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DeKalb County Government
Sycamore, Illinois

**Planning and Zoning Committee Minutes
(February 24, 2016)**

The Planning and Zoning Committee of the DeKalb County Board met on February 24, 2016 at 7:00 p.m. in the Conference Room East located in the DeKalb County Administration Building. In attendance were Committee Members Kevin Bunge, John Emerson, Tim Bagby, Tracy Jones, Steven Faivre, and Anita Turner. Also in attendance were Laura Culton, Greg Milburg of the DeKalb County Farm Bureau, staff members Paul Miller, Gary Hanson, and Rebecca Von Drasek.

Mr. Emerson, Planning and Zoning Committee Chairman, called the meeting to order and noted that all members present.

APPROVAL OF AGENDA

Mr. Jones moved to approve the agenda, seconded by Mr. Bagby, and the motion carried unanimously.

APPROVAL OF MINUTES

Mr. Faivre moved to approve the minutes of January 27, 2016 meeting of the Planning and Zoning Committee, seconded by Ms. Turner, and the motion carried unanimously.

PUBLIC COMMENTS

No comments were offered.

SPECIAL USE PERMIT

Mr. Miller explained to the Committee that Laura Culton, representing Joe Lind, owner of 28152 Brickville Road, has filed a request for a Special Use Permit to allow a day care home to operate from the property. The single-family residential property is located on the east side of Brickville Road, opposite the intersection of Brickville and Sunset Drive, and is zoned PD-R, Planned Development Residential District.

The required public hearing was held on January 21, 2016 by DeKalb County Hearing Officer Dale Clark. The petitioner provided testimony and exhibits in support of the requested Special Use, explaining that the home-day care business would be limited to not more than eight children per day. The petitioner presented her license from the Department of Children and Family Service, and explained she has been operating a day care in DeKalb for several years. She is now moving to the

property on Brickville Road. There would be no signs outside and no employees. One member of the public spoke in favor of the application, and none spoke in opposition.

The Hearing Officer has submitted his findings, and recommends approval of the Special Use Permit with conditions.

Mr. Jones moved to approve the Special Use Permit with conditions, seconded by Mr. Faivre.

Mr. Jones asked Ms. Culton how long she has been licensed. She responded she has been providing day care for 16 years.

Mr. Bagby observed that the entrance to the property is near the bend in the road. He expressed concern about the safety of drivers backing onto the street and the proximity of a tree near the driveway. Ms. Culton agreed that she had similar concerns and intended to provide a turnaround for drivers.

The motion to recommend approval of the application was carried unanimously.

COMPREHENSIVE PLAN/ZONING CODE AMENDMENTS

Mr. Miller informed the Committee that staff presented to the Regional Planning Commission (RPC) on January 28, 2016 the concept of “agriculturally-compatible” businesses as possible planned developments in the A-1, Agricultural District via Special Use Permit. The notion was that if a business can demonstrate that it can locate on a given piece of property in the unincorporated area without compromising the ability of surrounding lands to be used as they have been, without causing disturbance, and without overburdening public infrastructure (roads) and services, it could be approved even though it would not be annexed to a municipality. “Agriculturally-compatible” could allow a wide range of businesses, not merely those that have something to do with agriculture. The businesses that could locate in unincorporated DeKalb County could range from small, such as a one- or two-person professional office, to large, such as a manufacturing plant.

The RPC members discussed the proposal, and expressed opposition to the idea of allowing just any kind of business whatsoever in the unincorporated areas, as this policy would draw such businesses away from the municipalities. It was pointed out that even small-scale businesses are needed to fill vacant downtown spaces. Members felt that the idea of “agriculturally-compatible” was too broad, and would put the municipalities in competition with the County. As an alternative, the RPC felt that it could support the idea of allowing “agriculturally-related” businesses in the rural, unincorporated areas. The idea of “agriculturally-related” is that the business have something to do with the agricultural industry, its products or services.

Mr. Jones stated that he was neither discouraged or surprised by the input from the Regional Planning Commission. He suggested that he felt there were steps to accomplish the original goal

that would not require a revision to the Comprehensive Plan. Mr. Miller agreed and suggested that a text amendment could add “Agriculturally-related” as a planned development to the list of Special Uses within the A-1, Agriculture District.

The Committee briefly discussed the definition of agriculturally-related.

Mr. Faivre moved to authorize staff to prepare a Text Amendment to the DeKalb County Zoning Ordinance to define and allow for agriculturally related businesses as a Planned Development within the A-1 District, seconded by Mr. Bagby, and the motion carried unanimously.

PLANNING & ZONING FEES FOR NOT-FOR-PROFITS

Mr. Miller explained that Chairman Mark Pietrowski has requested the Planning and Zoning Committee consider a possible change to the fee schedule for the Planning, Zoning and Building Department to waive, entirely or in part, the zoning fees for applications from not-for-profit businesses and organizations. Such a change to the fees schedule would require an amendment to Ordinance 2015-14. Mr. Miller noted that the County would still incur the full costs of any application.

The Committee discussed the type of organizations which could qualify as non for profits. The Committee also discussed the costs included within applications for Special Uses, noting the attorney fees, postage, and newspaper posting.

Mr. Faivre asked staff to research and determine the definitions of 501(c) organizations. He suggested that he might agree to waiving fees if the organizations were “charitable”.

Mr. Miller agreed to further research the topic and report to the Committee in March.

TAX ABATEMENTS FOR SMALL BUSINESS COST OF CODE COMPLIANCE

Committee member Steve Faivre has requested the Planning and Zoning Committee consider the possibility of the County adopting a tax abatement program for small businesses to offset the costs of code compliance. In particular, the costs of meeting the mandatory requirements of the Illinois Accessibility Code (handicapped-accessible bathrooms) and the Fire Code (sprinklers) can be cost prohibitive for some small businesses. A program could be developed which allowed a possible business to apply for tax abatement for a period of years to offset the identified costs of Code compliance. Mr. Faivre presented this idea to the Economic Development Committee at its meeting of February 2, 2016, and that Committee unanimously endorsed the idea. Mr. Faivre pointed out that larger employers receive similar benefits.

The Committee discussed the hypothetical examples of businesses and how an abatement process could work.

Mr. Emerson recognized Gary Hanson, County Administrator. Mr. Hanson pointed out that the other taxing bodies are included in other abatement plans and that he was uncertain of their response to such a proposal. He suggested that he would want realistic examples before contacting other taxing bodies.

Mr. Miller volunteered to research the topic further for a future discussion by the Committee.

ADJOURNMENT

The Planning and Zoning Committee is next scheduled to meet Wednesday, March 23, 2016 at 7:00 p.m. in the Conference Room East.

Ms. Turner moved to adjourn, seconded by Mr. Bagby, and the motion carried unanimously.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Emerson", written over a horizontal line.

John Emerson
Planning and Zoning Committee Chairman

RGV:rgv

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