

**KENDALL COUNTY AD HOC ZONING
ORDINANCE COMMITTEE**

*Kendall County Office Building
Rooms 209 & 210
111 W. Fox Street, Yorkville, Illinois
5:00 p.m.
Meeting Minutes of November 30, 2016*

Present: Larry Nelson (Chairman), Bill Ashton, Scott Gryder, Matt Prochaska, Jeff Wehrli
Others present: Mike Hoffman from Teska Associates, Inc., Greg Peterson, Joe Phillips

Chairman Larry Nelson called the meeting to order at 5:05 p.m.

1. **APPROVAL OF AGENDA**

Scott Gryder made a motion to approve the agenda as written. Matt Prochaska seconded the motion. All agreed and the agenda was approved.

2. **APPROVAL OF MINUTES**

Matt Prochaska made a motion to approve the minutes from July 22, 2015. Jeff Wehrli seconded the motion. All agreed and the meeting minutes were approved.

3. **Open discussion on possible changes to the Zoning Ordinance**

a. Wineries - Mike Hoffman noted that the Kendall County zoning ordinances is currently silent on how to address wineries. He suggested they could be treated as a special use, with similar restrictions to micro distilleries and nano breweries. He clarified that the growing of grapes is clearly and agricultural use, but the production and sale of commercial wine is what would require a special use. Mr. Nelson noted this was important as it a business is required to show proper zoning when filing for federal, state and local liquor control regulations. All felt this addition was appropriate, and directed staff to develop a proposed text amendment.

b. Noise regulations – Mr. Hoffman noted that noise has been raised as a potential issue with several recent cases, including both banquet halls and gun ranges. He showed several slides (attached) showing typical noise levels, and some data and noise regulations for various uses. He noted that State regulations use a 1,000-yard separation for gun ranges. Mr. Nelson noted that his son had taken noise measurements (using equipment from the Sherriff’s office) of truck traffic exceeding the 65-decibel limit 200’ back from Creek Road. Members felt it best to use the ambient noise level as a base when regulating noise if possible. A provision, like the

right-to-farm regulations, was discussed where the owner of a newly constructed home would be notified that a special use was approved on adjacent property (for things like seasonal events, banquet halls, etc. that may have live music). Staff was directed to look at example regulations and provide suggested text amendments to refine existing noise regulations.

c. Banquet Halls

Mr. Hoffman noted the number of past and pending requests for banquet halls as a special use within agricultural areas, and suggested it might be appropriate to review the County's regulations now that multiple requests have been reviewed. For example, some have suggested that new banquet halls be limited to a location within an existing barn to help preserve these structures and celebrate the County's heritage. Members supported the concept of using restored barns, but felt that limiting banquet halls to existing structures was overly restrictive. Noise was discussed, with some suggesting that all amplified music occur indoors. Most felt that limited outdoor music would be acceptable, perhaps no more than five times per year and/or for minor amplification for a single guitarist or string quartet for an outdoor wedding ceremony. The potential for noise walls was discussed, and their potential cost. Jeff Wehrli was going to investigate costs. The subject of the hearing examiner handling zoning violations was also discussed. Staff was direct to develop proposed text changes to address the noise issue regarding banquet halls, and to investigate why the County was not currently using the Hearing Officer for zoning violations.

d. Gun Ranges

Mr. Hoffman noted that he had been contacted to see if the County would consider removing outdoor gun ranges as a special use in agricultural districts. He also noted that the ordinance needs some clarification as to where the 1,000' separation from residential property is measured. Mr. Nelson suggested a couple of alternatives, including creation of a new zoning district and identification on the Comprehensive Plan map of where gun ranges may be allowed (like how mining districts are handled now). Mr. Ashton asked for a list or map showing all existing gun ranges in the County. Mr. Hoffman said he did not have such a list, but should be able to create something from the County's files. Greg Peterson noted that agricultural property in Kendall County is generally flat, and sound carries a long way. Joe Phillips noted that he was the one who called Mr. Hoffman asking that the County consider removing outdoor gun ranges as a special use. Mr. Hoffman noted that even if that was done, it would not impact the pending Delany case as the County would be bound by the rules in place at the time of their application. Staff was directed to do additional research into how other Counties dealt with gun ranges, with consideration to noise impacts and the potential for a separate zoning district or overlay.

4. **Approval of 2017 Meeting Schedule**

Mike Hoffman reviewed the draft meeting schedule for Rezoning and Non-Residential PUD's. This schedule shows the Kendall County Regional Planning Commission will keep their meetings on the fourth Wednesday of the month at 7pm, and AdHoc will continue to meet as needed prior to those meetings at 5:00pm. Matt Prochaska moved, seconded by Jeff Wehrli, to accept the proposed schedule. All members present voted in favor of the motion and the schedule was approved.

5. **Other New Business- None**

Adjournment:

The next meeting will be January 25, 2017. Jeff Wehrli made a motion to adjourn the meeting. Bill Ashton seconded the motion. All were in favor and the meeting was adjourned at 6:38 p.m.

Respectfully submitted,
Mike Hoffman
Teska Associates, Inc.