

**PLANNING AND ZONING COMMITTEE
MEETING MINUTES
May 25, 2005**

The Planning and Zoning Committee of the DeKalb County Board met on May 25, 2005 at 7:00 p.m. in the Conference Room East located in the DeKalb County Administration Building. In attendance were Committee Members Roger Steimel, Patricia Vary, Marlene Allen, Eileen Dubin, Howard Lyle and Steve Slack, and staff members Paul Miller and Cky Ready. Audience members included: Jeff Whelan

Mr. Steimel, Chairman of the Planning and Zoning Committee, called the meeting to order. He noted that Committee member Vince Faivre was absent.

APPROVAL OF MINUTES

Ms. Vary moved to approve the minutes of the April 27, 2005 meeting of the Planning and Zoning Committee, seconded by Mr. Lyle, and the motion carried unanimously.

APPROVAL OF AGENDA

Mrs. Allen moved to approve the agenda, seconded by Mrs. Dubin, and the motion carried unanimously.

STORMWATER REGULATIONS AMENDMENTS -- Proposal to amend provisions of the County stormwater management regulations to integrate elements of the Model Stormwater Management Ordinance

Mr. Miller pointed out that one of the important issues related to growth and development is the management of stormwater. As development occurs, the area of impervious surfaces, in the form of roofs and paved streets, driveways and parking areas, increases. This means that less stormwater is absorbed by the land, and the amount of surface runoff increases. This increased surface runoff has the potential for causing increased flooding on adjacent properties and streets. Land contours are also changed with development, altering the direction and rate of stormwater runoff from one property to another. Water does not stop at governmental boundaries, and so what happens in one community affects the next, and what occurs upstream has an impact downstream.

DeKalb County has regulations that establish how increased stormwater associated with growth and development should be handled. These regulations are set forth in Chapter 30 of the County Code in the form of the Grading, Stormwater Detention and Site Development Permit regulations, and in the County Subdivision Regulations. Floodplain regulations are set forth in the County Zoning Ordinance. But each city in the County also has its own, autonomous jurisdiction over stormwater management, and each has its own set of rules regarding how stormwater should be handled. The potential exists, therefore, for one jurisdiction to have less restrictive regulations. This could compromise the effectiveness of adjoining jurisdictions efforts to manage stormwater.

In 2003, it was recognized that it is likely to be in the best interests of each jurisdiction to have the same set of rules for managing stormwater changes that are associated with new growth and development. As a result, DeKalb County, the cities of DeKalb and Sycamore, and the DeKalb Drainage District began working together to develop a set of uniform stormwater management regulations. That model document is now completed, and is available for review by the Committee.

Mr. Steimel noted that there is a bill pending in Springfield, IL that also has an impact on the ability of counties to regulate stormwater. He gave background information on Senate Bill 1910 and its relationship to drainage districts.

Mr. Slack inquired as to the authority of a county or a drainage district to tell municipalities what they can or cannot do with respect to stormwater. Mr. Steimel indicated that the drainage districts do have some authority related to stormwater, even inside municipal limits, but counties do not. Mr. Miller added that the County does not have the authority to tell a municipality what to do with respect to regulations of stormwater, that is why the Model Stormwater Ordinance was conceived as a joint venture between the cities of DeKalb, Sycamore, Sandwich and DeKalb County. The Model Stormwater Ordinance was presented to the Regional Planning Commission with the hope that the various municipalities would sign on. The goal is that everybody adopt the ordinance or some form of it so that all of the jurisdictions are using the same standards for stormwater management.

Mr. Slack asked if the Model Stormwater Ordinance was adopted would it be retroactive? Mr. Miller indicated that it would not be.

Ms. Vary was curious as to how the legislation would affect the current process. Senate Bill 1910 has another level of bureaucracy associated with it, including appointing a board and taxation of the citizens. Mr. Steimel indicated that he hoped that the adoption of the Model Stormwater Ordinance would keep DeKalb County from putting the tax referendum and the drainage board in place. Mr. Miller added that the language of Bill 1910 does not appear to make it mandatory that the County have a tax referendum, and that perhaps the Bill, if made into law, could simply be cited to justify the stormwater regulations that the County already has.

Mr. Miller indicated that if the County was to do its part in adopting provisions of the Model Stormwater Ordinance, it would involve amendments to Chapter 30 of the County Code, to the Subdivision Regulations, and perhaps to the Floodplain District regulations in the Zoning Ordinance.

Following further discussion, the Committee directed staff to draft the actual changes that might be necessary to County ordinances, and to get clarifications on the effect of Bill 1910

should it be made into law. It was agreed that the Model Stormwater Ordinance should be on the next Committee agenda.

L.E.S.A. AMENDMENT -- Proposal to amend the Land Evaluation portion of the L.E.S.A. program

Mr. Miller explained that among the growth and development tools used by DeKalb County is the Land Evaluation Site Assessment (L.E.S.A.) System. This system is used by the Soil and Water Conservation District and the Planning, Zoning and Building Department every time there is a development proposal to evaluate whether the subject property should instead be preserved for agricultural use. The L.E.S.A. system has two components: a Land Evaluation element, which rates the various soils throughout the County and evaluations the specific soils on a given property in terms of viability for agriculture; and a Site Assessment element, which compares the proposed development against a number of planning, zoning and land use factors. In combination, these two elements result in a rating between 0 and 300, and gives a specific property a Low, Moderate or High rating for protection from development. The L.E.S.A. system is an important tool used in the review and approval process for development proposals, and is required by the DeKalb County Zoning Ordinance for zoning actions other than Variations.

The County first adopted the L.E.S.A. system in June of 1984. In September of 2000, the County Board approved an amendment to the Site Assessment portion of the L.E.S.A. to better reflect the goals and objectives of the County Comprehensive Plan and changes to the County Zoning Ordinance. Since 2000, the County has been awaiting new soils classifications from the Natural Resources Conservation Service (NRCS). These new soil classifications and ratings, which make up the Land Evaluation half of the L.E.S.A. system, have finally been completed. Staff anticipates that the Soil and Water Conservation District will, following its June 1, 2005 meeting, forward the new Land Evaluation portion for consideration and adoption by the County.

Mr. Miller explained that the new soils classifications are a technical change, and require little input from the Committee other than a recommendation to the County Board that the L.E.S.A. system be amended to recognize the new categories. He suggested that, at the June, 2005 meeting, the Committee will be requested to forward a recommendation to the full County Board to adopt the update. Mr. Miller explained that, if the County Board approves the revision by ordinance, a copy would then be forwarded to the State Conservationist for approval.

Following brief discussion, the Committee agreed that the item should be included on the June agenda.

ADJOURNMENT - *Motion to adjourn by Ms. Vary, seconded by Mr. Lyle, and the motion carried unanimously.*

Respectfully submitted,

Roger Steimel, Chairman
Planning and Regulations Committee Chairman

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