

CASE NO. 710-AT-12

SUPPLEMENTAL MEMORANDUM

July 26, 2012

Petitioner: **Zoning Administrator**

Prepared by: **John Hall**, Zoning Administrator

Andrew Kass, Associate Planner

Champaign
County
Department of

**PLANNING &
ZONING**

Request: **Amend the Champaign County Zoning Ordinance by amending the Champaign County Land Evaluation and Site Assessment (LESA) System that is referred to in Section 3; and Footnote 13 in Section 5.3; and subsection 5.4, as follows* :**

Part A. Revise the Land Evaluation (LE) part as follows:

1. **Revise all soil information to match the corresponding information in the *Soil Survey of Champaign County, Illinois* 2003 edition.**
2. **Revise all existing soil productivity information and replace with information from *Bulletin 811 Optimum Crop Productivity Ratings for Illinois Soils* updated January 15, 2011, by the University of Illinois College of Agricultural, Consumer and Environmental Sciences Office of Research.**
3. **Delete the 9 existing Agriculture Value Groups and existing Relative Values ranging from 100 to 0 and add 18 Agriculture Value Groups with Relative LE ranging from 100 to 0.**

Part B. Revise the Site Assessment (SA) part as follows:

1. **Add definitions for "agriculture"; "agricultural production"; "animal units"; "best prime farmland"; "farm dwelling"; "livestock management facility"; "non-farm dwelling"; "principal use"; and "subject site".**
2. **Delete SA Factors A.2.; A.3.; B.2.; B.3.; C.2; D.2.; D.3.; E.1.; E.2.; E.3.; E.4.; F.1.; F.2.; F.3.; F.4.; and F.5.**
3. **Revise SA Factor A.1. to be new Factor 8. ; Factor B.1. to be new Factor 7.; Factor C.1. to be new Factor 5.; Factor D.1. to be new Factor 1.; and revise scoring guidance for each revised Factor, as described in the legal advertisement.**
4. **Add new SA Factors 2a; 2b; 2c; 3; 4; 6; 9; 10; and add scoring guidance for each new Factor, as described in the legal advertisement.**

Part C. Revise the Ratings for Protection, as described in the legal advertisement.

Part D. Revise the general text and reformat.

*** NOTE: the description of the Request has been simplified from the actual legal advertisement. See the attached legal advertisement**

STATUS

Additional Draft evidence for the Site Assessment Factors is attached but is only partially drafted.

A comparison table from the LESA Update Committee meeting of January 25, 2012, is also attached.

Also, handouts of minutes of LESA Update Committee meetings and the various Draft Update LESAs from the previous meetings are documented as attachments.

ATTACHMENTS

*documents handed out previously

- A Description of Case from Legal Advertisement
- B Additional Draft Evidence Regarding the Draft Site Assessment Factors
- *C Approved Minutes of the June 8, 2011, LESA Update Committee with attachments
 - Memorandum from John Hall, Champaign County Zoning Administrator dated June 8, 2011, with Draft SA Factors
 - Site Assessment Factors submitted on June 8, 2011, by Bradley Uken, Champaign County Farm Bureau Manager
 - Images from the Powerpoint presentation including Preliminary SA Factors
- *D Approved Minutes of the June 21, 2011, LESA Update Committee
- *E Approved Minutes of the July 13, 2011, LESA Update Committee
- *F Approved Minutes of the August 10, 2011, LESA Update Committee with attachment:
 - Handout 1 Working Draft-SA Factors as of 8/10/11
- *G Approved Minutes of the September 7, 2011, LESA Update Committee with attachment:
 - Meeting 6- Review of Draft SA Factors (Attachment A to the 9/2/11 LESA Update Committee Memorandum)
- *H Approved Minutes of the October 12, 2011, LESA Update Committee with attachment:
 - 10/05/11 LESA Update Committee Memorandum with Attachment:
Attachment A Modified Draft SA Factors Based on Committee Review Comments on 9/7/11
- *I Approved Minutes of the November 2, 2011, LESA Update Committee with attachments:
 - 10/27/11 LESA Update Committee Memorandum with Attachments:
 - o Updated Version Draft LESA dated October 27, 2011
 - o Champaign County Review of Site Suitability Factors in Rezoning Cases
- *J Approved Minutes of the November 16, 2011, LESA Update Committee with attachments:
 - 11/11/11 LESA Update Committee Memorandum with Attachments:
 - o Attachment A Field Test Notes
 - o Attachment C Field Test Results
 - o Handout 2 Alternative Draft Site Assessment (from 11/16/11 LESA Update Committee Meeting)
 - o Handout 3 (from 11/16/11 LESA Update Committee Meeting)
- *K Approved Minutes of the November 29, 2011, LESA Update Committee with attachments:
 - 11/23/11 LESA Update Committee Memorandum
- *L Approved Minutes of the December 14, 2011, LESA Update Committee with attachments:
 - 12/06/11 LESA Update Committee Memorandum with Attachments:
 - o Attachment D Field Test Site Results
 - o Attachment E Proposed Revisions to Draft LESA Update

ATTACHMENTS (continued)

- *M Approved Minutes of the January 4, 2012, LESA Update Committee with attachments:
 - 12/29/11 LESA Update Committee Memorandum with Attachments:
 - o Handout (Memorandum) from John Hall, Zoning Administrator (from 1/04/12 LESA Update Committee Meeting)

- *N Approved Minutes of the January 25, 2012, LESA Update Committee with attachment:
 - 1/18/12 LESA Update Committee Memorandum

- *O Approved Minutes of the February 22, 2012, LESA Update Committee with attachment:
 - 2/10/12 LESA Update Committee Memorandum with attachment:
 - o Attachment A The creeping effect. Pages 121 & 122 excerpted from *Land Evaluation and Site Assessment: A Guidebook for Rating Agricultural Lands, Second Edition*. Soil and Water Conservation Society, 1983

- *P Draft Minutes of the March 7, 2012, LESA Update Committee with attachment:
 - 2/28/12 LESA Update Committee Memorandum

- *Q Versions of the Draft Updated LESA (in notebooks at the tables during ZBA meetings and on the website):
 - Updated Version Draft LESA dated October 27, 2011 (an attachment to the 10/27/11 LESA Update Committee Memorandum for the 11/02/11 LESA Update Committee Meeting)

 - Updated Version Revised Draft LESA dated November 17, 2011 (a handout in a 11/18/11 email from Susan Monte to the LESA Update Committee and a handout at the 11/29/11 LESA Update Committee Meeting)

 - Updated Version Revised Draft LESA dated December 5, 2011 (a handout in a 12/06/11 email from Susan Monte to the LESA Update Committee and a handout at the 12/14/11 LESA Update Committee Meeting)

 - Strikeout Copy of Updated Version Revised Draft LESA dated December 14, 2011 (a handout at the 12/14/11 LESA Update Committee Meeting)

 - Revised Draft LESA dated December 29, 2011 (a handout in a 12/29/11 email from Susan Monte to the LESA Update Committee and a handout at the 1/04/12 LESA Update Committee Meeting)

 - Alternate Revised Draft LESA dated December 29, 2011 (a handout in a 12/29/11 email from Susan Monte to the LESA Update Committee and a handout at the 1/04/12 LESA Update Committee Meeting)

 - Alternate Update Draft LESA dated January 18, 2012, that was an attachment to the January 25, 2012, LESA Update Committee Agenda

 - Strikeout Version of Revised Draft LESA dated February 10, 2012 (a handout in a 2/10/12 email from Susan Monte to the LESA Update Committee and a handout at the 2/22/12 LESA Update Committee Meeting)

ATTACHMENTS (continued)

- Revised Draft LESA dated February 28, 2011 (a handout in a 2/29/12 email from Susan Monte to the LESA Update Committee and a handout at the 3/07/12 LESA Update Committee Meeting)
- R Comparison of Expected Draft LESA Scores For Hypothetical, Large, Non-CUGA. BPF Sites (a handout from the January 25, 2012, LESA Update Committee meeting)

Attachment A. Case Description from Legal Advertisement

Case 710-AT-12

JUNE 8, 2012

Amend the Champaign County Zoning Ordinance by amending the Champaign County Land Evaluation and Site Assessment (LESA) System that is referred to in Section 3; and Footnote 13 in Section 5.3; and subsection 5.4, as follows:

Part A. Revise the Land Evaluation (LE) part as follows:

- 1. Revise the existing soil map symbols; soil series names; slope; acreage and proportionate extent; land capability classification; and farmland classification to match the corresponding information in the *Soil Survey of Champaign County, Illinois* 2003 edition.**
- 2. Delete the existing Productivity Index Local and add Adjusted Soil Productivity Index based on the Crop productivity index for optimum management that is published in *Bulletin 811 Optimum Crop Productivity Ratings for Illinois Soils* updated January 15, 2011, by the University of Illinois College of Agricultural, Consumer and Environmental Sciences Office of Research.**
- 3. Delete the 9 existing Agriculture Value Groups and existing Relative Values ranging from 100 to 0 and add 18 Agriculture Value Groups with Relative LE ranging from 100 to 0.**

Part B. Revise the Site Assessment (SA) part as follows:

- 1. Add definitions for “agriculture”; “agricultural production”; “animal units”; “best prime farmland”; “farm dwelling”; “livestock management facility”; “non-farm dwelling”; “principal use”; and “subject site”.**
- 2. Delete SA Factors A.3.; B.2.; B.3.; D.2.; D.3.; E.1.; E.2.; E.3.; E.4.; F.1.; F.2.; F.3.; F.4.; and F.5.**
- 3. Revise SA Factor A.1. by renumbering to SA Factor 8; and changing 1.5 miles to 1.0 mile; and changing “in agricultural uses” to “with a principal use of agriculture”; and for a subject site that is Best Prime Farmland or at least 51% Prime Farmland limit the consideration to parcels and land use that existed on April 12, 2011; and increase the total points from 18 to 20; and change the assignment of points to 2 points for each 10% change from 0 to 100%; and add scoring guidance.**
- 4. Delete SA Factor A.2. “Land Use Adjacent to Site” and replace with SA Factor 4. “Amount of the perimeter of a subject site that is adjacent to parcels with a principal use of agriculture”; and for a subject site that is Best Prime Farmland or at least 51% Prime Farmland limit the consideration to parcels and land use that existed on April 12, 2011; and increase the total points from 18 to 20; ; and change the assignment of points to 2 points for each 10% change from 0 to 100%; and add scoring guidance.**
- 5. Revise SA Factor B.1. by renumbering to SA Factor 7; and by changing 1.5 miles to 1.0 mile; and change the assignment of points to 1 point for each 10% change from 0 to 100%; and add scoring guidance.**
- 6. Revise SA Factor C.1. by renumbering to SA Factor 5; and increase the total points from 10 to 15; and by changing the assignment of points; and add scoring guidance.**

Attachment A. Case Description from Legal Advertisement

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7. **Revise SA Factor D.1. by renumbering to SA Factor 1; and increase the total points from 8 to 10; and reduce the largest site from 100 acres to 25 acres; and change the assignment of points; and add scoring guidance.**
8. **Add SA Factor 2a “Is the subject site Best Prime Farmland?” and assign 30 points if “yes ; and add scoring guidance.**
9. **Add SA Factor 2b to assess for a subject site that is Best Prime Farmland, if the subject site is more than 15% of a larger parcel that existed on January 1, 2004, or if the subject site is 25 acres or more in area; and assign 10 points if “yes” ; and add scoring guidance.**
10. **Add SA Factor 2c to assess if the subject site is not Best Prime Farmland but is at least 51% Prime Farmland; and if the subject site is larger than 25 acres or if the subject site is part of a larger parcel that existed on April 11, 2011, with a total area for the subject site and all other portions of the larger parcel converted to non-agricultural use, of more than 25 acres; and assign 10 points if “yes” ; and add scoring guidance.**
11. **Add SA Factor 3 to assess if the subject site is located within the Contiguous Urban Growth Area identified in the Champaign County Land Resource Management Plan; and assign 40 points if “no” ; and if “yes” skip the remaining SA Factors and indicate a total SA score for only SA Factors 1,2, and 3; and add scoring guidance.**
- *12. **Add new SA Factor 6 to assess the highest percentage of the subject site in agricultural production in any of the last 5 years; and assign 15 points for 80% or more and fewer points for a lesser amount; and add scoring guidance.**
- *13. **Add new SA Factor 9 to assess the distance from the subject site to the nearest 10 non-farm dwellings and assign 20 points if more than a mile and fewer points if less than a mile; and add scoring guidance.**
- *14. **Add new SA Factor 10 to assess the distance from the subject site to the nearest known livestock management facility of 400 or more animal units and assign 10 points if adjacent and fewer points if there is more distance; or, if more than a mile, assess the distance to the nearest known facility with 200 to 399 animal units and assign 7 points if adjacent and fewer points if there is more distance; or, if more than a mile, assess the distance to the nearest known facility of 50 to 199 animal units, and assign 4 points if adjacent and fewer points if there is more distance and 0 points if more than a mile distant; and add scoring guidance.**
- *15. **Delete existing SA Factor C.2.**

Part C Revise the Ratings for Protection as follows:

1. **Change the scoring range for a low rating for protection from “179 or below” to “150 or below”.**
2. **Change the scoring range for a moderate rating for protection from “180 to 199” to “151 to 225”.**
3. **Change the scoring range for a high rating for protection from “200 to 219” to “226 to 250”.**

Attachment A. Case Description from Legal Advertisement

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4. **Change the scoring range for a very high rating for protection from “220 to 300” to “251 to 300”.**

***Part D. Revise the general text and reformat.**

***These parts were added in a second legal advertisement**

Attachment B. Additional Draft Evidence Regarding the Draft Site Assessment Factors

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Note: The following is an early Draft version of evidence suitable for a Finding of Fact.

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. Objective 4.5 is the only relevant objective under Goal 4 and the proposed Draft LESA will *ACHIEVE* Objective 4.5 and therefore the proposed Draft LESA will *HELP ACHIEVE* Goal 4 for the following reasons:

A. Regarding the proposed Land Evaluation Factors (Part A of the amendment):

EVIDENCE TO BE ADDED FROM PREVIOUS MEMORANDA

B. Regarding the proposed Site Assessment Factors (Part B of the amendment):

(1) The Zoning Board of Appeals reviewed the minutes of all LESA Update Committee meetings and many of the handouts regarding the recommended Draft Site Assessment Factors and those meetings, handouts, and Committee actions can be summarized as follows:

(a) At the first LESA Update Committee meeting held on June 8, 2012, the Update Committee received three alternative sets of Site Assessment Factors as follows:

i. A set of 13 Draft Site Assessment Factors was submitted by Bradley Uken, the manager of the Champaign County Farm Bureau. {review how many were essentially existing SA Factors}

ii. A set of six Draft Site Assessment Factors was submitted by John Hall, Champaign County Zoning Administrator.

iii. A set of five Draft Site Assessment Factors was submitted by Susan Monte, Planner with the Champaign County Regional Planning Commission and Facilitator for the LESA Update Committee. This set of Draft Site Assessment Factors was based upon existing site assessment factors in the existing Champaign County LESA that match the SA-1 factors found in *Land Evaluation and Site Assessment: A Guidebook for Rating Agricultural Lands, Second Edition*. Soil and Water Conservation Society, 1983.

(b) The three alternative sets of Draft Site Assessment Factors were considered at the June 21, 2012, and July 13, 2012, LESA Update Committee meetings. At both meetings the LESA Update Committee discussed their intent that the revised Site Assessment Factors should emphasize agricultural productivity and farmland protection over development suitability because development suitability is considered in other aspects of the rezoning process.

(c) A single set of 11 Draft Site Assessment Factors with limited assessment guidance was distributed to the LESA Update Committee prior to the July 27, 2011, meeting.

Attachment B. Additional Draft Evidence Regarding the Draft Site Assessment Factors

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- (d) A Working Draft of 12 SA Factors and including two definitions was handed out at the August 10, 2012, LESA Update Committee meeting.
- (e) At the September 7, 2012, LESA Update Committee meeting the Committee did the following regarding the proposed Site Assessment Factors:
- i.* The LESA Update Committee reviewed a group of 12 Draft SA Factors that had been scored against 4 actual land parcels that had been used in previous map amendment cases.
 - ii.* The LESA Update Committee compared a one mile radius for SA Factors to a one-and-a-half mile radius for each of the 4 parcels and decided that a one mile radius was sufficient.
 - iii.* The LESA Update Committee discussed the availability of annual aerial photography from the Champaign County Soil and Water Conservation District.
 - iv.* The LESA Update Committee discussed the difficulty of accurately estimating the number of livestock at a livestock management facility based on a windshield survey.
- (f) At the November 2, 2011, LESA Update Committee meeting the LESA Update Committee reviewed a Draft Updated LESA dated October 27, 2011, with Site Assessment Factors with assessment guidance and defined terms. A 12th Site Assessment Factor had been added regarding drainage improvements on the subject site and the Committee decided to pay particular attention to this Factor during the field testing.
- (g) At the November 16, 2011, LESA Update Committee meeting the Committee did the following regarding the proposed Site Assessment Factors:
- i.* The LESA Update Committee reviewed the results of field testing of the Draft Updated LESA dated October 27, 2011, as applied to a group of 18 randomly selected tracts of Champaign County land. The field test sites were in six different types of locations including being on a moraine; within the Contiguous Urban Growth Area (CUGA); within one mile of the CUGA; more than 2 miles from the CUGA; in a 100-year floodplain; and in a wooded riparian area.
 - ii.* The LESA Update Committee discussed several changes to the Draft SA Factors including a tiered approach in which not all Site Assessment Factors were relevant if the subject site is located in the Contiguous Urban Growth Area (CUGA).
 - iii.* The LESA Update Committee eliminated the 12th Site Assessment Factor had been added regarding drainage improvements on a subject site due to inconsistent assessments in field testing.
 - iv.* The LESA Update Committee asked for a second round of field testing on a reduced set of 15 test sites.

Attachment B. Additional Draft Evidence Regarding the Draft Site Assessment Factors

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- (h) At the November 29, 2011, LESA Update Committee meeting the Committee did the following regarding the proposed Site Assessment Factors:
- i.* The LESA Update Committee reviewed the results of the second round of field testing based on the Updated Version Revised Draft LESA dated November 17, 2011.
 - ii.* The LESA Update Committee reviewed the results of field testing of the Draft SA Factors submitted by Brad Uken on June 8, 2011.
 - iii.* The LESA Update Committee discussed in general that the 11 SA Factors were producing satisfactory results and discussed additional changes to the SA Factors including regarding the SA Factor that assesses how much of site was in agricultural use in any of the last 5 years and the SA Factor that assessed how much of the site is adjacent to agricultural use.
- (i) At the December 14, 2011, LESA Update Committee meeting the Committee did the following regarding the proposed Site Assessment Factors:
- i.* The LESA Update Committee reviewed the results of the third round of field testing based on the Updated Version Revised Draft LESA dated December 5, 2011.
 - ii.* The LESA Update Committee reviewed a Strikeout Copy of Updated Version Revised Draft LESA dated December 14, 2011, that had been prepared in response to the inconsistencies in ratings for the SA Factor that assesses how much of the site is adjacent to agricultural use and the SA Factor that assess how much of the surrounding area in a one mile radius is in agricultural use and included revisions to the points awarded for best prime farmland versus best prime farmland larger than 25 acres or larger than 15% of a parcel and added points for prime farmland larger than 25 acres.
 - iii.* The LESA Update Committee also deleted the SA Factor assessing distance from the subject site to the nearest public assembly use of more than 200 persons and reassigned the 10 points to the SA Factor for best prime farmland.
 - iv.* The LESA Update Committee considered revised “levels of protection” based on the total LESA score that included fewer points in the range of very high rating for protection and more points for both moderate and high rating for protection that had been included in both the Updated Version Revised Draft LESA dated December 5, 2011, and the Strikeout Copy of Updated Version Revised Draft LESA dated December 14, 2011.

Attachment B. Additional Draft Evidence Regarding the Draft Site Assessment Factors

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- (j) At the January 4, 2012, LESA Update Committee meeting the Committee did the following regarding the proposed Site Assessment Factors:
- i.* The LESA Update Committee reviewed a Revised Draft LESA dated December 29, 2011 and an Alternate Revised Draft LESA dated December 29, 2011, that had fewer SA Factors for sites in the Contiguous Urban Growth Area (CUGA).
 - ii.* The LESA Update Committee discussed how to distinguish between “farm” and “non-farm” dwellings.
 - iii.* The LESA Update Committee discussed changing the number of Draft SA Factors for a site located in the Contiguous Urban Growth Area (CUGA).
 - iv.* The LESA Update Committee reviewed additional changes to the “levels of protection”.
- (k) At the January 25, 2012, LESA Update Committee meeting the Committee did the following regarding the proposed Site Assessment Factors:
- i.* The LESA Update Committee reviewed the Alternate Update Draft LESA dated January 18, 2012, which had revisions to the Site Assessment Factor assessing best prime farmland.
 - ii.* The LESA Update Committee reviewed changes to the Site Assessment Factor assessing agricultural land use adjacent to the site.
 - iii.* The LESA Update Committee reviewed changes to the Site Assessment Factor assessing the highest percentage of the site in agricultural production in the last 5 years.
 - iv.* The LESA Update Committee reviewed changes to the Site Assessment Factor assessing the amount of agricultural land use within one mile of the site.
 - iv.* The LESA Update Committee reviewed additional changes to the “levels of protection”.
- (l) At the February 22, 2012, LESA Update Committee meeting the Committee did the following regarding the proposed Site Assessment Factors:
- i.* The LESA Update Committee reviewed the Strikeout Version of Revised Draft LESA dated February 10, 2012, which had many minor editing changes and definitional changes and substantive changes to the scoring guidance for many Site Assessment Factors including changes that addressed the “creeping effect” whereby approval of some farmland conversion can inadvertently lower LESA scores on nearby properties.
 - ii.* The LESA Update Committee discussed possible refinements to the definition of “farm dwelling” and reviewed further field test results.

Attachment B. Additional Draft Evidence Regarding the Draft Site Assessment Factors

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- (m) At the March 7, 2012, LESA Update Committee meeting the Committee
 - i. The LESA Update Committee reviewed the Revised Draft LESA dated February 28, 2011, that reduced the SA Factors considered for sites in the Contiguous Urban Growth Area (CUGA) to only factors 1 and 2; and added a new definition for “principal use” and included other definitional changes; and included final changes to the “levels of protection”.
 - ii. The LESA Update Committee requested final editing that would add consistency regarding ‘lesser than’ and ‘greater than’.

- (2) Regarding how the proposed Site Assessment Factors compare to the Site Assessment Factors in the existing Champaign County LESA System:
 - (a) Proposed SA Factor 1 assesses the size of the subject site and is similar to existing SA Factor D.1. except for the following differences:
 - i. The proposed SA Factor 1 assesses “size of the subject site” but the existing SA Factor D.1. assesses “size of site feasible for farming” so the proposed SA Factor 1 is simpler and easier to assess without considering feasibility issues.
 - ii. The largest site considered in the proposed SA Factor 1 is “more than 25 acres” and the largest site considered in the existing SA Factor D.1. is “100 acres or more” so the proposed SA Factor 1 is less biased towards site area than the existing LESA.
 - iii. The smallest site considered in the proposed SA Factor 1 is “5 acres or less” and the smallest site considered in the existing SA Factor D.1. is “less than 5 acres” and zero points is awarded in both instances so there is little difference in this regard.
 - iv. The possible points awarded for the proposed SA Factor 1 is 10 points (5% of the total for Site Assessment) and possible points awarded for the existing SA Factor D.1. is 8 points (4% of the total for Site Assessment).
 - v. The proposed SA Factor 1 does not consider 25 acres as an optimum size for farmland but assumes that larger tracts of farmland are more valuable for agriculture than smaller tracts of farmland.
 - vi. This is one of the example site assessment factors included in the LESA *Guidebook* reviewed by the Committee and is consistent with other Illinois county LESA’s reviewed by the Committee (Kendall, McLean, Ogle, and DeKalb indirectly) but was not in the 6/8/11 proposal by Brad Uken of the Champaign County Farm Bureau.

Attachment B. Additional Draft Evidence Regarding the Draft Site Assessment Factors

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- (b) Proposed SA Factor 2 assesses if the subject site is Best Prime Farmland; and, if so, if the site is more than 15% of a larger land parcel that existed on January 1, 2004, or whether the site is larger than 25 acres; and if not Best Prime Farmland then whether the site is at least 51% Prime Farmland and if so, whether the site is 25 acres or larger or if the site is more than 15% of a larger land parcel that existed on January 1, 2011. Regarding proposed SA Factor 2:
- i.* The proposed SA Factor 2 is not similar to any existing SA Factor.
 - ii.* The proposed SA Factor 2 relies on the same definition of “best prime farmland” as that used in the Zoning Ordinance.
 - iii.* The possible points awarded for the proposed SA Factor 2 is 30 points (15% of the total for Site Assessment) for even the smallest site of Best Prime Farmland and 40 points (20% of the total for Site Assessment) for Best Prime Farmland sites that are larger than 25 acres or more than 15% of a larger land parcel that existed on January 1, 2004.
 - iv.* The overall effect of proposed SA Factor is to encourage less conversion of both Best Prime Farmland and Prime Farmland which is consistent with the original intent of the LESA System.
 - v.* Regarding the date of January 1, 2004, that is relevant to Best Prime Farmland, 2004 is the year in which best prime farmland and “maximum lot size” was first introduced into the Champaign County Zoning Ordinance and certain parcels of land that existed prior to 1/1/04 are exempt from those Zoning Ordinance limitations on the use of best prime farmland.
 - vi.* Regarding the date of January 1, 2011, that is relevant to Prime Farmland, 2011 is the year in which the Draft Update LESA was developed.
 - vii.* No other Illinois county is known to have identified “best prime farmland” and no other Illinois LESA includes “best prime farmland” as an SA Factor.
 - viii.* None of the other Illinois county LESA’s reviewed by the Committee (Kendall, McLean, Ogle, and DeKalb) even consider “prime” farmland in their SA Factors.
 - ix.* “Best Prime Farmland” and “Prime Farmland” were not in the 6/8/11 proposal by Brad Uken of the Champaign County Farm Bureau.
 - x.* The use of “Best Prime Farmland” and “Prime Farmland” as SA Factors is not an impediment to the validity of the proposed Draft LESA and can be instrumental in providing significant distinction in Site Assessment scores for properties that are “Prime Farmland”.

Attachment B. Additional Draft Evidence Regarding the Draft Site Assessment Factors

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- (c) Proposed SA Factor 3 assesses whether the site is in the Contiguous Urban Growth Area (CUGA). Regarding proposed SA Factor 3:
- i.* The proposed SA Factor 3 is somewhat similar to a suite of existing SA Factors that are B.3. (prior governmental actions) and E.1. (central sewer) and E.2. (central water) and E.3. (Transportation) and E.4. (fire protection service).
 - ii.* The proposed SA Factor 3 relies on the same definition of “Contiguous Urban Growth Area (CUGA)” as that used in the Champaign County Land Resource Management Plan (LRMP).
 - iii.* If the site is not located in the CUGA the points awarded for proposed SA Factor 3 is 40 points (20% of the total for Site Assessment). For a comparison to the existing SA Factors, this compares to the total of 50 points possible for the entire suite of similar existing SA Factors B.3. and E.1. and E.2. and E.3. and E.4. If the site is located in the CUGA zero points are awarded and SA Factors 4 through 10 are not relevant.
 - iv.* As described in Volume 2 of the Champaign County Land Resource Management Plan (LRMP). The CUGA ... {complete}
 - v.* The existing LESA does not recognize that not all parts of a municipal ETJ are in the CUGA so the proposed SA Factor 3 is more protective of areas not in the CUGA and that will not have access to sewer or water.
 - vi.* SA Factor 3 is similar to “land use policy designation” that is one of the example “non-agricultural productivity” site assessment factors included in the LESA *Guidebook* reviewed by the Committee and is consistent with most of the other Illinois county LESA’s reviewed by the Committee (Kendall, Ogle, DeKalb, but not McLean,) except those counties awarded only 9 to 20 points for this factor but also awarded additional points based on distance from water, sewer, fire protection, etc.; and is similar to Factor #6 (worth a maximum 20 points) in the proposal of 6/8/11 by Brad Uken of the Champaign County Farm Bureau (who also awarded additional points in categories of water, sewer, and road surface).
- (d) Proposed SA Factor 4 assesses the amount of perimeter of the subject site that is adjacent to parcels with a principal use of agriculture. Regarding proposed SA Factor 4:
- i.* The proposed SA Factor 4 is similar to existing SA Factor A.2. Land use adjacent to site and A.2. and both SA Factors rely on the Zoning Ordinance definition of agriculture.
 - ii.* The proposed SA Factor 4 assigns 2 points per each 10% of site perimeter up to a maximum of 20 points and the existing SA Factor A.2. assigns various points per each side of the site up to a maximum of 18 points but because the scoring is in terms of whole sides A.2. is less specific (and less flexible) than SA Factor 4.

Attachment B. Additional Draft Evidence Regarding the Draft Site Assessment Factors

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- vi. “Compatibility with adjacent uses” is one of the example site assessment factors included in the *LESA Guidebook* reviewed by the Committee and is consistent with other Illinois county *LESA*’s reviewed by the Committee (Kendall, McLean, Ogle, and DeKalb); and is similar to Factor #2 in the 6/8/11 proposal by Brad Uken of the Champaign County Farm Bureau except that Uken’s Factor #2 focused on “production agriculture” and relied on “whole side scoring” as the existing A.2. and awarded a maximum of 25 points if all sides were in production agriculture.
- vii. Considering the compatibility of adjacent land uses does not surrender farmland protection to sprawl but merely recognizes that all other things being equal, the more that a parcel of land is surrounded by incompatible uses the less desirable that parcel is for long term agricultural production. And, logically, larger tracts of farmland are more likely to be bordered by other farmland and to the extent that this Factor reduces protection for farmland, that will generally only happen for smaller tracts of farmland.
- (e) Proposed SA Factor 5 assesses the distance from the subject site to the nearest city or village limits. Regarding proposed SA Factor 5:
- i. The proposed SA Factor 5 is nearly identical to existing SA Factor C.1. in what is being assessed (distance from the nearest city or village) but the points are awarded very differently between the two factors as follows:
- SA Factor 5 awards only 5 points if the site is within 1.5 miles of the city or village and existing SA Factor C.1. awards up to 8 points at 1.0 to 1.49 miles from the city or village and therefore SA Factor 5 is less protective of sites within 1.5 miles of a city or village.
 - SA Factor 5 and existing C.1. are identical and awards 10 points for sites within 1.50 to 3.00 miles of a city or village.
 - SA Factor 5 is more protective of sites that are more than 3.00 miles from a city or village and awards 15 points compared to the maximum 10 points awarded by existing C.1.
- ii. This is similar to one of the example “non-agricultural productivity” site assessment factors included in the *LESA Guidebook* reviewed by the Committee and is consistent with other Illinois county *LESA*’s reviewed by the Committee (Kendall, McLean, and DeKalb); and is similar to Factor #7 (worth a maximum 20 points) in the proposal of 6/8/11 by Brad Uken of the Champaign County Farm Bureau.
- iii. While it is true that some specialty farming operations may benefit from being closer to a city or village and it is true that any city or village in Champaign County will contain important services for farmers, it is also true that the County has no control over

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annexation agreements within 1.5 miles of a city or village and it is true that the 1.5 mile extraterritorial jurisdiction of the larger municipalities in the County will continue to expand for the foreseeable future and therefore the County should be more concerned about prime farmland that is more than 1.5 miles and in some instances much further than 1.5 miles from a city or village.

- (e) Proposed SA Factor 6 assesses the highest percentage of the site in agricultural production in any of the last 5 years. Regarding proposed SA Factor 6:
- i.* The proposed SA Factor 6 is somewhat similar to existing SA Factor A.3. which assesses the percentage of the site that is suitable for agricultural uses and the basic differences are as follows:
 - Existing Factor A.3. requires judgment about what land is suitable for agriculture but no guidance is provided. Proposed SA Factor 6 requires very little judgment.
 - Existing Factor A.3. receives a maximum of 10 points (5%) and proposed SA Factor 6 receives a maximum of 15 points (7.5%).
 - Existing Factor A.3. considers whether as little as 10% of the site is suitable for agriculture but proposed SA Factor 6 does not award points if as much as 20% of the site has been in production in the last 5 years. Proposed SA Factor 6 thus provides less protection to land that has not been in production in the last 5 years but in Champaign County prime farmland is almost always in production unless there is some significant reason for it not to be and in those instances the proposed SA Factor 6 therefore makes an allowance (by providing less protection) in those instances.
 - ii.* The guidance provided for proposed SA Factor 6 specifies the following:
 - Land in government sponsored agricultural programs should be considered as being in production.
 - Woodlands or timberland should only be considered in production if there is a plan for managing the resource and if there is no plan then the resource is not in production.
 - iii.* “Percent of site in agricultural use” is one of the example site assessment factors included in the LESA *Guidebook* reviewed by the Committee and proposed SA Factor 6 is identical the a factor in the Kendall County LESA but the McLean and DeKalb county LESA factors are more similar to existing factor A.3. and no Ogle County LESA factor is similar; and the 6/8/11 proposal by Brad Uken of the Champaign County Farm Bureau included a factor identical to the existing A.3. except that Uken’s Factor received a maximum of 20 points #2 focused on “production agriculture” and relied on “whole side scoring” as the existing A.2. and awarded a

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maximum of 20 (15%) points if all sides were in production agriculture.

vii. Recognizing and considering how much of a site has been farmed in the past 5 years does not mean that only land that has been in production is worth saving but it does provide for instances when an owner has not seen value in production on part of the property and in Champaign County that will generally never be prime farmland or at least not much prime farmland and in those instances SA Factor 6 will provide less protection.

(f) Proposed SA Factor 7 assesses the percentage land zoned AG-1, AG-2, or CR within 1 mile of the site. Regarding proposed SA Factor 7:

DRAFT EVIDENCE TO BE PROVIDED

(g) Proposed SA Factor 8 assesses the percentage of land zoned within 1 mile of the site with a principal use of agriculture. Regarding proposed SA Factor 8:

DRAFT EVIDENCE TO BE PROVIDED

(h) Proposed SA Factor 9 assesses the distance from the site to the nearest 10 non-farm dwellings. Regarding proposed SA Factor 9:

DRAFT EVIDENCE TO BE PROVIDED

(i) Proposed SA Factor 10 assesses the distance from the site to the nearest known livestock management facility and the size of that facility. Regarding proposed SA Factor 10:

DRAFT EVIDENCE TO BE PROVIDED

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- C. Regarding the proposed Ratings for Protection (Part C of the amendment):
- D. Regarding the proposed general text and reformatting (Part D of the amendment):

Site Assessment Factors	Assumed Sites* at various distances from the nearest municipality				
	Adjacent	#5 ≤ 1 mi.	1 mi. ≤ #5 ≤ 1½ mi.	1½ ≤ #5 ≤ 3 mi.	#5 ≥ 3 mi.
1.* Size of subject site	10	10	10	10	10
2a.* Is the site best prime farmland	30	30	30	30	30
2b.* If best prime farmland the size; or	10	10	10	10	10
2c. If only prime farmland the size					
3. Amount of perimeter adjacent to agriculture	10 to 16	10 to 16	14 to 20	14 to 20	14 to 20
4.* Within CUGA?	40	40	40	40	40
5. Distance to nearest municipality	0	5	5	10	15
6. Highest % of site in ag land use in last 5 years	15	15	15	15	15
7. % land zoned AG w/in 1 mile	1 to 5	1 to 8	7 to 10	10	10
8. % area in AG use w/in 1 mile	2 to 10	2 to 16	16 to 20	16 to 20	18 to 20
9. Distance to nearest 10 NF dwellings	0 or 12	0 or 12	**12 to 16	**12 to 20	**12 to 20
10.* Distance to nearest livestock man. facil. & size (10 points)	0	0	0	0	0
LE	118 to 145	123 to 160	159 to 177	167 to 185	174 to 190
TOTAL LESA SCORE	209 to 245	214 to 260	250 to 277	262 to 285	267 to 290

NOTES

Shading indicates LESA scores greater than 250 which is suggested as the threshold for “very high” rating for protection.

*The Assumed Sites have the following characteristics:

- typical large (≥ 25 acres) sites assumed to be located in the AG-1 or AG-2 Zoning District;
- not located in the Contiguous Urban Growth Area (CUGA) as identified in the Land Resource Management Plan;
- “best prime farmland” (BPF) soils (based on the recommendation of the LESA Update Committee and not the current Zoning Ordinance);
- no livestock facility (Site Assessment Factor 10) within one mile of any site;
- A lower rating is not expected based on typical conditions but may be possible unless noted otherwise.
- Site Assessment Factors 3, 7, 8, and 9 are assumed to vary depending upon the distance from the municipality based on typical conditions.

** A lower rating is only possible if 10 nonfarm dwelling properties are adjacent to the parcel which would be very unusual but may be possible for very large tracts. The next lowest rating is 0.

