



MEMORANDUM

October 22, 2024

TONI PRECKWINKLE
President

**Board of
Commissioners**

Frank J. Aguilar
Alma E. Anaya
Scott R. Britton
John P. Daley
Bridget Degnen
Bridget Gainer
Monica Gordon
Bill Lowry
Donna Miller
Stanley Moore
Josina Morita
Kevin B. Morrison
Sean M. Morrison
Anthony J. Quezada
Michael Scott, Jr.
Tara S. Stamps
Maggie Trevor

**Interim General
Superintendent**

Eileen Figel

To: Toni Preckwinkle, Forest Preserve District Board President &
Forest Preserve District Board of Commissioners

CC: Delio Calzolari, Director, Legislative and Governmental Affairs

FROM: Eileen Figel, Interim General Superintendent
Chris Slattery, Director of Planning and Development
Lisa Lee, Chief Attorney

RE: Proposed Land Use Ordinance Changes – October Board Meeting
Board Items 24-0311, 24-0313, and 24-0314

This memorandum is to advise you that the Forest Preserve District of Cook County (the “Forest Preserves”) has placed on its October board agenda proposed changes to the Forest Preserves’ Land Use Code. The attached summary highlights key proposed changes.

In 2020, the Forest Preserves Board of Commissioners adopted the [Acquisition and Disposition of Land](#) position paper that encouraged comprehensive code reform to strengthen and clarify provisions relating to surplus parcels and requests for licenses and easements. Forest Preserves staff, the Conservation and Policy Council, and advocates met regularly for almost 4 years (2021-YTD 2024) on proposed updates to the Forest Preserves Land Use Policies and Ordinances.

Currently, the Forest Preserves Land Use process is publicly accessible on its website: <https://fpdcc.com/permits/land-use-special-access/>. Relevant code provisions are included in [Title 1](#), [Title 2](#), [Title 5](#), and [Title 6](#).

On August 29, 2024, the Conservation and Policy Council approved presenting the above-referenced board items to the Forest Preserves’ Board of Commissioners for approval.

It is anticipated that the proposed changes will be referred to the Real Estate Committee. The Forest Preserves further anticipates that public comment will be heard at the next Real Estate Committee meeting or provided for inclusion in the Board record. As an extra step, the Forest Preserves intends to solicit additional public comment on the proposed changes via its website.

In the coming months, the Forest Preserves also anticipates further review of its land use license fees.

Please do not hesitate to reach out to any of us if any questions or comments.

BACK-UP FOR ITEMS 24-0311, 24-0313 & 24-0314 (ORDINANCE CHANGES RELATED TO LAND USE PROCESS)

| Forest Preserves of Cook County Proposed Land Use Code Changes October 22, 2024 | |
|--|---|
| Board Item No. | Change/Justification |
| 24-0311 | <ul style="list-style-type: none"> • Section 1-9-1 Land Acquisitions now covered by Title 2, Chapter 5 and proposed to be deleted • Section 1-9-2 Dedication of Lands for Highway Purposes proposed to be deleted as no longer applicable |
| 24-0313 | <ul style="list-style-type: none"> • Sections 2-5-1 through 2-5-13 Outlines Land Acquisition, Conveyance, License and Use of District Property Process: <ul style="list-style-type: none"> ○ General: <ul style="list-style-type: none"> ▪ Limits non-mission uses of District land to essential infrastructure/improvements for public health, safety, and welfare, as well as uses specifically authorized by law. ▪ Clarifies that revenue generation is an insufficient public benefit and/or primary justification for ongoing land uses that are not mission related. ▪ Clarifies the criteria to be considered when reviewing proposed uses of District property. Provides review criteria which includes, without limitation, impacts to high quality natural areas, whether there are viable alternatives, and mitigation measures. Further, codifies District authority to request supplemental mitigation measures and public benefits beyond payment of mandated license fees and tree mitigation fees as compensation for use of District land by third parties. ○ Land Dispositions: <ul style="list-style-type: none"> ▪ Limits the District’s ability to convey land parcels to those parcels that fall under a new and clarified “Surplus Parcels” definition. ○ Licenses & Easements: <ul style="list-style-type: none"> ▪ Provides clear guidance for the issuance of licenses for essential utilities and infrastructure. ▪ Clarifies that easements and rights-of-way must follow the same procedure for board approval as utility licenses except with respect to application of fair market value for easements as opposed to a fee for licenses. For fair market value analysis, comparable public benefits or amenities may be considered. ○ Reporting Requirements: <ul style="list-style-type: none"> ▪ Includes updated board-reporting requirements to track the total acreage of District property in a natural state. |
| 24-0314 | <ul style="list-style-type: none"> • Sunset language with expiration date of 12/31/2024 is removed. • Language in the sunset provisions of Title 5 (Sections 5-2A-7 and 5-2B-6) regarding a fee escalator for costs per acre has been moved to Title 5’s License Fee sections (5-2A-4 and 5-2B-4). The remaining language in Sections 5-2A-7 and 5-2B-6 deleted as no longer applicable. |