



City of Woodstock
Office of the City Manager

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121 W. Calhoun Street
Woodstock, Illinois 60098

Roscoe C. Stelford III
City Manager

SPECIAL MEETING
WOODSTOCK CITY COUNCIL

BOUNDARY AGREEMENTS & PRE-ANNEXATIONS WORKSHOP

Stage Left Café

Tuesday, November 29, 2016

3:00PM

The City Council Boundary Agreements & Pre-Annexations Workshop is a working session of the City Council, and City Administration. While this is a public meeting, no public comments will be entertained.

CALL TO ORDER:

ROLL CALL:

POTENTIAL DISCUSSION ITEMS:

- 1. Boundary Agreements**
 - a. Defined**
 - b. Benefits and Challenges**
 - c. Current Boundaries**
 - d. Existing Agreements**
- 2. Pre-Annexation Agreements**
 - a. Defined**
 - b. Benefits and Challenges**
 - c. Future Uses**
- 3. Buffer Zones**
 - a. Defined**
 - b. Potential Uses**
 - c. Joint Planning**
- 4. Active Annexation**
- 5. Future Workshop Dates to Discuss the FY17/18 Budget**

ADJOURN to December 6, 2016 City Council meeting, 7:00 PM, Council Chambers, Woodstock City Hall.

NOTICE: In compliance with the American's With Disabilities Act (ADA), this and all other City Council meetings are located in facilities that are physically accessible to those who have disabilities. If additional reasonable accommodations are needed, please call the City Manager's Office at 815/338-4301 at least 72 hours prior to any meeting so that accommodations can be made.



City of WOODSTOCK

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MEMORANDUM

DATE: November 17, 2016

TO: Roscoe Stelford, City Manager

FROM: Joseph Napolitano, Director of Building & Zoning

SUBJECT: City Council Workshop Discussion: Boundary Agreements and Pre-Annexations

ATTACHMENTS:

- 1) Exhibit A, Approved Boundary Agreements
- 2) Exhibit B, Comprehensive Plan Land Use Map
- 3) Exhibit C, Excerpt from Comprehensive Plan, Buffer Zones
- 4) Exhibit D, Natural Resources Inventory Map
- 5) Exhibit E, Map of Unincorporated Pockets

Boundary Agreements

What is a Boundary Agreement?

In accordance with 65 ILCS 5/11-12-9 of the Illinois Compiled Statutes, if unincorporated land is within 1-½ miles of the boundaries of two or more corporate authorities having official comprehensive plans, the corporate authorities involved can establish a boundary agreement. A boundary agreement is an intergovernmental agreement, typically between two communities, that establishes a boundary line beyond which neither community will annex. They may include other provisions relating to future development, such as requiring notification of zoning or development proposals on land adjoining the intergovernmental boundary line and the establishment of development controls such as minimum setbacks and required landscaping. Boundary agreements are valid for a period not to exceed 20 years.

Why do Communities Establish Boundary Agreements?

Boundary agreements are established for several reasons such as establishing logical municipal boundaries, insuring lands are developed in a manner that is consistent with the Comprehensive Plans of both communities, minimizing municipal conflicts, and eliminating some of the adverse land use consequences that occur when municipalities compete for tax generating land uses. Boundary agreements can help municipalities in planning for future services, such as sanitary sewer, water and police protection. But they are generally inflexible and not easily changed.

Existing Agreements.

The City of Woodstock has three intergovernmental agreements with neighboring communities. The attached map (Exhibit A) shows the existing agreed upon boundaries from each agreement. The following table summarizes when the agreements were approved and when they will expire.

<u>Agreement With:</u>	<u>Ord. Number:</u>	<u>Date Approved:</u>	<u>Expiration Date:</u>
City of Crystal Lake	2658	December 3, 1996	December 3, 2016*
Village of Bull Valley	2697	August 19, 1997	August 19, 2017
Village of Bull Valley Amendment	07-O-98	November 20, 2007	August 19, 2017
Village of Lakewood	03-O-10	February 4, 2003	February 4, 2023

* One year extension to be considered by both cities on December 20, 2016.

Future Considerations.

With the pending expiration of both the Crystal Lake and Bull Valley agreements, it is appropriate to review the established boundaries and determine if any changes should be made. In considering potential changes, the following should be considered:

- 1) Land use designations indicated on the Woodstock Comprehensive Plan Land Use Map (see attached map, Exhibit B. Note: a larger map will be available at the workshop);
- 2) Past and current development patterns;
- 3) Location and capacity of existing and proposed utility lines;
- 4) Planned future road/transit improvements.

Council should be aware that attempts to expand the current boundaries will likely be met with some resistance from Crystal Lake and Bull Valley. Some give and take during negotiations may be necessary to achieve the desired outcome.

Pre-Annexation Agreements

What is a Pre-Annexation Agreement?

Pre-annexation agreements are virtually the same as annexation agreements, but they are used for property that is not currently contiguous to a municipality. They spell out the long-term commitment by a municipality to grant the desired zoning, a reasonable density, some promise regarding utility services, a formula for impact fees and donations to other governmental bodies, if any, and certain understandings regarding engineering standards and the application of local ordinances. If a pre-annexation agreement contains a promise of a zoning category, all public hearings regarding zoning, including special uses and variances, need to take place before the pre-annexation agreement can be approved. For every pre-annexation agreement, a public hearing must be held before the corporate authorities. A pre-annexation agreement can only be approved by a two-thirds vote of the corporate authorities (5 out of 7). Once approved, a pre-annexation agreement can only be amended after the appropriate public hearings and by a similar supermajority vote. Pre-annexation agreements are typically valid for a period not to exceed 20 years.

Why do Communities Enter into Pre-Annexation Agreements?

Pre-annexation agreements are a way to proactively gain control over undeveloped land that is not contiguous to a municipality. They are beneficial for many of the same reasons that boundary agreements are beneficial: establishing logical municipal boundaries, insuring lands are developed in a manner that is consistent with the Comprehensive Plan, adopted codes and ordinances, and planning for future municipal services, such as sanitary sewer, water and police protection. In instances where there are no approved boundary agreements, pre-annexation agreements can act as a deterrent to a competing municipality that may be over-aggressive with its expansion plans. Some challenges associated with pre-annexation agreements are: the 20-year time frame and potential changes development patterns and economic climate; a municipality must be careful not to overcommit and/or make unrealistic promises just to secure a property; and reluctance on the property owner's part to commit any sort of future development.

Future Considerations.

In the past, Woodstock has not actively sought out property owners to enter into pre-annexation agreements. If the Council is interested in taking a more proactive approach, City Staff is willing to reach out to the owners of unincorporated properties to determine their interest in pre-annexation.

Buffer Zones

What is a Buffer Zone?

The Buffer Zone concept is included in the Woodstock Official Comprehensive Plan (see attached excerpt, Exhibit C). To summarize, the Plan identifies buffer zones as a way to minimize conflicts between potentially incompatible land uses and a means to protect Woodstock's unique character and identity from neighboring communities and unincorporated lands. Buffer zones can consist of a variety of land use types and may include natural features such as wetlands, floodplain, prairies, woodlands, conservation areas, and open areas in large lot estate developments. They can also include open space such as parks, golf courses and recreational areas, as well as crop land, pasture and orchards. Exact dimensions of buffer zones will depend on proposed land use activities and the physical characteristics of an area. The Comprehensive Plan identifies natural areas (see map, Exhibit D) that can be incorporated into any established buffer zones.

Forced Annexations

65 ILCS 5/7-1-13 of the Illinois Compiled Statutes includes provisions for the forced annexation of unincorporated territory by a municipality. Essentially, unincorporated territory containing 60 acres or less may be annexed by force (i.e., without consent of property owners) if it is wholly bounded by one or more municipalities, upon adoption of an ordinance and proper notice by the municipality. There are currently several areas surrounded by Woodstock that meet these criteria (see attached map, Exhibit E).

Reasons for forcibly annexing unincorporated properties include: the application of consistent and uniform regulations (i.e., open burning is not allowed in City limits, but is allowed on adjacent unincorporated lands); ease and clarity in provision of services, such as snow plowing and police protection; and revenue generation, such as property taxes and increase in state shared revenues due to population increase. On the downside, forced annexation has a generally

negative perception; property taxes will increase for the owners of forcibly annexed land; and the City loses its ability to negotiate terms and conditions for development that it would have if the property is voluntarily annexed with an annexation agreement.

Future Considerations.

In the past, Woodstock has not pursued the forced annexation of unincorporated property. If the Council is interested in taking a more aggressive approach relating to forced annexation, City Staff is willing to move forward.

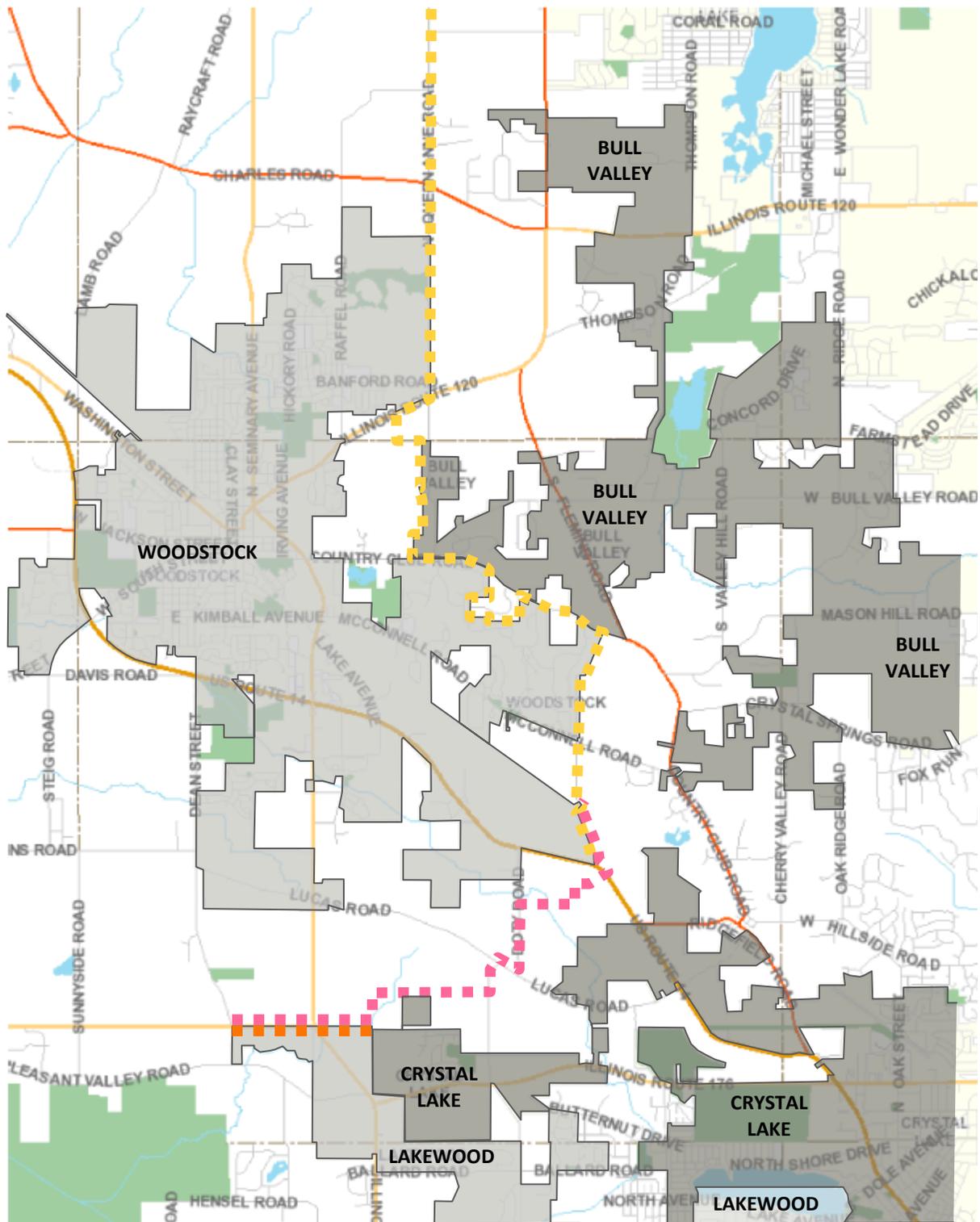


Reviewed and Approved by:

Roscoe C. Stelford III

City Manager

EXHIBIT A



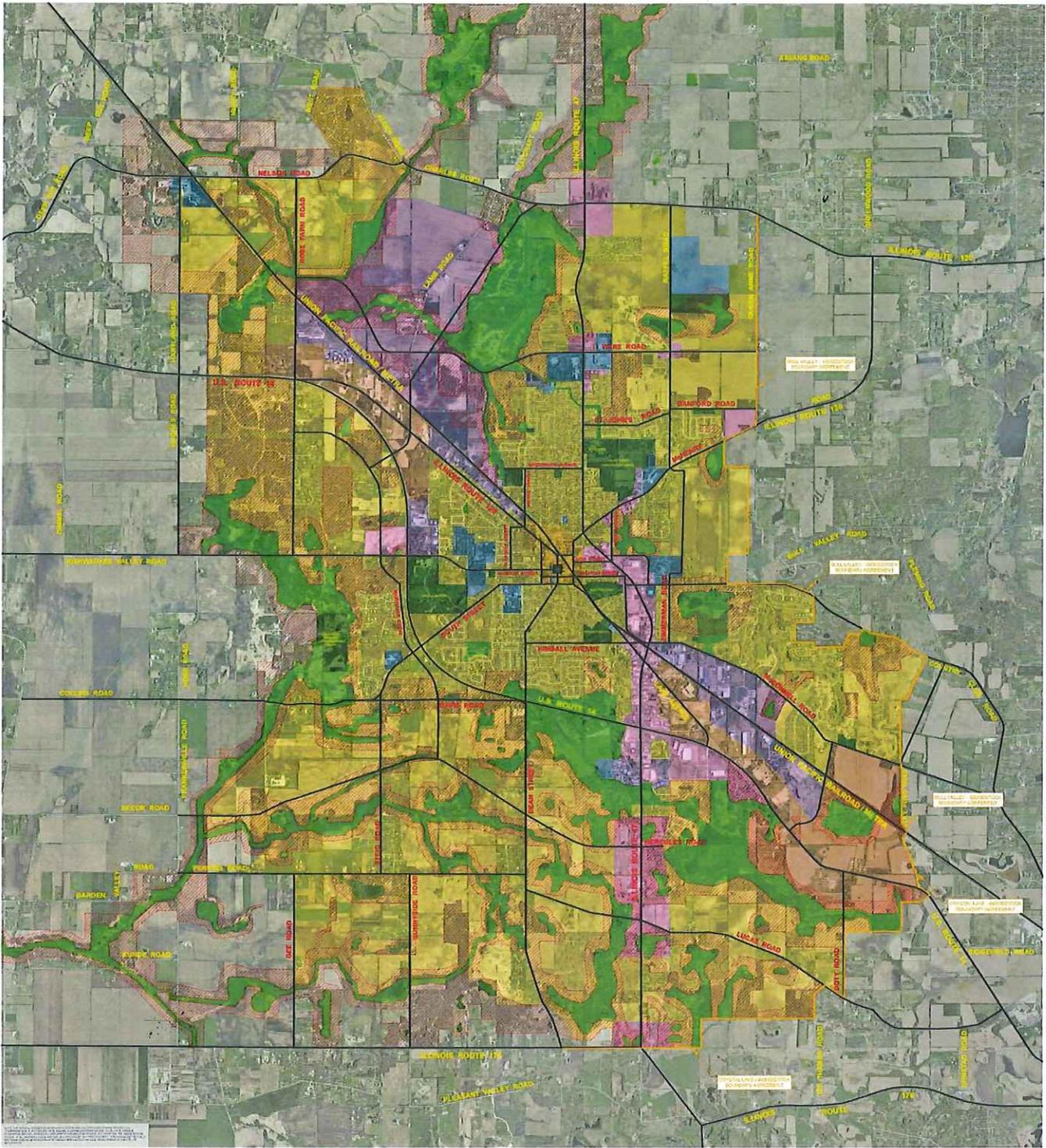
Approved Boundary Agreements with City of Woodstock

Bull Valley ■■■■
(Exp. 08/19/17)

Crystal Lake ■■■■
(Exp. 12/03/16)

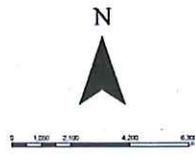
Lakewood ■■■■
(Exp. 02/04/23)

Exhibit B



WOODSTOCK - COMPREHENSIVE PLAN 2008
LAND USE MAP
 Approved and Adopted by the City of Woodstock City Council on _____, 2008 as per Ordinance Number 08 - O - _____.

- | | | |
|--|---|--|
|  AGRICULTURE |  NEIGHBORHOOD DEVELOPMENT |  COMMERCIAL |
|  PARKS |  CIVIC |  COMMERCIAL, INDUSTRIAL, AND OFFICE MIXED USE |
|  RESOURCE CONSERVATION |  CENTRAL BUSINESS DISTRICT | |
|  RESOURCE CONSERVATION CORRIDOR |  INDUSTRIAL | |



Where boundary agreements already exist, they should be re-evaluated by the City and extended as appropriate.

Another consideration with boundary agreements is the impact of development from other municipalities on the local school district. To avert this situation the City should attempt to make future boundary agreements coincide with Woodstock School District 200 boundaries or limit the impact of any incursion by adjacent municipalities in the Woodstock School District boundaries.



ESTABLISH STRATEGICALLY LOCATED BUFFER ZONES AROUND WOODSTOCK AND BETWEEN THE CITY AND NEIGHBORING COMMUNITIES

Woodstock’s land use regulations and its comprehensive planning documents, including the Land Use Map, generally seek to locate land uses next to each other that are compatible and mutually supportive, and that help to define the character of the City. For example, high density residential uses are often located between commercial uses and lower density residential activity or low density uses are often located between mid-density residential uses and agricultural areas. In some instances, however, existing land uses, the timing of development activity, and physical and environmental limitations prevent this from happening and a different approach is necessary. An effective way of minimizing conflict between potentially incompatible land uses, of contributing to Woodstock’s character and identity, and maintaining spatial and visual distinctions between Woodstock and its neighboring communities and unincorporated areas of McHenry County, is to provide buffer zones.

Chapter 1 of this Plan notes that Woodstock’s unique character is in part due to “the presence of open spaces and undeveloped lands” between the City and neighboring municipalities. These areas serve as transitional zones between developed parts of the City and development occurring in other communities and in unincorporated portions of McHenry County. The Woodstock Comprehensive Plan 2008 strongly encourages the establishment of permanent buffers within these transitional zones.

The exact dimensions and characteristics of a particular buffer zone will depend on proposed land use activity, the subdivision and land development review process, and the underlying natural features and physical characteristics of an area. The establishment of buffer zones should take into account the objectives and recommendations of Chapter 3 (*Natural Resources*) and Chapter 4 (*Open Landscapes*). Buffer zones should also acknowledge and be cognizant of the features depicted on the Natural Resources Inventory Map (*Appendix C*).

Buffer zones can consist of a variety of land use types and may include natural features such as wetlands, floodplain, prairie lands, woodlands, animal habitats, public/private conservation areas, and nature preserves. Deed-restricted open space which comprises part of a development site, as well as large-lot estate developments which contain a large percentage of open space and a low density, can also be used as part of or to augment a buffer zone. Buffer zones may also include open spaces established and dedicated as a condition of development approval such as public/private parks, recreational areas, golf courses, and trail systems. Land used for crop production, pasture, orchards, as well as public right-of-way dedicated for limited highway and arterial road use, may also be considered as part of a buffer zone. Where such areas exist,

consideration should be given to connecting them and forming a linear buffer and open space system.

The establishment of buffer zones should be strongly encouraged at strategic locations around the City. Examples of such areas include, but are not limited to:

- The general area extending south from US Route 14 to South Street, between the Westwood Park conservation area and Rose Farm Road (*Seneca Township: east ½ of Section 11 and west ½ of Section 12*).
- The general area paralleling Nippersink Creek and perpendicular to Raycraft Road and IL Route 47 (*Greenwood Township: south ½ of Sections 8 and 9, Section 10, and 18*).
- The general area located east of Fleming Road, south of IL Route 120, and in the vicinity of Cold Springs Road (*Greenwood Township: southeast ¼ of Section 25 and Sections 35 and 36*).
- The general area situated along IL Route 176, west of Dean Street, and extending north between Sunnyside Road and Dean Street (*Dorr Township: west ½ and south ½ of Section 30, and Seneca Township: north ½ of Section 36*).

The aforesaid areas are all characterized by significant environmental and natural resources. Specific recommendations regarding buffer zones in and around Woodstock are provided below:

- Support the preservation of natural and environmental features designated on the Natural Resources Map (*Appendix C*).
- Utilize zoning regulations, planned unit developments, overlay districts, and other enforceable means to protect natural areas, and restrict building and development activity within a specific distance of such areas.
- Encourage the creation of buffer zones on sites designated as resource conservation and resource conservation corridor on the Land Use Map (*Appendix B*), as well as on sites containing natural and environmental features as designated on the Natural Resources Map (*Appendix C*).
- Utilize natural areas, agricultural lands, dedicated open space, public and private parks and recreational sites, trail systems, and conservation areas to create strategically located buffer zones between the City and neighboring municipalities.
- Require the connection of adjacent buffer zones and the connection of existing natural and open space areas when new development projects are proposed.

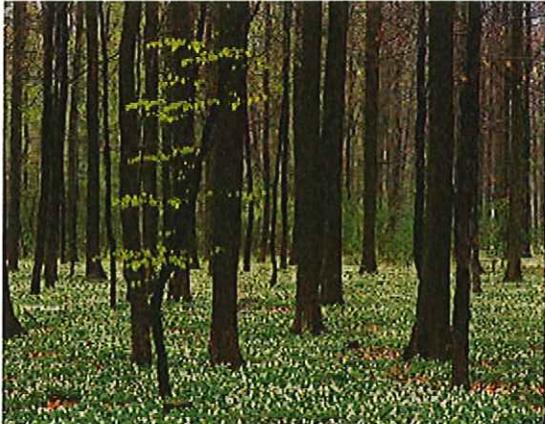
- Where appropriate and as part of mandatory public improvements, require the installation of pedestrian and bicycle trail systems that will result in linear connections between buffer zones.
- Support and advocate the creation and preservation of buffer zones in unincorporated areas beyond the Woodstock corporate limits that are characterized by natural features, open landscapes, conservation areas, public and private park and recreation sites, and similar features.

ADOPT OPEN SPACE PRESERVATION TECHNIQUES

The City should continue to adopt open space preservation standards and requirements to achieve many of the community character and open lands objectives of this Plan.

- Use transfer of development rights, purchase of development rights, and other market-based mechanisms to conserve private lands.
- Encourage agricultural and conservation easements, land acquisition, and other techniques to remove or relocate development potentials from critical parcels in the planning area.
- Coordinate and link local, county, and state efforts regarding land preservation, conservation, and development.
- Adopt a green infrastructure plan.
- Expand the network of trails, greenways, and natural resource areas in and around the City to form continuous and accessible routes for both active and passive recreation.
- Incorporate and refine opportunities for the preservation of open space into the City's land use approval processes.
- Partner with both governmental (MCCD) and nongovernmental organizations to acquire and protect land.

One advantage which several of these techniques have is that they do not require annexation of property by the City. These techniques can help the City achieve its objectives of community separation and maintaining community character, and are complemented by boundary agreements established with adjoining municipalities. Combining boundary agreements with the application of alternative open space acquisition techniques would give the City unsurpassed control of the visual and physical separation between it and adjoining communities.



Examples of Buffer Zone Features



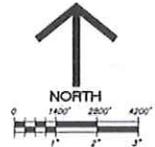
WOODSTOCK · COMPREHENSIVE PLAN

NATURAL RESOURCE

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APPROVED AND ADOPTED BY THE CITY OF WOODSTOCK CITY COUNCIL ON MAY 7, 2002 AS PER ORDINANCE NUMBER 02-O-28

- FORESTED AREAS
- WETLANDS
- PONDS AND LAKES
- WATERSHED DIVIDE
- SUB-WATERSHED



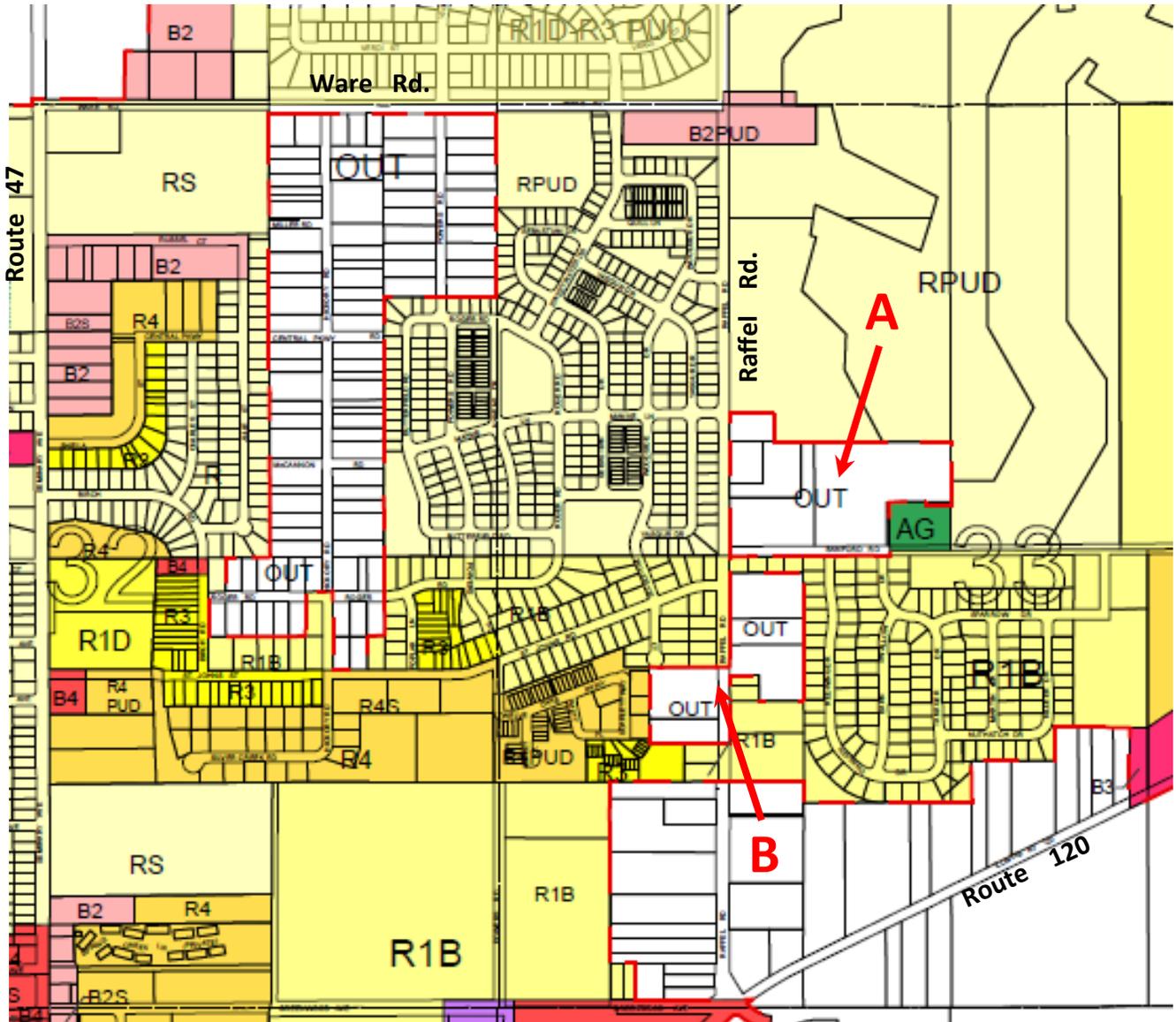
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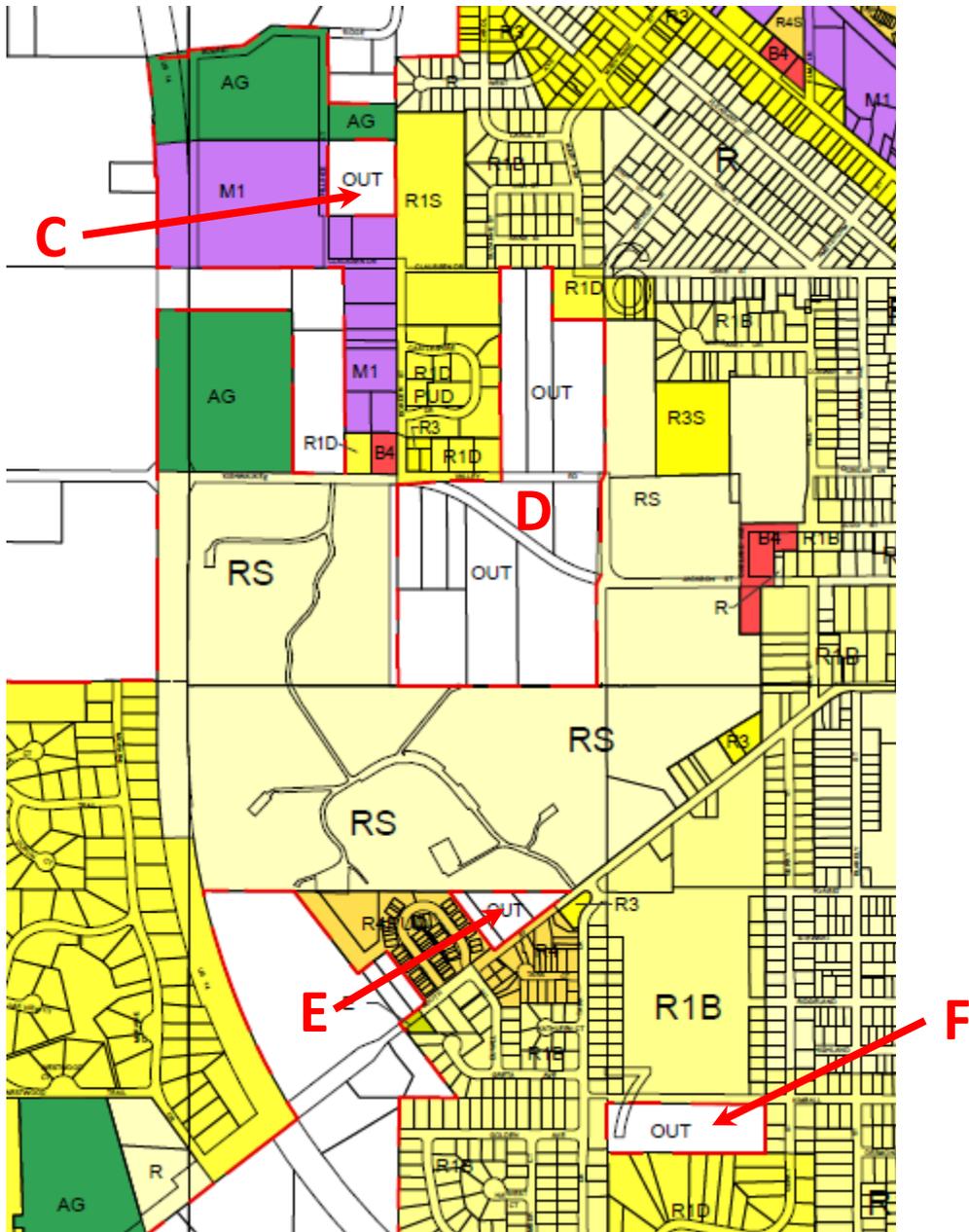
Resource Data Inc.



Unincorporated Pockets—North

A 16.5 acres

B 10.8 acres



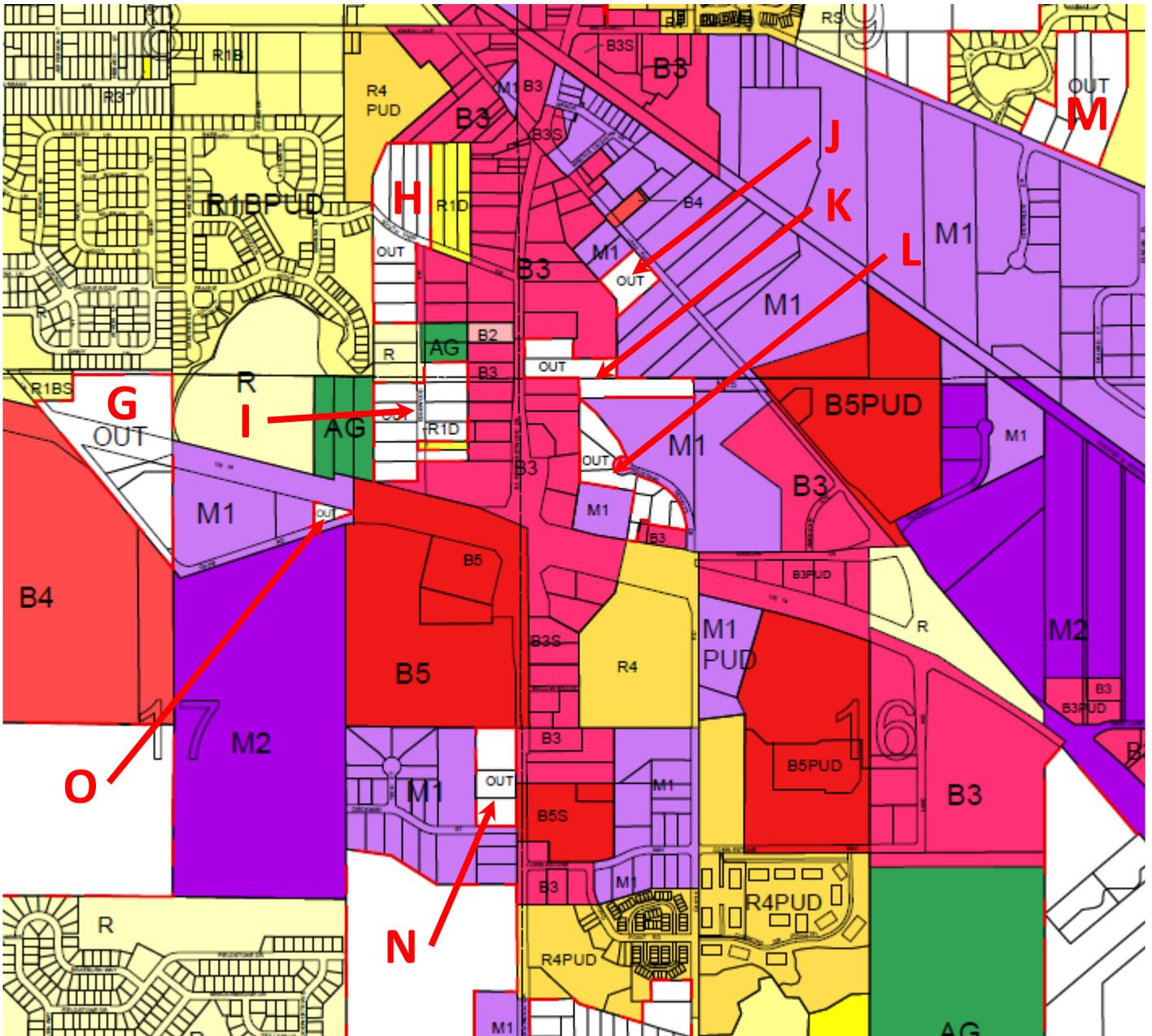
Unincorporated Pockets—West

C 4.7 acres

D 55.5 acres

E 3.3 acres

F 7.1 acres



Unincorporated Pockets—Central

G 12.7 acres

H 11.8 acres

I 10.1 acres

J 2.5 acres

K 6.7 acres

L 6.6 acres

M 12.3 acres

N 5.2 acres

O 0.7 acres