

**COUNTY BOARD
COMMITTEE OF THE WHOLE
MINUTES OF THE THURSDAY, DECEMBER 15, 2005**

Chairman of the Board – Kenneth D. Koehler (District 2)

<p>District 1 Donald R. Brewer Anne May Miller Marc Munaretto Dan Shea</p>	<p>District 2 James Heisler Kenneth Koehler Lyn Orphal Marie Chmiel</p>	<p>District 3 Ed Dvorak Ann Kate Nick Provenzano Barbara Wheeler</p>
<p>District 4 Sue Draffkorn John Hammerand Pete Merkel Sandra Fay Salgado</p>	<p>District 5 Tina Hill John Jung, Jr. Perry Moy Virginia Peschke</p>	<p>District 6 Ann Gilman Richard Klasen Don Larson Mary Lou Zierer</p>

The Honorable County Board of McHenry County, Illinois met as a Committee of the Whole on Thursday, December 15, 2005 at 8:30 a.m. The meeting was held at the McHenry County Government Center – Administration Building 667 Ware Road, Woodstock, and Illinois.

Chairman Kenneth D. Koehler called the meeting to order at 8:35 a.m.

The Pledge of Allegiance to the Flag was led by Chairman Koehler, with Members of the Board, department heads and visitors participating.

Chairman Koehler called the roll of members, the following County Board Members were present: Marie Chmiel, Sue Draffkorn, Ed Dvorak, Ann Gilman, James Heisler, Tina Hill, Ann Kate, Richard Klasen, Kenneth Koehler, Pete Merkel, Anna May Miller, Perry Moy, Marc Munaretto, Lyn Orphal, Virginia Peschke, Nick Provenzano, Dan Shea, Barbara Wheeler, and Mary Lou Zierer. Perry Moy and Pete Merkel arrived after the roll call. Chairman Koehler reported that John Jung, Jr. was unable to attend today's meeting due to an ill brother in Michigan. Donald Brewer, John Hammerand, Don Larson Sandra Fay Salgado were absent.

Also attending the meeting were: Ralph Sarbaugh, Associate County Administrator - Finance; John Labaj, Deputy County Administrator; Peter Austin, County Administrator; Suzanne Ehardt, Director of Planning and Development; members of the Planning Commission; interested public; and the press.

Chairman Koehler explained the time constraints of today's meeting indicating that Susan Connor must leave the meeting at 10 a.m.

PULBIC PARTICIPATION

Cathy Johnson of Marengo addressed the Committee. She stated she is a trustee for Riley Township and the Township had asked that she attend today's meeting to read a statement of Proof from the December 13, 2005 meeting of the Riley Township Board of Trustees. The Statement was then read presenting their position on the proposed plan. The Township Board supported the 2020 Plan as submitted by the Planning Commission and felt that it best meets their residents' needs and asked that the County Board take those needs into consideration and

that the Board will push to get this process completed. They asked those Board members who represent the heavily developed areas of the County remember that it is in the Riley Township area of the County that aqua ferns are recharged and that is the only hope that the communities have that there will be water available at a reasonable cost. McHenry County does not have access to Lake Michigan water and the land presently in agricultural use must be protected.

John Darger of Crystal Lake addressed the Committee stating he supported the 2020 Plan. He noted a recent accident had brought the importance of such a plan to his attention and asked that the Board adopt this plan.

With no additional public wishing to address the Committee, Chairman Koehler closed Public Participation.

WORKSHOP

Chairman Koehler explained that today's Committee of the Whole will be conducted as a workshop to have a better understanding of the proposed 2020 Unified Land Use Plan as submitted by the Regional Planning Commission. Commission Chair Pat Kennedy introduced the following Planning Commission members: Michael J. Walkup, Ronald Chapman, Tom Jurs, Joseph L. Daleiden, and Linnea Koositra. Lee Brown, Consultant to the Regional Planning Commission was also introduced.

Mr. Brown then provided a slide presentation summarizing the procedures and process used by the Regional Planning Commission in developing the proposed 2020 Unified Plan. A review of the chronology of events leading up to the submission of the document was provided noting that consultants (Teska Associates Inc. and Wilber Smith Associates) were retained as a team to provide assistance to the Planning Commission in October of 2000; a review of the plan was conducted; four public listening sessions were held throughout the County in March of 2001; in December of 2001 the first set of land use scenarios were put together and a series of alternatives were suggested of how the County might develop over time including population and labor assignments and then to connect that information to the land use plan so modeling could take place. The proposed plan is a unified plan with transportation built in and the process included collection of data, assignment of existing character to the roadways, existing capacities and making projections on where the direction of where travel will come and go. CATS then did its modeling from August 2002 to July 2004. From February to September of 2004, the Commission worked on the text and pulled documents together. Four public hearings were held in October of 2004. Over the last year, the Commission has worked on revisions. Goals that were built into the plan were highlighted and included: protection of agricultural and the prime soils; protection of surface and groundwater including non-agricultural open spaces and natural resources; strengthening the NODAL concept (this is not a no growth plan, it is a sensible growth plan); the plan encourages municipalities to be partners with the County to anticipate when development that will occur in the County into the future; protection of quality of life; and to strengthen zoning and other tools to implement the plan. The plan is not a zoning ordinance and does not dictate zoning; it is a land use plan from which the County will ultimately support rational, sensible development. As a unified plan it weaves both the land use and transportation elements together and recognizes that the County cannot support the land uses unless it has an effective transportation system. There must also be a rational funding for the transportation plan. The modeling recognized funding limitations and that the County can only support that which it can fund.

Chairman Koehler thanked Mr. Brown for his presentation and asked County Board members if they had any questions.

Ms. Miller asked for a definition of a public listening session and if a list was available from the public listening sessions. Mr. Lee responded that a public listening session is an opportunity to present what has been learned and listen to public comments and opinions as opposed to a public hearing that assumed that you have the answers. Mr. Lee also stated a copy of the list and summary sheets can be provided.

Chairman Koehler turned the meeting over to Ms. Gilman. Ms. Gilman thanked Mr. Lee for providing a synopsis of the process to this point. An agenda for today's meeting was distributed. Ms. Gilman stated that Susan Connor will address some of the legal questions that have been raised regarding the Plan and provide some insight into possible Zoning Ordinance ramifications that may or may not arise should this Plan be adopted. Questions have also been raised as to if the Plan is defensible in court and many people think the Plan is too restrictive of landowner's rights. Ms. Connor will also discuss if any legal challenges to the Plan would be anticipated. Questions from the Board to Ms. Connor will follow.

Ms. Connor provided a summary of her background and expertise as a Professor of Law at the John Marshall Law School and an urban planner. She has written over 100 zoning ordinances including the Lake County's Development Code. She has international experience in land use. She stated that her role today is to give legal advice on what she sees to be the issues that adoption / dispersion of the Plan could present to the County Board. She noted that she has only been engaged for two weeks, which is no substitute for six or seven years of working through the plan. She addressed the following questions:

1. What is the relationship between the Plan and zoning?

She stated the Plan is the policy outline. The zoning is the implementing vehicle. To implement the Plan and to make the zoning defensible one must review the plan along with the zoning map and the zoning text and look for incompatibilities. She noted that although she could not do this in two weeks, she did take from the Plan, the existing Land Use Map – Year 2000 and the scenario maps (Trend of Development Scenario, Municipal Plans Scenario and Managed Goal Scenario). She stated when she looked at the Plan Commissions' version of Managed Goal Scenario she raised concern with how green it appears which does not comport with what exists on the landscape and the trend of development, in her opinion. She noted that managing growth is a function of a plan but it cannot ignore existing development. She focused on the following three different locations in McHenry County: (1) the intersections of Route 20 and Route 23 south of Route 20; (2) the intersection of Route 47 and Route 14 – south of 14; and (3) to a lesser extent just west of Greenwood Road off of Route 120. In relating these areas to the three scenarios a large disconnect is seen. When looking at the first two locations a fairly intense development is seen in the Trend of Development Scenario, but when looking at the Municipal Plan Scenario there is even more and denser development. She noted that she is aware that the Municipal Plan Scenario spans much further than 2020. In then looking at the Managed Goal Scenario for those first two locations, she stated she was troubled to see that in both cases they are planned to be agricultural use which she viewed as problematic from the following perspectives: resident development has been permitted in both of those areas, thus in using an egg for example (the yolk being the municipality and the white being the unincorporated area) "the yolk has been broken" and municipal "yolk" has been broken and "yellow" is appearing in unincorporated areas. She raised concern that there has been some disintegration

of the integrity of the current zoning. She noted that when so much land is planned for agricultural it raises concern with defensibility. The zoning maps would have to be changed. She noted that when zoning is challenged on any given parcel the courts look at the following:

(1 & 2) The total picture (what is the surrounding land use and what is the surrounding zoning). Although the County has no control over the municipality land use, when the County plan and zone at the boundary of the municipality the County's defense is not that the Courts will only look at the unincorporated area, they also look at what is adjacent to the unincorporated area. Boundaries are the biggest concern when defending unincorporated zoning and they cannot be ignored. The Managed Growth scenario appears to ignore boundary areas. Intergovernmental agreements can be difficult to get and may not always take into consideration all issues that may be proposed by a developer.

(3) Land use restrictions can diminish property values. The Courts look at the phase in the Constitution which states that "...nor shall property be taken for a public purpose without just compensation." To map acreage as not much development at all is problematic in terms of the impact it can have on a property owner's investment. Wholesale mapping of the unincorporated County for agricultural use could present a serious problem.

(4 & 5) The County should be more judicious than what is indicated on the Managed Growth Map when designating what land is appropriate for agricultural use and what is not. She noted that the Trend of Development Scenario Map has the entire corridor of Route 47 from Route 14 to Route 176 as commercial and industrial. The Municipal Plan Scenario Map has that same corridor as largely commercial and industrial along with some environmentally sensitive areas. She commented in her opinion in just looking at the map it appears that the Municipal Plan Map is a more judicious use of mapping because it recognizes the commercial growth and the environmentally sensitive areas. It does not compute with the existing land use or economics to tell a land owner in this area that their land shall be agricultural. The "takings clause" must be dealt with when defending zoning.

(6) Is there a need for the land use? She raised concerns with getting enough cooperation so that 75% of the development that happens falls within those municipal boundaries.

(7) There would be many changes to the County's Zoning Ordinance if the Plan were adopted. Changes would be to both the map and to the text.

Ms. Connor stated that she hopes her input is helpful without sounding too negative or critical of what was a very careful, long process.

Ms. Gilman asked members to keep their questions germane to Ms. Connor as well as to the Plan Commission and staff.

Mr. Moy commented that he appreciated the "egg analogy." He asked if the County could have unified agreements with municipalities that cross over to environmental issues such as groundwater and Stormwater protection? Ms. Connor responded "yes" as a legal matter. Mr. Moy then asked "as a legal matter" what tools can be implemented or used to invoke an agreement, conversation or an understanding? Ms. Connor provided an annexation example and noted that the agreement should make economic sense. An agreement on cluster zoning would be legally acceptable. An agreement on infrastructure including public transportation would probably be legally possible.

Ms. Chmiel asked if there is a specific area that would be considered the boundary by the Courts. Ms. Connor pointed out that the 1.5 mile buffer zone is difficult to map because boundaries are changing constantly. The Court makes a decision on surrounding land use and zoning in the vicinity of the site.

Ms. Peschke asked how important is the County's support of the adopted Plan to the Courts. Ms. Connor stated the Plan would not be approved if the County did not support the Plan. Ms. Peschke stated that adopting the Plan is one thing, but supporting the Plan with zoning decisions is different. Ms. Connor stated that the Plan without being supported by zoning decisions is "not worth the paper it is written on." Ms. Peschke pointed out that the County did not support their Land Use Plan when making a decision on the land west of Greenwood noting that the City of Woodstock, Village of Bull Valley and the Village of Greenwood all proposed the project, but the Board passed it. That existing development would not be there if the County had supported our Land Use Plan. Ms. Connor agreed. Ms. Peschke asked if Ms. Connor was aware of a Route 47 corridor plan? Ms. Connor was not. Ms. Peschke noted that Ms. Connor focused on the maps used in the Plan; she asked Ms. Connor how she felt about the text of the Plan and its defensibility. Ms. Connor responded that the County does not need to defend the Plan as the Plan does not regulate land use. The Plan is simply a working document to write or amend a zoning ordinance. She stated she focused on the maps in part due to time constraints and in part because a visual document helps with the discussion. The Plan's attempt to unite transportation and land use earns an A+. The Plan's attempt to preserve agricultural land and the character of this County also gets an A+. However, to call this a no growth plan is unfair. Ms. Connor raised her concern that the Plan appears to be a bit "ostrich like" in recognizing that there will be more development in the unincorporated areas than this version acknowledges. The failure to acknowledge that development accomplishes nothing for the County but causes some potential liability. It could be fixed but not quickly. Ms. Connor stated she has not reviewed the staff plan, but she felt the staff may have addressed some of the apparent deficiencies. She stated it is very important to have the staff involved in the planning process.

Mr. Klasen observed that many people will look at the map and notice all the "green." He stated that as a County Board Member of District 6 since 2000 he does not want the west part of McHenry County to look like the east end. He stated municipalities should have contiguous growth he noted that water, open space and conservation are essential to this area. Mr. Klasen stated that he reviewed the Baxter and Woodman study which indicates that by the year 2030 Algonquin and Crystal Lake will be drawing water out of townships in District 6. He stated that aqua fern study should be looked at now. Ms. Connor stated that Mr. Klasen makes a good point noting that to the extent that there are physical constraints that preclude development such as not enough water to service then the County is justified in not allowing further growth and in zoning that area as such, the map has a little too much disconnect from the text.

Chairman Koehler asked if there were any other questions from Board Members. Noting none, he reminded attendees that today's meeting was intended as an educational discussion for the County Board Members. He stated that he would take any short questions from the Plan Commission at this time.

Mr. Walkup asked if Ms. Connor had read the 2010 Land Use Plan and if she had read the Land Use Plans of Kane and Boone County. Ms. Connor responded that she was very familiar with the 2010 plan, has not read the Kane County plan but had read the Boone County Plan at one time. Ms. Connor repeated that land use plans are not the subject of lawsuits because plans do

not regulate land. Ms. Connor noted that it is the increased disparity of price per acre between agricultural land and land that can be developed for more intense use that makes it worthwhile for land owners to pay lawyers a lot of money. Chairman Koehler reminded attendees that we are here to talk about McHenry County.

Mr. Munaretto stated that Mr. Walkup raised a point and noted that some of the areas west of Huntley have emerging private non-dedicated subdivisions that have been popular over the last several years. Other areas to the south have substantive plans for growth for residential and industrial and although these are not in McHenry County Mr. Munaretto asked to what extent those factors outside of the County that are contiguous to the County have an influence on the land uses or the land use planning in terms of our ability to defend the Plan such as the one presented. Ms. Connor stated those factors are highly relevant to the Court when looking at surrounding land use and zoning when another jurisdiction is involved, however that issue alone does not matter on the landscape. Mr. Munaretto stated that from a land use planning perspective it may be more effective to consider what has already occurred in surrounding areas as it relates to our land use vision. Ms. Connor agreed that it would be appropriate to consider, but it does not necessarily mean you must concur and continue with that development pattern. She noted that the existing pattern is highly relevant which is why she felt when comparing the Managed Growth to the Development scenario there is so much disconnect.

Ms. Chmiel asked if it has even been argued in the Courts that a certain area is maxed out and the growth needs to expand so as not to distract from the standard of living in that area. Ms. Connor stated it depends on what "maxed-out" means. If it means the infrastructure is at or beyond capacity, perhaps; but the mere fact that the people living there have that opinion it would not be defensible. Ms. Connor stated that the copy she had was dated October, 2005 and includes strike-outs and it may not be the latest document.

Mr. Moy asked if agricultural protection or more specifically farmland protection would be legal. Ms. Connor responded absolutely noting that there are several possibilities to protect farmland and not diminish the property values of landowners too much, one option is to allow the transfer of development rights.

Ms. Zierer stated that she felt the farmers were having their rights taken away if they did not have the opportunity to sell their land to a developer. Ms. Connor stated the farmers' rights would depend on the previously mentioned factors along with the care in which the farmer has mapped the land and what has been done to provide for alternative compensatory of rights. The County does not owe every landowner maximum return on their investment.

Ms. Peschke noted that she had brought the idea of transfer of development rights to the County Board years ago and at that time it was the State's Attorney's opinion that we were not legally able to do that. She noted that currently there is a farmland preservation group and we are in the process of considering such an Ordinance; but have previously been told there was no enabling legislation. Ms. Connor stated that there is enabling legislative that allows you to select reasonable means to accomplish your purposes and TDR is a reasonable means.

Chairman Koehler asked Mr. Brown if he would like to add anything more from his previous comments.

Mr. Brown felt that much of what Ms. Connor's was stating was based on the monolithic green color. He pointed out that the text of the Plan clearly states that there will be more than just

agricultural in that green area and it is entirely practical for the County to establish zoning that both supports the text and supports some development throughout the County without being in conflict. He stated that, when put together with the Plan, nothing in that map suggests that the seven rules could not be followed. Second, there is a presumption, statements and policy that indicate that we expect that growth on the fringe of municipalities will occur as municipal expansion of their boundaries. Municipalities are best capable of doing so and providing the public services to do so and nothing in the Plan suggests that the County would want to have a rigid agricultural boundary to hem in the municipalities. Ms. Connor responded that her assumption was that the Plan supports very low density development. Mr. Brown stated that originally the Trend of Development map was called the "Sprawl Development" which was re-titled to be trends that we might not control. He went on to ask Ms. Connor if a public policy goes against the trend of development can it be supported. Ms. Connor responded that it can, which is what she means when stating the "point is to manage." Mr. Brown asked if it wasn't practical to use zoning as an interim status or holding pattern. Ms. Connor responded "yes" noting that the natural trend of development should happen logically and rationally much sooner than others should and the County may want to zone to hold-off the development in far reaches until development closer to existing development occurs. Mr. Brown stated that the Plan does not dictate the likely zoning that would be in place. Ms. Connor disagreed and felt the Plan very much guides local zoning it does not necessarily dictate a specific zoning classification, but there needs to be compatibility with the range of zoning districts.

Ms. Gilman asked if Ms. Connor agreed or disagreed that in order to protect prime soils and those who still want to farm them, the County really needs to state where populations will go and not just leave that decision to the municipalities to absorb all the increased population through annexation. We must indicate inappropriate areas. Ms. Connor felt it is better to state that in order to preserve prime farmland the County must indicate where development is inappropriate, as Ms. Gilman noted in her second statement.

Ms. Connor left the meeting at 10 a.m.

Ms. Kennedy pointed out that Ms. Peschke and Ms. Salgado had been on the Commission during the entire time along with Ms. Gilman and Ms. Kate, she thanked them for their input and attendance.

Ms. Gilman provided a brief summary to the Public Comment Meeting. She noted that twelve Board Members had attended the meeting. A synopsis of the Public Comment Meeting was distributed and it was noted that a transcription of the complete meeting will be made available should anyone wish to read the public comments in their entirety. Ms. Gilman stated that there were "two camps"; those that supported the Plan and those who felt the Plan was flawed and should be either amended or scraped. She reported that some very thoughtful written comments have been received from various groups including the County Defenders, the Farm Bureau, some Townships, the McHenry County Association of Realtors, and many others. These comments need to be reconciled with the Plan by the County Board. The Plan is in the hands of the Board now and staff, as professional planners, needs to be asked to comment on the Plan and those comments need to be taken very seriously. Staff has already commented on the Plan with their Departmental draft of the 2020 Unified Plan which was presented to the Planning and Development Committee and the Planning Commission in July of 2005. The Plan Commission felt that the Department had made too many changes and they presented the current version which is the Commission's prerogative. Ms. Gilman stated that the Plan Commission's draft of the Plan is only being addressed today so there will be no confusion.

She noted that Ms. Connor's comments today indicate that if this Plan is adopted there will be significant changes to our Zoning Ordinance. The Board needs to determine how to proceed, the options available include: Continue with the Plan Commission's Plan either "as is" or the Board can make amendments to the Plan during the Board meeting on a majority vote; the Department draft can be considered; or the 2010 Plan can be kept and an update can be started immediately. At the P & D Committee meeting on January 5, 2006 the process will be developed for the next update to be presented to the County Board (the Committee will consider the make-up of the next Plan Commission, the time frame to begin the new plan, the role of staff planners in the development of the plan and a review of the plan rules and by-laws regarding the Plan Commission). The Committee will also make a recommendation on a plan to the County Board at the January 5, 2006 meeting. At the February 7, 2006 County Board meeting the Members will be asked to approve a land use plan.

Mr. Munaretto raised a point of order to understand the process, as part of the County Board rules that business cannot come before the County Board without approval at the standing committee level. Ms. Gilman responded that the Planning & Development Committee will make a recommendation to the County Board. She asked that County Board members submit any comments they may have to the Planning and Development Committee. Mr. Munaretto stated as an observation attempting to amend the Land Use Plan from the County Board floor is "utter folly." Ms. Gilman responded that amending an item from the Board floor is done, has been done and probably will continue to be done as Board Members have that right.

Ms. Peschke commented that for the benefit for some of those Members who were not at the meeting, some of the objections raised by the real estate and development community involved two issues (1) the Plan does not allow for sufficient growth and (2) the municipalities would not be willing to take the growth. It was pointed out that the municipal plan was sufficient to take all the growth that probably would occur within their boundaries. She stated that she was asked by Mr. Larson, who currently is in Arizona, to tell the members that when the 2010 plan came up the very same people made the very same objections and now they are asking to keep the 2010 plan. She noted that the Commissioners had a lot of respect for the 2010 plan when developing the 2020 plan.

Mr. Moy asked if the Board could support certain sections if they did not want to support the whole Plan. Ms. Gilman responded that this could be done and reminded the Members that they had already adopted the Transportation component of the Plan, which is still part of the Plan. Ms. Peschke added that the 2020 Transportation Plan is compatible with the Plan. Ms. Gilman also noted that the Staff Plan was also discussed with Transportation and no deficiencies were noted in that version.

Ms. Chmiel raised two concerns for Mr. Brown: (1) based on the prior comment on the map and that everything green on the map is not necessarily ag, she stated that current development should be reflected on the map and (2) she felt that having ag areas right up to the boundaries would be harder to annex the land. Mr. Brown stated there would be no impediment because municipalities have the authority to annex and choose whatever zoning they want within that newly annexed property. Property is annexed to a municipality because they can provide services to allow for the development to occur. If land is held as ag until it is ready to be developed it is actually easier to be developed. Mr. Brown went on to add that the maps are digital which allows for any amendments to be done quickly. He stated that there is a layer that includes all existing development in the green zone, but Commissioners and staff did not want

to send a message to encourage residential development out in the middle of an agricultural community.

Ms. Ehardt commented that if you review past plans done by staff in-house you will notice that existing sub-division developments are shown specifically as in-fill development. Staff has looked at sub-divisions that have existing undeveloped lots within a sub-division, we also have looked at it in terms of the size of the sub-division development. In the past, staff has indicated these as in-fill development only on the Plan map.

Mr. Munaretto pointed out that the utilization of NIPC's demographic data for the traffic component of the Plan is required in order for the County to compete for dollars as a part of the traffic plan that must be provided on a regular basis, it is not essential in the utilization of data for the Land Use Plan. He asked why we decided to use the NIPC data instead of more current information that is easily available. Mr. Brown responded that it was the intent to have an internally consistent document so that the land use and the transportation elements work together and use the same set of projections. Second, staff had indicated that the projections NIPC had in the past when compared to what actual development had occurred had shown they were imparity. Mr. Munaretto objected noting that NIPCs projections for the period 1990 to 2000 did not come close to what had occurred in McHenry County and this causes a problem with the Plan unless the information is utilized to achieve a targeted demographic in the County. Mr. Munaretto stated that using the artificially low number gives an artificially low induced future population which then can be extrapolated into the number of acres that fit into the plan projection for new residential growth. He noted another concern relating to industrial and commercial development in unincorporated areas of the County. He stated that it appears that the Plan completely ignores the possibility for the future of such development in unincorporated areas. He pointed out that the County received 1% sales tax on commercial development that takes place in unincorporated areas and only ¼% of such development in municipal areas, so there is an economic issue that is not addressed in the Plan. Mr. Brown responded that the Plan does not induce development, there needs to be a match between what can be supported and what the market will demand. He noted that there was recognition that industry and to some extent commercial chooses to develop where public services are available. He stated that with the exception of the sales tax the reminder of the benefits of economic development occur no matter when the location, thus the growth of industry, employment and tax base would be there. Mr. Munaretto went on to comment that the Plan does not capture the only piece of Interstate 90 in McHenry County as a potential area of future growth for commercial and industrial development and he questioned why. Mr. Brown responded that part of the modeling included what the addition of an interchange to allow for access to the Interstate would do to the transportation capacity and what it would do to growth. It was clear from modeling that there would be a significant amount of growth in the western portion of the County.

Mr. Moy noted that the Plan calls for managed growth within the municipalities and pointed out that there are already comprehensive plans in plan with municipalities and township. He stated that the Plan appears to be inconsistent with those plans and asked how these can be merged. Mr. Brown responded that there is growth that occurs outside the municipalities and second the partnerships need not be the formal boundary or annexation agreements or intergovernmental service agreements they can be informal from planning commission to planning commission. He explained that there was no intended growth quota, the intention was that the County would not compete with municipalities for growth but would encourage growth were services exists.

Ms. Miller noted that in the text of the Plan the projected population growth is absorbed by increasing residential densities and by encouraging the clustering of homes, she asked where such in-fill development could be found on the maps. Mr. Brown referred to "yellow" areas in Chapter 2, Page 9. He went on to note that municipalities are capable of supporting development with the services they have and they eagerly annex property to allow for that development and growth in their communities. The Plan also does not call for urban densities at the fringe of a municipality. Ms. Miller commented that she would be more comfortable with a buffer area.

Mr. Munaretto and Mr. Shea left the meeting at 10:30 a.m.

Ms. Kennedy then addressed the Committee and displayed a map of the Unified Plan to show in-fill areas located in the southeast and east side of the County that is indicated as countryside residential. She read a definition of country side residential from Chapter 5, Page 2 of the 2020 Land Use Plan. She stated that the text supports everything being discussed, we tend to focus on the maps because they provide a visual. She noted that the Planning Commission has no desire to have incorrect information. She pointed out that 70 to 80 percent of the people who come to McHenry County choose to live in a municipality. The Planning Commission looked at these historical trends. Total acreage devoted to county side residential is 14,782 and to low density residential 41,342 acres and those two together represent 25% of the new growth within McHenry County.

Ms. Chmiel asked when development on the west side is being anticipated or proposed. She stated that she thought the 2020 Plan, which combined transportation was suppose to help future planning. She commented that if development in that area is not taken into consideration then we will be faced with the same problems we are experiencing on the southeast side. Mr. Brown stated that data has already been gathered for the 2030 plan and many of those issues will be reflected in that document.

Ms. Hill also raised concerns with the maps in that they do not appear to reflect currently developed areas.

Ms. Peschke stated the County has a real problem as the chances for us to ever get Lake Michigan water becomes thinner and thinner. McHenry County needs sufficient re-charge to feed the growing population and the County does not have the infrastructure to support growth such as in DuPage County. The western portion of the County has very sensitive areas that cannot be developed.

Ms. Kate stated that in the Staff Plan there was a paragraph regarding planned developments that does not appear on the Plan. She commented that one sentence regarding cluster development does appear in Chapter 5, page 3, but the County Board has pushed and promoted planned development and it is a concern that just a brief statement is included in the Plan.

Ms. Kennedy stated that these items could be put back into the Plan.

Ms. Gilman stated that she needs to hear from Board Members as to what direction they wish to take and if they have additional concerns she asked that these be brought to the Planning & Development Committee. Mr. Klasen stated he supports the Plan, noting the Plan could be amended, but the Plan Commission has put a lot of work into this plan and everyone knows it is

not perfect. Ms. Gilman agreed that there has been a lot of work and time put into this document and now it is in the hands of the County Board members and it appears there will be some melting of the Commission's plan and the Department's draft.

Chairman Koehler expressed his thanks to all those who were involved in this endeavor. He noted that this was not an easy task and has been a real challenge in trying to combine two plans. He stated that as part of the process to develop the next plan the following will be needed: a recommendation from the Planning & Development Committee as to what type of plan should we embark on (a 2025 or 2030 plan); a determination regarding if we should have a planning commission as a component to putting that plan together or should we have a "blue ribbon" committee; or should we have a combination of both, etc. It is hoped that our planning staff will be involved from the onset as a major player. He stated we are fortunate to have all kinds of components to the layer of maps on GIS and the County can be a leader in using these resources. We also have the groundwater study which the County needs to take action on in the near future and this will be an important tool to the next plan. We are fortunate to have Ms. Connor as a resource as she brings a wealth of information and she should also be involved in the next planning process.

Ms. Kennedy added her thanks to everyone involved and to those attending today's meeting.

The Committee of the Whole adjourned at 11:10 a.m. on a motion by Mr. Heisler, seconded by Ms. Miller, with a unanimous voice vote of all ayes.

Dated and approved at Woodstock, Illinois this 3rd day of January, A.D., 2006.

Kenneth D. Koehler, Chairman
McHenry County Board

ATTEST:

Katherine C. Schultz, County Clerk

:bjt