

LAKE COUNTY BOARD PROCEEDINGS
SPECIAL CALL MEETING

Monday, July 21, 1997

The Lake County Board met in a Special Call Meeting on Monday, July 21, 1997, at 8:30 a.m. in the Courthouse in Waukegan, Illinois. Chairman Robert Grever called the meeting to order, dispensed of the Invocation, and led the Pledge to the Flag. Deputy County Clerk Susan Ewalt called the Roll. Members present were: Calabresa, Carter, Cole, Halas, Kyle, LaBelle, Leafblad, Marks, Martini, Neal, Newton, Schmidt, Spielman, Stolman and Westerman. Members Beattie, Buhai, Nixon and Stanczak were late. Members Mountsier, O'Kelly and Schulien were absent.

NOTICE OF SPECIAL CALL

1. Deputy County Clerk Ewalt read the Notice of Special Call. Member Neal moved, seconded by Member Kyle, to accept the Notice of Special Call. The Chair called for a Voice Vote. Motion carried unanimously.

NEW BUSINESS

WORKSHOP PRESENTATION ON THE UNIFIED DEVELOPMENT ORDINANCE

2. Chairman Grever explained to the Board that the Planning and Zoning Committee has been working on creating a new (UDO) Unified Development Ordinance for which a consultant has been hired to assist in the process. The Committee has reviewed eight Articles of the draft Ordinance and at this point the Board should be included to obtain their input.

Introduction to UDO Project

J. Barry Hokanson, Director of Planning and Development

J. Barry Hokanson, Director of Planning and Development, offered a slide presentation as an introduction to the Unified Development Ordinance project and illustrated the following elements:

- Five goals of the UDO which are to:
 1. Combine zoning, subdivision and sign regulations
 2. Combine Chapters 1 and 2 in current Zoning Ordinance
 3. Strengthen the Planned Development, Conditional Use Permit and Density Standards in the Regulations.
 4. Add a process for public review of preliminary plats of subdivision proposals.
 5. Simplify the set of Regulations so that they are easy to understand and administer.
- 13 objectives, of which Mr. Hokanson highlighted the following:
 1. Suitable standards to reflect neighborhood character.
 2. Clarify the protection of natural resources.
- Key features:

1. Provide specific residential zones.
 2. Revise mixed-use area provisions.
 3. Emphasize conditional use permits.
 4. Clarify open space district.
 5. Revise special-use district.
 6. Provide process for appearance and design review.
 7. Coordinate with related ordinances such as Highway Access Standards, Health and Environment and Nuisance Regulations.
- Secondary goals:
 1. Build better Municipal relations.
 2. Minimize enforcement concerns.
 - Concerns with specific land uses.
 - Special concerns of Board Members.
 - Next steps:
 1. Complete draft UDO.
 2. Committee feedback.
 3. Field trip and workshop.
 4. Referral to County Board, Zoning Board of Appeals and State's Attorney.
 5. Informational meetings including RPC.
 6. Public hearing.
 7. Committee recommendation.
 8. Board consideration and action.
 - Proposed review process for UDO drafts.
 - Review of draft proposals.
 - Framework plan over a 20 year period.
 - Projections of change in population in conjunction with the framework plan.
 - Presentation of cluster development.

Approach to Development Review

Mr. Eric Kelly, Duncan & Associates

Mr. Hokanson then introduced Mr. Kirk Bishop, Project Manager, for Duncan and Associates who introduced Mr. Eric Kelly to speak on the regulatory capacity of a zoning ordinance. The topics covered were:

- Use, intensity and design.
- Subdivision review process.
- Public facilities.
- Site plan design reviews.
- Open space preservation.

- Site capacity.
- Useable open space.
- Signage.

Illinois Statute Limitations

Susan Connor, Duncan & Associates

Mr. Kelly introduced Susan Connor, Attorney on staff at Duncan and Associates, to explain Illinois Statute limitations. Ms. Connor addressed the following:

- Performance zoning.
- Ordinance should be user friendly, easily understood.
- Constitutional rights of private property owners.
- Streamlining the process.
- Defensible ordinance.

Explanation of UDO

Kirk Bishop, UDO Project Manager, Duncan & Associates

Ms. Connor deferred back to Mr. Bishop who gave an overall view of the UDO process:

- Eight Articles are currently under review.
- Five Articles are to be reviewed.
- Article 3, Development Review Procedures, is being reviewed for:
 1. Steps required to obtain approval of a permit or development request.
 2. Roles of the staff, ZBA and Committees and their authority.
 3. Layout of criteria to be used to look at each development application.

In terms of major changes to this Article:

1. The formal role of the Planning Commission within the review and approval process be eliminated in lieu of an informal role to reduce the amount of time for processing requests.
 2. New notice requirements for subdivision plats.
 3. Criteria for what constitutes a minor variance.
 4. Criteria for review of applications for rezonings and text amendments for approval or denial.
 5. Addition of site plan review procedures.
 6. Increased emphasis on planned unit developments and conditional use permits.
 7. Chart of recommended review process.
- Articles 4 and 7, Zoning District Provisions are being reviewed as follows:

1. Zoning classifications as provided in the district conversion table which indicates proposed and existing classifications.

- Articles 9 and 10, contents of which include Subdivision Standards and Land Dedications.

Mr. Bishop went on to discuss related issues and responses and the consolidation of Chapters 1 and 2 to include the following matters:

1. Conventional zoning districts.
2. Environmental protection standards.
3. Elimination of the special-use district.
4. Notice of Plat Committee.
5. Site plan design/review.

Comments from Members of the Board

Chairman Grever opened the floor for comments from Members of the Board.

Member Schmidt initiated the comments combined of Members Calabresa, Cole, Marks and Martini. Member Schmidt discussed the lack of an overall vision for which the draft is based. Specific questions posed by Member Schmidt were: what is the UDO based on; what parts of the framework plan will be used to develop the broad but specific statement of purpose and intent; will the finished plan conform to NIPC's direction to infill development in established urban areas rather than to perpetuate sprawl; does the plan assume the extension of Route 53; will there be traffic studies or estimates of effects on school districts; has there been input from other agencies such as the Army Corps, Stormwater Management, Soil and Water Conservation District, Division of Wildlife; and has there been citizen input?

Member Schmidt stated that it is difficult to understand density and capacity issues without the use of a zoning map to work from. When will we see this map?

Member Cole addressed the lack of detail on density and site capacity. She stated that our already overcrowded school districts cannot afford more homes per acre. Further, planned unit developments are not the solution to difficult policy issues. We need more discussion as to whether villages and municipalities have had success with them.

Member Marks would like to see the entire first draft. The watershed development plan should incorporate the new FEMA maps for the Des Plaines River and since flooding is prevalent in Lake County, it should be the subject of its own Article.

Member Calabresa addressed true open space preservation. Member Calabresa would like greater emphasis on the preservation of open space. It should also be part of the design process. Member Calabresa would like to see increased buffer yards near creeks and streams; preservation standards for construction sites; tree surveys; tree protection guidelines; and protective fencing so that property adjoining a construction site can be preserved.

Member Martini addressed preexisting, non-conforming lots; would like to see more private and public input; and an emphasis on the preservation of open space.

Member LaBelle would like more clarification on density; is interested in the conservation development ideas; and would like to hear something about why we would create incentives rather than require it. Member LaBelle asks how affordable housing in unincorporated areas fits into the UDO? Member LaBelle stated that development of affordable housing should occur in existing urban areas first.

Member Neal asked to see the presentation slide depicting the "ultimate design of a subdivision", with the larger lot sizes. Member Neal then stated that a poll should be taken by the Planning Department of all the County Commissioners to see who lives on one acre lots, on postage stamp lots and how close they are to

shopping. No one wants commercial property in their backyard. The more control we put on zoning, the more we drive up the cost of housing. Member Neal stated that we all, not just low income people, need affordable housing.

Member Carter would like to see engineering plans submitted at the same time as the site plan; a soil erosion control plan; detention areas and siltation addressed; stormwater management as part of the new process; different buffer widths for different natural resource types with different functions; answer to what constitutes a “minor” variation; a legal opinion on map changes; numbers with respect to population growth in relation to density, also is the Route 53 extension being considered in the population projections?; legal non-conforming uses addressed; protection of mature trees not only for the property under development, but also for the adjoining properties; open space definition, not including wetlands; and specifications in place for unstable soils in western Lake County.

Member Leafblad would like a meeting with all the Villages and Municipalities to obtain their input on the UDO; would like to see a team effort in its development; and would like a statement of purpose for affordable housing given the reality that new “affordable housing” is actually more expensive than much of the County’s older housing stock.

Member Westerman is against the elimination of the RPC. Member Westerman is concerned with existing school capacities; open space; wetlands; and tree preservation with adequate protection during construction.

Member Stolman wants to see compatibility with economic development and wants to see the impact on neighborhoods. Member Stolman stated that he is happy with the UDO draft.

Member Newton stated that all the concerns and issues raised at this meeting will be considered, that all critical issues are represented by the Planning and Zoning Committee. Member Newton further stated that nothing has been approved and that input was needed today to fill in the blanks.

Member Nixon attended the field trip which was most helpful and is concerned about the County as a whole.

Member Buhai asked how sewers versus septic affects zoning. Further, that 10% of building is within unincorporated Lake County while 90% of building is within Municipalities. Member Buhai agreed that affordable housing must be addressed.

Member Beattie agrees with the open space issues.

Member Stanczak stated that there should be affordable housing in all parts of Lake County.

Member Spielman would like emphasis on economic development; affordable housing throughout Lake County; stormwater management addressed; and that developers and buyers should know their districts ahead of time.

Member Kyle said that he was glad that all Members of the Board seem to be on the same page.

Member Calabresa suggested to Member Newton to make Member Westerman the Chair of a sub-committee for open space and natural resources.

Member Carter asked for more clarification as to the power of the hearing officer as well as who this person would be, appointed or current personnel.

Member Martini wants a classification for waterways; wants information and a survey of field tiles and what happens if they are disturbed because we have areas flooding that never did before; senior housing addressed; definition of significant trees; a change to state “protect all wetlands”; and that economic development could be discussed by the Intergovernmental Affairs Committee.

Member Schmidt stated that there should be subcommittees formed to lend experience and expertise.

Member LaBelle wants an ordinance that will be transferable to Municipalities.

Chairman Grever wants the UDO to be in concert with local zoning codes.

Member Westerman would like adult book stores and nude bars addressed, as well as detention basins located near schools.

Member Cole wants a buffer yard definition.

**Attached are "The Concerns About the Proposed Unified Development Ordinance" as distributed on July 21, 1997 and the explicated version as distributed at the September 9, 1997 County Board Meeting.*

Chairman Grever opened the floor to public comment.

Dr. Dennis Conti, Superintendent of Schools for Woodland School District 50, stated that currently, there are 32 students per class and that they have had to hire 109 additional teaching staff which does not include support personnel. The School District is very concerned with growth and asked that they be kept informed. Dr. Conti added that 41 % of the student body comes from unincorporated Lake County.

Kim Eudy, representing herself, wants Stormwater Management and the Sewer and Water Departments as well as the Department of Natural Resources involved in the UDO process.

James Manza, representing Millburn School District #24, stated that the size of the School District will triple in the next few years. Further, that the high tax rate is due to the lack of industry

Greg Bostrom, representing Woodland School District 50, presented a map depicting the growth in Lake County. Mr. Bostrom said that the School District needs help to deal with the growth because it will affect the quality of education. Mr. Bostrom said that they cannot pass referendum to help and that they will need to pass three referenda in the next few years. Mr. Bostrom asked that the Board remember the schools.

Chairman Grever thanked the Staff, Consultants and Members of the Board for all their input.

ADJOURNMENT

3. Member Stanczak moved, seconded by Member Carter, to adjourn the Special Call Meeting. The Chair called for a Voice Vote. Motion carried unanimously.

Respectfully submitted,

Willard R. Helander
Lake County Clerk

Minutes approved:
