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**KENDALL COUNTY**  
**COMPREHENSIVE LAND PLAN AND ORDINANCE COMMITTEE**  
111 West Fox Street • Rooms 209 and 210 • Yorkville, IL • 60560  
**AGENDA**

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Wednesday, February 27, 2019 – 5:00 p.m.

CALL TO ORDER

ROLL CALL: Larry Nelson (Chair), Kendall County Regional Planning Commission Chairman or Designee (Bill Ashton), Kendall County Zoning Board of Appeals Chairman or Designee (Randy Mohr), Kendall County Board Chairman or Designee (Scott Gryder), Kendall County Soil and Water Conservation District Representative (Megan Andrews), Kendall County Planning, Building and Zoning Committee Chairman or Designee (Matthew Prochaska), Jeff Wehrli, and John Shaw

APPROVAL OF AGENDA

APPROVAL OF MINUTES      Approval of Minutes from August 22, 2018 Meeting (Pages 2-6)  
Approval of Minutes from January 23, 2019 Gathering (Page 7)

NEW/OLD BUSINESS

1.      Update on Land Resource Management Plan Amendments for Properties in Lisbon Township (Pages 8-14)
2.      Discussion of Home Occupation Zoning Regulations (Pages 15-16)
3.      Update on Zoning Ordinance Project with Teska Associates

OTHER BUSINESS/ANNOUNCEMENTS

CITIZENS TO BE HEARD/PUBLIC COMMENT

ADJOURNMENT    Next regularly scheduled meeting on Wednesday, March 27, 2019

If special accommodations or arrangements are needed to attend this County meeting, please contact the Administration Office at 630-553-4171, a minimum of 24-hours prior to the meeting time.

**KENDALL COUNTY  
COMPREHENSIVE LAND PLAN AND ORDINANCE COMMITTEE**

*Kendall County Office Building  
Rooms 209 & 210  
111 W. Fox Street, Yorkville, Illinois  
5:00 p.m.  
Meeting Minutes of August 22, 2018*

Chairman Larry Nelson called the meeting to order at 5:01 p.m.

**Members Present:** Larry Nelson, Bill Ashton, Matthew Prochaska (on behalf of Scott Gryder), Megan Andrews, and Jeff Wehrli

**Member Absent:** Randy Mohr, Bob Davidson, and John Shaw

**Others Present:** Matt Asselmeier and Jasmine Brown Watkins

**APPROVAL OF AGENDA**

Mr. Prochaska made a motion, seconded by Mr. Wehrli, to approve the agenda. With a voice vote of five (5) ayes, the motion carried.

**APPROVAL OF MINUTES**

Mr. Prochaska made a motion, seconded by Mr. Wehrli, to approve the minutes of the April 25, 2018, meeting. With a voice vote of five (5) ayes, the motion carried.

**NEW/OLD BUSINESS**

1. Discussion of Proposed Amendments to the Land Resource Management Plan for Properties in Lisbon Township

Mr. Nelson stated there were a number of meetings and a hearing regarding the proposal.

Mr. Nelson questioned why the Zoning Board of Appeals voted no on the issue. Mr. Asselmeier read his memo.

The Kendall County Zoning Board of Appeals held a meeting on this proposal on July 30, 2018. Seven (7) members of the public expressed opposition to this proposal and nobody from the public spoke in favor of the proposal. Many of those that spoke desired to preserve farmland and prevent the expansion of mining in the area. Some of the members of the public were concerned that, if the proposal was

approved, the door would be opened to non-agricultural uses along the corridor. One (1) member of the public wanted the Prairie Parkway alignment removed because showing the alignment did not serve a planning purpose in their opinion. The Kendall County Zoning Board of Appeals unanimously recommended denial. Ms. Clementi agreed with Mr. Thompson and Mr. LeCuyer and believed more input from the community should be taken into account. She wished for agriculture to be preserved in the area. Mr. Cherry understood the residents' opinions on the matter, but he was still on the fence and just thought he should vote no. Mr. Thompson stated he had some problems with the proposal since he comes from an agriculture background. Also, he stated the importance of a plan. Mr. Whitfield recommended that anyone wanting to preserve their land should work with the Conservation Foundation. Mr. LeCuyer stated there should be more discussion with the residents in the area. He argued there was use and value to the land and the only way to preserve the land is placing it in a conservation trust. Chairman Mohr stated the plan was meant to be a fluid document. He reiterated that zoning is not going to be changed but does believe that certain parts of the proposal needed to be reexamined. He believed that the Prairie Parkway should be kept for on the map for historical purposes. He also argued the one half (1/2) mile corridor was excessive.

At the Zoning Board of Appeals meeting, five (5) attendees indicated they did not receive notification of the meeting by letter. Staff mailed the letters July 5<sup>th</sup>; the letters were not sent certified because Staff believes that State law does not require certified mailings for changes to the Land Resource Management Plan. Unlike a rezoning, a change to the Future Land Use Plan is not binding and has no direct legal action on what a property owner can and cannot do with their land.

The Kendall County Planning, Building and Zoning Committee discussed this issue at their meeting on August 13, 2018. The following comments on this issue were provided at that meeting:

Kurk Friestad, Chicago Road, stated that he wanted to keep the County agricultural in the southern portion of the County and is opposed to the proposed changes. He believed the changes open the door for removing agriculture. Chairman Davidson responded that, if owners never sale their land, the proposal will not affect them. However, owners have a right to sell their land. Chairman Davidson also stated a comprehensive plan was necessary to prevent problems in the future like homes on or near a four (4) lane highway. He did not believe factories or businesses will come to the area until sewer and water is brought to the area. The comprehensive plan will be looked at every five (5) years and can be changed. Kurk Friestad responded that changing the ground from agriculture will not be beneficial now or in the long term. Member Kellogg stated the comprehensive plan gives guidance for an investor coming into the area. Also, land owners have rights and the County cannot prevent them from doing certain activities with their land. He stated that doing

nothing was not a good idea. Mr. Friestad did not believe water and sewer will be coming to area in the near future.

Steven Halcomb, Sherrill Road, questioned the public policy for the Committee. He stated his household and his in-law's household did not receive any correspondence in the mail regarding the proposal. He asked what incentives exist for the county to have mining in Lisbon Township. He also asked if any study occurred examining which properties produce the greatest agricultural yields per acre and which properties have the most rock for mining. Chairman Davidson agreed that many property owners were not notified. Mr. Asselmeier stated that, in his opinion, State law does not require notification because the zoning of the property will not change if this proposal is approved. Mr. Asselmeier also stated that nobody in Section 32 of Lisbon Township was notified by mail. Mr. Asselmeier stated that a property owner can still go to the Village of Lisbon, annex their property, and rezone their property under the Village of Lisbon's regulations, if this proposal is rejected.

Linda Fosen, Townhall Road, did not agree with the proposed changes of a half (1/2) mile corridor on Route 47 and the removal of the rural settlement classification on the map. She asked for clarification of rural settlement. Mr. Asselmeier stated there was a small area on Route 47 that had been classified as rural settlement.

Mr. Nelson questioned if it was required to notify the residents of the amendment changes. Mr. Asselmeier responded no. Mr. Asselmeier stated the proposal nearly matches the Village of Lisbon's map. The mining area is slightly smaller on the Kendall County proposed map.

Mr. Ashton acknowledged the only thing removed was the buffer, but nothing changed.

Mr. Nelson stated the issue seemed to be the mining district that was increased. Mr. Ashton stated the claims from the public that the mining district size was made bigger were inaccurate.

Mr. Wehrli responded that there seems to be a lack of communication and information provided to the public which is causing the problems. Mr. Ashton stated the issue is not communication. In his opinion, the residents were not accepting the answers.

Mr. Asselmeier stated the letter provided to the residents stated the change would not affect their property.

Mr. Ashton believed the residents should be able to come back to the board and state their problems. Also, the residents were given more than enough notices

regarding the issue. Mr. Ashton recommended sending out a letter regarding holding a meeting and not sending it out as a notice.

Mr. Nelson stated the issue to be put it off until the November meeting.

Mr. Ashton stated the biggest concern he is hearing is the mining size, even though it has not been changed.

Mr. Nelson stated he would like the Kendall County Economic Development Commission to get involved with the proposed amendment.

Mr. Wehrli agreed that the decision should be held off until November.

Mr. Ashton made a motion, seconded by Mr. Prochaska, to have an informational meeting on the proposal with property owners within one (1) mile of the impacted area be held on November 28, 2018. With a voice vote of five (5) ayes, the motion carried.

Mr. Wehrli stated he is concerned with the property taxes and the only way to combat them is by welcoming businesses.

2. Discussion of Petition 18-07 Regarding Text Amendments to Section 13.08 of the Kendall County Zoning Ordinance Pertaining to the Renewal, Amendment, and Revocation of Special Use Permits

Mr. Ashton stated the petition went to the Kendall County Regional Planning Commission and the Zoning Board of Appeals and both voted no. Along with the denial recommendation, Lisbon Township and Kendall Township were filing formal objections to the petition. Mr. Ashton further explained that the County Board would have the right to revoke a special use without a super majority vote.

Mr. Nelson did not believe it was a good way to run the County. Also, this petition would create more problems economically for developers and businesses.

Mr. Prochaska stated the petition could become very dangerous and political which would hurt the county.

Mr. Ashton stated he believes the owners should do what they want on their land, unless it becomes a hindrance to someone else. He continued that it was not alright to take anyone's special use away without due process. He recommended sending the petition back to Planning, Building and Zoning Committee to look at the issues and send it back to the Comprehensive Land Plan Ordinance Committee to review.

Mr. Nelson stated the petition should be reconfigured and brought back to the committee.

Mr. Ashton made a motion, seconded by Mr. Wehrli, to bring the proposal back to the Comprehensive Land and Ordinance Committee in October. With a voice vote of five (5) ayes, the motion carried.

**OTHER BUSINESS/ANNOUNCEMENTS**

None

**CITIZENS TO BE HEARD/PUBLIC COMMENT**

None

**Adjournment:**

The next meeting will be October 24, 2018. Mr. Werhli, seconded by Mr. Prochaska, made a motion to adjourn the meeting. With a voice vote of five (5) ayes, the motion passed and the meeting adjourned at 5:45 p.m.

Respectfully submitted,  
Matthew H. Asselmeier, AICP  
Senior Planner

**KENDALL COUNTY  
COMPREHENSIVE LAND PLAN AND ORDINANCE COMMITTEE**

*Kendall County Office Building  
Rooms 209 & 210  
111 W. Fox Street, Yorkville, Illinois  
5:00 p.m.  
Meeting Minutes of January 23, 2019*

Chairman Larry Nelson called the meeting to order at 5:30 p.m.

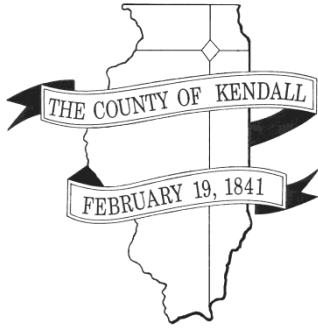
**Members Present:** Larry Nelson, Bill Ashton, Matthew Prochaska, and Scott Gryder

**Member Absent:** Megan Andrews, Randy Mohr, John Shaw, and Jeff Wehrli

**Others Present:** Matt Asselmeier and Ruth Ann Sikes

With a quorum not being present, the meeting adjourned at 5:30 p.m.

Respectfully submitted,  
Matthew H. Asselmeier, AICP  
Senior Planner



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**DEPARTMENT OF PLANNING, BUILDING & ZONING**

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

**MEMORANDUM**

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To: Kendall County Planning, Building and Zoning Committee

From: Matthew H. Asselmeier, AICP, Senior Planner

Date: December 5, 2018

Re: Proposed Future Land Use Map Change Along Route 47 in Lisbon Township

After the November 27<sup>th</sup> Kendall County Board meeting, the Village of Lisbon, as required by State law, recorded a notice of adoption of a Comprehensive Plan. This was the Comprehensive Plan that the Village adopted in January 2009.

The Village of Lisbon Future Land Use Map that was recorded with their Comprehensive Plan does not match the map previously reviewed by the County.

Attached to this memo are the proposed Future Land Use Map incorporating the old Village of Lisbon Future Land Use Map's mining area, the old Village of Lisbon's Future Land Use Map, the new Village of Lisbon's Future Land Use Map, a map incorporating the Mining Area on the new Village of Lisbon's Future Land Use Map, a map showing sections 32 and 33 as mixed use business, and the existing Future Land Use Map for Lisbon Township.

If you have any questions, please let me know.

MHA

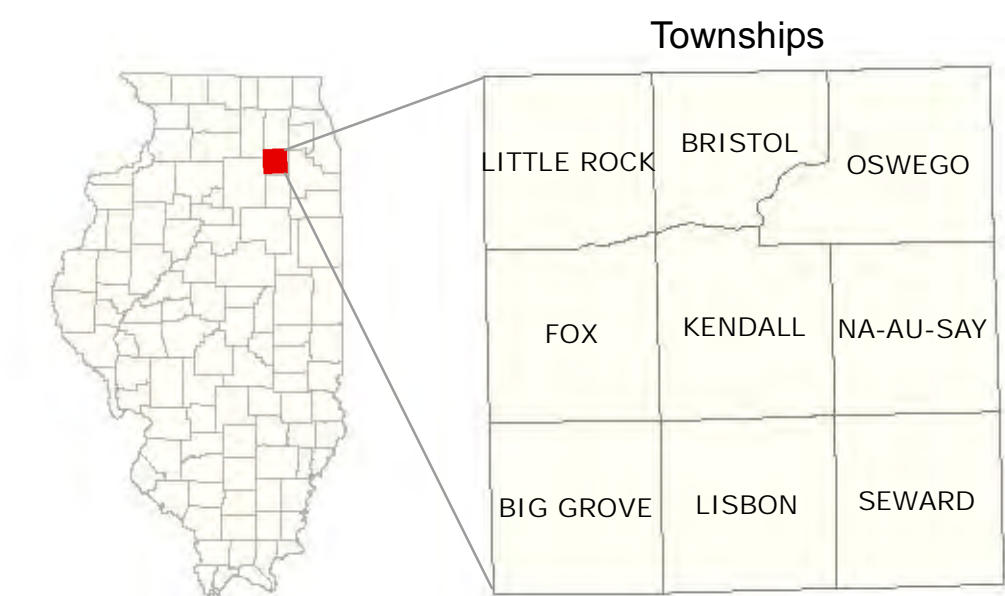
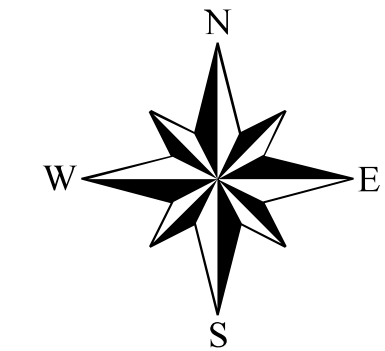
ENC: Proposed Future Land Use Map (Old Lisbon Map)  
Proposed Future Land Use Map (New Lisbon Map)  
Mixed Use Business Map  
Old Lisbon Future Land Use Map  
New Lisbon Future Land Use Map  
Current Future Land Use Map for Lisbon Township



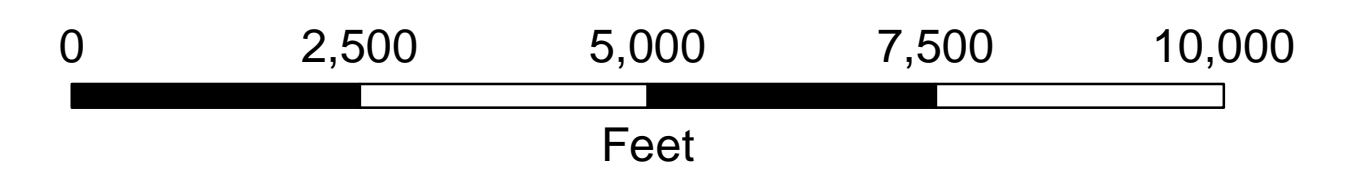
# Lisbon Future LRMP Helmar Rd to Sherrill Rd KENDALL COUNTY

- 2018 -

<http://www.co.kendall.il.us>



Scale: 1 in = 1,667 feet



## Legend

--- Outer Roads

--- Proposed Roadways

### Future LRMP

#### Abbreviation

Natural Resource Areas

Grundy Mixed Use Business

Court Ordered Mining

Open Space

Urbanized Areas

Mixed Use Business

Transportation Corridors

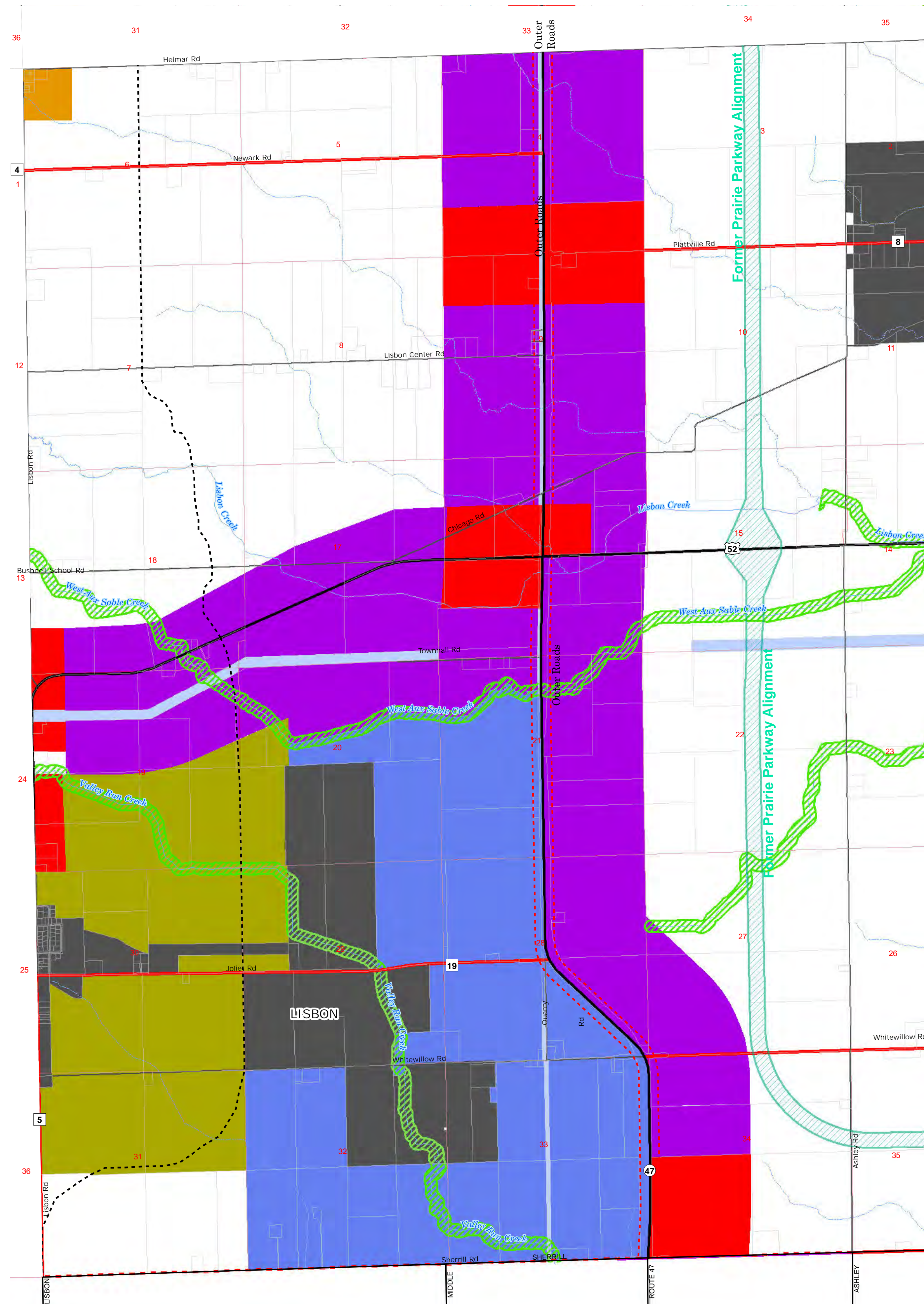
Public Institutional

Mining

Rural Settlements

Commercial

Continued Growth Suburban Residential

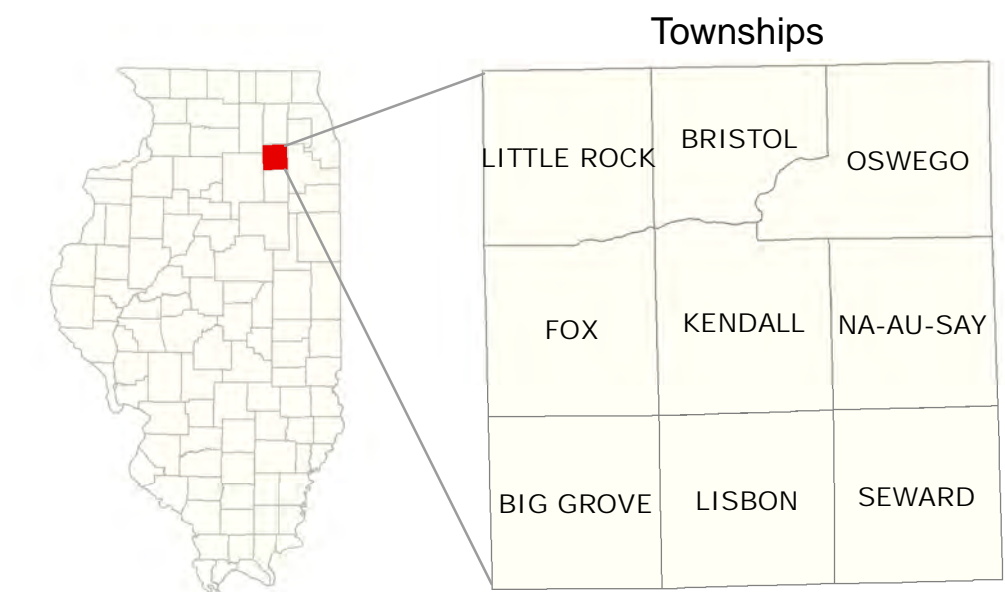
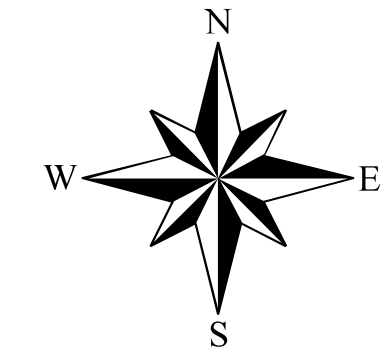


**Kendall County GIS**  
111 West Fox Street - Room 308  
Yorkville, Illinois 60560-1498  
630.553.4030

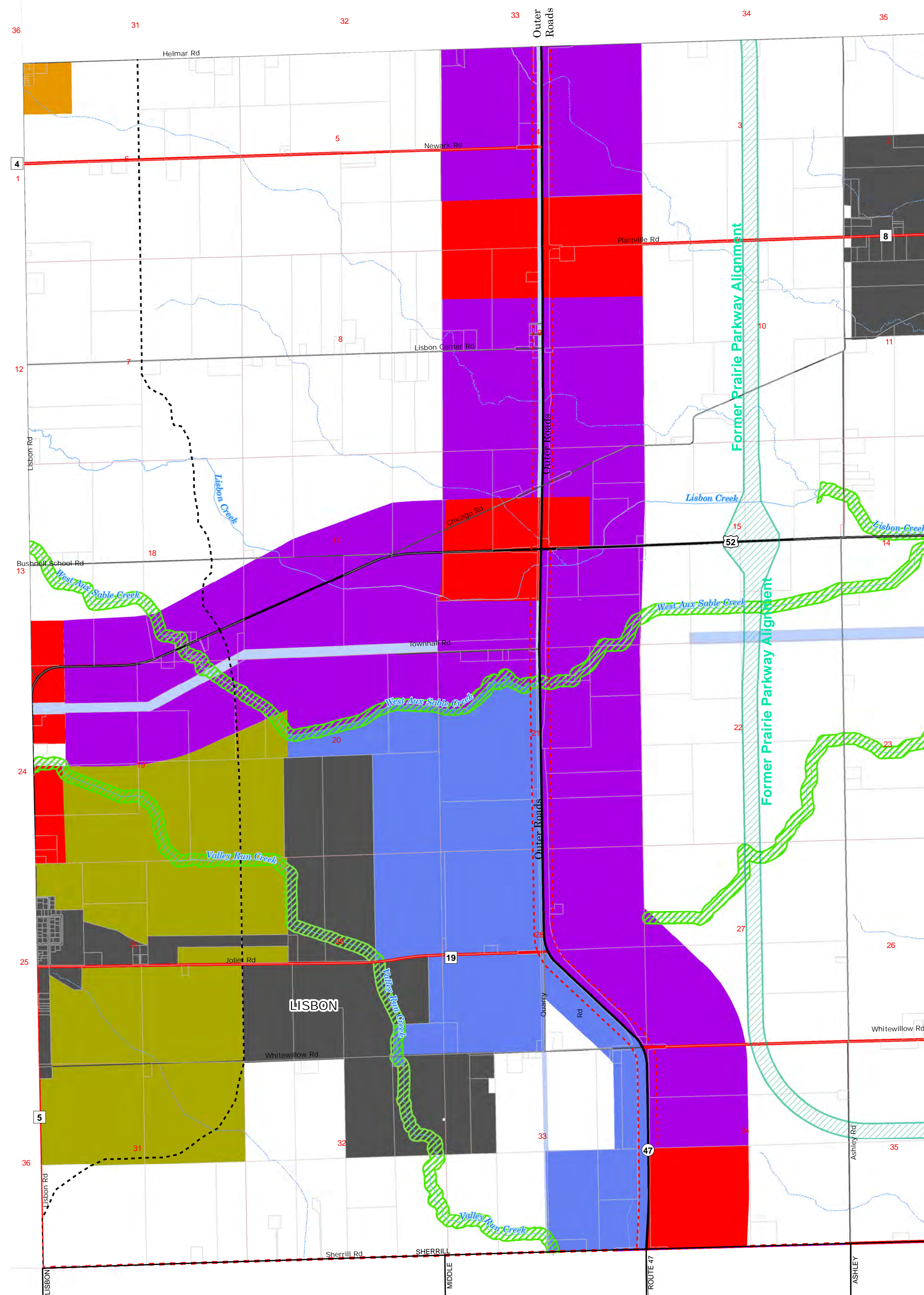
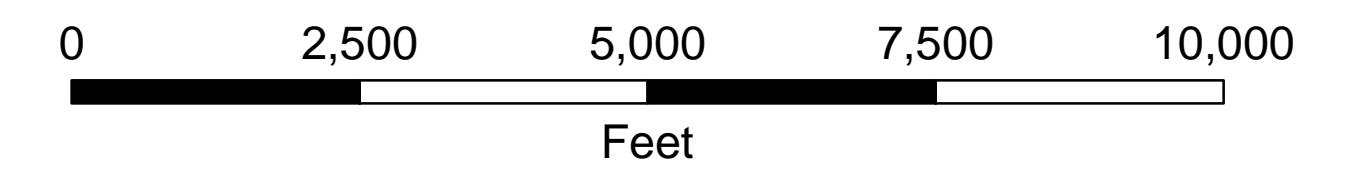
# Lisbon Future LRMP Helmar Rd to Sherrill Rd KENDALL COUNTY

- 2018 -

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Scale: 1 in = 1,667 feet



## Legend

--- Outer Roads

--- Proposed Roadways

### Future LRMP

#### Abbreviation

Urbanized Areas

Mixed Use Business

Public Institutional

Mining

Rural Settlements

Commercial

Continued Growth Suburban Residential



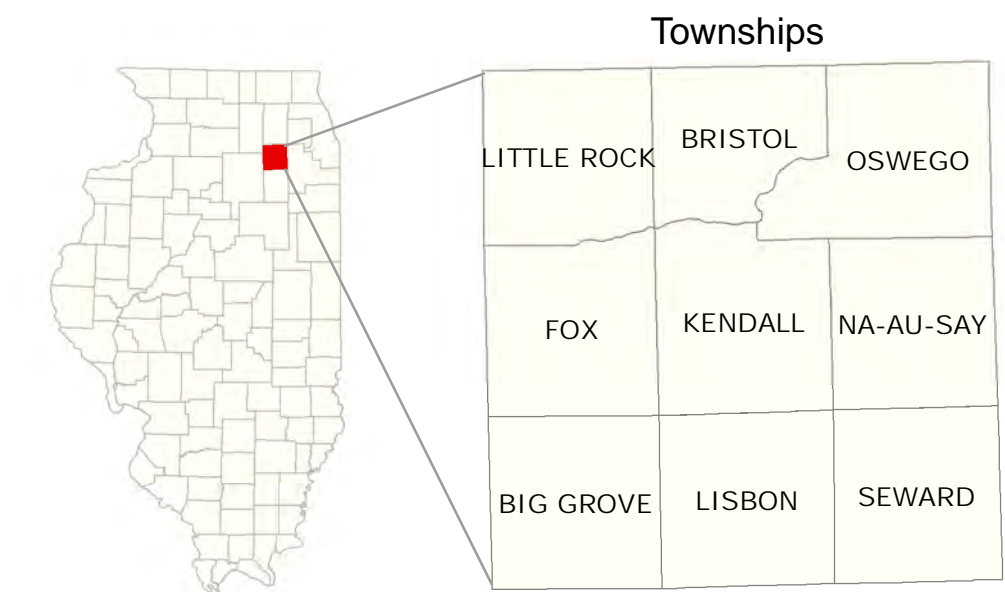
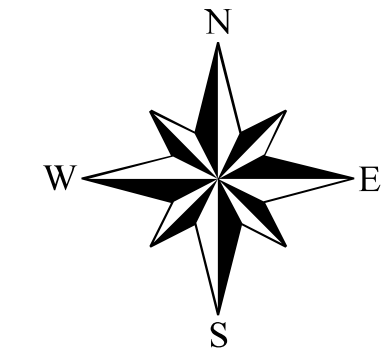
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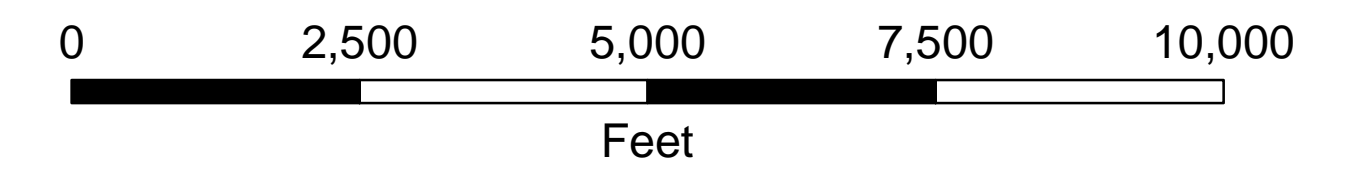
# Lisbon Future LRMP Helmar Rd to Sherrill Rd KENDALL COUNTY

- 2018 -

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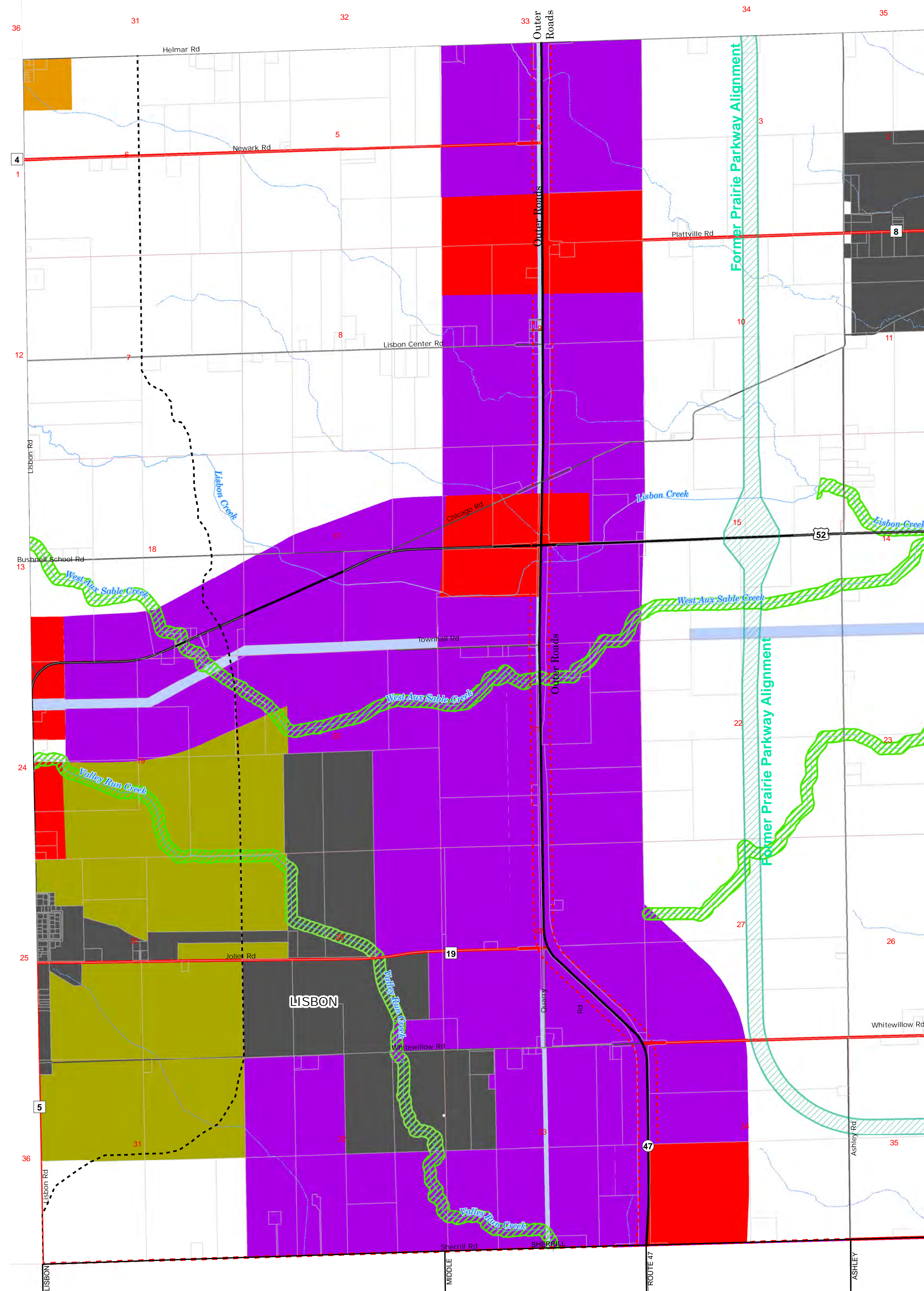
## Legend

- - - Outer Roads
- - - Proposed Roadways

### Future LRMP

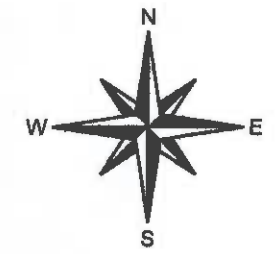
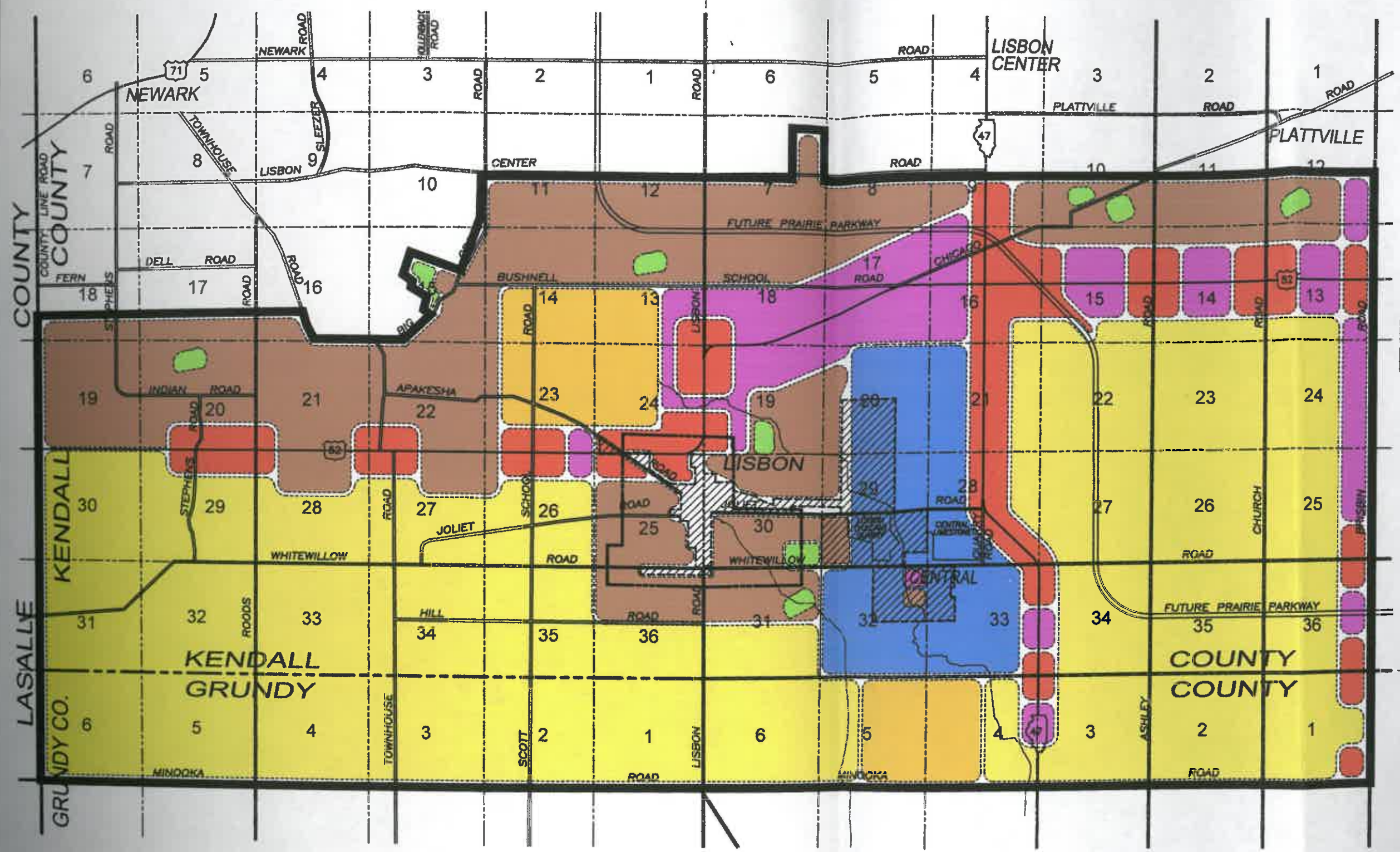
#### Abbreviation

- Natural Resource Areas
- Grundy Mixed Use Business
- Court Ordered Mining
- Open Space
- Urbanized Areas
- Mixed Use Business
- Transportation Corridors
- Public Institutional
- Mining
- Rural Settlements
- Commercial
- Continued Growth Suburban Residential



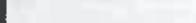









**Kendall County GIS**  
111 West Fox Street - Room 308  
Yorkville, Illinois 60560-1498  
630.553.4030

RANGE 6 EAST RANGE 7 EAST



**LEGEND**

-  LISBON COMPREHENSIVE BOUNDARY
-  EXISTING LISBON VILLAGE LIMITS
-  ORIGINAL LISBON VILLAGE LIMITS
-  COMMERCIAL
-  MIXED USE BUSINESS
-  MINING
-  OPEN SPACE
-  1 ACRE CITY LOTS
-  INDUSTRIAL
-  AGRICULTURAL

TOWNSHIP 34 NORTH  
TOWNSHIP 33 NORTH

RANGE 6 EAST RANGE 7 EAST

DRAWN BY: MAR	DATE: 8/14/07
CHECKED BY: GRC	

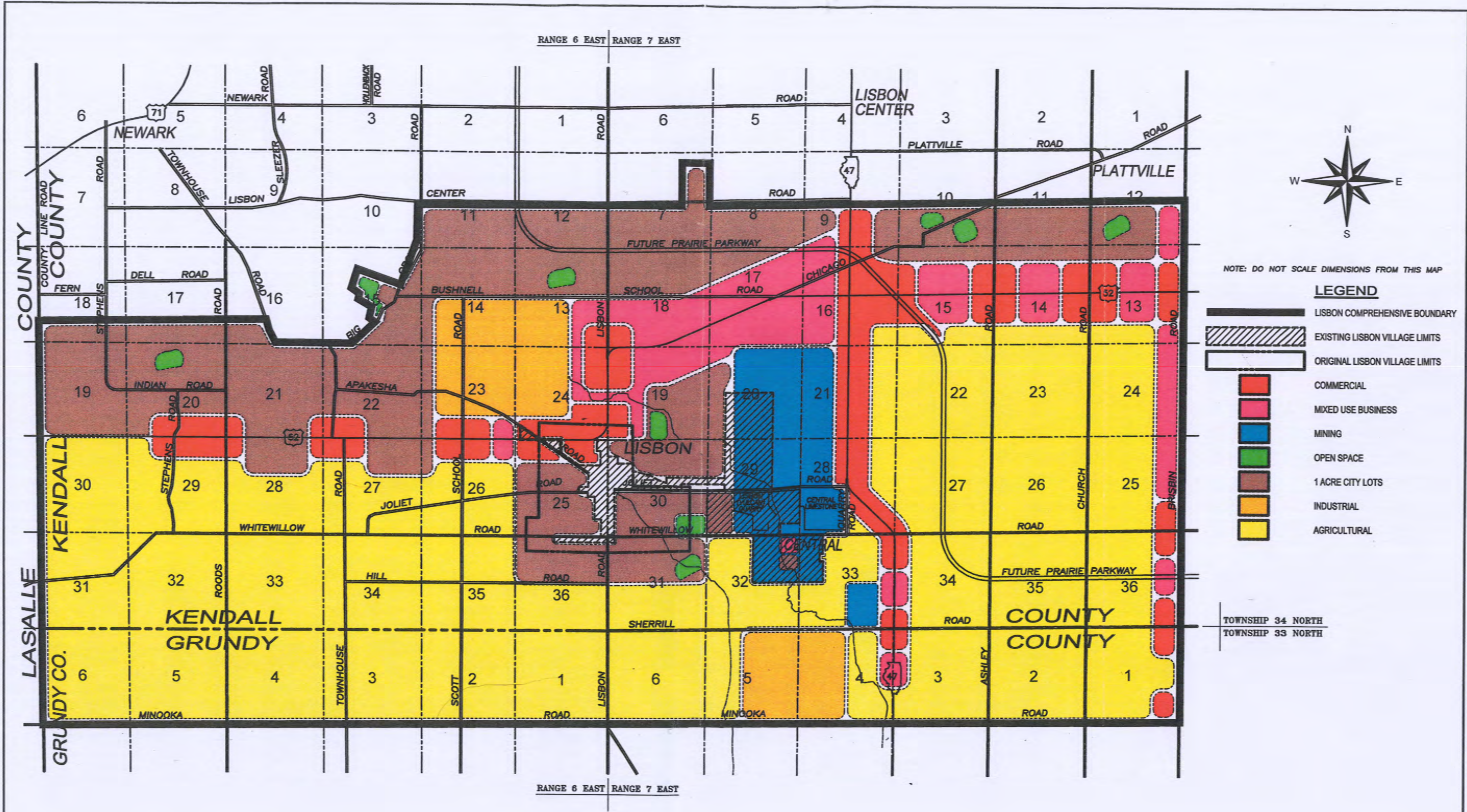
REVISIONS	
DATE	BY
10/25/06	MM
11/13/06	MM
11/20/06	MM

**CHAMLIN ASSOCIATES**  
PERU MORRIS ILLINOIS

**COMPREHENSIVE PLANNING MAP**  
VILLAGE OF LISBON, KENDALL COUNTY, ILLINOIS

PLANNING AREAS

SCALE: 1 = 1700	SHEET
FILE NO.:	OF



NOTE: DO NOT SCALE DIMENSIONS FROM THIS MAP

**LEGEND**

- LISBON COMPREHENSIVE BOUNDARY
- EXISTING LISBON VILLAGE LIMITS
- ORIGINAL LISBON VILLAGE LIMITS
- COMMERCIAL
- MIXED USE BUSINESS
- MINING
- OPEN SPACE
- 1 ACRE CITY LOTS
- INDUSTRIAL
- AGRICULTURAL

TOWNSHIP 34 NORTH  
TOWNSHIP 33 NORTH

DRAWN BY: MAB	DATE: 8/14/07	REVISIONS
CHECKED BY: GRC		DATE BY
		11/20/06 MAB
		2/5/08 MAB
		2/24/08 MAB

**CHAMLIN ASSOCIATES**  
PERU MORRIS ILLINOIS

**COMPREHENSIVE PLANNING MAP**  
VILLAGE OF LISBON, KENDALL COUNTY, ILLINOIS

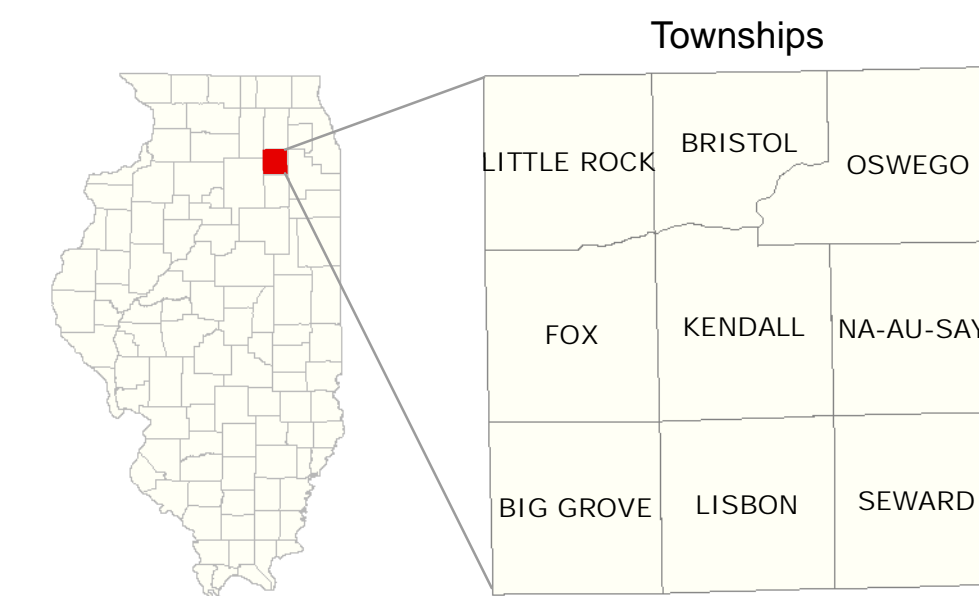
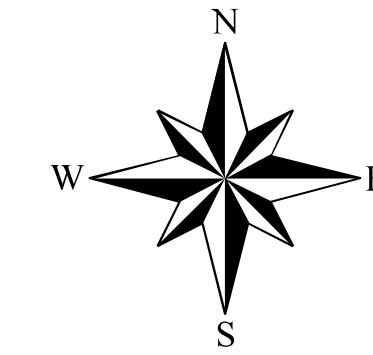
PLANNING AREAS

SCALE: 1 = 1700	SHEET
FILE NO.: 12876	OF

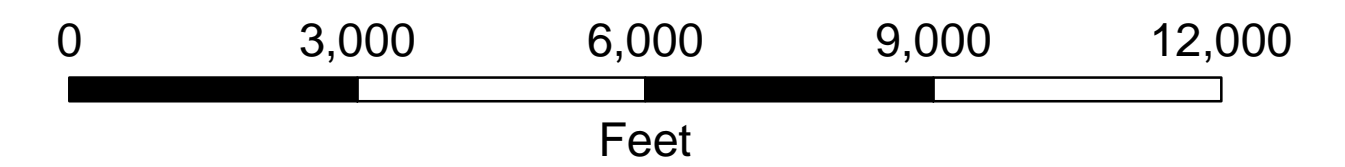
# Future Land Use Lisbon Township KENDALL COUNTY

- 2017 -

<http://www.co.kendall.il.us>



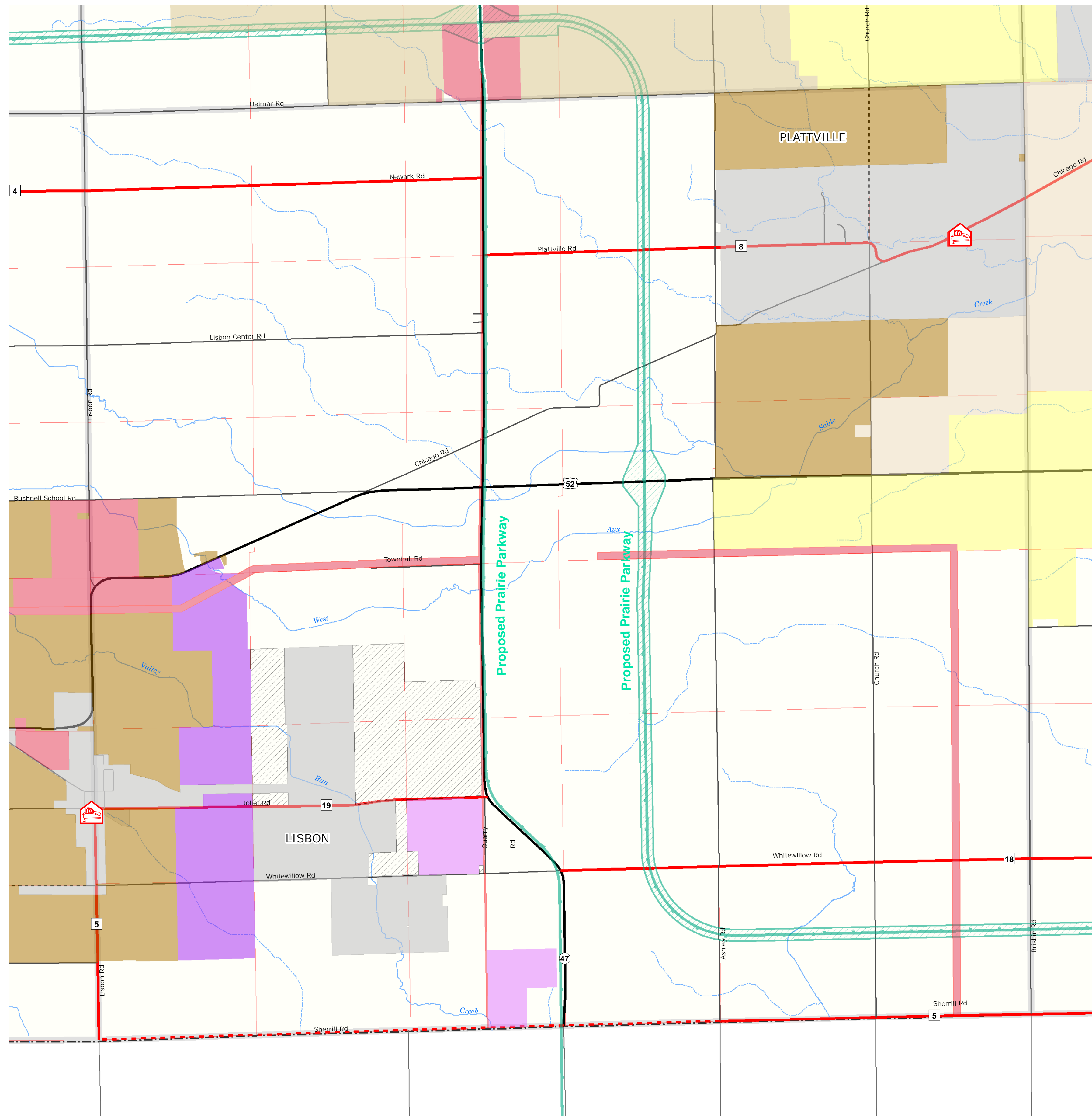
Scale: 1 in = 2,000 feet



## Legend

### Future Land Use

- Land Use Type
- Urban Areas - Incorporated
- Suburban Residential - Max Density 1.00 DU Acres
- Rural Residential Max Density 0.65 DU Acres
- Rural Estate Residential Max Density 0.45 DU Acre
- Countryside Residential Max Density 0.33 DU Acre
- Commercial
- Commonwealth Edison
- Mixed Use Business
- Transportation Corridors
- Mining
- Potential Mining District
- Public/Institutional
- Agriculture
- Open Space
- Forest Preserve/State Parks
- Unknown
- FEIS\_centerline
- Protected Corridor - 2007



**Kendall County GIS**

111 West Fox Street - Room 308  
Yorkville, Illinois 60560-1498  
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## Home Occupation Information

### Section 3.02-Definitions

HOME OCCUPATION Any occupation or profession engaged in by an occupant of a dwelling unit as a use which is clearly incidental and secondary to the use of the dwelling as a residence.

HOME OCCUPATION - AGRICULTURAL. A home occupation in an agricultural zoning district. Tearooms, restaurants, eating and/or drinking establishments, animal hospitals or kennels, clinics, general retail and wholesale, stables, undertaking establishments and funeral parlors shall not be deemed to be "home occupation". (*Amended 04/18/2000*)

HOME OCCUPATION- RESIDENTIAL A home occupation in a residential zoning district. Tearooms, restaurants, eating and/or drinking establishments, animal hospitals or kennels, clinics, general retail and wholesale, stables, undertaking establishments and funeral parlors shall not be deemed to be a "home occupation".

### Section 4.06-Home Occupation – Agricultural

- a. It is conducted entirely within the dwelling or permitted accessory building by a member or members of the family residing in the dwelling and when such home occupation is clearly incidental and secondary to the use of the dwelling as a residence.
- b. A maximum sign of 8 square feet will be permitted but must meet setback requirements in section 11 of the Zoning Ordinance and be unlit.
- c. No article shall be sold or offered for sale on the premises except as is produced by the occupation on the premises except that items incidental to the home occupation may be sold, i.e., hair products may be sold at a salon.
- d. No person shall be employed on site other than members of the family residing on the premises and two persons outside the family, providing that additional persons outside of the family may be permitted by the Zoning Board of Appeals pursuant to an application for special use filed in accordance with the provisions of this ordinance.
- e. The number of off-street parking spaces for that use is provided as required by the Off-Street Parking, Loading, and Landscape Requirements of this Ordinance.
- f. No mechanical equipment is used which may generate obnoxious fumes, excessive noise or other such related nuisances. No offensive noise, vibration, smoke, dust, odors, heat, glare, or electrical disturbance shall be produced which is perceivable at or beyond the lot lines.

#### Section 4.07-Home Occupation – Residential

- a. It is conducted entirely within the dwelling by a member or members of the family residing in the dwelling and when such home occupation is clearly incidental and secondary to the use of the dwelling as a residence.
- b. There are no signs, display or activity that will indicate from the exterior of the dwelling that it is being used for any use other than a dwelling except as allowed by the sign regulations for the district in which such "home occupation" is located.
- c. No article shall be sold or offered for sale on the premises except as is produced by the occupation on the premises, except that items incidental to the home occupation may be sold, i.e., hair care products sold at a salon.
- d. No more than ten (10) vehicle trips by either customers, delivery persons or employees may be made throughout a day to and from the home occupation.
- e. No person shall be employed on site other than members of the family residing on the premises and one person outside the family in all residential districts.
- f. The number of off-street parking spaces for that use is provided as required by the Off-Street Parking, Loading, and Landscape Requirements of this Ordinance.
- g. No mechanical equipment is used which may generate obnoxious fumes, excessive noise or other such related nuisances. No offensive noise, vibration, smoke, dust, odors, heat, glare, or electrical disturbance shall be produced which is perceivable at or beyond the lot lines.
- h. Instruction in music, crafts and dance shall be limited to one student at a time with a maximum of eight per day. To exceed this limit requires a variance.
- i. Salons shall be limited to one chair or nail table, commonly referred to as a station.

Home Occupations are permitted uses in the A-1 District and all Residential Districts. Home Occupations are special uses in the RPD Districts.