

MINUTES
WILL COUNTY BOARD
ORDINANCE REVIEW SUB-COMMITTEE
August 26, 2011
9:30 AM

CALL TO ORDER:

Chairman Weigel called the meeting to order at 9:34 a.m.

PLEDGE OF ALLEGIANCE:

Chairman Weigel led the pledge.

MEMBERS PRESENT:

Tom Weigel, Brian Smith, and Deborah Rozak. Sharon May arrived at 9:35.

MEMBERS ABSENT:

None

STAFF PRESENT:

Curt Paddock, David Dubois, Eileen Franz, Dean Olson, and Leigh Kelley

OTHERS PRESENT:

Laurie McPhillips
Rick Short, US Forest Service
Patti Killinger, Will County Forest Preserve District
Brian Scanlon, Will County Health Department
Tom Joseph, Illinois Association of Realtors
Gerald Caamano, Three Rivers Manufacturers Association

See sign in sheet for other names

STATE'S ATTORNEY OFFICE PRESENT:

Matt Guzman

**ZONING ORDINANCE UPDATE –MODULE 1: DISTRICT FRAMEWORK FOR REVIEW:
ARTICLES 1-8**

Chairman Weigel asked David Dubois to give an overview of today's meeting. He asked that any comments from the stakeholders be submitted in writing. Mr. Dubois reminded everyone that this project is on a timeline that is driven by the Department of Energy grant.. We are on time and on budget and progressing well. Mr. Dubois explained that the draft presented at this meeting is one of three parts, and is very preliminary. Mr. Dubois further explained the purpose the meeting was to hear if there are any major, substantive concerns with Module 1, and not to conduct a line-by-line review of the document.

Kirk Bishop of Duncan and Associates approached and advised that the project is right on schedule. Mr. Bishop explained that he and his staff have been working on the initial preliminary draft of the proposed ordinance and it is available to the public. Once all three modules have been presented and the Sub-Committee has had a chance to review them, they will be put into a "Consolidated Public Review Draft". A lot of time has been set aside for workshops, and review sessions with the public; and as a result of that there will be a third draft. The final stage will be the formal public review and adoption process of the ordinance.

Mr. Bishop gave an overview of Module 1 generally included the following:

Article 1 – 1.120.A (Transitional Provisions) this begins to signal some new thinking in terms of zoning district name, naming conventions and the idea of consolidating a couple of vary similar zoning districts.

Article 2 Agricultural Districts- “farmstead split” provisions- This addresses an issue that has routinely come up as farmers and property owners in agricultural areas have wanted to split off their holdings for a family member, or to generate a little income, or because they no longer need these farmstead portions of their farming operation. These changes would help to remove some of the regulatory obstacles.

- **One time** split of farmstead lot from AG-10 zoned parcel
- Split must comply with **Plat Act**.
- Parent parcel must be zoned AG-10, with **no violations**
- Principal use of parent parcel must be **agriculture**
- Farmstead lot must have frontage on a **public road** or access via private drive or easement
- Farmstead parcel must comply with applicable **setbacks and health department regulations**
- After split, **parent parcel must comply** with lot size
- Owner must execute covenant **prohibiting further division** of parent parcel

Article 3 Residential Districts Initial recommendations include renaming zoning districts with some district consolidations. New district names correspond with lot size.

Zoning District	Map Symbol	Formerly Known As
Residential-215	R-215	E-1
Residential- 105	R-105	E-2
Residential-40	R-40	R-1, R-2
Residential-30	R-30	R-2A
Residential-20	R-20	R-3
Residential-10	R-10	R-4, R-5
Residential-3.2	R-3.2	R-6

District Consolidations:

- R-1 and R-2 (60,000 & 43,560 sq. ft. respectively)
- R-4 and R-5 (12,500 & 10,000 sq. ft. respectively)

Lot Area (rounding) reductions

- R-215 (vs. 217,800), R-105 (vs. 108,900) R-40 (vs. 43,560)

New R-6 density standard: 3,200 sq. ft. per unit (with min. lot area of 10,000 sq. ft.)

Article 4 Commercial Districts Initial recommendations include renaming zoning districts with some district consolidations. New district names correspond with lot size.

Zoning District	Map Symbol	Formerly Known As
Local Commercial-1	C/LO-1	C-1
Local Commercial-2	C/LO-2	C-2
General Commercial	C/GEN	C-3
Highway Commercial	C/HWY	C-4
Business Park	C/BP	C-5
Recreation Commercial	C/REC	C-6

Mr. Bishop explained that for the first time they have proposed a specific density standard that would apply to multi unit or even mixed use buildings in commercial districts.

Article 5 Industrial Districts – There were no changes to the names of the zoning districts since they are reflective of the gradual increase of the intensity of the uses. Any changes are very minor or technical in nature. They did propose a simplification of setback standards. Mr. Bishop explained that he recommends an increase in the maximum building coverage allowance in the I-1 and I-2 districts; taking it up to the same standards that apply in the I-3 district.

Article 6 Overlay and Special Purpose Districts – The new overlay district being proposed is the Parks and Open Space district. This could over time be applied to forest preserve, open space, parkland and even federally owned lands in the County that are set aside for open space and parks uses. Mr. Bishop explained that they have proposed the creation of a new district, but adopting a new ordinance would not apply this to any property. It is not a conversion. This would now be available in the ordinance and the County could elect over time to apply this. Several ancillary uses that could be allowed are: day care, library/cultural exhibit, safety service, eating place, offices, retail, etc.

Article 7 Use Classifications- Mr. Bishop explained that the allowed uses in districts can be disorienting. He and his staff recommend consolidating that material into a table that provides an at a glance summary that gives a way to compare the allowed uses among various districts as well as a new way to classify land uses. They wanted to come up with a modern classification system that is based on broad categories and subcategories of uses that the ordinance would be a little more dynamic over time. I will allow the staff and policy makers to respond to changes in business, technology and commerce; rather than trying to identify it by specific business name every allowed use type and then need to go in every once in a while and add a new use type. If we can rely more on these broad categories and subcategories and only rely on very specific identification of use types where it is necessary to call out a specific use because it is different than the broader class; then the ordinance will be more responsive over time and not become as outdated as older ordinance's tend to do when faced with the new economy.

Mr. Bishop explained that as an analysis tool it is more helpful to review all of the districts in a single table. He has prepared a consolidated use table that he handed out and asked that it be reviewed.

Article 8 Supplementary Use Regulations – There are a series of use types in the existing ordinance that have supplementary standards attached to them; not only do they need to comply with the zoning district requirements with regard to lot size, setbacks, and height, etc. but there is a series of use specific standards that apply to them as well. These standards are scattered about the existing ordinance, many of them are in Article 8 “the junk drawer” of the existing ordinance, some are in the zoning district chapter, some are in other parts of the ordinance; so they thought it would be useful to get them all together in a single chapter; in an alphabetical list and see if these regulations still make sense. The additions to this are: Community Gardens and Leaseholds. **Leaseholds** are an issue discussed in our first meeting. Mr. Bishop explained that they have come up with something more predictable, offers some degree of certainty and doesn't subject people to the uncertain and expensive process of going through the old process. The new simple approach would allow leasehold property owners to continue to do reasonable maintenance, repair and investment on their property.

- Existing leasehold parcels are considered nonconforming lots
- No further subdivision of leaseholds is allowed
- Permits may be issued for construction provided that the proposed construction complies with the Water Resource Ordinance and minimum lot and building standards.

The Zoning Ordinance cannot exempt them from the Water Resource Ordinance, so we alert them to the fact that they are still going to have to grapple with floodplain and Water Resource Ordinance issues. We have proposed some minimum lot and building standards much like would apply in an R-5 or R-6 district if the property had been divided and rezone with reasonable limits on where buildings can be situated, setbacks, amount of lot that can be covered by accessory buildings and minimum height requirements.

Community Gardens - Mr. Bishop explained that they must ensure that they do everything possible in the Zoning Ordinance as they modernize it to accommodate sustainable development practices and sustainability. One important thing in the sustainability realm is access to food and locally produced food so that we reduce the amount of food that needs to be trucked in and that people have access to healthy, sustainable, locally produced food and one way to do that is to have community gardens.

STAKEHOLDER COMMENTS

Tom Joseph- Illinois Association and Three Rivers Association- his comments were specific to the residential section of Mr. Bishop's overview and stated that he would submit everything in writing. He stated that review of Module 1 is hindered by the failure to include proposed definitions; he thought at the last public hearing there was consensus that there would be a red line outline. He requested that the County provide these for review with future modules. Module 1 proposes changes to existing zoning provisions without providing sufficient explanation or justification for the changes from what they can gather at this point. Mr. Joseph expressed that it was incredibly challenging to go through Module 1 and focus on the footnotes. Mr. Joseph had concerns regarding changes to the sections about: split zoning, the agricultural district for allowed uses, leaseholds, manufactured housing units and residential convenience and support establishment.

Jerry Camano – Three Rivers Manufacturers Association approached and requested a more comprehensive means to outline the changes that are being proposed.

SUBCOMMITTEE COMMENTS, DISCUSSION, AND RECOMMENDATIONS

Conversation ensued regarding cargo containers.

Mrs. May asked if it would be possible to receive a summary like what was presented today and Mr. Bishop answered yes.

Conversation ensued regarding a redline format and why it is not feasible. David Dubois explained that due to the degree of reorganization and reformatting proposed in the zoning ordinance update, it is not possible to show proposed changes using a legislative tracked changes.

Subcommittee Member Rozak asked if what was provided as documentation of changes is more or less than what he has previously done in other jurisdictions. Kirk Bishop advised the ORS that the annotations in Module 1 exceed what his firm has typically done in other jurisdictions on similar projects.

OTHER BUSINESS

ADJOURNMENT:

Debbie Rozak made a motion to adjourn; seconded by Brian Smith.

ALL IN FAVOR

MOTION CARRIED (4-0)

The meeting adjourned at 10:46 a.m.