



# Lake County Illinois

## Legislation Details (With Text)

**File #:** 13-0716      **Version:** 1      **Name:** Resolution authorizing Temporary Administrative Deferral for Applications for Assembly Uses with 10,000 square-feet or less in Residential Zones.

**Type:** resolution      **Status:** Passed

**File created:** 6/19/2013      **In control:** Planning, Building and Zoning Committee

**On agenda:**      **Final action:** 6/24/2013

**Title:** Resolution authorizing Temporary Administrative Deferral for Applications for Assembly Uses with 10,000 square-feet or less in Residential Zones.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
6/25/2013	1	Planning, Building and Zoning Committee	approved	Pass

Resolution authorizing Temporary Administrative Deferral for Applications for Assembly Uses with 10,000 square-feet or less in Residential Zones.

- The UDO provides that the Planning, Building and Zoning Committee may consent to empower the Planning, Building and Development Director to place a temporary administrative deferral on all applications materially affected by proposed amendments, if adopted.
- The Planning, Building and Development Department has requested the Committee pass a resolution recommending the County Board direct the Zoning Board of Appeals (ZBA) to hold a public hearing on amendments to General Assembly Uses in Residential Zones.
- Given an emerging trend of assembly uses being located in residential zones, and out of concern for the public in ensuring sufficient mitigation measures for such uses, the Planning, Building and Development Department requests the PB&Z Committee empower him to place a temporary administrative deferral on all applications materially affected by proposed amendments, if adopted.
- Such a temporary administrative deferral shall automatically cease upon the expiration of 120 days or upon final action by the County Board relating to the proposed amendment, whichever occurs first.

**WHEREAS**, the Lake County Board adopted the Unified Development Ordinance (UDO) on April 11, 2000; and

**WHEREAS**, the UDO provides that the Planning, Building and Zoning Committee may consent to empower the Planning, Building and Development Director to place a temporary administrative deferral on all applications materially affected by proposed amendments, if adopted; and

**WHEREAS**, the UDO states that such temporary administrative deferral shall be in place for a reasonable period of time not to exceed a maximum of 120 days; and

**WHEREAS**, the UDO states a temporary administrative deferral shall automatically cease upon the expiration of 120 days or upon final action by the County Board relating to the proposed amendment,

whichever occurs first; and

**WHEREAS**, upon the receipt of such an application, the UDO directs the Planning, Building and Development Director to inform the applicant in writing of the temporary administrative deferral and shall inform the applicant that the application shall be processed in accordance with the outcome of the proposed amendment; and

**WHEREAS**, there is an emerging trend of assembly uses being located in residential zones, and adequate mitigation measures are not available to ensure protection of the public; and

**WHEREAS**, the Planning, Building and Zoning Committee finds a temporary administrative deferral is warranted, due to the nature of the amendments being considered and the concern for the public impact of such applications.

**NOW, THEREFORE, BE IT RESOLVED** by the Lake County Planning, Building and Zoning Committee that, if the County Board adopts a resolution to conduct hearings related to amendments to General Assembly Uses in Residential Zones, the Planning, Building and Development Director shall be empowered to place a temporary administrative deferral on applications materially affected by the proposed amendments, if adopted. Such a temporary administrative deferral shall automatically cease upon the expiration of 120 days or upon final action by the County Board relating to the proposed amendment, whichever occurs first.

**BE IT FURTHER RESOLVED** that the Clerk of the County Board shall keep a record of this action.

**DATED AT WAUKEGAN**, Lake County, Illinois, this 25<sup>th</sup> day of June, 2013.