

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

Wednesday, March 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 February 27, 2019 Meeting (Pages 2-3)

NEW/OLD BUSINESS

1. Update on Land Resource Management Plan Amendments for Properties in Lisbon Township (Pages 4-12)
2. Update on Zoning Ordinance Project with Teska Associates
3. Recommendation on a Text Amendment to Sections 4.06 and 4.07 of the Kendall County Zoning Ordinance by Allowing Research and Development Related Home Occupations to be Conducted Outside of a Dwelling or Permitted Accessory Structure and Adding the Phrase “Unless Otherwise Permitted by Law” to the End of Section 4.06.f and Section 4.07.g (Pages 13-15)

OTHER BUSINESS/ANNOUNCEMENTS

CITIZENS TO BE HEARD/PUBLIC COMMENT

ADJOURNMENT Next regularly scheduled meeting on Wednesday, April 24, 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 February 27, 2019***

Chairman Larry Nelson called the meeting to order at 5:00 p.m.

Members Present: Bill Ashton (5:10 p.m.), Larry Nelson, Matthew Prochaska, John Shaw, and Jeff Wehrli

Member Absent: Megan Andrews, Scott Gryder, and Randy Mohr

Others Present: Paul Pope, Village of Lisbon, Matt Asselmeier, Senior Planner and Ruth Ann Sikes, Part Time Office Assistant (Zoning)

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Mr. Wehrli made a motion, seconded by Mr. Prochaska, to approve the minutes of the August 22, 2018, and the January 23, 2019, meeting. With a voice vote of five (5) ayes the minutes were approved.

NEW/OLD BUSINESS

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

Mr. Prochaska gave an update on this and stated it was sent back to the Committee in November. He also stated that Member Purcell and Member Gilmour wanted no expansion of the mining district. They want to drop mining and leave all the other the same. The mining area would be left agriculture.

Mr. Wehrli made a motion, seconded by Mr. Ashton, to change the mining area to agriculture.

With a voice vote of four (4) ayes the motion carried. Mr. Shaw abstained.

2. Discussion of Home Occupation Zoning Regulations

Mr. Asselmeier provided a copy of the Home Occupation Zoning Regulations and gave a summary of the two.

The consensus of the Committee was to modify Section 4.06(a) to exempt research and development businesses from the requirement that they be conducted inside a primary or accessory structure, to add the phrase “unless otherwise permitted by law” to section (f) and to amend section 4.07 to correspond to section 4.06 on the matter.

Mr. Ashton requested that Mr. Asselmeier contact Mike Hoffman regarding this project.

The proposal will be put on the Agenda for next month’s meeting.

3. Update on Zoning Ordinance Project with Teska Associates

Mr. Asselmeier stated that it would be the middle of March before it is completed.

Mr. Ashton asked if we had to pass this in its entirety or can we approve it in sections. Mr. Asselmeier said that it will be at the Commission’s discretion.

The Committee decided that they wanted everything that Teska changed put in red.

OTHER BUSINESS/ANNOUNCEMENTS

Mr. Nelson brought up the subject of the Sheriff’s Shooting Range. Mr. Prochaska stated that the noise was the one (1) issue at the railroad site causing complaints. Mr. Nelson suggested making a text amendment to the Kendall County Zoning Ordinance taking the Sheriff’s Gun Range out of special use and making it a permitted use. Mr. Asselmeier said originally all shooting ranges were permitted uses from the time Kendall County established zoning in 1940 until 1960.

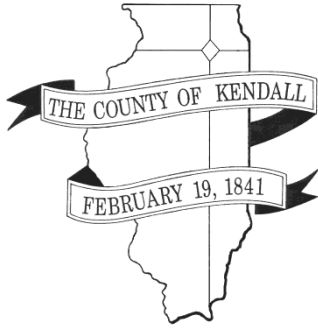
CITIZENS TO BE HEARD/PUBLIC COMMENT

None

Adjournment:

The next meeting will be March 27, 2019. Mr. Wehrli made a motion to adjourn the meeting, seconded by Mr. Ashton. With a voice vote of five (5) ayes, the motion passed and the meeting adjourned at 6:20 p.m.

Respectfully submitted,
Ruth Ann Sikes
Part-Time Office Assistant (Zoning)



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

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MEMORANDUM

To: Kendall County Comprehensive Land Plan and Ordinance Committee

From: Matthew H. Asselmeier, AICP, Senior Planner

Date: March 20, 2019

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

At their meeting on February 27, 2019, the Comprehensive Land Plan and Ordinance Committee suggested removing all of the mining area around the Village of Lisbon. That same evening, the Kendall County Regional Planning Commission voted to remove mining around the Village of Lisbon except for those areas already zoned for mining uses. These two (2) maps are attached to this memo.

Also 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.

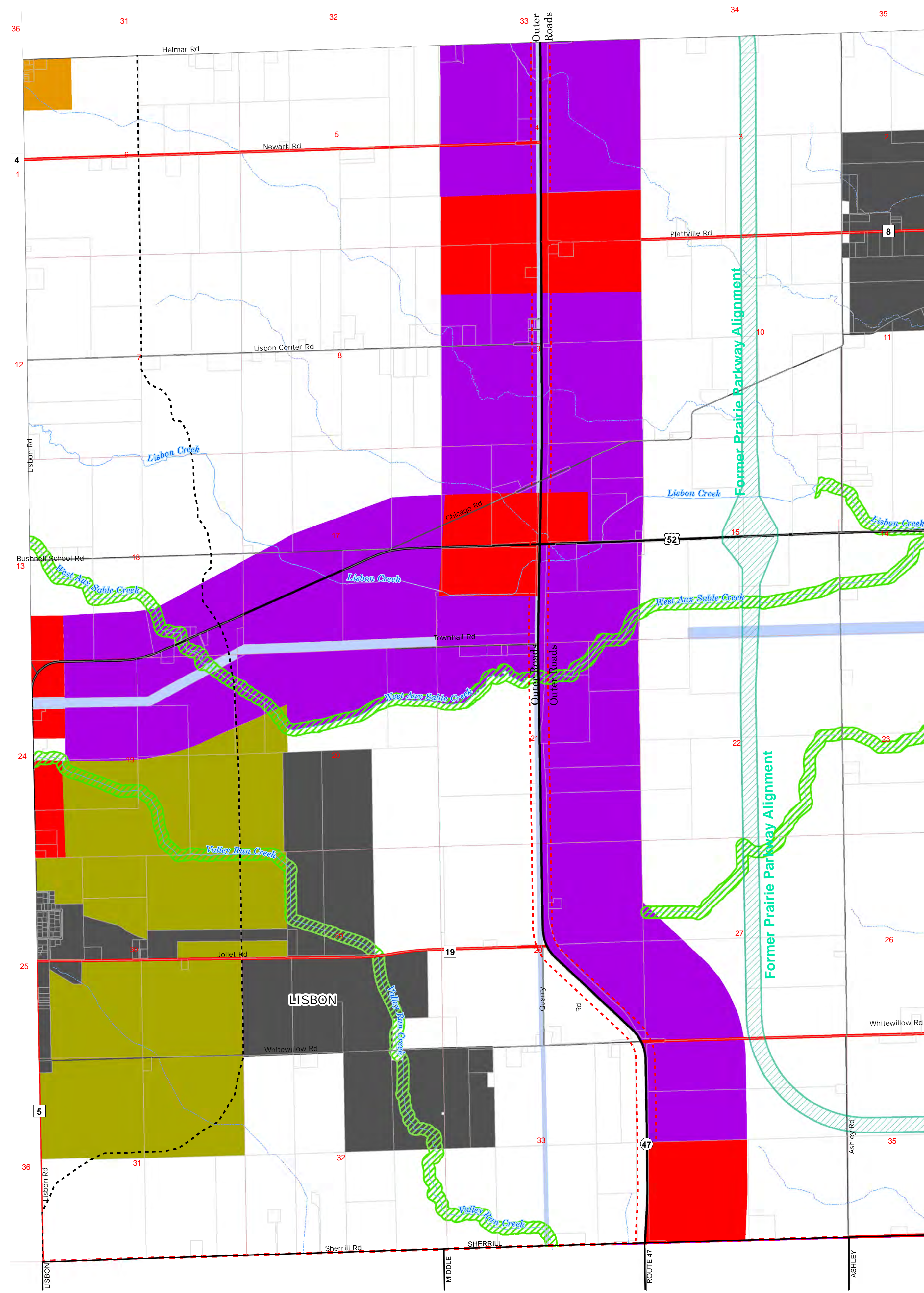
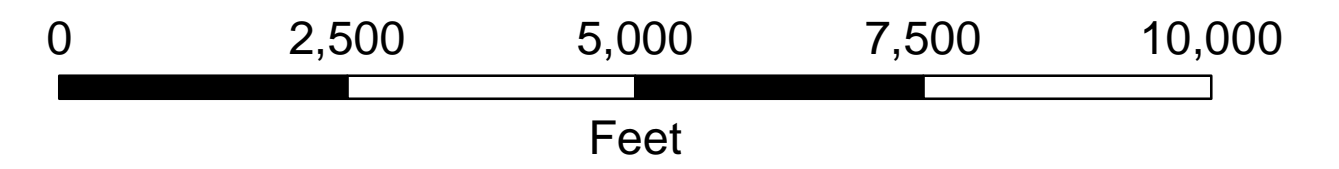
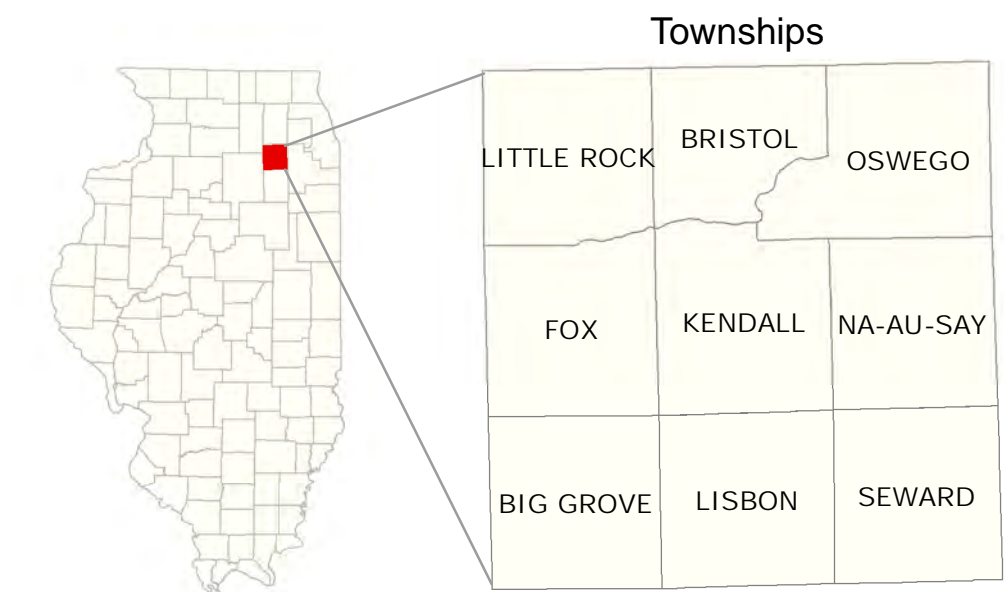
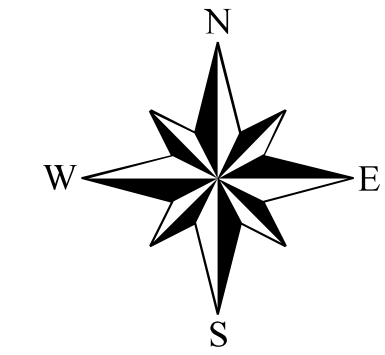
MHA

ENC: Mining Removed
Mining Removed Except Where Zoned
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

- 2019 -

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



Legend

- - - Outer Roads
- - - Proposed Roadways
- Future LRMP Abbreviation**
- Urbanized Areas
- Mixed Use Business
- Public Institutional
- Rural Settlements
- Commercial
- Continued Growth Suburban Residential

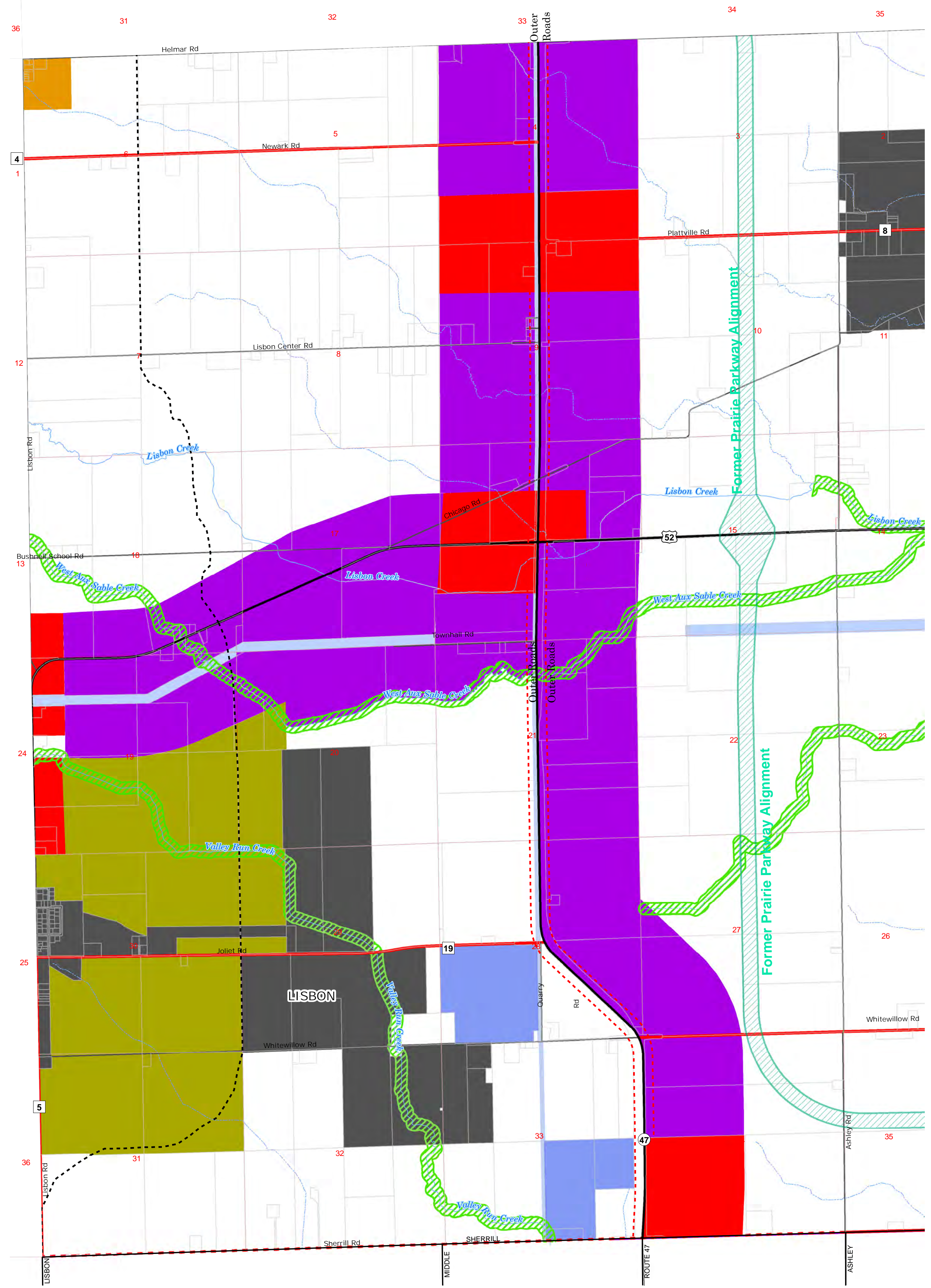
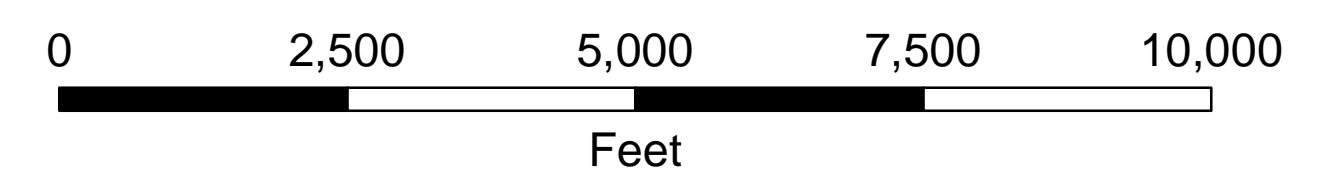
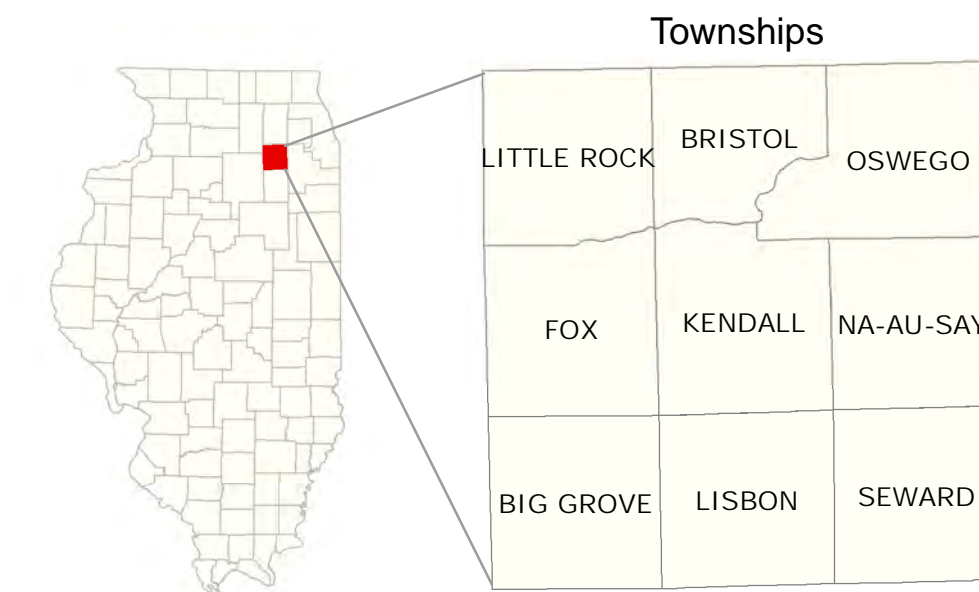
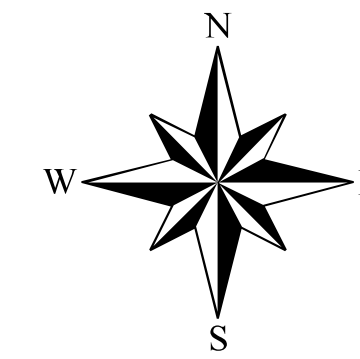


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Lisbon Future LRMP Helmar Rd to Sherrill Rd KENDALL COUNTY

- 2019 -

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



- Legend**
- - - Outer Roads
 - - - Proposed Roadways
- Future Land Use**
- Land Use Type**
- Mining
- Future LRMP**
- Abbreviation**
- Urbanized Areas
 - Mixed Use Business
 - Public Institutional
 - Rural Settlements
 - Commercial
 - Continued Growth Suburban Residential

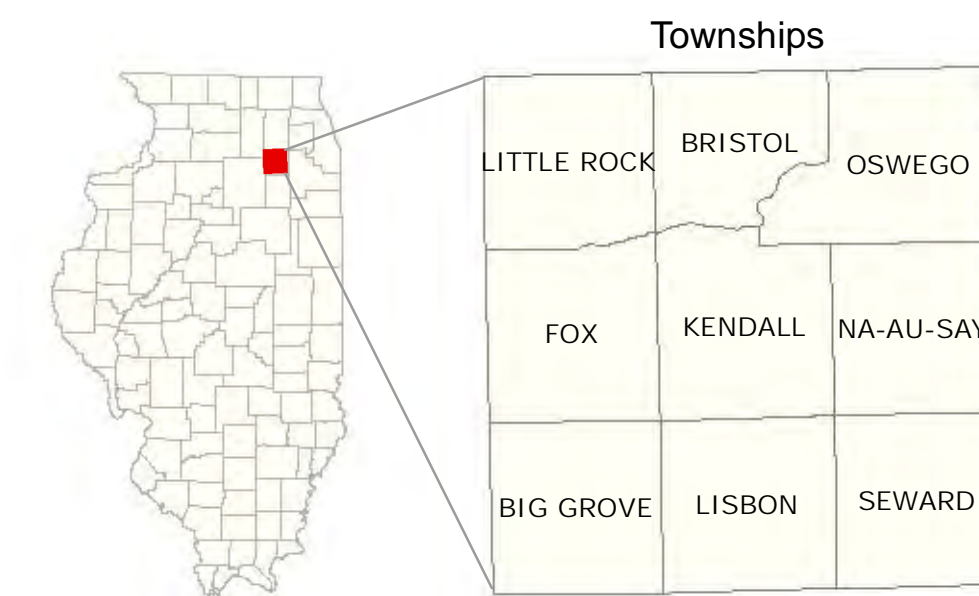
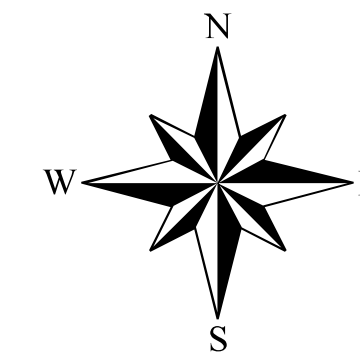


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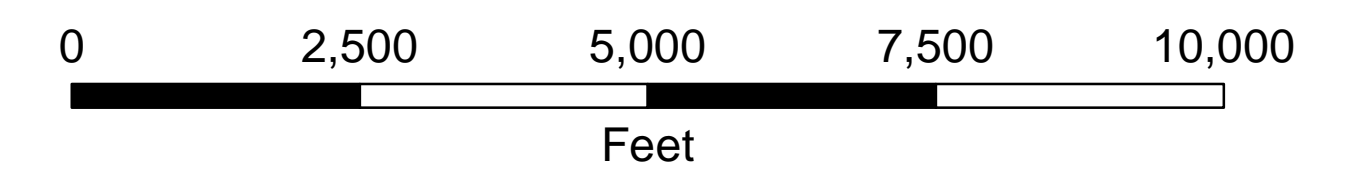
Lisbon Future LRMP Helmar Rd to Sherrill Rd KENDALL COUNTY

- 2018 -

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



Scale: 1 in = 1,667 feet



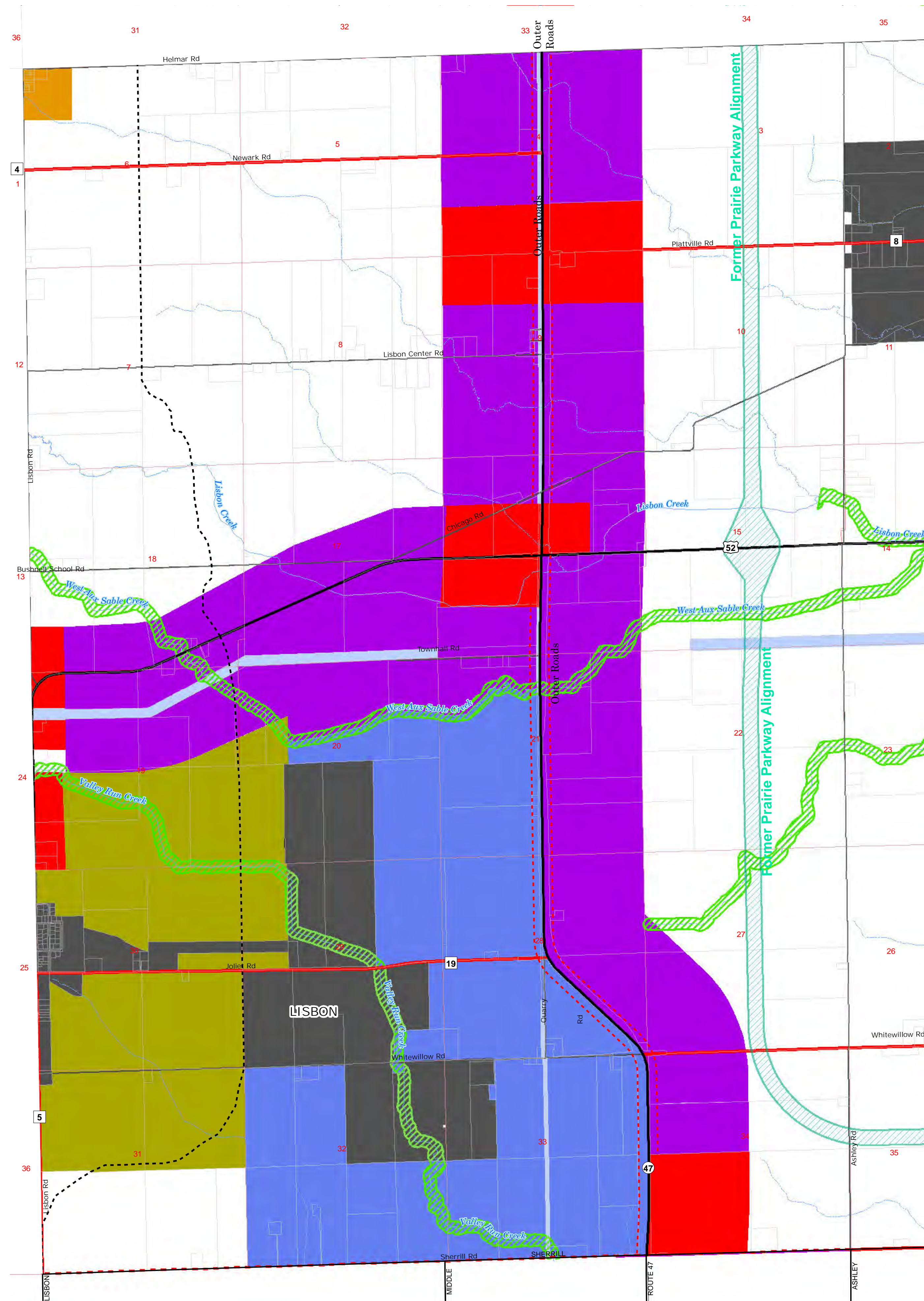
Legend

- - - 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

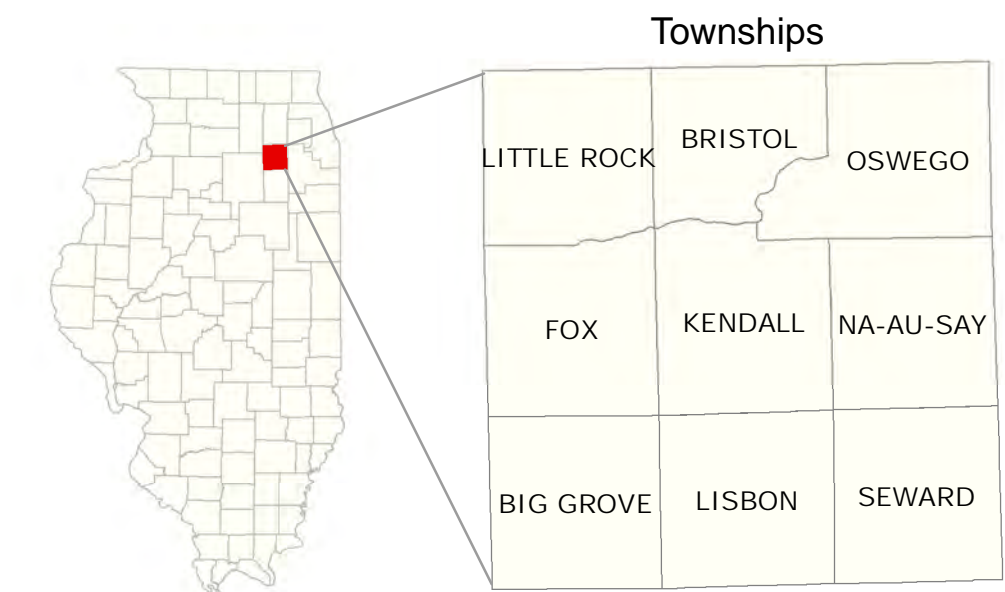
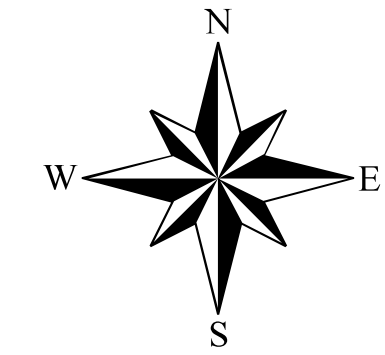


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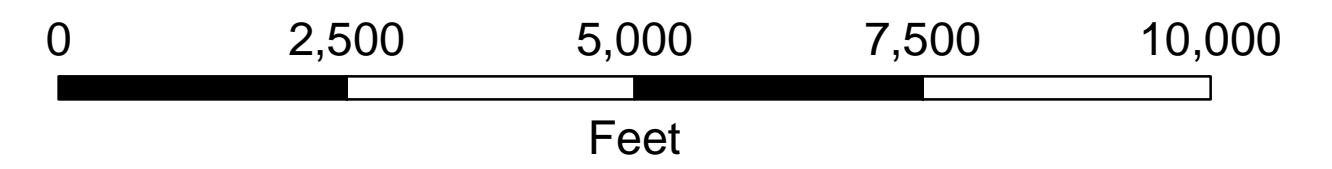
Lisbon Future LRMP Helmar Rd to Sherrill Rd KENDALL COUNTY

- 2018 -

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



Scale: 1 in = 1,667 feet



Legend

--- Outer Roads

--- Proposed Roadways

Future LRMP

Abbreviation

Urbanized Areas

Mixed Use Business

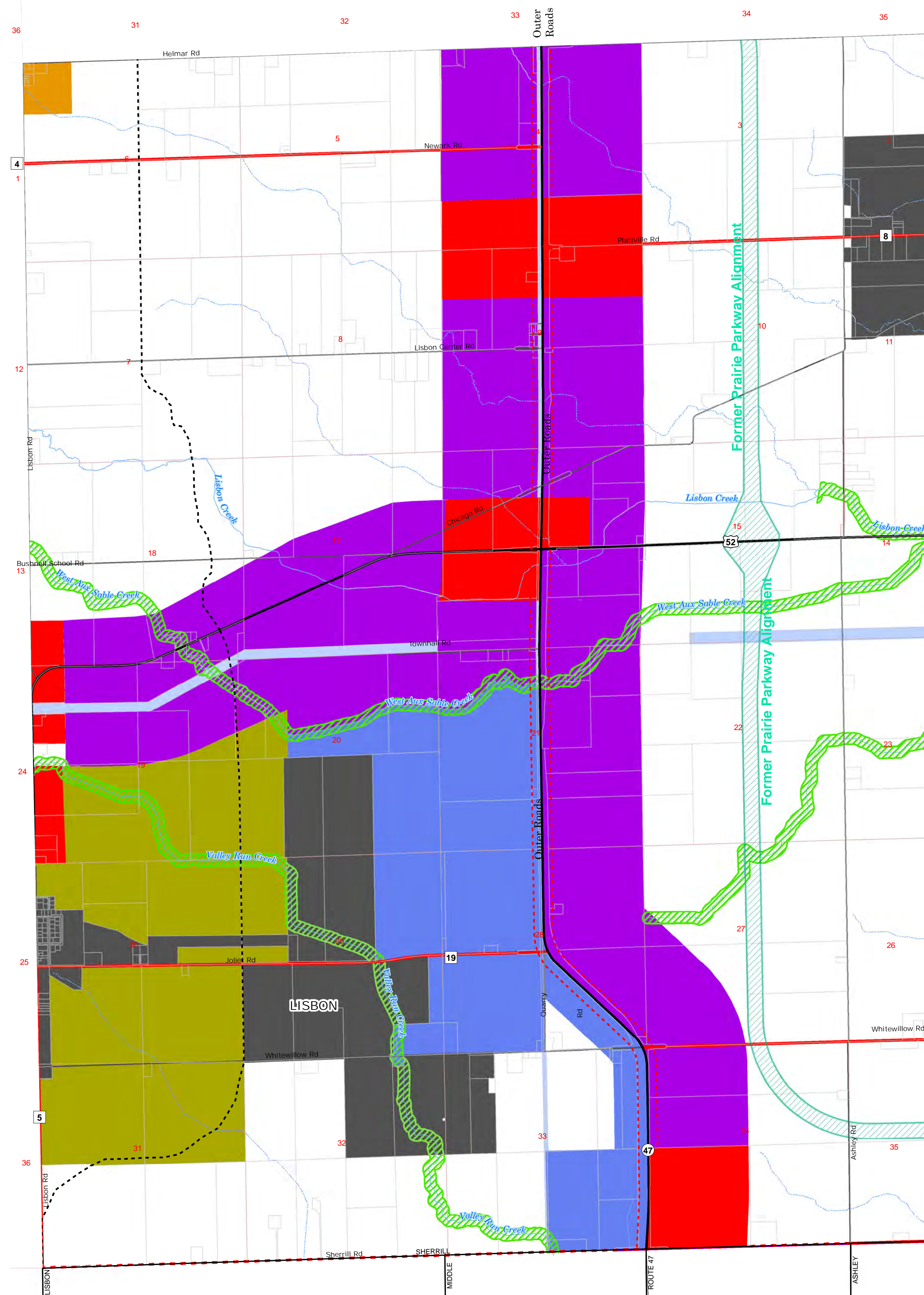
Public Institutional

Mining

Rural Settlements

Commercial

Continued Growth Suburban Residential



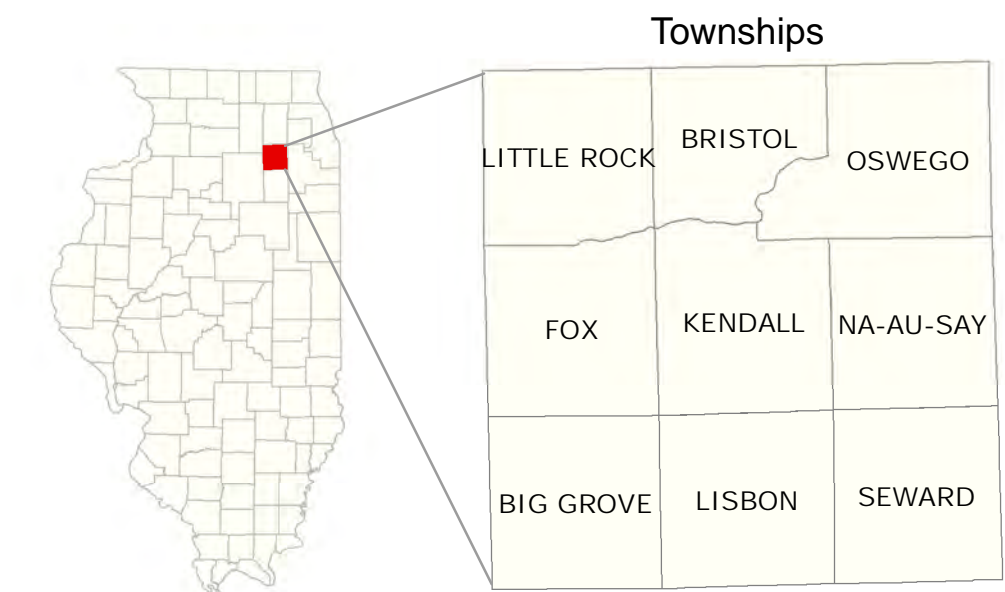
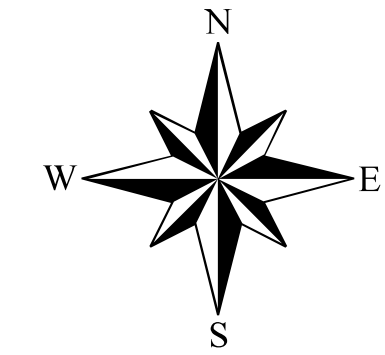
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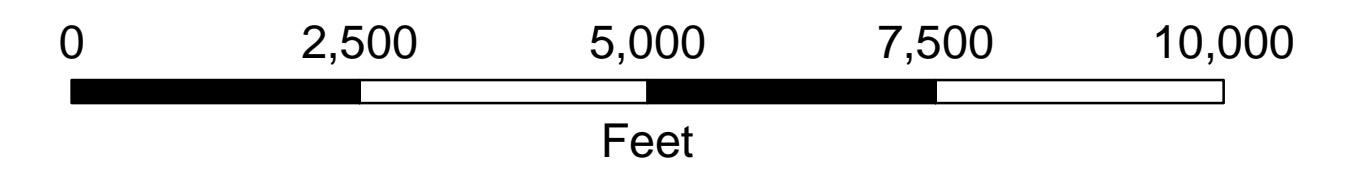
Lisbon Future LRMP Helmar Rd to Sherrill Rd KENDALL COUNTY

- 2018 -

<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

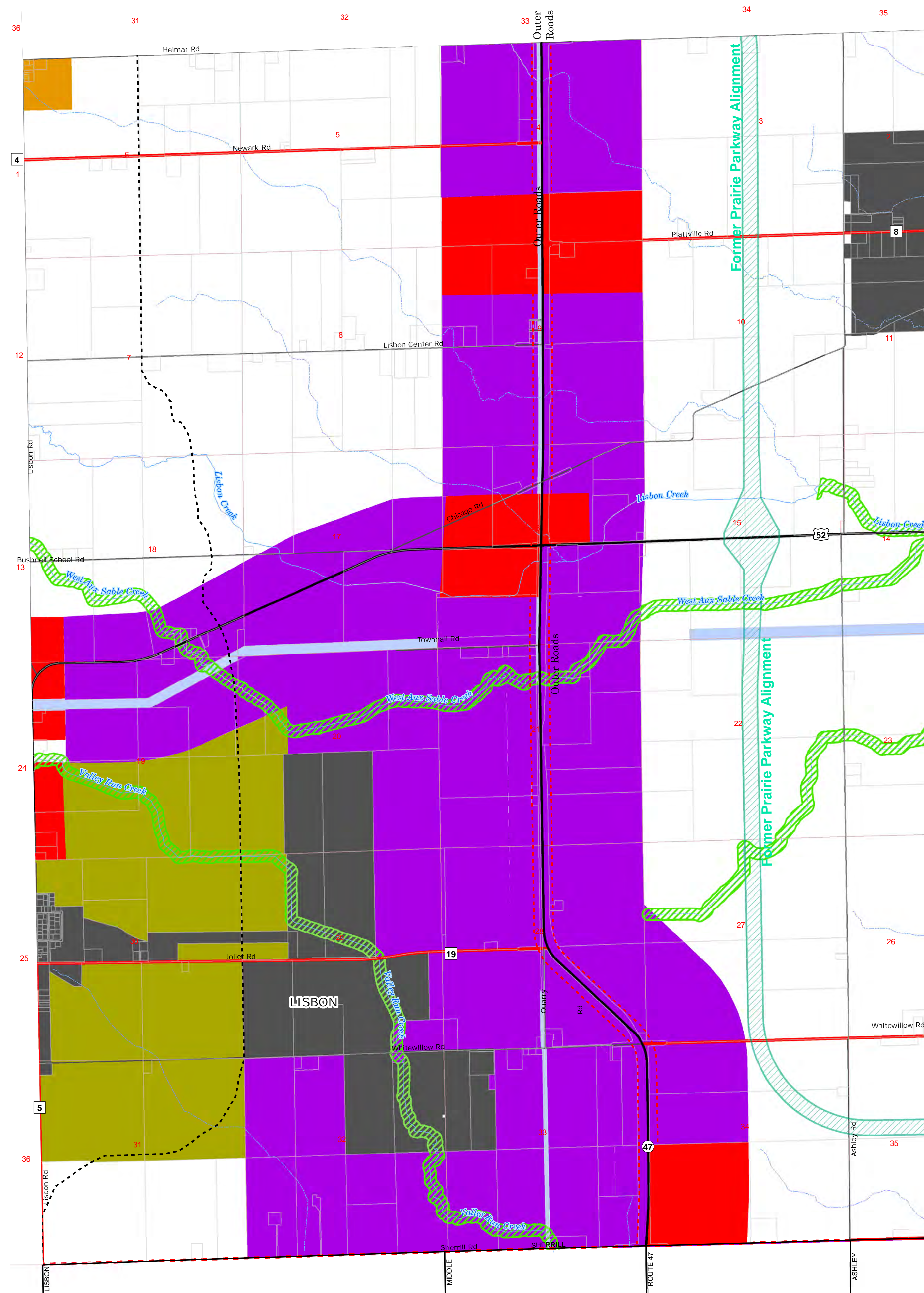
Public Institutional

Mining

Rural Settlements

Commercial

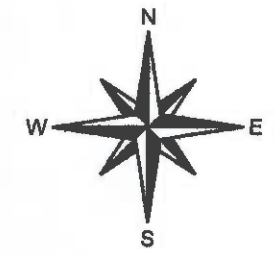
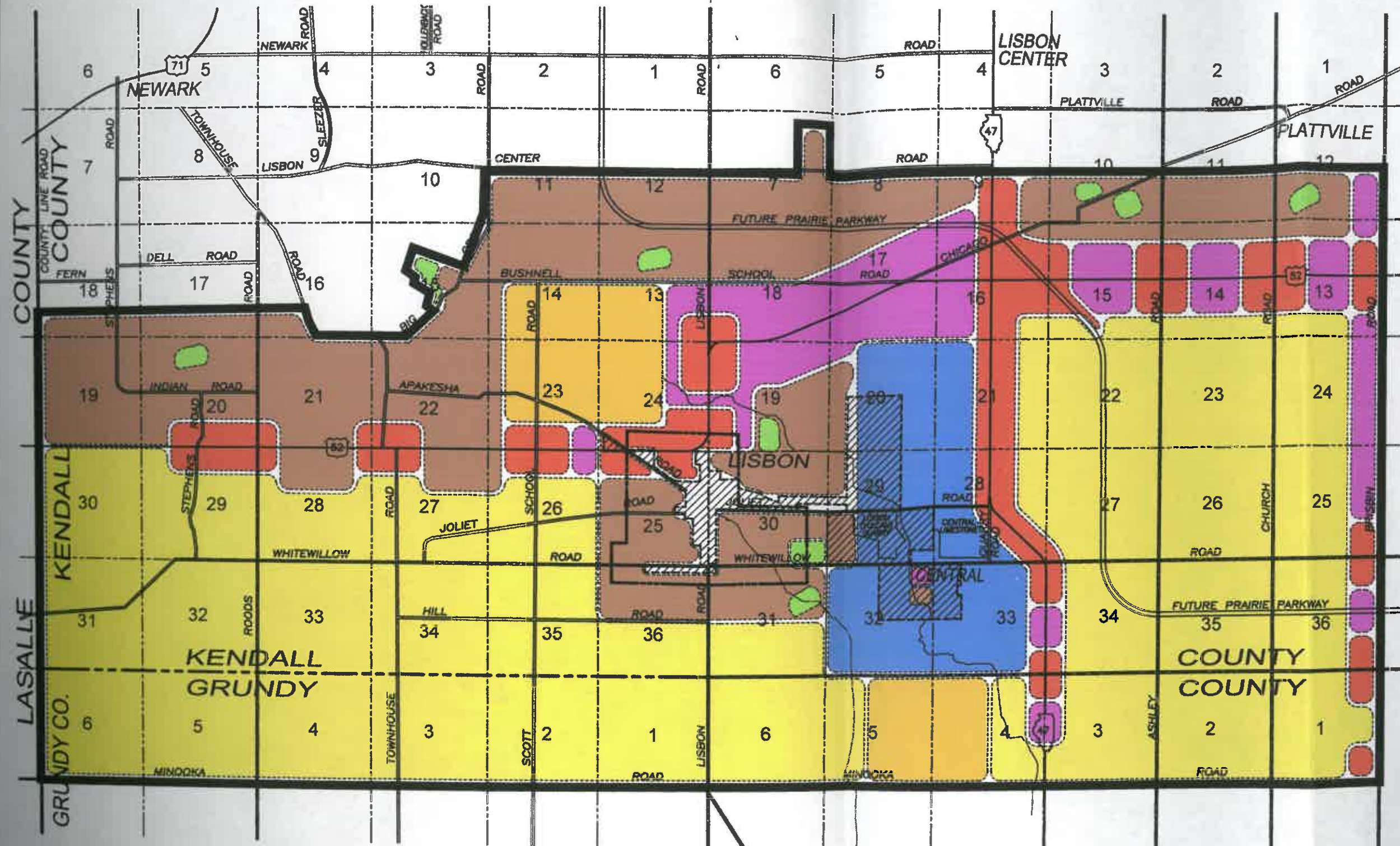
Continued Growth Suburban Residential













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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	

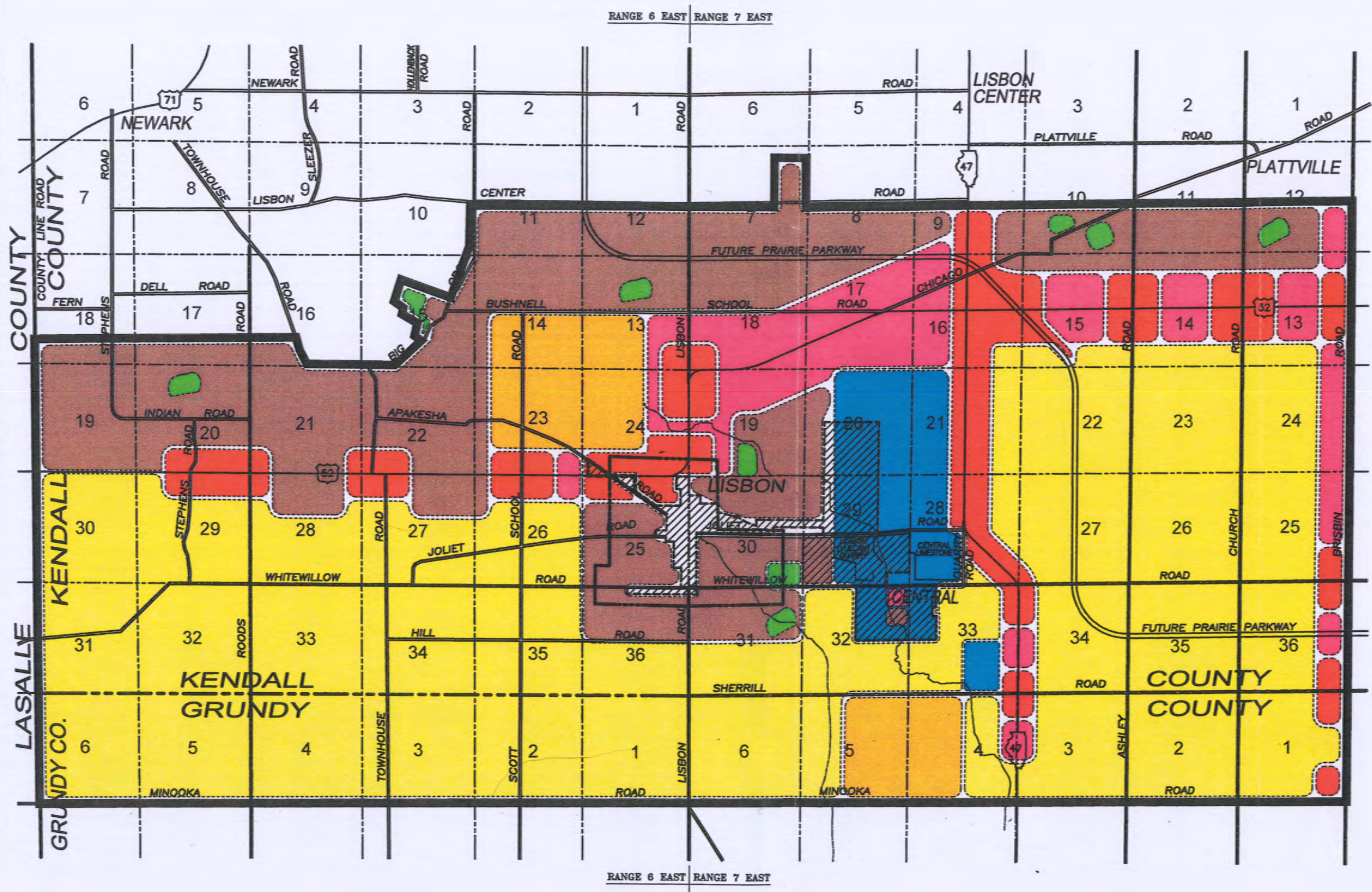
REVISIONS	
DATE	BY
10/25/06	MM
11/13/06	MM
11/20/06	MM

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

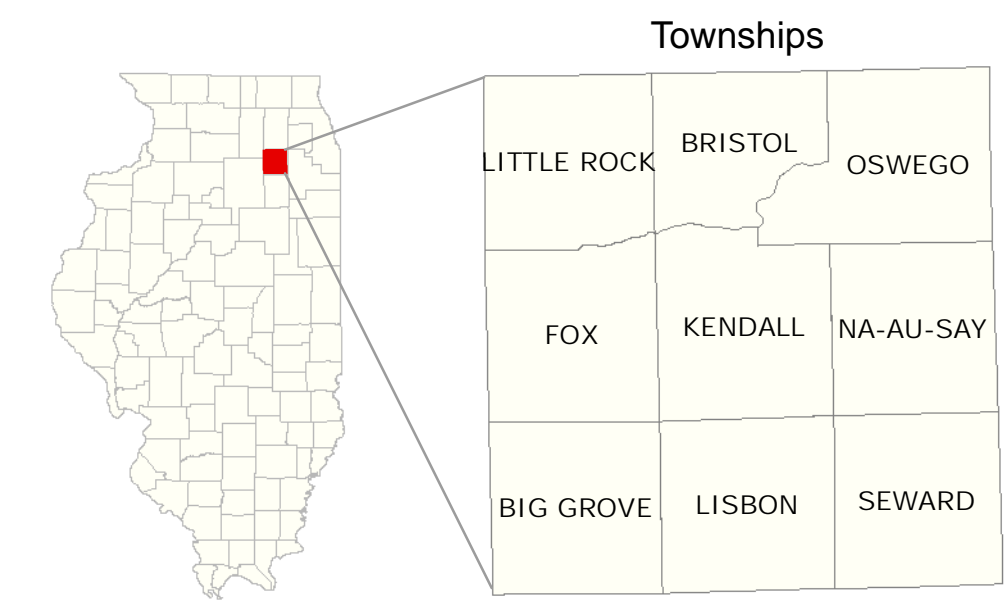
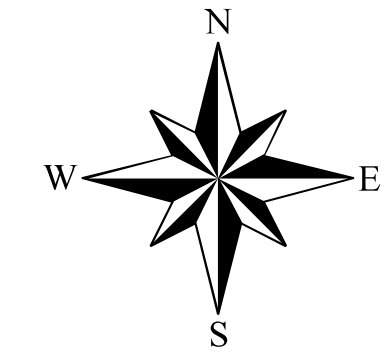
PLANNING AREAS

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

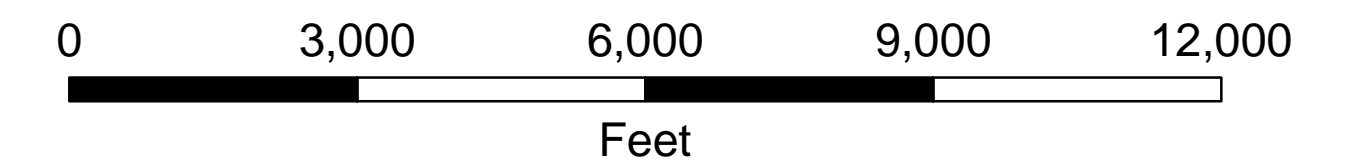
Future Land Use Lisbon Township KENDALL COUNTY

- 2017 -

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



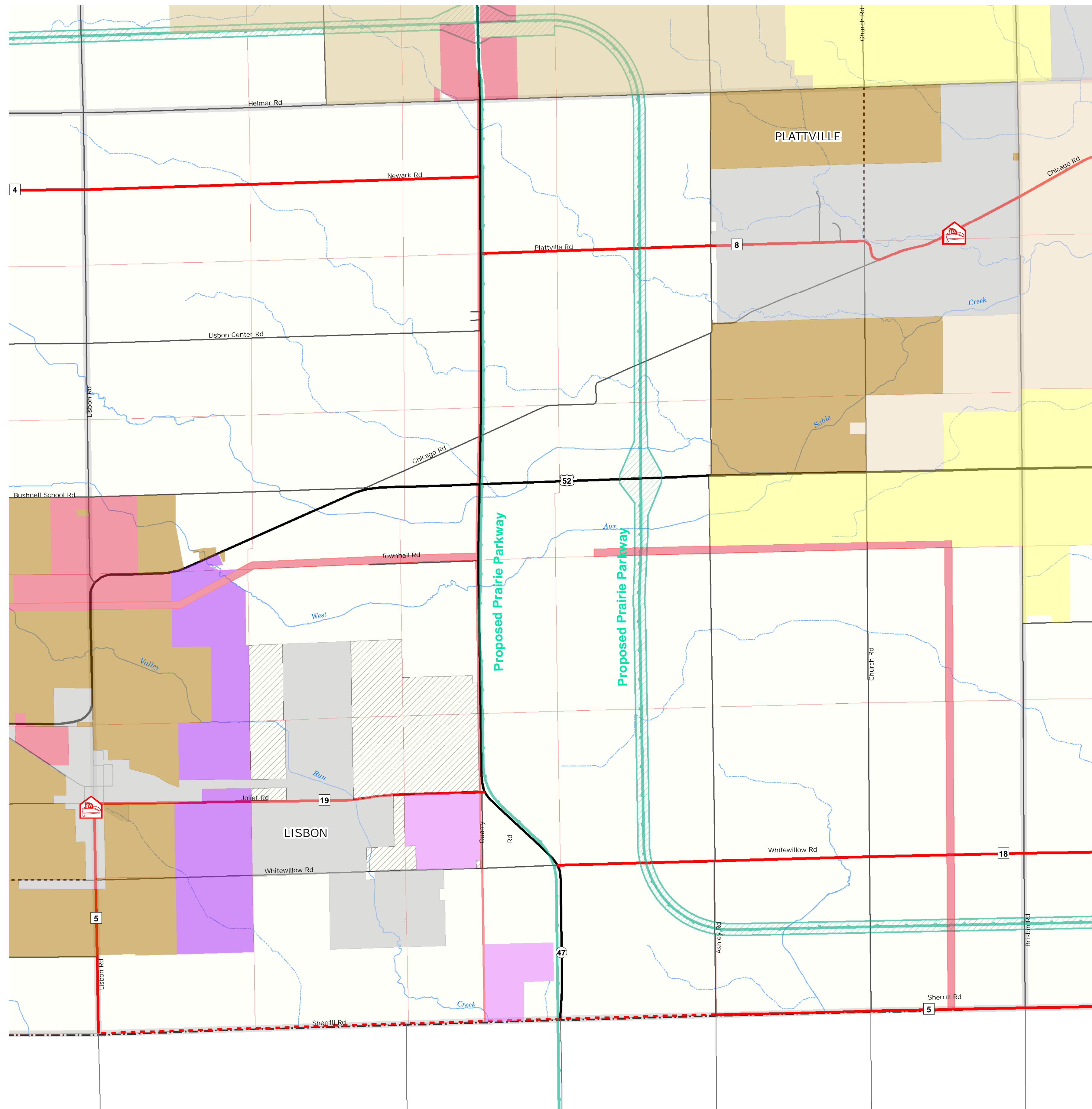
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Legend

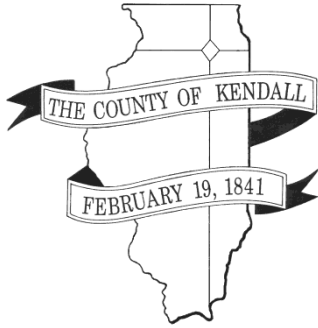
Future Land Use

- 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



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DEPARTMENT OF PLANNING, BUILDING & ZONING

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MEMORANDUM

To: Kendall County Comprehensive Land Plan and Ordinance Committee
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: March 20, 2019
Re: Proposed Text Amendment Regarding Home Occupation Regulations

At their meeting February 27, 2019, the Comprehensive Land Plan and Ordinance Committee requested that Staff prepare a proposed text amendment to the Kendall County Zoning Ordinance allowing research and development related home occupations to be conducted onsite the dwelling or accessory structure and to address noise, dust, fumes, and odor issues.

A redlined proposal is attached.

For reference, "Home Occupation" related terms are defined as follows:

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".

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

If you have any questions regarding this proposal, please let me know.

Thanks,

MHA

ENC: Redlined Proposal

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. **Research and development related businesses shall be exempt from the requirement that the home occupation be conducted entirely within the dwelling or permitted accessory structure, unless otherwise prohibited by law.**
- 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, **unless otherwise permitted by law.**

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. **Research and development related businesses shall be exempt from the requirement that the home occupation be conducted entirely within the dwelling, unless otherwise prohibited by law.**
- 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, **unless otherwise permitted by law.**
- 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.