



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Mayor Diane Wolfe Marlin and City Council Members

FROM: Lorrie Pearson, AICP, Community Development Services Director
Marcus Ricci, AICP, Planner II

DATE: August 5, 2021

SUBJECT: A Resolution of Protest Against a Proposed Text Amendment to the Champaign County Zoning Ordinance (Agronomic Research and Training Facility Special Use / CCZBA-008-AT-21)

Introduction

The Champaign County Zoning Administrator (Zoning Administrator) requests a text amendment to the Champaign County Zoning Ordinance (Ordinance) to allow “Agronomic Research and Training Facility” as a Special Use Permit in the AG-1 Agriculture and AG-2 Agriculture Zoning Districts.

This proposed text amendment is of minimal interest to the City of Urbana because it will not significantly affect zoning and land use development decisions within the City’s one-and-a-half-mile extraterritorial jurisdiction (ETJ). The City has subdivision and land development jurisdiction within the ETJ, while the County holds zoning jurisdiction in this area. The Champaign County Board (Board) would hear this case at its August 19, 2021, meeting, at the earliest. If approved at that time, a special use permit for a proposed Agronomic Research and Training Facility could be heard at the September 19, 2021, Champaign County Zoning Board of Appeals (CCZBA) meeting.

The City has the right to protest County text amendments by filing a protest by the date the case goes before the Board. **The Urbana Plan Commission will hear this case on August 5, 2021, and forward a recommendation to City Council to APPROVE or DEFEAT a resolution of protest of this case.** Under state law, a municipal protest of the proposed amendment would require three-quarters super-majority of affirmative votes for approval of the request at the County Board; otherwise, a simple majority would be required. Staff believes that the proposed text amendment does not directly affect the use of land or affect the City’s ability to manage growth and development, and recommends no protest of the text amendment.

Background

County Timeline

On March 24, 2021, the Champaign County Department of Planning and Zoning (CCDPZ) received an inquiry to construct a corporate-owned agronomic research facility on 300 acres in an agriculturally-zoned district, outside the ETJ of any municipality. The activities at the facility would include

agronomic research for fertilizer (including cultivation of crops), a large digital hub (computer office area) for coordinating world-wide corporate agronomic research and application, and a 400-600 person visitor training center with a training auditorium. No fertilizer sales are proposed at the facility.

On April 8, 2021, the County’s Environmental Land Use Committee (ELUC) approved consideration of the proposed amendment. At the May 13, 2021, CCZBA meeting, members discussed the amendment. This meeting was continued to May 27, 2021, at which the CCZBA recommended (4-1) that the proposed amendment be enacted by the County Board. At the June 10, 2021, ELUC meeting, the committee received the proposed text amendment materials and placed them on file for a required 30-day review and comment period, which ended July 10, 2021.

Proposed Amendment’s Benefits to County

According to CCDPZ staff, there is currently no use similar to the proposed Agronomic Research and Training Facility in **Section 5.2 Table of Authorized Uses of the County Zoning Ordinance**. CCDPZ staff determined that the proposed text amendment “will not impede” achievement of Goals 1, 2, 4, 5, 6, 7, 8, and 9; will “help achieve” Goal 3; and is “not relevant” to Goal 10 of the Champaign County Land Resource Management Plan (LRMP). The proposed text amendment would also “help achieve” the purpose of the Ordinance itself, as the amendment is “consistent” with eight of the purposes stated in Section 2, while “not directly related” to ten of the stated goals. It “will improve” the text of the Ordinance by providing a use classification that will allow an agricultural-related business with established minimum requirements, and a means to regulate an activity for which there is demonstrated demand.

Discussion

County Zoning

The intent of the County AG-1 zoning district is: “to protect the areas of the County where soil and topographic conditions are best adapted to the pursuit of agricultural uses and to prevent the admixture of urban and rural uses which would contribute to the premature termination of agriculture pursuits.” The intent of the County AG-2 zoning district is: “to prevent scattered indiscriminate urban development and to preserve the agricultural nature within areas which are predominately vacant and which presently do not demonstrate any significant potential for development. *This district is intended generally for application to areas within one and one-half miles of existing communities in the County.*”

County land within the City’s ETJ is dominated by agricultural (81%) zoning, with small areas zoned residential (8%) and conservation (7%), and little business (2%) or industrial (3%) zoning (Exhibit B). Almost all of the agriculturally-zoned land in the County that is within the City’s ETJ is zoned AG-2, including most County land south of Interstate 74.

City Zoning

The City does not have a use similar to the proposed “Agronomic Research and Training Facility” listed in Table V-1 “Table of Uses” of the Urbana Zoning Ordinance. If the proposed amendment were approved, such a facility could be sited in County AG-zoned land and later annexed into the City, with automatic conversion to City AG zoning. Most County AG-zoned land on the north side of the City is adjacent to City land that is zoned business or industrial, except for the residential developments of Assessor’s and Landis Farms Subdivisions. Much of the County AG-zoned land south of Interstate 74 is adjacent to residential subdivisions inside the City.

Implications for Development Within the City's ETJ

Within the City's municipal boundaries, the proposed text amendment does not directly affect the use of land, nor does it affect the City's ability to manage growth and development. If an agronomic research and training facility were proposed within the ETJ, the City would still be notified of an application for a special use permit for the facility, and could still review that application and submit comments to the County Board prior to its decision. Furthermore, if a facility were proposed in an area served by the Urbana-Champaign Sanitary District, the developer would be required to enter into an Annexation Agreement with the City, which would give the City more negotiating power to ensure that the use would be beneficial, and not harmful, to the surrounding area. **As such, staff does not anticipate a negative effect on the City's ability to plan or manage growth or development should this proposed change to the County's Ordinance be approved by the County Board.**

Urbana 2005 Comprehensive Plan

By State law, the City has the ability to review zoning decisions within its ETJ for consistency with the City's comprehensive plan. Therefore, Champaign County's proposed text amendment should be reviewed for consistency with the City of Urbana's 2005 Comprehensive Plan, which includes the following pertinent goals and objectives:

Goal 4.0 **Promote a balanced and compatible mix of land uses that will help create long-term, viable neighborhoods.**

Objective 4.1 Encourage a variety of land uses to meet the needs of a diverse community.

Goal 15.0 **Encourage compact, contiguous, and sustainable growth patterns.**

Objectives 15.1 Plan for new growth and development to be contiguous to existing development where possible in order to avoid "leapfrog" development.

15.5 Promote intergovernmental cooperation on development and growth issues.

Goal 16.0 **Ensure that new land uses are compatible with and enhance the existing community.**

Objectives 16.1 Encourage a mix of land use types to achieve a balanced growing community.

16.3 Encourage development in locations that can be served with existing or easily extended infrastructure and city services.

Goal 17.0 **Minimize incompatible land uses.**

Objectives 17.1 Establish logical locations for land use types and mixes, minimizing potentially incompatible interfaces, such as industrial uses near residential areas.

17.2 Where land use incompatibilities exist, promote development and design controls to minimize concerns.

Goal 21.0 **Identify and address issues created by overlapping jurisdictions in the one-and-one-half mile Extraterritorial Jurisdictional area (ETJ).**

Objectives 21.1 Coordinate with Champaign County on issues of zoning and subdivision in the ETJ.

21.2 Work with other units of government to resolve issues of urban development in unincorporated areas.

Goal 25.0	Create additional commercial areas to strengthen the city’s tax base and service base.
Objectives	25.1 Provide a sufficient amount of land designated for various types of community and regional commercial uses to serve the needs of the community. 25.2 Promote new commercial areas that are convenient to existing and future neighborhoods.
Goal 27.0	Create a variety of industrial and office developments that can benefit from existing amenities such as convenient access to interstate and rail services and close proximity to the University of Illinois.
Objective	27.1 Encourage the expansion of existing and the creation of new industrial and office park developments in appropriate locations, using a variety of development tools.
Goal 28.0	Develop a diversified and broad, stable tax base.
Objectives	28.1 Encourage an appropriate balance of residential, commercial, and industrial growth. 28.3 Promote an expanded tax base through aggressive marketing and development efforts aimed at attracting new business, retaining and expanding existing business, and annexation. 28.6 Increase the allocation of land devoted to tax-generating commercial uses in appropriate locations.
Goal 29.0	Develop a focused approach to economic development.
Objective	29.3 Expand agricultural-related business, particularly along the U.S. Route 150 and IL Route 130 corridors.
Goal 34.0	Encourage development in areas where adequate infrastructure already exists.
Objective	34.2 Promote development in an orderly and coordinated fashion to ensure timely, cost-effective extension of utilities.
Goal 35.0	Expand utility infrastructure in areas considered most suitable for growth.
Objective	35.1 Locate new development in areas with ready access to urban services including sewer, utilities, transit and municipal services.

The proposed County zoning ordinance text amendment is generally consistent with these City goals and objectives: locating commercial facilities in areas near the city, with available infrastructure, adjacent to compatible land uses.

Plan Commission

Based upon the findings below, staff recommended that the Plan Commission forward to the City Council a recommendation to DEFEAT a resolution of protest. The Plan Commission will hear this case on August 5, 2021. Staff will provide Council a summary of the important topics of discussion, and the recommendation from the Commission to City Council to APPROVE or DEFEAT a resolution of protest, prior to the Council meeting on August 9, 2021.

Summary of Staff Findings

1. The Champaign County Zoning Administrator requests a text amendment to the Champaign County Zoning Ordinance to allow “Agronomic Research and Training Facility” as a Special Use Permit in the AG-1 Agriculture and AG-2 Agriculture Zoning Districts.
2. The proposed text amendment is generally compatible with the land use policy goals and objectives of the 2005 Urbana Comprehensive Plan, which promote contiguous growth, economic stability, cooperation between governments, and compatibility of land uses.
3. The proposed text amendment would not negatively affect land uses or the ability of the City to manage growth and development of land currently within the City’s ETJ.

Options

City Council has the following options in **CCZBA Case No. 008-AT-21**, a request to amend the Champaign County Zoning Ordinance to allow “Agronomic Research and Training Facility” as a Special Use Permit in the AG-1 Agriculture and AG-2 Agriculture Zoning Districts:

- a. **Defeat** a resolution of protest; or
- b. **Defeat** a resolution of protest, contingent upon specific provisions to be identified; or
- c. **Approve** a resolution of protest, which would require a super-majority vote by the County Board to approve the amendment.

Staff recommended to Plan Commission that they recommend that Council **defeat a resolution of protest**. Staff will provide the Plan Commission’s recommendation at the City Council meeting.

Attachments: Exhibit A: Champaign County Department of Planning & Zoning Documents:

- Memo to ELUC (dated March 26, 2021)
- Preliminary Memo (dated May 4, 2021)
- Supplementary Memo (dated May 20, 2021)

Exhibit B: City Zoning and County Agricultural Zoning Map

cc: John Hall, Director, Champaign County Planning and Zoning
Susan Burgstrom, Planner, Champaign County Planning and Zoning.

RESOLUTION NO. _____

**A RESOLUTION OF PROTEST AGAINST A PROPOSED TEXT AMENDMENT TO
THE CHAMPAIGN COUNTY ZONING ORDINANCE**

(Agronomic Research and Training Facility Special Use / CCZBA-008-AT-21)

WHEREAS, the Champaign County Zoning Administrator is requesting a text amendment to the Champaign County Zoning Ordinance in Champaign County Case No. 008-AT-21 to allow “Agronomic Research and Training Facility” as a Special Use Permit in the AG-1 Agriculture and AG-2 Agriculture Zoning Districts; and

WHEREAS, the proposed text amendment has been submitted to the City of Urbana for review and is being considered by the City of Urbana under the name of “CCZBA-008-AT-21”; and

WHEREAS, pursuant to the provisions of State of Illinois Compiled Statutes 55 ILCS 5/5-12014 that states in cases of any proposed zoning amendment where the land affected lies within one-and-one-half (1-1/2) miles of the limits of a zoned municipality, the corporate authorities of the zoned municipality may by resolution issue written protest against the proposed text amendment; and

WHEREAS, the proposed text amendment is not compatible with the Goals and Objectives and Future Land Use Map of the 2005 City of Urbana Comprehensive Plan; and

WHEREAS, the Urbana Plan Commission met on August 5, 2021, to consider the proposed text amendment and voted with XX ayes and XX nays to forward to the City Council a recommendation to approve a resolution of protest; and

WHEREAS, the Urbana City Council, having duly considered all matters pertaining thereto, finds and determines that the proposed text amendment is not in the best interest of the City of Urbana.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. The City Council finds and determines that the facts contained in the above recitations are true.

Section 2. That the Urbana City Council hereby resolves that the City of Urbana, pursuant to the provisions of 55 ILCS 5/5-12014, does hereby APPROVE a Resolution of Protest against the proposed text amendment as presented in CCZBA-008-AT-21.

PASSED BY THE CITY COUNCIL this _____ day of _____, 2021.

AYES:

NAYS:

ABSTAINED:

Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this _____ day of _____, 2021.

Diane Wolfe Marlin, Mayor

Exhibit A: Champaign County Department of Planning & Zoning Documents

TO: **Environment and Land Use Committee**

FROM: **John Hall, Zoning Administrator**

DATE: **March 26, 2021**

RE: **Proposed Text Amendment to add “Agronomic Research and Training Facility” as a Special Use Permit in the AG-1 and AG-2 Zoning Districts**

Champaign County
Department of

**PLANNING &
ZONING**

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

(217) 384-3708

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

BACKGROUND

On March 24 we received a serious inquiry about the zoning approvals necessary to allow a corporate owned agronomic research facility on approximately 300 acres in the AG-1 District. The facility is anticipated to include agronomic research for fertilizer and a large digital hub (i.e., computer office area) for coordinating world-wide corporate agronomic research and application and also a 600 person visitor training center with training auditorium.

Any zoning approval has to be based on a similar land use as listed in Section 5.2 Table of Authorized Uses in the Champaign County Zoning Ordinance but there is no similar land use in Section 5.2. The AG-1 District is the most restrictive zoning district in terms of the types of allowed uses and this proposed land use is not anticipated in the Zoning Ordinance.

The proposed visitor training center with training auditorium is not like the UI research farm which is exempt from local zoning because the UI is owned by the State of Illinois and it is also not like the private seed research facilities in the County which are exempt by state law.

The Visitor Training Center/Main Pavilion is also not simply an “event center” because of the digital hub which will have be staffed on a daily basis.

And even though the corporate owner does fertilizer sales there are no sales proposed at this research facility. If sales were included in the mix of proposed uses, then the 600 person visitor training center with training auditorium could be included as part of a special use permit for a “Farm Chemicals and Fertilizer Sales” facility, but no sales are proposed.

If this development is to happen in Champaign County, the Zoning Ordinance should be amended to add a type of use similar to the 600 person visitor training center with training auditorium, perhaps under the rubric “agronomic research and training facility”, as a special use in the AG-1, AG-2, and CR Districts. At this time, there does not seem to be a need to include any particular requirements for the special use so this will simply be a change to Section 5.2 of the Zoning Ordinance.

ANTICIPATED TIMELINE FOR THE AMENDMENT

Amending the Zoning Ordinance typically takes a minimum of 6 months and then the public hearing for the special use would take at least an additional month. The timeline may be as follows:

- If the Committee authorizes the text amendment at this meeting, a public hearing could open at the May 27, 2021, Zoning Board of Appeals meeting, and the public hearing could be completed as early as June 24, 2021.
- The Zoning Board of Appeals will make a recommendation to the Environment and Land Use Committee. ELUC could review the recommendation as early as July 8, 2021, in which case the County Board could vote on the amendment at their meeting on August 19, 2021.
- If the application for special use permit is made in a timely manner, the special use permit could be considered at the September 16, 2021, Zoning Board of Appeals meeting.

Exhibit A: Champaign County Department of Planning & Zoning Documents

Champaign County
Department of

**PLANNING &
ZONING**

CASE 008-AT-21

PRELIMINARY MEMORANDUM

May 4, 2021

Petitioner: Zoning Administrator

Request: Amend the Champaign County Zoning Ordinance as follows:

Amend Section 5.2 by adding "Agronomic Research and Training Facility" as a Special Use Permit in the AG-1 Agriculture and AG-2 Agriculture Zoning Districts, as detailed in the full legal description in Attachment A.

Location: Unincorporated Champaign County

Time Schedule for Development: As soon as possible

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

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

On March 24, 2021, P&Z Staff received an inquiry about the zoning approvals necessary to allow a corporate-owned agronomic research facility on approximately 300 acres in the AG-1 District. The facility is anticipated to include agronomic research for fertilizer; a large digital hub (computer office area) for coordinating world-wide corporate agronomic research and application; and a 400-600 person visitor training center with training auditorium.

Any zoning approval must be based on a similar land use as listed in Section 5.2 Table of Authorized Uses in the Champaign County Zoning Ordinance, but there is no similar land use in Section 5.2. The AG-1 District is the most restrictive zoning district in terms of the types of allowed uses, and this proposed land use is not anticipated in the Zoning Ordinance.

- The proposed visitor training center with training auditorium is not like the UI research farm, which is exempt from local zoning because the UI is owned by the State of Illinois and it is also not like the private seed research facilities in the County which are exempt by state law.
- The Visitor Training Center/Main Pavilion is also not simply an "event center" because of the digital hub which will have be staffed on a daily basis.
- Even though the corporate owner does fertilizer sales, there are no sales proposed at this research facility. If sales were included in the mix of proposed uses, then the 400-600 person visitor training center with training auditorium could be included as part of a special use permit for a "Farm Chemicals and Fertilizer Sales" facility, but no sales are proposed.

Attachment B is the ELUC memo dated March 26, 2021. ELUC approved consideration of the proposed text amendment at its April 8, 2021 meeting.

APPROVAL PROCESS

The proposed amendment will be discussed at the May 13, 2021 and May 27, 2021 ZBA meetings in order to provide municipalities and interested parties time to provide comments. Should the ZBA recommend it for approval on May 27th, it will be forwarded to ELUC starting June 10.

Exhibit A: Champaign County Department of Planning & Zoning Documents

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Case 008-AT-21
Zoning Administrator
MAY 4, 2021

ATTACHMENTS

- A Legal advertisement
- B ELUC Memorandum dated March 26, 2021
- C Land Resource Management Plan (LRMP) Goals & Objectives *(available on ZBA meetings website)*
- D Preliminary Finding of Fact, Summary Finding of Fact, and Final Determination for Case 008-AT-21 dated May 13, 2021

LEGAL PUBLICATION: WEDNESDAY, APRIL 28, 2021

CASE: 008-AT-21

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

CASE 008-AT-21

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

A public hearing will be held **Thursday, May 13, 2021 at 6:30 p.m.** prevailing time in the Lyle Shields Meeting Room, Brookens Administrative Center, 1776 East Washington Street, Urbana, IL, but with public access only via Zoom, at which time and place the Champaign County Zoning Board of Appeals will consider a petition for the following:

Amend the Champaign County Zoning Ordinance as follows:

Amend Section 5.2 by adding “Agronomic Research and Training Facility” as a Special Use Permit in the AG-1 Agriculture and AG-2 Agriculture Zoning Districts.

All public participation and public testimony during the meeting will only be received via Zoom. Information for connecting to this Zoom meeting can be found on the ZBA meetings website: http://www.co.champaign.il.us/CountyBoard/meetings_ZBA.php. If you would like to submit comments or questions before the meeting, please call the P&Z Department at 217-384-3708 or email zoningdept@co.champaign.il.us no later than 4:30 pm the day of the meeting. The hearing may be continued and reconvened at a later time.

Ryan Elwell, Chair
Champaign County Zoning Board of Appeals

TO BE PUBLISHED: WEDNESDAY, APRIL 28, 2021, ONLY

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

Phone: 384-3708

Our News Gazette account number is 99225860.

TO: **Environment and Land Use Committee**

FROM: **John Hall, Zoning Administrator**

DATE: **March 26, 2021**

RE: **Proposed Text Amendment to add “Agronomic Research and Training Facility” as a Special Use Permit in the AG-1 and AG-2 Zoning Districts**

Champaign County
Department of



Brookens Administrative
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BACKGROUND

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Any zoning approval has to be based on a similar land use as listed in Section 5.2 Table of Authorized Uses in the Champaign County Zoning Ordinance but there is no similar land use in Section 5.2. The AG-1 District is the most restrictive zoning district in terms of the types of allowed uses and this proposed land use is not anticipated in the Zoning Ordinance.

The proposed visitor training center with training auditorium is not like the UI research farm which is exempt from local zoning because the UI is owned by the State of Illinois and it is also not like the private seed research facilities in the County which are exempt by state law.

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ANTICIPATED TIMELINE FOR THE AMENDMENT

Amending the Zoning Ordinance typically takes a minimum of 6 months and then the public hearing for the special use would take at least an additional month. The timeline may be as follows:

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- The Zoning Board of Appeals will make a recommendation to the Environment and Land Use Committee. ELUC could review the recommendation as early as July 8, 2021, in which case the County Board could vote on the amendment at their meeting on August 19, 2021.
- If the application for special use permit is made in a timely manner, the special use permit could be considered at the September 16, 2021, Zoning Board of Appeals meeting.

Attachment C: LRMP Goals, Objectives and Policies

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

PRELIMINARY DRAFT

008-AT-21

**FINDING OF FACT
AND FINAL DETERMINATION**

**of
Champaign County Zoning Board of Appeals**

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

Date: *{May 13, 2021}*

Petitioner: **Zoning Administrator**

Request: **Amend the Champaign County Zoning Ordinance as follows:**

Amend Section 5.2 by adding “Agronomic Research and Training Facility” as a Special Use Permit in the AG-1 Agriculture and AG-2 Agriculture Zoning Districts.

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FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **May 13, 2021**, the Zoning Board of Appeals of Champaign County finds that:

1. The petitioner is the Zoning Administrator.
2. The proposed amendment is intended to establish the requirements for Agronomic Research and Training Facilities in the Zoning Ordinance.
3. Municipalities with zoning and townships with planning commissions have protest rights on all text amendments and they are notified of such cases.

SUMMARY OF THE PROPOSED AMENDMENT

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

GENERALLY REGARDING THE LRMP GOALS, OBJECTIVES, AND POLICIES

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

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

REGARDING LRMP GOALS

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

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

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

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

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

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

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

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

Goal 3 has three objectives and no policies. Objective 3.1 is most relevant to the proposed text amendment. The proposed amendment will ***HELP ACHIEVE*** Goal 3 as follows:

- A. Objective 3.1 states, “Champaign County will seek to ensure that it maintains comparable tax rates and fees, and a favorable business climate relative to similar counties.”

The proposed amendment will ***HELP ACHIEVE*** Objective 3.1 as follows:

- (1) The proposed text amendment will allow development of corporate-owned agriculture research and training facilities, which will help improve Champaign County’s agriculture-based business climate.

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

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

Goal 4 has 9 objectives and 22 policies. The proposed amendment ***WILL NOT IMPEDE*** the achievement of Goal 4.

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

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

Goal 5 has 3 objectives and 15 policies. The proposed amendment ***WILL NOT IMPEDE*** the achievement of Goal 5.

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

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

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

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

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

Goal 7 has 2 objectives and 7 policies. The proposed amendment *WILL NOT IMPEDE* the achievement of Goal 7.

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

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

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

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

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

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

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

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

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

REGARDING THE PURPOSE OF THE ZONING ORDINANCE

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

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

The proposed amendment is consistent with this purpose.

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

The proposed amendment is consistent with this purpose.

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is consistent with this purpose.

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is consistent with this purpose.

- J. Paragraph 2.0 (j) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to divide the entire County into DISTRICTS of such number, shape, area, and such different classes according to the USE

of land, BUILDINGS, and STRUCTURES, intensity of the USE of LOT area, area of open spaces, and other classification as may be deemed best suited to carry out the purpose of the ordinance.

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is consistent with this purpose.

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

The proposed amendment is consistent with this purpose.

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is consistent with this purpose.

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is not directly related to this purpose.

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

The proposed amendment is consistent with this purpose.

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

The proposed amendment is not directly related to this purpose.

- 17. The proposed text amendment **WILL** improve the text of the Zoning Ordinance because it **WILL** provide:
 - A. A classification which allows an agricultural related business while establishing minimum requirements that ensure the purposes of the Zoning Ordinance will be met.
 - B. A means to regulate an activity for which there is demonstrated demand.

SUMMARY FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **May 13, 2021**, the Zoning Board of Appeals of Champaign County finds that:

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

DOCUMENTS OF RECORD

1. Legal advertisement for Case 008-AT-21
2. Preliminary Memorandum for Case 008-AT-21, with attachments:
 - A Legal advertisement
 - B ELUC Memorandum dated March 26, 2021
 - C Land Resource Management Plan (LRMP) Goals & Objectives
(available on ZBA meetings website)
 - D Preliminary Finding of Fact, Summary Finding of Fact, and Final Determination for Case 008-AT-21 dated May 13, 2021

FINAL DETERMINATION

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

The Zoning Ordinance Amendment requested in **Case 008-AT-21** should ***{BE ENACTED / NOT BE ENACTED}*** by the County Board in the form attached hereto.

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

SIGNED:

ATTEST:

Ryan Elwell, Chair
Champaign County Zoning Board of Appeals

Secretary to the Zoning Board of Appeals

Date

PROPOSED AMENDMENT

- Revise Section 5.2 as follows:**

SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES

Principal USES	Zoning DISTRICTS														
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2
Agronomic Research and Training Facility		S	S												

S = Permitted on individual LOTS as a SPECIAL USE

Exhibit A: Champaign County Department of Planning & Zoning Documents

Champaign County
Department of

**PLANNING &
ZONING**

CASE 008-AT-21

SUPPLEMENTAL MEMORANDUM #1

May 20, 2021

Petitioner: Zoning Administrator

Request: Amend the Champaign County Zoning Ordinance as follows:
Amend Section 5.2 by adding “Agronomic Research and Training Facility” as a Special Use Permit in the AG-1 Agriculture and AG-2 Agriculture Zoning Districts, as detailed in the full legal description in Attachment A.

Location: Unincorporated Champaign County

Time Schedule for Development: As soon as possible

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

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

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

STATUS

At the May 13, 2021 ZBA meeting, this case was continued to the May 27, 2021 meeting to allow the Board and other interested parties time to consider the proposed text amendment.

At the May 13th meeting, a ZBA member expressed concern about the possibility of taking prime farmland out of production for the proposed “Agronomic Research and Training Facility” land use, because one of the main goals of the Champaign County Land Resource Management Plan is to conserve land in agricultural production.

John Hall, Zoning Administrator, completed a preliminary analysis of how much farmland would be “converted” or lost to non-agricultural development should the inquiry for a 280-acre corporate owned agronomic research facility come to fruition as initially proposed. He determined that non-agricultural use of the property, including the proposed visitor training center with related parking areas, septic system, stormwater detention area, and sidewalks/patios would take up approximately 8.8 acres of best prime farmland. In comparison, the Zoning Ordinance would allow up to three residential lots to be sold from the property with a maximum lot size of 3 acres each (9 acres total) by-right. Therefore, allowing the proposed “Agronomic Research and Training Facility” land use would result in the loss of no more best prime farmland than would be lost to by-right residential development, and about 96% of the 280 acres would remain in production.

ATTACHMENTS

A Legal advertisement

LEGAL PUBLICATION: WEDNESDAY, APRIL 28, 2021

CASE: 008-AT-21

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

CASE 008-AT-21

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

A public hearing will be held **Thursday, May 13, 2021 at 6:30 p.m.** prevailing time in the Lyle Shields Meeting Room, Brookens Administrative Center, 1776 East Washington Street, Urbana, IL, but with public access only via Zoom, at which time and place the Champaign County Zoning Board of Appeals will consider a petition for the following:

Amend the Champaign County Zoning Ordinance as follows:

Amend Section 5.2 by adding “Agronomic Research and Training Facility” as a Special Use Permit in the AG-1 Agriculture and AG-2 Agriculture Zoning Districts.

All public participation and public testimony during the meeting will only be received via Zoom. Information for connecting to this Zoom meeting can be found on the ZBA meetings website: http://www.co.champaign.il.us/CountyBoard/meetings_ZBA.php. If you would like to submit comments or questions before the meeting, please call the P&Z Department at 217-384-3708 or email zoningdept@co.champaign.il.us no later than 4:30 pm the day of the meeting. The hearing may be continued and reconvened at a later time.

Ryan Elwell, Chair
Champaign County Zoning Board of Appeals

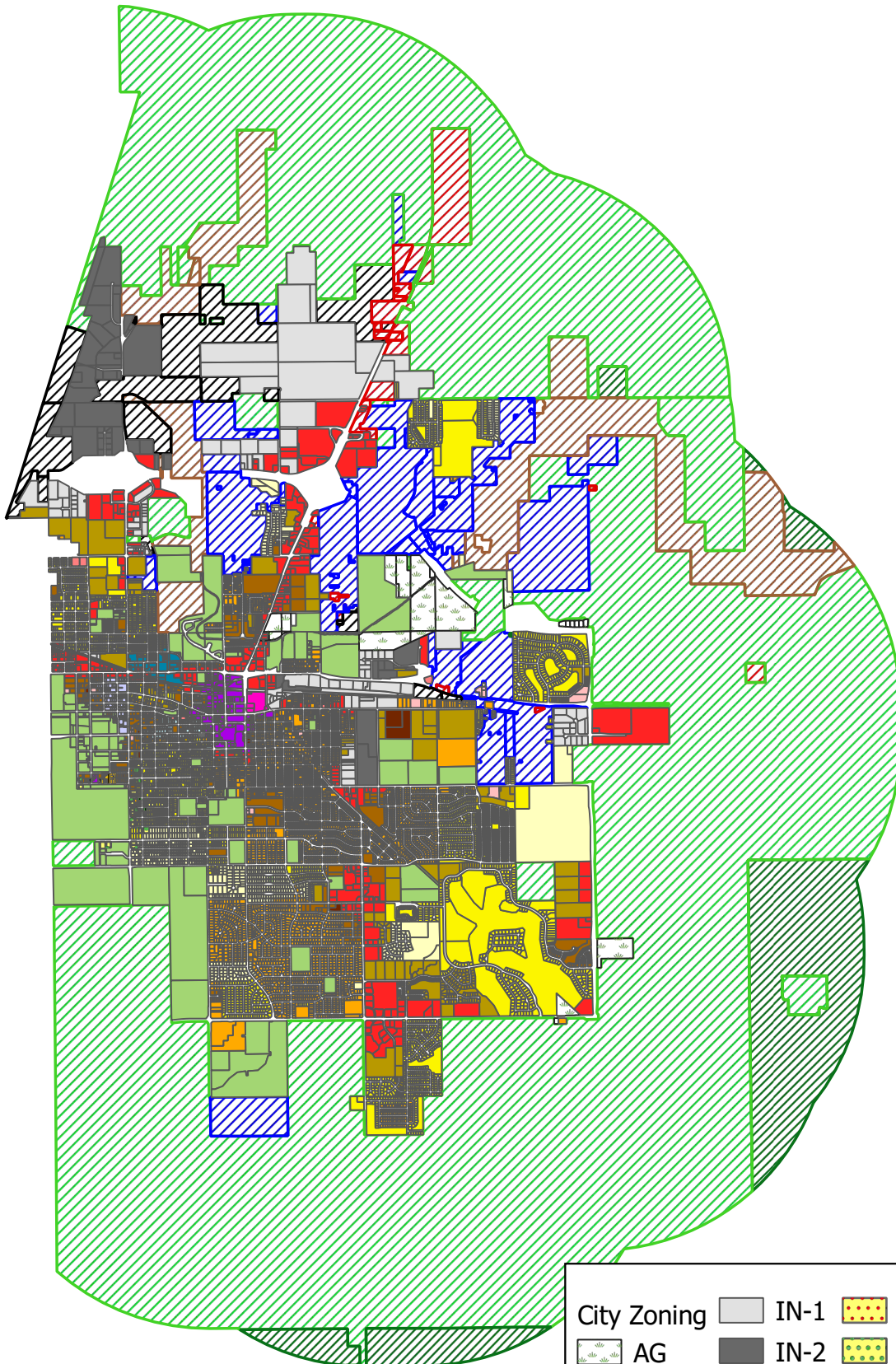
TO BE PUBLISHED: WEDNESDAY, APRIL 28, 2021, ONLY

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

Phone: 384-3708

Our News Gazette account number is 99225860.

Exhibit B: City Zoning and County Agricultural Zoning Map



Case No.: CCZBA-008-AT-01
 Subject: Agronomic Research and Training Facility
 Location: Champaign County
 Petitioners: Champaign County Zoning Administrator



City Zoning		County Zoning [124]	
IN-1	R-6B	AG-1 [5]	Business [1]
AG	R-7	AG-2 [17]	CR [10]
B-1	MIC	Industrial [11]	Residential [13]
B-2	MOR		
B-3	R-1		
B-3U	R-2		
B-4	R-3		
B-4E	R-4		
CCD	R-5		
CRE	R-6		