

INFORMATION PAPER



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Planning, Building and Development
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SUBJ: PROPOSED TEXT AMENDMENTS FOR FILL/GRADE OPERATIONS IN UNINCORPORATED LAKE COUNTY

Summary:

The Planning, Building and Development Department staff periodically recommends amendments to the Lake County, Illinois Code of Ordinances (LCC) to streamline processes, respond to new trends, and clarify technical matters. Per discussion and direction received at the February 1, 2023 Planning, Building, Zoning, and Environment (PBZ&E) Committee meeting, staff has begun work on proposed text amendments regulating fill/grade operations in unincorporated Lake County.

Customarily, when preparing zoning text amendments, staff conducts an initial review of a complete draft of proposed text with the Committee prior to the initiation of the ZBA public hearing process through Board action. However, staff recognizes there is a need to move expeditiously to adopt fill/grade regulations in light of an increasing trend of such operations in recent months. Consequently, to minimize delay in the County's review and possible adoption of new regulations for fill/grade operations in unincorporated areas, staff has prepared a County Board resolution directing the Zoning Board of Appeals to conduct a public hearing on proposed text amendments for fill/grade operations upon staff's completion of the draft text. In lieu of presenting the Committee with a full set of draft amendments, staff has instead prepared the following amendment highlights for Committee discussion prior to action on the recommended ZBA resolution. Upon County Board action to initiate the public hearing process, PB&D staff would complete a draft set of proposed amendments and schedule a Zoning Board of Appeals public hearing at the earliest practical opportunity.

Amendment Highlights:

Amendments to LCC Sections 151.111, 151.112, and 151.271 are proposed to create and define a new use category for large fill/grade operations and will include the following parameters:

- Use defined by and meeting certain thresholds including:
 - Material type (uncontaminated soil, dirt, or gravel from off-site sources)
 - Activity (outdoor placement and/or storage of material)
 - Timeframe (time limits for material acceptance and collection)
 - Quantity/Volume of material
- Use to be permitted only in the Limited and Intensive Industrial zoning districts
- Use to require a delegated Conditional Use Permit (CUP)
- Use to be subject to site capacity calculations/site plan review procedures of § [151.070](#)
- Use to be sited only on property comprised of at least 200,000 square feet
- Use to be sited a minimum of 500 feet from any residential zoning district
- Minimum requirements for access roads to be established
- Application to require submittal of Operational Plan for the fill/grade activity for its full duration.
- Use required to comply with any applicable state and/or federal EPA requirements for clean fill.
- Use required to comply with performance guarantees/standards.

Amendments to LCC Section 151.145 will be also be included clarify applicable and related site development permit requirements. Additionally, amendments may be included to regulate other types of fill/grade operations defined by operational size and scope, if warranted.

Next Steps:

The PBZ&E Committee will take action on the attached County Board resolution directing the Zoning Board of Appeals to conduct a public hearing upon completion of proposed draft amendments.