



Fill/Grade Operations

PROPOSED AMENDMENTS TO CHAPTER 151 LAKE COUNTY CODE

Planning, Building, Zoning and Environment Committee

Planning, Building & Development

February 7, 2024

Background

- **March 14, 2023**
 - **Board resolution passed directing ZBA to hold public hearing on proposed amendments to Code of Ordinances related to fill/grade operations in unincorporated Lake County**
- **November 29, 2023**
 - **Temporary administrative deferral on all applications related to proposed pending amendments effective and to automatically cease upon the expiration of 120 days or final Board action, whichever occurs first**
- **January 17, 2024**
 - **ZBA public hearing on proposed amendments**



Overview of Proposed Amendments

Fill/Grade Operations

- **Proposed definition**
 - **FILL/GRADE OPERATION.** The acceptance, collection, accumulation or aggregation of fill from off-site sources. It includes any property used for the permanent storage or stockpiling of such material on-site, or temporary storage or stockpiling of such material for use at any other location.
- **Two new use categories:**
 - **(1) Minor Fill/Grade Operations**
 - **(2) Major Fill/Grade Operations**

Major Fill/Grade Operations

- **Principal use**
- **Applicable to all projects regardless of future end use**
- **Fill volume:**
 - **Importation of over 2,000 cubic yards per acre, or total volume of over 60,000 cubic yards**
 - **~5,000 truckloads per site, or 167 truckloads per acre, or 15 inches per acre**
- **Subject to a non-delegated conditional use permit (CUP) in LI & II zoning districts only**
- **Subject to site capacity review**

Minor Fill/Grade Operations

- May be an accessory use
- Fill volume:
 - 500-2,000 cubic yards per acre provided total volume is 60,000 cubic yards or less
 - ~4 inches per acre → 15 inches per acre, or depth of 1 foot 3 inch maximum
- Delegated CUP required in all zoning districts
- Must follow requirements of Major Fill/Grade Operations
- Subject to site capacity review

Minor Fill/Grade Operations (Cont.)

- **Accessory to permitted planned use**
- **Fill volume:**
 - **Development projects necessitating accessory importation of up to 500 cubic yards per acre provided total volume is 10,000 cubic yards or less**
 - **Up to ~4 inches of fill across each acre**
- **Allowed in all zoning districts**

Minor Fill/Grade Operations (Cont.)

- **All projects consisting of importation of fill as a principal use at scale less than major fill/grade operation, shall require delegated CUP in all zoning districts**
- **Even the smallest of fill projects, if done purely as principal use without some other development specifically in mind, where there is no clear non-commercial justification for fill activity, would require delegated CUP review by ZBA**

All Fill/Grade Operations

Amendments also specify that:

- **Fill area must be placed at least 30 feet from any street or public right-of-way**
- **Major fill areas shall be located at least 1,000 feet from any residential zoning district**
- **Both setback requirements may be modified by the CUP**
- **Minimum requirements for access roads**
- **Requirements for the submittal of an Operational Plan for full duration**
- **Requirements to comply with performance guarantees/standards**

Additional proposed housekeeping amendments to clean up related existing code sections

Next Steps

ZBA Public Hearing
January 17, 2024

PBZE Final Review
& Action
February 28, 2024

Expiration of
Temporary
Administrative
Deferral
March 28, 2024

January 31, 2024
**PBZE Review of
Draft Amendments**

March 8, 2024
Board Final Action



Questions