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DeKalb County Government
Sycamore, Illinois

**Planning and Zoning Committee Minutes
(May 25, 2016)**

The Planning and Zoning Committee of the DeKalb County Board met on May 25, 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 Kevin McArtor, Christopher and Ashley Hartness, Charles Cronauer, Greg Milburg of the DeKalb County Farm Bureau, County Board Chair Mark Pietrowski, and staff members Gary Hanson, Paul Miller and Rebecca Von Drasek.

Mr. Emerson, Planning and Zoning Committee Chairman, called the meeting to order and noted that Suzanne Willis and Tim Bagby were absent.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

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

PUBLIC COMMENTS

No comments were offered.

ZONING MAP AMENDMENT

Mr. Miller explained that CA Property Management, acting on behalf of the property owner, Perry C. and Thelma M. Read Trust, has filed a petition for a Zoning Map Amendment to change the zoning of property located at 9970 Keslinger Road from PD-C, Planned Development-Commercial to PD-I, Planned Development - Industrial. The requested Map Amendment is to accommodate use of the property by a commercial pumping service. The five-acre subject property is located at the southwest corner of the intersection of Keslinger Road and State Rte. 23. The application has been filed in accordance with the requirements of Section 10.04 of the DeKalb County Zoning Ordinance.

The required public hearing was conducted on May 12, 2016 by DeKalb County Hearing Officer Ron Klein. The petitioner presented evidence and testimony detailing the proposed use of the property as the office and staging area for the commercial pumping use. No site improvements are proposed. Staff noted that a parking space and hard-surface walkway must be installed to comply with the Americans with Disabilities Act. Improvements are also required within the building to bring it to code. The petitioner also indicated that the property owner seeks approval to allow all permitted and special uses that are listed in the BC- Business Conservation and MC-Manufacturing Conservation Districts to take place on the property without the need to go through a review and approval process. Staff emphasized that this would allow many uses, some of which have potentially negative impacts on surrounding properties, to take place with no public review. No members of the public spoke at the hearing.

The Hearing Officer has forwarded his report and recommends approval of the Zoning Map Amendment, specifically to allow the proposed commercial pumping business, and further to allow those permitted uses listed in the MC - Manufacturing Conservation District provided that any change in use shall be subject to review and approval by the Planning and Zoning Committee.

Mr. Jones moved to recommend approval of the Map Amendment as conditioned by the Hearing Officer, seconded by Ms. Turner, and the motion carried unanimously.

TAX ABATEMENT PROGRAM FOR SMALL BUSINESS COST OF CODE COMPLIANCE

Mr. Bagby arrived 7:11 pm.

Mr. Miller explained that the Planning and Zoning Committee discussed, at its meetings in February, March, and April of 2016, 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 and Americans with Disabilities Act (spaces for the handicapped, handicapped-accessible bathrooms, etc.). Under consideration is a program that would allow businesses to apply for tax abatement for a period of years to offset the identified costs of code compliance. Mr. Miller also introduced Kevin McArtor, from Jonamac Orchard, as a business owner whom recently constructed improvements that included accessibility requirements.

Mr. McArtor explained that the law required that walkways to the various attractions at his orchard had to be firm and stable surfaces, which meant asphalt or concrete. This is more expensive than compacted gravel by a factor of ten. In addition, he explained bathroom and access improvements that were included in a new cider building. Mr. McArtor suggested that the cost of meeting accessibility requirements for a new building are marginal, but that the costs of retrofitting an existing building to meet those requirements can be quite high.

Mr. Faivre indicated that he intended for the program to retain business endeavors which would be abandoned due to the cost of compiling with unfunded mandates. He asserted that if it is society that demands these accommodations, society should pay for the necessary improvements, rather than a

demands these accommodations, society should pay for the necessary improvements, rather than a single business owner. Mr. Faivre acknowledged the difficulty of determining the cost of compliance with the accessibility regulations.

The Committee briefly discussed the program as set forth in the May 13, 2016 staff report to the Committee.

Mr. Emerson recognized Chairman Mark Pietrowski, who suggested that a grant program handled by the Economic Development Committee might be a better place for further discussion of ways to help new and small businesses. The Committee generally agreed with this suggestion.

No further action was taken by the Committee on this topic.

OTHER BUSINESS

Mr. Miller informed the Committee that the public hearing for the Zoning Text Amendment had been scheduled for June 16, 2016 at 1:30 pm in the Conference Room East. All present indicated that the scheduled time was acceptable.

Mr. Miller also informed the Committee that in consideration of the upcoming FY 2017 budget, he was considering a delay in hiring to fill the vacant building inspector position. In the interim, the contracted building inspection firm, B&F Technical, could continue providing the service until a decision is reached. Mr. Miller asked for informal feedback from Committee members.

Committee members generally agreed that it would be wise to hold off hiring a new building inspector until the issues related to the FY 2017 budget were more clear. Mr. Faivre stated that he would like the County to consider no longer enforcing building codes. It was agreed that this could be a topic of discussion at a future Committee meeting.

ADJOURNMENT

The Planning and Zoning Committee is next scheduled to meet Wednesday, July 27, 2016 at 7:00 p.m. in the Conference Room East.

Ms. Turner moved to adjourn, seconded by ^{MR. BAGBY}~~Ms. Willis~~, and the motion carried unanimously.

Respectfully submitted,



John Emerson
Planning and Zoning Committee Chairman

RGV:rgv

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