

# Watershed Development Ordinance Proposed Amendments

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Public Works, Planning & Transportation Committee  
September 30, 2020



**STORMWATER MANAGEMENT COMMISSION**  
Kurt Woolford, Chief Engineer





# Lake County SMC's Regulatory Program

WDO first adopted October 18, 1992

Establish consistent, uniform, minimum county-wide requirements for new development.

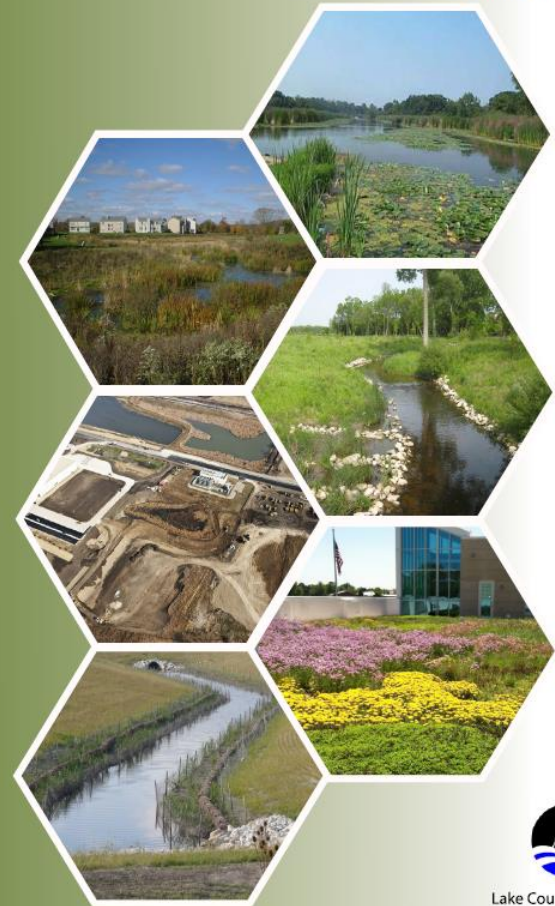
Seek balanced input from:

- Governmental agencies
- Municipalities
- Environmental
- Property owners and developers

Done in a public forum.

## Watershed Development Ordinance

Effective October 13, 2015



Lake County Stormwater  
Management Commission

# Amendments History

There are several influences that necessitate revisions to the WDO:

- 1) FEMA/IDNR Mandates – National Flood Insurance Program Updates
- 2) USEPA/IEPA Mandates – Soil Erosion/Sediment Control – Water Quality Issues – NPDES
- 3) Illinois Compiled Statute Mandates – Statutory Changes (Legal)
- 4) USACE/IEPA/IDNR Mandates – Wetland Issues
- 5) Lake County/NE IL Inter/Intra-Countywide Issues

The timeline is usually about 5 years between major ordinance changes, summarized as follows:

|                         |   |
|-------------------------|---|
| October 18, 1992        | ORIGINAL EFFECTIVE DATE                             |
| <b>August 10, 1999</b>  | <b>First major update</b>                           |
| <b>August 14, 2001</b>  | <b>Added Isolated Wetland Section</b>               |
| <b>January 10, 2006</b> | <b>Second overall update</b>                        |
| <b>July 10, 2012</b>    | <b>Third overall update</b>                         |
| <b>October 13, 2015</b> | <b>Fourth update including re-formatting</b>        |
| <b>October 13, 2020</b> | <b>Proposed update including increased rainfall</b> |



# Amendment Process

## Official Approving Entities

- ✓ **Technical Advisory Committee – Started April 2019**
- ✓ **Municipal Advisory Committee (public comment source)**
- ✓ **Stormwater Management Commission**
- ✓ **Public Works, Planning, & Transportation Committee**
- ✓ **County Board**
- ✓ **Adopting Communities**

# Amendment Process, Cont'd

## Reviewing Entities

- ✓ **The Public!**
- ✓ **Our Customers!**
- ✓ **Peer Government Agencies (Communities, other Federal, State and Local units )**



# **Amendment Process, Cont'd**

## **Official Commenting Entities**

- ✓ **Illinois Department of Natural Resources/Office of Water Resources**
- ✓ **Chicago Metropolitan Agency for Planning**
- ✓ **Adjoining Illinois Metro Counties (Kane, Cook, McHenry)**
- ✓ **Legal Review**

# Amendment Process, Cont'd

## Public Comment

- ✓ All comments received are reviewed and discussed
- ✓ Official Comment Period
- ✓ Ongoing Comments During Process
- ✓ Staff generates responses and amendment options are recommended to SMC



# Proposed Amendment Schedule

| <b>DRAFT Schedule</b>                         | <b>Date</b>         | <b>Comment</b>  |
|---|---------------------|---|
| Updated Bulletin 70 Rainfall Report           | 03/13/2019          | Report issued by the Illinois State Water Survey (ISWS)                     |
| Municipal Advisory Committee (MAC) Meeting    | 04/10/2019          | Staff presentation and discussion of increased rainfall.                    |
| SMC Meeting                                   | 05/02/2019          | Policy discussion to use ISWS report as best available data.                |
| Technical Advisory Committee (TAC) Meeting    | 05/16/2019          | Unanimous approval of Interim Guidance Memo #1. Issued same day.            |
| SMC Meeting                                   | 06/06/2019          | Open 30-day public comment period for increased rainfall.                   |
| Public Information Meeting #1 - Highland Park | 07/16/2019          | Presentations, online resources/tools, discussion, Q&A.                     |
| Public Information Meeting #2 - Barrington    | 07/24/2019          | Same agenda and information as first meeting.                               |
| Public Information Meeting #3 - Round Lake    | 08/08/2019          | Same agenda and information as first meeting.                               |
| Public Information Meeting #4 - Gurnee        | 09/17/2019          | Same agenda and information as first meeting.                               |
| Public Information Meeting #5 - Des Plaines   | 10/23/2019          | Same agenda and information as first meeting.                               |
| TAC Meetings                                  | June '19 - June '20 | Additional WDO amendment approvals.   |
| SMC Meeting and Legal Review                  | 05/07/2020          | Introduction of WDO amendments.   |
| SMC Meeting and Legal Review                  | 06/04/2020          | Approval of WDO amendments.   |
| SMC Meeting and Legal Review                  | 07/09/2020          | Approval of WDO amendments and opening of 60-day public comment period.     |
| PWPT Meeting - WDO Amendment Introduction     | 07/29/2019          | SMC annual update presentation, including WDO amendment discussion.         |
| Public Hearing for WDO Amendments             | 09/25/2020          | In-person and virtual opportunity to discuss WDO amendments.                |
| PWPT Meeting                                  | 09/30/2020          | Introduction of WDO amendments.   |
| PWPT Meeting                                  | 10/07/2020          | Approval of WDO amendments.   |
| County Board - Committee of the Whole         | 10/09/2020          | Discussion of pertinent items/issues.                                       |
| County Board WDO 2020 Adoption                | 10/13/2020          | Final approval of WDO amendments.   |
| Final Ordinance Packet Mailout by SMC         | 10/16/2020          | Community adoption procedures in progress October 2020 through January 2021 |





# Proposed Amendment Categories

| <b>Amendment Categories Include:</b> | <b>Amendment #'s</b>                           |
|--------------------------------------|--|
| Increased Rainfall (2)               | 1a, 1b   |
| Stormwater Detention Options (6)     | 2, 3, 7, 16, 19, 34                            |
| Soil Group Updates (2)               | 6, 8   |
| Sediment and Erosion Control (2)     | 9, 20  |
| Wetland Updates (12)                 | 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33 |
| Administrative Enhancements (5)      | 5, 11, 12, 13, 14                              |
| <b>Total # of Amendments</b>         | <b>29</b>                                      |

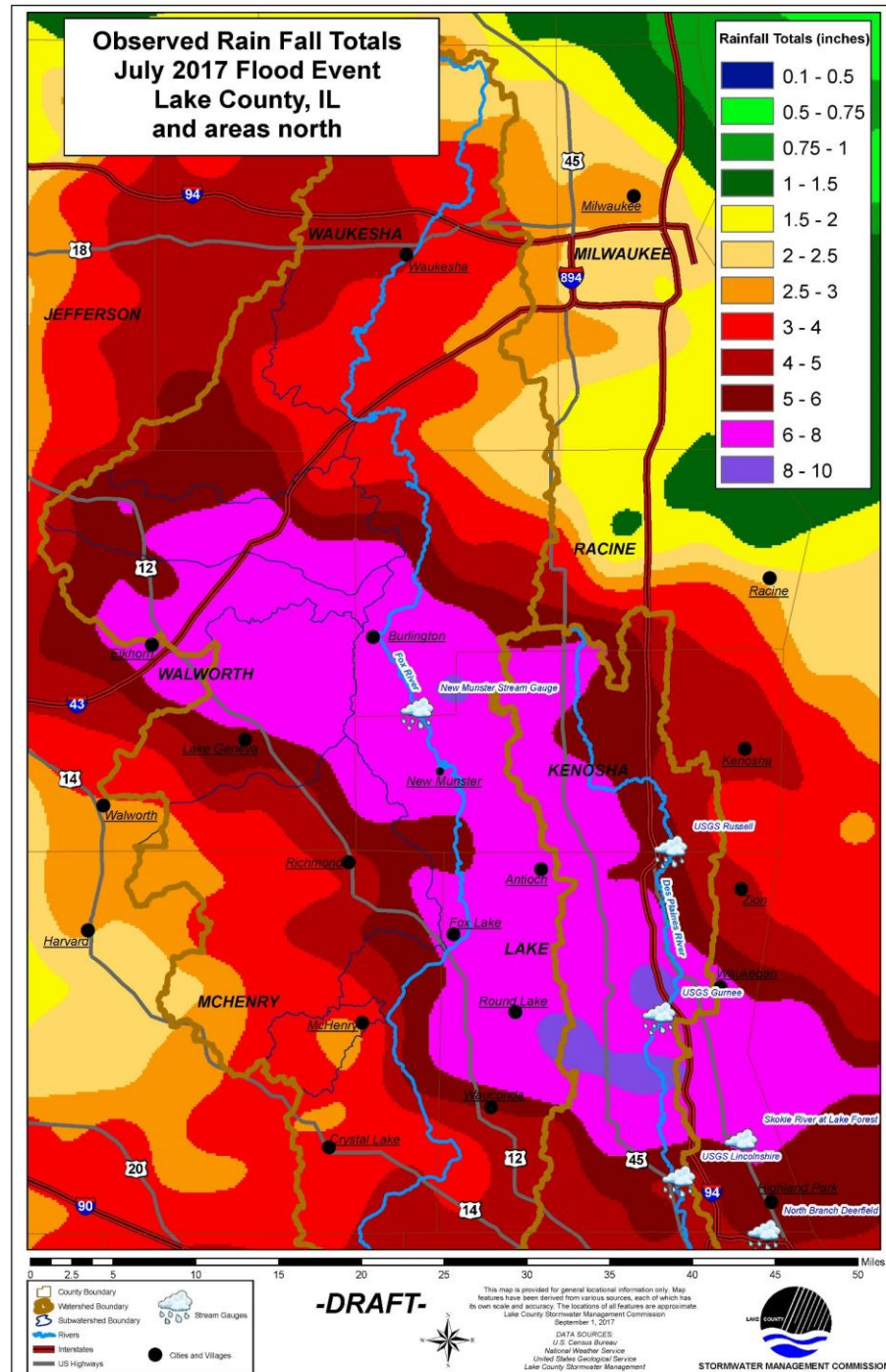
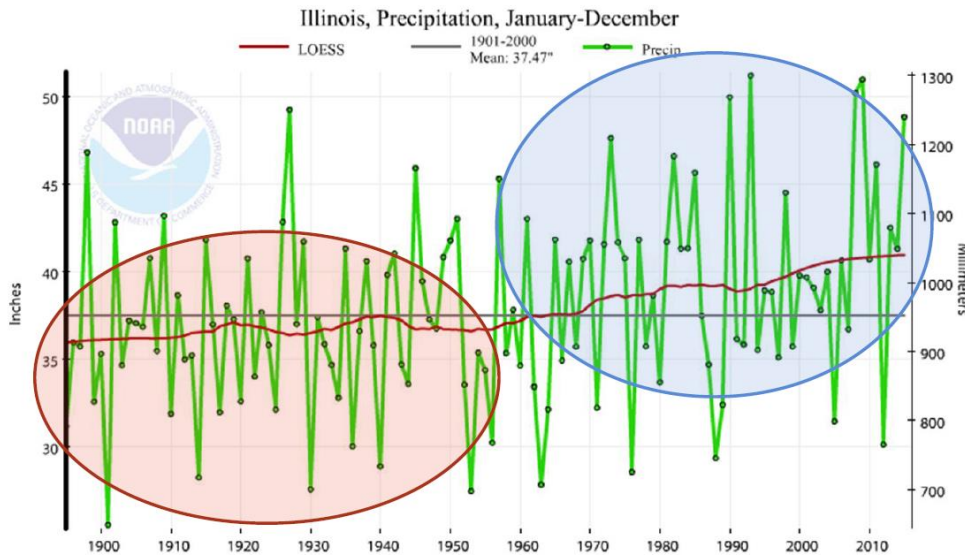
Note: Amendment #2 will be recommended for denial at October 1<sup>st</sup> SMC meeting.

# CLIMATE SCIENCE SPECIAL REPORT

- Volume I of the NCA4
- Precipitation will continue to increase (medium confidence)
- Heavy precipitation events will increase in frequency and amounts (high confidence)

<https://science2017.globalchange.gov/>

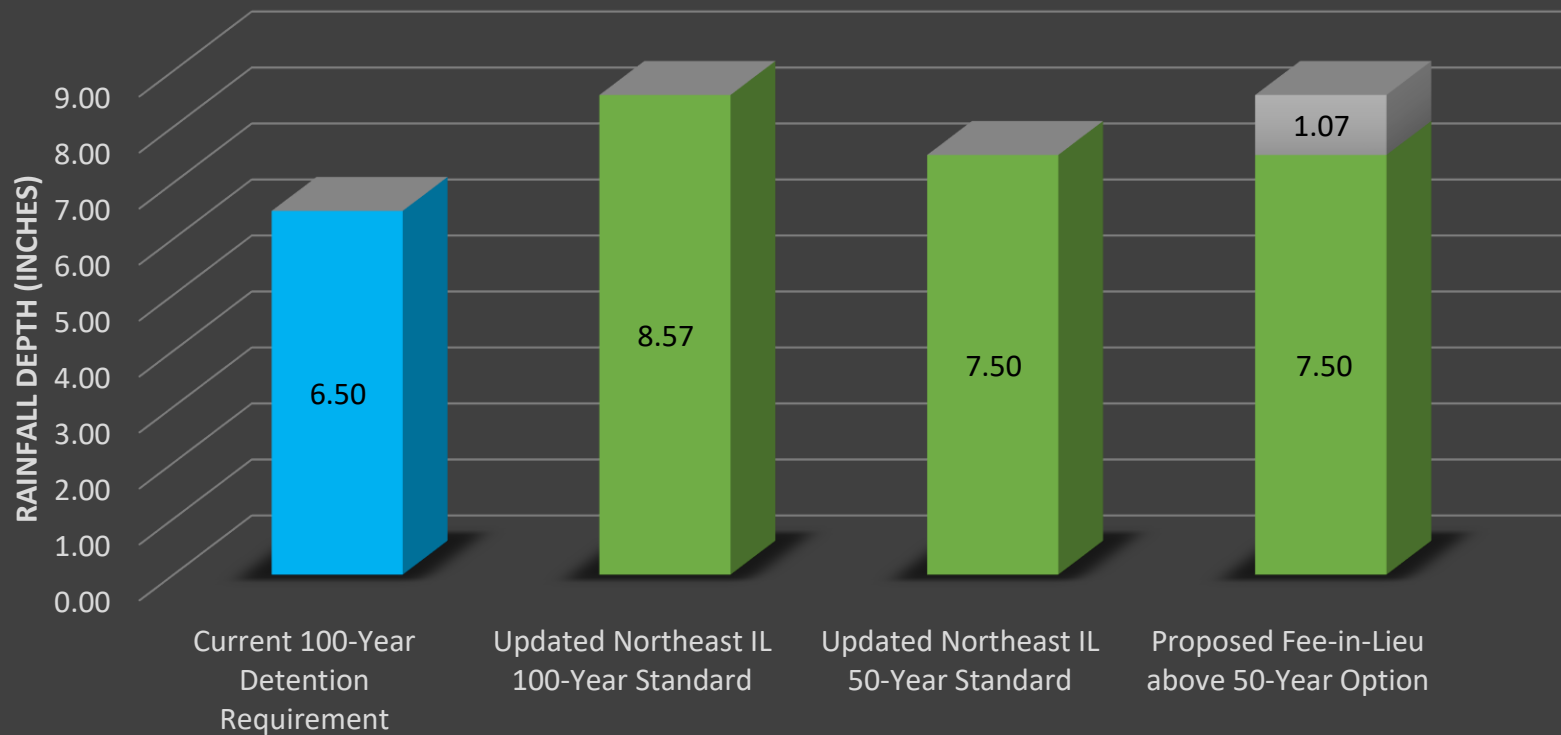
Illinois State Water Survey | **I ILLINOIS**





# DISCUSSION: Increased Rainfall & Fee-in-Lieu Option for Detention

## 100-Year, 24-Hour Rainfall Design Requirements



### CURRENT VS. INCREASED RAINFALL OPTIONS

■ Current Requirement   ■ Increased Rainfall Standards   ■ Proposed FIL50 Option

# DISCUSSION: Proposed WDO Amendments

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Refer to Proposed 2020 WDO Amendment attachment

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Questions?