



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: Kendall County Committee of the Whole

From: Matthew H. Asselmeier, AICP, CFM Senior Planner

Date: 11/17/2020

Subject: Petition 20-28 Amendment to the Kendall County Historic Preservation Ordinance

In September 2020, Kendall County submitted an application to the Illinois Historic Preservation Agency for Certified Local Government Status. The State reviewed the County's application and requested two (2) changes to the Kendall County Historic Preservation Ordinance:

1. Article II.1.F should be amended to require the Commission to meet at least four (4) times per year.
2. Article III.18 should be amended to set a flat fee and not create a situation where property owners are charged a different fee than non-property owners.

The correspondence with the State on these matters and the redlined Articles of the Kendall County Historic Preservation Ordinance are attached.

The Kendall County Historic Preservation Commission reviewed these changes at their meeting on November 16, 2020, and recommended approval of the amendments by vote four (4) in favor and zero (0) in opposition.

If you have any questions, please let me know.

Thanks,

MHA

Encs.: September 30, 2020 and November 12, 2020 Emails from Jon Pressley
Redlined Version of the Proposal

Matt Asselmeier

From: Pressley, Jon L. <Jon.L.Pressley@Illinois.gov>
Sent: Wednesday, September 30, 2020 8:56 AM
To: Matt Asselmeier
Cc: Scott Koeppel; Matthew G. Prochaska; Jeff Wehrli
Subject: Re: [External]Re: CLG Application

Hi Matt,

I have reviewed your application. The package looks good, but I see three issues.

- 1) the request for CLG status has to come from your chief elected official
- 2) Article II.1.F - something should be added like "but shall meet no less than 4 times per year"
- 3) Article III.18 -This article is a hinderance to designation. First, a \$500 application fee is exorbitant. Second, the ordinance allows for the fee to be waived only by the request of the property owner. These two things effectively limit applications to property owners or persons/groups with a good bit of money that can afford a \$500 nomination. Fees for this type of thing are meant to recoup some of the work the locality is doing to facilitate nomination, not to be exclusionary.

Please amend and resubmit

Thank you,

Jon L. Pressley, MA
Certified Local Governments Program Coordinator
State Historic Preservation Office, IDNR
1 Old State Capitol Plaza
Springfield, Illinois, 62701
217-785-5730

Matt Asselmeier

From: Pressley, Jon L. <Jon.L.Pressley@Illinois.gov>
Sent: Thursday, November 12, 2020 9:12 AM
To: Matt Asselmeier
Cc: Scott Koeppel; Matthew G. Prochaska; Jeff Wehrli
Subject: RE: [External]Re: Historic Preservation Ordinance Fee Question

Everyone,

I have no problem with a \$500 fee for application as long as it is uniform to both property owners and non-owners alike. Thank you for making the changes.

Jon

From: Matt Asselmeier <masselmeier@co.kendall.il.us>
Sent: Thursday, November 12, 2020 8:46 AM
To: Pressley, Jon L. <Jon.L.Pressley@Illinois.gov>
Cc: Scott Koeppel <skoeppel@co.kendall.il.us>; Matthew G. Prochaska <mprochaska@co.kendall.il.us>; Jeff Wehrli
Subject: Re: [External]Re: Historic Preservation Ordinance Fee Question

Jon:

Please see the following message from Jeff Wehrli on behalf of the Kendall County Historic Preservation Commission.

Thanks,

Dear Jon:

The Kendall County Historic Preservation Commission reviewed your request to amend certain provisions in the Kendall County Historic Preservation Ordinance. We agree to set a minimum number of Commission meeting at 4 per year and we are in agreement to charge 1 fee for both property owner and non-property owner applications.

However, we believe that a flat \$500 fee is an appropriate application fee. The cost of publishing notices, sending mailings, recording the ordinance establishing the landmark or district, and County Staff's time can exhaust \$500 very quickly. The County incurs expenses for reviewing applications and we believe these expenses should be paid, at least in part, by applicants.

The Kendall County Historic Preservation Commission's proposed budget for the next fiscal year is \$500, the same amount as the current fiscal year. If we receive multiple applications, the Commission's funds would be exhausted without covering the costs to engage in training, networking, and recognizing historic preservation. We would be unable to engage in historic preservation in Kendall County if the majority of funds are used on expenditures beyond the control of the Commission.

We also do not believe that a \$500 fee is excessive. When doing construction projects, \$500 is minimal compared to the other costs related to maintaining and rehabilitating a structure. We would also like to point out that Kendall County charges \$500 for rezoning requests and charges double that amount for special use requests. The City of Geneva, which is also a Certified Local Government, also charges a \$500 application fee.

Article II.1

F) *Meetings*. Meetings of the Preservation Commission shall be held no less than monthly, except in those months when no business is pending, and shall be held at such times and places within the County as the Commission shall decide. **The Preservation Commission shall meet no less than four (4) times per year.** Special meetings may be called by the Chair or by the consent of two (2) members. All meetings of the Commission shall be open to the public, shall follow all provisions of the Open Meetings Act and shall adhere to Robert's Rules of Order. The Commission shall keep minutes of its proceedings, showing a vote of each member upon every question, or if absent or failing to vote, and shall also keep records of its official actions. Such minutes and records shall be open to the public for inspection at offices of the Kendall County Planning, Building & Zoning Department (Amended 2.21.17).

Article III

18. APPLICATION FEE

All applicants for landmark or historic district designation shall pay a fee of Five Hundred Dollars (\$500) at the time of application submittal. ~~Said fee shall be waived upon approval by a majority vote of the Kendall County Historic Preservation Commission, if requested by the property owner or property owners~~ (Amended 6.16.20).