and has already signed the contract. Since this was such a big change from what we had done
210 earlier, thought it best to bring this back to the committee so everyone knew what was going on.
211

212 Upon vote, the **MOTION CARRIED** unanimously.
213

214 **IX. Other Business**

215 A. Monthly Reports

- 216 i. November
 - 217 ii. December
- 218

219 The November and December reports were received and placed on file.
220

221 **X. Chair's Report**

222 There was no Chair's Report.
223

224 **XI. Designation of Items to be Placed on the Consent Agenda**

225 Items to be placed on the Consent Agenda include 8. A, B, C, D, and E. After a brief discussion it was decided
226 that due to the changes in item 8. F., it would be left off the consent agenda and placed on the regular agenda.
227

228 **XII. Adjournment**

229 Mr. Thorsland adjourned the meeting at 7:27 p.m.
230
231

232 *Please note the minutes reflect the order of the agenda and may not necessarily reflect the order of business*
233 *conducted at the meeting.*

**PLANNING &
ZONING**

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

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

DATE: February 23, 2021
TO: Environment and Land Use Committee
FROM: Susan Monte, Planner and County Recycling Coordinator
RE: Champaign County Solid Waste Management - Information Series Part 3

ACTION
REQUESTED: For Information

Introduction

This new series provides useful information about solid waste planning and management in Champaign County and will be presented at ELUC meetings in five parts during the first half of 2021.

Part 3 of the series (highlighted below) will be featured at the March 4, 2021 ELUC meeting.

Information Series: Champaign County Solid Waste Management	
1	<ul style="list-style-type: none">• IL mandate to counties regarding solid waste planning• IL waste management hierarchy• CC Solid Waste Management Plan and updates• IL Commodity/Waste Generation & Characterization Study Update
2	<ul style="list-style-type: none">• Infrastructure: Landfills, transfer stations, etc.• CC Regional Pollution Control Facility Siting Procedures ordinance• Estimating waste generation and landfill diversion• CC waste hauler license fee
3	<ul style="list-style-type: none">• Available recycling options C&D debris, metals, aluminum, cardboard, paper, glass, plastics, batteries
4	<ul style="list-style-type: none">• Banned from IL landfills Lead acid batteries, mercury-switch thermostats, tires, yard waste, white goods, e-waste, rechargeable batteries
5	<ul style="list-style-type: none">• Hard-to-manage materials Food scraps, HHW, paint, pharmaceuticals, sharps, carpet, mattresses, single-use plastics, glass bottles/jars

Construction & Demolition Materials

Construction and Demolition (C&D) materials are recognized as one of the largest components of the solid waste stream. C&D debris comes from structures being constructed or from structures being demolished. Recycling of C&D materials is important to divert these materials from landfills, to recycle 75% of the materials, and to preserve further consumption of virgin material resources.

At the March 4 ELUC Meeting, available information will be shared regarding:

- Known C&D material recycling options available to contractors and general public in Champaign County; and
- Reasons to consider possibly implementing a county ordinance to require C&D material recycling.

Recyclable Materials

At the March 4 ELUC Meeting, available information will be shared regarding:

- Recent changes and recycling trends (e.g., the 'Chinese Sword') and impacts related to the recyclable commodities of metals and aluminum, cardboard and paper, glass, plastics, and batteries
- Known recycling options available in Champaign County for these materials: metals and aluminum, cardboard and paper, glass, plastics, and batteries
- Review of available recycling rate estimates that may be available for the recyclable materials listed above

Standard recycling guidelines that are generally applicable in Illinois are attached, and a review of local variabilities from these suggested standards will be provided.

Attachment: Standard Recycling Guidelines

RECYCLING GUIDELINES

YES!

Clean & Empty

Replace lids & caps



METAL

Steel & Aluminum Containers and Foil



PAPER

Cardboard (flattened),
Office Paper, Newspaper, Magazines



GLASS

Containers: Bottles & Jars Only



PLASTIC

Containers: Bottles, Tubs, Jugs,
and Jars Only



CARTONS

May be acceptable in some
programs, check with
local authority.

NO!



No Plastic Bags
No Plastic Wrap
(return clean to retailer)



No Big Items (Electronics, Wood,
Propane Tanks, Scrap Metal or Styrofoam –
check local authority for other options)



No Tanglers (Hangers, Hoses,
Wire, Cords, Ropes or Chains)



No Clothing
Textiles or Shoes (donate)



No Food, Liquid, Diapers,
Batteries or Needles



No Shredded Paper
(check with local authority
for other recycling options)

Put material in loose
- Not in Bags

These Guidelines represent the common items accepted in most recycling programs in Illinois. For greater detail on specific items or programmatic variations, reach out to your local authority.

For more detail, see the IEPA online resource at
<https://www2.illinois.gov/epa/topics/waste-management/Pages/recycling.aspx>



Champaign County
Department of

**PLANNING &
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www.co.champaign.il.us/zoning

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

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

Date: **February 22, 2021**

RE: **Recommendation for rezoning Case 999-AM-21**

Request: **Amend the Zoning Map to change the zoning district designation from the B-5 Central Business District and the R-1 Single Family Residence Zoning District to the B-1 Rural Trade Center Zoning District for the continued use of a Grain Storage Elevator and Bins.**

Petitioners: **Leon, Michelle, and Brad Ash, d.b.a. Galesville Elevator Co**

STATUS

The Zoning Board of Appeals (ZBA) voted 5-0, with one member absent, to “RECOMMEND ENACTMENT” of this map amendment at its February 11, 2021 meeting. The ZBA found that the rezoning achieved all relevant Goals, Objectives, and Policies from the Champaign County Land Resource Management Plan.

The subject property is not located within the one and one-half mile extraterritorial jurisdiction of a municipality with zoning. The subject property is located in Brown Township, which does not have a Planning Commission. Brown Township Highway Commissioner sent a letter supporting the rezoning, which also indicated that he is working to vacate the road right-of-way adjacent to the elevator so the petitioners can construct a new grain bin.

There is one approved Special Condition for the rezoning regarding acceptance of the Right to Farm Resolution 3425.

No comments were received from the public.

BACKGROUND

The grain elevator in unincorporated Lotus existed prior to the adoption of the Zoning Ordinance on October 10, 1973. Co-petitioner Leon Ash purchased the 2.44-acre Galesville Elevator in 1986; his daughter, Michelle, and grandson, Brad, are stakeholders, and Brad manages the elevator. The petitioners would like to construct a 72 feet diameter grain bin on the north end of the subject property.

The 2.44-acre subject property has been in the B-5 Central Business Zoning District since the Zoning Ordinance and Official Zoning Map were adopted. Upon review of the zoning requirements, property history and previous permits, P&Z Staff found that the “Grain Elevator and Bins” land use is not allowed in the B-5 Zoning District. Therefore, an error was made when zoning was assigned to the existing elevator back in 1973. In order to approve any permit for the subject property, the use must be in the correct district, so a map amendment is needed to rezone from B-5 to the B-1 Rural Trade Center Zoning District.

Sometime between 2014 and 2017, the grain elevator expanded into the adjacent R-1 Zoning District with the placement of an emergency grain ring on Lots 10, 11, and 12 of the Original Town of Howard. The requested rezoning to B-1 would include Lots 10, 11 and 12 because “Grain Elevators and Bins” are not allowed in the R-1 district.

PROPOSED SPECIAL CONDITION

- 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 Policy 4.2.3 of the Land Resource Management Plan.

ATTACHMENTS

- A Case Maps (Location, Land Use, Zoning)
- B Site Plan received January 19, 2021
- C Annotated Aerial created by P&Z Staff on January 29, 2021
- D 1973 Aerial Photo
- E Zoning Ordinance Section 5.2 (excerpt) dated October 10, 1973
- F Copy of Right to Farm Resolution 3425
- G Summary Finding of Fact and Final Determination for Case 999-AM-21 as approved by the ZBA on February 11, 2021

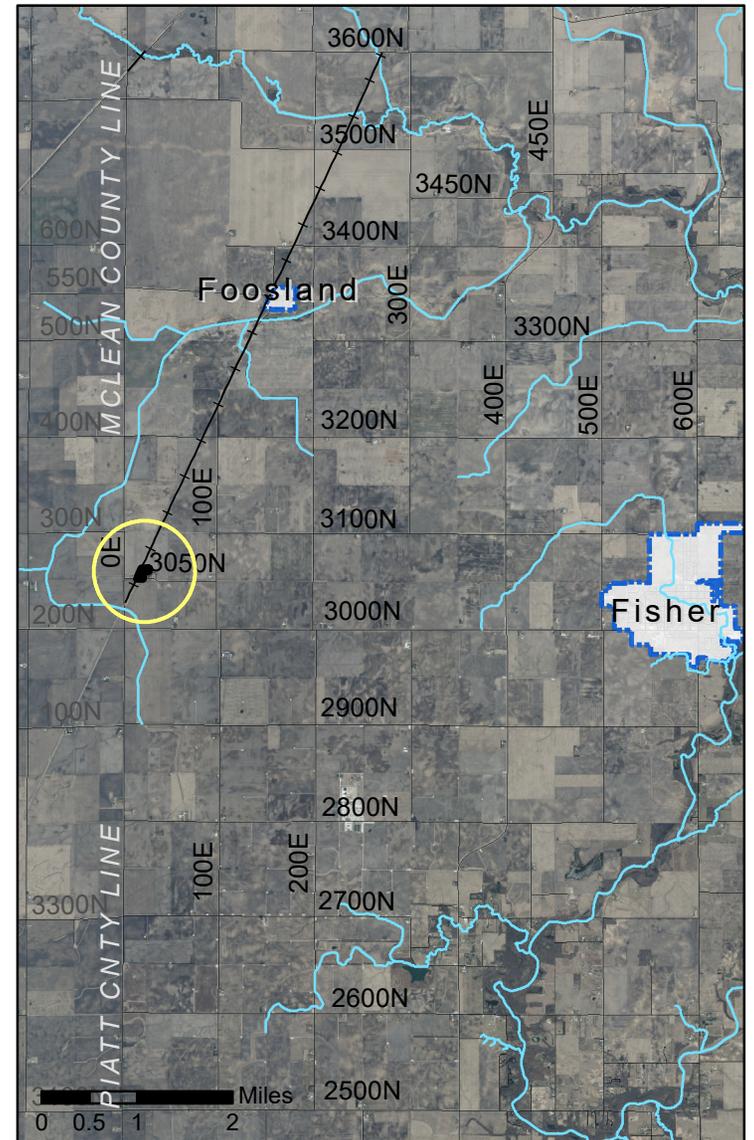
Location Map

Cases 999-AM-21 & 001-V-21
February 11, 2021

Subject Property



Property location in Champaign County



Legend

-  Subject Properties
-  Streets
-  Municipal Boundary
-  Parcels



Land Use Map

Case 999-AM-21
February 11, 2021



Legend

-  Subject Properties
-  Residential
-  Agriculture
-  Commercial

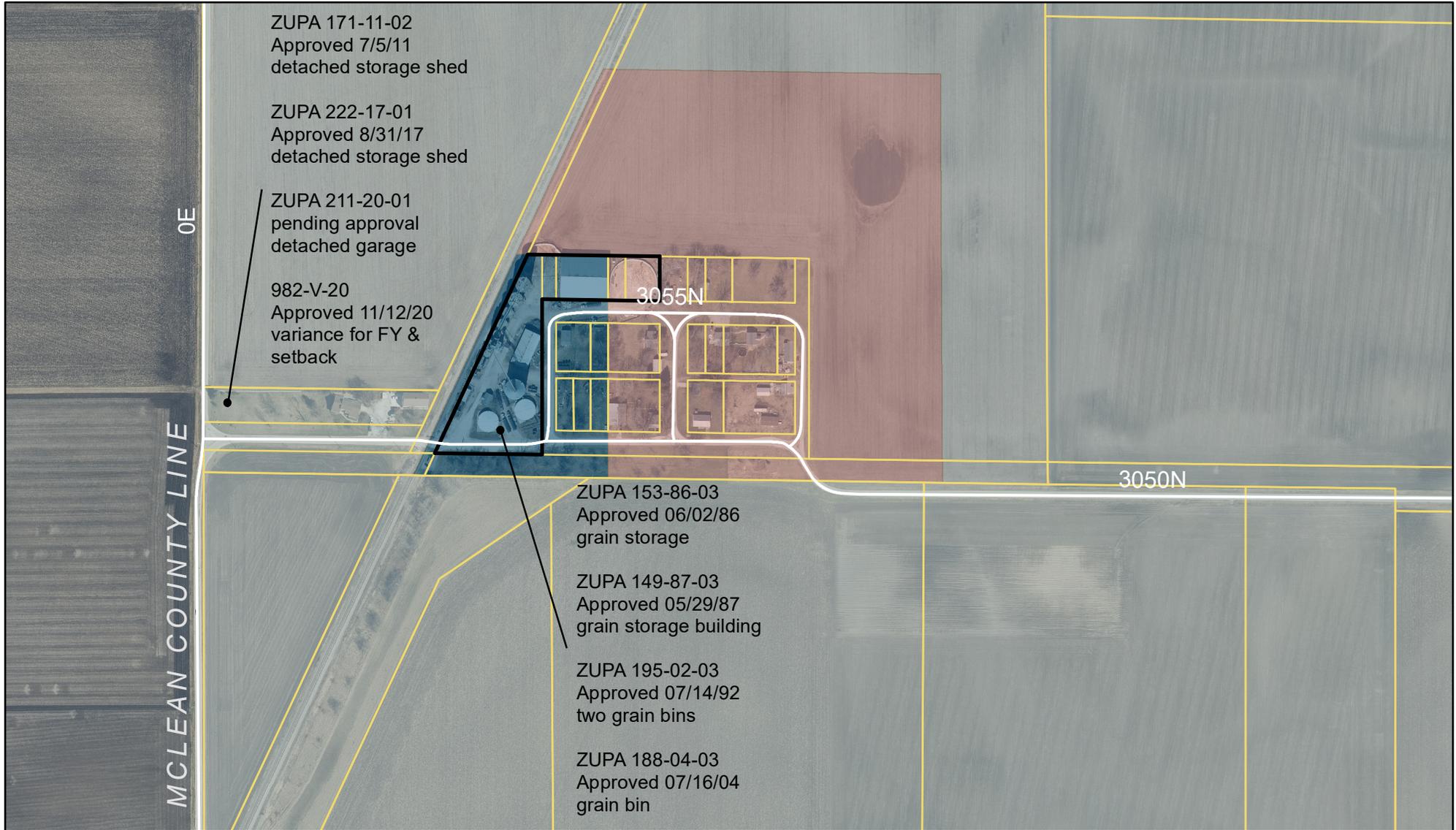
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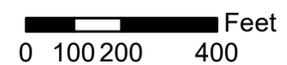
Zoning Map

Cases 999-AM-21 & 001-V-21
February 11, 2021



Legend

- Subject Properties
- Parcels
- R-1 Single Family Residential
- B-5 Central Business
- AG-1 Agriculture



Galesville Elevator 2020 aerial 1:100

Proposed
Grain Bin,
72' diameter

RECEIVED

JAN 19 2021

CHAMPAIGN CO. P & Z DEPARTMENT



Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Champaign County GIS Consortium

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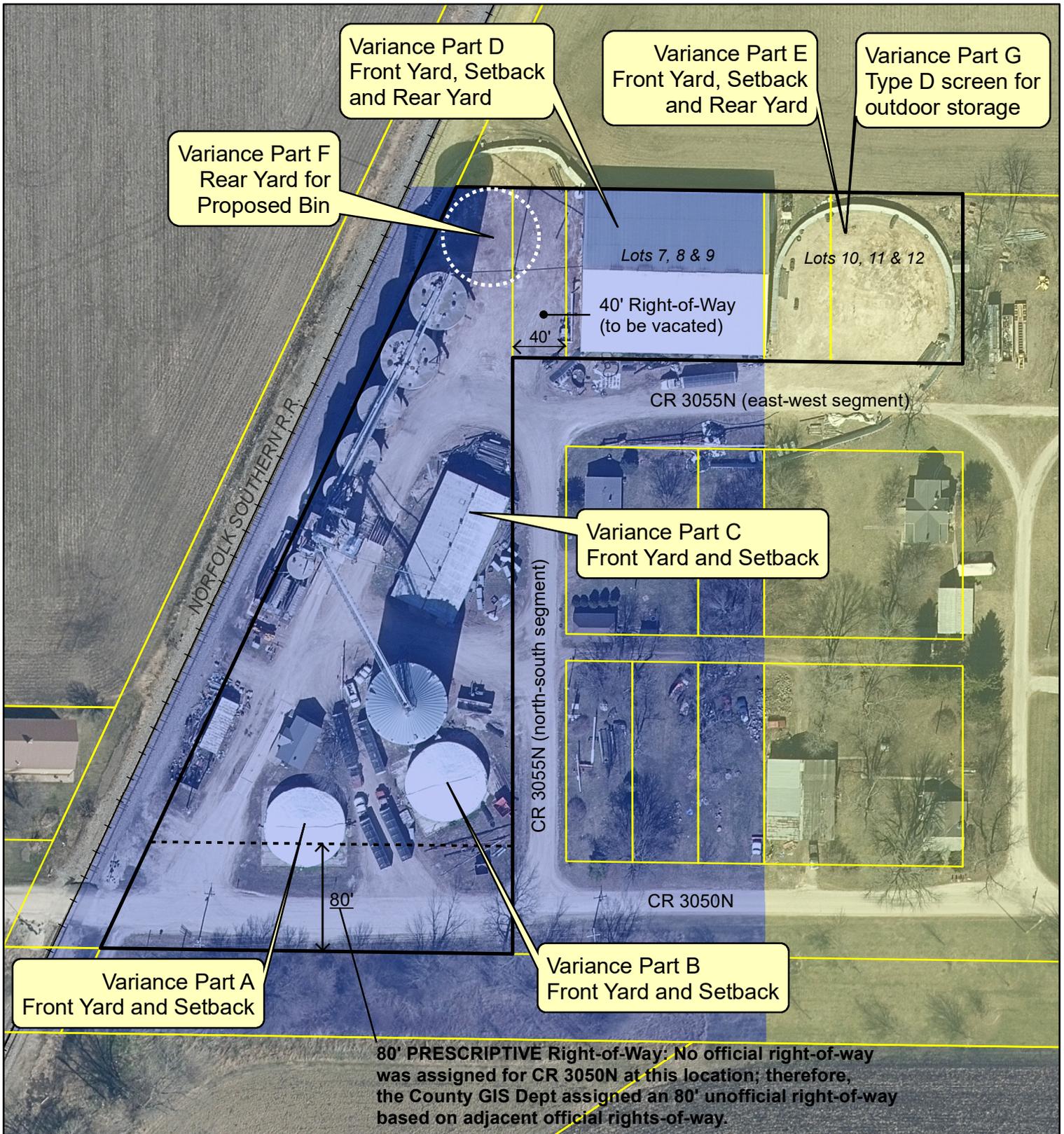
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Annotated 2020 Aerial

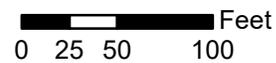
Cases 999-AM-21 & 001-V-21

February 11, 2021



Legend

- Subject Properties
- Parcels
- B-5
- R-1



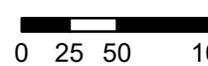
1973 Aerial

Cases 999-AM-21 & 001-V-21
February 11, 2021



Legend

 Parcels

 Feet
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Champaign County
Department of
**PLANNING &
ZONING**

Section 5.2

Table of Authorized Principal USES (Cont.)

AG-1	AG-2	CR	R-1	R-2	R-3	R-4	R-5	Principal Uses	B-1	B-2	B-3	B-4	B-5	I-1	I-2
								Business Uses: Personal Services							
								Barber shop		X		X	X		
								Beauty shop		X		X	X		
								Reducing salon		X		X	X		
								Dressmaking shop		X		X	X		
								Drycleaning establishment				X	X	X	X
								Laundry and/or drycleaning pickup		X		X	X	X	X
								Millinery shop		X		X	X	X	X
								Self-service laundry		X		X	X	X	X
								Shoe repair shop		X		X	X	X	X
								Tailor and pressing shop		X		X	X	X	X
								Diaper Service Establishment		X		X	X	X	X
								Clothing Repair and Storage		X		X	X	X	X
						S		Mortuary				X	X	X	X
								Medical or Dental Clinic		X		X	X		
								Business Uses: Agricultural							
	S	S						Farm Chemicals and Fertilizer Sales including incidental storage and mixing of blended fertilizer	X				X	X	X
		S						Roadside Produce Sales Stand	X	X	X		X	X	X
		S						Farm Equipment Sales & Service	X			X	X	X	X
		S						Feed & Grain (Sales only)	X			X	X	X	X
		S						Livestock Sales Facility and Stockyards		S					X
		S						Slaughter Houses							S
		S						Grain Storage Elevator & Bins	X					X	X
								Business Uses: Business, Private Educational and Financial Services							
								Bank, Savings and Loan Association	X	X		X	X		
								Insurance and Real Estate Office	X	X		X	X		
								Business Office	X	X		X	X		
								Professional Office	X	X		X	X		
								Private Kindergarten or Day Care Facility		X		X	X		
						S	S	Vocational, Trade or Business School	X			X	X	X	
								Temporary Real Estate Sales or Rental Office, Model Home or Apartment	S	S	S	S	S	S	S

x = permitted by right

s = permitted on individual lots as a special USE

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

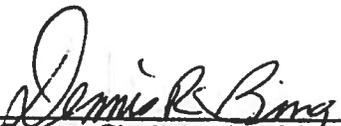
Page 2

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 999-AM-21

As approved by the ZBA on February 11, 2021

From the documents of record and the testimony and exhibits received at the public hearing conducted on **February 11, 2021**, 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 3 Prosperity:
 - (1) Although the proposed rezoning is **NOT DIRECTLY RELEVANT** to any of the Goal 3 objectives, the proposed rezoning will allow the petitioners to move and grow their operations with proper zoning and to continue serving residents of Champaign County.
 - (2) Based on achievement of the above and because it will either not impede or is not relevant to the other Objectives and Policies under this goal, the proposed map amendment will **HELP ACHIEVE** Goal 3 Prosperity.
 - B. Regarding Goal 6 Public Health and Safety:
 - (1) The proposed amendment will **HELP ACHIEVE** Objective 6.1 requiring protection of the public health and public safety in land resource management decisions because it will either **HELP ACHIEVE** or will **NOT IMPEDE** the following:
 - a. Policy 6.1.2 requiring that proposed wastewater disposal and treatment systems of discretionary development will not endanger public health, create nuisance conditions for adjacent uses, or negatively impact surface or groundwater quality (see Item 15.A.(2)).
 - b. Policy 6.1.3 seeking to prevent nuisances created by light and glare, limit excessive night lighting, and preserve clear views of the night sky (see Item 15.A.(3)).
 - c. Policy 6.1.4 seeking to abate blight and to prevent and rectify improper dumping (see Item 15.A.(4)).
 - C. Regarding Goal 7 Transportation:
 - (1) The proposed amendment will **HELP ACHIEVE** Objective 7.1 requiring the consideration of traffic impact in land use decisions because it will **HELP ACHIEVE** the following:
 - a. Policy 7.1.1 requiring traffic impact analyses for projects with significant traffic generation (see Item 16.A.(1)).
 - (2) Based on achievement of the above Objectives and Policies and because it will either not impede or is not relevant to the other Objectives and Policies under this goal, the proposed map amendment will **HELP ACHIEVE** Goal 7 Transportation.
 - D. The proposed amendment will **NOT IMPEDE** the following LRMP goal(s):
 - Goal 1 Planning and Public Involvement
 - Goal 2 Governmental Coordination
 - Goal 4 Agriculture

- Goal 5 Urban Land Use
- Goal 8 Natural Resources
- 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. The proposed amendment would allow Galesville Elevator to continue to support area agricultural activities and expand its operations with a new grain bin.
- B. The map amendment will help ensure the value of the subject property by allowing the continued operation of the grain elevator.
- C. The subject property is well-suited overall for the proposed land use.
- D. The subject property and its vicinity have maintained the same uses for years.
- E. The proposed use is a service better provided in a rural area.
- F. The proposed use serves surrounding agricultural land uses.
- G. The proposed development is otherwise appropriate in a rural area.
3. The proposed Zoning Ordinance map amendment will **HELP ACHIEVE** the purpose of the Zoning Ordinance because:
- A. Establishing the B-1 District at this location will place an existing Grain Elevator and Bins into a zoning district that allows this use, and it will help classify, regulate, and restrict the location of the uses authorized in the B-1 District (Purpose 2.0 (i) see Item 21.G.).
- B. Establishing the B-1 District at this location will not require the development of public utilities or transportation facilities (Purpose 2.0 (p) see Item 21.K.).
- C. Establishing the B-1 District at this location will not take any land out of production (Purpose 2.0 (q) see Item 21.L.).
4. **THE SPECIAL CONDITIONS IMPOSED HEREIN ARE REQUIRED FOR THE PARTICULAR PURPOSES DESCRIBED BELOW:**
- 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 special condition stated above is required to ensure the following:
Conformance with Policy 4.2.3 of the Land Resource Management Plan.

MONTHLY REPORT for JANUARY 2021¹

Champaign County
Department of

**PLANNING &
ZONING**

Zoning Cases

The distribution of cases filed, completed, and pending is detailed in Table 1. Five zoning cases were filed in January and three cases were filed in January 2020. The average number of cases filed in January in the preceding five years was 3.6.

Two Zoning Board of Appeals (ZBA) meetings were held in January and three cases were completed. One ZBA meeting was held in January 2019 and three cases were completed. The average number of cases completed in January in the preceding five years was 3.0.

By the end of January there were 8 cases pending. By the end of January 2019 there were 7 cases pending.

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

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

Table 1. Zoning Case Activity in January 2021 & January 2020

Type of Case	January 2021 2 ZBA meetings		January 2020 1 ZBA meeting	
	Cases Filed	Cases Completed	Cases Filed	Cases Completed
Variance	1	2	0	0
SFHA Variance	0	0	0	0
Special Use	3	1**	0	0
Map Amendment	2	0	1	1
Text Amendment	0	0	2	2
Change of Nonconforming Use	0	0	0	0
Administrative Variance	0	0	0	0
Interpretation / Appeal	0	0	0	0
TOTALS	6	3	3	3
Total cases filed (fiscal year)	6 cases		3 cases	
Total cases completed (fiscal year)	3 cases**		3 cases	
Cases pending*	8 cases		7 cases	
* Cases pending includes all cases continued and new cases filed				
** One special use permit case was withdrawn in January 2021				

¹ Note that approved absences and sick days resulted in an average staffing level of 63.9% or the equivalent of 4.5 full time staff members (of the 7 authorized) present on average for each of the 19 workdays in January.

Subdivisions

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

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 January can be summarized as follows:

- 4 permits for 3 structures were approved in January compared to 15 permits for 9 structures in January 2020. The five-year average for permits in January in the preceding five years was 7.2.
- 31 months out of the last 60 months have equaled or exceeded the five-year average for number of permits (including December 2020, November 2020, September 2020, August 2020, July 2020, June 2020, March 2020, January 2020, December 2019, November 2019, October 2019, September 2019, August 2019, July 2019, April 2019, January 2019, February 2018, January 2018, October 2017, September 2017, April 2017, January 2017, February 2017, November 2016, September 2016, August 2016, July 2016, May 2016, April 2016, March 2016, and February 2016).
- 6.0 days was the average turnaround (review) time for complete initial residential permit applications in January.
- \$500,000 was the reported value for the permits in January compared to a total of \$649,962 in January 2020. The five-year average reported value for authorized construction in January was \$760,592.
- 26 months in the last 60 months have equaled or exceeded the five-year average for reported value of construction (including December 2020, November 2020, September 2020, August 2020, June 2020, May 2020, November 2019, October 2019, July 2019, April 2019, 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, and February 2016).
- \$1,808 in fees were collected in January compared to a total of \$932 in January 2020. The five-year average for fees collected in January was \$2,066.
- 28 months in the last 60 months have equaled or exceeded the five-year average for collected permit fees (including December 2020, November 2020, October 2020, August 2020, July 2020, June 2020, March 2020, January 2019, November 2019, October 2019, April 2019, December 2018, November 2018, October 2018, March 2018, February 2018, January 2018, December 2017, October 2017, June 2017, March 2017, January 2017, December 2016, October 2016, August 2016, April 2016, March 2016, and February 2016).

Planning & Zoning Monthly Report
JANUARY 2021

Table 2. Zoning Use Permits Approved in January 2021

PERMITS	CURRENT MONTH			FISCAL YEAR TO DATE		
	#	Total Fee	\$ Value	#	Total Fee	\$ Value
AGRICULTURAL:						
Residential						
Other						
SINGLE FAMILY Resid.:						
New - Site Built						
Manufactured						
Additions	1	209	39,000	1	209	39,000
Accessory to Resid.	1	66	61,200	1	66	61,200
TWO-FAMILY Residential						
Average turn-around approval time for the above permit categories			6 days			
MULTI - FAMILY Residential						
HOME OCCUPATION:						
Rural						
Neighborhood	1	0	0	1	0	0
COMMERCIAL: New						
Other						
INDUSTRIAL: New						
Other	1	1,533	400,000	1	1,533	400,000
OTHER USES: New						
Other						
SIGNS						
TOWERS (Incl. Acc. Bldg.)						
OTHER PERMITS						
TOTAL APPROVED	4/3	\$1,808	\$500,000	4/3	\$1,808	\$500,000

*4 permits were issued for 3 structures in January 2021; 3 permits require inspection and Compl. Certif.

◇ 4 permits have been issued for 3 structures since 1/1/21

NOTE: Home occupations and Other permits (change of use, temporary use) total 1 since 1/1/21, (this number is not included in the total number of structures).

1 Zoning Use Permit App. was *received* in January 2021 but none were *approved*.

3 Zoning Use Permit App.s *approved* in January 2021 had been *received* in prior months.

Planning & Zoning Monthly Report
JANUARY 2021

- There were 2 lot split inquiries and 139 other zoning inquiries in January.
- Four rural addresses were issued in January.

Conversion of Best Prime Farmland

Table 3 summarizes conversion of Best Prime Farmland as a result of any County zoning approval so far in 2020.

Table 3. Best Prime Farmland Conversion in 2021

	January 2021	2021 to date
Zoning Cases. Approved by the ZBA, a Zoning Case January 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 January 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	0.00 acre	0.00 acre
Zoning Use Permits. Approved by the Zoning Administrator, a Permit January 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.	0.00 acres	0.00 acres
Agricultural Courtesy Permits	0.00 acres	0.00 acres
TOTAL	0.00 acres	0.00 acres
NOTES 1. Plat approvals by the County Board. 2. Municipal plat approvals.		

Zoning Compliance Inspections

- No Zoning Compliance Inspection was made in January.
- Three Zoning Compliance Certificates were issued in January. The 2021 budget anticipated a total of 152 compliance certificates for an average of 2.9 certificates per week.

Zoning and Nuisance Enforcement

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

- 4 new complaints were received in January compared to 10 new complaints received in January 2019. No complaint was referred to another agency in January and no complaint was referred to another agency in January 2020.
- 7 enforcement inspections were conducted in January compared to 45 inspections in January 2020.
- No contacts were made prior to written notification in January and none was made in January 2020.
- 7 investigation inquiries were made in January. The 2021 budget anticipates an average of 9.0 initial investigation inquiries per week.
- 1 complaint was resolved in January and 63 complaints were left open (unresolved).
- No First Notice and one Final Notice was issued in January and 3 First Notices and 2 Final Notices were issued in January 2020. The budget anticipated a total of 30 First Notices for 2021.
- No case was referred to the State’s Attorney’s Office in January and none were referred in January 2020. The budget anticipated a total of five cases to be forwarded to the State’s Attorney’s Office in 2021.
- 1 violation and 1 complaint were resolved in January compared to 5 complaints and 1 case that were resolved in January 2020. The budget anticipated a total of 48 resolved cases in 2021.
- 478 complaints and violations remain open at the end of January compared to 442 open cases at the end of January 2020.
- In addition to the activities summarized in Table 4, other activities of Enforcement staff in January included the following:
 1. Answering phones and helping customers when needed due to unavailability or absence of Zoning Technicians.
 2. Coordinated with landowners, 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.

APPENDICES

A Zoning Use Permit Activity In January 2021

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

C Zoning Compliance Certificates Issued in January 2021

Planning & Zoning Monthly Report
JANUARY 2021

Table 4. Enforcement Activity During January 2021

	FY2020 TOTALS ¹	Jan. 2021	Feb. 2021	March 2021	April 2021	May 2021	June 2021	July 2021	Aug. 2021	Sep. 2021	Oct. 2021	Nov. 2021	Dec. 2021	TOTALS FY2021 ¹
Complaints Received	113	4												4
Initial Complaints Referred to Others ²	2	1												1
Inspections	320	7 ⁷												7 ⁸
Phone Contact Prior to Notice	0													0
Complaints Resolved	77	1 ⁹												1 ¹⁰
Open Complaints³	60	63												63
New violations	23	0												0
First Notices Issued	22	0												0
Final Notices Issued	8	0												0
Referrals to SAO ⁴	6	0												0
Violations Resolved ⁵	17	1 ¹¹												1 ¹²
Open Violations⁶	416	415												415¹³
TOTAL Open Complaints & Violations	476	478												478

Notes

1. Total in bold face includes complaints and/ or violations from previous years.
2. Initial Complaints Referred to Others is included in the number of Complaints Resolved.
3. Open Complaints are complaints that have not been resolved and have not had a Case number assigned.
4. Referrals to SAO (State's Attorney's Office) are not included in Open Violations unless actually resolved.
5. Resolved violations are violation 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.
6. Open Violations are unresolved violation cases and include any case referred to the State's Attorney.
7. None of the 7 inspections performed was for the 4 complaints received in January 2021.
8. None of the inspections of the performed in 2021 were for complaints received in 2021.
9. 2 of the complaints resolved in January 2021 were received in January 2021.
10. 29 complaints resolved in 2021 were received in 2021.
11. None of the violations resolved in January were for complaints that had been received in January 2021.
12. None of the violations resolved in 2021 were for complaints that were also received in 2021.
13. Total open violations include 23 cases that have been referred to the State's Attorney, one of which was referred as early as 2009. 4 of the 23 cases are currently active cases in Champaign County Circuit Court. At the end of 2004 there were 312 Open Violations.

Planning & Zoning Monthly Report
JANUARY 2021

APPENDIX A. ZONING USE PERMIT ACTIVITY IN JANUARY 2021

Permit Number & Zoning District	Property Description; Address; PIN	Owner Name	Date Applied, Date Approved	Project (Related Zoning Case)
346-20-02 AG-1	A tract of land located in the NW ¼ of the NW ¼ of Section 35, Colfax Township; 201 County Road 700N, Ivesdale, Illinois PIN: 05-25-33-100-005	Patrick Whalen	12/11/2020 12/223/2020	Construct a detached storage shed for agricultural use only
*351-20-01	Issued January 8, 2021			
356-20-01 AG-1	The East 220' of the South 990' of the SE ¼ of the SW ¼ of Section 15, Sidney Township; 2148 County Road 900N, Sidney, Illinois PIN: 24-28-15-300-010	Kevin Samson	12/20/2020 12/23/2020	Install a ground mounted solar array
356-20-02 CR	Lot 3 of Cedar Creek Estates, Section 26, Newcomb Township; address to be assigned PIN: 16-07-26-100-019	Randi Dunn and Kyle Hummel	12/23/2020 12/23/2020	Construct a single family home with attached garage and detached storage shed
357-20-01 CR	A tract of land in the NW Corner of the NW ¼ of Section 21, Crittenden Township; 290 County Road 1400E, Tolono, Illinois PIN: Part of 08-33-21-100-006	Jonathan and Jessica Chambers	12/22/2020 12/29/2020	Construct a single family home with attached garage and a detached storage shed
*366-20-01	Under review			

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

Planning & Zoning Monthly Report
JANUARY 2021

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
220-19-02 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	Dave Kirby dba ILLINI BMX & Champaign County Fair Association	08/08/19 09/27/19	Construct a BMX racetrack CASE: 886-S-17

Planning & Zoning Monthly Report
JANUARY 2021

APPENDIX C. ZONING COMPLIANCE CERTIFICATES ISSUED IN JANUARY 2021

Date	Permit Number	Property Description; Address; PIN	Project (Related Zoning Case)
01/11/2021	76-20-03	A tract of land located in the SE Corner of the SE ¼ of the NE ¼ of Section 34, Stanton Township, 2198 County Road 1850N, St. Joseph, IL PIN: 27-16-34-200-006	A single family home with attached garage
01/11/2021	336-20-01	A tract of land being a Part of the new ¼ of Section 26, Rantoul Township; 25778 County Road 1600E, Thomasboro, Illinois PIN: 20-09-26-100-003	Demolish an existing single family home with attached garage and return the surface to a level grade
01/15/2021	346-20-01	A tract of land located in the NW ¼ of the NW ¼ of Section 33, Colfax Township; 201 County Road 700N, Ivesdale, Illinois PIN: 05-25-33-100-005	A detached storage shed for agricultural use