

**KENDALL COUNTY
PLANNING, BUILDING AND ZONING COMMITTEE
REGIONAL PLANNING COMMISSION**

*Kendall County Office Building
Rooms 209 and 210
111 W. Fox Street, Yorkville, Illinois*

Meeting Minutes of February 4, 2023 - Annual Meeting

Call to Order: Kendall County Regional Vice-Chairman Ruben Rodriguez called the meeting to order at 9:00 a.m.

Kendall County Planning, Building and Zoning Committee Vice-Chairman Ruben Rodriguez called the meeting to order at 9:00 a.m.

KCRPC Roll Call

Members Present: Eric Bernacki (Left at 11:27 a.m.), Tom Casey, Dave Hamman, Karin McCarthy-Lange, Larry Nelson (Secretary), Ruben Rodriguez (Vice-Chairman), Claire Wilson, and Seth Wormley

Members Absent: Bill Ashton (Chairman) and Bob Stewart

Planning, Building and Zoning Committee Roll Call

Members Present: Dan Koukol, Ruben Rodriguez (Vice-Chairman), and Seth Wormley (Chairman)

Members Absent: Elizabeth Flowers and Brooke Shanley

Staff Present: Matt Asselmeier, Senior Planner

Members of the Audience: Don Hirsch, Aaron Klima, Jonathan Proulx, Mike Rennels, Jeff Sobotka, Jeff Palmquist, Natalie Engel, Ray Heitner, Helen Miller, Gary Hostert, Sonya Abt, Victoria Lundh, Sydney Ebert, Rebecca Wintczak, Laura Campos, Don Ebert, and Eric Wintczak

Welcoming Remarks

Kendall County Regional Planning Commission Vice-Chairman Rodriguez welcomed and thanked everyone for attending the annual meeting and explained the purpose of the meeting. He announced that no business will be transacted at this meeting.

Approval of Agenda

Mr. Nelson made a motion, seconded by Mr. Wormley, to approve the agenda as written.

With a voice vote of ten (10) ayes, the motion carried.

Review of Minutes from 2022 Annual Meeting

Commissioners reviewed the minutes of the 2021 Annual Meeting.

Mr. Asselmeier noted that proposed regulations of markets was discussed at the 2022 Annual Meeting. The decision was subsequently made not to make any text changes to the Zoning Ordinance pertaining to markets.

Request for Plan Amendments

Updating the Land Resource Management Plan in Its Entirety (Including Amendments to the Text of the Land Resource Management Plan to Update Population Numbers and Population Projections to Reflect 2020 Census Information)

Mr. Asselmeier said that discussion occurred at the 2022 Annual Meeting regarding updating the Plan to reflect the 2020 Census numbers. The County was waiting for CMAP to update their population projects for the County. While the County was waiting for those numbers, discussion occurred regarding updating the Plan in its entirety. The funding for updating the Plan was not included in the budget for the current fiscal year and there have been some questions regarding CMAP's population projections. The Department will work to see if funding can be restored and will see if CMAP updates the population projections.

Updating the Future Land Use Map to Reflect Agricultural Conservation Areas

Mr. Asselmeier provided maps of the proposed Agricultural Conservation Areas. Mr. Asselmeier explained the process of establishing Agricultural Conservation Areas. If the County Board approves the Agricultural Conservation Areas, the Future Land Use Map will be examined to make sure that land uses conflicting with agriculture are removed from the lands within the Agricultural Conservation Areas and on properties near the Agricultural Conservation Areas.

Zoning Ordinance Amendments Pertaining to Commercial Solar and Wind Energy Systems

Mr. Asselmeier summarized the issue.

In January 2023, the Illinois General Assembly approved and the Governor signed House Bill 4412 pertaining to commercial wind and solar energy systems. If the County wishes to have regulations governing commercial solar energy facilities and commercial wind energy facilities, the attached amendments to the Kendall County Zoning Ordinance would be required.

General proposed changes were as follows:

1. Various definitions related to solar and wind energy facilities will need to be amended, added, and deleted. Many terms are defined in State law and were referenced as such. The definitions of solar farm and solar gardens were removed. The definitions of solar energy system, private and wind energy system, small were adjusted to reflect State law. Onsite consumption would include energy generated within a subdivision, planned development, or business park and consumed within the development.

2. Small wind energy systems would remain conditional uses in the A-1, R-1, R-2, RPD, Business, and Manufacturing Districts. Solar energy system, private would become permitted uses in all zoning districts.
3. Commercial solar energy facilities, test solar energy systems, commercial energy wind facilities and test wind towers would become special uses in the A-1, R-1, RPD Districts, and Manufacturing Districts.

Mr. Koukol asked if this proposal would impact the projects currently proposed. Mr. Asselmeier said that projects have to follow the rules in place at the time of application submittal.

4. Adding a statement that the regulations do not apply to commercial wind energy facilities within one point five (1.5) miles of a municipality, unless the County has an Intergovernmental Agreement with the municipality to provide zoning services to the municipality. Staff would like to add a requirement that solar and wind energy facilities within one point five (1.5) miles of a municipality must either annex to the municipality or enter into a pre-annexation agreement with the municipality using the Chatham annexation rules.

Mr. Nelson asked if a municipality could claim a property within its one point five (1.5) mile planning and be back in control of local regulation. Mr. Asselmeier noted the distinction in State law between commercial wind and commercial solar regulations. Mr. Asselmeier stated the Staff's position favoring municipal annexations of both commercial wind and commercial solar projects because the Staff does not want to prevent municipalities from growing. Staff also believed that it would be better for municipalities to secure necessary easements and rights-of-way at the beginning of projects. The State law only amended the County Code.

Ms. Wilson asked what happens if a solar or wind entity did not want to annex or enter into a pre-annexation agreement. Mr. Asselmeier responded that a situation like that could lead to litigation.

Mr. Casey asked for a definition of commercial. Mr. Asselmeier responded that commercial meant projects where the energy produced was consumed off-premises. Wind and solar projects where the energy was generated and consumed on-premises would not be impacted directly by the proposal.

Mr. Asselmeier said that, per the new State law, if the commercial solar or wind project met State law, the proposal had to be approved.

5. Add a requirement that the County Board shall make its decision on the application not more than thirty (30) days after the conclusion of the public hearing.

6. A determination will need to be made if the County wants to allow smaller setbacks than allowed under the law. As proposed, the setbacks would follow State law.
7. A determination will need to be made if the County will allow changes in setbacks, certain height requirements for solar, and fencing requirements if nonparticipating property owners consent to these requirements. As proposed, the change would be allowed to occur if documentation was provided at the time of application submittal.
8. A determination will need to be made if the County wants to allow sound limitations for wind towers less restrictive than the regulations set forth by the Illinois Pollution Control Board. As proposed, sound regulations would follow State law.
9. A determination will need to be made if agricultural impact mitigation agreements have to be submitted with the application.
10. The County's landscaping requirements will need to be adjusted to reflect the law.
11. Statements requiring compliance with EcoCat reports, Fish and Wildlife Service reports, and Illinois State Historic Preservation consultations be added to the Zoning Ordinance.
12. Statements regarding road use agreements will need to be adjusted to reflect the bill.
13. A determination will need to be made regarding enforcement of damaged drain systems.

Counties are required to amend their ordinances within one hundred twenty (120) days of the signing of the bill.

A redlined version of the proposal was provided. The new law was also provided. Initiation of the proposed amendments were likely to occur at the February Planning, Building and Zoning Committee meeting.

Mr. Nelson asked if there will any other projects proposed in the County besides the project outside Plano. Mr. Asselmeier responded yes and all, but one (1) of them, were adjacent to a municipality.

Zoning Ordinance Amendments Pertaining to Chickens in Residential Zoning District

Mr. Asselmeier provided a table outlining residential chicken regulations within unincorporated Kendall County, the counties surrounding Kendall County, and the municipalities within Kendall County.

Zoning Ordinance Amendments Pertaining to Major and Minor Special Use Amendment Criteria

Mr. Asselmeier provided a redlined proposal changing what constituted a major and minor amendments. He noted that County Administrator Scott Koepfel was against changing the text of the Zoning Ordinance.

Mr. Nelson asked how the ten percent (10%) figure was determined. Mr. Asselmeier said that the County can do administrative variances of ten percent (10%) or less under State law. The figure probably came from the variance figure in State law. Mr. Nelson said the County should consider raising the ten percent (10%). This proposal will be brought back up at a future Regional Planning Commission meeting.

2022 PBZ Projects Summary & 2023 Future Projects/Goals

Mr. Asselmeier reported the summary for 2022 and 2023 future projects and goals.

27 Petitions filed in 2022; 51 Petitions Filed in 2021; 32 Petitions Filed in 2020; 46 Petitions Filed in 2019; 33 Petitions Filed in 2018; 33 Petitions Filed in 2017.

36 New Housing Starts in 2022; 32 New Housing Starts in 2021; 34 New Housing Starts in 2020; 20 New Housing Starts in 2019.

382 Total Permits in 2022; 354 Total Permits in 2021; 326 Total Permits in 2020; 257 Total Permits in 2019.

Total Deposits (Building Fees, Zoning Fees, Land Cash Fees, and Off-Site Roadway) for the FY2022 was \$264,487, Down from \$293,941 in FY2021.

Revenue in October was \$48,857; This Was the Highest Monthly Revenues Since the Mid-2000s.

County Board Denied a Special Use Permit for the First Time in Several Years.

Lien Levied Against 1038 Harvey Road in the Amount of Thirty-Two Thousand Eight Hundred (\$32,800) for Zoning, Building, and Junk and Debris Violations.

Hired a Part-Time Code Enforcement Officer, Matthew Yackley.

New Contracted Plumbing Inspector, Anthony Mayer of Mayer Plumbing, LLC Hired Following the Passing of Long Time Plumbing Inspector Randy Erickson.

County Board Approved Reclassification of Parcels to Mixed Use Business on the West Side of Eldmain Road at Fox Road.

Text Amendments Approved Establishing Definitions of Landscaping Businesses and Excavating Businesses.

Text Amendments Approved for Lighting Requirements of Towers.

Planning, Building and Zoning Committee Reaffirmed the Department's Voluntary Compliance Policy in Cases of Ordinance Violations and Established Procedures for After-The-Fact Applications.

Planning, Building and Zoning Committee Approved a Policy Requiring Applicants to the Department to be Debt Free or Current on Debt to the County Prior to Departmental Approvals, Including Requiring Middle Initials on all Applications.

Evaluated a Proposal with Teska Associates, Inc. to Update the County's Land Resource Management Plan; Proposal Not Included in Budget for FY22-23.

Reviewed with WBK Engineering the County's Existing Stormwater Management Ordinance Against the New State Model Floodplain Ordinance.

Continued Doing Annual NPDES Surveys to the Townships.

Noxious Weed Related Documents and Notices Drafted and Approved by the County Board.

Planning, Building and Zoning Committee Held a Special Committee Meeting in Boulder Hill.

Kendall County Historic Preservation Commission Held Special Meetings at Little White School Museum, Fern Dell, Edith Farnsworth House, and Yorkville Masonic Temple.

Started Working with Wiss, Janney, Elstner Associates, Inc. on Historic Structure Survey in Unincorporated Kendall and Bristol Townships Funded by a Certified Local Government Grant.

Continued Historic Preservation Commission Awards.

Senior Planner Assisted with the Codification Process.

Senior Planner Elected President of Illinois Association of County Zoning Officials.

Code Official Renewed Three (3) ICC Certificates Until April 2024.

Code Official Provided an Education Booth at the Kendall County Fair.

Code Official Provided Input on Hiring of Part-Time Code Enforcement Officer and Plumbing Inspector.

Code Official Performed a Higher Volume of Plan Reviews, Inspections, and Investigations Compared to the Previous Year.

Department Increased Cooperation with Oswego Township on Code Enforcement Matters.

Items for 2023 included the following:

Continue to Assist with the Codification Process.

Continue to Implement the Citation Policies for the Various Ordinances.

Continue to Explore Opportunities to Start the Process of Updating the Land Resource Management Plan in its Entirety.

Work with the Administration Department on Obtaining an Intern for the Department.

Develop a More Comprehensive List of Available Residential Lots.

Review the Calculations in the Kendall County Land Cash Ordinance.

Organize a Training for the Regional Planning Commission, Zoning Board of Appeals, and Planning, Building and Zoning Committee.

Continue to Meet with Townships Regarding Their Role in the Development Approval Process.

Work with WBK Engineering to Review the County's Stormwater Regulations and Recommend Appropriate Changes Based on Changes in Federal and State Stormwater Regulations (i.e. State Model Floodplain Ordinance).

Continue to Monitor Changes to Zoning Related Regulations at the State Level.

Continue to Work with GIS to Ensure Correct Zoning Information for Each Parcel.

Continue to Work with GIS to Connect Parcels to the Applicable Special Use and Map Amendment Ordinances.

Continue to Work to Ensure Special Use Permits that Require Renewals and Reviews Are Examined in a Timely Manner.

Ensure that Noxious Weed and NPDES Permit Documents Are Submitted to the State in a Timely Manner.

Complete the Historic Structure Survey in Unincorporated Kendall and Bristol Townships.

Work with the Illinois Historic Preservation Agency and Historic Preservation Commission on Certified Local Government Projects (i.e. Historic Structure Surveys in Other Townships).

Increase the Visibility and Activities of the Historic Preservation Commission Through Collaboration with Other Historic Preservation Organizations and Events.

Senior Planner Will Represent the Department on the Hazard Mitigation Plan Update.

Work with Kendall County EMA to Pursue Disaster Related Grants and Other Funding.

Continue Working with the Northwest Water Planning Alliance.

Participate with Implementation of CMAP's 'On To 2050 Plan' for the Chicago Region.

Continue Reviewing and Addressing Potential Changes to the Zoning Ordinance and Departmental Operations for Increased Efficiency.

There were eight (8) new special use permit applications; one (1) was denied; one (1) was withdrawn, one (1) was on hold; one (1) was in Millbrook.

There were three (3) major amendments to existing special use permits.

There were zero (0) minor amendments to existing special use permits.

There were four (4) special use permit revocations.

There were zero (0) special use permit renewals.

There were two (2) variances not part of special use permits.

There were two (2) administrative variances.

There zero (0) stormwater ordinance variances.

There was one (1) conditional use permit.

There were zero (0) temporary use permits.

There was one (1) site plan review.

There was one (1) plat of vacation.

There were zero (0) preliminary and final plats.

There were three (3) text amendment initiations with one (1) of those on hold.

There was one (1) land use plan amendment.

There was one (1) map amendment.

There were zero (0) stormwater ordinance related amendments.

There were zero (0) new historic landmarks or districts designated.

There were zero (0) amendments to the text of the historic preservation ordinance.

There was a total of twenty-seven (27) petitions in 2022 compared with fifty-one (51) in 2021.

There were ten (10) ZPAC meetings.

There were ten (10) Regional Planning Commission meetings.

There were ten (10) Zoning Board of Appeals hearings/meetings.

There were nine (9) Historic Preservation Commission meetings.

There was one (1) Stormwater Management Oversight Committee meeting.

There five (5) Comprehensive Land Plan and Ordinance Committee meetings.

There were fourteen (14) Planning, Building and Zoning Committee meetings.

Of the thirty-two (32) ordinances approved by the County Board in 2022, eighteen (18) were Planning, Building and Zoning related. Of the thirty-five (35) ordinances approved by the County Board in 2021, nineteen (19) were Planning, Building and Zoning related.

The Department investigated zero (0) noxious weed violations in 2022 compared to zero (0) noxious weed violation investigation in 2021, 2020, and 2019.

There were thirty-two (32) single-family home permits issued in 2022. Ten (10) were in Kendall Township, one (1) in Bristol Township, nine (9) in Na-Au-Say Township, three (3) in Fox Township, four (4) in Little Rock Township, four (4) in Oswego Township, zero (0) in Lisbon Township, four (4) in Seward Township, and one (1) in Big Grove Township.

The breakdown of new homes, available homes, and total lots in subdivisions where new homes were permitted in 2022 were as follows:

Whitetail Ridge – 11 (178/244)	Brighton Oaks – 2 (11/20)	Fields of Farm Colony – 1 (16/159)
Highgrove – 1 (1/4)	Hiteman – 1 (0/6)	Huntsmen Trails – 1 (6/15)
River Glen – 1 (1/7)	Schaefer Woods North – 2 (2/35)	Shadow Creek – 1 (18/29)
Estates of Millbrook – 2 (73/175)	Tanglewood Trails – 1 (27/38)	
Henneberry Woods – 3 (60/352)	Woods of Silver Springs – 1 (15/57)	Timber Ridge – 1 (20/46)
Other (Not in Subdivision): 7 (N/A)		

The average of new single-family home permits since 2000 was fifty (50).

The average of new single-family home permits since 2010 was twenty-two (22).

The available lots in residential planned developments were as follows with platted lots provided:

Deere Crossing – 15 (18) Whitetail Ridge – 178 (244) Brighton Oaks – 11 (20)
Equestrian Estates – 9 (16) Grove Estates – 40 (50) Henneberry Woods – 60 (352)
Rosehill – 8 (57) *Schaefer Glen – 6 (6) Tanglewood Trails – 27 (38)
*Highpoint Meadows – 23 (23) Highpoint – 2 (4)

Total Platted RPD Lots – 828 Total Available RPD Lots – 384
Total Developed RPD Lots - 448
*Open Subdivisions

The number of site visits was two hundred ten (210).

The number of footing inspections was ninety-one (91).

The number of backfill inspections was twenty-four (24).

The number of wall inspections was thirty (30).

The number of slab inspections was fifty-two (52).

The number electric service inspections was nineteen (19).

The number of frame/wire inspections was one hundred one (101).

The number of insulation inspections was thirty-two (32).

The number of final inspections was two hundred ten (210).

The number of red tags was zero (0).

The number of hearings signs was twenty-nine (29).

The number of meetings in the field was one hundred twenty-one (121).

The number of violation investigations was three hundred sixty-eight (368).

Vice-Chairman Rodriguez asked about the increase in violation investigations. Mr. Asselmeier responded that an the emphasis of investigating violations changed over the years and more people have filed complaints.

The number of NPDES investigations was zero (0).

The number of inspections for Yorkville back for the County was sixty-five (65).

The number of zoning issue related inspections was thirty-three (33).

The total number of field visit and investigations was one thousand three hundred ninety (1,390).

The total number of permits reviewed and issued was three hundred sixty-seven (367) with fifteen (15) voided.

The number of contracted plumbing inspections was ninety-two (92).

The number of inspections for Yorkville per the IGA was ten (10).

The 2023 goals for the Code Official were as follows:

Investigate technology with GIS for permit tracking system.

Investigate the feasibility of implementing a license and bonding program for contractors.

Provide a public educational training.

Attend an ICC seminar on 2021 Residential Codes.

Investigate the feasibility of implementing roofing permits.

Ms. Wilson asked what open subdivisions met. Mr. Asselmeier responded that the subdivisions had been approved, but construction had not occurred.

Vice-Chairman Rodriguez commended the Department for their work.

Mr. Asselmeier read a report from the United City of Yorkville, which was online at <https://storymaps.arcgis.com/stories/a37ba39c82074b88ab19bbb11847ff3b>. Yorkville had two hundred eighty-four (284) housing starts and a total of one thousand five hundred five (1,505) permits. The construction value was just over Sixty-Seven Million Dollars (\$67 Million). There were twenty-four (24) zoning related petitions. The City's population was projected at twenty-three thousand, three hundred ninety-seven (23,397). They continue to work on getting Lake Michigan water. They participated in the Aging in a Changing Region Program. They hope to have their Unified Development Ordinance adopted in 2022 and plan to working on the next Comprehensive Plan at the end of 2023. They were also working on digitizing the Planning and Zoning Department and improvements in downtown.

Jonathan Proulx, Village of Plainfield, discussed the new industrial development on the east side of Ridge Road and Johnson Road. He discussed the extension of 143th Street from Steiner Road to Ridge Road and intersection improvements at Johnson Road and Ridge Road. The

Village issued four hundred ninety (419) permits. He discussed the multi-family development at the intersection of Ridge Road and 127th Street and other commercial developments in the Ridge Road corridor. The Village was in the early stages of updating the Village's Comprehensive Plan; the website was <http://hla.fyi/plainfieldcompplan>. They will also work on a public art plan and an affordable housing plan. The big development is on Ridge Road near Johnson Road. He discussed the location of Plainfield's boundaries in Kendall County. Plainfield has Lake Michigan water and their water supply is secure for the anticipated growth. Most Plainfield's undeveloped planning area is in Kendall County.

Jeff Palmquist, Fox Valley Park District, discussed how the Park District expands with the Village of Montgomery. He discussed the impact of their facilities on the area. He discussed a bike/pedestrian bridge project over Route 30. He discussed developing a park on Gordon Road south of Route 30.

Jeff Sobotka, City of Plano, said that Plano issued three hundred eighty (380) building permits, including fifty-five (55) new single-family homes. He discussed the Department's new approach of working with and educating residents on regulations to assist with compliance. A new fine structure was also introduced and the Department obtained a new City vehicle. He also discussed the new Gas N'Wash and Culvers.

Natalie Engel, Village of Shorewood, discussed their Comprehensive Plan process. The draft should be ready in the near future for public hearing on March 1, 2023. The planning area will go up to the Aux Sable Creek with mostly residential development. She also discussed new businesses opening within the Village. She discussed the mix of new residential within the Village. She discussed moving their public works facility. She discussed new park facilities within the Village along the DuPage River. She also discussed bringing Lake Michigan water to the Village in 2030. Aaron Klima, Village of Shorewood, discussed improving the intersection of Route 52 and County Line Road; a roundabout will be installed. The project would be a four to five (4-5) year construction window. He discussed industrial development in the vicinity of Mound Road.

Ray Heitner and Helen Miller, City of Joliet, stated that one hundred ten (110) new single-family homes and fifty-nine (59) multi-family structures. Mr. Heitner discussed updating the City's new Comprehensive Plan. They hope to work on the Comprehensive Plan in 2023 with adoption in 2025. He discussed the Grant Prairie Water Commission's efforts to bring Lake Michigan water to Joliet by 2030. He discussed the Interstate 80 realignment over the Des Plaines River. He discussed revitalization efforts in Downtown Joliet, including a new historic district. He discussed the development of pre-platted subdivisions in Kendall County; no new subdivisions were planned. He discussed the Rob Run Crossing Development at Interstate 80 and Interstate 55. They discussed plans along Ridge Road near Van Dyke and McKanna Roads;

those plans would need to be reexamined. They discussed land acquisition efforts for road projects near the University of St. Francis. Future annexations in Kendall County will be examined during the comprehensive planning process; most greenfield development opportunities for Joliet will be in Kendall County. Discussion occurred about the expansion of Joliet on the existing local fire protection districts. Discussion occurred about boundary agreements with the municipalities on the east side of the County. Discussion occurred regarding how Lake Michigan water will be transported from Chicago. Discussion occurred regarding the Gas N'Wash at Caton Farm and Ridge Roads; the proposal was under review.

Gary Hostert, Na-Au-Say Township Highway Commissioner, would like additional communication on annexations and developments within the Township. He would like developments to take into consideration the concerns of existing residents with larger lots. Discussion occurred about the incorporation of Plattville and expansion of Plattville. Discussion occurred regarding a recent annexation proposal to Plainfield near Ridge and Johnson Roads.

Sonya Abt, Village of Montgomery, discussed obtaining Lake Michigan water for the Village. She discussed the Gas N'Wash in the Village. She discussed the Fox Valley Park District park expansion. She discussed bike path expansions in the Village. She discussed developments at The Grid, formerly Caterpillar, and adjacent industrial development.

Victoria Lundh, Kendall-Grundy Farm Bureau, discussed nutrient loss prevention strategies. She discussed education for non-farming landowners. She discussed renovations at their building and provided staffing updating. She discussed assisting farms with renewable energy projects. She also discussed broadband expansion. Discussion occurred regarding drainage district creation; the need of a drainage district in Seward Township was discussed. Discussion occurred regarding the definition of Waters of the U.S.; potential amendments could come with the next Farm Bill.

Mr. Bernacki left at this time (11:27 a.m.).

It was noted that the Village of Oswego did not submit any comments.

Discussion occurred about egg smuggling along the Mexican border.

Rebecca Wintczak, provided information on raising residential chickens for personal egg production. She explained her proposal to allow hens in Boulder Hill. She has five (5) hens. Discussion occurred about predators and rodents attracted to the chickens and the impacts of those animals in neighborhoods where houses are on smaller lots. Discussion occurred about rodent proof containers. Laura Campos discussed having raccoons and rodents without having chickens. Discussion occurred regarding the assumption of people following the law and issues related to policing the regulation. Discussion occurred regarding the areas in the County that

would be impacted, if the law would be changed. Discussion occurred about neighbors possibly objecting to backyard hens. Discussion occurred regarding complaints about chickens in Boulder Hill. Sydney Ebert asked about how the one (1) acre rule came into existence; discussion occurred regarding how the one (1) acre rule was established. Comparisons of dogs, cats, and chickens was provided. Discussion occurred regarding the process of policing, in the County, the United City of Yorkville, and the Village of Oswego.

Old Business

None

New Business

None

Other Business

None

Public Comment

Mike Rennels, Mayor of Plano, discussed the importance of retaining local control over zoning issues related to commercial renewable energy systems.

Adjournment

Mr. Wormley made a motion, seconded by Mr. Koukol, to adjourn the meeting. With a voice vote of three (3) ayes, the motion carried.

Ms. McCarthy-Lange, made a motion, seconded by Mr. Hamman, to adjourn the meeting. With a voice vote of seven (7) ayes, the motion carried.

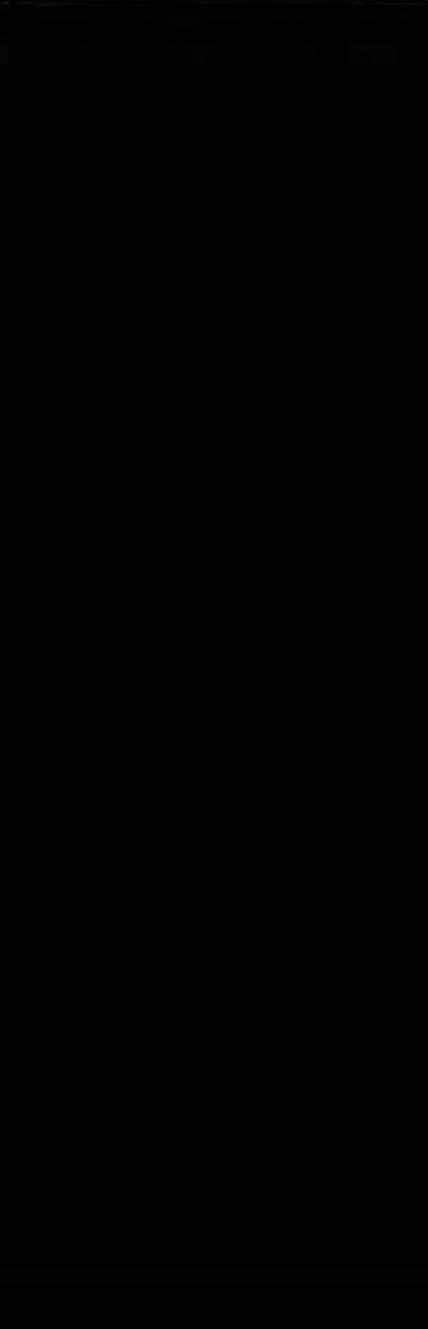
At 11:46 a.m. the Planning, Building and Zoning Committee and Regional Plan Commission adjourned.

Submitted by,
Matthew H. Asselmeier, AICP, CFM
Senior Planner
Enc.

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KENDALL COUNTY
REGIONAL PLANNING COMMISSION ANNUAL MEETING
ATTENDANCE SIGN IN SHEET

February 4, 2023 - 9:00 A.M.

NAME	ADDRESS (Optional)	EMAIL ADDRESS (Optional)
Don M Hirsch ^{Kendall} _{Twp}		
Aaron Klima		
Jonathan Prout		
MIKE PENNELS		
JEFF PIMMQUIST		
Natalie Engel		
Aaron Klima		
Ray Heintze		
Helen Miller		
Sonya Abo		
Victoria Lunck		
Sydney Ebert		
Rebecca Wintczak		
Laura Campos		
Don Ebersole		
Eric Wintczak		

Ordinance Rules	Kendall County R-2 & R-3	Oswego Village	Yorkville	Proposed R-6
Lot minimum	1 acre (43,500 sq ft)	No limit	11,000 sq ft	No limit
Roosters allowed	No	No	No	No
Hen maximum	12	6	6	12
Bantam exceptions to hen maximum	No mention	No mention	No mention	Count as half a chicken
Slaughtering	No mention	Only if for humane or religious reasons	No	Only if for humane or religious reasons
Other poultry allowed	No	No	No	No
Eggs/ Hens for sale	No	No mention	No mention	No
Coop Placement	At least 10 ft from property line	Rear Yard On permit application- cannot be within 5 ft of property line	Rear yard	Rear yard At least 5 ft from property line
Coop distance from neighbor structures	No limit	30 ft	30 ft	30 ft
Coop distance from owners structures	No limit	0	0	0
Coop size	No limit	No limit noted in ordinance On permit application- Up to 133 sq ft	Up to 144 sq ft	Minimum of 2 sq ft per hen Maximum of 144 sq ft
Run Size	No limit on run size Must be minimum of 4 ft tall if uncovered	Not less than 32 sq ft	Not less than 32 sq ft	Minimum of 8 sq ft per hen Must be at least 4 ft tall if uncovered
Electrical Service	No limit	Not with an extension cord	Not with extension cord	Not with extension cord
Fencing/ Screening	No limit	No limit	4 ft minimum solid fence	Kept aesthetically pleasing
Noise	No limit	Not loud enough to disturb person of reasonable sensitivity	Not loud enough to disturb person of reasonable sensitivity	Not loud enough to disturb person of reasonable sensitivity
Sanitation	No mention	Maintained in neat and clean manner Free of undue accumulation of waste	Free of undue accumulation of waste	Maintained in neat and clean manner Free of undue accumulation of waste
Feed	No mention	Kept in rodent proof container	Kept in rodent proof container Not scattered on ground	Kept in rodent proof container

Objective: To amend Section 8:10 A (and/or accompanying sections hereto) of the Kendall County Zone Ordinances to allow the possession and care of backyard hens within Zone R-6. Justly, this amendment should be opened equally to all residents of unincorporated Kendall County.

Brief Summary of benefits of backyard hens:

- Backyard hens provide an ethical, economical, environmentally conscious, and sustainable source of eggs.
- Backyard hen keeping may boost the local economy through an enjoyable hobby.
- Keeping hens may provide youth with excellent learning opportunities with food sources as well as provide residents with the opportunity to be involved in 4-H.
- Hens are generally quiet and docile and may make good companions for residents.
- Allowing backyard hens is concurrent with the prevailing increase in appeal to own hens, evident within surrounding communities.

Nearby Communities that allow chickens within city limits:

Aurora	St. Charles
Batavia	Westmont
Downers Grove	Naperville
Elgin	Montgomery
Evanston	Yorkville
Fox Lake	Sugar Grove
Oswego	Zone R-2 and Zone R-3 of Kendall County
Plainfield	

Proposed Amendment (Primary Sources: Kendall County Zone R-2 and Village of Oswego Ordinance 17-26)

Keeping of up to 12 chickens on a zoning lot, provided that:

- a. No roosters shall be kept
- b. No other poultry, including but not limited to geese, ducks, or turkeys shall be kept on the property
- c. All hens shall be confined within a covered enclosure or uncovered enclosure at all times to prevent hens from encroaching onto neighboring properties or coming into contact with wild geese, and other water dwelling birds.
- d. All uncovered enclosures shall have a minimum of 4' in height
- e. No eggs or hens shall be offered for sale from the premises
- f. No person shall slaughter any hens except for humane or religious reasons
- g. The inside enclosure shall have a minimum of 2 sq ft per hen and a maximum of 144 sq ft
- h. The outside enclosure shall have a minimum of 8 sq ft per hen
- i. Electric service shall not be provided by an extension cord
- j. Enclosures shall be set back by 25' from adjacent occupied residential structure and at least 5' from adjacent property zones
- k. Bantam and miniature breeds count as ½ of a chicken for the purpose of limitations on chicken keeping
- l. All feed and other items that are associated with the keeping of hens that are likely to attract rodents/vermin/pests/etc. shall be protected in a container with a tightly fitted lid so to prevent these scavengers from gaining access to or coming into contact with them
- m. All hens shall be kept in the rear yard
- n. All areas where hens are kept shall be maintained in a neat and clean manner, free of undue accumulation of waste such as to cause odors detectable on adjacent properties
- o. No person shall allow hens to produce noise loud enough to disturb the peace of person of reasonable sensitivity
- p. No part of a premises may become aesthetically unsightly or unkempt with association to the owning of hens

Misconceptions against keeping hens:

Noise- When one imagines noisy chickens, they may be thinking of being woken at dawn by the crowing of a rooster. With rule 'A' in place, there would be no crowing of roosters in the early morning or any time of day. Yet, hens do make some sounds. Hens have what is called an 'egg song' when they lay an egg. This song is not nearly as loud as a rooster crowing nor even a dog barking at a nearby squirrel. Some hens do not sing this song and others may sing for up to a minute. This song takes place within their coop and is quieted by the walls of the coop. The hen may have a longer or louder song the first time they lay an egg because it is a new process for them but they are calmer in subsequent egg laying. The hens may also bawk when a predator is nearby. However, one may recognize this same alert sound from the wild birds around when there is a hawk visibly stalking the vicinity. If the hens are well secured, then predators do not typically waste their time stalking the confined hens nor do they frequently return.

The last sound that you may hear a hen make is when you feed them especially yummy treats like mealworms or yogurt. This sound is full of joy and certainly brings joy to those giving the treats. In summary, hens are generally quiet and peaceful creatures who do not bring chaos or excessive noise to a neighborhood. I have had hens in Boulder Hill for 6 of the 7 years I have lived here (I did not realize initially that they were not allowed per County Ordinances). My neighbors moved in about 4 years ago and did not know we had hens until we told them and gave them eggs sometime after they moved in. If my own direct neighbors who are frequently outside with their children had no idea about the hens next door, I do not believe anyone of reasonable sensitivity would hear, let alone complain of hens in the neighborhood

Farm-like- I can nearly assure you that there will be no giant red barns, noisy tractors, or cows coming to Boulder Hill with the passing of this proposed amendment. With the proposed rules 'P' and 'M,' hens will be out of sight and will not make a difference in the appearance of our neighborhood.

Odor- With every waste producing animal excrement can be expected to have an odor. Like keeping dogs or humans in early development, there needs to be a plan in place for collecting and disposing of anticipated waste. Luckily, hen excrement dries quickly in straw, is easy to compost or safely dispose of, and does not carry the same odor of that of a dog. As with negligent dog owners, there may be opportunity for hen owners to let their waste management go neglected. The proposal of rule 'N' is in place to combat potential negligent owners. As stated, odor from backyard hens would be the result of a negligent owner rather than the mere presence of hens.

Disease- Salmonella and bird disease outbreaks that haunt the imagination occur from poorly kept hens who are in unhealthy and crowded conditions, like those of factory farms. Backyard hen keeping is completely unlike the conditions of mass-producing factory farming. Backyard hens have adequate ventilation, whereas factory farms have poor ventilation which creates moist and dirty environments — environments where viruses and bacteria thrive. Backyard hens are kept in good health whereas factory farming hens are kept profitable. The crowded conditions also enable diseases to spread easier and quicker. With backyard hens living in reasonable numbers, diseases do not transmit the same way they would in a crowded and neglected factory farm. In summary, it would be better for disease prevention to transition away from factory farming to backyard set-ups.

Pests- Where there is food, there are opportune scavengers. As rule 'L' stipulates, food shall be kept in rodent/ pest proof containers. These containers are a necessary part of hen keeping.

Distasteful appearances- Hens can be kept in a variety of conditions, some neat, orderly, and appealing and others not so much. Although there is no way to guarantee that all chicken coops will be particularly fashionable. With rule 'P' and 'M,' coops will be out of sight and hopefully blend into our diverse neighborhood. The permit process will also direct hen keepers towards neat permanent coop structures rather than temporary and less appealing structures.

Arguments in favor of hen keeping:

Backyard hens provide an ethical source of eggs- As noted in the arguments above, backyard hen keeping combats unethical factory farm practices.

Backyard hens have more space- In a factory farm, egg laying hens will have less than 1 sq ft of space; they will never touch grass or see the sun. In a backyard, hens are given a minimum of 2 sq ft of coop space and at least 8-10 sq ft of outdoor run space. Backyard hens can stretch their wings and legs.

Backyard hens have access to fresh air and sun- In the backyard, hens can breathe fresh air; they have room to sun bathe. If you have ever seen a dog or cat sunbathe, then you can imagine the meditative state seen in a sunbathing hen.

Backyard hens live more socially- Backyard hens have the privilege to be raised by mama hens. I have never hatched eggs but I have snuck day old chicks under the wing of a broody hen at night. There is nothing like the quiet and loving sounds from a mama hen to who she thinks her babies have hatched. The mom and babies bond immediately and she caters to their every need for many weeks. She shows them how to eat and drink. She protects them from predators and overzealous hens. She keeps them warm and alive. Chicks cannot regulate their body temperature and rely on the mama hen or brooder lights in her absence to stay warm. There is a certain joy when seeing little chick heads pop out in every direction from under the mama hen. Besides 'family' ties, backyard hens can have best friends. These are strong friendships that last many years for chickens. They forage together, watch for predators together, and perch next to each other at night. Before owning hens, I never would have imagined chickens to have such personalities or bonds. Now that I own hens, I don't think I could ever diminish their lives to one that lives in a factory farm.

Hens provide an economical source of eggs- The price of eggs has grown, like everything else recently. Factory-farmed eggs cost \$4.00 per dozen, cage free eggs (which still bring inhumane conditions to hens) cost \$6.00+ per dozen. Backyard eggs cost less than \$1.00 per dozen and even less if your hens eat things other than commercial feed such as kitchen scraps, grass, or bugs.

Backyard hens provide a sustainable source of eggs- During the beginning of the pandemic, store shelves ran out of eggs, but my hens did not care for transportation problems or panic buying. They continue to lay eggs that my family could rely on. They laid enough that I could give them to a friend and neighbors who could not find eggs in the stores. Even in times that eggs were plentiful on shelves, my hens have been generous and we have been able to share with those around us.

Backyard hens provide an environmentally mindful source of eggs- My eggs do not produce emissions from transportation on their way from my backyard to my kitchen. Their eggs are stored in a reusable wire column on my counter and do not use single use cartons. As noted previously, the hens often dispose of kitchen scraps and prevent extra landfill waste. The hens help turn my compost and they take the extra tomatoes off my hands at the end of the season when I have had enough canning and my neighbors have had enough tomatoes.

Backyard hens reduce municipal burden of waste and refuse services- As explained above, backyard hens reduce waste through multi-use egg storage and their productivity turning kitchen scraps into eggs. These small efforts over a large scale could improve municipal and local strain by reducing waste. Less organic waste also means that garbage day will have less odor.

Backyard hens provide companionship- As thoroughly noted above, hens are very social creatures with each other. They are also social with humans. When gardening, my favorite chicken would be beside me, quickly snatching any grubs or worms that surfaced. My son feels a connection to them and loves to pet and feed them mealworms. He squeals with delight when they willingly eat from his hand. You may be aware of a veteran in Montgomery who relied on his chickens to help with his PTSD. These are just a few examples of the joy and companionship that backyard hens bring.

Backyard hens provide more nutritious eggs- Studies have shown that backyard eggs and farm fresh eggs have less cholesterol and saturated fat than those found in a grocery store. They also contain 25% more vitamin E, 75% more beta carotene, and 3-20 times more Omega-3 fatty acids.

Backyard hens provide a connection to our food- Just as one grows fond over the ripening of a tomato, one feels utter delight in their first 'home grown' egg. Backyard eggs taste better and may be better nutritionally. But, I believe the reason it tastes better is because of the hard work you have put into that egg. Of course, chicken keepers are not laying eggs, but we are providing the home and care for those who do.

Backyard hens promote responsibility- Keeping hens will enable Boulder Hill residents to take part in 4-H. 4-H promotes citizenship, leadership, and responsible animal handling. Besides participating in 4-H, general backyard chicken keepers and especially children will learn and grow through this opportunity. My son, who is about 2 years old, enjoys letting the chickens out first thing in the morning and pouring their water (all with supervision). He takes pride in helping us and the hens. Providing excellent animal welfare brings value to our lives and helps us grow as individuals.

Backyard hens are inclusive and equitable for all- People from many walks of life benefit from keeping hens. Backyard hens are not only for farmers in rural areas. They are for vets suffering from PTSD, the family trying to make ends meet, the environmentally conscious, the lonely, the young, the elderly, or those who just want something new.

Backyard hens in Boulder Hill would align with values of all other surrounding communities- Although Boulder Hill is unincorporated, we have stricter ordinances on keeping hens than surrounding cities. We are a part of the Oswego Township and while Oswego Village residents enjoy their hens, we cannot. It does not make sense that chickens are allowed within city limits but not outside city limits, where ordinances are typically less tightened. The Village of Oswego voted to allow hens in 2017 after the Village's Environmentally Conscious Oswego Commission encouraged the city to follow the trends of other communities. They also heard from the University of Illinois Extension Campus who further supported backyard hens.

Nearby communities that allow backyard hens:

Aurora	Westmont
Batavia	Naperville
Downers Grove	Montgomery
Elgin	Oswego
Evanston	Yorkville
Fox Lake	Sugar Grove
Plainfield	Zone R-2 and Zone R-3 of Kendall County
St. Charles	

In conclusion, I hope you will find that backyard hens would bring countless benefits to the residents in Kendall County and especially those within Boulder Hill. Please consider incorporating backyard hens into unincorporated Kendall County. Thank you for your time in reading this proposal and for your consideration.

Sincerely,

Rebecca Wintczak

Properties zoned R-4, R-5, R-6, and R-7

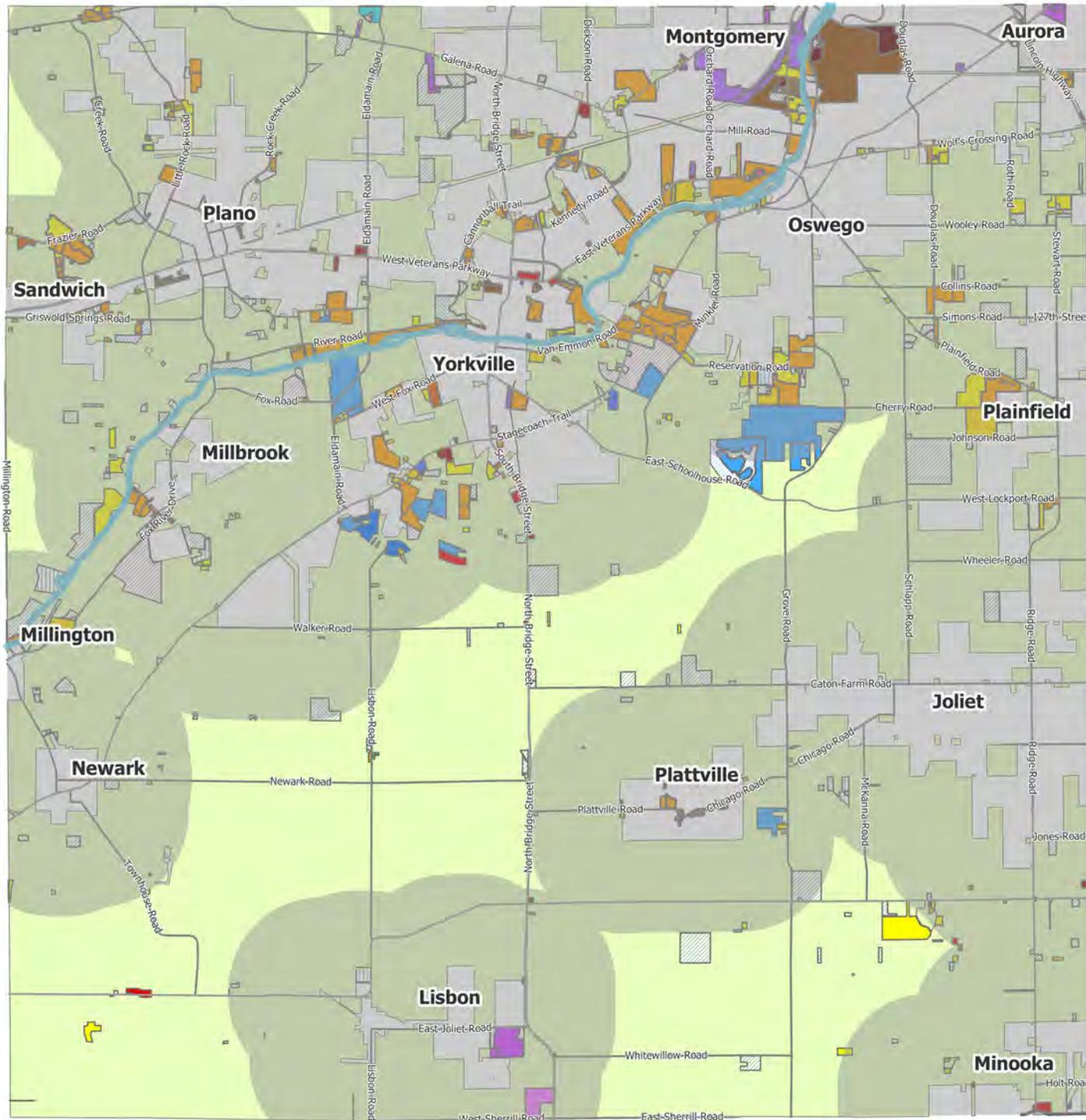


- R4
- R5
- R6
- R7
- R7-SU
- Forest Preserves



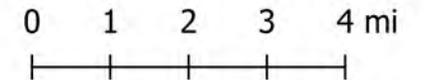
Kendall County GIS
 111 West Fox Street - Room 308
 Yorkville, Illinois 60560
 630.553.4212

1.5 Mile Municipality Radius



Zoning

 A1	 R2
 A1-BP	 R2-PUD
 A1-SU	 R2-R3
 A1-SU-PUD	 R2-SU-PUD
 B1	 R3
 B1-SU	 R3-PUD
 B2	 R3-SU
 B2-SU	 R3-SU-PUD
 B3	 R4
 B3-SU	 R5
 B4	 R6
 M1	 R7
 M1-SU	 R7-SU
 M2	 RPD-1
 M2-SU	 RPD-1-SU
 M3	 RPD-2
 M3-SU	 RPD-2-SU
 R1	 RPD-3
 R1-PUD	 COURT ORDERED MINING
 R1-SU	



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