

**KENDALL COUNTY
AD HOC ZONING ORDINANCE COMMITTEE**

MEETING AGENDA

March 22, 2017

***5:00pm –6:45pm
Kendall County Office Building
Rooms 209 & 210
111 W. Fox Street
Yorkville, Illinois***

- 1. Approval of Agenda**
- 2. Approval of Minutes from the November 30, 2016 meeting**
- 3. Hearing Officer/Code Hearing Unit**
- 4. Stormwater Ordinance Amendment Related to Plano's Project in Foli Park**
- 5. Shooting Range Ordinance Update Including a Potential Moratorium on Outdoor Shooting Ranges During the Review Period**
- 6. Items for Future Consideration**
 - a. Plano Comprehensive Plan**
 - b. Yorkville Comprehensive Plan**
 - c. Noise Regulations**
- 7. Adjournment**

Next meeting will be on April 26, 2017

**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
(Unofficial Until Adopted)*

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 directed 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**

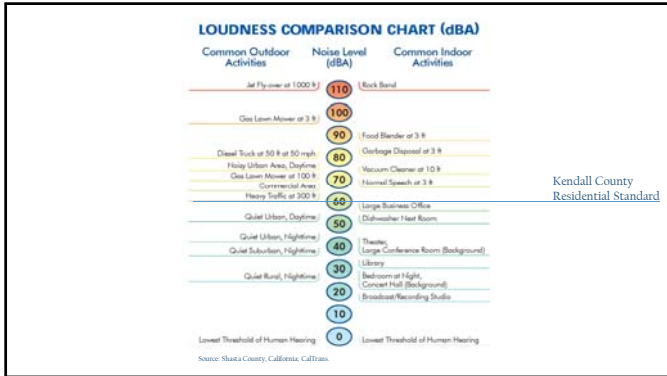
Mike Hoffman reviewed the draft meeting schedule for Rezoning and Non-Residential PUD's. This schedule shows the Kendall County Regional Planning Commission will keep their meetings on the fourth Wednesday of the month at 7pm, and AdHoc will continue to meet as needed prior to those meetings at 5:00pm.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

5. **Other New Business- None**

Adjournment:

The next meeting will be January 26, 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.



Noise

- Peak noise during gunfire at close proximity– 160 dbA (cdc.gov)

Table 2. Peak sound level ranges for firearms

Firearm	Peak Sound Level Range (dB)	Assessment Weight (Event)
12 Gauge Shotgun	154.6 – 162.7	420
45-70 Rifle	155.2 – 160.8	350
30.06 Rifle	158.7 – 163.1	175

Figure 4. Peak sound levels during one minute of shooting 30.06 rifles in a training exercise

Health Sound Evaluation Report 2011-2009 10-0

Illinois Exemption (740 ILCS 130/5)

- Firearm ranges are immune from noise regulation so long as any one of the following are met:
 - 1,000 yards away from occupied permanent dwelling on adjacent property
 - Indoor with soundproofing
 - In compliance with zoning authority
 - Operated by government
 - Existing in compliance before development within 1,000 yards

Noise and Proximity to Development

- Must mitigate noise where development (typically residential) is within 750 feet (Minnesota Statute 87A)
- Standard for impulsive noise is 2 dbA lower than that of steady-state noise standards (Minnesota Statute 87A.05)
 - 63 dbA for a total six minutes out of an hour or 58 dbA for half of an hour as measured from the complaint property between 7am and 10pm (MN Pollution Control Agency)
- No new development or change in use is allowed to force a gun range out of compliance (Minnesota Statute 87A.04)

Example of Strict Noise Standards, Snohomish County, WA

Chapter 10.01
NOISE CONTROL

(2) Maximum permissible sound levels. Measurement of sound levels from all sources except motor vehicles on public roads shall be made at or within the property boundary of the receiving property. Maximum permissible sound levels for districts within unincorporated Snohomish county, expressed in dB(A)'s, are:

DISTRICT OF RECEIVING PROPERTY	DISTRICT OF NOISE SOURCE			
	RURAL	RESIDENTIAL	COMMERCIAL	INDUSTRIAL
RURAL	49	52	55	57
RESIDENTIAL	52	55	57	60
COMMERCIAL	55	57	60	65
INDUSTRIAL	57	60	65	70

*Firing ranges exempt

Banquet Halls

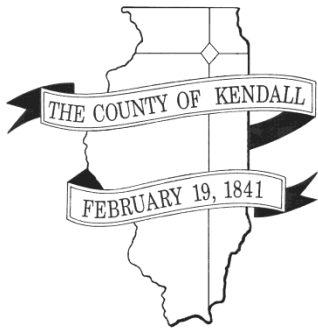
Issues

- Indoor vs. outdoor
- No outdoor music after 10pm
 - Maximum permissible sound standards reduced by 10 dbA after 10 pm (Snohomish County, WA)

Glendale, CA, 2007 General Plan

Banquet Facilities Interface with Residences.

- Banquet facilities have several sources of noise. Generally, the parking lots associated with the facilities are the most significant source of noise. Cars driving into and out of the lots, groups of people talking and shouting, and inadvertent car alarms can all occur in the parking lot and can occur late at night when the banquet ends. Music is often played at the banquet facilities and has the potential for being a problem in the surrounding area when doors and windows are left open. The City does not allow banquet facilities within 200 feet of a residential zone. Limiting hours and requiring onsite parking away from residential areas are other planning restrictions that can be used. Banquet facilities that are currently operating can be controlled via the Noise Ordinance. The Noise Ordinance has very specific noise level limits that are measured at the nearby residential property line. The Noise Ordinance limitations apply to all noise generated at the banquet facilities including parking lot noise. The Noise Ordinance limitations are more stringent after 10 p.m., so nighttime noise is controlled to a greater extent than noise generated during the evening. Since the Noise Ordinance is in place and can be used to effectively control banquet facility noise, no action items or changes to policy are recommended.



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

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MEMORANDUM

To: Jeff Wilkins**From:** PBZ and Administrative Kendall County Intern, Michael Goers**Date:** 02/06/2017**Subject:** Kendall County Citation Enforcement Proposal

Summary:

Kendall County Planning Building and Zoning Department has a public purpose to protect the public health, safety and welfare of the citizens in the County. Kendall County State's Attorney has stated that PBZ Department has statutory authority to write citations. Citations would allow the PBZ staff to handle violations more efficiently as it would encourage compliance. The PBZ Department receives about 10 to 12 violations each month.

Currently, if there is a violation, staff sends a 14 day violation notice to the owner of the property. After 14 days, if not in compliance, a second 10 day violation notice is given. The PBZ Department allows a reasonable extension if requested by violator. If after the second notice the issue is not resolved, the case will be sent to the State's Attorney Office. The State's Attorney will send out a 30 day notice and after 30 days, a court case will be created. There are around 4 to 8 violations annually sent to the State Attorney Office. The most common violations reported are junk and debris, inoperable vehicles, and zoning.

The capability of writing a citation would create a middle ground between sending notices and sending the case to the State Attorney Office. The PBZ staff reviewed code enforcement from 5 different municipalities in Kendall County and created a proposal to create a citation system for Kendall County.

Code Enforcement in Kendall County Municipalities:

All 5 municipalities have the capability of writing a citation. However, the City of Aurora has not implemented it at this time. Currently, they have an "Administrative Citation" proposal waiting for the approval.

The 4 municipalities that have a citation policy all focuses on compliance rather than just issuing a citation. The ratio between violations issued versus citations written is about a 10% average among the municipalities. Actual paid citations are less than 10% (Table 1). The results appears to be with writing a citation the citizen is more inclined to come into compliance to avoid paying a citation.

City of Plano, IL Enforcement Example:

If a violation, staff sends a 3 to 10 day violation notice to the owner of the property. If not in compliance after 3 to 10 days, a citation from code compliance officer or building code official is written. Staff allows a reasonable extension if requested by violator. After the citation is issued, a hearing is created with a minimum of 30 and maximum 45 days from when the citation is issued. Every Wednesday at 6:00PM, one of the three hearing officers acts as the judge for these citations. If the owner of the property comes into compliance before the hearing, the citation is

usually dismissed.

The other 3 municipalities have similar procedures in code enforcement. The 2 non-rule municipalities have code enforcers and hearing officers and Oswego has a complex system in place.

Kendall County PBZ Code Enforcement Proposal:

Kendall County would add key definitions into the Kendall County Code Ordinances. Definitions of Code Official, citations, issue and any other related term that is not yet defined:

- *Code Official Duties* shall be posted within the Kendall County Code of Ordinances which shall include the authorization to issue citations.
- *Citations* shall mean the official notification of violation of provision of the Kendall County Code of Ordinances. Said citations shall require correction of the violation and impose a fine.
- *Issue* means to provide a citation by (i) personally serving it on a responsible person, (ii) mailing it, via first class mail, to the last known address of a responsible person, or (iii) posting it in a noticeable place on the property to which it relates and mailing a copy of it to a responsible person at their last known address.

Kendall County would adapt a similar citation format from the United City of Yorkville. Each citation shall contain the following information:

1. The date of the violation;
2. The address or description of the location where the violation occurred;
3. The specific section of the code or ordinance violated and a description of the nature of the violation;
4. The amount of the fine for said violation;
5. A description of the fine payment process, including a description of the time within which and the place to which the fine shall be paid;
6. A statement that the violation must be corrected and the time within which it must be corrected and that failure to correct will result in further legal proceedings;
7. A description of the administrative hearing process including the time and place within which the citation may be contested;
8. The name and signature of the citing code official;
9. Other such information as may be deemed necessary from time to time.

Due to the Building Code Ordinance the citation *fine* cannot be less than \$50 and no more than \$1000:

Violations of this Code shall be processed in the manner prescribed for all other ordinance violations as established by the County Board. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of an ordinance violation, punishable by a fine of not less than \$50 nor more than \$1,000. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$50.00 or more than \$1,000.

Nothing herein shall prevent the Kendall County State's Attorney from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible. (KC Building Code, pg 4)

The citation will be \$50 dollars for first time offenses. The citation fine would increase to \$100 for the next three offenses. After the fifth offense, the case shall be reviewed and the violator can be issued a maximum of \$1000 citation per offense. As stated in the building ordinance, each day that a violation continues after due notice has been served shall be deemed a separate offense.

The fines would be paid to the Kendall County Treasurer. The money would be placed into the General Fund. A new category called "Citation Fees" would be created under the PBZ Licenses, Permits and Fees section.

Kendall County would create an intergovernmental agreement with one of the three non-rule municipalities. The intergovernmental agreement would include using one of their hearing officers with an agreed payment per citation. This is important as Kendall County may never need to use a hearing officer. The intergovernmental agreement will also state the time, location and procedure process.

The only cost associated with this proposal would be the amount agreed upon to use the municipality hearing officer. This cost would be offset by the citation fine and the improved compliance rates.

New Kendall County Code Enforcement:

If a violation occurs:

- (1) PBZ staff will send a 14 day violation notice to the owner of the property.
- (2) If after 14 days there is not compliance, a second 10 day violation notice is given.
- (3) The PBZ Department will allow a reasonable extension if requested by violator.
- (4) If after the second notice the issue is not resolved, a citation would be issued and a hearing scheduled 30 to 45 days afterwards.
- (5) The case will be sent to the State's Attorney Office if additional legal actions are needed.

Kendall County Hearing Officer Procedures:

Kendall County will base its procedures off of Tazewell County Ordinance. Tazewell County has been successfully using hearing officer since 2002. It is comparable to Kendall County in population and geographic composition. The ordinance outlines hearing officer duties, training requirements, rules, regulations, subpoenas, administrative hearings, notices, violations of orders, and review of final orders.

United City of Yorkville and City of Plano Chapter 14 Administrative Adjudication:

Both municipalities are using the Sterling Colifers, Inc. In comparison, Chapter 14 has small differences between them. For example, United City of Yorkville has an adoption and creation sections in the beginning, but City of Plano has an establishment section..

All United City of Yorkville hearings are held at Yorkville City Council of Chambers on Monday's at 5:30PM except if the Monday lands on a holiday. All City of Plano hearings are assumed held at the City of Plano Council of Chambers or City Hall on Wednesday's at 6:00PM except if the Wednesday lands on a holiday. The procedures for administrative hearings are established in the United City of Yorkville Chapter 14 Administrative Adjudication.

“1-14-7: ADMINISTRATIVE HEARINGS:

A. An administrative hearing shall be held for the following:

1. To adjudicate any alleged ordinance violation on its merits.
2. To contest the validity of a notice of impending immobilization or impending impoundment, or, the validity of a notice of impending driver's license suspension. The hearing shall be granted to the registered owner or operator of the "cited vehicle", pursuant to 625 Illinois Compiled Statutes 5/11-208.3 or the lessee of the "cited vehicle", 625 Illinois Compiled Statutes 5/11-1306, incorporated herein by reference, and at the date, time and place as is set forth by the ordinance enforcement administrator and served upon the registered owner, operator, or lessee for hearings contesting the validity of notices of impending immobilization or impending impoundment or driver's license suspension.

B. No continuances shall be authorized by the hearing officer at the hearing except where absolutely necessary to protect the rights of the individual. Lack of preparation does not constitute cause for a continuance. No continuance may be granted for more than twenty five (25) days.

C. All administrative hearings shall be recorded and shall culminate in a determination of liability or nonliability, made by the hearing officer, who shall consider facts and/or testimony without the application of the formal or technical rules of evidence. Evidence including hearsay, may be admitted only if it is of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs.

D. Formal rules of evidence applicable to judicial proceedings shall not apply to hearings authorized by this chapter. Evidence, including hearsay, may be admitted only if it is of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs and all testimony shall be given under oath or affirmation.

E. The hearing officer shall, upon a determination of liability, assess fines and penalties in accordance with section 1-14-10 of this chapter. Persons appearing to contest the alleged violation on its merits may be represented by counsel at their own expense. The burden of proof shall be on the alleged offender to refute the prima facie case set forth in the verified notice of violation. (Ord. 2015-50, 10-27-2015)

1-14-8: FINDINGS, DECISION AND ORDER:

A. At the conclusion of the hearing, the hearing officer shall make a determination on the basis of the evidence presented at the hearing as to whether or not a code violation exists.

B. The determination shall be in writing and shall be designated as findings, decision and order, including the fine, penalty or action with which the defendant must comply.

C. The findings, decision and order shall include:

1. The hearing officer's findings of fact.
2. A decision of whether or not a code violation exists based upon the findings of fact.
3. A statement of any sanction ordered or costs imposed which costs are debts due and owing the city.
4. A warning that failure to pay the fine and any penalty due and owing the city within the time specified may result in proceeding with collection procedures.
5. A warning that the person's driver's license may be suspended for failure to pay fines or penalties for ten (10) or more vehicular standing or parking violations under 625 Illinois Compiled Statutes 5/6-306.5, incorporated herein by reference.
6. A warning that the vehicle owned by the person and located within the city may be immobilized and impounded for failure to pay fines or penalties for ten (10) or more vehicular standing or parking regulation violations.
7. Any other warning of possible impoundment as permitted by law or ordinance. (Ord. 2015-50, 10-27-2015)

1-14-9: FAILURE TO APPEAR:

A. If on the dates set for the hearing the alleged violator or his or her attorney or designee fails to appear, the hearing officer may find the alleged violator in default and shall proceed with the hearing and accept evidence relevant to the existence of a code violation.

B. Upon finding the alleged violation in default, the ordinance enforcement and code hearing administrator shall send or cause to be sent notices by first class mail, postage prepaid to the violator who received the notice of an ordinance violation. Service of notices sent in accordance herewith shall be complete as of the date of deposit in the United States mail.

C. Upon failure of the person receiving a notice of a violation to appear at the time and date designated for a hearing in the case of a violation of the city motor vehicle code and failure of the registered owner, operator, or lessee of the "cited vehicle" to pay the fine in full as stated on said notice, the ordinance enforcement administrator shall send or cause to be sent notices by first class mail, postage prepaid to the person who received the notice; or, the registered owner or operator of the "cited vehicle" at the address as is recorded with the secretary of state, and shall be sent to the lessee of the "cited vehicle" at the address last known to the lessor of the "cited vehicle" at the time of the lease. Service of notices sent in accordance herewith shall be complete as of the date of deposit in the United States mail.

D. A hearing officer may set aside any judgment entered by default and set a new hearing date, upon a petition filed within twenty one (21) days after the issuance of the order of default, if the hearing officer determines that the petitioner's failure to appear at the hearing was for good cause or at any time if the petitioner establishes that the municipality did not provide proper service of process. If any judgment is set aside pursuant to this subsection, the hearing officer shall have authority to enter an order extinguishing any lien which has been recorded for any

debt due and owing the municipality as a result of the vacated default judgment. (Ord. 2015-50, 10-27-2015)

1-14-10: ORDER AND SANCTION ATTACH TO PROPERTY:

In the case of a building code violation only, the order to correct a building code violation and the sanctions imposed by the city as the result of a finding of a building code violation under this section shall attach to the property as well as to the property owner so that a finding of a building code violation against one owner cannot be avoided by conveying or transferring the property to another owner. Any subsequent transferee or owner of property takes subject to the findings, decision and order of a hearing officer under this chapter. (Ord. 2015-50, 10-27-2015)

1-14-11: ADMINISTRATIVE REVIEW:

The findings, decision and order of the hearing officer shall constitute a final determination for purposes of judicial review and shall be subject to review in the circuit court of Kendall County. The provisions of the administrative review law³ and the rules adopted pursuant thereto, shall apply to and govern every action for the judicial review of the findings, decisions, and order of a hearing officer under this section. (Ord. 2015-50, 10-27-2015)”

Yorkville Administrative Adjudication Intergovernmental Agreement with Newark:

Village of Newark is expecting to write around 10 citations a year. However, 12 citations are ready to be issued the first month once the agreement is signed. The overall intergovernmental agreement process took a year to complete. Village of Newark citations will help United City of Yorkville administrative adjudication cost. The United City of Yorkville hearing officers get paid regardless if they have cases or not. United City of Yorkville will help Village of Newark get stronger code enforcement capabilities.

References:

The ordinances can be found on the City of Plano, United City of Yorkville and Tazewell County web pages.

City of Plano:

http://www.sterlingcodifiers.com/codebook/index.php?book_id=340

United City of Yorkville:

http://www.sterlingcodifiers.com/codebook/index.php?book_id=415

Tazewell County:

<http://www.tazewell.com/CommunityDevelopment/odesandOrdinancesEnforced.html>

Appendix:

Table 1: Kendall County Municipalities Code Enforcement. This table shows information about code enforcement using citations. This table was created by Kendall County staff. The estimates were given by someone at each municipality.

Kendall County Municipalities Code Enforcement					
	Oswego IL	Yorkville IL	Plano IL	Montgomery IL	Aurora, IL
Citation capability (Yes/No/In Progress)	Yes	Yes	Yes	Yes	In Progress
Full-Time Code Enforcer or related Position (Yes/No/N/A)	Yes	No	No	Yes	Yes
Part-Time Coder Enforcer or related Position (Yes/No/N/A)	No	Yes	Yes	No	No
Notice Length to compliance (Ranges due to violation) (days)	5 to 10	5 to 10	3 to 10	3 to 5	N/A
Estimated Number of violations reported each month (Winter-Summer)	50 to 150	40 to 80	10 to 50	50 to 60	N/A
Estimated Number of citations given each month	16 to 20	8	1 to 5	3 to 5	N/A
Estimated Number of citations actually paid due to not compliance	2 to 4	2 to 4	1 to 5	3 to 5	N/A
Cost of Operations	Varies	Varies	Varies	Varies	N/A
Home Rule or Non-Home Rule	Home Rule	Non Home Rule	Non Home Rule	Non Home Rule	Home Rule
Estimated Overall Population Size in Kendall County (2010) Retrieved from the U.S Census Bureau	30,355	16,921	10,856	10,567 out of 18,438	6,019 out of 199,963

ORDINANCE # 2017-_____

**AMENDMENT TO THE KENDALL COUNTY STORMWATER ORDINANCE
TO CREATE A DISTURBANCE THRESHOLD FOR SMALL NON-RESIDENTIAL
LOTS**

WHEREAS, Kendall County regulates all development, stormwater management activities, soil erosion control practices and floodplain protection measures within Kendall County under authority of the Countywide Stormwater Ordinance, whether or not such activities occur within an incorporated municipality; and

WHEREAS, the Kendall County Board amends these ordinances from time to time in the public interest; and

WHEREAS, all administrative procedures for amendments have been followed including a public hearing held before the Kendall County Stormwater Planning Committee on **Month Day**, 2017;

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby amends Section 203.1.c “Applicability of Site Runoff Storage Requirements” of the Kendall County Stormwater Ordinance as provided:

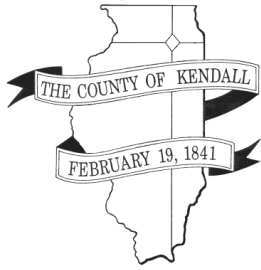
203.1.c- A non-residential land use or a residential land use other than single family - detached property of contiguous ownership less than three acres and resulting in disturbance of more than ~~5,000~~ **10,000** square feet and resulting in 25% or more of the site area as impervious surface or **public trails 14 feet wide constructed on public open space and used for pedestrians and non-motorized vehicles**. The area development and corresponding storage requirements shall be determined on an aggregate basis from the effective date of this ordinance;

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this st day of Month, 2017.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

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MEMORANDUM

To: Kendall County Regional Planning Commission
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: March 15, 2017
Re: Proposed Plano Comprehensive Plan

The Planning Commission for the City of Plano held a public hearing on a proposed Comprehensive Plan Update on March 6, 2017. As currently proposed, the Plano Comprehensive Plan differs from the Land Resource Management Plan in the following ways:

1. The Land Resource Management Plan calls for Whitfield Road to be extended from Millhurst Road to Griswold Spring at Little Rock Road. A residential development currently exists at the southern terminus of Little Rock Road which will prevent a direct connection at that location. Plano's proposal calls for the exploration of a "north extension to Route 34 with Kendall County", no specific alignment is provided.
2. At the intersection of Little Rock Road and Galena Road, the Land Resource Management Plan calls for this area to be Rural Estate Residential (maximum density 0.45 DU acres) and Agricultural. Plano's proposal calls for the area to be General Business.
3. At the intersection of Vilmin Road and Galena Road on the Kendall County side of the road, the Land Resource Management Plan calls for this area to be Countryside Residential (maximum density 0.33 DU acres). Plano's proposal calls for the area to be General Business.
4. At the intersection of Rock Creek Road and Galena Road on the south side of the road, the Land Resource Management Plan calls for this area to be Countryside Residential (maximum density 0.33 DU acres). Plano's proposal calls for the area to be General Business.
5. At the southwest corner of intersection of Eldmain Road and Galena Road, the Land Resource Management Plan calls for this area to be Mixed Use Business. Plano's proposal calls for the area to be General Business.
6. The land bounded by Big Rock Creek to the west, Galena Road to the north, Eldmain Road to the east, and the Miller/Corneils Road extension to the south, the Land Resource Management Plan calls for this area to be Countryside Residential (maximum density 0.33 DU acres). With the exception of the southwest corner of Eldmain Road and Galena Road as noted in comment 5 above, Plano's proposal calls for Industrial/Office/Research in this area with Open Space/Conservation along Big Rock.

Mike Hoffman sent me the attached image showing the proposed changes.

The proposed Comprehensive Plan can be accessed at:
<https://planplano.wordpress.com/documents/>.

Kendall County Regional Planning Commission Memo
March 15, 2017

Per State law, the Plano City Council has 90 days from the date of the Plan Commission recommendation to take action on the proposal.

MHA

ENC: Plano Future Land Use Map Changes

