

**PLANNING AND DEVELOPMENT COMMITTEE**  
**McHenry County Government Center – Administration Building**  
**667 Ware Road – Conference Room A**  
**Woodstock, IL 60098**

Tina Hill, Chairman

Randy Donley	Mary L. Donner
Sue Draffkorn	Jim Heisler
Marc Munaretto	Ersel Schuster

MINUTES OF THURSDAY, JANUARY 20, 2011

Chairman Hill called the Planning and Development Committee meeting to order at 8:30 a.m. The following members were present: Tina Hill, Chairman; Randy Donley; Mary Donner; Sue Draffkorn; Jim Heisler; Marc Munaretto and Ersel Schuster. Also in attendance: Peter Austin, County Administrator; Dennis Sandquist and Darrell Moore, Planning and Development; Cassandra McKinney, Water Resources Manager; Ed Haerter and Mark Elmore, Zoning Board of Appeals, Dennis Dreher, Cowhey Gudmundson Leder, Ltd.; Nancy Williamson, IL Department of Natural Resources; interested public and press.

MINUTE APPROVAL:

Committee members reviewed the Planning and Development Committee minutes of January 6, 2011. Ms. Donner made a motion, seconded by Ms. Schuster, to approve the minutes. The minutes were approved with a unanimous voice vote of all ayes.

PUBLIC COMMENT: None.

PRESENTATIONS:

*Green Infrastructure/Greenways Plan:* Ms. Williamson joined committee members and mentioned that she is on the Green Infrastructure Taskforce and they are working on green infrastructures which coincide with water planning and maintaining natural resources. They just completed a green infrastructure plan with the City of Crystal Lake and they are looking at green infrastructure plans on a countywide scale and will be working with the City of Woodstock in the future. They are the Sustainable Water Action Team (SWAT) and look for interested parties who want to do green infrastructure planning.

Mr. Dreher provided a presentation concerning McHenry County Green Infrastructure Planning. He stated that his firm provides technical assistance to counties, but also work with local governments assembled by the county to develop a green infrastructure plan and map. The purpose is to develop a countywide infrastructure map and plan, engage local governments and other stakeholders in plan development, and broaden countywide awareness of green infrastructure planning and protection. Green infrastructure is an interconnected network of natural areas and open spaces; the ecological framework for environmental, social and environmental, and using natural systems (soils, vegetation) to do certain things (stormwater management). Green infrastructure provides trail linkages, enhanced recreational opportunities, improved water quality, reduced flood damage, enhanced groundwater recharge, greenway and open space connections, reduced erosion and reduced life-cycle costs of infrastructures. The recommended green infrastructure protection strategies are land acquisition, ecological restoration, greenway connections, private conservation easements, conservation development and farmland preservation. The CMAP GoTo2040 Plan's goal is to increase conservation open space from 250,000 to 400,000 acres. This is consistent with the goals of the McHenry County 2030 Plan. The 2030 comprehensive plan policies are to create and maintain a countywide inventory of natural resources for protection, consider the Northern Illinois Regional Water Trails plan as a component of the countywide plan, collaborate with municipalities to link local open spaces, implement conservation design strategies for any new development, protect sensitive aquifer recharge areas, wetlands and woodlands. The next steps are to meet with local natural resource organizations to begin the mapping process and meet with local governments, including park districts and townships, to begin to identify open space, greenways, trails, and green infrastructure policy opportunities. The grant calls for an 18 month process.

SUBDIVISIONS: None.

OLD BUSINESS: None.

**NEW BUSINESS:**

*Minute Discussion:* Chairman Hill stated that there is concern as to what the minutes of this committee should consist of and how detailed committee members want the minutes to be. Several members like the way the minutes are currently done (very detailed) because it allows other board members and the public to understand what was discussed during the meetings. Other members suggested that the minutes contain a brief summary of discussions, that a vote was taken, and the result of the vote. After a short discussion, the members agreed that the minutes should include key issues brought up by committee members, the substance of their discussion, and vote outcomes.

*Committee Meeting Schedule for 2011:* Members agreed to meet during 2011 on the first and third Thursday of every month at 8:30 a.m. Ms. Draffkorn requested that their nameplates be provided for future meetings.

*Unified Development Ordinance Discussion with ZBA:* Messrs. Sandquist, Hansel, Haerter and Elmore joined committee members to discuss the UDO and review and update existing ordinances as needed. The Planning & Development Committee and Zoning Board of Appeals are scheduled to meet with the UDO consulting team on February 3, 2011. The ZBA's meeting will be at 1:00 p.m. P&D staff compiled a memorandum providing an overview of the areas of the zoning ordinances in need of review. Mr. Sandquist provided a summary of the topics for review as follows: Article 2: Definitions, Article 3: Zoning Districts; Article 4: Supplementary Regulations; Article 5, Conditional Uses; Article 6: Nonconforming Uses, Lots and Structures; Article 7: Variations; Article 8: Administration and Enforcement; and the Appendix. He will provide the ZBA members with a copy of the memorandum. This list focused on the Zoning Ordinance and they have a similar list of topics that concern the Subdivision Ordinance. Mr. Haerter mentioned that conditional use hearings are the most difficult hearings for the ZBA. He mentioned the review and updating of the conditional use portion of the Zoning Ordinance, which they use the most, will be helpful to them. They need to work with municipalities so that the County's vision isn't destroyed by something that the municipalities do for their benefit. An example would be that the County's plan may call for agriculture or a large lot development in an area and a municipality will develop that area and put four houses per acre on the land and there is nothing the ZBA can do. Concerning conditional uses, he would like to find out if there is a state statute wherein they need to have a supermajority when there is a descending vote. Mr. Sandquist mentioned that based on state statute, it does not require a supermajority. He does not know if the county has the right to say they need a supermajority vote according to the County Board Rules. Mr. Munaretto mentioned that the only time you would be confronted with a supermajority is when a unit of government would impose the restriction on them and it is a statutory issue. Ms. Schuster mentioned that they cannot ask for a three-quarter vote on conditional uses. She requested that they pursue this issue concerning three-quarter votes on CUPs and it be made a part of the discussion with the consultants for the UDO.

Mr. Sandquist would like committee members to suggest to the UDO consulting team any suggestions concerning top items to be reviewed and changed and provide them with suggestions and directions for change. During the meetings the consultants will obtain a feeling of the communities' goals and objections concerning the UDO. The dates for the UDO consulting team meetings are February 3 and 7, 2011.

*Status Report on the Multi-County Meeting Regarding the Regulation of Equestrian Events:* Chairman Hill, Ms. Schuster, Mr. Sandquist and Mr. Hansel had a meeting yesterday with P&D staff and county representatives from Boone, Kane, McHenry, Will and Winnebago Counties concerning this matter. They have many more severe problems than this county. They have multiple events throughout the season. Many events begin at 5:00 p.m. Friday and go until Sunday evening. Some people sleep in tents and autos. They all felt these events need to be regulated. Kane County requires a Special Use Permit (SUP) and they do not allow alcohol consumption. Winnebago County requires SUPs for commercial entertainment tourist recreational use. They have a test case that went to court and they have good support from their Sheriff and State's Attorney. The court recently upheld their regulations and issued an injunction against the property owner on how they defined recreational/commercial use versus equestrian use. Their P&D director argued effectively that it was for recreational use. Will County had the most problems. They have one permitted rodeo and one grandfathered rodeo. Will County requires a SUP for rodeos and private event owners hold rodeos without obtaining SUPs. They have established an equestrian events taskforce with a variety of stakeholders to explore options. Boone County requires a mixture of Temporary Use and SUP. Equestrian events are not protected agricultural events under state statute and can be subject to local regulations. Our temporary use language mentions that equestrian uses are allowed. Some rodeos held on private property are turning into commercial ventures and are being run as a business. The other counties are having the same difficulties with neighbors complaining of rodeos being held on their neighbor's property. While working on the UDO update, it was suggested that the animal control ordinance be reviewed as it pertains to animal

cruelty. It was mentioned that there needs to be limits on the number of these events that can be approved as temporary uses. It was the consensus of the other counties attending the meeting that six rodeo events held every year were too many for temporary use permits. One other county requires a parking plan where areas are marked and roped off, but our county does not require that. Mr. Haerter has heard several complaints from neighbors of parties that hold horse racing events. Chairman Hill requested Messrs. Sandquist and Hansel to bring forward language for the committee to consider which would refine the temporary use permits outside of the UDO. It was suggested that the refined language apply to all temporary uses. The committee will review the number of events permitted per year and the length of time for each event. Outdoor entertainment permits may last up to six days per event. They would like to amend Section 404 of the ordinance concerning public and private horse farms and stables. They may consider creating a separate group in the ordinance that does not apply to one specific activity. Professional stables are intended to be a commercial operation. Chairman Hill stated that she feels six horse show/racing events per year are too many and Ms. Schuster agreed. There are very specific rules for professional rodeo shows that need to be imposed and they feel there need to be more definitions for these events. Mr. Sandquist mentioned that he would like to have a conversation with the State's Attorney's Office concerning rodeos, horse races and horse shows concerning defining the terms for these events and he will report the outcome to this committee. Committee members were asked if they wanted to stay with the status quo or update the definitions. Most members stated that they would like to update the definitions in relation to these events.

*Legislative and Intergovernmental Affairs Committee:* Mr. Austin mentioned that this committee met one week ago and they are attending several standing committee meetings to review items to make sure they are on the right track. Members were provided with two memorandums outlining FY2012 appropriations requests, one for the Stormwater Strategic Protection Plan-Comprehensive Watershed Plans and the other is an amended request for the Groundwater/Stormwater Protection Program-Water Resources Development Act of 2007. The Stormwater Strategic Plan is requesting money to help the lower Nippersink Creek Watershed and the upper Fox River Watershed. This is a request that came out of a discussion with The Ferguson Group and is a continuation of a request made last year. The Groundwater/Stormwater Protection Program is an amendment to the Water Resources Development Act of 2007. These are brought before this committee for information purposes only.

**REPORTS TO COMMITTEE:**

*Chicago Metropolitan Agency for Planning:* None.

*Community Development Block Grant Commission:* Ms. Draffkorn mentioned that they will be voting on their funding allocations next Wednesday at 8:15 a.m.

*Historic Preservation Commission:* Mr. Sandquist mentioned that the HPC, at their last meeting, discussed the applications from residents on Fleming Road, which is a scenic corridor, which will be brought forward to the HPC.

*Housing Commission:* Ms. Draffkorn stated that they are continuing on getting their impediments and working on education.

**MISCELLANEOUS:** None.

**EXECUTIVE SESSION:** None.

**ADJOURNMENT:**

Noting no further business, Mr. Heisler made a motion, seconded by Ms. Donner, to adjourn the meeting at 10:15 a.m. The motion carried with a unanimous voice vote.

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**RECOMMENDED FOR BOARD/COMMITTEE ACTION:**

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