

ARTICLE XVIII. STORMWATER MANAGEMENT, WETLANDS PROTECTION,
AND FLOOD PLAIN REGULATION

SECTION

- 150.1801 Lake County Watershed Development Ordinance Adopted by Reference
- 150.1805 Amendments to the Watershed Development Ordinance
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Sec. 150.1801 Lake County Watershed Development Ordinance Adopted by Reference.

For the purpose of establishing rules and regulations for stormwater management, wetlands protection, and flood regulation, the Lake County Watershed Development Ordinance (“WDO”), as most recently amended by the County of Lake on June 11, 2013, is hereby adopted, and by this reference, incorporated as if fully set forth herein, with the exception of such portions as are expressly deleted or amended pursuant to Section 150.1805 of this Chapter. **(Ord. 78-13, J. 39, p. 240-241, passed 07/22/13)**

Sec. 150.1805 Amendments to the Watershed Development Ordinance.

The following amendments to the WDO shall control whenever a conflict arises between the amendments set forth in this Section and the provisions of the WDO, as most recently amended by the County of Lake on July 10, 2012:

(A) Section IV.A.1.f.3 of the WDO shall be amended to read as follows:

A. GENERAL

1. Regulated Development

* * *

f. Includes the total land area of an ownership parcel, that results in:

* * *

(3) An impervious surface area ratio of 50 percent or greater, unless the total impervious surface area is less than 16,000 square feet."

(B) Section IV.B.1.f of the WDO shall be deleted in its entirety.

(C) Sections IV.C.1.b.(1) and IV.C.1.b.(2) of the WDO shall be amended to read as follows:

C. REGULATORY FLOODPLAINS AND FLOODWAYS

1. Location of Regulatory Floodplain, base flood elevation (BFE) and Regulatory Floodway

* * *

b. The BFE shall be delineated by the 100-year flood profiles, as indicated on the floodplain studies noted below:

(1) City Regulatory Floodplain profiles, approved by the City for regulatory use are established by;

(a) The Skokie River 100-year Flood Elevation, as established by Epstein Engineering Inc. and adopted by Ordinance 57-90 on December 10, 1990, and;

(b) The Middle Fork North Branch Chicago River 100-year Floodplain Report from Hydrocomp International, titled "Simulation of Discharge and Stage Frequency for Floodplain Mapping in the North Branch of the Chicago River," dated February 1971 and approved by P. Dittmar on December 7, 1973.

(2) Should no City-approved Regulatory Flood plain profile exist for the site, SMC Regulatory Floodplain profiles, approved by the SMC for regulatory use after a 60-day public review and comment period and accepted by IDNR/OWR and FEMA for SMC regulatory use, as listed on the SMC website."

(D) Section IV.C.2.f of the WDO shall be amended to add the following Subparagraph IV.C.2.f.(6):

(6) No structure other than a fence shall be built within 125 feet of the center line of the channel of the East Fork (Skokie River) and/or the Middle Fork of the North Branch of the Chicago River, or the Regulatory Floodway, whichever is greater. No such fence shall not be located in the floodway nor be constructed to restrict the passage of water."

(E) Section IV.B.1 of the WDO shall be amended to read as follows:

B. APPEALS

1. Any permit applicant aggrieved by the denial or conditions of a Watershed Development Permit, Earth Change Approval, Conditional Approval, or Variance by a Certified Community's Enforcement Officer may request review thereof by the City Council within 30 days after the disputed act or actions; provided, however, that in the event that (a) the request for a variance is limited to a reduction of the FPE to a lesser elevation and (b) the requested variance satisfies the conditions set forth in Section V.A.4 of the WDO, then, upon recommendation of the Enforcement Officer, the City Manager may grant such

variance without a hearing being held before the City Council."

(F) Section VI.B.3 of the WDO shall be amended to read as follows:

3. The Enforcement Officer may set turbidity or total suspended solids limits for development sites that discharge to Waters of the United States, Isolated Waters of Lake County or their buffers or that are in close proximity to the above, as determined by the Enforcement Officer. These standards shall apply to development site construction up to the point of permanent site stabilization as determined by the Enforcement Officer."

Sec. 150.1810 Administration.

The Enforcement Officer shall be responsible for fulfilling all of the duties assigned to "Enforcement Officers" in the Lake County Watershed Development Ordinance, as adopted pursuant to Section 150.1801 of this Chapter.

(A) To fulfill those duties, the Enforcement Officer should first use the criteria listed in Article IV of the Lake County Watershed Development Ordinance, as adopted pursuant to Section 150.1801 of this Chapter, to determine whether the development site is located within a floodplain.

(B) In addition, the general requirements of the Lake County Watershed Development Ordinance, as adopted pursuant to Section 150.1801, shall be met for all developments meeting the requirements of this Article. The Enforcement Officer shall assure that all subdivision proposals meet the general requirements of this Article.

(C) If a variance is to be granted for a proposal, the Enforcement Officer shall review the requirements of this Article to make sure they are met. In addition, the Enforcement Officer shall complete all notification requirements.

(D) In order to assure that property owners obtain permits as required in this Article, the Enforcement Officer may take any and all actions as outlined in Article VII of the Lake County Watershed Development Ordinance, as adopted pursuant to Section 150.1801 of this Chapter.

Sec. 150.1815 Amendments to Article XVIII.

Notwithstanding any other provision of this Code, including specifically, but without limitation, the provisions governing amendments to the Zoning Code set forth in Article XV of this Chapter, the City Council may consider and approve the amendment of any provision of Article XVIII without a prior public hearing, consideration, or recommendation by the Plan and Design Commission. Before exercising its powers under this Section, the City Council shall set, notice, and conduct a public hearing. No other procedure shall be required. Any amendment to this Article XVIII shall be evidenced by an ordinance duly adopted. The concurrence of four members of the City Council shall be sufficient to approve any ordinance adopted pursuant to the authority and power granted by this Section. (Ord. 59-15, passed 6/8/15)

Sec. 150.1820 Severability.

The provisions of this Article shall be deemed separable and the invalidity of any portion of this Article shall not affect the validity of the remainder. Furthermore, the text of this Article, as amended, shall not act to repeal, abrogate or impair any existing easements, covenants, or deed restrictions. Where this Article and any other ordinance, easement, covenant, or deed restriction conflict or overlap, the more stringent restrictions shall control. This Article shall not affect the resolution heretofore adopted by the City of Highland Park in order to establish initial eligibility for the National Flood Insurance Program. **(Ord. 67-12, J. 38, p. 111-114, passed 10-08-12)**