

NATURAL AND ENVIRONMENTAL RESOURCES COMMITTEE
McHenry County Administration Building
667 Ware Road, Woodstock, IL 60098

MINUTES OF WEDNESDAY, FEBRUARY 17, 2011:

Chairman McCann called the committee meeting to order at 11:06 a.m. The following members were present: Mary McCann, Chairman; Donna Kurtz; Pete Merkel; Virginia Peschke and Kathleen Bergan Schmidt. Marc Munaretto and Bob Nowak were absent. Also in attendance: Ersel Schuster, County Board; Dennis Sandquist and Darrell Moore, Planning & Development; Jeff Levato, Health Department; and interested public and press.

PUBLIC COMMENT: None.

DISCUSSION: *McHenry County Unified Development Ordinance:* Attendees discussed the McHenry County Unified Development Ordinance with representatives from Camiros, Ltd.

Points of interest include:

- Nuisance and quality of life issues
 - Vehicles, equipment, junk and debris
 - Property maintenance – grass, home repairs
 - Enforcement questions – staff, courts;
- SARA Map should be incorporated into ordinances and should be a guide for decision making;
- Intergovernmental Agreements;
- Affordable housing in municipalities;
- Non-conforming uses on small lots;
- Ordinance must be tough enough to protect groundwater;
- County Board must follow its own ordinances;
- Encourage native landscaping, rain gardens, etc.;
- Include SARA Map as an overlay district;
- Dark Sky Ordinance, light pollution, and down lighting;
- NRI requirement for building permits;
- County should not become a water authority; do not want to regular land use based on water availability;
- Tree preservation/tree removal;
- Staff plat review – no public review;
- Noise; and
- Watershed plans.

ADJOURNMENT: Ms. Schmidt made a motion, seconded by Ms. Kurtz, to adjourn the meeting at 12:03 p.m. The motion carried with all members present voting aye.

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RECOMMENDED FOR BOARD ACTION/APPROVAL:

Input for the McHenry County Unified Development Ordinance (UDO)

General Statement:

The County UDO should support and encourage appropriate municipal development and redevelopment (green; energy efficient; alternate energy sources; retrofit; reuse; gray water use; LEEDS certifications; natural storm water management) and focus on intergovernmental agreements that will promote a highly attractive environment to live and work. Ultimately, in order for the best interests of McHenry County and its people to be served policy must guide and manage development, and not have development drive policy.

See, "Guiding Future Development" – McHenry County 2030 Comprehensive Plan, p. 23

I. Overall

The policies put forth throughout the 2030 Plan seek to accomplish the following:

- 1) compact, intensified development;
- 2) improved local connectivity and moderate intensification;
- 3) improved connectivity to the larger region and greater conservation-oriented development in exurban areas
- 4) enhanced protection of large contiguous agricultural and natural areas.

Consequently, the UDO should address and support these policies with the intent to include preservation of valuable farmland and water resources.

II. UDO Implementation

The new UDO should incorporate a Groundwater Protection ordinance with the first priority of plat approval to identify the affected groundwater shed area and comply with that ordinance. The UDO should also contain an "assured supply" ordinance tying approval of new development of any kind to the long-term availability of sufficient water to support the development. Assured supply ordinances are becoming common in the Western part of our country where water shortages are more evident. Samples of ordinances from Florida and Vermont, for example.

III. Protection of Sensitive Aquifer Recharge Areas

An ordinance is needed to implement the Sensitive Aquifer Recharge Areas Map (SARA). As you know, in the State of Illinois, there is no statutory authority for counties to control groundwater withdrawals and there are limited controls for protection of groundwater quality. Therefore, this model policy is intended to help guide development decisions. If adopted, this model policy has the potential to impact municipalities, townships, developers, and the County through by protecting groundwater quality and quantity. This policy includes incorporating the Sensitive Aquifer Recharge Areas Map (SARA) to assist stakeholders in understanding the complexities of groundwater recharge and the spatial distribution of high quality recharge areas as well as those areas especially vulnerable to groundwater contamination countywide. See the Ground Water Protection Program document at

IV. Other Actions that can be taken to protect and preserve our water resources

- Augment the current Stormwater Management Ordinance.
- Utilize information and recommendations from the Groundwater Resources Management Plan (November 2006) to inform the new ordinance.
- Utilize existing local stormwater management models to inform the new County ordinance and better enable countywide adoption by municipalities.
- Work with municipal and private water utilities to develop a comprehensive groundwater protection ordinance.

IV. Promote Good Development through Soundly Written Ordinances

In order to minimize personal interpretations and ultimately law suits that can be costly and non-productive, the UDO must provide for tightly written requirements that leave little for guess work and interpretation. This provision will also provide our developers and their attorneys with the guidance they require to make informed decisions, that will minimize their costs, and move forward with their development projects.

V. Farmland / Agriculture Preservation Ordinance

The county needs to protect farmland in order to promote local food production, as well as recharge areas to provide water supply for the next generations. Best practices from Kane County, Illinois can contribute to this.

VI. Intergovernmental Relations

The County should make working with municipalities, rather than competing with municipalities, an on-going principle of county governance and relations.

In the McHenry County 2030 Comprehensive Plan, p. 139, the Local Land Resource Management Planning Act [50 ILCS 805] grants counties the ability to engage in intergovernmental planning and to enter into intergovernmental agreements for the purpose of protecting the land, air, water, natural resources, and the environment. This will give the County and municipalities valuable options for coordinating land use in order to protect resources that transcend jurisdictional boundaries, particularly surface water, groundwater and any water dependent ecosystem.

One of area in particular is the incorporation of local government ordinances, such as the Crystal Lake Watershed Ordinance, into the County's UDO, for development that occurs in a respective area such as the Crystal Lake Watershed (which in part is on County Land). Please contact Cassanda McKinney to obtain the list of local government water shed ordinances in McHenry County.

Other areas for shared vision with municipalities include the development of:

- Mixed use walkable communities.
- Effective and efficient alternative transportation modes
- Greenways, interconnected open spaces

- Transit Oriented Development
- Affordable housing that connects to alternate transit and /or nearby employment centers.

Please contact me if I can be of further assistance.

dmkurtz@co.mchenry.il.us
815-334-4221 off
815-353-5972 cell