

Agenda Item # 47

Distribution:
County Board
County Administrator
Zoning Board of Appeals
Dept. of Planning, Building
and Development (4)

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

COUNTY BOARD, LAKE COUNTY, ILLINOIS
REGULAR JUNE, A.D., 2004 SESSION
JUNE 8, A.D., 2004

MADAME CHAIR AND MEMBERS OF THE COUNTY BOARD:

Your Planning, Building and Zoning Committee presents herewith a Resolution directing the Lake County Zoning Board of Appeals to conduct a public hearing to consider certain text amendments to the Unified Development Ordinance (UDO) relating to Off-Track Betting Facility; and requests its adoption.

Respectfully submitted,

	Ayes	Nays
<i>Judy Martene</i> Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Randy [unclear]</i> Vice-Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Robert Sabourin</i> Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Donna [unclear]</i> Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____ Member	<input type="checkbox"/>	<input type="checkbox"/>
_____ Member	<input type="checkbox"/>	<input type="checkbox"/>
_____ Member	<input type="checkbox"/>	<input type="checkbox"/>

RESOLUTION

WHEREAS, the Lake County Board adopted the Unified Development Ordinance (UDO) on April 11, 2000; and

WHEREAS, the UDO regulations require a periodic review and revisions based on changing conditions; and

WHEREAS, the staff of the Department of Planning, Building and Development has received a request from Arlington Race Track to install an Off-Track Betting Facility in unincorporated Lake County; and

WHEREAS, the staff of the Department of Planning, Building and Development, after conducting a review of the UDO, has made a determination that this specific use is not contemplated in the UDO and is therefore not addressed; and

WHEREAS, the staff of the Department of Planning, Building and Development is of the opinion that the text of the UDO should be amended to incorporate this use and to establish certain use standards to mitigate any impacts this use may have on the surrounding properties; and

WHEREAS, the Planning, Building and Zoning (PB&Z) Committee is of the opinion that the necessary steps should be taken to amend the UDO to incorporate this use; and

WHEREAS, the state law requires a public hearing to amend the text of the UDO; and

NOW THEREFORE BE IT RESOLVED by the Lake County Board that the ZBA is hereby directed to conduct a public hearing to consider the proposed amendments identified in the attached Exhibit and such other amendments that are directly related thereto; and

BE IT FURTHER RESOLVED that the Planning, Building and Development Director, in accordance with the provisions of Article 1, Section 1.11.4 of the UDO entitled "Temporary Administrative Deferrals" is hereby instructed to place a temporary administrative deferral on applications that are materially affected by the proposed amendments; and

BE IT FURTHER RESOLVED that the Secretary of the Zoning Board of Appeals is hereby directed to notify the Zoning Board of Appeals of this action and keep a record of this Resolution.

DATED at Waukegan, Illinois this 8th Day of June, 2004.

Exhibit: Off Track Betting-Related UDO Amendments

Amend Article 6, Section 6.2/Use Table to introduce the "Off Track Betting (OTB)" use type as follows:

Use Category	Use Type	Municipal Districts												Use Standard	
		1	2	3	4	5	6	7	8	9	10	11	12		
Retail, Service and Commercial Use Categories (See §§14.1.5)															
Retail Sales and Service, Entertainment-Oriented (See §§ 14.1.5E) [Revised 04-10-01]	Off Track Betting (OTB) Facility													C C C C	6.3.42

Amend Article 6, Section 6.3/Use Standards to add a new section as follows:

§§6.3.42/Off Track Betting (OTB) Facilities

- A. Off Track Betting (OTB) shall not be conducted at any location within 500 feet of an existing church or existing school, nor within 500 feet of the residences of more than 50 registered voters without receiving written permission from a majority of the registered voters at such residences. Such written permission statements shall be filed with the County Board. The distance of 500 feet shall be measured from the Off Track Betting (OTB) Facility to the nearest part of any building used for worship services, education programs, residential purposes, or conducting inter-track wagering by an Off Track Betting (OTB) Location Licensee, and not to property boundaries. However, Off Track Betting (OTB) may be conducted at a site within 500 feet of a church, school or residences of 50 or more registered voters if such church, school or residences have been erected or established, or such voters have been registered, after the County Board issues the original County License in question.
- B. Hours of operation shall be in accordance with the State License.
- C. The maximum allowable sign area shall be 32 square feet. The maximum number of signs shall be one per lot frontage.
- D. The facility shall have direct access to a collector or arterial street, as defined under Sec. 9.5.

- E. The facility shall comply with all of the requirements, including noise regulations, of the Lake County Public Nuisance Ordinance, as amended on May 13, 2003.
- F. The facility shall provide, at minimum, 1 parking space per 3-person capacity.
- G. The facility shall comply with all applicable transitional and street landscaping requirements contained in Sec. 9.3.
- H. The facility shall comply with all applicable lighting requirements contained in Sec. 9.4.
- I. Special racing events requiring temporary structures and/or involving outdoor activity shall require a Temporary Use Permit, in accordance with Sec. 6.5.10.