

MEMORANDUM

To: Public Works, Planning and Transportation Committee

From: Eric Steffen, Operations Manager
Eric Waggoner, Director

Date: July 27, 2022

Re: Proposed Text Amendments relating to WDO Revisions

Periodically, the Stormwater Management Commission (SMC) updates the Watershed Development Ordinance (WDO) to maintain the currency of its regulations. To remain a SMC Certified Community in good standing, Lake County shall amend its Unified Development Ordinance (UDO) regulations following each such WDO amendment to align with the WDO.

As the Committee members will recall, SMC amended the text of the WDO in 2020 to incorporate a series of changes related to rainfall data and stormwater detention requirements, along with other miscellaneous updates. Following the PWPT Committee's direction to the Zoning Board of Appeals (ZBA) to initiate the required public hearing process to make corresponding changes to the UDO, the ZBA has conducted its public hearing. At the conclusion of the ZBA public hearing process, on June 9, 2022, the ZBA recommended approval of the attached WDO-related amendments to the UDO. The amendment packet now proceeds to the PWPT Committee for review.

One of the stormwater detention amendments is associated with establishing and maintaining a fee-in-lieu program as an alternative to on-site stormwater storage. Currently, the UDO does not offer fee-in-lieu of on-site stormwater storage, nor does the Department maintain the capacity nor the subject matter expertise to manage such a program. Consequently, in order to effectuate a fee-in-lieu program for unincorporated development, PBD has negotiated a corresponding intergovernmental agreement with SMC to operate an unincorporated fee-in-lieu program on the County's behalf. For the UDO fee-in-lieu program to be effective, County Board approval of the corresponding IGA with SMC would be required. Following PWPT action on the IGA, the item will proceed to the Finance & Administrative Committee prior to moving forward, in tandem with the UDO amendment packet, to the County Board for final action.

PBD and SMC staff will be on hand at the Committee meeting to answer any questions about the two items.