

**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