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DeKalb County Government
Sycamore, Illinois

**Planning and Zoning Committee Minutes
(August 26, 2015)**

The Planning and Zoning Committee of the DeKalb County Board met on August 26, 2015 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, Frank O'Barski, Tim Bagby, Steven Faivre, and Anita Jo Turner. Also, in attendance were Ruth Anne Tobias, Paul Borek, Josie Hopkins, Roger Craigmile, States' Attorney Richard Schmack, 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 all members were present.

APPROVAL OF AGENDA

Mr. Jones moved to approve the agenda, seconded by Mr. O'Barski, and the motion carried unanimously.

APPROVAL OF MINUTES

Ms. Turner moved to approve the minutes of July 1, 2015 meeting of the Planning and Zoning Committee, seconded by Mr. O'Barski, and the motion carried unanimously.

HOPKINS SPECIAL USE AMENDMENT

Mr. Miller explained that Josie Hopkins, the property owner, has filed a petition for approval of a Special Use Permit to allow a service use in the form of a "spiritual camp" on the property at 15454 State Route 38 in unincorporated Cortland Township. The 2.5-acre subject property is located on the south side of State Rte. 38, approximately 2,350 feet east of the intersection with Chase Road, and is zoned A-1, Agricultural District. Mr. Miller said that the required public hearing was conducted on July 23, 2015 by DeKalb County Hearing Officer Ron Klein. The petitioner provided testimony and exhibits in support of the requested Special Use, explaining that the use would consist of retail sales of items such as stones, soaps, herbs, books, and hand-made jewelry from a shop; "spiritual," "workshop," and meditation classes, with the possibility in the future of yoga classes in a classroom and outdoors; overnight lodging for guests within two existing "cottages;" and possibly apple and cherry picking. The architect for the petitioner stated that the Health Department and Building Inspector had been consulted regarding the applicable regulations. Classes are attended by three to 12 people. The hours of operation would vary according to the season of the year. No members of the public spoke in favor of or in opposition to the request. The Hearing Officer has submitted his findings, and recommends approval of the Special Use Permit with conditions. Mr.

Miller concluded by requesting that the Committee forward a recommendation to the full County Board in the form of an ordinance recommending approval, approval with conditions, or denial of the application.

Mr. Jones asked the petitioner if they understood the requirement that the structures comply with building code regulations, and Ms. Hopkins responded that her architect had reviewed the buildings and felt that they could comply with applicable codes.

Mr. Emerson asked if the cottages would be required to have sprinklers, Ms. Hopkins stated that her architect did not think that sprinklers would be required.

Mr. O'Barski moved to recommend approval with conditions of the amendment of the Special Use Permit, seconded by Mr. Faivre, and the motion carried unanimously.

FUTURE LAND USE PLANNING FOR BUSINESS

Mr. Miller began the conversation regarding planning for business development by summarizing his August 14, 2015 memo to the Committee, in which he reviewed the methods and options available to the County Board. Mr. Miller began with a brief history of the County's land use planning, which emphasized the preservation of agricultural land for agriculture, and inducing non-agricultural uses to locate in or immediately adjacent to municipalities. This has been the approach of DeKalb County for the past 40 years. He explained that the Comprehensive Plan and the Unified Future Land Use Map are the tools which are created to ensure the preservation of agricultural lands and provide the guiding policy for the Zoning Ordinance. Mr. Miller concluded by presenting three possible changes to its land use plan, zoning, and building regulations that could be adopted by the County Board if it chooses to make it easier for new businesses to locate in unincorporated DeKalb County. The possible changes included:

1. The County could amend the Unified Comprehensive Plan to acknowledge the desire to encourage non-agricultural businesses in the unincorporated areas, particularly where they can be accommodated without compromising or negatively impacting surrounding existing uses. An amendment to the Comprehensive Plan would include a public hearing, which would allow residents to weigh in on the possible change in land use policy;
2. The Zoning Ordinance, as the primary tool to implement the Plan, could be simultaneously amended. Possible changes to the Ordinance include, but are not limited to:
 - a). Add to the list of possible Special Uses in the A-1 District, "Any business or land use permitted in the BC and MC Districts";
 - b). Add "planned development" to the list of possible Special Uses in the A-1 District.
3. The County Board could consider as part of a Special Use Permit process a request from an applicant to waive the otherwise applicable Building Code regulations. If sufficient reasons are articulated for such a waiver, and if the County Board agrees, it could represent an important savings to the new business operator.

Mr. Miller cautioned that each of these steps would have consequences that the County Board would need to consider carefully. He also advised that the Committee should specify what it means to encourage, as there could be residential developers who would claim that their projects are business too.

Mr. Schmack, DeKalb County State's Attorney, also offered his assistance to the Committee. He stated that he was in the State's Attorney Department when the County Board commissioned a study of the cost of residential development in the agricultural district in the late 1980s. The conclusion of that study was that scattered rural residences do not pay for themselves in terms of taxes versus the costs of provided required infrastructure and public services.

Mr. O'Barski stated he did not think there was support on the County Board for changing the goal of the Comprehensive Plan to preserve agricultural land. However, he did observe that there is growing frustration over barriers to business development, given the need for new employment opportunities within the County.

Mr. Bunge echoed Mr. O'Barski's comment he added that there was a need for greater flexibility from the rules to accommodate potential businesses.

The Committee briefly discussed specific projects that did not move forward after the initial proposal to staff. Mr. Schmack and Mr. Miller explained the responsibility of staff to review all projects in light of the Comprehensive Plan and the Zoning Ordinance.

Mr. Jones thanked Mr. Miller for proposing some viable options to address this concern. He stated that something needs to be done, and he agreed that the preservation of agricultural land was important. He added that while residences conflict with farm operations, business uses are less likely to do so. Mr. Jones opined that the Building Code requirements were sometimes detrimental to businesses.

Mr. Miller further cautioned the Committee that revisions, such as those proposed, could create an opportunity for some uses and businesses that are undesirable.

Following a brief conversation, Mr. Miller was directed to propose language to allow for planned developments within the A-1, Agricultural District. Mr. Miller was also asked to determine when the County Board, if at all, has the discretion to waive Building Code requirements.

ZONING CODE ADMINISTRATION

The Committee briefly discussed staff's interactions with the public. Mr. Miller stressed staff's responsibility to inform individuals of the regulations. Ms. Turner asked that staff explain all the options to applicants to determine if there is any possible way to comply with the regulations before a project is turned down. Mr. Miller assured her that staff regularly does so.

Mr. Emerson thanked the Committee for the thoughtful discussion.

EVERGREEN VILLAGE MITIGATION PROJECT

Mr. Miller reported that following a recent site visit staff anticipated project completion by the end of September. He then requested the Committee to consider a resolution providing bonuses to certain Planning, Zoning and Building Department staff for their efforts on the project. Mr. Miller noted that, as explained in his August 12, 2015 to the Committee, the project was lengthy and complicated. He pointed out that a particularly complex element of the project was working with each mobile home owner/resident to determine the value of their trailer, find new housing that meets Federal requirements, arrange payments for the trailer, new housing, and moving expenses, and assure all of these occurred before the end of 2014 and in accordance with governing regulations.

Mr. Miller requested that the Planning and Zoning Committee recommend to the full County Board that a portion of the Evergreen Village operating surplus be paid in the form of a bonus of \$3,000 to Rebecca Von Drasek and \$1,000 to Kathy West, in recognition of the outstanding service and work they performed on the Evergreen Village project. He explained that such a bonus would reward the meritorious effort of these two employees in service of the County, but would not entail the expenditure of any funds dedicated to any other purpose, nor reduce the reserve balance of the General Fund.

Mr. O'Barski moved to recommend approval of a resolution granting the bonuses, seconded by Mr. Jones, and the motion carried unanimously.

PUBLIC COMMENTS

No comments were offered.

ADJOURNMENT

The Planning and Zoning Committee is next scheduled to meet Wednesday, September 23, 2015 at 7:00 p.m. in the Conference Room East.

Ms. Turner moved to adjourn, seconded by Mr. O'Barski, and the motion carried unanimously.

Respectfully submitted,



John Emerson
Planning and Zoning Committee Chairman

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