

# V · I · S · I · O · N · S

## Newsletter of McLean County Regional Planning Commission

### Director's Notes

The feature article of this Winter 1999 edition of VISIONS addresses farmland preservation, not surprisingly a topic of frequent discussion among residents of this dynamic community in the midst of America's agricultural heartland.

This article attempts to frame this very important issue. It begins with a historical perspective on urban and agricultural development and assesses the importance of the agricultural sector of this region's economy. It also quantifies the amount and discusses the geographic extent of the County's prime farmland, as well as the amounts of farmland being lost to urbanization. Current County policy is summarized and various farmland preservation and protection programs in use in other areas are highlighted and compared to local practices.

The Commission acknowledges and appreciates the input regarding the County's zoning provisions provided by the staff of the McLean County Department of Building and Zoning.

Some of the farmland protection programs noted in this article may be featured in future editions of this newsletter. Please contact us with questions, comments or potential topics for future newsletters. Thank you.

PR

## Farm and Preservation

American's self image has always been a spacious one. "From sea to shining sea" expresses the concept that the United States has unlimited space and resources to utilize and develop. This feeling is easy to understand in McLean County, which is 1,184 square miles and the largest county in Illinois. Ample land, in addition to historical agricultural surpluses, has resulted in little attention to farmland preservation during most of this nation's history (Raup, Philip M.).

This sentiment has been challenged since the late 1970's and 1980's, partially due to a landmark National Agricultural Lands Study, published in 1981 by the U.S. Department of Agriculture and the Council on Environmental Quality, which "found that farmland conversion had increased almost three-fold between the 1960's and the 1970's, from 1.1 million acres a year in the 1960's to 3.1 million acres a year in the 1970's (Alterman, Rachelle). While some have since challenged this number, the data were effective in drawing attention to concerns over high urban growth, including dispersed patterns of development in fringe areas, featuring larger

lots, wider streets, strictly segregated land uses and greater commuting distances made possible by the automobile.

In fact, concerns over farmland preservation are closely tied to concerns over urban growth. The issues are opposite sides of the same coin, and efforts to address them go hand in hand. This article will provide background information and highlight programs designed to protect this resource so intimately tied to McLean County's culture and history.

### Why protect farmland?

There are economic, cultural, and environmental reasons why farmland preservation

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is a concern in McLean County and throughout the country. McLean County has some of the richest soil in the world, and "for much of its history has been the leading corn-producing county in the United States" (Walters, Jr., William D.). For this reason and others, farmland and farming are an integral part of the County's history, character, and quality of life.

Agriculture has been the traditional economic base in the County. In 1997, an estimated \$291,673,000 were produced in McLean County from crops and livestock

### What is prime farmland and where is it?

Prime farmland is defined by the United States Department of Agriculture (U.S.D.A.) as "land that is best suited to food, feed, fiber, and oilseed crops." It is the farmland that produces the highest crop yields with the "minimum expenditure of energy and economic resources, and farming it results in the least damage to the environment." There are about 574,000 acres of prime farmland in McLean County, which is approximately seventy-six percent of the total acreage in the County. Prime farmland is located throughout the County, including most of the area surrounding Bloomington-Normal (Soil Survey of McLean County, Natural Resource Conservation Service).

(United States Department of Agriculture and Illinois Department of Agriculture). This figure does not include the significant income generated from commodity processing, sales of fertilizer, seed, machinery, property taxes, and other agricultural related jobs, goods and services. Agriculture brings stability to the local economy and "privately owned open lands generate more in tax revenues than they require back in municipal services" (American Farmland Trust).

Farming produces significant public benefits at little or no cost to county residents and taxpayers. Farmland is a non-renewable natural resource, and once it has been lost to urbanization, it can not be returned to production. The loss of prime farmland can force the use of marginal land for crop production and thereby increase the risk of soil erosion and the level of manage-

ment required, including more chemical inputs (Illinois Department of Agriculture).

The crops produced in McLean County bring benefits beyond the County line. High quality farmland is needed to grow food and fiber and support the world's most productive farming system. The agricultural industry is important to the

***"Privately owned open lands generate more in tax revenues than they require back in municipal services."***

nation's balance of trade and it contributes to the state's economy through jobs, sales, support services, and secondary markets

such as food processing (American Farmland Trust).

Farming may be more compatible with natural resource conservation than urban development, including open space preservation, wildlife habitat, and watershed protection. While both urban and agricultural activities pose threats to the environment, farming has a lower potential of permanently impacting the aesthetic quality, biological,



archeological and historic resources, and minimizes traffic and its corresponding air quality concerns (Marin Agricultural Land Trust Web Site). Farmland also absorbs rainwater, helping replenish groundwater and reduce runoff and flooding (Illinois Department of Agriculture).

Preserving farmland coincides with effectively guiding urban growth and thereby brings the many benefits associated with a compact and contiguous urban area. These include minimizing the cost of providing infrastructure, less traffic, enhanced sense of community, and others (McLean County Regional Planning Commission).

## How much farmland has been converted in McLean County?

Since 1960, the urban area in McLean County has grown from about 11.3 square miles to 32.6 square miles, an increase of about 288 percent

(see Figure 1). Assuming that the area which was developed between 1960 and the present was farmland, approximately 21.3 square miles of farmland were lost to urbanization. As illustrated in Figure 2, it is anticipated that if current trends continue the urban area will increase by another 27.3 square miles by the year 2020, indicating that as much as five percent of the County's 1960 prime farmland acreage could be gone within the next twenty years (McLean County Regional Planning Commission). These figures do not include farmland lost to urban expansion in smaller communities, rural subdivisions and other isolated rural non-farm development, nor does it include farmland lost prior to 1960.

## What is current County policy?

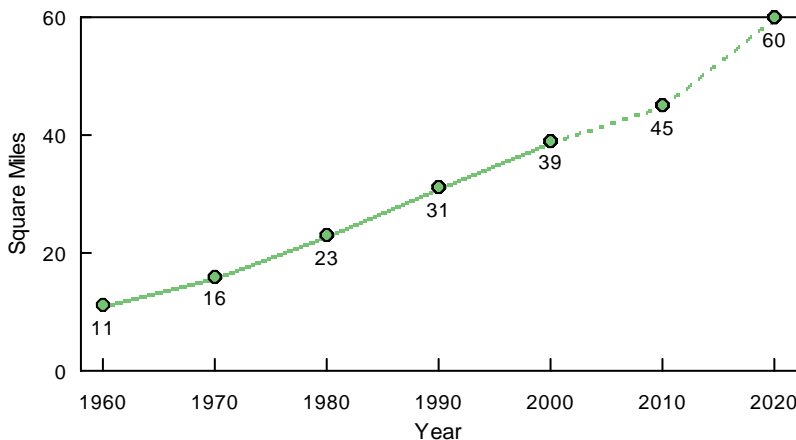
Current County policy discourages development outside of urban growth areas where the land is best suited for agriculture. The existing com-

prehensive plan for McLean County, adopted in 1994 by the County of McLean, City of Bloomington and Town of Normal, states the objective of preserving prime farmland. The plan identifies future urban growth areas for Bloomington-Normal and smaller communities throughout the County, and it identifies rural areas which may contain areas suitable for low density residential development due to the prevalence of less productive soils ("Type C"). The plan also identifies which Type C areas have the greatest potential for growth based on several criteria, including the adequacy of transportation facilities, convenience to employment and shopping, and proximity to other urban amenities.

McLean County's zoning ordinance provides some additional policy direction by stating that the intent is to "prevent or minimize conflicts between agricultural and non-agricultural land uses, and to provide for low density residential development in areas where such

*Continued on page 6*

Figure 1: Bloomington/Normal Urban Area in Square Miles



Source: McLean County Regional Planning Commission

The Marin (California) Agricultural Land Trust (MALT) consists of a coalition of the agricultural and environmental communities. MALT preserves agricultural lands through voluntary conservation easements, public education (including tours of farms), and advocacy. Over the past fifteen years, MALT has permanently preserved 25,504 acres on 38 Marin farms and ranches.

# TOOLS USED TO PROTECT FARMLAND

Throughout the country, including McLean County, state and local governments are using a variety of tools to preserve farmland. Tools may be regulatory or incentive based. "The tools that do hold center stage in the United States are those that seek to influence the economics of farmland conversion, rather than directly controlling permissions for it (Alterman, Rachelle). Other programs are educational and meant to heighten the local population's understanding of the importance of agriculture in the area. A brief summary of some of the farmland preservation tools being used at the state and/or local level is given below:

**Agricultural Protection Zoning:** Agricultural protection zoning (APZ) designates areas where farming is the primary land use. It limits non-agricultural activities and restricts the density of residential development. APZ has two basic forms—large minimum lot size zoning and area-based allocation zoning.

**Large Minimum Lot Size Zoning** discourages residential development in agricultural areas due to the high costs associated with the purchase of the large lots, which generally range from twenty acres in the eastern United States to 640 acres in the West. The minimum lot size should reflect a minimum viable farm size such as forty acres.

**Area-based Allocation Zoning** allows a specified number of nonfarm dwellings to be developed on a specified number of farm acres (for example, one unit per forty acres), up to a maximum number of units (such as five units per farm). Nonfarm dwellings must be built on small lots, usually no more than two acres. This approach has the advantage of greater flexibility in the siting of non-farm dwellings and consumes less farmland than the large minimum lot size approach (Daniels, Thomas L.).

**Land Evaluation and Site Assessment System:** A Land Evaluation and Site Assessment (LESA) system helps local officials determine if land should remain in agricultural use or if another land use would be suitable. It uses criteria such as compatibility with surrounding land use, planned land use, road systems, distance from city limits, and soil productivity. A property's LESA score helps local officials decide which use is most appropriate. McLean County's LESA system was adopted by the County Board in 1985. The LESA system uses a report form completed by staff of the McLean County Soil and Water Conservation District and the Building and Zoning Department to report findings "to local hearing bodies and elected officials concerning petitions to allow the conversion of farmland to non-agricultural uses" (Land Evaluation and Site Assessment System for McLean County, Illinois). The land evaluation section of the report contains an evaluation of the soil properties at the proposed site and is worth a maximum of one-third the total LESA score for the project. The site assessment section is worth a maximum of two-thirds the total LESA score, and includes the following three major areas of consideration: location and land use considerations, public policy considerations, and public service and community facility considerations.

**Tax Relief:** Tax relief programs provided to farmers include "circuit breaker" tax programs and "differential assessment" laws. Differential assessment laws exist in every state, except Michigan. These laws direct local governments to assess agricultural land at its agricultural value, instead of its full fair market value. The cost of the program is usually borne at the local level. Circuit breaker programs are available in four states (not Illinois) and offer tax credits to offset farmer's property tax

bills. Like differential assessment laws, circuit breaker programs reduce farmers taxes, but most are based on income and are funded by state governments.

**Agricultural District Laws:** Agricultural district laws allow farmers to form special areas where commercial agriculture is encouraged and protected. In Illinois, the Department of Agriculture will help county governments set up "ag areas". These areas provide a means of keeping land in agricultural use for an extended period of time. If property is enrolled in an ag area, it must remain in agricultural use for at least ten years, and may be re-enrolled every eight years. Land in the ag area is protected from local projects that would convert it to other uses. Landowners in the ag area receive special incentives, including being exempt from local laws that would unreasonably restrict normal farming practices and from special local tax assessments that are not in their best interests. More than 100,800 acres of Illinois cropland is currently registered in 44 ag areas in 20 counties (Illinois Department of Agriculture).

**Agricultural Conservation Easements:** Agricultural conservation easements are designed specifically to protect farmland. The conservation easement limits development of the land, but does not affect other private property rights. Landowners hold title to their properties, and may sell, give, or transfer their property as they desire. Farmers also remain eligible for state or federal farm programs for which they qualified before creating the easement, and may receive tax benefits.

**Executive Orders:** Governors in several states have issued executive orders that document the importance of agriculture and farmland to their state's economy, environment, and

culture. These orders can serve as a building block of a comprehensive farmland protection program. In Illinois, the "Illinois Smart Growth Task Force" has been formed to examine the concept of urban growth planning, including the preservation of Illinois' productive agricultural land. This group recently completed its report of recommendations for the Illinois House of Representatives.

**Growth Management Laws:** Growth management laws take a comprehensive approach to regulating the pattern and rate of development and set policies to ensure that most new construction is concentrated within designated urban growth areas. Some growth management laws require that public services such as water and sewer lines, roads and schools be in place before new development is approved. Others direct local governments to make decisions in accordance with a comprehensive plan that is consistent with plans for adjoining areas.

**Cluster Zoning:** Cluster zoning allows or requires houses to be grouped close together on small lots to protect open space. The portion of land not developed may be restricted by a conservation easement. These developments are known as cluster subdivisions, open space or conservation subdivisions (See "Growing Sensibly", VISIONS, newsletter of McLean County Regional Planning Commission, premier issue, Volume 1, Number 1, summer 1998). The protected land is typically owned by the developer or a homeowners association. The open space is typically not used for agriculture, making cluster zoning more appropriate for preserving open space (not necessarily farmland) and creating a transitional area between farms and residential areas.

**Right-to-farm laws:** State and local right-to-farm laws are intended to protect farmers from nuisance lawsuits and thereby help support the

economic viability of farming. They are also a policy statement that commercial agriculture is an important activity. In McLean County, applicants for a special use to allow a residential use in the Agriculture District must sign a preamble which states that the applicant understands "that there are permitted uses and named special uses allowed in the A-Agriculture District that may not be compatible with a residential use in the A-Agriculture District". While this preamble may not be a specific "right-to-farm" ordinance, it does provide warning to those interested in developing a residence in the agricultural district that they may experience affects from activities not compatible with residential uses.

**Comprehensive Planning:** Comprehensive plans outline local government policies and objectives and serve as a blueprint for development by providing guidance for making development related decisions. The 1994 Comprehensive Plan for the Community of McLean County states the objective of preserving prime farmland.

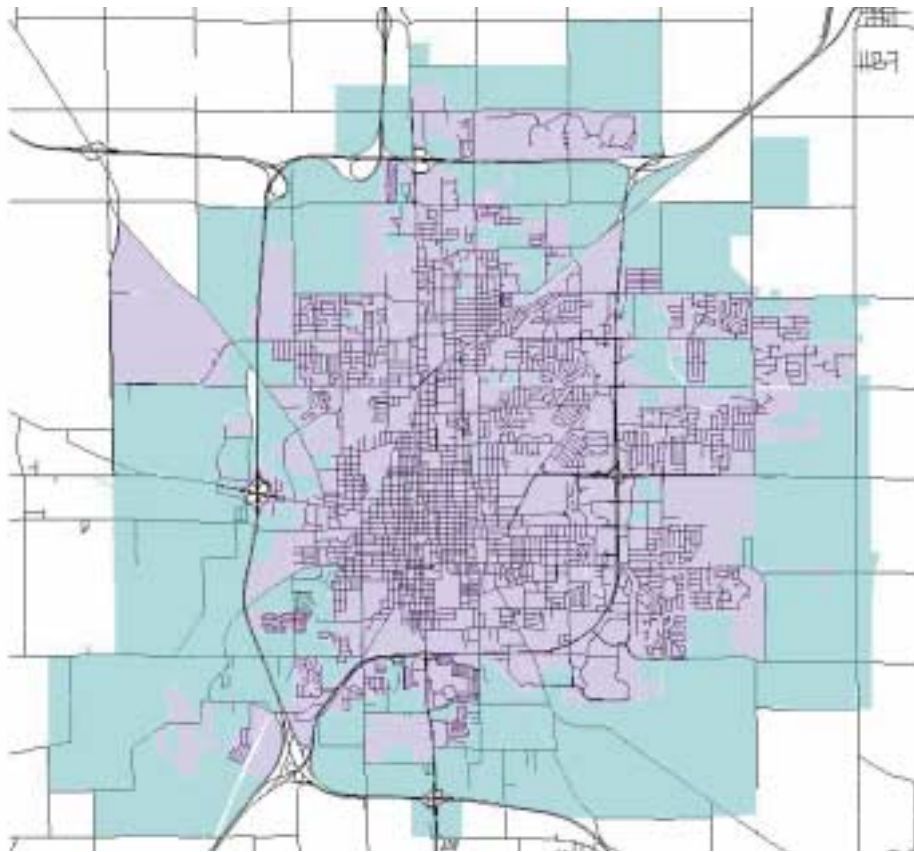
**Mitigation Ordinances and Policies:** Mitigation ordinances are a new farmland protection technique apparently similar to parkland dedication fees used in Bloomington-Normal. In 1995, officials in Davis, California, enacted an ordinance that requires developers to permanently protect one acre of farmland for every acre of agricultural land they convert to other uses. Developers may place an agricultural conservation easement on farmland in another part of the city, or they may pay a fee.

**Transfer of Development Rights:** Transfer of Development Rights (TDR) programs can protect farmland by shifting development from agricultural areas to areas planned for growth. TDR programs are based on the concept that one of several rights that property owners have is the ability to develop their land. TDR creates a

mechanism whereby a landowner can sell those rights to another landowner who is interested in developing another parcel. The incentive provided to the landowner who purchases the development rights is that they can then develop the other parcel at a density higher than base zoning would normally allow by participating in the TDR program (and thereby increase their potential revenue). A permanent agricultural easement is then formed for the land where the development rights were sold. A purchase of development rights program is similar to a TDR program, except a local government or nonprofit organization may provide funds to purchase development rights from landowners, instead of only relying on the potential transfer of the development rights.

A TDR program allows landowners to continue farming while being compensated for the potential market value of their land, and at the same time encourages developers to build in areas planned for growth by offering density bonuses. While TDR is allowed by dozens of local governments, only a few have successfully used the technique. This is partially due to the complexity of the programs. Carefully designed programs have been most successful in areas characterized by steady growth, economically important agricultural activity, and the political will to maintain and implement strong zoning ordinances. ♦

Join others from throughout Illinois and neighboring states for a conference focusing on integrating natural resources into developments in ways that are economically and environmentally sound. The "Natural Resources and Your Development" conference will be held in Peoria from March 2-4 at the Holiday Inn City Centre. Contact the McLean County Regional Planning Commission at (309) 828-4331 or Karen Dvorsky at (309) 676-8464 for more information.



**Figure 2**  
**Bloomington-Normal**  
**Urban Area Proposed**  
**To Nearly Double**

**LEGEND**

- Existing Developed Area
- 20 Year Proposed Growth Area

Map prepared for the McLean County Planning Commission by the McLean County Planning Commission, 1997. Title of the map is "Bloomington-Normal Urban Area Proposed Growth Area, 1997." The map is a reproduction of the map prepared by the McLean County Planning Commission, 1997.



development is compatible with agricultural uses". It further states that "it is essential that scattered, indiscriminate urban development within areas best suited for agriculture be precluded and that orderly urban development be facilitated."

This intent is addressed through a 1974 amendment to the County Zoning Ordinance which has several provisions that restrict non-farm residential dwellings in the Agriculture District.

In addition to the comprehensive plan and zoning ordinance, the County utilizes the Land Evaluation and Site Assessment System (LESA) to guide development decisions in agricultural areas. The LESA system is described in more detail in the "Tools" section of this newsletter.

**Conclusion**

The planning process acknowledges that due to the extensive amounts of prime farmland in the path of future urban growth, considerable amounts of prime farmland will be developed. This suggests a need to not necessarily focus on directing development away from prime farmland, but rather on keeping growth as compact and contiguous as possible and developing specific programs for farmland preservation, not only in urban fringe areas but throughout the County. Such programs should seek to balance the needs to preserve farmland with the needs of urban expansion, market demands and individual rights. A number of tools currently in use in McLean County and in various parts of the

*References Cited:*

*Raup, Philip M., Urban Threats to Rural Lands: Backgrounds and Beginnings. Journal of the American Institute of Planners. Volume 41, Number 6, November, 1975.*

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*Walters, Jr., William D., The Heart of the Cornbelt: An Illustrated History of Corn Farming in McLean County. McLean County Historical Society, 1997.*

*American Farmland Trust. Why Save Farmland. <http://www.farmland.org/Farmland/files/protect/why.htm>.*

*Marin Agricultural Land Trust Web Site, <http://www.malt.org/preserve.htm>.*

*"Growing Sensibly", VISIONS, newsletter of McLean County Regional Planning Commission, premier issue, Volume 1, Number 1, summer 1998.*

*Daniels, Thomas L., Bucher, Willis & Ratliff Corporation, Interim Report, "Agricultural Zoning Options for McLean County", July, 1997.*

*Land Evaluation and Site Assessment System for McLean County, Illinois.*

**COUNTY PLAN UPDATE UNDERWAY**

A major update of the McLean County Regional Comprehensive Plan is now underway. The plan was designed to be updated every five years to ensure that it continues to reflect current conditions and policies. The existing plan was adopted by the County of McLean, City of Bloomington and the Town of Normal in the Fall of 1994 and has been used repeatedly as a guide to evaluate development proposals in the County (and in the metro area prior to the updates of the Bloomington and Normal Plans). The various plans completed during the past several years, including the regional greenways plan and a number of comprehensive community plans, will be important considerations in the regional update, as will previously completed community visioning reports.

The update will attempt to achieve broad-based consensus on a wide range of issues. To accomplish this, a committee structure is being used that includes representation from a variety of public and private organizations as well as individual citizens. Subcommittees meet as often as needed and chairs attend the regular monthly meetings of the McLean County Regional Planning Commission to hear and respond to recommendations from a different subcommittee each month.

Once the subcommittee work is completed and public hearings have been held, the Regional Planning Commission will consider the subcommittee recommendations and other citizen input in formulating recommendations to be presented

to the local governments in the form of a preliminary report scheduled for completion in the Fall of this year.

**MAP MAINTENANCE PROGRAM APPROVED**

An intergovernmental agreement providing for the localized maintenance of the digital parcel maps, currently being developed by a private contractor, was approved by the County of McLean, City of Bloomington Township, Town of Normal, E-911 and McLean County Regional Planning Commission. The agreement provides funding for this Commission to acquire, equip and train a technical staff person to update the digital parcel maps and assign E-911 addresses on behalf of the participants as new subdivision plats are approved.

The maintenance program will ensure consistency with ongoing mapping and addressing work of local governments, provide considerably more frequent updates, provide more flexibility in the production of specialized maps, and result in significant cost savings over the present manual system of maintaining the parcel maps.

**MONEY, MONEY, MONEY. . .**

Several state and federal grant programs provide potential sources of funds for community development projects, from sewer and water improvements to brownfield site assessment to land acquisition for park sites.

These programs include the **United States Department of Agriculture (USDA) Rural Development** program, which has authority to make loans and grant funds to public bodies in rural areas for projects such as water and sewer systems, fire and rescue vehicles, fire stations, hospital improvements and other essential community facilities.

The **Illinois Department of Natural Resources (IDNR)** manages several grant programs which provide federal and state funds to enhance and improve recreational amenities. These include the Open Space Land Acquisition and Development (OSLAD) program, which funds parks and playground projects, and the Bike Path Program for bike trail enhancement and development (applications due March 1, 1999).

The **Illinois Department of Transportation's Enhancement Program (TEA-21)** funds projects in

Comprehensive Plan Subcommittee Chairs	
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Barry Weer <i>Population</i>	Mike Hall <i>Urban Services</i>
	Rich Beal <i>Implementation</i>

This publication presents information on planning and development issues that may impact the quality of life for citizens of McLean County. Questions or comments may be made by mail or by phone at (309) 828-4331, by fax at (309) 827-4773 or by e-mail at [mcrpc@dave-world.net](mailto:mcrpc@dave-world.net).

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several categories, including facilities for pedestrians and bicycles and the revitalization of historic downtowns (compatible streetscape improvements). Proposals will be accepted until March 1, 1999 for the first round, and November 1 of 1999, 2000, and 2001 for subsequent rounds.

The Illinois Department of Commerce and Community Affairs' Community Development Assistance Program provides grants to local governments to assist in financing economic development projects, public facilities and housing rehabilitation. For more information on these or other grant programs, contact Mark Dravillas, Community Planner, at the McLean County Regional Planning Commission.

### STAFF NOTES

The position of GIS Specialist was recently filled by Troy Olson. Troy is a Bloomington native and a recent graduate of Illinois State University with a degree in Industrial Technology. He is experienced in computer aided design, digital mapping and addressing with the Bloomington Engineering Department where he has worked as an intern for eight years. In his new position, Troy will be principally involved with local and regional staff in the map maintenance program. He will receive some of his initial training at the City of Bloomington Township Assessor's Office. We are pleased to welcome Troy on board. ♦

### VISIONS

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