



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

Wednesday, July 24, 2024 – 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 (Matt Kellogg), Kendall County Soil and Water Conservation District Representative (Alyse Olson), Kendall County Planning, Building and Zoning Committee Chairman or Designee (Seth Wormley), Immediate Kendall County Planning, Building and Zoning Committee Past Chairman or Designee (Scott Gengler), Jeff Wehrli, and Matthew Prochaska

APPROVAL OF AGENDA

APPROVAL OF MINUTES Approval of Minutes from June 26, 2024, Meeting (Pages 2-5)

NEW/OLD BUSINESS

1. Discussion of Scenic Routes (Pages 6-15)
2. Discussion of Amendments to the Kendall County Zoning Ordinance Pertaining to Obstructions and Parking Lots in Required Setbacks (Pages 16-32)
3. Discussion and Recommendation Pertaining to Petition 24-17, a Text Amendment to the Kendall County Zoning Ordinance Pertaining to Pipeline Depth (Pages 33-37)
4. Discussion of LiDAR and Related Costs (Pages 38-40)

OTHER BUSINESS/ANNOUNCEMENTS

None

CITIZENS TO BE HEARD/PUBLIC COMMENT

ADJOURNMENT Next regularly scheduled meeting on Wednesday, August 28, 2024

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
County Board Room (Rooms 209 and 210)
111 W. Fox Street, Yorkville, Illinois
5:00 p.m.*

Meeting Minutes of June 26, 2024

Chairman Larry Nelson called the meeting to order at 5:10 p.m.

Members Present: Bill Ashton, Randy Mohr, Larry Nelson, Matthew Prochaska, and Jeff Wehrli

Members Absent: Scott Gengler, Matt Kellogg, Alyse Olson, and Seth Wormley

Others Present: Matt Asselmeier and Wanda Rolf

APPROVAL OF AGENDA

Mr. Wehrli made a motion, seconded by Mr. Mohr 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 April 24, 2024. With a voice vote of five (5) ayes, the motion carried.

NEW/OLD BUSINESS

1. Discussion of Amendments to the Kendall County Zoning Ordinance Pertaining to Obstructions and Parking Lots in Required Setbacks

Mr. Asselmeier presented a draft proposal which would allow parking in a portion of the front yard setbacks, specifically fifty feet (50') in the A-1 and thirty feet (30') in the Business Districts as measured from the right-of-way or pavement location, except for properties located along scenic routes as defined in the Land Resource Management Plan.

Mr. Asselmeier stated that, at the time this proposal was originally discussed, there was some conversation about temporary buildings being allowed in the front yard setback. If the committee would like to add another amendment related to that, the proposal would need to be adjusted.

Mr. Wehrli asked if this only affects people in the A-1 district. Mr. Asselmeier stated it would impact everyone except the M-1 and M-2 Districts. Mr. Wehrli asked if this applies to boats. Mr. Asselmeier stated yes, this does apply to boats. Mr. Asselmeier also stated this proposal deals with the A districts, the B districts, and the M districts. The setbacks regarding the R

districts would remain unchanged. Parking in the front yard setbacks in Boulder Hill would still not be allowed.

Mr. Wehrli asked about the definition of a landscape buffer. Mr. Asselmeier answered that the screening requirements are contained in the Zoning Ordinance for the B and the M districts. The Zoning Ordinance regulates the berm, the shrubs, and the shade tree sizes. In the A-1 districts, if they have a special use permit, landscaping is governed by the special use permit.

Mr. Wehrli asked about shielding lights from large trucks. Mr. Asselmeier responded this proposal would allow parking in the front yard setback. If they have to go through site plan approval, which they would if they are zoned A-1 special use or zoned B or M, they would have to meet these requirements that are in the Zoning Ordinance. Mr. Wehrli asked if this ordinance would block the view of bright headlights. Mr. Asselmeier stated that this proposal applies to parking only.

Mr. Wehrli suggested that the Members take drive along the scenic roads; many roads have only corn fields. Chairman Nelson also encouraged Members to drive along the scenic roads and try to determine what is scenic. He stated the scenic map is part of the proposed text amendment. Mr. Asselmeier responded that the text amendment would be for zoning ordinance and the definition to scenic route would be an amendment to the Land Resource Management Plan. Chairman Nelson favored working on the scenic map first.

Discussion occurred regarding the definition of scenic. Mr. Asselmeier noted the importance of the viewshed. Mr. Prochaska gave a description of what a scenic road is: overall scenic beauty of the public way, the contribution of any vegetation, stonewall fencing, landscaping, and the potential lessening of the scenic beauty of esthetic value or historic significance.

The proposal would have different parking regulations for properties along scenic routes compared to properties not located along scenic routes.

Chairman Nelson stated that on one of his properties he had to obtain a variance because the property was located on a Collector Road, not because it was on a scenic road.

Mr. Prochaska asked Mr. Asselmeier if there is any other county in the state of Illinois that has any scenic designations. Mr. Asselmeier answered that there is the National Scenic Byway Program. Mr. Ashton asked if that was for state routes. Mr. Asselmeier stated yes it was. Kane County has a program, The Rustic Route designations. Mr. Prochaska asked if we could see what some of their routes are. Mr. Asselmeier stated he will look into it.

Mr. Mohr suggested reexamining scenic routes.

Mr. Wehrli suggested asking the attendees of the July 15, 2024, historic preservation meeting what their thoughts were on scenic roads. Mr. Asselmeier suggested asking other states or counties what their definitions are, instead of getting multiple answers of different point of views.

Discussion occurred regarding obtaining updated LiDAR data.

Mr. Mohr made a motion, seconded by Mr. Prochaska, to table the scenic roads definition until July 15, 2024.

The votes were as follows:

Ayes (5): Ashton, Mohr Nelson, Prochaska, and Wehrli
Nays (0): None
Absent (4): Gengler, Kellogg, Olson, and Wormley
Abstain (0): None

The motion carried.

OTHER BUSINESS/ANNOUNCEMENTS

Committee members discussed the TC Energy's ANR Pipeline announced a pipeline project in Kendall County. Concerns were raised regarding the proposed depth of the pipelines. ANR Pipeline Company's building of a new natural gas pipeline in the region. Mr. Asselmeier stated that the PBZ Committee initiated a text amendment that would have the pipeline depth at five feet (5') in all cases. Currently, it is at three feet (3') in pastureland and other farm land. Three feet (3') of top cover when it crosses brushy land, and agricultural land not comprised of prime soils, and three feet (3') when it parallels an existing pipeline. Notwithstanding the foregoing, in those areas where rock is in its natural formation and/or a continuous stratum of gravel exceeding two hundred feet (200') in length are encountered, the minimum cover will be sixty inches (60").

Chairman Nelson stated that the ANR Pipeline is looking to install a new natural gas pipeline from Kane County through Little Rock Township and up to the pumping station at Sandy Bluff.

Chairman Nelson asked where the three feet (3') feet originated. Mr. Asselmeier stated that the three feet (3') came from the State of Illinois Agricultural Impact Mitigation Agreement.

Mr. Prochaska asked if they want to make it five feet (5') across the board. Mr. Asselmeier stated that The Planning, Building, and Zoning Committee is proposing a text amendment for the five foot (5') pipeline depth. It's an open ended text amendment so that when the proposal goes to the Regional Planning Commission or Zoning Board of Appeals they can expand change the number. Mr. Asselmeier stated the proposal will be on the Regional Planning Commission's agenda on July 24, 2024.

Discussion occurred regarding a pipeline company using the Federal Energy Regulatory Commission's rules instead of local zoning rules.

The Comprehensive Land Plan and Ordinance Committee recommends that all ANR's natural gas pipelines in this area to be five (5) feet in depth from the top; this matter will be on the July 24, 2024, Committee agenda for a vote.

CITIZENS TO BE HEARD/PUBLIC COMMENT

None

ADJOURNMENT:

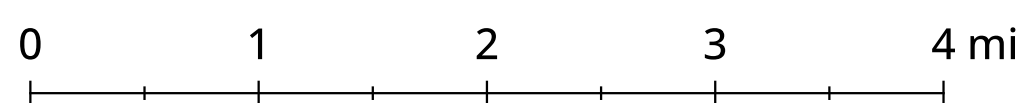
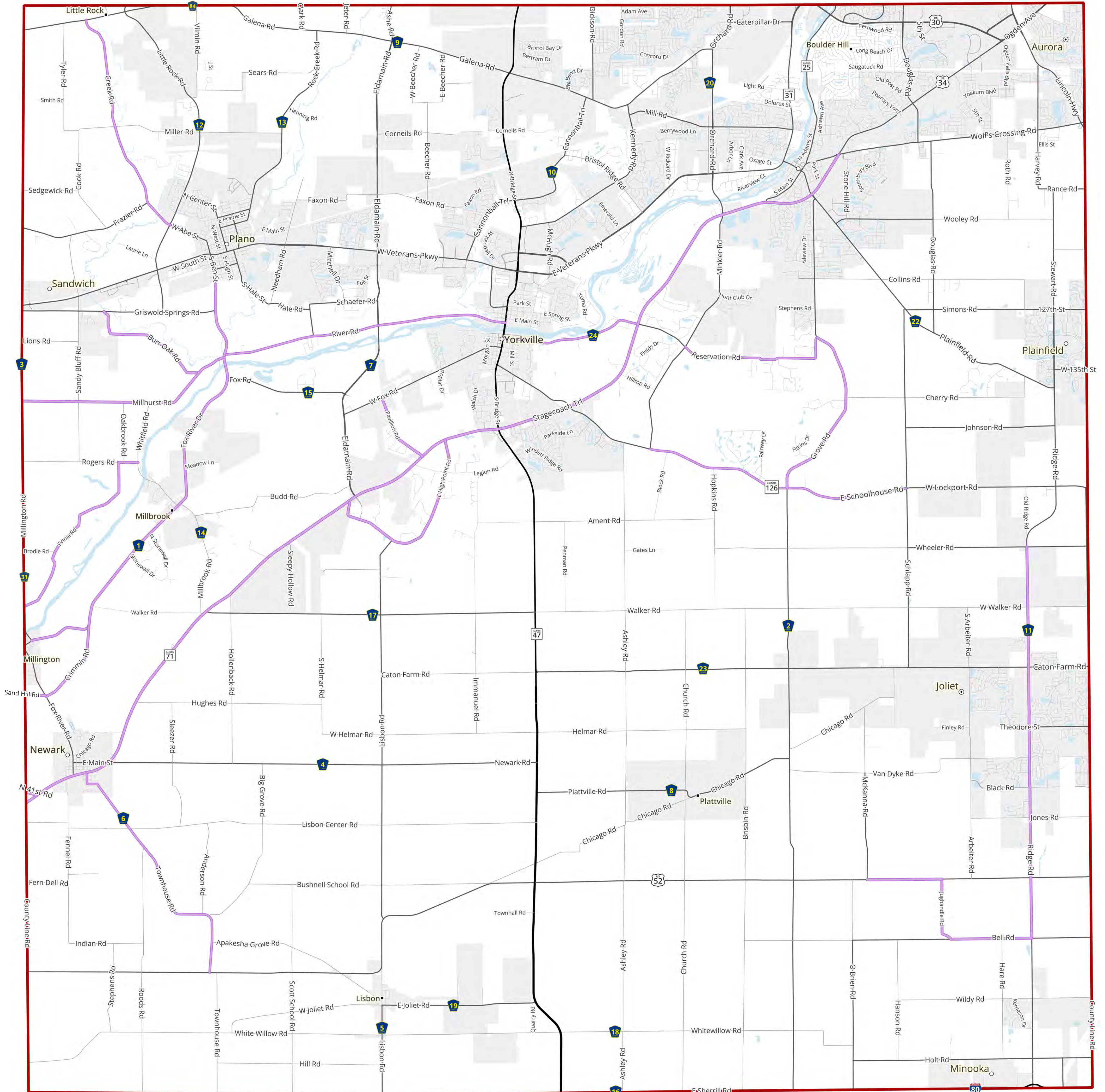
The next meeting will be July 24, 2024. Mr. Prochaska made a motion to adjourn the meeting, seconded by Mr. Wehli. With a voice vote of five (5) ayes, the motion carried.

The Comprehensive Land Plan and Ordinance Committee Meeting was adjourned at 6:20 p.m.

Respectfully submitted,
Wanda A. Rolf, Office Assistant

Scenic Routes

Kendall County, IL



Created: 03/15/2024

— Scenic Routes Municipalities Kendall County Boundary

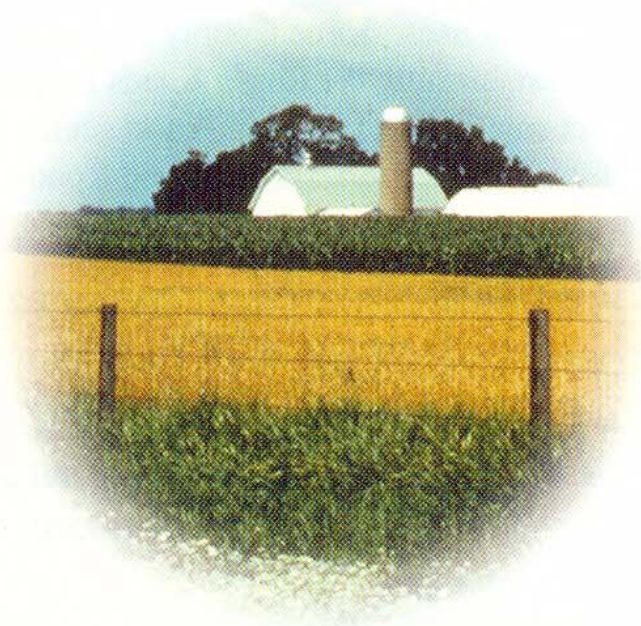


EVERYBODY NEEDS BEAUTY

as well as bread,

places to play in

and pray in,



where nature may heal

and give strength

to body and soul alike.

John Muir, The Yosemite

**A PROGRAM OF THE
KANE COUNTY DEVELOPMENT DEPARTMENT
AND
THE KANE COUNTY DIVISION OF TRANSPORTATION**



ANY OF THE ROADS IN KANE COUNTY reveal the rural character of the area. Views of the country-

side from these roads provide a sense of stability in a fast-changing world. Points of visual interest along rustic roads, both natural and man-made, add to the enjoyment of roadside scenery and to a sense of place. In Kane County, rustic roads provide views of expansive woods and gently rolling farm fields, the Fox River and its tributaries, autumn color, farmhouses, barns, hedgerows, and churches.

Roadside land is often the first and most visible land to be converted to residential or commercial uses. Kane County has taken the lead in establishing the Rustic Roads Program to protect some of its rural roads and scenic vistas for future generations. The Rustic Roads Program promotes:

1. A SENSE OF PLACE, by preserving community identity and quality of life;

2. RESOURCE PRESERVATION, by protecting the significant scenic, natural and historic resources within road corridors;

3. RECREATION, by providing enjoyment for those who drive for pleasure and sightseeing; and

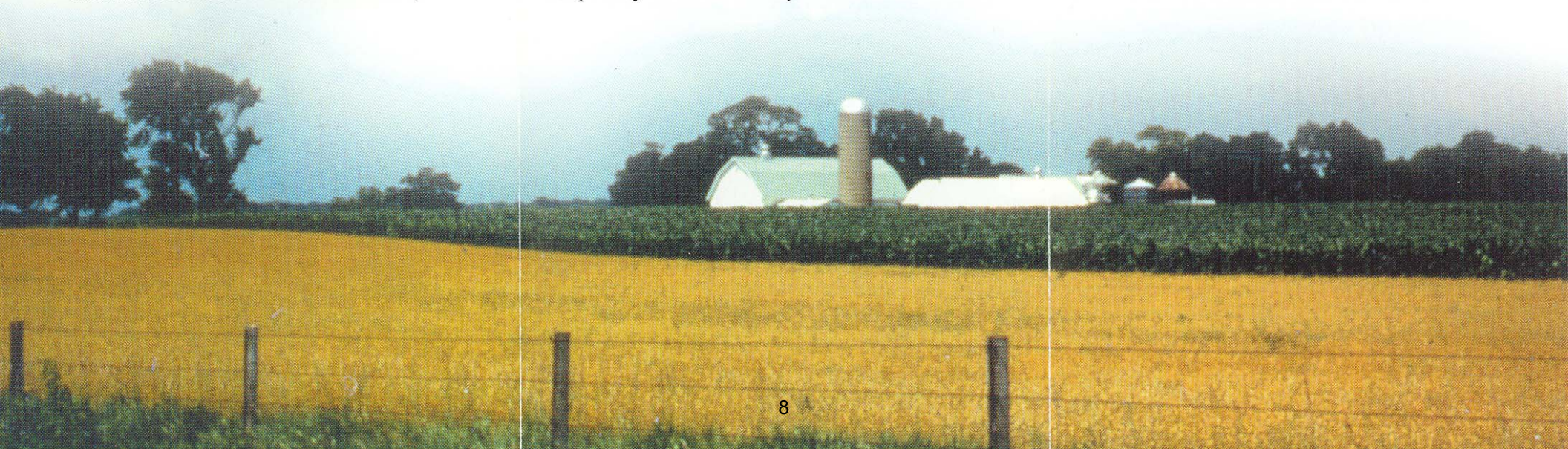
4. ECONOMIC DEVELOPMENT, by generating tourist revenue through the promotion of the scenic beauty of the county.

BACKGROUND

The overall objective of the Rustic Roads Program is to preserve and enhance Kane County's rural character while incorporating new development and transportation needs as subtly as possible. The program was developed in response to two of the Strategic Objectives adopted by resolution on August 12, 1997, by the County Board. Objectives three and five set forth in the resolution state that the board will work *"To maintain and preserve the natural beauty of Kane County"* and *"To promote responsible, managed growth patterns through intergovernmental planning agreements."* In addition, both the County's 2020 Transportation Plan and 2020 Land Resource Management Plan cited the need for and desirability of establishing a Rustic Roads Program in Kane County. On July 11, 2000, the Program was adopted by the Kane County Board.

OVERVIEW OF PROCESS

- The Rustic Roads program was established to preserve both roads and the surrounding features that create their character (the road corridor). Designated road corridors minimally include the road right-of-way and can also include properties and features adjacent to the right-of-way. The program applies to roads located in unincorporated Kane County and can include municipal roads through intergovernmental agreements.
- The designation process includes gathering input from property owners within and adjacent to nominated road corridors, the appropriate highway authority, public officials and other governmental jurisdictions.
- Rustic Road designation does not "freeze" roads in time. During the designation process, a Corridor Management Plan is developed which defines the significant features of the road corridor that should be protected and enhanced. Traffic and life safety issues continue to be addressed while those features are preserved.



FEATURES OF RUSTIC ROADS

NATURAL FEATURES:

- Expansive views, such as those that overlook stream valleys
- Unusual land forms, ridgelines, ravines, narrow valleys, and rock outcrops
- Water
- Woods
- Wildflower glades, evergreen groves, flowering native trees, and shrub masses
- Other areas of native vegetation

BUILT FEATURES:

- Churches and old cemeteries
- Farmsteads
- Architecturally and/or historically significant buildings
- Monuments, memorials, and statues
- Historical markers
- Concrete automobile club guideposts
- Railroad and accessory features
- Designed landscapes
- Roadway pavement, drainage, bridges, tunnels, and other features
- Local activity centers, such as farm supply stores, village stores, inns, mills, factories, and institutions



FOR MORE INFORMATION, CONTACT:

KANE COUNTY DEVELOPMENT DEPARTMENT

719 BATAVIA AVE., GENEVA, IL 60134

PHONE: 630.232.3480

OR

KANE COUNTY DIVISION OF TRANSPORTATION

41W011 BURLINGTON RD., ST. CHARLES, IL 60175

PHONE: 630.584.1170



RUSTIC ROADS PROGRAM

INSTRUCTIONS FOR PREPARING A NOMINATION

DEFINITIONS:

1. **Road Corridor:** A type of preservation district in which the geographic area is identified with a nominated or designated road. The road corridor minimally includes the area within the right-of-way including the road pavement, any structures such as bridges and signs, shoulders and vegetation, and may also include; a) all or portions of adjacent properties, b) features located on adjacent property such as buildings, structures, or vegetation, c) potential conservation easements or other easements that would protect scenic vistas and viewsheds, and/or d) existing easements protecting privately owned drives or lanes.
2. **Scenic Significance:** Importance as a result of appearance or character that remains relatively unchanged from and embodies the essential appearance related to a culture from an earlier historic or prehistoric period; as a result of a unique location, appearance, or physical character that creates an established or familiar vista or visual feature; or as a geologic or natural feature associated with the development, heritage or culture of the community, county, state or nation.
3. **Historic Significance:** Character, interest or value as part of the development, heritage, or culture of the community, county, state or country; as the location of an important local, county, state or national event; or through identification with a person or persons who made important contributions to the development of the community, county, state or country.

COMPLETE THE NOMINATION FORM:

1. **Name of road corridor:** Enter the name of the nominated road corridor.
2. **Township(s) in which road corridor is located:** Enter the name(s) of the township(s) in which the nominated road corridor is located.
3. **Length of road corridor included in this nomination:** Road corridors do not have to include the entire length of a road. A particular section of a road may be nominated under the Rustic Roads Program. In the space provided, enter the length of the road corridor for which the nomination is being prepared.
4. **Description of road corridor boundaries:** Boundaries may be described in terms of legally recorded lot or parcel lines or manmade and natural topographic features such as road intersections, fence-lines, rivers, streams, ditches, etc. Select boundaries that encompass the significant concentration of scenic and natural features, buildings, structures, objects, and sites that make up the road corridor. For example: **A** ___ Road, from its intersection with ___ Road to ___ Creek, including all directly adjacent parcels.@
5. **Number of parcels and owners / owner consent:** Enter the number of parcels that are being nominated with the road, the number of owners, and the number of owners who have given their consent to the nomination.
6. **Kane County, Illinois, and National Registers of Historic Places:** Indicate whether or not any property within the nominated road corridor is listed in or nominated for the County, State, or National Registers of Historic Places.
7. **Criteria for Designation:** Nominations must be eligible under at least one of the criteria for designation listed on the nomination form. Indicate which criteria apply to the road corridor.

RUSTIC ROADS PROGRAM

Instructions

Page 2

8. **Attachment Checklist:** Indicate the attachments that will accompany the nomination form.
9. **Nominator-s Information:** Enter the nominator-s name, home address, phone and fax number(s), e-mail address, and signature (dated).

PREPARE THE ATTACHMENTS (See attached forms):

1. Attachment #1: Written Statement

Prepare a written statement explaining why the road corridor is suitable for preservation and how it is eligible for designation under the criteria indicated on the nomination form. Describe the road corridor-s intrinsic qualities as they relate to the following categories, especially those which make it different from other roads in Kane County.

1. **Scenic:** Inventory natural and built features that are visually beautiful or interesting. Scenic elements can include fields, buildings, structures, water, vegetation, skylines, and the sky itself, which are visible from the road and provide pleasure or inspire awe.
2. **Natural:** Note landscapes and ecological systems in the road corridor such as shorelines, wetlands, prairie, and natural habitats for birds, and animals.
3. **Historic:** Describe the physical evidence of human settlement, including buildings, bridges, fence-rows, burial sites, and less tangible features such as land in agricultural use, historic transportation systems, or development patterns (the grid system or trails left by Native Americans, for example).
4. **Cultural:** Discuss distinctive expressions of local community life along the road. Such expressions can include traditionally recognized cultural qualities such as public art, museums, libraries, and annual festivals. Others are less obvious, however, such as a particular industry, resource, or event responsible for the growth and identity of the community.
5. **Archaeological:** Note physical remnants of past human societies, their unique customs, traditions, folklore, or rituals, including artifacts, buildings, ruins, landscapes and abandoned trails.

Indicate in the statement who uses the road (autos, trucks, bicyclers, joggers, etc.), how the road corridor has changed over time, and how it has been affected by influences from outside the community. Finally, describe the vision for the road corridor in the future and what will be achieved by designating it a Rustic Road. At the end of the statement, list sources of information, including bibliographic references, if any were used.

2. Attachment #2: Maps

Attach cover sheet and maps showing:

1. the location of the road corridor in Kane County; and
2. the boundaries of the road corridor and adjacent properties.

3. Attachment #3: Photographs

Attach cover sheet and color prints (8" x 10") showing the significant features of the road corridor.

RUSTIC ROADS PROGRAM

Instructions

Page 3

- 4. Attachment #4: Properties Included in this Nomination and Signatures of Consent for Nomination:** Provide the following information for each parcel included in the nomination:
1. Parcel Number: Enter the parcel's ten digit identification number. This number may be obtained from the Kane County Treasurer's Office or from the Kane County Development Department.
 2. Address of Parcel: Enter the address of the parcel, if one has been assigned. If none has been assigned, enter "None."
 3. Name of Owner: Enter the name of the owner of record of the parcel.
 4. Home Address: Enter the home address of the owner of record of the parcel.
 5. Phone Numbers: Enter the home and work telephone numbers of the owner of record of the parcel.
 6. Signature of Consent for Nomination: At least 51% of the owners whose property is included in this Rustic Road nomination must indicate their consent to the nomination by signing Attachment #4 under the information entered for their property.
- 5. Attachment #5: Properties Listed in County, State, or National Registers of Historic Places:** If applicable, provide the names and addresses for properties listed in the County, State, or National Registers of Historic Places. This information may be obtained from the Kane County Development Department.

SUBMIT THE NOMINATION:

Submit the properly completed nomination form and required attachments to:

Kane County Historic Preservation Commission
c/o Development Department
County Government Center
719 Batavia Avenue
Geneva IL 60134

Telephone: 630-232-3480

Contact the Kane County Preservation Planner, at the above address and phone number, with questions or for assistance in completing a Rustic Roads nomination.

RUSTIC ROADS PROGRAM

NOMINATION FORM

Nomination Number:

Date Received: ____ / ____ /

Nomination Information

Detailed instructions for completing this form, preparing the required attachments, and submitting a nomination are attached. Please print in ink or type. Questions regarding the preparation and submission of nominations, or the Rustic Roads Program in general, may be forwarded to the Kane County Preservation Planner at 630-232-3480.

1. Name of road corridor:

2. Township(s) in which road corridor is located:

3. Length of road corridor included in this nomination: _____ mile(s)

4. Description of road corridor boundaries:

5. Number of parcels and owners included in this nomination: _____ parcels / _____ owners
Number of owners who consent to this nomination: _____ owners
(Complete Attachment #4.)

6. Is the road corridor, or any part thereof, listed in the Kane County, Illinois, or National Registers of Historic Places?

' No
' Yes ' Kane County Register of Historic Places
' Illinois Register of Historic Places
' National Register of Historic Places

(If Yes, @complete Attachment #5.)

RUSTIC ROADS PROGRAM

Nomination Form

Page 2

7. **Criteria for Designation:** Indicate which of the following criteria for designation apply to the road corridor. (Check all that apply.)

- ' It has character, interest, or value which is part of the development, heritage, or cultural character of the area, community, county, state or nation.
- ' It is the site of a significant local, county, state or national event.
- ' It is identified with a person who significantly contributed to the development of the community, county, state or nation.
- ' Structure(s) within the road corridor embody distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials.
- ' Property within the road corridor is identified with the work of a master builder, designer, architect, or landscape architect whose work has influenced the development of the area, county, state or nation.
- ' Structure(s) within the road corridor embody elements of design, detailing, materials, or craftsmanship that are of architectural significance.
- ' Structure(s) within the road corridor embody design elements that make them structurally or architecturally innovative.
- ' It has a unique location, natural features, or physical characteristics that make it an established or familiar visual resource with a high level of integrity or scenic significance.
- ' Structure(s) within the road corridor are particularly fine or unique examples of utilitarian structures with a high level of integrity or architectural significance.
- ' It is suitable for preservation or restoration.
- ' It is included in the Illinois or National Register of Historic Places.
- ' It has yielded, or is likely to yield information important to prehistory, history, or other areas of archaeological significance.

8. **Attachment Checklist:** The attachments indicated below are properly completed and enclosed with this nomination form:

- ' Attachment #1: Written Statement
- ' Attachment #2: Maps
- ' Attachment #3: Photographs
- ' Attachment #4: Properties Included in the Nomination and Signatures of Consent for Nomination
- ' Attachment #5: Properties Listed in County, State, or National Registers of Historic Places

RUSTIC ROADS PROGRAM

Nomination Form

9. Name(s), home address(es), telephone and fax number(s), e-mail address(es), and signature(s) of person(s) submitting this nomination. (Attach additional sheets if necessary.)

Name:

Home Address:

Phone Number(s): H: (_____) _____ - _____ W: (_____) _____ -

Fax Number: (_____) _____ - _____ E-mail:

Signature:

_____ (Signature) (Date)

Name:

Home Address:

Phone Number(s): H: (_____) _____ - _____ W: (_____) _____ -

Fax Number: (_____) _____ - _____ E-mail:

Signature:

_____ (Signature) (Date)

Name:

Home Address:

Phone Number(s): H: (_____) _____ - _____ W: (_____) _____ -

Fax Number: (_____) _____ - _____ E-mail:

Signature:

_____ (Signature) (Date)

Setback Proposal Redlined

Amendment to Section 11:02.F.7.a.i

i. No ~~parking and~~ drive aisles are permitted in a required front setback except the interior one-half of the front yard in an M-1 Limited Manufacturing District, ~~and~~ the M-2 Heavy Industrial District.

Amendment to Section 11:02.F.7.a.iii

iii. Unless otherwise provided elsewhere in this ordinance, parking shall be allowed no closer than fifty feet (50') from the right-of-way line or fifty feet (50') from the pavement where the right-of-way is not dedicated on properties zoned A-1 Agricultural District and M-3 Earth Materials Extraction, Processing and Site Reclamation District. Parking shall be allowed no closer than thirty feet (30') from the right-of-way line or thirty feet (30') from the pavement where the right-of-way is not dedicated on any properties located within a Business Zoning District. Parking shall be allowed in the interior one-half of the front yard in an M-1 Limited Manufacturing District and the M-2 Heavy Industrial District. Except in the M-1 Limited Manufacturing District and M-2 Heavy Industrial District, no parking is permitted in the front yard setback of properties located along Scenic Routes as defined in the Kendall County Land Resource Management Plan.

Amendment to Section 9:01.I, Section 9:02.I, and Section 9:03.I

OFF-STREET PARKING AND LOADING. ~~In accordance with the regulations set forth in Section 11:00.~~ Parking shall not encroach upon the required front or side yard, **unless permitted in Section 11:02 of this ordinance.** Parking may encroach upon the required rear yard, provided that a landscaped buffer yard of at least **ten (10')** from the rear property line is maintained.

Amendment to Section 9:05.D

Off-Street Parking and Loading. ~~In accordance with the regulations set forth in Section 11:00.~~ Parking may encroach upon the required side or rear yard, provided that a landscaped buffer yard of at least **ten (10')** from the side or rear property line is maintained. **Parking in the front yard setback shall not be permitted, unless allowed by Section 11:02 of this ordinance.** Trucks and semitrailer shall not be parked or stored out-of-doors overnight, in the parking lot or on the premises, except within an area screened from adjacent properties by a walled and gated sight screen enclosure, fence or landscaped berm. However, temporary parking, overnight, not to exceed a **twenty-four (24)** hour time period, may be permitted for delivery vehicles which arrive after normal business hours.

Amendment to Section 9:06.I

OFF-STREET PARKING AND LOADING. ~~In accordance with the regulations set forth in section 11:00.~~ Parking may encroach upon the required side or rear yard, provided that a landscaped buffer yard of at least 10' from the side or rear property line is maintained. **Parking in the front yard setback shall not be permitted, unless allowed by Section 11:02 of this ordinance.** Trucks and semi-trailers shall not be parked or stored out-of-doors overnight, in the

parking lot or on the premises, except within an area screened from adjacent properties by a walled and gated sight screen enclosure, fence or landscaped berm. However, temporary parking, overnight, not to exceed a **forty-eight** 48-hour time period, may be permitted for delivery vehicles which arrive after normal business hours.

Municipality	Tollway	Arterial	Collector	Local	Notes
Aurora	75'	30'	20' or 15'	20' or 15'	Depends on Building Height
Joliet	N/A	0'	0'	0'	If Commercial Is on a Residential Block, Then 20' or 30'
Lisbon					
Millbrook	See County				
Millington	N/A	30'	30'	30'	
Minooka					
Montgomery					
Newark	N/A	25'	25'	25'	
Oswego					
Plainfield	N/A	20'	20'	20'	
Plano	N/A	0'	0'	0'	
Plattville	See County				
Sandwich	N/A	0'	0'	0'	Vegetative Buffer Required But Not Defined
Shorewood	N/A	10'	10'	10'	
Yorkville	N/A	20'	10'	10'	

County Only

Road	A-1 and M-3	B-1 and B-3	B-2	B-4	B-5	B-6	M-1 and M-2
Arterial	150' or 100'	100' or 50'	100' or 50'	100' or 50'	As Approved by the County Board	125' or 75'	25'
Collector	150' or 100'	90' or 40'	90' or 40'	100' or 50'	As Approved by the County Board	100' or 50'	20'
Local	150' or 100'	75 or 30'	70' or 30'	80' or 40'	As Approved by the County Board	90' or 40'	15'

In addition to stating no parking shall occur in the required front yard setback in Section 11, in the majority of the B Districts, there is a paragraph stating no parking shall occur in the required front yard setback.

Section 11:02.F

- * Additional width may be required where the aisle serves as the principal means of access to on-site buildings or structures.

In the event that the desired parking angle is not specified by the above table, the Zoning Administrator may specify other equivalent dimensions associated with the desired parking angle by interpolating from dimensions listed in the table.

5. Access. Each required off-street parking space shall open directly upon an aisle or driveway of such width as specified in the table above and designed to provide safe and efficient means of vehicular access to such parking space. All off-street parking facilities shall be designed with appropriate means of vehicular access to a street or alley in a manner that will least interfere with traffic movements. (Amended 7/19/2011)
6. Accessible Parking. Please consult the Illinois Accessibility Code and the Americans with Disabilities Act for Parking Regulations (Amended 9/15/20).
7. In Yards. Off-street parking spaces in required setbacks shall conform to the following (Amended 9/15/20):
 - a) Front Yards.
 - i. No parking and drive aisles are permitted in a required front setback except the interior one-half of the front yard in an M-1 Limited Manufacturing District, the M-2 Heavy Industrial District.
 - ii. Unless otherwise provided elsewhere in this ordinance, parking is allowed in a front yard on a private driveway serving single family and two family dwellings but shall not be considered as satisfying the off-street parking requirements for such uses as set forth in the ordinance.
 - b) Side Yards. Unless otherwise provided elsewhere in this ordinance, parking is not permitted in any required side setback. Residential driveways, or parking in the A-1 zoning district is permitted in the required side setback with a minimum setback of five feet (5') from the lot line.
 - c) Rear Yards. Parking is permitted in any rear setback a minimum of five feet (5') with the following exceptions and requirements:

Section 9:01 (B-1)

1. Front Yard. Every building hereafter erected or enlarged shall provide and maintain a front yard in accordance with the following requirements:
 - a. Arterial Roadways. Fifty (50) feet from a dedicated road right-of-way or one hundred (100) feet from the center line of all adjacent roads, whichever is greater.
 - b. Major or Minor Collector Roadways. Forty (40) feet from a dedicated road right-of-way or ninety (90) feet from the center line of all adjacent roads, whichever is greater.
 - c. All Other Streets. Thirty feet (30) from a dedicated road right-of-way or seventy-five (75) feet from the center line of all adjacent roads, whichever is greater.
2. Side Yard. Ten feet from the property line. Where a side yard abuts a setback in an agricultural or residential district or a municipality, the required side yard shall be ten feet, or equivalent to said adjacent setback, whichever is greater.
3. Rear Yard. Twenty feet from the property line. Where a rear yard abuts a setback in an agricultural or residential district or a municipality, the required rear yard shall be twenty feet, or equivalent to said adjacent setback, whichever is greater.

G. LOT COVERAGE.

1. Maximum Floor Area Ratio. Not to exceed 0.50.
2. Impervious Lot Coverage (buildings, parking, drives, etc.). Not to exceed 75% of the lot.

H. MAXIMUM BUILDING HEIGHT. No building hereinafter erected shall exceed 35 feet in height.

I. OFF-STREET PARKING AND LOADING. In accordance with the regulations set forth in [Section 11:00](#). Parking shall not encroach upon the required front or side yard. Parking may encroach upon the required rear yard, provided that a landscaped buffer yard of at least 10' from the rear property line is maintained (Amended 9/15/20).

J. OTHER PROVISIONS (Amended 9/15/20).

1. Performance Standards. All activities shall conform with the performance

Provision in B-1, B-2 and B-3.
B-6 language needs to be clarified

Section 9.06

are provided and maintained in connection with such building.

1. Front Yard. Every building hereafter erected or enlarged shall provide and maintain a front yard in accordance with the following requirements:
 - a. *Arterial Roadways*. Seventy-five (75) feet from the dedicated road right-of-way or one hundred and twenty-five (125) feet from the center line of all adjacent roads, whichever is greater.
 - b. *Major or Minor Collector Roadways*. Fifty (50) feet from the dedicated road right-of-way or one hundred (100) feet from the center line of all adjacent roads, whichever is greater.
 - c. *All Other Streets*. Forty (40) feet from the dedicated road right-of-way or ninety (90) feet from the center line of all adjacent roads, whichever is greater.
2. Side Yard. Thirty feet from the property line. Where a side yard abuts a setback in an agricultural or residential district or a municipality, the required side yard shall be thirty feet, or equivalent to said adjacent setback, whichever is greater.
3. Rear Yard. Forty feet from the property line. Where a rear yard abuts a setback in an agricultural or residential district or a municipality, the required rear yard shall be forty feet, or equivalent to said adjacent setback, whichever is greater.

G. LOT COVERAGE.

1. Maximum Floor Area Ratio. Not to exceed 0.50.
2. Impervious Lot Coverage (buildings, parking, drives, etc.). Not to exceed 70% of the lot.

H. MAXIMUM BUILDING HEIGHT. No building hereinafter erected shall exceed 75 feet in height. No building within 300 feet of a residential district shall exceed two stories, nor shall it exceed forty (40) feet in height.

- I. OFF-STREET PARKING AND LOADING. In accordance with the regulations set forth in [section 11.00](#). Parking may encroach upon the required side or rear yard, provided that a landscaped buffer yard of at least 10' from the side or rear property line is maintained. Trucks and semi-trailers shall not be parked or stored out-of-doors overnight, in the parking lot or on the premises, except within an area screened from adjacent properties by a walled and gated sight screen enclosure,



Section 4:05

district incorporated in this Ordinance;

10. Carports as a separate structure;
11. Towers for personal use, i.e. radio towers, towers to receive internet service.
12. Small wind energy system (Permitted as Accessory Use only in the A-1, R-1, R-2, R-3, and all Business and Manufacturing Districts – may also be approved as part of a Residential Planned Development) subject to the conditions of [Section 4:17](#) (Amended 5/16/23).
13. Solar Energy System, Private subject to the conditions of [Section 4:18](#) (Amended 5/16/23).
14. Home Occupations; (see [Section 4:06 – 4:07](#))
15. Short-Term Rental provided the property is annually registered with the Kendall County Planning, Building and Zoning Department (Amended 9/15/20).

B. PERMITTED OBSTRUCTIONS IN REQUIRED YARDS. The following table identifies accessory buildings, structures and uses that are permitted as obstructions in required yards (setbacks) subject to the following restrictions.

1. No structure shall be placed within a recorded easement.
2. No other obstruction shall occur within a recorded easement unless the sole purpose of the easement is for service to only the subject property.
3. No obstruction shall adversely impact drainage.
4. Unless otherwise indicated in the table listed below, no obstruction shall be closer than five feet from a property line.
5. No obstruction shall encroach onto a private septic system or private water wells.

In the following table, an (x) indicates the obstruction is permitted (Amended 9/15/20):

Permitted Obstruction	Front	Side	Rear
Awnings or canopies, which may project not more than three (3) feet into a required yard	X	X	X
Arbors or trellises, and where trellises are attached to the principal building they may also project into front yards or side yards			X

Permitted Obstruction	Front	Side	Rear
Air conditioning equipment			X
Architectural entrance structures on a lot or at entrance roadways into subdivisions provided they comply with the setbacks established in Section 12:00 herein.	X	X	X
Balconies			X
Bay windows - projecting not more than three (3) feet into a yard.	X	X	X
Chimneys, attached - projecting not more than three (3) feet into a yard.	X	X	X
Decks, attached to a principal structure, when constructed entirely or partially around a swimming pool, for the sole purpose of providing a connection of the swimming pool to the principal structure. Such decks shall be removed from the required side and/or rear yard within thirty (30) days of the removal of the swimming pool they are providing a connection for. <i>(Amended 11/15/11; Ord. 11-31)</i>		X	X
Eaves and gutters on principal buildings projecting not more than four (4) feet into a front and rear yard nor more than twenty-four (24) inches into a side yard.	X	X	X
Fallout shelters, attached or detached, when conforming also with other County codes and ordinances			X
Fire escapes, open or enclosed, or fire towers - may project into a required front yard or side yard adjoining a street not more than five (5) feet and into a required interior side yard not more than three and one-half (3½) feet	X	X	X
Flagpoles, within two and one-half feet (2.5') of a property line	X	X	X
Garages or carports, detached		X	X

Permitted Obstruction	Front	Side	Rear
Growing of farm and garden crops in the open is allowed in all yards up to property line.	X	X	X
Lawn furniture, such as sun dials, bird baths, and similar architectural features may encroach to within two and one-half feet (2.5') of a lot line.	X	X	X
Open off-street parking and loading spaces may encroach to within two and one-half feet (2.5') of a lot line unless otherwise permitted in Section 11:00 herein.			X
Ornamental light standards to within two and one-half feet (2.5') of a property line	X	X	X
Playground and laundry-drying equipment		X	X
Playhouse and open sided summer houses		X	X
Sheds and storage buildings for garden equipment and household items as accessory to dwellings.		X	X
Sills, belt courses, cornices, and ornamental features of the principal buildings, projecting not more than eighteen (18) inches into a yard.	X	X	X
Steps, open or ramps - necessary for access to and from the dwelling or an accessory building, steps or ramps as access to the lot from the street, and in gardens or terraces, up to the property line.	X	X	X
Swimming pools, private - when conforming also with other codes or ordinances of the County.		X	X
Swimming pools, above or below ground, detached or attached to a principal structure, when also conforming with the setback regulations of well and septic systems. (Amended 11/15/11; Ord. 11-31)		X	X
Terraces, patios, and outdoor fireplaces		X	X
Tennis courts, private		X	X
Trees, shrubs, and flowers up to property line except as otherwise regulated per Section 4:04.E Corner Clearance.	X	X	X

Permitted Obstruction	Front	Side	Rear
Other accessory buildings, structures, and uses as herein permitted in district regulations as accessory to a specific permitted use.		X	X

- C. **LOCATION.** Except as otherwise provided for under [Section 4:05](#) no part of any accessory building shall be located closer than five (5) feet from any side or rear property line, nor closer than ten (10) feet to any main buildings, unless attached and made a part of such main building. In the A-1 Agricultural District accessory structures must be ten (10) feet from all property lines dividing lots held in separate ownership. If an accessory structure is the first building on a A-1 Agricultural lot it must meet principle building setbacks as set forth in section [7:01.G.2.a](#) of the Zoning Ordinance *(Amended 9/15/20)*.
- D. **TIME OF CONSTRUCTION.** Except in Agricultural Districts, no accessory building or structure shall be constructed on any lot prior to the start of construction of the principal building to which it is accessory. *(Amended 11/18/03)*
- E. **HEIGHT OF ACCESSORY BUILDINGS IN REQUIRED REAR YARDS.** No accessory building or portion thereof located in a required rear yard shall exceed the maximum height outlined below:

Zoning	Maximum Height
A-1	No limit
R1, R2, RPD-1, RPD-2	25'
R3 or RPD-3	20'
Other residential classification	15'
Commercial or industrial	25'

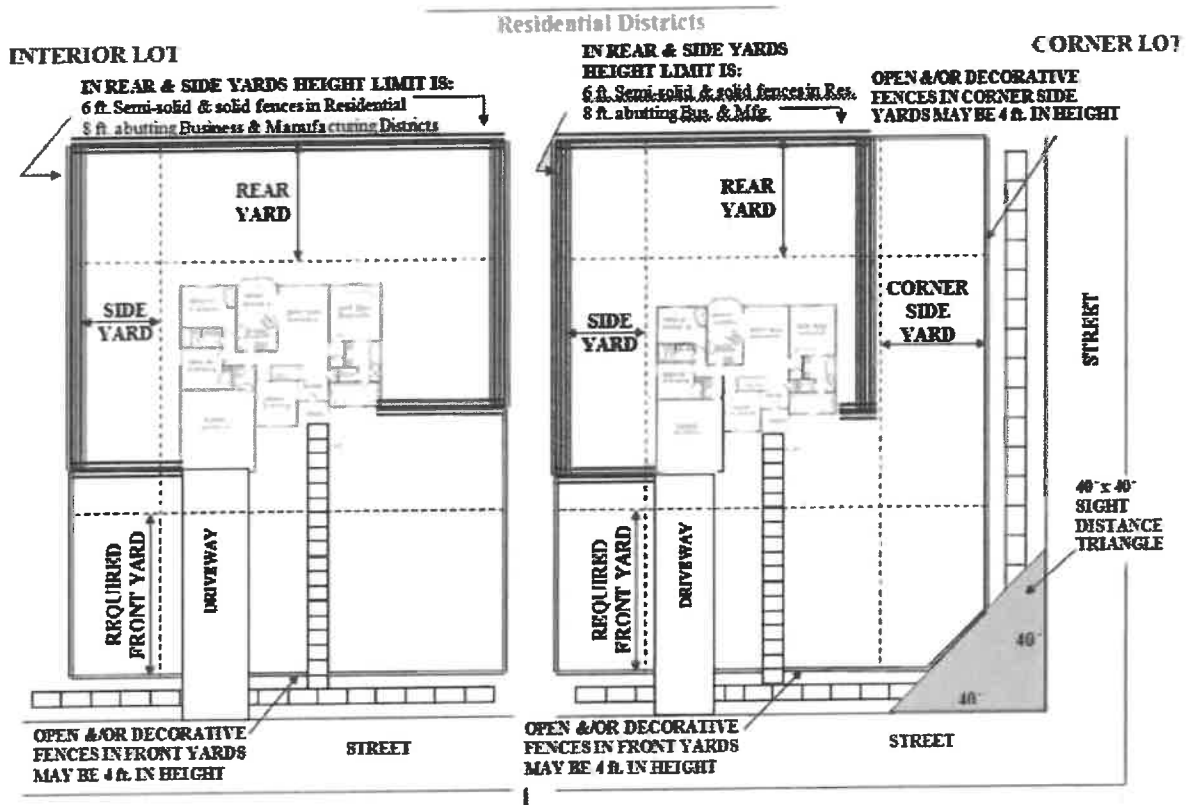
(Amended 11/18/03)

- F. **FOOTPRINT OF ACCESSORY BUILDINGS.** Any detached accessory building must have a footprint no larger than 70% of the principal structure if located in the R5, R6 or R7 zoning districts. *(Amended 11/18/03)*
- G. **ON REVERSED CORNER LOTS.** On a reversed corner lot in a Residential District, and within fifteen (15) feet of any adjacent property to the rear in a Residence District, no accessory building or portion thereof located in a required

4:14 FENCES

A. GENERAL. Fences that are open, semi-solid or solid are allowed in all districts and yards with the following conditions, unless otherwise regulated herein:

1. Fences located in the A-1 District shall be excluded from any fence height restriction or fence type restriction specified in this section below.
2. Only decorative or open fences, which do not exceed four feet (4') in height, are allowed in a front yard. (The front yard is a yard lying between the roadway right-of-way line and the nearest line of the building)



3. Semi-solid and solid fences shall be regulated as follows:
 - a. In Residential districts, solid and semi-solid fences are permitted up to six feet (6') in height in required side and rear yards with the finished side out provided they do not extend

into a required front or corner side yard. Where a side yard or rear lot line of a residentially zoned lot abuts property located in a Business or Manufacturing district, a solid or semi solid fence of up to eight feet (8') in height may be permitted in the required side and rear yards with the finished side out provided they do not extend into a required front or corner side yard. *(Amended 6/20/2006)*

- b. In Business and Manufacturing districts, solid and semi-solid fences are permitted up to eight feet (8') in height, and may be placed along the lot line in required side and rear yards with the finished side out provided they do not extend into a required front or corner side yard.
4. Fences may be placed up to a property line provided that fences shall not encroach into rights-of-way.
 5. Fences on corners of vehicular intersections shall comply with [Section 4:04.E](#), Corner Clearance, of this ordinance *(Amended 9/15/20)*.
 6. Except in the A-1 District & R-1 District, barbed-wire and aboveground electric fences shall not be located in any Residential District or residential platted subdivision. The use of underground electric fences to contain domestic pets is permitted in any District.

B. REQUIRED FENCES, HEDGES, AND WALLS. *(Amended 11/18/03)*

1. A six-foot-high fence or wall shall be constructed along the perimeter of all areas considered by the Board of Appeals to be dangerous to the public health.
2. When required by the Zoning Administrator, a six-foot-high solid masonry wall shall be erected along the property line or zone boundary lines to separate industrial and commercial districts or uses from abutting residential district as follows:
 - a. Where the zone boundary is at a rear lot line which is not a street, the wall shall be on that line.
 - b. Where the boundary is a side lot line, the wall shall be parallel to said side lot line and be reduced to three feet in height in the area set forth as a required front yard for the abutting residential district. The wall paralleling the front property line shall be set back from said property line not less than ten feet and the space between the wall and the

all variances to this Ordinance shall be considered by the ZBA. All recommendations of the ZBA shall be referred to the County Board for final consideration.

- ii. PBZ Committee. Appeals from decisions of the PBZ Department with regard to Building Code issues shall be considered by the PBZ Committee of the County Board. All recommendations of the PBZ Committee shall be referred to the County Board for final consideration.

4. INSPECTION PROCEDURES

Optional Pre-installation Inspection. The person responsible for the installation of a sign may request a pre-installation inspection prior to installing any permanent sign requiring a permit. Such inspection shall include a footing inspection, if applicable, and confirmation of the other details of mounting and placement. Since such an inspection is not mandatory, an additional fee will be charged for a pre-installation inspection.

Final Inspection. The person responsible for the installation of a sign shall notify the PBZ Department upon completion of the work to schedule a final inspection.

Additional Inspection. Any other reasonable inspection as required.

12:06 GENERAL STANDARDS *(Amended 8/17/04)*

A. LOCATION.

1. No sign shall be located in a sight triangle easement formed by intersecting streets. The sides of the triangle formed by the right-of-way of the intersecting streets shall be forty (40) feet in length as measured outward from the point of intersections of said rights-of-way.
2. All signs shall be located a minimum of ten feet from the property line or ROW line (whichever is greater), provided the PBZ Department may require a greater setback or other location, so that said sign will not obstruct the view along any highway, at any intersection, private driveway, field entrance, or other point of ingress or egress.
3. No sign shall be allowed to encroach upon the public right-of-way or public property.

4. All signs shall be located on the premises for which they are advertising except where indicated otherwise under [Sections 12:04](#) and [12:12](#) of this Ordinance. Real estate and development signs may be located off site for a period not to exceed two (2) years, provided that a special use is granted pursuant to [Section 12:12](#) of this Ordinance (*Amended 9/15/20*).
- B. ILLUMINATED SIGNS.** All Illuminated Signs shall be subject to the following requirements:
1. Signs shall be shaded wherever necessary to avoid casting bright light upon property located in any residential district. When sign is visible from a residential district, it shall not be illuminated between the hours of 11:00 p.m. and 7:00 a.m.
 2. Internally Illuminated Signs shall permit light to shine fully through only the lettering and graphic elements of the sign. The background for such spacing and graphics shall be opaque or translucent and shall transmit light at a level substantially less than that transmitted through the lettering and graphics.
- C. TRAFFIC SAFETY.** In order to ensure reasonable traffic safety, it shall be unlawful to erect or maintain any fluttering, undulating, swinging, rotating, blinking, or flashing sign or attention gathering device. No sign or advertising structure shall be erected, installed or maintained in such a manner as to obstruct free and clear vision, or as to distract the attention of the driver of any vehicle by reason of position, shape, color or lighting thereof.
- No sign or advertising structure shall be erected or maintained in such a manner as to be likely to interfere with, obstruct the view of, or imitate, resemble or be confused with any authorized traffic sign, signal or device. Accordingly, no sign or advertising structure shall make use of the words "Stop", "go", "look", "caution", "warning", "danger", or any similar word, phrase, symbol or character, or employ any red, yellow, orange, green or other colored lamp or light, in such a manner as to interfere with, mislead or confuse traffic.
- D. LANDSCAPING BONUS.** Provision of landscaping around the base of free-standing signs shall be encouraged through a bonus of 10% applied to the allowable area for individual signs if the following requirements are met. To receive this bonus, all proposed landscaping shall be illustrated on the plans submitted as a part of a sign permit application (*Amended 9/15/20*).
1. For every one square foot of gross sign area, there shall be provided one square foot of landscape area adjacent to the sign.

Building Code - Temporary Permits Valid for 180 days

adjacent open space, or from other structures, by a permanent roof and by exterior walls or party walls, pierced only by windows and normal entrance or exit doors (*Amended 9/15/20*).

BUILDING, DETACHED. A building surrounded by open space on the same zoning lot.

BUILDING HEIGHT. The vertical distance measured at the front building elevation to the highest point of the structure, including the roof. (*Amended 10/17/00*)

BUILDING, NON-CONFORMING. Any building which does not conform to the regulations of this Ordinance prescribing the use, required yards, coverage, height and setbacks, minimum required spacing between buildings on a single lot, and minimum required usable open space for the district in which such building is located.

BUILDING, PRINCIPAL. A non-accessory building in which the principal use of the zoning lot, on which it is located, is conducted.

BUILDING SETBACK LINE. A line parallel to the street line at a distance from it, regulated by the front yard requirements set up in this Ordinance.

BUILDING, TEMPORARY. Any building not designed to be permanently located in the place where it is, or where it is intended to be placed or affixed.

BUILDING-INTEGRATED SOLAR ENERGY SYSTEMS. An active solar energy system that is an integral part of a principal or accessory building, rather than a separate mechanical device, replacing or substituting for an architectural or structural component of the building. Building-integrated systems include but are not limited to photovoltaic or hot water solar energy systems that are contained within roofing materials, windows, skylights, and awnings (*Amended 5/16/23*).

BULK. The term used to describe the size and mutual relationships of buildings and other structures, as to size; height; coverage; shape; location of exterior walls in relation to lot lines, to the center lines of the streets, to other walls of the same buildings, and to other buildings or structures; and to all open spaces relating to the building or structures.

BUSINESS. Any occupation, employment or enterprise wherein merchandise is exhibited or sold, or which occupies time, attention, labor and materials, or where services are offered for compensation.

BUSINESS OR TRADE SCHOOL. A school or teaching unit organized by an industry or large company to provide trade training, apprentice education, and similar courses.

CAMPER. Any person or persons occupying a recreational vehicle and/or tent for recreational purposes. (*Amended 11/17/20*)

STRUCTURE. A walled and roofed building including a gas or liquid storage tank that is principally above ground, as well as a mobile home and a prefabricated building.

STRUCTURAL ALTERATIONS. Any change other than incidental repairs which would prolong the life of the supporting members of a building or structure, such as bearing wall, column, beams, and girders.

SUBSTANTIAL IMPROVEMENT. Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure either before the improvement or repair is started, or if the structure has been damaged, and is being restored, before the damage occurred. The term does not, however, include any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or any alteration of a structure or site documented as deserving preservation by the Illinois Department of Conservation or listed on the National Register of Historic Places.

SUPPORTING FACILITIES. For the purposes of commercial solar energy facilities and commercial wind energy facilities, supporting facilities shall have the same meaning as defined in 55 ILCS 5/5-12 (*Amended 5/16/23*).

TAVERN OR LOUNGE. A building where liquors are sold to be consumed on the premises, but not including restaurants where the principal business is serving food.

TELECOMMUNICATIONS STATIONS. A system consisting of a transmitter, a transmission medium, or a receiver used for the transmission of information over significant distances for the purposes of communication.

TEMPORARY. For a duration of time no longer than 7 days including weekends.

TEMPORARY SIGN: Any sign designed, constructed, or erected to display a message for a limited duration of time. Such signs include but are not limited to: Beacon or Search Light, Grand Opening, Inflatable, Political and Special Event Signs, as well as any other sign which by its definition and application in this chapter is designated as a Temporary Sign.

TENT. A structure, enclosure, umbrella structure, or shelter, with or without sidewalls or drops, constructed of fabric or pliable material supported in any manner except by air or the contents it protects. (*Amended 5/16/23*).

TERRACE, OPEN. A level and rather narrow place or platform which, for the purpose of this Ordinance, is located adjacent to one or more faces of the principal structure and which is constructed not more than four feet in height above the average level of the adjoining ground.

Develop trail and open space opportunities within developments and connections to adjacent parks, open spaces, or recreational facilities. Trail stubs should also be reserved for future connections.

Encourage land development that provides amenities for pedestrians and bicyclists.

Encourage land development that reduces environmental pollution.

Encourage flexible building setback/yard requirements in instances where conflicts with sensitive environmental features may arise.

Incorporate open spaces and landscaping, particularly native plantings, into site designs to help transition developments into the natural environment.

Ensure neighborhood streets take the form of a two-way street or a one-way loop street around a landscaped median.

Develop streets according to standards that promote road safety, provide adequate access for emergency vehicles, provide access to trails and, where appropriate, to accommodate bikeways on roads, and allow for adequate vehicular circulation and movement within the subdivision and connecting to adjacent subdivisions.

Design the street network in a manner that optimizes connectivity both within the subdivision and to adjacent roads. Cul-de-sacs are discouraged unless there are no practical alternatives to serve the buildable portions of the property.

Maintain a minimum 30 foot vegetative buffer as a separate outlot around the exterior of the development on all sides. The buffer shall be measured from the road right-of-way or adjacent property line, as appropriate. This buffer shall be designed, as appropriate, to screen new housing or incompatible development, to preserve scenic views, or otherwise enhance the landscape as seen from existing perimeter roads. A trail or sidewalk may be constructed within the perimeter buffer area and should, where feasible, connect to any neighboring trails or sidewalks.

Maintain a minimum 150 foot setback from an active agricultural use, an adjacent natural area, or a public or private deed-restricted open space (buffer separate from 50 foot rear yard setback).

Ensure parking lots are designed with the intent of minimizing impervious surfaces and maximizing the opportunity to infiltrate and filter runoff from the lot. Parking lot designs shall meet the following standards:

- a. Provide the minimum number of parking spaces necessary to meet expected needs. Where feasible, shared parking shall be utilized to minimize space requirements.
- b. Route parking lot runoff to internal and/or peripheral swales and bio-swales. Where curbing is determined to be necessary, frequent curb cuts shall be utilized to allow runoff to enter swale and bio-swale structures.
- c. Evaluate the use of permeable paving in lieu of conventional asphalt or concrete paving.



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, CFM, Director
Date: July 17, 2024
Re: Petition 24-17 Proposed Amendments Related to Pipeline Depth

In 2001, through Ordinance 2001-33, Kendall County established pipeline regulations in the Zoning Ordinance.

In May 2024, TC Energy's ANR Pipeline announced a pipeline project in Kendall County. Concerns were raised regarding the proposed depth of the pipelines.

At their meeting on June 10, 2024, the Kendall County Planning, Building and Zoning Committee voted to initiate an amendment to the pipeline depth requirements contained in Section 6:07 of the Kendall County Zoning Ordinance. The proposed changes are as follows:

A. Pipeline Depth

1. Except for above ground piping facilities, such as mainline block valves, tap valves, meter stations, etc., the pipeline will be buried with:
 - a. A minimum of five (5) feet of top cover where it crosses cropland.
 - b. A minimum of five (5) feet of top cover where it crosses pastureland or other agricultural land comprised of soils that are classified by the USDA as being prime soils.
 - c. A minimum of ~~three (3)~~ **five (5)** feet of top cover where it crosses pastureland and other agricultural land not comprised of prime soils.
 - d. A minimum of ~~three (3)~~ **five (5)** feet of top cover where it crosses wooded/brushy land or other sensitive areas.
 - e. Substantially the same top cover as an existing parallel pipeline, but not less than ~~three (3)~~ **five (5)** feet, where the route parallels an existing pipeline within a 100-foot perpendicular offset.

2. Notwithstanding the foregoing, in those areas where rock is in its natural formation and/or a continuous stratum of gravel exceeding 200 feet in length are encountered, the minimum cover will be ~~30~~ **sixty (60)** inches.

The proposal was sent to the townships and fire protection districts on June 10, 2024.

ZPAC reviewed this proposal at their meeting on July 2, 2024. Discussion occurred regarding the reasons for selecting five feet (5') as the requirement; these included safety, room to bury other infrastructure below the freeze line, and concerns about pipelines flexing. Discussion occurred regarding federal regulations and whether any other counties had similar regulations; it was determined that other counties do not have these regulations because Kendall County was unique with the number of pipelines underground. ZPAC recommended approval of the proposal by a vote of nine (9) in favor and zero (0) in opposition with one (1) member absent. The minutes of the meeting are attached.

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

MHA

Encs: July 2, 2024, ZPAC Meeting Minutes (This Petition Only)

**ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
July 2, 2024 – Unapproved Meeting Minutes**

PBZ Chairman Seth Wormley called the meeting to order at 9:01 a.m.

Present:

Matt Asselmeier – PBZ Department
Meagan Briganti – GIS Department
David Guritz – Forest Preserve
Brian Holdiman – PBZ Department
Fran Klaas – Highway Department
Commander Jason Langston – Sheriff’s Department
Alyse Olson – Soil and Water Conservation District
Aaron Rybski – Health Department
Seth Wormley – PBZ Committee Chair

Absent:

Greg Chismark – WBK Engineering, LLC

Audience:

Dan Kramer

PETITIONS

Petition 24-17 Kendall County Planning, Building and Zoning Committee

Chairman Wormley explained the reason for the proposal. He explained the proposed pipeline projects in Kendall County and making the top of pipe topsoil level at least five feet (5'). He wanted the pipelines below the freeze line. He also discussed federal guidelines.

In 2001, through Ordinance 2001-33, Kendall County established pipeline regulations in the Zoning Ordinance.

In May 2024, TC Energy’s ANR Pipeline announced a pipeline project in Kendall County. Concerns were raised regarding the proposed depth of the pipelines.

At their meeting on June 10, 2024, the Kendall County Planning, Building and Zoning Committee voted to initiate an amendment to the pipeline depth requirements contained in Section 6:07 of the Kendall County Zoning Ordinance. The proposed changes are as follows:

A. Pipeline Depth

1. Except for above ground piping facilities, such as mainline block valves, tap valves, meter stations, etc., the pipeline will be buried with:
 - a. A minimum of five (5) feet of top cover where it crosses cropland.
 - b. A minimum of five (5) feet of top cover where it crosses pastureland or other agricultural land comprised of soils that are classified by the USDA as being prime soils.
 - c. A minimum of ~~three (3)~~ **five (5)** feet of top cover where it crosses pastureland and other agricultural land not comprised of prime soils.
 - d. A minimum of ~~three (3)~~ **five (5)** feet of top cover where it crosses wooded/brushy land or other sensitive areas.
 - e. Substantially the same top cover as an existing parallel pipeline, but not less than ~~three (3)~~ **five (5)** feet, where the route parallels an existing pipeline within a 100-foot perpendicular offset.

2. Notwithstanding the foregoing, in those areas where rock is in its natural formation and/or a continuous stratum of gravel exceeding 200 feet in length are encountered, the minimum cover will be ~~30 sixty (60)~~ **(60)** inches.

Petition information was sent to the townships and fire protection districts on June 25, 2024. No comments received.

Mr. Klaas asked about a national standard for pipeline depth. Chairman Wormley discussed the Federal Energy Regulatory Commission’s rules which might be a lower standard than the proposal.

Mr. Klaas asked if any other counties adopted similar pipeline depth regulations. Mr. Asselmeier was not aware of counties having similar depth requirements as proposed by this Petition. It was noted that many other counties do not have the number of pipelines that were located in Kendall County.

Discussion occurred regarding pipelines flexing, which was a reason for the proposal.

Mr. Guritz made a motion, seconded by Mr. Klaas, to forward the proposal for approval.

The votes were follows:

Ayes (9): Asselmeier, Briganti, Guritz, Holdiman, Klaas, Langston, Olson, Rybski, and Wormley
Nays (0): None
Abstain (0): None
Absent (1): Chismark

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on July 24, 2024.

CORRESPONDENCE

None

PUBLIC COMMENT

None

ADJOURNMENT

Mr. Guritz made a motion, seconded by Mr. Rybski, to adjourn.

With a voice vote of nine (9) ayes, the motion carried.

The ZPAC, at 9:23 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP, CFM
Director

Enc.

**KENDALL COUNTY
ZONING & PLATTING ADVISORY COMMITTEE
JULY 2, 2024**

IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
<i>Don Krom</i>		

Matt Asselmeier

From: Meagan Briganti
Sent: Thursday, June 27, 2024 3:34 PM
To: Matt Asselmeier; Christina Burns
Cc: Seth Wormley
Subject: RE: LiDAR Question

I expect ISGS to do our county around 2026.

Thank you!

Meagan Briganti
Deputy Director
GIS Department
Information & Communication Technology
P: 630-553-4212
<https://www.kendallcountyil.gov/gis>

[Visit the Kendall County Facebook page!](#)



§ Please consider the environment before printing this e-mail §

From: Matt Asselmeier <masselmeier@kendallcountyil.gov>
Sent: Thursday, June 27, 2024 3:14 PM
To: Meagan Briganti <MBriganti@kendallcountyil.gov>; Christina Burns <cburns@kendallcountyil.gov>
Cc: Seth Wormley <swormley@kendallcountyil.gov>
Subject: RE: LiDAR Question

Larry Nelson is asking about LiDAR again.

Do we have a projected timeline for LiDAR shoots in the County?

Matthew H. Asselmeier, AICP, CFM
Director
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498

Matt Asselmeier

From: Meagan Briganti
Sent: Thursday, December 14, 2023 10:08 AM
To: Matt Asselmeier
Cc: Christina Burns; Seth Wormley
Subject: RE: LiDAR Question

I'll have to check in with them. I imagine they do but it would be a great cost. ISGS does it for free for the state on an 8 year cycle and we are due to have it done in a few years. <https://clearinghouse.isgs.illinois.edu/data/elevation/illinois-height-modernization-ilhmp>

Is there something in particular you are looking at?

Thank you!

Meagan Briganti
Deputy Director
GIS Department
Information & Communication Technology
P: 630-553-4212
<https://www.kendallcountyil.gov/gis>

[Visit the Kendall County Facebook page!](#)



§ Please consider the environment before printing this e-mail §

From: Matt Asselmeier <masselmeier@kendallcountyil.gov>
Sent: Thursday, December 14, 2023 10:03 AM
To: Meagan Briganti <MBriganti@kendallcountyil.gov>
Cc: Christina Burns <cburns@kendallcountyil.gov>; Seth Wormley <swormley@kendallcountyil.gov>
Subject: LiDAR Question

Meagan:

Does the company that provides the current aerials for GIS also provide LiDAR services?

Thanks,

Matt Asselmeier

From: Brandon Harris <brandon@bruceharris.com>
Sent: Thursday, July 18, 2024 1:34 PM
To: Matt Asselmeier
Cc: Matthew G. Prochaska
Subject: [External]Re: Meeting

CAUTION - This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Matt,

Please see the pricing information for lidar options. For Base USGS deliverables (Point cloud of the ground, DEM, survey, and reports). Using roughly 323 sq miles, our rough budget numbers for different USGS base projects specs would be:

QL2 – 2 points per meter = \$65,000

QL1 – 8 points per meter = \$100,000

QL0 – 30 points per meter = \$160,000

Additionally, clients will typically want to gather data beyond the USGS base specs (higher level hydro, point classification, contours, water modeling, slope modeling, 2D/3D buildings, road profiles, etc.). For this enhanced data capture, typically an additional \$50 - \$100K will be budgeted. We can get into this in much further detail when we all meet as well.

Please let me know if you have any additional questions.

Thank you,

Brandon Harris

Director of Sales & Marketing