

Lake County Illinois

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



Minutes Report

Tuesday, November 5, 2013

8:30 AM

Assembly Room

Planning, Building and Zoning Committee

1. CALL TO ORDER

Chair Thomson-Carter called the meeting to order at 8:30 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

Steve Carlson - County Board Member

Pat Carey - County Board Member

Audrey Nixon - County Board Member

Gary Gordon - Director Finance and Administration

Ryan Waller - Assistant County Administrator

Eric Waggoner - Director Planning, Building and Development Department

Steve Crivello - Planning, Building and Development Department

Matt Meyer - Planning, Building and Development Department

Brittany Albrecht-Sloan - Planning, Building and Development Department

Ashley Lucas - County Administrator's Office

Pat Tierney - Planning, Building and Development Department

David Husemoller - Planning, Building and Development Department

Anita Patel - Finance and Administration

Christopher Marx - Planning, Building and Development Department

Megan Krueger - Planning, Building and Development Department

Rory Klick - Regional Planning Commission

Sarah Surroz - Conserve Lake County

David Bergman - Lake County Beekeepers

Alicia Dodd - Resident

Jeff Andrews - Resident

Sharon Gaugham - Resident

Nannette Huffman - Resident

2. PLEDGE OF ALLEGIANCE

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

3. APPROVAL OF MINUTES

A motion was made by Member Hewitt, seconded by Member Weber, 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

3.1

Minutes from October 1, 2013.

The Minutes from October 1, 2013, were circulated to the PB&Z Committee for the Member's signatures.

A motion was made by Member Hewitt, seconded by Member Weber, that the minutes 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

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

SUBDIVISIONS

7.1

Committee action on a variance request from Article 10 of the Unified Development Ordinance (UDO) to extend the performance period beyond the maximum three-year Maintenance term for Sunset Estates Subdivision - District 17.

- The subdivision is located one quarter mile west of Route 59 and north of Brandt Road in Cuba Township.
- The County has held a performance assurance for Sunset Estates to assure completion of wetland management and water quality improvements.
- Staff conducted an inspection in September and it was determined additional time is necessary to assure the establishment of native plant material for water quality purposes.
- The developer has contracted with a resource consultant to implement an approved wetland management and water quality protection plan that is scheduled to be completed in the fall of 2014 and is requesting a variance to extend the maintenance period beyond the maximum three-year term.
- Staff supports the requested variation to be granted until November 6, 2014.

Presented by Pat Tierney, Planning, Building and Development Department.

A motion was made by Vice-Chair Weber, seconded by Member Wilke, that this committee action 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

7.2

Committee action on a variance request from Article 10 of the Unified Development Ordinance (UDO) to extend the performance period beyond the maximum three-year time limit for Belvidere Estates Subdivision - District 11.

- Belvidere Estates is located on the north side of Belvidere Road approximately one-quarter mile west of Hunt Club Road in Warren Township.
- The County has held a performance assurance for Belvidere Estates to assure the completion of subdivision improvements. The assurance has been extended several times to afford the developer time to market the subdivision and to assist them during the economic downturn.
- The developer has recently taken efforts to implement a marketing strategy to increase lot sales and is nearing the completion of the subdivision improvements.
- Staff recently inspected the subdivision and determined that the subdivision could progress into the maintenance period for the completed improvements; however, a

subdivision assurance must be retained for performance items that remain to be completed.

- The developer has requested a variance to begin the maintenance period while lot sales continue; concurrently he would continue to complete the remaining performance items. Additionally, he has requested the County release his restoration assurance as the site is stabilized, and he is actively managing the completion of the remaining performance items. As part of this action, the developer has requested a reduction in his subdivision assurance to reflect the current valuation of the remaining improvements.
- Staff supports the requested variations and adjustments in the assurance amounts and expiration dates.

Presented by Pat Tierney, Planning, Building and Development Department.

A motion was made by Vice-Chair Weber, seconded by Member Wilke, that this committee action 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

7.3

Committee action on a variance request from Article 10 of the Unified Development Ordinance (UDO) to reduce the maintenance assurance for Newport Cove PUD - District 1.

- Newport Cove PUD is located one-half mile north of Grass Lake Road on Bluff Lake and Elime Roads in Antioch Township.
- On October 1 the Committee granted the developer's request for a variance to extend the performance and maintenance periods for the subdivision beyond the three-year term limit established by Article 10 of the UDO, subject to conditions.
- The developer has satisfied the conditions and is preparing to implement activities to address the outstanding deficiencies prior to the onset of winter and has requested a variance to further reduce her maintenance assurance to cover the remaining costs of the improvements. A reduction in the maintenance assurance requires a variance from Article 10 as the ordinance precludes maintenance assurance reductions.
- Staff supports the requested variation and reductions of the subdivision and maintenance assurances.

Presented by Pat Tierney, Planning, Building and Development Department.

A motion was made by Vice-Chair Weber, seconded by Member Wilke, that this committee action 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

UNIFIED DEVELOPMENT ORDINANCE

7.4

Ordinance to amend the Lake County Unified Development Ordinance (UDO).

- Following an initial review by the Planning, Building and Zoning Committee, on September 10, 2013 the County Board directed the Zoning Board of Appeals (ZBA) to conduct a hearing on amendments to the UDO.
- The proposed amendments to the UDO would reduce barriers to local food production, streamline review processes, and amend other miscellaneous elements.
- The attached Exhibit A incorporates the original staff recommended amendments; revisions recommended by the Regional Planning Commission (RPC) (by a vote of 8 to 0) at its September 24 meeting; and revisions recommended by the Zoning Board of Appeals

(ZBA) at its public hearings on October 17 and 24. The ZBA recommended revisions to Amendment Number 1 (beekeeping) by a vote of 6 to 0 and Amendment Number 2 (chicken raising) by a vote of 4 to 2; the ZBA recommended approval of the remainder of the amendment packet by a vote of 6 to 0.

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

Mr. Husemoller discussed each of the recommendations in which there were changes submitted by the Regional Planning Commission and the Zoning Board of Appeals for the proposed amendments.

There were several recommended changes to the Ordinance regarding bee keeping which were presented to the Committee. All of the recommended changes were accepted as presented with the exception of Section C - Fencing, which was amended to allow reasonably visible signs within proximity of the hive complex.

Sarah Surroz from Conserve Lake County expressed gratitude on behalf of the organization with respect to the beekeeping provisions and the County's support for local food in general.

David Bergman from the Lake County Beekeepers stated that he was pleased with the process to amend the UDO to allow for bee keeping, and he thanked the Committee for their deliberations.

A motion was made by Member Taylor, seconded by Member Pedersen, that Amendment Number 1 regarding beekeeping be recommended for adoption as amended 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

On Amendment number 2 - chicken-raising, Mr. Husemoller discussed each of the recommendations in which there were changes submitted by the Regional Planning Commission and the Zoning Board of Appeals for the proposed amendments regarding raising chickens.

The Committee discussed the proposals from the Regional Planning Commission and the Zoning Board of Appeals; all of the recommended changes were accepted as presented with the exception of the Article 6, Subsection 6.4.16 wherein the Committee amended the recommended graduating the number of chickens allowed beginning at 10,000 square feet or greater for raising chickens, and Subsection 6.4.16.1 where they proposed six (6) hens shall be allowed on lots of 10,000 square feet and eight hens on lots of 20,000 square feet, 10 hens on 40,000 up to 12 hens on 2 acres or more.

Rory Klick from the Regional Planning Commission and the College of Lake County provided some facts regarding chicken raising and provided statistics on the number of parcels that will actually begin keeping chickens as a result of these amendments.

A motion was made by Member Hart, seconded by Member Wilke, that ordinance Amendment Number 2 regarding chicken raising be recommended for adoption as amended to allow raising of chickens on one quarter acre to the regular agenda .

The motion carried by the following vote:

Aye: 5 - Chair Thomson-Carter, Vice Chair Weber, Member Hart, Member Taylor and Member Wilke

Nay: 2 - Member Hewitt and Member Pedersen

A motion was made by Member Pedersen, seconded by Member Hewitt, that that ordinance Amendment Number 2 regarding chicken raising be recommended for adoption as amended to allow 6 chickens at 1/4 acre, 8 chickens at 1/2 acre, 10 chickens at 1 acre, and a maximum of 12 chickens on 2 acres plus 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

Amendments three through thirty-two did not require any discussion for approval.

A motion was made by Member Taylor, seconded by Member Hewitt, that proposed ordinance Amendments Number 3 through Number 32 be recommended for adoption as amended 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

On the remainder of the sustainable local food related amendments, Mr. Husemoller discussed each of the recommendations in which there were changes submitted by the Regional Planning Commission and the Zoning Board of Appeals for the proposed amendments for Sustainable Local Food Production.

No discussion by the Committee was necessary to approve the amendments for Sustainable Local Food Production.

A motion was made by Member Taylor, seconded by Member Wilke, that proposed ordinance amendments regarding Sustainable Local Food Production be recommended for adoption as amended to the regular agenda. The motion carried by the following vote:

Aye: 5 - Chair Thomson-Carter, Vice Chair Weber, Member Hart, Member Taylor and Member Wilke

Nay: 2 - Member Hewitt and Member Pedersen

Jeff Andrews of Grayslake appreciated the changes made by the Committee to UDO Amendment Number two regarding chicken raising.

Alicia Dodd of Mundelein stated that she was glad that the Committee had researched the issues so thoroughly before making their final decisions on the proposed amendments.

Nannette Huffman of Wildwood provided comments on chicken keeping based on her personal experiences.

Sharon Gautham of Grayslake stated that she would like to keep chickens, but owns a small parcel and would not have been able to have chickens had the Committee not voted to decrease the necessary acreage for chicken raising. She was appreciative of their considerations.

Chair Thomson-Carter requested a motion to send the entire amendment package to the Full Board for final approval.

A motion was made by Member Hart, seconded by Member Pedersen, that the Proposed Amendment to the Ordinance as a whole document be recommended for adoption as amended 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

PLANNING

7.5

Joint resolution approving an intergovernmental agreement with the Village of Lindenhurst to provide administrative adjudication services by the Lake County Department of Planning, Building, & Development.

- The Village of Lindenhurst currently has an agreement with the Lake County Planning, Building and Development Department that allows for the County to assist the Village with building inspections, plan reviews, and enforcement services.
- The Village of Lindenhurst has worked with the Lake County Planning, Building and Development Department on a proposal to enter into an agreement for an expansion of County services to allow for the use of the County's administrative adjudication program.
- The County will also be able to further assist the Village with ticketing and hearing representation on an as-needed basis for non law-enforcement violations on the Village's behalf.

Presented by Matt Meyers, Planning, Building and Development Department.

The presentation and vote on this item was taken out of order; this item followed item 7.3.

A motion was made by Vice-Chair Weber, seconded by Member Hewitt, that this resolution be approved and forwarded to the Finance and Administration Committee. 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

DIRECTOR'S REPORT

There was no Director's report.

8. EXECUTIVE SESSION

8.1

Executive session to discuss personnel matters pursuant to 5 ILCS 120/2(c)(1).

The Planning, Building and Zoning Committee went into Executive Session at 10:44 a.m.

A motion was made by Member Hewitt, seconded by Member Pedersen, that the Committee would enter into Executive Session. 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

The Planning, Building and Zoning Committee returned to regular session at 10:54 a.m.

A motion was made by Member Taylor, seconded by Vice-Chair Weber, that the Committee return to regular session. 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

9. COUNTY ADMINISTRATOR'S REPORT

Assistant County Administrator Ryan Waller reported that the County recently hired Ashley Lucas as part of the County Administrator's Fellowship Program. Ashley's first departmental assignment will be with Planning, Building and Development; Matt Meyers will participate in an internship with the County Administrator's office for the same three month period.

10. ADJOURNMENT

Chair Thomson-Carter adjourned the meeting at 10:57 a.m.

Minutes prepared by Megan Krueger.

Respectfully submitted,

Chair

Vice-Chair

Planning, Building & Zoning Committee