

COUNTY BOARD, LAKE COUNTY, ILLINOIS

November 16, 2010

MS. CHAIRPERSON AND MEMBERS OF THE COUNTY BOARD:

Pursuant to State Statutes and following proper publication of public notice, a public hearing has been held by the Lake County Zoning Board of Appeals on October 6, 2010, on the application of the County of Lake which seeks to amend the text of the Lake County Unified Development Ordinance relating to the Construction and Demolition Recycling Facilities and establishing standards for such facilities.

The proceedings of this public hearing were manually and electronically recorded and are available for public review at the office of the Lake County Zoning Board of Appeals.

At the close of the hearing held on October 6, 2010, after a final review of all evidence and testimony presented on this matter, a motion was made by Member Stimpson and seconded by Member Raymond to recommend that the amendment attached hereto as Exhibit A be adopted.

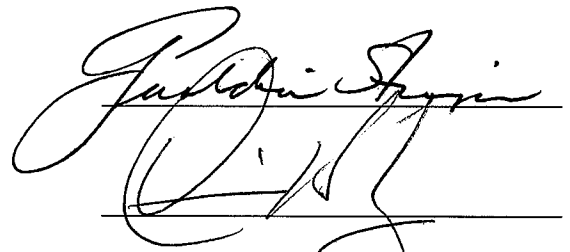
Voting "Aye" on this motion were Members Stimpson, Raymond, Hockney, Westerman, and Bell. Voting "Nay", none. The motion passed by a vote of 5-0.

At the direction of the Chairman of the Lake County Zoning Board of Appeals, this report is herewith forwarded to your Honorable Body with the recommendation it be adopted.

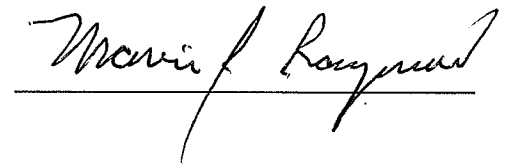
No. 3701
Text Amendment


CHAIRPERSON

VICE-CHAIRMAN







Dated this 6th day of October, 2010.

EXHIBIT A
ZBA Recommendation

Amend Article 6, Sec 6.2/ Use Table/ to allow “Construction and Demolition Recycling Facilities as a Non-Delegated Conditional Use in the LI and II zones.

Amend Article 6, to add a new section 6.3.14, entitled “Construction and Demolition Recycling Facilities” as follows and to renumber subsequent sections accordingly:

6.3.14/Construction and Demolition Recycling Facilities

The following standards shall apply to recycling facilities which will exclusively accept general construction or demolition debris:

- 6.3.14.1 The site shall contain a minimum of 200,000 square feet.
- 6.3.14.2 The use shall be subject to the Site Capacity calculations/Site Plan Review procedures of Section 4.1. Site Capacity/Site Plan review shall be conducted concurrently with the required Conditional Use Permit review. The Site Plan shall include, at a minimum, a legal description of the subject property; access/egress point(s); parking areas; any buildings, structures or fixed equipment; the extent of paved or impervious surfaces; material tipping/receiving areas; material processing areas; areas of proposed material stockpiling (by material type); material loading areas; and fencing, berm or screening features.
- 6.3.14.3 The application for a Conditional Use Permit shall be accompanied by (a) an architectural drawing depicting building and structure elevations and descriptions of such buildings and structures necessary to convey the architectural appearance and physical magnitude of the proposed improvements; (b) a narrative description of the activities proposed to be conducted indoors or under cover within the facility boundaries; and (c) a narrative description of other proposed uses (such as, but not limited to truck storage, maintenance, fueling, and container storage) and a demonstration that other such uses can be conducted in a safe and unobtrusive manner without interference with safe recycling activities on the site.
- 6.3.14.4 The Conditional Use Permit shall be effectuated upon receipt of a permit from the Illinois Environmental Protection Agency in accordance with Section 22.38 of the Illinois Environmental Protection Act (“The IEPA Act”). It shall be a condition of the

Conditional Use Permit that the facility continue to operate in accordance with Section 22.38 of the IEPA Act and all other applicable permits. Enforcement of this provision shall be subject to the Revocation procedures of Section 13.4.5.

6.3.14.5 The facility shall be located at least 500 feet from any residential zoning district unless otherwise specified by the Conditional Use Permit.

COMMENTARY: For purposes of Subsection 6.3.14.5, considerations for modifying the locational standard may include the separation of the residentially zoned property from the proposed site by a designated truck route, active rail line, high voltage power transmission easement or other clearly demarcated land-use planning transition boundary.

6.3.14.6 The general construction or demolition debris receiving/tipping areas shall be constructed of a low permeability material (e.g. Portland cement concrete, Asphalt concrete) such that it prevents infiltration and is able to withstand anticipated loads.

6.3.14.7 The facility shall be equipped with a fence no less than eight (8) feet in height located to secure the operating areas of the facility during non-operating hours as well as assist in minimizing the potential for litter to leave the facility.

6.3.14.8 If the applicant and the Solid Waste Agency of Lake County or the County of Lake have previously entered into a host agreement(s) for the proposed construction and demolition recycling facility, the terms and conditions of such host agreement shall be incorporated as conditions of the Conditional Use Permit and may be enforced by any party of the host agreement(s).

6.3.14.9 Operating Standards:

The applicant shall provide an operating plan. The operating plan shall, at a minimum, contain the following information:

- a. Number of employees anticipated at the facility.
- b. Proposed hours of operations for receipt of general construction or demolition debris and for processing and shipment of general construction or demolition debris.
- c. Proposed daily average / maximum volume (in tons) of general construction or demolition debris to be received at the facility.
- d. Identification of the maximum number of vehicles (by vehicle type) proposed to utilize the facility on a daily basis.
- e. Description of any processing equipment (ie grinders/shredders/balers) proposed to be utilized to prepare the

recyclable general construction or demolition debris for stockpiling or shipment and the location and design of any noise-buffering elements, sheltering and operating controls to minimize noise impacts.

COMMENTARY: Noise standards shall be specified as part of the Conditional Use Permit.

- f. Description of operating methods employed to control odor, accidental combustion of materials, vectors, dust, and litter.
- g. Description of the method and equipment utilized to load recyclable and non-recyclable general construction or demolition for shipment from the facility.
- h. Specification of typical and maximum anticipated height of stockpiled recyclable construction or demolition debris for each recyclable material by type. Identification of the buffering and/or screening measures employed to minimize the visual impact of the proposed stockpiles from surrounding land uses.

Amend Article 14, Section 14.2 to add the following definition entitled “General Construction or Demolition Debris” and renumber subsequent definitions accordingly:

14.2.180. General Construction or Demolition Debris: Non-hazardous, uncontaminated materials resulting from the construction, remodeling, repair, and demolition of utilities, structures, and roads, limited to the following: bricks, concrete, and other masonry materials; soil; rock; wood, including non-hazardous painted, treated, and coated wood and wood products; wall coverings; plaster; drywall; plumbing fixtures; non-asbestos insulation; roofing shingles and other roof coverings; reclaimed or other asphalt pavement; glass; plastics that are not sealed in a manner that conceals waste; electrical wiring and components containing no hazardous substances; and corrugated cardboard, piping or metals incidental to any of those materials or as defined in Section 3.160 (a) of the Illinois Environmental Protection Act as amended.