

Lake County Illinois

*Lake County Courthouse and Administrative Complex
18 N. County Street
Waukegan, IL 60085-4351*



Minutes Report

Tuesday, June 25, 2013

8:30 AM

Assembly Room

Planning, Building and Zoning Committee

1. **CALL TO ORDER**

Chair Thomson-Carter called the meeting to order at 8:32 a.m.

Present 7 - Chair Thomson-Carter, Vice Chair Weber, Member Hart, Member Hewitt, Member Pedersen, Member Taylor and Member Wilke

Others present:

Aaron Lawlor - County Board Chairman

Ann Maine - County Board Member

Steve Carlson - County Board Member

Pat Carey - County Board Member

Barry Burton - County Administrator

Amy McEwan - Deputy Assistant County Administrator

Gary Gordon - Director Finance and Administrative Services

Eric Waggoner - Director Planning, Building and Development Department

Steve Crivello - Planning, Building and Development Department

Pat Tierney - Planning, Building and Development Department

Eric Tooke - Planning, Building and Development Department

Eric Steffen - Planning, Building and Development Department

Brittany Albrecht-Sloan - Planning, Building and Development Department

Kevin Berrill - State's Attorney's Office

David Husemoller - Planning, Building and Development Department

Megan Krueger - Planning, Building and Development Department

Sabrina Cotta - Finance and Administration

Erik Sung - Resident

Yoon Soon - Resident

Sue Leg - Resident

Lisa Black - Chicago Tribune

2. **PLEDGE OF ALLEGIANCE**

Chair Thomson-Carter asked Member Pedersen to lead the group in the Pledge of Allegiance. The Pledge of Allegiance was recited.

3. **APPROVAL OF MINUTES**

3.1 **13-0637**

Minutes from May 28, 2013.

The Minutes from May 28, 2013, were circulated to the PB&Z Committee for the Member's signatures.

A motion was made by Member Hewitt, seconded by Member Wilke, that the minutes be approved. The motion carried by the following vote:

Aye: 6 - Chair Thomson-Carter, Member Hart, Member Hewitt, Member Pedersen, Member Taylor and Member Wilke

Absent: 1 - Vice Chair Weber

3.2 **13-0712**

Minutes from June 4, 2013.

The Minutes from June 4, 2013, were circulated to the PB&Z Committee for the Member's signatures.

Vice-Chair Weber entered the meeting at 8:36 a.m.

A motion was made by Member Hewitt, seconded by Member Wilke, that the minutes be approved. The motion carried by the following vote:

Aye: 6 - Chair Thomson-Carter, Member Hart, Member Hewitt, Member Pedersen, Member Taylor and Member Wilke

Absent: 1 - Vice Chair Weber

4. ADDED TO AGENDA

There were no items added to the agenda.

5. PUBLIC COMMENT

There was no public comment.

6. OLD BUSINESS

There was no old business to conduct.

7. NEW BUSINESS

UNIFIED DEVELOPMENT ORDINANCE

7.1 [13-0717](#)

Ordinance on Zoning Case No. 5702 which consists of the application from the County of Lake, which seeks to amend the text of the Lake County Unified Development Ordinance relating to adopting the latest floodplain maps prepared by the Federal Emergency Management Agency (FEMA). The proposed text amendments pertain to Appendix M and Articles 8, 10, 14, and Appendix S.

- The Federal Emergency Management Agency (FEMA) has re-evaluated and revised the Flood Insurance Study (FIS) and the Flood Insurance Rate Map (FIRM) within Lake County. Appendix M along with minor text amendments of the Lake County Unified Development Ordinance (UDO) has been amended.
- These text amendments must be adopted prior to September 18, 2013, so Lake County may remain in good-standing in the FEMA National Flood Insurance Program (NFIP) and continue to be a Stormwater Management Commission (SMC) "Certified Community."
- The Lake County Board adopted a Resolution amending the Lake County Watershed Development Ordinance (WDO) on June 11, 2013.
- The Regional Planning Commission (RPC) has recommended approval of the amendments by a vote of 8-0.
- Following the required public hearing, the Zoning Board of Appeals has recommended approval of the amendments by a vote of 7-0.
- The Planning, Building and Development Department staff has reviewed the proposed amendments and recommends that the text of the UDO be amended in accordance with Exhibit A.

Presented by Steve Crivello, Planning, Building and Development Department.

The vote on this item proceeded without discussion.

A motion was made by Member Hart, seconded by Member Wilke, that this item be recommended for adoption to the regular agenda. The motion carried by the following vote:

Aye: 7 - Chair Thomson-Carter, Vice Chair Weber, Member Hart, Member Hewitt, Member Pedersen, Member Taylor and Member Wilke

7.2 [13-0715](#)

Resolution directing the Lake County Zoning Board of Appeals to conduct a public hearing to consider certain proposed text amendments to the Unified Development Ordinance.

- Staff will present proposed amendments to the UDO to classify Assembly Uses with 10,000 square-feet or less of assembly space as delegated conditional uses in Residential Zones and to impose additional standards for such uses in residential areas.
- After the introduction of the proposed amendments, the Committee will recommend the County Board direct the Zoning Board of Appeals to conduct a public hearing to consider the proposed amendments.

Presented by Brittany Albrecht-Sloan, Planning, Building and Development Department. Ms. Albrecht-Sloan explained that the proposed amendments to the Unified Development Ordinance (UDO) relate to assembly uses with 10,000 square feet or less of assembly space and the operation of such uses within residential zones. Specifically, the proposed revisions require such uses to obtain a delegated Conditional Use Permit (CUP) from the Zoning Board of Appeals (ZBA), and further establish requirements for hours of operation.

Chair Thomson-Carter asked for a motion to direct the ZBA to hold a public hearing regarding the proposed amendments. Member Taylor made this motion; seconded by Member Hewitt.

There was an individual that wished to speak, but he had not completed his Public Comment form. Chair Thomson-Carter stated that she would allow him to speak and submit the form following his allotted time.

Mr. Erik Sung, resident of Lake Forest, expressed his concerns to the Committee regarding the proposed amendment that imposes restrictions on religious institutions within the boundaries of a platted residential subdivision. He asked how many institutions have applied for assembly in a residential zone.

Mr. Eric Waggoner, Director, Planning, Building and Development Department stated that staff has become aware of an increased trend in assembly uses in residential zones within the Chicago metro area. In light of this, staff recommends that the ordinance be revisited to insure any impact of assembly uses on neighboring residential uses is mitigated through appropriate standards.

Mr. Sung requested a definitive number of such assembly uses in Lake County.

Chair Thomson-Carter stated that this period was for public comment, during which the Committee would listen to his comments. She went on to state that if Mr. Sung wished to have a dialogue with staff it would need to take place outside of the meeting time.

Mr. Sung stated that he would like the Committee to consider how they would limit the rights of a religious group if they pass this ordinance; there is a federal law that prevents

a governmental body from instituting additional ordinances limiting religious organizations.

Chair Thomson-Carter stated that the Committee will be made aware of any such regulations along with the recommendations of the Zoning Board of Appeals (ZBA). She stated she believes the integrity of residential uses is also important and must be treated as such.

Member Hart asked for clarification on the approval process for text amendments and Chair Thomson-Carter discussed the process.

The vote proceeded without any further discussion.

A motion was made by Member Taylor, seconded by Member Hewitt, that this resolution be recommended for adoption to the regular agenda. The motion carried by the following vote:

Aye: 7 - Chair Thomson-Carter, Vice Chair Weber, Member Hart, Member Hewitt, Member Pedersen, Member Taylor and Member Wilke

7.3 [13-0716](#)

Resolution authorizing Temporary Administrative Deferral for Applications for Assembly Uses with 10,000 square-feet or less in Residential Zones.

- The UDO provides that the Planning, Building and Zoning Committee may consent to empower the Planning, Building and Development Director to place a temporary administrative deferral on all applications materially affected by proposed amendments, if adopted.
- The Planning, Building and Development Department has requested the Committee pass a resolution recommending the County Board direct the Zoning Board of Appeals (ZBA) to hold a public hearing on amendments to General Assembly Uses in Residential Zones.
- Given an emerging trend of assembly uses being located in residential zones, and out of concern for the public in ensuring sufficient mitigation measures for such uses, the Planning, Building and Development Department requests the PB&Z Committee empower him to place a temporary administrative deferral on all applications materially affected by proposed amendments, if adopted.
- Such a temporary administrative deferral shall automatically cease upon the expiration of 120 days or upon final action by the County Board relating to the proposed amendment, whichever occurs first.

Presented by Brittany Albrecht-Sloan, Planning, Building and Development Department. Ms. Albrecht-Sloan stated that this companion amendment would authorize the Planning, Building and Development Director to defer any development applications received while this item is under consideration.

Eric Waggoner, Director, Planning, Building and Development Department, explained that this item would not go into effect until an affirmative vote by the County Board on July 9, 2013, and would expire a maximum of 120 days from the date of approval.

A motion was made by Member Hart, seconded by Member Hewitt, that this item be approved. The motion carried by the following vote:

Aye: 7 - Chair Thomson-Carter, Vice Chair Weber, Member Hart, Member Hewitt, Member Pedersen, Member Taylor and Member Wilke

7.4 [13-0714](#)

Presentation of draft amendments to the Unified Development Ordinance to reduce barriers to Local Food Production.

- On May 7, the Chicago Metropolitan Agency for Planning (CMAP) presented the Local Sustainable Food Systems report to the Planning, Building and Zoning Committee.
- The Committee reviewed and discussed draft UDO amendments related to beekeeping and chicken-raising on May 28 and June 4, respectively.
- Staff will present draft UDO amendments for Committee discussion; the revisions were prepared to incorporate recommendations included in the Local Sustainable Food Systems report. The draft amendments propose to allow installation of hoopouses and greenhouses on residential lots for local food production, as well as increase the maximum duration of seasonal sales of farm produce and language supportive of local food production.

Presented by David Husemoller, Planning, Building and Development Department.

Mr. Husemoller discussed the proposed amendments to the UDO regarding local food production. The proposed amendments would extend seasonal sales of farm produce, introduce the definition of "Local Food Production", and allow for hoopouses on residential properties of one acre or greater to assist with earlier planting.

Committee members asked staff to incrementally increase the size of the hoopouses on lots greater than one acre.

This matter was presented.

DIRECTOR'S REPORT

There was no director's report.

8. EXECUTIVE SESSION

There was no executive session.

9. COUNTY ADMINISTRATOR'S REPORT

There was no County Administrator's Report.

10. ADJOURNMENT

Chair Thomson-Carter adjourned the meeting at 9:12 a.m.

Minutes prepared by Megan Krueger.

Respectfully submitted,

Chair

Vice-Chair

Planning, Building & Zoning Committee