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Lawyer covers zoning matters

Cope uses his four decades practicing municipal law to write land-use book

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Attorney Ronald S. Cope used his 40 years of municipal law experience to write the "Zoning Handbook for Municipal Officials."

The book, published by the Illinois Municipal League, came out with its first edition about 20 years ago. Cope wrote all the editions, which evolved over the years.

Zoning laws grew more complicated in the 1990s to early 2000s when more cases got decided, Cope said. The Zoning Enabling Act in the Illinois Municipal Code faced some revisions during that time.

"Illinois legislators actually did some amendments to the statutes, especially in the areas of constitutional law ... especially due process and what goes into a hearing," he said.

Some new laws address how to accommodate low-income housing developments. Other laws address how to conduct hearings when municipalities want to "keep their shopping centers going and attract new developments," Cope said.

"It is important to be aware of those cases and the standards they set for municipal officials," he said. "These changes could make the difference between a new development and not a new development."

New sections include hearings for wind farms, environmental effects of radio frequency emissions,

public notice requirements and home rule municipalities, he said.

"A lot of people wanted to know how all of these changes might tie into municipal finance cuts, like tax increment financing and the question of business district redevelopment," he said. "I tried to add some references that could provide some guidance."

To write the original book in 1986, Cope researched for six months. He maintained a notebook that listed his answers to questions he received from municipal officials when he advised them.

"When new cases were decided or a new law (took effect), I would add it to my own notebook to keep myself informed," he said. "I relied heavily on that original notebook."

The book, published in November, serves as a handbook on zoning laws, said Cope, a partner at Ungaretti & Harris LLP.

"It is an easy reference guide to people dealing with municipalities in regard to zoning and what they have to do," he said. "It helps them be aware of issues in connection ... to their municipality."

The book addresses developments in zoning law, including home occupations, cellular towers and affordable housing and basic annexation and financing issues, he said.

Victor Barrera, director of planning and development for the village of Mundelein, said Cope's knowledge of new laws led municipal officials to select him to



Ronald S. Cope

review a rewrite of the village's zoning ordinances.

"That was key for us," he said. "Because we didn't want to be in a predicament where we were adopting a land-use restriction and regulation that may be contrary and in conflict with some of the more recent legislation."

Paul Miller, planning director for DeKalb County, said Cope helped the county preserve its agricultural land in cases in the late 1990s and early 2000s.

The court case in the late 1990s challenged the county's effort to preserve land for agriculture by

denying a subdivision to build on it. The other case challenged the county's goal to "induce non-agricultural growth to occur in the city or adjacent to the cities where it can be annexed," Miller said.

In both cases, the county "prevailed with (Cope's) help, not only at the circuit level but the appellate level," Miller said.

"Those two primary prongs to our land-use policy were both challenged and both upheld with Ron's assistance."

Cope's experience with municipalities and litigating zoning cases helped him write the book, he said.

"I enjoy the opportunity to meet up with local government officials and answering questions on land use and zoning and municipal finance," he said. "Land zoning and planning are extremely critical to municipalities. It's like a blueprint of what you want your community to be."

Robert Iden, Village of Bloomington president, said Cope's book serves as a source for new government officials.

"He updates it periodically and does a very thorough job," Iden said. "I know a lot of people, like plan commission members, that use that book very closely because it has a lot of issues that are very important to municipalities."

Cope said he enjoys informing "the reader in a clear and concise way."

"I pride myself on saying what has to be said in a way that is understandable, instead of trying to lock it up into language that might be difficult to understand," he said.

U.S. District Judge Marvin E. Aspen, who met Cope when they worked for the city of Chicago Law Department Appeals and Review Division, agreed that Cope's ability to speak and clearly write benefit him as a lawyer.

"The job of a lawyer is not only to analyze and be able to find answers and resolve problems," Aspen said. "But to be able to articulate it, either writing or orally. Ron combines those very well."

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