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## **DEKALB COUNTY REGIONAL PLANNING COMMISSION MINUTES**

(June 10, 2021)

The DeKalb County Regional Planning Commission (RPC) held a virtual meeting on June 10, 2021 at 6:30 p.m., via Zoom. In attendance were Commission Members: Dan Olson, Alyssa Seguss, Robert Pritchard, Frank Altmaier, Martha May, Tom Latham, John Sauter, Linda Swenson, and Suzanne Willis. Also, in attendance were: County Staff members: Derek Hiland, Jolene Willis, and Marcellus Anderson.

**Roll Call** – Mr. Pietrowski, Mr. Chambers, Ms. Jergens, Ms. Wilson, Ms. Morphey, and Ms. Fahnestock were not in attendance.

### **Approval of Agenda**

*Ms. Swenson moved to approve the agenda, seconded by Ms. Seguss, and the motion carried unanimously.*

### **Approval of Minutes for the March 25, 2021 Meeting**

*Ms. Seguss moved to approved the minutes of March 25, 2021, seconded by Mr. Sauter, and the motion carried unanimously.*

### **Public Comments**

None.

### **Zoning 101 – Text Amendments**

Mr. Hiland noted that at the Commission’s previous meeting the topic of Text Amendments was proposed for the next Zoning 101 discussion. He described why text amendments are needed, and gave examples of new items (such as the legalization of cannabis) that created the need for new text language. He noted that there really was no one right or wrong way to approach text amendments, highlighting that different communities often did it in very different ways. Mr. Hiland then elaborated on when it was appropriate to consider a text amendment instead of working within the confines of the existing regulations. He informed the Commission members that their packets contained sample language from four different communities. Mr. Hiland talked about the various methods utilized by different communities to initiate the text amendment process, and finished by elaborating on two text amendments processed by DeKalb County.

Mr. Olson reported that the City of DeKalb followed a similar process to the one used by the County. He noted that roughly half of the City's text amendments came from developers (typically a couple of times a year), with the remainder being the result of larger projects, and elaborated on the process the City used. He noted that smaller miscellaneous items also occurred throughout the year that highlighted the need to make adjustments to the existing language, and so the City typically initiated a couple of miscellaneous text amendments each year to cover all of these various small items. Mr. Olson added the reminder that when you affect the ordinance, you are affecting everyone (your whole community), not just one lot or entity. He mentioned that Lake County made a good comment about text amendments, to the affect that text amendments should meet inconsistencies or the challenge of some changing condition. He then inquired as to how the other communities addressed text amendments. Mr. Hiland agreed with Mr. Olson that gathering up several smaller amendments to do as one process was more efficient way to approach such changes, than to do so individually.

Ms. May asked for a definition of a text amendment. Mr. Hiland responded that a text amendment occurred whenever a community wanted to change the text of its zoning ordinance, and gave a basic description of such a process. He noted that a community may want to workshop the issue before initiating a text amendment, and that the process could be a large-scale process or a small one.

Ms. May reported that the owner of the former meat packing plant in Lee, that had closed due to a fire, had been looking at new locations elsewhere, but was now looking at relocating to another location within Lee. She then asked whether it was possible to combine several zoning requests into one amendment. Mr. Hiland responded that a community can combine rezoning and a text amendment. Ms. May noted that the Village of Lee did not have a separate zoning committee, and that the Village Board acted as the Zoning Committee when needed. Mr. Olson noted that if they did not have "meat packing plant" as a listed use in their zoning ordinance, they could add it with a text amendment, which could also be combined with a rezoning.

Mr. Olson noted that text amendments only required public notice for the hearing (as in a newspaper), but affected property owners did not need not be individually noticed, as text amendments affect the community as a whole. However, he highlighted that sometimes it was advisable to mail out notices to individuals who would be affected by the change. Mr. Hiland noted that the state enabling language was rather vague exactly what was needed. He then gave an example of a process he had went through while at the City, talking about the challenges in determining when notice is required and highlighting the importance in working with the city/village attorney.

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Mr. Altmaier inquired whether there was a legal or practical limit to a text amendment, asking whether a complete update of a zoning ordinance was considered a text amendment. Mr. Hiland explained that it depended on how the community's Code was written, but that whether minor or major change, anytime you would be changing the ordinance or the code it would be a text amendment. He then gave an example of a minor text amendment. Mr. Altmaier commented that it appeared that text amendments were mostly minor changes, with the rare major item. Mr. Hiland agreed that minor text amendments were more common, and also noted that Code naturally changes over time to reflect new technologies and social changes.

Ms. Seguss inquired about the relationship between the planning commission and the city board, noting how the commission, as an advisory board, sometimes felt like they were not needed or listened to. She then talked about the issues Genoa had with the legalization of cannabis, as an example. Mr. Olson responded that sometimes it can be a good idea to run ideas through both the commission and the city board at the same time. He noted however, that the City Board members are the elected officials and the ultimate decision makers, and that he could understand how the planning commission could feel unneeded or unheeded at times. Ms. Seguss then elaborated on the experiences Genoa had dealing with the cannabis issue. Mr. Olson described DeKalb's experiences with the same issue. Mr. Hiland noted that he had seen instances where a joint meeting was called with both bodies to discuss the issue together, but noted that it required both bodies being willing to do so and the meeting would need to be properly notified as such. Mr. Sauter described Sycamore's experiences, noting that sometimes it is a good idea to not take action on a subject right away, but to vet it out and get everybody's thoughts first, and that sometimes a subject might need to be discussed multiple times.

Mr. Olson noted that when considering text amendments, it was always helpful to look at what other communities are doing or have done.

Mr. Hiland recommended "A Planners Dictionary" to the Commission members. He noted that it was published by the American Planning Association, and that it is a helpful resource. He then gave a brief description of the book. He also reminded the Commission members that they could also reach out to each other and County staff for help, and that they were a great resource for each other.

Mr. Olson inquired as to what should be the next Zoning 101 topic the Commission should address. Mr. Olson noted that site plans, subdivision and planning reviews had been mentioned before. Ms. Seguss agreed that subdivision review would be helpful. Mr. Pritchard noted that Hinckley was looking to update its comprehensive plan, and noted it would be a good topic. Mr.

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Olson noted that DeKalb was also looking at doing an update, and agreed it would be a good topic. Mr. Latham inquired about expiring annexation agreements as a topic. Mr. Hiland responded that annexations had been previously discussed and that he would send him a copy of the recording from that discussion. Mr. Altmaier asked whether that recording could be made available to everyone, and Mr. Hiland responded that he would do that. The Commission then decided to address Comprehensive Plans as its next zoning 101 topic.

### **Member Appointments and Re-Appointments Update**

Mr. Hiland noted that a few of the Commission member appointments had expired in early 2021. He noted that he had heard from everyone but two communities, and asked that they please submit their choices so that they could be appointed to the Commission.

### **Municipal Development Permits / Projects / Challenges / Champions**

Ms. Seguss (Genoa) reported that the City Council recently approved Phases 2 and 3 of their Oakridge Subdivision, which would result in about one hundred (100) new homes someday. She reported that the City was working on creating a Downtown Beautification Committee, and that they were busy with building permitting.

Mr. Pritchard (Hinckley) reported that the Village was looking to annex a number of unincorporated properties located within the village limits. He also noted a challenge the Village having in trying to find ways to encourage certain business owners to not to leave their properties vacant and derelict.

Mr. Altmaier (Kingston) reported that the Village was trying to work out a new agreement with Genoa regarding their shared waste treatment plant, noting that the existing contract had expired. He also noted that the Village was still working on trying to address some problem flooding area within the Village.

Ms. May (Lee) reported that at the Village's last meeting they lost their senior trustee and their Village engineer retired, that June 14<sup>th</sup> would be the Village clerk last day, and that they would be losing their Treasurer in August or September. She noted that the Mayor elect had been disqualified, because she had not lived in Lee for at least a year, and that the acting mayor will have to run again in two years instead of four. She noted that the Village Engineer did recommend another company to work with them, which was crucial since the Village was seeking to get on the intended funding list for a State grant for their water system (\$1,200,000). Ms. May noted that she had received email correspondence saying that they did get on intended funding list for

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2021 and 2022, and that the year starts July 1<sup>st</sup> to June 20<sup>th</sup>, though she was unsure just how it had happened. She noted that part of the issue was that part of the land where their well house sat was on private property owned by the meat plant that had burned down. She then related some of the troubles the owner of the meat plant had been having finding a new location, and how the land he was currently looking at had been rezoned the previous year to agricultural from light industrial, and that locating there would require him rezone it back to industrial. Ms. May informed the Commission that she would be turning over her position on the Commission to Therese Voitik (who was the disqualified mayoral candidate). She then asked whether the next Commission meeting would be in person or not. Mr. Hiland responded that it would likely be in person, but he could not say for sure.

Mr. Latham (Sandwich) reported that the City's biggest thing was how to stimulate commercial and residential growth with the many unfinished developments that had occurred. He noted that parking downtown was still an issue, but that the City was looking at ways to make more parking available. He noted that they were working on the beautification project for their central business district, the downtown shopping area, mostly focusing on adding some antique street lights, curbing, and streetscapes. He noted that he had appointed a historical preservation committee, which was tasked to look at historical buildings, neighborhoods, landmarks, and other points of interests.

Mr. Sauter (Sycamore) reported that the City had been busy, noting that they had twenty (20) single-family permits as of the end of May, and that they were busy with new submittals, which were expected to remain steady through the entire summer.

Ms. Swenson (Waterman) reported that the Village had sold a downtown lot to a local couple to use for their food truck. She noted that she had sold a couple of commercial properties in early spring, reported that she had been amazed at the amount of activity and interest that had been shown. Ms. Swenson also noted that she had visited Batavia over Memorial Day weekend, and had discovered a building called the Boardwalk on the corner of Route 25 and Wilson. It was an incubator type place, built by the local high school shop class, with heat, air, and electricity, and the eight (8) units could be rented from May through September. She also learned that two or three of the businesses had been able to move on to brick and mortar locations in downtown Batavia. She expressed her feelings that everyone should check it out as a possibility for their own communities.

Mr. Olson (DeKalb) reported that Isaac Suites, being built on the corner of Oakland Drive and Route 23, was slated to open in the first part of July, and that the new Agora Tower, a mixed use project being built at the corner of Locust and North 4<sup>th</sup> Street, would be open in early 2022. Mr.

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Olson reported that the owner of a couple of office buildings at the corner of East Hillcrest and Sycamore Road, was looking into reconstructing the upper level of the buildings into residential apartment units. He also noted that the City would soon be starting the process to update their Comprehensive Plan.

Mr. Hiland (DeKalb County) reported that three large, industrial-scale solar developments were anticipated to submit Special Use Permit applications within the next thirty days. He reported that the County Board would be addressing a special use request submitted by Yaeger Farm Markets to expand into the wholesale bakery business at their June Meeting.

### **Next Meeting Date**

Mr. Hiland noted that the next meeting would be on August 26<sup>th</sup>, and that it would likely be in person.

### **Adjournment**

*Ms. Swenson moved to adjourn the meeting, seconded by Mr. Latham, and the motion carried unanimously.*

Respectfully submitted,

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Dan Olson  
Chair, DeKalb County Regional Planning Commission

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