

Deputed
5/20/96 Council Mtg.
SR/bts

RESOLUTION NO. 9596-R38

A RESOLUTION OF PROTEST AGAINST A PROPOSED TEXT AMENDMENT TO
THE CHAMPAIGN COUNTY ZONING ORDINANCE TO APPLY ILLINOIS EPA
REGULATIONS FOR THE LOCATION OF LIVESTOCK MANAGEMENT FACILITIES
OR LIVESTOCK WASTE FACILITIES TO UNINCORPORATED AREAS

(CCZBA CASE NO. 032-AT-96)

WHEREAS, Mr. Frank DiNovo, Champaign County Zoning Administrator, has petitioned the County of Champaign for an amendment to the text of the Champaign County Zoning Ordinance in Champaign County ZBA Case No. 032-AT-96 to amend the following sections: Section 3, Definitions; Section 4.3.5, Exemptions from Regulations and Standards; and Section 5.2, Table of Authorized Principal Uses; and

WHEREAS, the stated intent of said proposed amendment is to insure that the text of said Zoning Ordinance does not have the unintended effect of exempting "Livestock Management Facilities" or "Livestock Waste Facilities" located in unincorporated areas of Champaign County from regulations promulgated by the Pollution Control Board which require minimum separation of said land uses from certain types of residential land uses; and

WHEREAS, the Urbana Plan Commission, by a vote of 7-0, voted in favor of recommending no protest to said proposed text amendment; and

WHEREAS, notwithstanding the recommendation of the Urbana Plan Commission, the City Council, after having duly considered the matter, finds that the proposed text amendment is not in the best interests of the citizens of Urbana, Illinois.

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 does formally protest the proposed Zoning Ordinance text amendment as set forth in the Petition filed in Champaign County ZBA Case No. 032-AT-96.

Section 3. The City Clerk of the City of Urbana is authorized and directed to file a certified copy of this Resolution of Protest with the County Clerk of the County of Champaign, and to mail a certified copy of this resolution to the Petitioner, Mr. Frank DiNovo at 1303 N. Cunningham Avenue, Urbana, Illinois 61801 and to Mr. John C. Piland, State's Attorney for Champaign County and Attorney for the Petitioner, at the Champaign County Courthouse, Urbana, Illinois 61801.

PASSED by the City Council this _____ day of May,
1996.

Phyllis Clark, City Clerk

APPROVED by the Mayor this _____ day of May, 1996.

Todd Satterthwaite
Mayor

032at96.res