

MINUTES
McLEAN COUNTY REGIONAL PLANNING COMMISSION
REGULAR MEETING, WEDNESDAY, APRIL 2, 2008, 4:00 P.M.
GOVERNMENT CENTER, ROOM 404
115 EAST WASHINGTON STREET, BLOOMINGTON, ILLINOIS

Members Present:

Bernard Anderson, Chair; George Benjamin, Don Fernandes, Mary Jefferson, Jay Reece, Shane Rutherford

Members Absent:

Chris Brauer, Joe Butcher, Mark Klinger, Carl Teichman

Others Present:

McLean County Regional Planning Commission: Paul Russell, Executive Director; Jennifer Sicks, Transportation Planner; Rick Nolan, Community Planner; Teresa Casselman, Office Manager. City of Bloomington: Kenneth Emmons, City Planner. Town of Normal: Mercy Davison, Town Planner; Mike Hall, Public Works Director. McLean County: Mike Behary, County Planner. Town of Normal Planning Commission: Jeanne Moonan, Chair.

Call To Order:

Mr. Anderson called the meeting to order at 4:08 p.m. and noted the absence of a quorum. Following Mr. Fernandes' later arrival, a quorum was present.

Regular Agenda:

Draft Town of Normal Stream Buffer Ordinance

Ms. Davison announced the Draft Stream Buffer Ordinance, known as the Aquatic Ecosystem Management Ordinance, will be presented to the Normal Planning Commission for its recommendation on April 10, and requested a recommendation by the McLean County Regional Planning Commission for approval.

She reviewed the ordinance details by presenting a map of stream orders and noted the Town has begun development in areas draining north toward Evergreen Lake and Lake Bloomington. She pointed out Tipton Trails is a local example of a development being managed as a natural area. She explained the intergovernmental draft process began over two years ago by reviewing model ordinances from around the nation and revising those ordinances for local adoption. She explained there had been a stakeholder meeting in January of 2008, in which development firms, local engineers, land use attorneys, local environmental groups, Bloomington-Normal Water Reclamation District, and local staff were invited.

She explained that any land development, timber harvesting, or surface mining would be subject to the ordinance, which would provide exemptions for agricultural operations, development existing prior to adoption, and development that obtains a variance. The ordinance identifies stream orders; establishes buffer widths; provides for special considerations such as steep slopes, flood plains, or wetlands and other sensitive habitat; and establishes outer, middle and streamside zones. The ordinance also includes a procedure for appeals and variances.

Mr. Reece asked if the ordinance required developers to identify lots or portions of lots subject to the restrictions of the ordinance. Mr. Hall responded the ordinance would require dedication of easement or right of way and would be platted as such. Mr. Anderson asked if the realtors were educated about the

ordinance, and if the restrictions would show up in a title search. Mr. Hall responded affirmatively. Mr. Reece expressed concern regarding the impact of the ordinance on homeowners or potential homeowners, and the potential for litigation between the homeowner and the developer. Mr. Hall responded utility easements show up on title searches, and the ordinance restrictions would similarly be discovered through a title search. Mr. Reece asked if the ordinance was broader than the one adopted by Peoria. Ms. Davison indicated the Peoria ordinance did not involve the level 1 or 2 stream orders. Mr. Reece indicated he thought the ordinance should not include the level 1 or 2 stream orders.

Ms. Jefferson asked about safety issues for children in areas in proximity to neighborhood waterways. Mr. Hall indicated natural waterways have flatter slopes, less depth, and slower water speed, making them safer for children than channelized waterways.

Mr. Reece asked for the cost savings for natural waterways over stormwater sewers. Mr. Hall indicated the information was not available. Mr. Benjamin indicated the level 1 or 2 stream orders seemed more feasible than level 3 stream orders for utilizing stormwater sewers. Mr. Hall indicated costs vary because natural systems are hard to calculate.

Mr. Reece pointed to the Grove as an example of a subdivision done without a stream buffer ordinance and questioned whether the ordinance was necessary for well-designed development. Mr. Fernandes indicated the final site plan for the Grove was the result of staff comments, and Ms. Sicks added the original development had been modified out of concern for environmental and transportation issues. Mr. Reece expressed support for the concept of a stream buffer ordinance, but indicated concern with the scope of the draft as it applies to level 1 and 2 stream orders. He indicated that the draft for approval was too broad in his opinion, and he would not support it.

Mr. Russell asked Ms. Davison and Ms. Moonan if the Town wanted the Commission to provide a letter of support endorsing the concept. Ms. Moonan responded she would prefer the Commission support the draft of the ordinance. Ms. Jefferson indicated her opinion that it was important to include the level 1 and 2 stream orders, and moved to endorse the draft as presented. Mr. Fernandes seconded the motion. The motion passed, with Mr. Reece voting no.

Consent Agenda:

Mr. Anderson asked if any Commission members wished to remove items from the consent agenda; no requests for removal were made. Mr. Fernandes moved that the Consent Agenda be approved as presented. Mr. Reece seconded the motion which passed unanimously.

Items of Information or Discussion:

February 2008 Issue of Urban Land

Mr. Russell indicated the subject of the article was Workforce Housing, with an emphasis on the likely impacts on climate change. The housing market has provided lower cost housing on the edges of urban areas because land is cheaper. The result is people driving greater distances to work and shop, and increasing greenhouse gases. He indicated the author stated new development needs to be compact, with a mix of land uses and housing types to serve all income levels, and development can no longer be considered just a community development issue, but a part of the fight against global warming.

Information Forum

Mr. Nolan indicated the Information Forum was scheduled for next Wednesday, April 9, and the Commission had received 95 reservations for the event, including a significant number of representatives

from the development and banking communities. He indicated the breakfast was scheduled for 7:00 a.m. with the presentation to begin at 7:30 a.m.

Adjournment:

Mr. Fernandes moved to adjourn. Mr. Reece seconded the motion and the meeting was adjourned at 5:20 p.m.

Teresa Casselman
Office Manager