

STUDY SESSION
WINNETKA VILLAGE COUNCIL
Council Chambers
Village Hall
510 Green Bay Road
Winnetka, Illinois 60093
Tuesday, March 13, 2012
7:30 p.m.

Emails regarding any agenda item are welcomed. Please email rbahan@winnetka.org, and your email will be relayed to the Council members. Emails for the Tuesday Council meeting must be received by Monday at 4:00 PM. Any email may be subject to disclosure under the Freedom of Information Act.

AGENDA

- 1) Call to Order
- 2) Follow-up Discussion: Reports from Boards and Commissions2
- 3) FEMA Community Rating System.....19
- 4) Public Comment
- 5) Executive Session
- 6) Adjournment

NOTICE

All agenda materials are available at www.villageofwinnetka.org (click Council and then Current Agenda), the Reference Desk at the Winnetka Library, or in the Manager’s Office at Village Hall (2nd floor).

Videos of the Regular Village Council meetings are televised on Channel 10, Mondays, Wednesdays, and Fridays at 7:00 p.m. Videos of the meeting may also be viewed on the Internet via a link on the Village’s web site: www.villageofwinnetka.org.

The Village of Winnetka, in compliance with the Americans with Disabilities Act, requests that all persons with disabilities, who require certain accommodations to allow them to observe and/or participate in this meeting or have questions about the accessibility of the meeting or facilities, contact the Village ADA Coordinator – Liz Rosenthal, at 510 Green Bay Road, Winnetka, Illinois 60093, (Telephone (847) 716-3540; T.D.D. (847) 501-6041).

AGENDA REPORT

SUBJECT: Follow-up Discussion: Reports from Boards and Commissions

PREPARED BY: Katherine S. Janega, Village Attorney

REF: January 10, 2012 Study Session

DATE: March 8, 2012

Background

On April 26, 2011, the Village Council adopted Ordinance MC-3-2011, which restructured several advisory boards and commissions, and provided for increased communication between the Village Council and its advisory bodies. Ordinance MC-3-2011 also made other amendments to Title 3 of the Village Code, to clarify the Council's role as the Village's policy-making body and to provide for more efficient use of the Village's professional and clerical staff.

At the January 10, 2012, Council Study Session, the Village Council received reports, comments, requests and suggestions for action from the chairs and other representatives of the Business Community Development Commission (BCDC), Design Review Board (DRB), Environmental and Forestry Commission (EFC), Landmark Preservation Commission (LPC), Plan Commission (PC) and Zoning Board of Appeals (ZBA). The topic was scheduled at that time so that the Council members who were most involved in the enactment of MC-3-2011 would get the benefit of the reports and participate in assessing the effectiveness of the 2011 amendments before they transitioned off the Council at the beginning of May.

The January 10th Study Session followed the rescheduled regular Council meeting, which resulted in a very late start and left no opportunity for the Council to digest and discuss the information it had received. The matter has therefore been brought back for the current Study Session to allow for Council discussion. As with the January 10th Study Session, the chairs of the land-use related boards and commissions have once again been invited to the meeting.

Many of the suggestions from the boards and commissions align with the priorities identified by the Council during the strategic planning session it held in the summer of 2011. These issues include downtown revitalization, communications, technology and green initiatives related to stormwater management.

The following section identifies all of the issues raised at the January 10th Study Session, highlights key issues, and explains the attached reference materials.

Analysis

Attached to this Agenda Report is a matrix that identifies all of the points and issues raised at the January 10th Study Session, classifies them by type, explains the current status of each issue and provides suggested next steps.

The matrix is the result of a joint effort of Community Development Director Mike D'Onofrio, Village Planner Brian Norkus, Village Engineer Steve Saunders, Assistant to the

Village Manager Liz Rosenthal and Village Attorney Kathy Janega, all under the direction of the Village Manager Rob Bahan. Mike D’Onofrio first reviewed the video recording of the Study Session and provided the initial framework for the document. Mike D’Onofrio, Brian Norkus, Steve Saunders, Liz Rosenthal and Kathy Janega then met to discuss the basic information and to begin to flesh out the matrix, particularly in terms of categorizing the comments and identifying potential next steps and who would be responsible for implementing them.

Each column of the matrix has a substantive heading, as follows:

Column	Caption	Description
1	Requested Action	Statement of the issue or action raised by the board or commission representative
2	Proposed By	The Board or Commission whose representative raised the matter.
3	Category	Classifies the requested action as falling into one or more of four categories: C – Communications (different aspects of Village communications to the public) E – Economic Development (includes both business development and downtown revitalization) P – Procedural or Administrative (action involves implementing existing ordinances, procedures or directives, and does not involve legislative or policy follow-up) R – Regulatory or Land Use (requires a legislative or policy determination in areas related to land use and development)
4	Current Status	Explains the current status of the issue under existing ordinances, regulations and policy directives
5	Suggested Next Steps	Contains Village Staff’s suggestions as to next steps that can be taken to address the issue
6	Who Is Responsible	Identifies responsibility for the suggested actions as falling into one or more of three categories: <ul style="list-style-type: none"> • Village Staff • One of the Boards or Commissions • Village Council

The matrix is intended to provide a starting point for the Council’s discussion. To assist in that discussion, Columns 3 through 6 reflect different aspects of Staff’s analysis of the

requested action (Column 1). Column 3 is subdivided into four columns and attempts to describe the nature of the issue or requested action. However, as the descriptions above show, the four categories listed under Column 3 attempt to provide a somewhat broad picture of related subject areas rather than minutely defined ones.

Column 4 contains a brief explanation of whether, and to what extent, an issue/action is currently being addressed within the context of the Village's existing ordinances, regulations and policy statements. Column 5 takes the process one step further and provides key next steps. As with Column 3, the intent is to provide a broader picture rather than a detailed, step-by-step process. There is a corresponding limitation to the responsible parties listed in Column 6.

Perhaps the best example of how this limited scope is reflected in the matrix is in the requests of both the BCDC and Plan Commission to move forward with downtown master planning. The first step, pertaining to the ULI study, is being pursued, and staff has been charged with proceeding. Only that portion of the process is reflected in the matrix, although developing a downtown master plan will involve most of the advisory boards, particularly the Plan Commission and BCDC, and the Council will be solely responsible for the final policy decision. Staff therefore anticipates that the additional steps and responsible parties will be identified in the course of the Council's discussions and as the suggested next steps are pursued. Staff also anticipates that the same type of detail will evolve on other items as discussions proceed.

In the course of compiling and analyzing the information in the matrix, Staff has identified three significant substantive themes. It is significant that the first two themes disclosed by the Council's advisory boards and commissions comments are in direct alignment with the priorities already set by the Council in the 2011 strategic planning session. The three themes are as follows:

- 1) The most common thread among the issues pertains to redevelopment in the downtown business districts. This general topic touches all four categories and includes such issues as a downtown master plan and broader planning issues, economic development programs, communications programs, and the need for a procedural and regulatory framework.
- 2) The next most common theme pertains to environmental and sustainability issues. This theme also covers a broad spectrum, ranging from such planning issues as developing a sustainability plan and considering green infrastructure in stormwater management plans, to looking at such specific development regulations as impermeable surfaces and incentives for green development.
- 3) The comments from the boards also underscores the ongoing challenge of finding meaningful ways to avoid or delay the demolition of significant homes.

Finally, in addition to the key substantive themes, the juxtaposition of the requested actions and the current status discloses that some issues that were raised are already being addressed, either in the course of the normal, day-to-day operations or in larger projects. Staff believes that this apparent disconnect stems from the frequent turnover on boards and

commissions and the desire of newly appointed members, who are appointed on the basis of a demonstrated interest, to jump right in and get down to work. However, while most appointees are familiar with one or more aspects of the subject matter of the body to which they are appointed, an appointment to a board or commission is usually an appointee's first experience with the Village's internal workings. Thus, there is a need to provide board and commission members with more information about where their board or commission lies within the context of Village government, what laws and ordinances govern what the body considers and how it goes about making its decisions, and how the board or commission is supported by Village staff.

At one time, this orientation information was provided either through a general orientation program for the board or commission as a whole, or through one-on-one meetings between an appointee and one or more members of the Village Staff. Staff believes that reviving this practice and including an orientation for all board and commission members would have several benefits. First, it would enhance the effectiveness of the members, who would have a greater knowledge of what their board or commission can do and how to go about it. Second, it would increase the potential for communications with the Village Council and for coordination with other Boards and Commissions. Third, it would enable the boards and commissions to maximize their use of the Village's in-house expertise by tapping into the skills and experience of the Village's professional planning, engineering, management and legal staff. Staff therefore requests that the Council consider taking steps to establish a structured orientation as part of the experience for all boards and commissions.

Attached Reference Materials

To facilitate the Council's discussion, the following materials are attached:

- The issues matrix discussed above.
- Minutes of the January 10, 2012 Council Study Session.
- Excerpts from the Village Code pertaining to the scope of the powers and duties of the boards and commissions, and the role of Village staff.

Recommendation:

- 1) Hold follow-up discussion on status reports and issues raised by the land-use related Boards and Commissions.
- 2) Provide policy direction:
 - a. Determine which follow-up actions should be pursued
 - b. Prioritize the actions identified for follow-up.

1	2	3				4	5	6		
REQUESTED ACTION	PROPOSED BY	CATEGORY				CURRENT STATUS	SUGGESTED NEXT STEPS	WHO IS RESPONSIBLE		
		Communication	Economic Development	Procedural / Administrative	Regulatory / Land Use			Staff	Committee	Council
Development of a BCDC webpage on the Village's website	BCDC	C	E	P		Village evaluating RFP's from 3 potential vendors to develop a new village website	Develop and integrate a BCDC webpage as part of new website development	Staff	BCDC	Council
Business retention visits	BCDC	C	E	P		BCDC/Chamber/Village staff conducting 2 to 3 retention visits a month ("Win 2 Win" Program)	Increase the number of monthly retention visits; report to Council	Staff	BCDC	
Conduct breakfast meetings in business districts	BCDC	C	E	P		"Listen & Learn" sessions have begun	Promote 3/13 & 3/22 sessions; set schedule for future; report to Council	Staff	BCDC	
Village employ an economic development professional	BCDC		E	P		Awaiting ULI contract proposal, subsequent studies and Village Council direction; professional staff assists BCDC & building owners in economic development activities, e.g. train station development	Continue to use internal professional staff for targeted projects; await ULI contract proposal; identify potential subsequent studies	Staff	BCDC	Council
Move forward with downtown master plan	BCDC		E		R	Awaiting ULI contract proposal to proceed with Step 1 of two-step downtown planning process	Complete Phase 1; based on results proceed on Phase 2	Staff		Council
Install Wi-Fi in Council Chambers for public use	BCDC	C		P		Council Chambers under rehabilitation; currently have secure Wi-fi for Villages officers and staff	Investigate technical, security, and practical impact of implementing	Staff		
Coordination of reviews of Special Use Permit (SUP) applications	DRB			P	R	SUP applications reviewed independently by DRB, ZBA and PC. Each board reviews the application, scheduling runs on parallel tracks.	Review inter-board communications and consider ways to improve informing other boards when one board proposes changes in course of SUP process; evaluate potential for joint meetings; report to Council	Staff		
Make building permit applicants aware of DRB requirements	DRB	C		P		Building permit application process includes advising commercial building permit applicants of DRB requirements	As part of new website development, consider using electronic means to further communicate DRB	Staff		
Notify neighbors of pending DRB cases.	DRB	C		P		Written notice of DRB meeting is issued to all property owners within 250 feet of a commercial property having exterior modifications made (WVC §15.40.010.D)	No further action is necessary	Staff		
Address work being done without a permit and not in accordance with Design Guidelines	DRB			P	R	When CD learns of work being done without a permit, CD issues a Stop Work Order and work is not allowed to resume until permit is issued. Permits for exterior modifications are subject to DRB review	No further action is necessary.	Staff		
Develop a sustainability plan. Consider the elimination of use of phosphorus fertilizers and plastic bags; establish demonstration projects; consider changes to zoning regulations that promote sustainability	EFC			P	R	No sustainability plan exists.	Develop a sustainability plan that comprehensively addresses all green issues	Staff	EFC	Council

1	2	3				4	5	6		
REQUESTED ACTION	PROPOSED BY	CATEGORY				CURRENT STATUS	SUGGESTED NEXT STEPS	WHO IS RESPONSIBLE		
		Communication	Economic Development	Procedural / Administrative	Regulatory / Land Use			Staff	Committee	Council
Include green infrastructure in any new stormwater improvements	EFC			P	R	Village Code and related Engineering Guidelines address storm water runoff	Investigate potential green infrastructure practices that would lessen impact of stormwater runoff as a component of a stormwater master plan	Staff	EFC	Council
Provide incentives for "green" improvements	EFC			P	R	Zoning Ordinance contains incentives for use of brick pavers (WVC §17.04.030.1.1)	Investigate additional potential incentives for green improvements	Staff	EFC	Council
Village Council provide direction to the EFC.	EFC			P	R	No	Village Council provide direction requested by EFC	Staff		Council
Prevent new homes from being advertised for sale prior to issuance of a demolition permit	LPC				R	No applicable Village regulations	Investigate feasibility and legal aspects of implementing such a regulation	Staff	LPC	Council
Evaluate Historical and Architectural Impact Study (HAIS) and ability to provide meaningful delay for demolition approval of historically or architecturally significant homes.	LPC			P	R	To allow time to consider alternatives to demolition, demolition can be delayed while HAIS is prepared and for up to 60 days after HAIS submittal. (WVC §15.52.060, §15.52.070)	Identify how other municipalities delay issuance of demolition permits; investigate related legal issues	Staff	LPC	Council
Require homes that are subject to an HAIS be publicly listed for sale on the open market for 100 days	LPC			P	R	No applicable Village regulation. Previously brought before the Council and addressed by the Village Attorney.	Direct the Village Attorney to provide formal, updated opinion.	Staff	LPC	Council
Develop a commercial district plan.	PC					Development of a downtown plan was one of the top priorities identified in the Strategic Planning exercise conducted by the Village in Summer 2011	After ULI study is concluded, Village Council to provide direction to Plan Commission and BCDC regarding undertaking a planning process to develop a commercial business districts plan	Staff	BCDC, PC	Council
Incentivize green infrastructure	PC			P	R	Recommendation based on Plan Commission's 2010 assessment of Comprehensive Plan priorities	Investigate potential incentives	Staff	BCDC, PC, EFC	Council
Engage the Urban Land Institute (ULI) to undertake a planning process for the Village's commercial business districts	PC		E		R	Staff met with ULI on March 1 to initiate proposal and application process.	Develop a scope of services for ULI Technical Assistance Panels and take back to Council for approval.	Staff	PC, BCDC	Council
Joint reviews of SUP applications by ZBA and PC	ZBA			P	R	ZBA and PC do Independent reviews of SUP applications, with different standards; Public Hearing is held only before the ZBA	Have staff study the feasibility and legal aspects of holding joint hearings.	Staff	PC, ZBA	
Review impermeable lot coverage requirements	ZBA			P	R	Zoning regulations allow for 50% of a single family residential lot to be covered by impervious surface. (WVC §17.30.030)	Have staff and appropriate boards and commissions study impermeable lot coverage requirements to determine if they should be adjusted	Staff	EFC, PC, ZBA	Council

MINUTES
WINNETKA VILLAGE COUNCIL STUDY SESSION

January 10, 2012

(Approved: February 21, 2012)

A record of a legally convened meeting of the Council of the Village of Winnetka, which was held in the Police Department at 410 Green Bay Road, on Tuesday, January 10, 2012 at 10:45 p.m., immediately following the rescheduled regular meeting of the Village Council.

- 1) Call to Order. Apologizing to the audience for the lateness of the hour and thanking them for staying, President Tucker called the meeting to order at 10:45 p.m. Present: Trustees Arthur Braun, Gene Greable, Bill Johnson, Richard Kates, Chris Rintz and Jennifer Spinney. Absent: None. Also in attendance: Village Manager Robert Bahan, Village Attorney Katherine Janega, Michael D’Onofrio Director of Community Development and approximately 14 persons in the audience.
- 2) Reports to Council From Land Use-Related Lower Boards and Commissions. President Tucker invited the members of the lower boards in attendance to introduce themselves to the Council.

Design Review Board. DRB Chairperson John Swirk addressed some of the communication and coordination issues that arise among the land use boards, especially in the case of special use permits. He suggested that the Zoning Board hearings be held before other bodies meet, so interested neighbors would have notice of the application before any other meetings are held, and also suggested holding joint Zoning Board and DRB meetings. He also recommended that plan revisions proposed by one board be communicated to the other boards as part of the approval process. Mr. Swirk stressed the need for building permit applicants to be aware of DRB requirements, suggested that information could be easily accessible on the Village’s website, and commented that enforcement is an issue when work is being done without a permit or not in accordance with design guidelines.

Business Community Development Commission. Former BCDC Chair Cicely Michalak reported that the BCDC is very focused on communication, both internal and external, expressed the hope that the Village’s new website will be in place soon, and urged the Council to move forward with downtown revitalization, especially a downtown master plan. She also raised the issue of hiring a dedicated economic development professional. Terry Dason, Executive Director of the Chamber of Commerce, commented on the business retention visits currently being conducted by the BCDC/Chamber/Village staff.

Environmental and Forestry Commission. EFC Chair Debbie Ross reported on the Committee’s initiatives and expressed the desire to work with the Plan Commission on incorporating green infrastructure improvements, especially with regard to stormwater. She expressed the Committee’s desire to develop a sustainability plan to comprehensively address green issues.

Zoning Board of Appeals. ZBA member Joni Johnson agreed with Mr. Swirk’s comments about combining the PC, ZBA and possibly DRB hearings as a way of streamlining the special use process and improving communication. She also mentioned the need to re-examine and perhaps tighten maximum permeable surface limits in light of recent stormwater flooding.

Plan Commission. Chair Becky Hurley voiced strong support for incentivizing green infrastructure and making communication a high priority. She remarked that it is the Plan Commission's goal to keep the Village's Plan up to date and maintain consistency, in light of changing conditions, changing Council terms. She noted that, at the Council's direction, the Commission has devoted extensive time and effort on Affordable Housing and residential design guidelines, and is now looking for direction on developing a commercial area strategic plan. Ms. Hurley voiced some frustration that the Council has failed to follow through on some of the major initiatives brought to it by the Plan Commission.

Landmark Preservation Commission. LPC Chair Louise Holland reported that the Commission has met with continued frustration over requests to demolish significant historic homes. She suggested that the Village consider amending its ordinances to provide for a longer delay before granting demolition permits for such houses and asked that developers not be permitted to advertise new homes for sale on properties before a demolition permit for the existing home has been issued. She also suggested that homes that are subject to an HAIS be required to be publicly listed for sale on the open market for a minimum of 100 days.

3) Public Comment. None.

President Tucker once again thanked the committee representatives for their time, patience, and service to the community.

4) Executive Session. Due to the lateness of the hour, no Executive Session was held.

5) Adjournment. Trustee Johnson moved to adjourn the Study Session. The motion was seconded by Trustee Spinney. By roll call vote, the motion carried. Ayes: Trustees Braun, Greable, Kates, Johnson, Rintz and Spinney. Nays: None. Absent: None. The meeting adjourned at 11:45 p.m.

Recording Secretary

**Chapter 3.02
GENERAL PROVISIONS**

Sections:

3.02.010	Open Meetings
3.02.020	Meeting Attendance
3.02.030	Limitation on Powers and Authority
3.02.040	Staff Liaisons
3.02.050	Applicability

Section 3.02.010 Open Meetings

It is the policy of the Village of Winnetka that all meetings of all boards, commissions and committees of the Village, and all committees and subcommittees thereof, shall be held in accordance with the provisions of the Illinois Open Meetings Act.

(MC-3-2011, Amended 04/26/2011; MC-8-2007, Added, 06/05/2007)

Section 3.02.020 Meeting Attendance

A. Attendance in Person. It is the policy of the Village of Winnetka that the members of all boards, commissions and committees of the Village, and all committees and subcommittees thereof, shall attend meetings of their respective bodies in person, notwithstanding any statutes of the State of Illinois permitting attendance by some means other than physical presence at the location of the meeting.

B. Rules Governing Attendance. No board, commission or committee of the Village, nor any committee or subcommittee thereof, shall have the power or discretion to establish rules permitting any of their members to attend meetings by any means other than by their physical presence, unless the Village Council has specifically granted such power and discretion in the enumerated powers set forth in the chapter of this Title pertaining to such board, commission or committee or subcommittee thereof.

(MC-3-2011, Amended 04/26/2011; MC-8-2007, Added, 06/05/2007)

Section 3.02.030 Limitation of Powers and Authority.

A. No board, commission or committee of the Village, and no committee or subcommittee thereof, shall have the power or authority to advertise for bids, to request proposals for work, to enter into a contract, to purchase any goods or services, or to encumber or expend Village funds unless one of the following conditions exists:

1. the Village Council has specifically granted such power and discretion in the enumerated powers set forth in the chapter of this Title pertaining to such board, commission or committee or committee or subcommittee thereof;

2. the Village Council has specifically granted such power or authority in an open meeting of the Village Council; or

3. the board or commission is created pursuant to State law and such power either has been granted pursuant to statute or is necessary to the performance of such board's or commission's statutory duties.

B. No board, commission or committee of the Village, and no committee or subcommittee thereof shall have the power or authority to create other committees or

subcommittees to assist such board, commission or committee in the performance of its work, unless directed by the Village Council or, if time is of the essence, by the Village President, subject to ratification by the Village Council at its next meeting.

C. Notwithstanding the foregoing, any board, commission, or committee of the Village, and any committee or subcommittee thereof, may request additional power or authority from the Village Council at any time, provided such request is for a specific purpose related to the duties of the requesting body.

(MC-3-2011, Added 04/26/2011)

Section 3.02.040 Staff Liaisons

The Village Manager shall have the authority and discretion to assign such Village staff as is necessary to provide professional and technical assistance, to provide clerical support, and to serve as a liaison between the Village administration and each board, commission or committee established pursuant to this Title 3 of the Village Code.

(MC-3-2011, Added 04/26/2011)

Section 3.02.050 Applicability

The provisions of this Chapter shall apply to all boards and commissions established pursuant to this Title 3 of the Village Code, to all boards and commissions of the Village established by State law and to all standing committees and ad hoc committees established by the Village Council. The provisions of this Chapter shall also apply to all committees and subcommittees of any of the foregoing, whether such committee or subcommittee is established by such board or commission or by State law, this Code, or other act of the Village Council.

(MC-3-2011, Added 04/26/2011)

Chapter 3.04
ENVIRONMENTAL AND FORESTRY COMMISSION

Section 3.04.050 Powers and Duties

The Commission shall have the following powers and duties:

A. Urban Forestry.

1. To act in an advisory capacity to the Village Council on matters relating to urban forestry, including the enhancement and preservation of trees in the Village, and methods to mitigate threats to trees in the Village such as Dutch elm disease and the emerald ash borer;
2. In consultation and coordination with the Village Council and Village professional staff, to make recommendations to the Village Council regarding amendments to the provisions of Tree Preservation Code, Chapter 15.28 of this code;
3. To apply annually for Tree City U.S.A. designation or other awards and incentives recognizing the Village or any portion of the Village for its trees or forestry;
3. To provide advice and mediation in disputes concerning the maintenance or removal of trees in the Village when requested by all parties to a dispute;
4. To determine, at the request of the Director of Public Works, whether an application for a permit to remove a tree under Section 15.28.040(B)(6) meets the requirement of that subsection that the removal of the tree will avoid or alleviate an economic hardship or hardship of another nature on the property or residence; and
5. To hear and decide appeals from the action of the Director of Public Works denying a permit to remove a tree pursuant to Section 15.28.040 of this Village code, in accordance with the procedures set out in Section 15.28.090.

B. Environmental Stewardship.

1. To act in an advisory capacity to the Village Council on matters relating to:
 - a. sustainability, meaning the use of resources so that they do not become depleted or permanently damaged and requiring the balancing of environmental, economic and social demands, so as to meet present needs without compromising the future;
 - b. the protection of the environment;
 - c. the conservation of energy; and
 - d. the preservation, conservation, enhancement and protection of the quality of the Village's natural resources, including issues related to pollution and recycling;
2. In consultation and coordination with the Village Council, to make recommendations to the Village Council regarding the improvement of private energy stewardship by the Village's residents and businesses, including strategies for energy conservation, reduced energy consumption and access to renewable energy sources; and
3. In consultation and coordination with the Village Council and Village professional staff, to make recommendations to the Village Council regarding the adoption of "green" building strategies for public and private development and redevelopment, such as the Leadership in Energy and Environmental Design Program developed by the U.S. Green Building Council.

C. Technical Assistance and Information Services.

1. In consultation and coordination with the Village Council and Village professional staff, to assist in disseminating information about protection of the environment, the conservation of energy, and the protection, maintenance and improvement of the Village's tree population;

2. To work in consultation and cooperation with the Plan Commission in the Plan Commission's review and updating of the Comprehensive Plan on matters pertaining to the protection of the environment, and to make recommendations to the Plan Commission for amendments to the Comprehensive Plan pertaining to:

a. sustainability, as defined in Section 3.04.050B.1.a, above; and
b. the protection, maintenance and improvement of the Village's tree population, including updating Chapter XIV, "Street Tree Planting," of the Winnetka Comprehensive Plan; and

3. In consultation and coordination with the Village Council and Village professional staff, to act as a liaison between the Village and other local and regional governmental, public and private agencies, such as the Winnetka Park District, area schools, Great Lakes Commission and Chicago Wilderness, for the purpose of obtaining information on matters related to the foregoing powers and duties of the Commission.

D. To report to the Village Council from time to time on the work of the Commission, including but not limited to (i) presenting a report to the Village Council in an open session of the Village Council at least once each calendar year, and (ii) submitting such other and additional reports as the Village Council, in the exercise of its discretion and authority, may direct from time to time; and

E. To perform such other duties and responsibilities as directed by the Village Council or as otherwise required by ordinance or statute.

(MC-3-2011, Amended 04/26/2011; MC-3-2008, Amended, 06/03/2008)

Chapter 3.08
PLAN COMMISSION

Section 3.08.060 Powers and Duties

- A. The Plan Commission shall have the following powers and duties:
1. To prepare and recommend to the Council a Comprehensive Plan for the present and future development or redevelopment of the Village;
 2. To assist the officials of the Village charged with the direction of projects for improvements embraced within the official plan, to further the making of such improvements, and generally to promote the realization of the official plan;
 3. To conduct an annual review of Appendix 6 of the Comprehensive Plan and to submit proposals to the Council and to the Board of Local Improvements for specific improvements enumerated therein;
 4. To prepare and recommend to the Council changes in the official Comprehensive Plan from time to time;
 5. To consider and make recommendations to the Council on applications for land subdivisions as provided in Title 16 of this Code;
 6. To consider and make recommendations to the Council on applications for special use permits, wireless telecommunications facilities and planned developments, as provided in Title 17 of this Code;
 7. To adopt rules of procedure not inconsistent with this section;
 8. To report to the Village Council from time to time on the work of the Commissions, including but not limited to (i) presenting a report to the Village Council in an open session of the Village Council at least once each calendar year, and (ii) submitting such other and additional reports as the Village Council, in the exercise of its discretion and authority, may direct from time to time; and
 9. To perform such other duties and responsibilities as directed by the Village Council or as otherwise required by ordinance or statute.
- (Ord. MC-228-99 § 4 (part), 1999: prior code § 6.02)
(MC-3-2011, Amended 04/26/2011; MC-8-2005, Amended, 12/20/2005)

Chapter 3.12
DESIGN REVIEW BOARD

Section 3.12.010 Design Review Board.

* * *

E. Powers and Duties. The Design Review Board shall have the following powers and duties:

1. To hold hearings on the issuance of certificates of appropriateness of design in connection with applications for building permits pursuant to the provisions of Chapter 15.40 of this code;
2. To hold hearings on the issuance of certificates of appropriateness in connection with applications for sign permits pursuant to the provisions of Chapter 15.60 of this code;
3. Upon completion of hearings on the issuance of certificates of appropriateness that are part of applications that require any approval by the Village Council, to make findings and recommendations to the Council as to whether such certificate should be issued or denied;
4. Upon completion of hearings on the issuance of certificates of appropriateness that are not part of applications that require any approval by the Village Council, to make findings and to issue or deny such certificates;
5. To adopt and publish standards and criteria for the review of external architectural features associated with the issuance of certificates of appropriateness under subsection (E)(1) of this section;
6. To make recommendations to the Council or the Village Manager as to measures appropriate to improve the appearance of public buildings and public property;
7. To study plans and specifications for any proposed public works or public improvements and to make recommendations to the Council, the Board of Local Improvements, or the Village Manager, as the case may be, as to the architectural or aesthetic aspects of such plans and specifications;
8. To consult with and to cooperate with the Plan Commission, Village departments, and any other municipal or governmental bodies on matters affecting the appearance of the Village;
9. To formulate plans, measures or guidelines for improvement of the appearance of privately owned real estate in the Village and, with the approval of the Council, to consult with the owners or occupants of such real estate with a view to achieving improvement appearance through voluntary cooperation;
10. To adopt rules of procedure not inconsistent with this section; and
11. To perform such other duties and render such other services as may be specified by ordinance or resolution of the Village Council.

(Ord. MC-228-99 § 4 (part), 1999; Ord. MC-192-97 § 4 (part), 1997; prior code § 6.04)
(MC-8-2007, Amended, 06/05/2007, Subsection D)

BUSINESS COMMUNITY DEVELOPMENT COMMISSION

Section 3.22.060 Powers and Duties.

The Business Community Development Commission shall have the following powers and duties:

A. To act in an advisory capacity to the Village Council on matters relating to business and economic development opportunities within the Village's commercial zoning districts, including identifying services and professional resources available to the Village for business and economic development;

B. In consultation and coordination with the Village Council, to collect information and report to the Village Council on opportunities for business and investment in the Village's commercial zoning districts;

C. In consultation and coordination with the Village Council, to perform studies and make recommendations to the Village Council concerning business development in the Village, including but not limited to helping existing businesses grow, encouraging new businesses to be started and attracting businesses from outside the Village;

D. To identify grants and other financial resources available to the Village for business and economic development and, subject to the prior approval of the Village Council, to apply for such grants or financial resources;

E. To perform such other duties pertaining to the development and improvement of the Village's business districts as the Village Council, in the exercise of its discretion, may direct from time to time;

F. To report to the Village Council from time to time on the work of the Commissions, including (i) presenting a report to the Village Council in an open session of the Village Council at least once each calendar year, and (ii) submitting such other and additional reports as the Village Council, in the exercise of its discretion and authority, may direct from time to time; and

G. To perform such other duties and responsibilities as directed by the Village Council or as otherwise required by ordinance or statute.

(MC-3-2011, Amended, 04/26/2011; MC-8-2007, Amended, 06/05/2007, Paragraph 5 of Subsection A; MC-3-2004, Added, 04/06/2004)

Chapter 3.24

Chapter 3.40
LANDMARK PRESERVATION COMMISSION

Section 3.40.060 Powers and Duties.

The Commission shall have the following powers and duties:

A. Surveys and Education.

1. To conduct an ongoing survey of the Village the criteria identified in Chapter 15.64 to identify buildings, structures and properties by address or location that are of historic, cultural or architectural significance, and, therefore, potential landmarks;

2. To develop and maintain technical information pertaining to the physical and financial aspects of preservation, renovation, rehabilitation and reuse, and on procedures for inclusion on the National Register of Historic Places and to make such information available to the owners of potential and designated landmarks; and

3. To inform and educate the residents of the Village concerning the historic, cultural or architectural heritage of the Village;

B. Landmarks.

1. Upon receipt of an application for landmark designation from a property owner, to hold public hearings and make findings and recommendations to the Village Council on the application, in accordance with procedures established in Chapter 15.64;

2. To hold public meetings and review applications for alteration affecting designated landmarks and comment upon such alteration;

3. To compile information concerning potential and designated landmarks;

4. To prepare, keep current, and publish maps and/or registers of potential and designated landmarks; and

5. To establish an appropriate system of certificates, markers or plaques for designated landmarks;

C. Building Demolitions.

1. To review applications for demolition permits and to determine whether a historic and architectural impact study should be conducted before a demolition permit is issued, as provided in Chapter 15.52 of this code; and

2. To order that the issuance of a demolition permit be delayed to allow an opportunity to determine alternatives to demolition of buildings or structures that are historically or architecturally significant, as provided in Chapter 15.52 of this code;

D. Rules. To develop and adopt rules and procedures necessary to carry out its functions under the provisions of this chapter; and (Prior code § 20.02)

E. Other Powers and Duties.

1. To seek grants and donations to achieve the purposes of this chapter and, upon authorization by the Village Council, to seek certifications or approvals necessary to qualify the Village, the Commission or the owners of designated landmarks, for financial or other assistance;

2. Upon authorization by the Village Council to undertake any other action or activity necessary or appropriate to the implementation of the powers and duties, or the implementation of the purposes of this chapter.

(MC-5-2009, Amended, 05/05/2009)

Chapter 3.44
ZONING BOARD OF APPEALS

Section 3.44.050 Powers and Duties

A. Rules of procedure. The Board shall adopt and publish its own rules of procedure for all matters under its jurisdiction, Such rules of procedure shall be consistent with the provisions of this chapter, Title 17 of this code and state statutes.
(Prior code § 22.16 (part))

B. Powers and duties. In addition to the foregoing duty, the Board shall have the following powers and duties:

1. To conduct hearings, enter findings and render decisions on applications for zoning variations, special uses and planned developments, as provided in Title 17 of this code;

2. To hear and decide certain appeals as provided in Chapter 17.72 of this code;

3. To perform such other duties and functions in the administration of the Winnetka Zoning Ordinance, as provided in Title 17 of this code;

4. To hear and consider appeals from certain orders, requirements, decisions or determinations of any Building Officer as provided in Chapter 15.72 of this code, for which purposes the Board shall be known as the Building and Zoning Board of Appeals;

5. To make recommendations to the Village Council from time to time regarding the administration of and possible amendment to this Code; and

6. To perform such other duties as the Village Council may direct from time to time.

(MC-5-2009, Amended, 05/05/2009; MC-8-2007, Amended, 06/05/2007)

Agenda Report

Subject: **Federal Emergency Management Agency Community Rating System (CRS)**

Prepared By: Steven M. Saunders, Director of Public Works/Village Engineer

Date: March 6, 2012

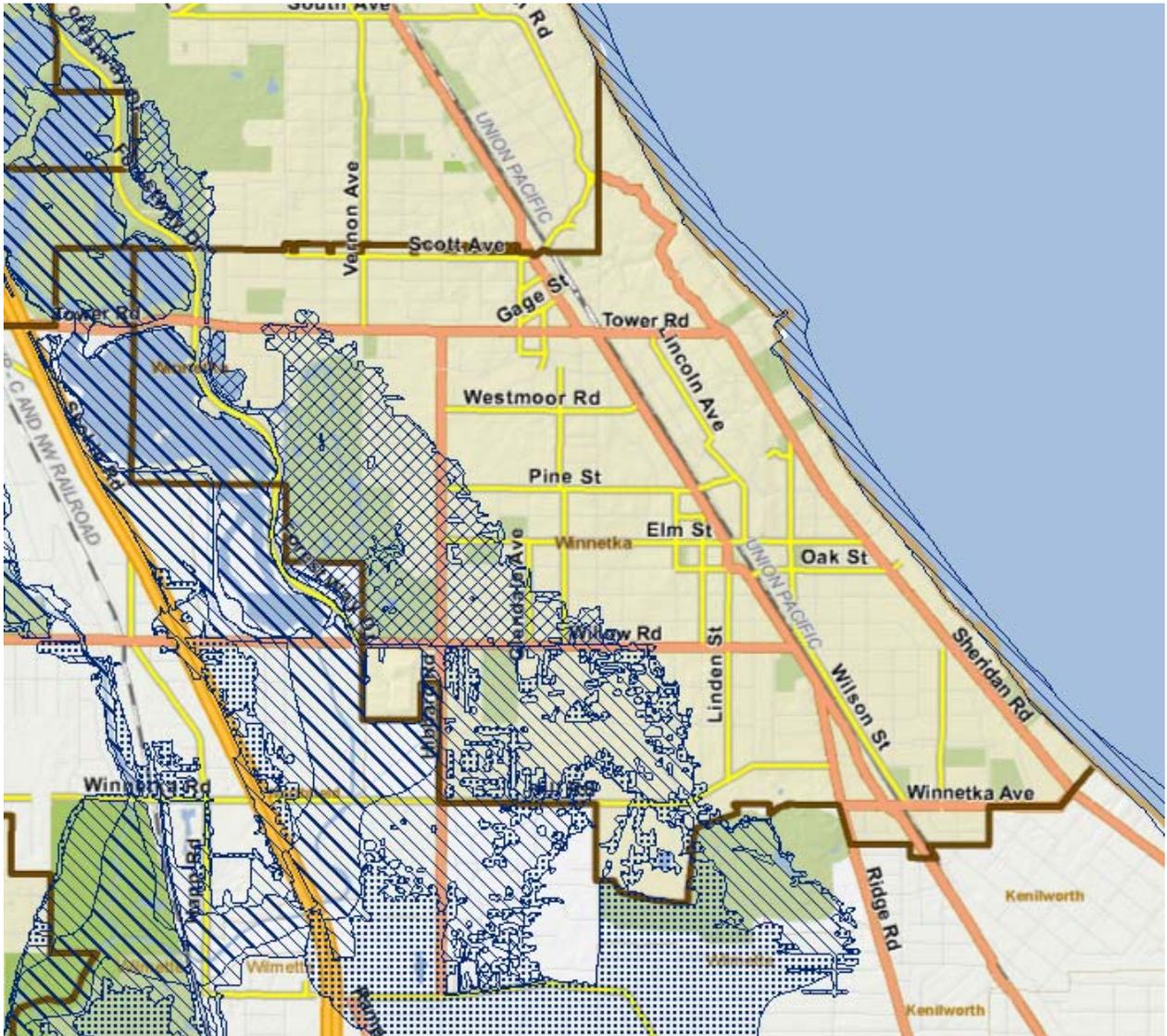
Background

The U.S. Congress established the National Flood Insurance Program (NFIP) with the passage of the National Flood Insurance Act of 1968. The NFIP is a Federal program enabling property owners in participating communities to purchase insurance as a protection against flood losses in exchange for State and community floodplain management regulations that reduce future flood damages. Participation in the NFIP is based on an agreement between communities and the Federal Government. If a community adopts and enforces a floodplain management ordinance to reduce future flood risk to new construction in floodplains, the Federal Government will make flood insurance available within the community as a financial protection against flood losses. This insurance is designed to provide an insurance alternative to disaster assistance to reduce the escalating costs of repairing damage to buildings and their contents caused by floods. Winnetka has been a participant in the NFIP since the 1970's.

A fundamental tenet of the NFIP is identifying flood hazard areas and assessing the flood risk associated with these areas. The Federal Emergency Management Agency (FEMA) identifies these areas through a process of hydraulic and statistical analysis to determine flood probabilities associated with riverine and coastal areas. Areas with a 1% or greater probability of flooding in a given year are mapped and designated as Special Flood Hazard Areas (SFHA's). Properties located within SFHA's are required to carry flood insurance, if they are secured by a mortgage with Federally-insured financial institution. Flood insurance is available to these properties, and to any property, for that matter, in communities or counties that participate in the NFIP. Flood insurance premiums are calculated based on the elevation of a structure and its resultant probability of flooding.

In the Village of Winnetka, there are SFHA's associated with the Skokie River, and with Lake Michigan. These SFHA's, containing approximately 770 properties, are shown below. These properties may either be entirely located within the 100-year flood plain, including the home, or may only have portions of the property located within the 100-year flood plain.

Village of Winnetka SFHA Map



In Winnetka, there are 320 policies covering \$86,126,800 in property values, with an average annual premium of \$2,084 for those that are in the 100-year flood plain.

Community Rating System (CRS)

The NFIP's Community Rating System (CRS) recognizes community efforts beyond those minimum standards by reducing flood insurance premiums for the community's property owners. The CRS is similar to – but separate from – the private insurance industry's programs that grade communities on the effectiveness of their fire suppression and building code enforcement. CRS discounts on flood insurance premiums range from 5% up to 45%. Those discounts provide an incentive for new flood protection activities that can help save lives and property in the event of a flood.

To participate in the CRS, a community can choose to undertake some or all of 18 public information and floodplain management activities designed to reduce a community's susceptibility to flooding. These measures are described below:

- Elevation Certificates. Maintain FEMA elevation certificates for new construction in the floodplain. At a minimum, a community must maintain certificates for buildings built after the date of its CRS application.
- Map Information Service. Provide Flood Insurance Rate Map (FIRM) information to people who inquire, and publicize this service.
- Outreach Projects. Send information about the flood hazard, flood insurance, flood protection measures, and/or the natural and beneficial functions of floodplains to flood-prone residents or all residents of a community.
- Hazard Disclosure. Ensure that real estate agents advise potential purchasers of flood-prone property about the flood hazard. Regulations require notice of the hazard.
- Flood Protection Information. The public library and/or community's website maintains references on flood insurance and flood protection.
- Flood Protection Assistance. Give inquiring property owners technical advice on how to protect their buildings from flooding, and publicize this service.
- Additional Flood Data. Develop new flood elevations, floodway delineations, wave heights, or other regulatory flood hazard data for an area not mapped in detail by the flood insurance study. Have a more restrictive mapping standard.
- Open Space Preservation. Guarantee that currently vacant floodplain parcels will be kept free from development.
- Maintain Higher Regulatory Standards. Examples include: Require freeboard. Require soil tests or engineered foundations. Require compensatory storage. Zone the floodplain for minimum lot sizes of 1 acre or larger. Require coastal construction standards in AE Zones. Have regulations tailored to protect critical facilities or areas subject to special flood hazards (for example, alluvial fans, ice jams, subsidence, or coastal erosion).
- Flood Data Maintenance. Keep flood and property data on computer records. Use better base maps. Maintain elevation reference marks.
- Stormwater Management. Regulate new development throughout the watershed to ensure that post-development runoff is no worse than pre-development runoff. Regulate new construction to minimize soil erosion and protect or improve water quality.
- Floodplain Management Planning. Prepare, adopt, implement, and update a comprehensive flood hazard mitigation plan using a standard planning process. This is a minimum requirement for all repetitive loss communities.
- Acquisition and Relocation. Acquire and/or relocate flood-prone buildings so that they are out of the floodplain.
- Flood Protection. Protection of existing floodplain development by flood-proofing, elevation, or minor structural projects.
- Drainage System Maintenance. Conduct periodic inspections of all storm sewers, channels and retention basins, and remove debris as needed.

- Flood Warning Program. Provide early flood warnings to the public, and have a detailed flood response plan keyed to flood crest predictions.
- Levee Safety. Maintain existing levees not otherwise credited in the flood insurance rating system that provide some flood protection.
- Dam Safety. (All communities in a state with an approved dam safety program receive some credit.)

The Village currently undertakes many of these activities to a greater or lesser degree, but we will need to formalize and document these activities in a manner consistent with FEMA’s requirements. Participation in the CRS will provide property owners with flood insurance premium discounts of up to 45%, depending on the level of credit points received and where their property is located. Discounts are calculated based on the following:

Rate Class	Discount		Credit Points Required
	SFHA*	Non-SFHA**	
1	45%	10%	4,500 +
2	40%	10%	4,000 – 4,499
3	35%	10%	3,500 – 3,999
4	30%	10%	3,000 – 3,499
5	25%	10%	2,500 – 2,999
6	20%	10%	2,000 – 2,499
7	15%	5%	1,500 – 1,999
8	10%	5%	1,000 – 1,499
9	5%	5%	500 – 999
10	0%	0%	0 – 499

* Special Flood Hazard Area

** Preferred Risk Policies are available only in B, C, and X Zones for properties that are shown to have a minimal risk of flood damage. The Preferred Risk Policy does not receive premium rate credits under the CRS because it already has a lower premium than other policies. Although they are in SFHA’s, Zones AR and A99 are limited to a 5% discount. Premium reductions are subject to change.

To participate in the CRS, the Village must submit a letter, signed by the Village President, stating formal intent to apply for the program. The Village must then undergo a Community Assistance Visit (CAV) to determine the Village’s compliance status in the NFIP, and designate a CRS Coordinator to lead the program. The Village must address deficiencies (if any) found during the CAV and then document its NFIP activities to obtain credit points. This will likely be a 12 to 18-month process and could proceed on a parallel track to the proposed Stormwater Master Planning process.

Recommendation:

Consider authorizing the Village of Winnetka to formally apply for participation in the FEMA Community Rating System