

Introduction

The Comprehensive Land Use Plan will be implemented through the work and direction of Lake in the Hills’ staff, Planning and Zoning Commission and Village Board. Strategies that can be used to achieve the goals, objectives, and policies contained in the land use plan are addressed in this section. They include:

- Adopting the plan;
- Amending existing and creating new ordinances;
- Reviewing impact fees for new development;
- Exploring the benefits of becoming a home rule community;
- Using the powers of eminent domain;
- Pursuing options for land dedication or acquisition;
- Adopting intergovernmental agreements;
- Extending public infrastructure to attract new development;
- Exploring funding mechanisms for plan implementation;
- Maintaining property and enforcing codes;
- Updating the Comprehensive Plan on a regular basis; and
- Maintaining effective communication with residents and developers.

Specific recommendations for implementing land uses, zoning and design guidelines are included for each of the three subareas for which more detailed planning was carried out (see **Chapter IV, Subarea Plans**).

Adopt and Use the Plan

The Comprehensive Plan will be the Village’s official policy guide for development. Once the Village Board adopts it. It should be used on a regular basis by Village staff and by Village boards and commissions during their review of development proposals in the Village of Lake in the Hills.

Zoning Regulations

Zoning is one of the best tools to implement plans and policies. Zoning divides the Village into districts, and sets forth regulations for the use of land within these districts, including permitted uses, lot size, building height, density, etc.

During the preparation of this plan, the Village was simultaneously updating its Zoning Ordinance. Immediately following the adoption of the plan, the Village should review the Zoning Ordinance to make sure that it complements and supports all elements of this document. Standards should be developed to regulate commercial development in Subarea #1 so that buildings and landscaping, rather than off-street parking and loading, are the focal point along Illinois Route 47.

Other Codes and Ordinances

In addition to the Zoning Ordinance, there are other codes and ordinances that regulate development in Lake in the Hills. This includes the Subdivision Control Ordinance, Municipal Code and Building Code. These codes and ordinances should be reviewed and updated where necessary to ensure that they do not contradict policies in this plan, and that they serve as a vehicle for plan implementation.

Impact Fees

Land/Cash Ordinance — The Village’s Land/Cash Ordinance sets the criteria for the collection of impact fees by the Village, such as school and park donations. However, a regular review of this Ordinance should be carried out to

determine whether regulations provide revenues sufficient to cover added costs to applicable taxing districts (i.e., school district, library district, parks department, police and fire districts, etc.).

Land or cash donations for school and park sites, and other public improvements (i.e., sidewalks, streets, etc.), will be determined as part of the plan and plat approval for properties identified for future development, at such time as specific proposals are presented to the Planning and Zoning Commission and Village Board.

Annexation — Additional fees for Village services, infrastructure (i.e., roadway improvements) or equipment (i.e., emergency vehicles) are collected by Lake in the Hills as part of an annexation proposal, when it can be demonstrated that Village costs need to be offset by an impact fee. Impact fees should be used with caution, and reviewed on a regular basis to confirm that a project or development proposal will pay its proportionate fair share.

Architectural Guidelines

Expanding the existing architectural guidelines will help the Village establish and maintain architectural integrity and enhance the livability and aesthetic quality of developments in Lake in the Hills. In addition, developing more specific guidelines for each zoning district will help the Village achieve the goals of its Comprehensive Plan. For example, standards for Business Districts would be different from those developed for the Village’s Manufacturing and Airport Districts, and standards developed for retail commercial in Subarea #1 will differ from those created for other business districts. Architectural features that could be regulated include building materials and colors, such as exterior wall surfaces, roofing, doors, windows and trim.

To ensure that the guidelines were followed, new commercial and multiple-family developments would be presented to the Planning and Zoning

Commission for site plan review. This is consistent with existing procedures and requirements for conditional uses or planned developments. The Planning and Zoning Commission would review site, landscape and architectural plans and drawings, and make recommendations to the Village Board for final approval.

Property Dedication for Roadway Improvements

Roadway widening is planned for Illinois Routes 47, 62, and 31. Roadway improvements are also proposed for Ackman and Miller Roads. As residential subdivisions or other development proposals are presented to the Village for consideration, developers should be required to set aside land for roadway improvements consistent with plans that are in place, or anticipated by the applicable authority (i.e., State, County or Village). In this way, roads can be widened or extended through undeveloped property to provide connectivity of streets envisioned as part of this plan as well as to ensure that capacity and safety can be provided without impacts to development.

Also, building and parking setbacks that are required by the Zoning Ordinance will not be compromised by future land acquisition that might place the curb of an expanded road closer to a building or parking lot than otherwise would be allowed or desired by Lake in the Hills.

Home Rule

Home rule communities may exercise any power to perform any function pertaining to its government and affairs, including (but not limited to) the power to tax and incur debt. A home rule community can:

- Issue bonds at lower costs;
- Impose impact fees;

- Increase property taxes beyond the state-imposed tax cap; and
- Impose and collect taxes on utilities, hotels, real estate transfers, restaurants, alcohol, tobacco products, and lease receipts.

These powers can provide Lake in the Hills additional revenues to help defray costs of development or purchase open space lands. Lake in the Hills can become a home rule community when it reaches a population of 25,000, or by referendum.

Eminent Domain or Condemnation of Property

Land acquisition can serve as a catalyst of public policies and plan implementation. For certain public purposes listed in Illinois State Statutes, the Village of Lake in the Hills, and other agencies may exercise the use of eminent domain to acquire private property for a public use or public purpose. This could include the acquisition of utilities, roadways, and open space. In some circumstances, eminent domain can be used for the redevelopment of properties, when it is for a public purpose. Both state and federal courts have declared that if the purposes of the project as a whole are beneficial to the community, and the use of the condemned property had a reasonable relation to these purposes, then the taking is for a public use.

There may be instances where eminent domain may be required to implement some components of this plan, whether it be for installation of utilities, street rights-of-way, or private property that is key to the successful integration of parcels for development. However, the Fifth Amendment of the U.S. Constitution requires just compensation for any taking.

Buying/Selling Property

As a municipal corporation, the Village of Lake in the Hills may own, buy or sell property. The Village owns many parcels used for public

buildings and facilities and parks and open space, and additional property may be purchased or leased. For example, the purchase of property for open space to preserve and protect sensitive environmental resources, or for the park and festival area recommended for Subarea #1, may be pursued as part of plan implementation.

Parks, Open Space and Recreation

One of Lake in the Hills' goals is to increase the acres of land within the Village's boundaries devoted to open space and recreation. The Village should support and promote the acquisition and development of properties for trails and recreational use as described in the Village's 2001 Parks Master Plan.

Also, the Village should work with developers to ensure that parks proposed as part of Subarea #1 and Subarea #2 are implemented. These parks will serve needs of the residents that will live in these areas, consistent with goals and objectives of the Parks Department. Also, the system of open space that is planned along Kishwaukee Creek should be protected from negative impacts of development by:

- Avoiding wetland and floodplain fill, except where necessary for future roadway connections;
- Establishing buffers around wetlands and floodplains; and
- Incorporating best management practices described in **Chapter III, Land Use and Development Polices** that encourage water infiltration and enhance water quality.

Intergovernmental Agreements

Some of the proposals included in this Comprehensive Land Use Plan Update require cooperation between agencies and political jurisdictions. For example, the implementation of proposals for open space and the park and festival area planned for Subarea #1 could include sharing costs for:

- Property acquisition; and
- Development of the park and festival area with amenities (i.e., sculpture, fountain, garden, paver walks, amphitheater/band shell, picnic areas, creative play areas, etc.).

Also, the Village can work with the Parks Department during the development process to ensure that recreational trails proposed as part of the Department’s Master Plan are implemented.

Supplying Public Services and Infrastructure

Lake in the Hills may provide various public services and infrastructure including: police, public works services, water, and storm sewer services, as a means of encouraging annexation or development. Areas where expansion of such services should be considered include properties associated with office, commercial and office research and development proposed as part of Subarea #3. Properties in this area are experiencing pressures for development, and extending infrastructure would facilitate development according to the land use plan. This would, however, require an amendment to the Village’s Facilities Planning Area, which requires a public hearing before the Northeastern Illinois Regional Planning Commission.

Economic Development Programs and Tools

General Fund— Funds from the Village’s general operating fund could be earmarked for specific improvements, such as gateway signs and landscaping. Or, Lake in the Hills could set aside dollars from the general operating funds to implement a corridor design planned for one of the arterial streets referenced in this Comprehensive Plan update.

Fundraisers— Fund raising can be a creative method for generating local support for a project such as the development of the park and festival

area proposed for Subarea #1. Civic and service groups, churches, institutions, the Park District, local businesses and corporations, and individual residents can participate in programs such as “buy a brick” or “buy a tree”. This method of fundraising promotes community spirit and identity.

Other Economic Development Tools— Other tools that Lake in the Hills can investigate for implementing the land use plan include:

- Tax rebates;
- Taxable development bonds;
- Local equity funds;
- Private capital;
- Small business assistance; and
- Market assessment and strategic action planning.

Grants

The Illinois Department of Natural Resources Grants Program offers various grants directed at park and open space development funding:

OSLAD— The Open Space Lands Acquisition and Development (OSLAD) Program is a state-financed grant program that provides funding assistance to local government agencies for acquisition and/or development of land for public parks and open space. Projects vary from small neighborhood parks or tot lots to large community and county parks and nature areas. The program is financed by a percentage of the state’s Real Estate Transfer Tax. Under the OSLAD program, funding assistance up to 50% of approved project costs can be obtained. Grant awards up to \$400,000 are available for acquisition projects, while development/ renovation projects are limited to a \$200,000 grant maximum.

OLT— The Open Land Trust Grant Program has been designed to provide funding assistance to eligible units of local government, on a competitive basis, for the purpose of acquiring real property from willing centers for public outdoor, natural resource-related recreation

purposes. This grant program can provide up to 50% state funding assistance on total project acquisition costs, up to \$2 million for a single project in a fiscal year. Unlike the OSLAD program, grant funding under the OLT program is provided on a reimbursement basis.

The Village of Lake in the Hills, in conjunction with the Parks Department could apply for either (or both) for the acquisition and development of property for open space and recreation areas proposed as part of this plan, including those identified for Subarea #1 and Subarea # 2.

Corridors and Gateways

Preliminary and final designs for community corridor enhancement and gateways identified in **Chapter III, Land Use Plan and Development Policies** should be prepared. This includes landscaping, and entry treatments that are recommended as a part of this plan. Funds for these projects could be obtained from the Village's general fund, or from taxes imposed by Lake in the Hills, should the Village decide to become home rule and exercise its taxing powers. Dollars may also be available from:

TEA 21 — The Transportation Equity Act for the 21st Century (TEA 21) provides funding opportunities related to transportation enhancement projects. This includes bikeways, trails and bridge facilities. This mechanism could be considered to help fund the cost developing the comprehensive recreational multi-use trail system through Lake in the Hills.

Special Service Area Financing — This is a mechanism authorized for use by Illinois municipalities to finance facilities improvements or special services for a specific geo-graphical area. A tax is levied only on those properties that are located within the geo-graphical area proposed to be improved, and these properties are tax at the same rate, based on equalized assessed value, typical for other local property taxes. The taxes that are paid are deductible for federal income tax

purposes. Use of funds from this financing mechanism could be considered for gateway design, streetscape beautification, pedestrian ways, landscaping, street lighting, snow removal, sewers, etc.

Tree City USA

Tree City USA, sponsored by The National Arbor Day Foundation in cooperation with the USDA Forest Service and the National Association of State Foresters, provides direction, technical assistance, public attention, and national recognition for urban and community forestry programs. Being a Tree City USA helps present the kind of image that most citizens want to have for the place they live or conduct business. The Tree City USA signs at community entrances tell visitors that here is a community that cares about its environment. It is also an indication to prospective businesses that the quality of life may be better here.

Preference is sometimes given to Tree City USA communities over other communities when allocations of grant money are made for trees or forestry programs. The reason is that there are invariably more requests than available funds when grants are available through state or federal agencies. If requests are equally worthy, some officials tend to have more confidence in communities that have demonstrated the foresight of becoming a Tree City USA.

In order for a municipality to qualify as a Tree City, four standards must be met, including (1) a tree board or department; (2) a tree care ordinance; (3) a community forestry program with an annual budget; and (4) an Arbor Day observance and proclamation.

Property Maintenance and Code Enforcement

Generally, property maintenance throughout the Village of Lake in the Hills is good. This plan targets improved property maintenance and code

enforcement for some of the older commercial and residential areas. Improved maintenance of landscaping, painting and repair (i.e., tuckpointing, window replacement, etc.) of commercial structures, and control of window signs would help upgrade the appearance of these areas. Also, implementing requirements for screening outdoor storage areas and maintaining a clear zone around outdoor display areas for pedestrians would make older centers more attractive to customers who are required to negotiate around items that obstruct sidewalks.

Implementation Action Plan

Lake in the Hills should prepare an action plan that highlights improvement and development projects that will be undertaken over the next five years. This plan could include a list of prioritized actions as well as responsibilities for ensuring implementation and methods for funding sources and assistance programs. This plan should be managed and updated annually.

Plan Amendments and Updates

This Comprehensive Land Use Plan includes text and a land use map that is intended to be used as a tool to guide developers, planners, officials and residents in locating areas suitable for a particular use, and for identifying the type, intensity and quality of development envisioned by community officials. The plan represents policies, goals and objectives that have been adopted by the Village Board as part of this land use plan. Generally, the land use plan is expected to span a time frame of five to ten years. However, almost inevitably, community development will not occur exactly as envisioned. Changes that occur may be the result of new markets, new policy makers, or influences that are beyond the community's control and, in many cases, beyond prediction at the time that the plan was adopted.

To ensure that this Comprehensive Land Use Plan provides the best representation of Village goals, objectives and policies, the land use plan and map should be reviewed on an annual basis by Village staff, the Planning and Zoning

Commission and Village Board. This includes a review of:

- The effectiveness of the design controls that have been incorporated into the zoning ordinance; and
- An analysis of markets to determine whether land use proposals specific to sub areas remain viable.

Recommendations for change, as appropriate, should be made to the Planning and Zoning Commission and Village Board. In this way, the land use plan can be maintained as an effective tool to guide new growth and redevelopment planned for the Village of Lake in the Hills.

Maintain Public Communication

Lake in the Hills' staff and Village officials have taken great care to involve the public in the development of this plan update. In order to ensure that communications are maintained and the confidence of Village residents is not compromised by lack of information, the following is recommended:

- Prepare a brief summary of the plan and distribute it widely throughout Lake in the Hills so that local residents, businesses and property owners can become familiar with recommendations and the plan's "vision" for future development;
- Find ways to respond openly to questions about planning and development. For example, questions raised about a specific development proposal and the Village's response could be posted on Lake in the Hills web page. This can avoid rumors and misunderstandings about a potentially controversial project; and
- Develop an informational brochure on how to apply for zoning, subdivision or building permits and approvals. This brochure also could be posted on the Village's web page for use by developers and local residents.