

### KENDALL COUNTY ZONING BOARD OF APPEALS PUBLIC HEARING/MEETING

110 West Madison Street • Court Room • Yorkville, IL • 60560 (630) 553-4141 Fax (630) 553-4179

#### **AGENDA**

June 2, 2025 - 7:00 p.m.

#### <u>CALL TO ORDER – ZONING BOARD OF APPEALS</u>

ROLL CALL for the Zoning Board of Appeals: Randy Mohr (Chair); Scott Cherry, Cliff Fox, Tom LeCuyer, Jillian Prodehl, Dick Thompson, and Dick Whitfield

MINUTES: Approval of Minutes from the March 3, 2025, Zoning Board of Appeals Hearing/Meeting

(Pages 2-6)

PETITIONS:

Petition 25 – 04 – Daniel J. Gorman on Behalf of USA Energy Independence, LLC

(Prospective Buyer) and Stanley L. Zepelak on Behalf of the Lucaya Asset

Management, LLC (Current Owner) (Page 7)

Request: Special Use Permit for a Commercial Solar Energy Facility and Variance to Section 36-

282(17)(a) of the Kendall County Code to Allow a Commercial Solar Energy Facility on Land within One Point Five (1.5) Miles of Municipality without an Annexation Agreement

PIN: 02-09-400-007

Location: Between 9417 and 9221 Corneils Road, Bristol, in Bristol Township

Purpose: Petitioner Would Like to Install a Commercial Solar Energy Facility; Property is Zoned A-

l

2. Petition 25 – 05 – Kendall County Zoning Administrator (Pages 8-16)

Request: Text Amendments to Sections 30-98(c), 30-98(d), 30-197(b)(2), 36-155(c)(1) and 36-

184(1) of the Kendall County Code Reducing the Number of Petitions, Plats, Site Plans, Final Engineering Plans, and Landscape Restoration and Planting Plans Submitted as Part of Applications for Final Plat Approval and for Final Plat Approval of Residential Planned

Developments and Site Plan Approvals

Purpose: Petitioner Would Like to Reduce the Number of Paper Documents Submitted for Certain

**Applications** 

3. Petition 25 – 06 – Kendall County Zoning Administrator (Pages 17-47)

Request: Text Amendments to Sections 30-37, 30-76, 30-98, 30-135, 36-2, 36-35, 36-36, 36-42(c),

36-112, 36-125(c), 36-154(c), 36-155(c), 36-182(2)(d), 36-183(b), and 36-184 of the Kendall County Code by Abolishing the Zoning and Platting Advisory Committee (ZPAC) as a Formal Committee of the County and Transferring the Duties of ZPAC to County Staff

Members

Purpose: Petitioner Would Like to Transfer the Duties of ZPAC to County Staff Members

#### NEW BUSINESS/ OLD BUSINESS

1. Update on Comprehensive Plan Update Project

#### REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

1. Petition 24-35 Text Amendment Related to Parking in the Front Yard Setback

#### **PUBLIC COMMENT:**

#### ADJOURN ZONING BOARD OF APPEALS- Next hearing/meeting on June 30, 2025

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.

## MINUTES – UNOFFICIAL UNTIL APPROVED KENDALL COUNTY

#### **ZONING BOARD OF APPEALS MEETING**

110 WEST MADISON STREET, COURT ROOM YORKVILLE, IL 60560 March 3, 2025 – 7:00 p.m.

#### **CALL TO ORDER**

Chairman Randy Mohr called the Zoning Board of Appeals meeting to order at 7:02 p.m.

#### **ROLL CALL:**

Members Present: Scott Cherry, Cliff Fox, Tom LeCuyer, Randy Mohr, and Dick Thompson

Members Absent: Jillian Prodehl and Dick Whitfield

Staff Present: Matthew Asselmeier, AICP, CFM, Director and Wanda Rolf, Office Assistant

Others Present: Tom Ryan, Keith Wheeler, Steve Grebner, and Jake Cooper

#### **MINUTES:**

Member Thompson made a motion, seconded by Member Cherry, to approve the minutes of the January 27, 2025, hearing/meeting.

With a voice vote of five (5) ayes, the motion carried.

#### **PETITIONS:**

The Zoning Board of Appeals started their review of Petition 24-30 at 7:03 p.m.

Petition 24 – 30 – Nicholas S. Bellone on Behalf of Ament Solar 1, LLC (Tenant) and Janet M. Dhuse on Behalf of the Janet Dhuse Declaration of Family Trust Dated March 1, 2013 (Owner)

Request: Special Use Permit for a Commercial Solar Energy Facility and Variance to Section 36-

282(17)(a) of the Kendall County Code to Allow a Commercial Solar Energy Facility on Land within One Point Five (1.5) Miles of Municipality without an Annexation

Agreement

PINs: 05-16-300-006 and 05-17-400-005

Location: South of 9949 and 10021 Ament Road, Yorkville in Kendall Township

Purpose: Petitioner Would Like to Install a Commercial Solar Energy Facility; Property is Zoned A-1

Chairman Mohr asked for an update on the stormwater evaluation. Mr. Asselmeier responded that on February 10, 2025, the Petitioners submitted a revised site plan to address some outstanding stormwater issues raised by WBK Engineering. On February 11, 2025, WBK Engineering submitted a letter recommending the issuance of a stormwater permit.

**ZBA Meeting Minutes 3.3.25** 

Page 1 of 5

Chairman Mohr asked for an update regarding the action by the United City of Yorkville. Mr. Asselmeier responded that on February 11, 2025, the Yorkville City Council voted six (6) in favor and two (2) in opposition to not oppose the proposal.

Chairman Mohr asked for an update regarding the action of Kendall Township. Mr. Asselmeier responded that on February 18, 2025, the Kendall Township Board voted against the proposal by a vote of two (2) in favor and three (3) in opposition. The Kendall Township Planning Commission did not review the proposal in February.

Chairman Mohr asked a for update regarding the road use agreement. Mr. Asselmeier responded that the road use agreement had not been finalized.

The Petitioner did not wish to table the proposal until the road use agreement is finalized.

Chairman Mohr noted that the Kendall Township Planning Commission voted in favor of the proposal. Kendall Township cannot file a legal objection unless the Kendall Township Planning Commission objects to the proposal. Jake Cooper, Chairman of the Kendall Township Planning Commission, noted that the Township Planning Commission's approval was contingent on addressing drainage concerns and weed control.

Mr. Asselmeier explained the need for a variance. The County's regulations require projects within one point five (1.5) miles of a municipality to either annex or enter into an annexation agreement and Yorkville did not offer an annexation agreement.

Member LeCuyer made a motion, seconded by Member Fox, to approve the findings of fact for the variance.

Chairman Mohr noted that Yorkville cannot be forced to annex the property, but he also noted that Yorkville has no desire to annex because of the topography and Yorkville has little say in what occurs on the property. He recognized that the County's Land Resource Management Plan called for the property to be residential. He also stated that, if the County approves this variance, then other, similar variances need to be approved.

Member LeCuyer felt that the Zoning Board could evaluate similar proposals.

The votes were as follows:

Ayes (4): Cherry, Fox, LeCuyer, and Thompson

Nays (1): Mohr Abstain (0): None

Absent (2): Prodehl and Whitfield

**ZBA Meeting Minutes 3.3.25** 

Page 2 of 5

Chairman Mohr voted no because if Yorkville does not want this property, then the County's Land Resource Management Plan becomes the guiding document. He recognized that the County's hands were tied because of State law, but the proposal violates the County's Land Resource Management Plan.

Member LeCuyer made a motion, seconded by Member Thompson, to recommend approval of the variance.

The votes were as follows:

Ayes (4): Cherry, Fox, LeCuyer, and Thompson

Nays (1): Mohr Abstain (0): None

Absent (2): Prodehl and Whitfield

The motion carried.

Member Thompson made a motion, seconded by Member Fox, to approve the findings of fact for the special use permit.

The votes were as follows:

Ayes (5): Cherry, Fox, LeCuyer, Mohr, and Thompson

Nays (0): None Abstain (0): None

Absent (2): Prodehl and Whitfield

The motion carried.

Mr. Asselmeier acknowledged that the road use agreement had not been finalized and requested an additional condition stating that damaged drain tile will be repaired on a timeframe approved by the Planning, Building and Zoning Department. The road use agreement would be attached to the special use permit; the agreement is between Kendall Township and the Petitioner. Kendall Township could decline to enter into a road use agreement. The Petitioner agreed to the new condition.

Member LeCuyer made a motion, seconded by Member Cherry, to recommend approval of the special use with the conditions proposed by Staff and adding a condition stating that damaged drain tile will be repaired on a timeframe approved by the Planning, Building and Zoning Department.

The votes were as follows:

Ayes (5): Cherry, Fox, LeCuyer, Mohr, and Thompson

Nays (0): None Abstain (0): None

Absent (2): Prodehl and Whitfield

**ZBA Meeting Minutes 3.3.25** 

Page 3 of 5

Kendall Township will be notified of the results of the public hearing.

The proposal goes to the Kendall County Planning, Building and Zoning Committee on April 7, 2025, at 6:30 p.m. at the Historic Courthouse.

The Zoning Board of Appeals completed their review of Petitions 24-30 at 7:25 p.m.

#### **NEW BUSINESS/OLD BUSINESS**

Approval of Amendment to Article II, Section 5 of the Kendall County Zoning Board of Appeals By-Law by Amending the Address of the Office of the Board

Member Cherry made a motion, seconded by Member Thompson, to approve the amendment. With a voice vote of five (5) ayes, the motion carried.

Follow-Up from Kendall County Regional Planning Commission Annual Meeting

Attendees reviewed the minutes of the Annual Meeting. Chairman Mohr said it was a good meeting. Mr. Asselmeier noted that the process to update the Land Resource Management Plan has commenced.

#### **Anti-Harassment Training**

The Zoning Board Members started viewing the training. They suspended the training to receive public comment.

#### **PUBLIC COMMENTS**

An unnamed resident requested that public comments be moved prior to votes on agenda items. Chairman Mohr noted that the Zoning Board received testimony previously. The resident said that public comments were open for the Kendall Township Planning Chairman's remarks. Chairman Mohr said that he allowed the comment from the Township Planning Commission Chairman because the Zoning Board was discussing the vote of the Kendall Township Planning Commission. The unnamed resident was against Petition 24-30; he noted that the Township voted against the proposal. He did not want to lose farmland. He said solar panels only benefit solar companies financially; solar panels do not enhance the grid. He was concerned about the granting of the variance and future litigation. Discussion occurred that Joliet might annex the property in the future. The unnamed resident noted that boards respond when the public attends meetings and that the various boards were correct in denying the proposal. The boards need to stand up to the State. Chairman Mohr advised the resident to attend the County Board meeting. Discussion occurred regarding a proposed cannabis dispensary near a school in Yorkville. Discussion occurred regarding residents not showing up at meetings.

#### **NEW BUSINESS/OLD BUSINESS**

**Anti-Harassment Training** 

The Zoning Board Members completed the anti-harassment training video.

#### REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

None

**ZBA Meeting Minutes 3.3.25** 

Page 4 of 5

#### **PUBLIC COMMENTS**

Mr. Asselmeier reported there were no Petitions for the March 31, 2025, hearing.

#### **ADJOURNMENT OF THE ZONING BOARD OF APPEALS**

Member LeCuyer made a motion, seconded by Member Cherry, to adjourn.

With a voice vote of five (5) ayes, the motion carried.

The Zoning Board of Appeals meeting adjourned at 8:24 p.m.

Respectfully submitted by, Matthew H. Asselmeier Director of Planning, Building and Zoning

#### **Exhibits**

1. Memo on Petition 24-30 Dated February 25, 2025



#### **DEPARTMENT OF PLANNING, BUILDING & ZONING**

807 West John Street • Yorkville, IL • 60560 (630) 553-4141 Fax (630) 553-4179

#### **MEMORANDUM**

To: Kendall County Zoning Board of Appeals From: Matthew H. Asselmeier, AICP, CFM, Director

Date: May 29, 2025 Re: Petition 25-04

At their meeting on May 28, 2025, the Kendall County Regional Planning Commission voted to continue their review of this proposal to their June 25, 2025, meeting. The Commission would like to get comments from Yorkville and Bristol Township and they would like to give the State's Attorney's Office time to complete their review of the community impact agreement template.

Petition information can be found here, https://www.kendallcountyil.gov/home/showpublisheddocument/32803/638810072193370000.

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

MHA



#### DEPARTMENT OF PLANNING, BUILDING & ZONING

807 West John Street • Yorkville, IL • 60560 (630) 553-4141 Fax (630) 553-4179

#### MEMORANDUM

To: Kendall County Zoning Board of Appeals From: Matthew H. Asselmeier, AICP, CFM, Director

Date: May 29, 2025

Re: Proposed Text Amendment Related to the Number of Petitions, Plats, Site Plans, Final

Engineering Plans, and Landscape Restoration and Planting Plans Required for Application

Submittal (Petition 25-05)

In an effort to reduce the number of paper copies applicants are required to submit for certain zoning actions, Staff proposes the following amendments to the subdivision and zoning portions of the Kendall County Code:

Section 30-98(c) (Final Plat Submittal)

An application for approval of the final plat, including all engineering drawings and specifications, shall be filed with the Planning, Building, and Zoning Department, and ten (10) three (3) copies of the petition shall be filed with the Plat Officer or designee. Attached to each copy shall be copies of the supporting documents and exhibits provided for herein.

Section 30-98(d) (Final Plat Submittal)

Accompanying the copy of the application for approval of the final plat shall be four (4) three (3) copies of the final engineering plans and specifications prepared, stamped, and signed by a State-registered professional engineer. Such plans and specifications shall be prepared as specified, and shall be submitted to the Plat Officer within one (1) year after approval of the preliminary plat; otherwise such approval shall become null and void unless application for an extension of time is made to and granted by KCRPC. Such extensions will not require an additional copy of the plat. Engineering plans and specifications must comply with all County ordinances in addition to the design standards in Article IV of this chapter and the improvement standards in Article V of this chapter. Following approval of the final engineering plans, the applicant shall supply the County with a copy of the approved final version in electronic CAD format, NAD 1983 State Plane Illinois East projected coordinate system, as required by the County.

Section 30-197(b)(2) (Standards and Requirements for Restoration, Planting, Maintenance, and Monitoring of Natural Open Space)

Five (5) Three (3) printed copies and one (1) electronic copy (PDF) of all required submittals shall be provided to the KCPBZ, who shall forward copies to the Director of the County Forest Preserve District, the County Soil and Water Conservation District, and the County Engineer or consultant engineer. Each organization receiving a copy of the plans shall have twenty-one (21) days to provide written comments to the KCPBZ office. The KCPBZ office shall then compile all comments and inform the applicant if the plans are approved, or what changes are needed to receive approval. Within twenty-one (21) days of approval of the landscape/planting plan, the applicant shall provide the KCPBZ office a written cost estimate by a qualified contractor or contractors, including separate estimates for trees, ornamental plantings, and natural areas.

Section 36-155(c)(1) (Final Plan Approval for Residential Planned Developments)

A copy of the petition shall be filed with the PBZ Department, and ten (10) three (3) copies of the petition shall be filed with the Director of PBZ or designee. Attached to each copy shall be copies of

the supporting documents and exhibits provided for herein.

Section 36-184(1) (Site Plan Approval)

ZPAC. One (1) copy of the complete application, along with eight (8) three (3) copies of the site plan, shall be submitted by the property owner or certified agent to the Zoning Administrator at least fourteen (14) days prior to the ZPAC meeting. The purpose of the ZPAC meeting will be to evaluate the completeness of the application and to provide the applicant with feedback/input on the proposed site plan. Prior to the ZPAC meeting, the Zoning Administrator shall distribute copies of the site plan to Committee members. After discussion on a proposed site plan, the ZPAC may approve, deny, or approve with modifications, or request that the applicant revise the plan and return to a future ZPAC meeting for further review.

Information was sent to the Townships on April 23, 2025.

ZPAC reviewed the proposal at their meeting on May 6, 2025. ZPAC recommended approval of the proposal by a vote of seven (7) in favor and zero (0) in opposition with three (3) members absent. The minutes of the meeting are attached.

The Kendall County Regional Planning Commission reviewed the proposal at their meeting on May 28, 2025. Discussion occurred regarding the application materials and application checklists; these will be reviewed by the Planning, Building and Zoning Committee at a future date. The Kendall County Regional Planning Commission recommended approval of the proposal by a vote of seven (7) in favor and zero (0) in opposition with three (3) members absent. The minutes of the meeting are attached.

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

#### MHA

Encs.: May 6, 2025, ZPAC Minutes (This Petition Only)

May 28, 2025, Kendall County Regional Planning Commission Minutes (This Petition Only)

### ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC) May 6, 2025 – Unapproved Meeting Minutes

PBZ Chairman Seth Wormley called the meeting to order at 9:00 a.m.

#### Present:

Matt Asselmeier – PBZ Department
David Guritz – Forest Preserve
Brian Holdiman – PBZ Department
Fran Klaas – Highway Department
Alyse Olson – Soil and Water Conservation District
Aaron Rybski – Health Department
Seth Wormley – PBZ Committee Chair

#### Absent:

Meagan Briganti – GIS Department Greg Chismark – WBK Engineering, LLC Commander Jason Langston – Sheriff's Department

#### Audience:

Dan Gorman

#### **PETITIONS**

#### Petition 25-05 Kendall County Zoning Administrator

Mr. Asselmeier summarized the request.

In an effort to reduce the number of paper copies applicants are required to submit for certain zoning actions, Staff proposes the following amendments to the subdivision and zoning portions of the Kendall County Code:

Section 30-98(c) (Final Plat Submittal)

An application for approval of the final plat, including all engineering drawings and specifications, shall be filed with the Planning, Building, and Zoning Department, and ten (10) three (3) copies of the petition shall be filed with the Plat Officer or designee. Attached to each copy shall be copies of the supporting documents and exhibits provided for herein.

Section 30-98(d) (Final Plat Submittal)

Accompanying the copy of the application for approval of the final plat shall be four (4) three (3) copies of the final engineering plans and specifications prepared, stamped, and signed by a State-registered professional engineer. Such plans and specifications shall be prepared as specified, and shall be submitted to the Plat Officer within one (1) year after approval of the preliminary plat; otherwise such approval shall become null and void unless application for an extension of time is made to and granted by KCRPC. Such extensions will not require an additional copy of the plat. Engineering plans and specifications must comply with all County ordinances in addition to the design standards in Article IV of this chapter and the improvement standards in Article V of this chapter. Following approval of the final engineering plans, the applicant shall supply the County with a copy of the approved final version in electronic CAD format, NAD 1983 State Plane Illinois East projected coordinate system, as required by the County.

Section 30-197(b)(2) (Standards and Requirements for Restoration, Planting, Maintenance, and Monitoring of Natural Open Space)

Five (5) Three (3) printed copies and one (1) electronic copy (PDF) of all required submittals shall be provided to the KCPBZ, who shall forward copies to the Director of the County Forest Preserve District, the County Soil and Water Conservation District, and the County Engineer or consultant engineer. Each organization receiving a copy of the plans shall have twenty-one (21) days to provide written comments to the KCPBZ office. The KCPBZ office shall then compile all comments and inform the applicant if the plans are approved, or what changes are needed to receive approval. Within twenty-one (21) days of approval of the landscape/planting plan, the applicant shall provide the KCPBZ office a written cost estimate by a qualified contractor or contractors, including separate estimates for trees, ornamental plantings, and natural areas.

#### Section 36-155(c)(1) (Final Plan Approval for Residential Planned Developments)

A copy of the petition shall be filed with the PBZ Department, and ten (10) three (3) copies of the petition shall be filed with the Director of PBZ or designee. Attached to each copy shall be copies of the supporting documents and exhibits provided for herein.

Section 36-184(1) (Site Plan Approval)

ZPAC. One (1) copy of the complete application, along with eight (8) three (3) copies of the site plan, shall be submitted by the property owner or certified agent to the Zoning Administrator at least fourteen (14) days prior to the ZPAC meeting. The purpose of the ZPAC meeting will be to evaluate the completeness of the application and to provide the applicant with feedback/input on the proposed site plan. Prior to the ZPAC meeting, the Zoning Administrator shall distribute copies of the site plan to Committee members. After discussion on a proposed site plan, the ZPAC may approve, deny, or approve with modifications, or request that the applicant revise the plan and return to a future ZPAC meeting for further review.

Information was sent to the Townships on April 23, 2025.

Mr. Asselmeier noted that other the paper requirements of other applications not listed in the County Code have already been reduced to three (3) copies.

All application materials will still be emailed.

Mr. Klaas made a motion, seconded by Mr. Rybski, to recommend approval of the proposal to the Kendall County Regional Planning Commission.

The votes were follows:

Ayes (7): Asselmeier, Guritz, Holdiman, Klaas, Olson, Rybski, and Wormley

Nays (0): None Abstain (0): None

Absent (3): Briganti, Chismark, and Langston

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on May 28, 2025.

#### **PUBLIC COMMENT**

None

#### <u>ADJOURNMENT</u>

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

With a voice vote of seven (7) ayes, the motion carried.

The ZPAC, at 9:41 a.m., adjourned.

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

Enc.



# KENDALL COUNTY ZONING & PLATTING ADVISORY COMMITTEE MAY 6, 2025

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)	
Panis 1 ). Garner			

### KENDALL COUNTY REGIONAL PLANNING COMMISSION

#### Kendall County Historic Court House Court Room 110 W. Madison Street, Yorkville, Illinois

#### Unapproved - Meeting Minutes of May 28, 2025 - 7:00 p.m.

Chairman Keith Landovitz called the meeting to order at 7:01 p.m.

#### **ROLL CALL**

Members Present: Bill Ashton, Eric Bernacki (Arrived at 7:03 p.m.), Keith Landovitz, Karin McCarthy-Lange,

Ruben Rodriguez, Bob Stewart, and Seth Wormley

Members Absent: Tom Casey, Dave Hamman, and Claire Wilson

Staff Present: Matthew H. Asselmeier, Director, and Wanda A. Rolf, Office Assistant

Others Present: Dan Gorman, Doug Winsor, and Annette Wolf

#### **PETITIONS**

#### **Petition 25-05 Kendall Zoning Administrator**

Mr. Asselmeier summarized the request.

In an effort to reduce the number of paper copies applicants are required to submit for certain zoning actions, Staff proposes the following amendments to the subdivision and zoning portions of the Kendall County Code:

Section 30-98(c) (Final Plat Submittal)

An application for approval of the final plat, including all engineering drawings and specifications, shall be filed with the Planning, Building, and Zoning Department, and ten (10) three (3) copies of the petition shall be filed with the Plat Officer or designee. Attached to each copy shall be copies of the supporting documents and exhibits provided for herein.

#### Section 30-98(d) (Final Plat Submittal)

Accompanying the copy of the application for approval of the final plat shall be **four (4)** three (3) copies of the final engineering plans and specifications prepared, stamped, and signed by a State-registered professional engineer. Such plans and specifications shall be prepared as specified, and shall be submitted to the Plat Officer within one (1) year after approval of the preliminary plat; otherwise such approval shall become null and void unless application for an extension of time is made to and granted by KCRPC. Such extensions will not require an additional copy of the plat. Engineering plans and specifications must comply with all County ordinances in addition to the design standards in Article IV of this chapter and the improvement standards in Article V of this chapter. Following approval of the final engineering plans, the applicant shall supply the County with a copy of the approved final version in electronic CAD format, NAD 1983 State Plane Illinois East projected coordinate system, as required by the County.

Section 30-197(b)(2) (Standards and Requirements for Restoration, Planting, Maintenance, and Monitoring of Natural Open Space)

Five (5) Three (3) printed copies and one (1) electronic copy (PDF) of all required submittals shall be provided to the KCPBZ, who shall forward copies to the Director of the County Forest Preserve District, the County Soil and Water Conservation District, and the County Engineer or consultant engineer. Each organization receiving a copy of the plans shall have twenty-one (21) days to provide written comments to the KCPBZ office. The KCPBZ office shall then compile all comments and inform the applicant if the plans are approved, or what changes are needed to receive approval. Within twenty-one (21) days of approval of the landscape/planting plan, the applicant shall provide the KCPBZ office a written cost estimate by a qualified contractor or contractors, including separate estimates for trees, ornamental plantings, and natural areas.

Section 36-155(c)(1) (Final Plan Approval for Residential Planned Developments)

A copy of the petition shall be filed with the PBZ Department, and ten (10) three (3) copies of the petition shall be filed with the Director of PBZ or designee. Attached to each copy shall be copies of the supporting documents and exhibits provided for herein.

Section 36-184(1) (Site Plan Approval)

ZPAC. One (1) copy of the complete application, along with eight (8) three (3) copies of the site plan, shall be submitted by the property owner or certified agent to the Zoning Administrator at least fourteen (14) days prior to the ZPAC meeting. The purpose of the ZPAC meeting will be to evaluate the completeness of the application and to provide the applicant with feedback/input on the proposed site plan. Prior to the ZPAC meeting, the Zoning Administrator shall distribute copies of the site plan to Committee members. After discussion on a proposed site plan, the ZPAC may approve, deny, or approve with modifications, or request that the applicant revise the plan and return to a future ZPAC meeting for further review.

Information was sent to the Townships on April 23, 2025. No comments were received.

ZPAC reviewed the proposal at their meeting on May 6, 2025. ZPAC recommended approval of the proposal by a vote of seven (7) in favor and zero (0) in opposition with three (3) members absent. The minutes of the meeting were provided.

Discussion occurred regarding the application materials. The application checklist will be reviewed by the Planning, Building and Zoning Committee at a future date.

Member Wormley made a motion, seconded by Member Rodriguez, to recommend approval of the text amendment.

The votes were as follows:

Ayes (7): Ashton, Bernacki, Landovitz, McCarthy-Lange, Rodriguez, Stewart, and Wormley

Nays (0): None Absent (0): None

Abstain (3): Casey, Hamman, and Wilson

The motion carried.

The proposal goes to the Kendall County Zoning Board of Appeals on June 2, 2025.

#### CITIZENS TO BE HEARD/PUBLIC COMMENT

Member Ashton thanked the people that made positive comments amount his tenure as Regional Planning Commission Chairman; he was very appreciative.

#### **OTHER BUSINESS/ANNOUNCEMENTS**

Mr. Asselmeier reported that Petition 25-04 will be only Petition on the agenda.

#### **ADJOURNMENT**

Member McCarthy-Lange made a motion, seconded by Member Bernacki, to adjourn. With a voice vote of seven (7) ayes, the motion carried.

The Kendall County Regional Planning Commission meeting adjourned at 8:33 p.m.

Respectfully submitted by, Matthew H. Asselmeier, AICP, CFM, Director

Encs.

# KENDALL COUNTY REGIONAL PLANNING COMMISSION MAY 28, 2025

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)	
Dan Gorman			
Doug Winsor			
Annette Wolf			
		0	



#### **DEPARTMENT OF PLANNING, BUILDING & ZONING**

807 West John Street • Yorkville, IL • 60560 (630) 553-4141 Fax (630) 553-4179

#### **MEMORANDUM**

To: Kendall County Zoning Board of Appeals From: Matthew H. Asselmeier, AICP, CFM, Director

Date: May 29, 2025

Re: Proposed Text Amendment Related to Review of Petitions by ZPAC (Petition 25-06)

In an effort to reduce the number of physical meetings required as part of the development and zoning processes, Staff has been asked to prepare a proposal which would abolish ZPAC as a formal committee of the County and transfer the duties of ZPAC to various Staff members.

#### A few items to note:

- 1. The present members of ZPAC and their successors in their respective positions would still receive notification of Petitions and would be allowed to submit comments on the Petitions in the timeframes stated in this proposed text amendment.
- 2. Since ZPAC would no longer be a formal committee, the Open Meetings Act would no longer apply to the correspondence and gatherings of former ZPAC members as they relate to Planning, Building and Zoning matters.
- 3. The Planning, Building and Zoning Committee probably would amend the application approval timeline to account for ZPAC not meeting. In such a case, the application deadline for map amendments, text amendments, special use permits, and major amendments to special use permits would be no later than thirty (30) days prior to the Zoning Board of Appeals hearing. For site plan reviews, no specific deadline would exist. For applications for plats of vacations, the deadline would effectively remain unchanged at three (3) weeks prior to the Planning, Building and Zoning Committee meeting.

The redlined proposal is attached.

Information was sent to the Townships on April 23, 2025.

ZPAC reviewed the proposal at their meeting on May 6, 2025. Discussion occurred regarding the process of reviewing applications, if the proposal was approved. The overall opinion was the proposal would improve efficiency for the various reviewing departments. Petition information would still be emailed. The earliest the proposal could be approved by the County Board is July 15, 2025. There could still be ZPAC meetings in June, July, and August. ZPAC recommended approval of the proposal by a vote of seven (7) in favor and zero (0) in opposition with three (3) members absent. The minutes of the meeting are attached.

The Kendall County Regional Planning Commission reviewed the proposal at their meeting on May 28, 2025. Discussion occurred regarding the importance of maximizing County Staff's time by having one (1) less meeting. Some of the recent ZPAC meetings have been under ten (10) minutes. The Kendall County Regional Planning Commission recommended approval of the proposal by a vote of seven (7) in favor and zero (0) in opposition with three (3) members absent. The minutes of the meeting are attached.

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

Encs.: Redlined Proposal
May 6, 2025, ZPAC Meeting Minutes (This Petition Only)
May 28, 2025, Kendall County Regional Planning Commission Minutes (This Petition Only)

#### **ZPAC Amendments Version 2**

#### **Subdivision Code**

#### Section 30-37 Administration; organization

Eight (8) Seven (7) offices in the County are concerned with the administration of this chapter. For the purposes of clarity these offices along with their pertinent functions are listed below:

- (1) The Plat Officer; There is hereby created the Plat Officer who shall exercise the authority and have the responsibility provided in this chapter. The Plat Officer shall administer the provisions of this chapter and, in addition thereto, and in furtherance of said authority, shall:
- a. Maintain permanent and current records of this chapter, including amendments thereto.
- b. Receive and file all preliminary and final plats.
- c. Forward copies of the preliminary plat to other appropriate agencies for their recommendations and report.
- d. Receive and file all final plats and check their compliance with the preliminary plat.
- e. Make all other determinations required of the Plat Officer by the regulations herein.
- f. Discourage the subdividing of lands that are far in advance of the needs of the development of the County; or which, by their locations, cannot be efficiently served by public utilities, fire protection, or other community services; or which are located in areas subject to flooding, or are topographically unsuitable for development; or which, for any other reason, are being unwisely or prematurely subdivided.
- (2) Township. Highway. Commissioner. and. County. Engineer; The Township Highway Commissioner and County Engineer shall review with Plat Officer all preliminary subdivision plans and make determinations concerning street and drainage design standards and engineering specifications as stipulated herein.
- (3) Planning? Building? and. Zoning. Committee. (PBZC); The Planning, Building, and Zoning Committee shall review the preliminary plat and final plat and exercise the authority and have the responsibilities provided in this chapter.
- (4) Kendall.County.Regional.Plan.Commission.(KCRPC); The Kendall County Regional Plan Commission shall review the preliminary plat and exercise the authority and have the responsibilities provided in this chapter.

- (5) County.Soil.and.Water.Conservation.District; The County Soil and Water Conservation District shall review the preliminary plat and exercise the authority and have the responsibilities provided in this chapter.
- (6) County.Health.Department; The County Health Department shall review the preliminary plat and exercise the authority and have the responsibilities provided in this chapter.
- (7) Zoning.and.Platting.Advisory.Committee.(ZPAC); The Zoning and Platting Advisory Committee shall review the preliminary plat and exercise the authority and have the responsibilities provided in this chapter.
- (8) (7) Sanitary, and or, water, reclamation, districts; Sanitary and/or water reclamation districts shall review the preliminary plat and exercise the authority and have the responsibilities provided in this chapter.

#### Section 30-76 Preliminary Plat Procedure

The procedure for preliminary plats shall be as follows:

- (1) The applicant shall prepare a preliminary plat, which shall include all of the property to be subdivided, properties that are adjacent and considered to be contiguous to the proposed subdivision, together with improvement plans and other supplementary material as specified.
- (2) The applicant shall submit to the Plat Officer this preliminary plat accompanied with a completed application for a preliminary plat of subdivision with the appropriate filing fees.
- (3) The application will be placed on the agenda for the next regularly scheduled meeting of the Zoning and Platting Advisory Committee (ZPAC) for review and recommendation.
- (4) (3) At the same time, the The Plat Officer and the County Engineer will collaborate with the subdivider in assembling plans for the design and construction of streets, drainage systems and other such improvements as may be required by ordinance.
- (5) (4) A copy of the application and preliminary plat shall also be submitted, by the applicant, to the plan Commission of the townships in which the proposed subdivision is located and submit to the nearest municipality, if the corporate limits of the municipality are not more than one and one-half (1½) miles from the property lines of the proposed development.
- (6) (5) The application shall be reviewed by <del>ZPAC</del> County Staff for compliance with the regulations of this chapter and all other ordinances of the County during a regularly

scheduled meeting within thirty (30) days of the date of the submittal of the completed application of the preliminary plat.

(7) (6) Following a recommendation by ZPAC review by County Staff, the application shall be placed on the agenda of the next regularly scheduled meeting of the Kendall County Regional Plan Commission (KCRPC).

(8) (7) The application shall be reviewed by KCRPC for compliance with the regulations of this chapter and all other ordinances of the County within thirty (30) days of the recommendation made by ZPAC receipt of comments from County Staff, provided that all necessary revisions and/or supplemental information requested by ZPAC County Staff has been supplied to the Plat Officer.

(9) (8) KCRPC, within a reasonable time after the first discussion of the proposal, shall:

a. Recommend approval or disapproval of the proposed preliminary subdivision plat and record in the official minutes its recommendation, which may include the recommendations of the County Engineer, the County Engineering Consultant, other affected agencies and/or the Plat Officer.

b. If KCRPC finds that changes, additions or corrections are required on the preliminary plat prior to a recommendation being made by KCRPC, KCRPC shall so advise the applicant. The applicant may resubmit the preliminary plat with revisions for its consideration at the next available regular meeting of KCRPC.

(10) (9) Upon recommended approval of the preliminary plat by KCRPC, an application for the final plat of subdivision shall be filed within one (1) year, unless otherwise extended per the provisions of this chapter per <u>Section 30-98</u>.

(11) The following qualifications shall govern approval of the preliminary plat:

a. Approval of a preliminary plat by KCRPC is tentative only, involving merely the general acceptability of the layout as submitted. Final approval of the preliminary plat shall be granted by the County Board at the time of final plat approval. An applicant may seek approval from KCRPC of the preliminary plat simultaneously with the final plat and/or rezoning petition at the applicant's choosing.

b. KCRPC shall require such changes or revisions as are deemed necessary in the interest of the needs of the County.

c. Approval of the preliminary plat shall be effective for a maximum period of one (1) year, unless upon application of the developer, KCRPC grants an extension. The application for said extension shall not require the submittal of additional copies of the plan of subdivision.

(12) (11) The final approval of the preliminary plat is contingent upon payment of all fees for review and approval in accordance with Section 30-39.

#### Section 30-78 Other Plat (vacation, dedication, etc.) procedure

- (e) Upon receiving the complete application and review by the PBZ (Planning, Building and Zoning) staff for compliance with the regulations of this section and all other ordinances of the County the item will be placed on the agenda for the next regularly scheduled meeting of the Zoning, Platting and Advisory Committee (ZPAC) forwarded to appropriate departments for review and recommendation to the Planning, Building and Zoning Committee (PBZC) of the County Board. After the ZPAC meeting review by appropriate departments, this item will be placed on the agenda for the next regularly scheduled meeting of the PBZ for review and recommendation to the full County Board.
- (f) Upon completion of the review by the PBZC a recommendation shall be made and the minutes of the <del>ZPAC and</del> PBZC meeting containing such recommendations shall be submitted to the full County Board.

#### Section 30-98 Generally (Final Plats)

- (d) Accompanying the copy of the application for approval of the final plat shall be four (4) three (3) copies of the final engineering plans and specifications prepared, stamped, and signed by a State-registered professional engineer. Such plans and specifications shall be prepared as specified, and shall be submitted to the Plat Officer within one (1) year after approval of the preliminary plat; otherwise such approval shall become null and void unless application for an extension of time is made to and granted by KCRPC. Such extensions will not require an additional copy of the plat. Engineering plans and specifications must comply with all County ordinances in addition to the design standards in Article IV of this chapter and the improvement standards in Article V of this chapter. Following approval of the final engineering plans, the applicant shall supply the County with a copy of the approved final version in electronic CAD format, NAD 1983 State Plane Illinois East projected coordinate system, as required by the County.
- (f) The application will be <del>placed on the agenda of the next Zoning and Platting Advisory</del> Committee (ZPAC) meeting forwarded to other appropriate departments for review and comment.
- (g) The application shall be reviewed by <del>ZPAC</del> County Staff within thirty (30) days of the date of the complete original submission of the final plat. <del>A recommendation shall be made by ZPAC and the minutes of ZPAC meeting containing such a recommendation Comments from County Staff shall be submitted to KCRPC for review and recommendation.</del>

- (h) Following a recommendation by ZPAC comments from County Staff, the application shall be placed on the agenda for the next regular meeting of KCRPC.
- (i) The application shall be reviewed by KCRPC within sixty (60) days of <del>ZPAC recommendation</del> receipt of comments from County Staff by the Plat Officer provided any necessary revisions or supplemental information requested by <del>ZPAC County Staff</del> have been supplied prior to KCRPC meeting.

#### Section 30-135 Blocks

(c) Pedestrian crosswalks not less than ten (10) feet wide shall be required where deemed necessary by the Zoning and Platting Advisory Committee County Staff to provide for pedestrian circulation or access to schools, playgrounds, shopping centers, transportation and other community facilities.

#### **Zoning Code**

#### Section 36-2 Definitions

Zoning.and.Platting.Advisory.Committee.(ZPAC) means an informal, strictly advisory committee and not a County Board committee comprised primarily of County staff and advisors. Membership includes, but is not limited to, representatives from the County PBZ Department, the Highway Department, the Health Department, the Sheriff's Department, Forest Preserve District, Soil and Water Conservation District, and the County Engineer or consultants. The PBZ Chairman or designee, as needed, from the Planning, Building and Zoning (PBZ) Committee shall serve on ZPAC.

#### Section 36-35 (b) Zoning Administrator Powers and Duties

(5) Receive, file and forward applications for zoning map and text amendments, special uses, variances, planned developments and other matters which under this chapter require referral to the Regional Planning Commission, the ZBA, the ZPAC, the PBZ Committee, or the full County Board.

#### Section 36-36 County Regional Planning Commission Duties

(1) To receive from the Zoning Administrator copies of all applications for amendments and special use permits along with the Committee report from the ZPAC and report thereon with its recommendations comments and recommendations of other appropriate departments.

#### Section 36-42 (c) Amendments

(2) A copy of such application shall thereafter be forwarded to the ZPAC County Staff, the Regional Planning Commission and to the County ZBA with a request to hold a public hearing and submit to the County Board a report of its findings and recommendations.

Section 36-112 (Processing Special Use and Planned Developments)

- a) An application for a special use shall be filed with the Zoning Administrator.
- (b) A copy of such application shall be forwarded to the ZPAC for review, comment, and recommendation.
- (c) (b) A copy of such application and the Committee report from the ZPAC shall thereafter be forwarded to the Regional Planning Commission for review, comment, and recommendation.
- (d) (c) A copy of such application and the reports report from the ZPAC and Regional Planning Commission shall thereafter be forwarded to the ZBA with a request to hold a public hearing and submit to the County Board a report of its findings and recommendations.
- (e) (d) The recommendation and findings of the ZBA shall be forwarded to the PBZ Committee of the County Board for review and recommendation prior to final action by the County Board.

#### Section 36-125 (c) Planned Developments

- (2) The applicant shall request a concept review of the planned development/special use, by letter addressed to the Secretary of the Regional Planning Commission, to be placed on the agenda of ZPAC reviewed by County Staff and the next regular meeting of the Regional Planning Commission for a preliminary discussion and concept review of the proposed planned development at such meeting, which may be continued from time to time. The applicant shall present such exhibits and written information as may be necessary to fully acquaint the Regional Planning Commission with the proposed development, which shall include, but not necessarily be limited to, the following:
- a. A tentative sketch plan, which may be in freehand sketch form, showing the location and extent of the types of land uses proposed.
- b. The existing topography at five (5) foot contour intervals which may be taken from USGS information.
- c. Existing streets surrounding the subject property.
- d. Existing utilities, including storm drainage facilities.

- e. The following shall be provided by either graphic exhibits or written statement:
- 1. The density of commercial uses, including maximum lot coverage and building height.
- 2. The off-street parking and other service facilities proposed.
- 3. The exception or variations to the County zoning or subdivision requirements being requested as part of the planned development application.

(4)

a. The formal petition for a planned development shall be filed with the Zoning Administrator. The Zoning Administrator or deputies shall be responsible for distributing the complete application to the following at the appropriate time:

#### 1.ZPAC.

- 2. 1. Members of the Regional Planning Commission.
- 3. 2. ZBA.
- 4. 3. The County Board.

#### Section 36-154 (c) Preliminary Site Plan/Plat Approval

- (1) The applicant shall request the preliminary plan/plat approval in addition to a petition for a zoning map amendment, by letter addressed to the PBZ or designee, to be placed on the agenda of the next regular meeting of the ZPAC for a preliminary discussion of the proposed planned development. The applicant shall present such exhibits and written information as may be necessary to fully acquaint the ZPAC with the proposed development.
- (4) The petition shall be reviewed by the ZPAC County Staff within thirty (30) days of the date of the complete original submission of the final plan, and a recommendation shall be made, accompanied by such plats, exhibits and supporting documents as shall have been presented by the petitioner, each identified for reference by letter or number, together with any suggested changes therein. The director or staff shall submit minutes of the ZPAC meeting applicable documents containing such recommendation shall be submitted to the Regional Planning Commission for review and recommendation, along with any written correspondence received from any municipality or township.
- (5) The petition shall be heard by the Regional Planning Commission within sixty (60) days of the ZPAC meeting receipt of comments from County Staff provided any necessary revisions or supplemental information requested by ZPAC have County Staff have been supplied at least thirty (30) days in advance of the Regional Planning Commission meeting.

Upon completion of their review of the preliminary plan or plat, a recommendation shall be made, accompanied by such plats, exhibits and supporting documents as shall have been presented by the petitioner, each identified for reference by letter or number, together with any suggested changes therein. The minutes of the Regional Planning Commission meeting containing such recommendation shall be submitted to the ZBA, along with any written correspondence received from any municipality or township.

#### Section 36-155 (c) Final Plat Approval

- (4) The petition will be placed on the agenda of the next regular meeting of the ZPAC for a preliminary discussion of the proposed planned development. The applicant shall present such exhibits and written information as may be necessary to fully acquaint the ZPAC with the final plat for the proposed development. forwarded to other appropriate departments for review and comment.
- (5) The petition shall be reviewed by the ZPAC County Staff within thirty (30) days of the date of the complete original submission of the final plan, and a recommendation shall be made, accompanied by such plats, exhibits and supporting documents as shall have been presented by the petitioner, each identified for reference by letter or number, together with any suggested changes therein. The minutes of the ZPAC meeting comments of County Staff containing such recommendation shall be submitted to the Regional Planning Commission for review and recommendation, along with any written correspondence received from any municipality or township.
- (6) The petition shall be reviewed by the Regional Planning Commission within sixty (60) days of the date of the ZPAC meeting receipt of comments from County Staff by the Plat Officer provided any necessary revisions or supplemental information requested by ZPAC have—County Staff has been supplied at least thirty (30) days in advance the Regional Planning Commission meeting. Upon completion of their review of the final plat, a recommendation shall be made, accompanied by such plats, exhibits and agreements as shall have been presented by the petitioner, each identified for reference by letter or number, together with any suggested changes therein. The minutes of the Regional Planning Commission meeting containing such recommendation shall be submitted to the PBZ Committee of the County Board for review and recommendation to the County Board.

#### Section 36-182 (2) (d) Site Design Standards

Traffic studies may be required by the <del>ZPAC</del> County Staff or the PBZ Committee. Such traffic studies should address:

1. Projected number of motor vehicle trips to enter or leave the site, estimated for daily and peak hour traffic levels;

2. Projected traffic flow patterns, including vehicular movements at all major intersections likely to be affected by the proposed use of the site.

Existing and proposed daily and peak hour traffic levels as well as road capacity levels shall also be provided.

#### Section 36-183 (b) Filing (for Site Plan Approval)

- (b). Filing; Petitions for site plan review shall be filed in writing with the Zoning Administrator and shall be accompanied by such documents and information as the ZPAC County Staff or the PBZ Committee may require. Such documents and information shall include, but are not limited to, the following:
- (1) Completed petition for site plan review in a format developed by the County;
- (2) Application fee;
- (3) Generalized location map;
- (4) Plats and drawings depicting compliance with the aforementioned site design standards.

#### Section 36-184 Procedure (Site Plan Approval)

A written application for site plan review shall be submitted to the PBZ Department, which will schedule the item for review. Consultation with the appropriate County staff and consultants is encouraged throughout this process to ensure a minimum delay. If requested by the applicant, the County will review applications for site plan review concurrently with separate requests for rezoning or platting. The review process will include the following:

(1) ZPAC; Zoning Administrator. One (1) copy of the complete application, along with eight (8) three (3) copies of the site plan, shall be submitted by the property owner or certified agent to the Zoning Administrator. at least fourteen (14) days prior to the ZPAC meeting. The purpose of the ZPAC meeting will be to evaluate the completeness of the application and to provide the applicant with feedback/input on the proposed site plan. Prior to the ZPAC meeting, the Zoning Administrator shall distribute copies of the site plan to Committee members. After discussion on a proposed site plan, the ZPAC may approve, deny, or approve with modifications, or request that the applicant revise the plan and return to a future ZPAC meeting for further review. Upon submittal of a complete application, the Zoning Administrator shall forward the application and other relevant material to appropriate departments for review and comment. The appropriate departments will be given fourteen (14) days from the date that the Zoning Administrator submitted documents to them to submit comments to the Zoning Administrator. If all applicable regulations have been addressed, the Zoning

Administrator shall approve the site plan. If changes are required to bring the site plan into compliance, the Zoning Administrator shall inform the applicant of the required changes and give the applicant an opportunity to amend the site plan. If the applicant fails to bring the site plan into compliance with applicable regulations, the site plan application will be denied.

(2) PBZ. Committee; Site plan decisions by <del>ZPAC</del> the Zoning Administrator may be appealed to the PBZ Committee.

### ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC) May 6, 2025 – Unapproved Meeting Minutes

PBZ Chairman Seth Wormley called the meeting to order at 9:00 a.m.

#### Present:

Matt Asselmeier – PBZ Department
David Guritz – Forest Preserve
Brian Holdiman – PBZ Department
Fran Klaas – Highway Department
Alyse Olson – Soil and Water Conservation District
Aaron Rybski – Health Department
Seth Wormley – PBZ Committee Chair

#### Absent:

Meagan Briganti – GIS Department Greg Chismark – WBK Engineering, LLC Commander Jason Langston – Sheriff's Department

#### Audience:

Dan Gorman

#### **PETITIONS**

#### Petition 25-06 Kendall County Zoning Administrator

Mr. Asselmeier summarized the request.

In an effort to reduce the number of physical meetings required as part of the development and zoning processes, Staff has been asked to prepare a proposal which would abolish ZPAC as a formal committee of the County and transfer the duties of ZPAC to various Staff members.

#### A few items to note:

- 1. The present members of ZPAC and their successors in their respective positions would still receive notification of Petitions and would be allowed to submit comments on the Petitions in the timeframes stated in this proposed text amendment.
- 2. Since ZPAC would no longer be a formal committee, the Open Meetings Act would no longer apply to the correspondence and gatherings of former ZPAC members as they relate to Planning, Building and Zoning matters.
- 3. The Planning, Building and Zoning Committee probably would amend the application approval timeline to account for ZPAC not meeting. In such a case, the application deadline for map amendments, text amendments, special use permits, and major amendments to special use permits would be no later than thirty (30) days prior to the Zoning Board of Appeals hearing. For site plan reviews, no specific deadline would exist. For applications for plats of vacations, the deadline would effectively remain unchanged at three (3) weeks prior to the Planning, Building and Zoning Committee meeting.

The redlined proposal is as follows:

#### Subdivision Code

Section 30-37 Administration; organization

**Eight (8)** Seven (7) offices in the County are concerned with the administration of this chapter. For the purposes of clarity these offices along with their pertinent functions are listed below:

- (1) *The Plat Officer.* There is hereby created the Plat Officer who shall exercise the authority and have the responsibility provided in this chapter. The Plat Officer shall administer the provisions of this chapter and, in addition thereto, and in furtherance of said authority, shall:
- a. Maintain permanent and current records of this chapter, including amendments thereto.
- b. Receive and file all preliminary and final plats.
- c. Forward copies of the preliminary plat to other appropriate agencies for their recommendations and report.

ZPAC Meeting Minutes 05.06.25

- d. Receive and file all final plats and check their compliance with the preliminary plat.
- e. Make all other determinations required of the Plat Officer by the regulations herein.
- f. Discourage the subdividing of lands that are far in advance of the needs of the development of the County; or which, by their locations, cannot be efficiently served by public utilities, fire protection, or other community services; or which are located in areas subject to flooding, or are topographically unsuitable for development; or which, for any other reason, are being unwisely or prematurely subdivided.
- (2) Township Highway Commissioner and County Engineer. The Township Highway Commissioner and County Engineer shall review with Plat Officer all preliminary subdivision plans and make determinations concerning street and drainage design standards and engineering specifications as stipulated herein.
- (3) Planning, Building, and Zoning Committee (PBZC). The Planning, Building, and Zoning Committee shall review the preliminary plat and final plat and exercise the authority and have the responsibilities provided in this chapter.
- (4) Kendall County Regional Plan Commission (KCRPC). The Kendall County Regional Plan Commission shall review the preliminary plat and exercise the authority and have the responsibilities provided in this chapter.
- (5) County Soil and Water Conservation District. The County Soil and Water Conservation District shall review the preliminary plat and exercise the authority and have the responsibilities provided in this chapter.
- (6) County Health Department. The County Health Department shall review the preliminary plat and exercise the authority and have the responsibilities provided in this chapter.
- (7) Zoning and Platting Advisory Committee (ZPAC). The Zoning and Platting Advisory Committee shall review the preliminary plat and exercise the authority and have the responsibilities provided in this chapter.
- (8) (7) Sanitary and/or water reclamation districts. Sanitary and/or water reclamation districts shall review the preliminary plat and exercise the authority and have the responsibilities provided in this chapter.

#### Section 30-76 Preliminary Plat Procedure

The procedure for preliminary plats shall be as follows:

- (1) The applicant shall prepare a preliminary plat, which shall include all of the property to be subdivided, properties that are adjacent and considered to be contiguous to the proposed subdivision, together with improvement plans and other supplementary material as specified.
- (2) The applicant shall submit to the Plat Officer this preliminary plat accompanied with a completed application for a preliminary plat of subdivision with the appropriate filing fees.
- (3) The application will be placed on the agenda for the next regularly scheduled meeting of the Zoning and Platting Advisory Committee (ZPAC) for review and recommendation.
- (4) (3) At the same time, the The Plat Officer and the County Engineer will collaborate with the subdivider in assembling plans for the design and construction of streets, drainage systems and other such improvements as may be required by ordinance.
- (5) (4) A copy of the application and preliminary plat shall also be submitted, by the applicant, to the plan Commission of the townships in which the proposed subdivision is located and submit to the nearest municipality, if the corporate limits of the municipality are not more than one and one-half ( $1\frac{1}{2}$ ) miles from the property lines of the proposed development.
- (6) (5) The application shall be reviewed by **ZPAC** County Staff for compliance with the regulations of this chapter and all other ordinances of the County during a regularly scheduled meeting within thirty (30) days of the date of the submittal of the completed application of the preliminary plat.
- (7) (6) Following a recommendation by ZPAC review by County Staff, the application shall be placed on the agenda of the next regularly scheduled meeting of the Kendall County Regional Plan Commission (KCRPC).
- (8) (7) The application shall be reviewed by KCRPC for compliance with the regulations of this chapter and all other ordinances of the County within thirty (30) days of the recommendation made by ZPAC receipt of comments from

**County Staff**, provided that all necessary revisions and/or supplemental information requested by **ZPAC County Staff** has been supplied to the Plat Officer.

- (8) KCRPC, within a reasonable time after the first discussion of the proposal, shall:
- a. Recommend approval or disapproval of the proposed preliminary subdivision plat and record in the official minutes its recommendation, which may include the recommendations of the County Engineer, the County Engineering Consultant, other affected agencies and/or the Plat Officer.
- b. If KCRPC finds that changes, additions or corrections are required on the preliminary plat prior to a recommendation being made by KCRPC, KCRPC shall so advise the applicant. The applicant may resubmit the preliminary plat with revisions for its consideration at the next available regular meeting of KCRPC.
- (10) (9) Upon recommended approval of the preliminary plat by KCRPC, an application for the final plat of subdivision shall be filed within one (1) year, unless otherwise extended per the provisions of this chapter per Section 30-98.
- (11) (10) The following qualifications shall govern approval of the preliminary plat:
- a. Approval of a preliminary plat by KCRPC is tentative only, involving merely the general acceptability of the layout as submitted. Final approval of the preliminary plat shall be granted by the County Board at the time of final plat approval. An applicant may seek approval from KCRPC of the preliminary plat simultaneously with the final plat and/or rezoning petition at the applicant's choosing.
- b. KCRPC shall require such changes or revisions as are deemed necessary in the interest of the needs of the County.
- c. Approval of the preliminary plat shall be effective for a maximum period of one (1) year, unless upon application of the developer, KCRPC grants an extension. The application for said extension shall not require the submittal of additional copies of the plan of subdivision.
- (12) (11) The final approval of the preliminary plat is contingent upon payment of all fees for review and approval in accordance with Section 30-39.

#### Section 30-78 Other Plat (vacation, dedication, etc.) procedure

- (e) Upon receiving the complete application and review by the PBZ (Planning, Building and Zoning) staff for compliance with the regulations of this section and all other ordinances of the County the item will be placed on the agenda for the next regularly scheduled meeting of the Zoning, Platting and Advisory Committee (ZPAC) forwarded to appropriate departments or review and recommendation to the Planning, Building and Zoning Committee (PBZC) of the County Board. After the ZPAC meeting review by appropriate departments, this item will be placed on the agenda for the next regularly scheduled meeting of the PBZ for review and recommendation to the full County Board.
- (f) Upon completion of the review by the PBZC a recommendation shall be made and the minutes of the **ZPAC** and PBZC meeting containing such recommendations shall be submitted to the full County Board.

#### Section 30-98 Generally (Final Plats)

- (d) Accompanying the copy of the application for approval of the final plat shall be **four (4) three (3)** copies of the final engineering plans and specifications prepared, stamped, and signed by a State-registered professional engineer. Such plans and specifications shall be prepared as specified, and shall be submitted to the Plat Officer within one (1) year after approval of the preliminary plat; otherwise such approval shall become null and void unless application for an extension of time is made to and granted by KCRPC. Such extensions will not require an additional copy of the plat. Engineering plans and specifications must comply with all County ordinances in addition to the design standards in Article IV of this chapter and the improvement standards in Article V of this chapter. Following approval of the final engineering plans, the applicant shall supply the County with a copy of the approved final version in electronic CAD format, NAD 1983 State Plane Illinois East projected coordinate system, as required by the County.
- (f) The application will be placed on the agenda of the next Zoning and Platting Advisory Committee (ZPAC) meeting forwarded to other appropriate departments for review and comment.
- (g) The application shall be reviewed by **ZPAC** County Staff within thirty (30) days of the date of the complete original submission of the final plat. A recommendation shall be made by **ZPAC** and the minutes of **ZPAC** meeting containing such a recommendation Comments from County Staff shall be submitted to KCRPC for review and recommendation.
- (h) Following a recommendation by ZPAC comments from County Staff, the application shall be placed on the agenda for the next regular meeting of KCRPC.

(i) The application shall be reviewed by KCRPC within sixty (60) days of **ZPAC** recommendation receipt of comments from County Staff by the Plat Officer provided any necessary revisions or supplemental information requested by **ZPAC**-County Staff have been supplied prior to KCRPC meeting.

#### Section 30-135 Blocks

(c) Pedestrian crosswalks not less than ten (10) feet wide shall be required where deemed necessary by the **Zoning** and **Platting Advisory Committee County Staff** to provide for pedestrian circulation or access to schools, playgrounds, shopping centers, transportation and other community facilities.

#### Zoning Code Section 36-2 Definitions

Zoning and Platting Advisory Committee (ZPAC) means an informal, strictly advisory committee and not a County Board committee comprised primarily of County staff and advisors. Membership includes, but is not limited to, representatives from the County PBZ Department, the Highway Department, the Health Department, the Sheriff's Department, Forest Preserve District, Soil and Water Conservation District, and the County Engineer or consultants. The PBZ Chairman or designee, as needed, from the Planning, Building and Zoning (PBZ) Committee shall serve on ZPAC.

#### Section 36-35 (b) Zoning Administrator Powers and Duties

(5) Receive, file and forward applications for zoning map and text amendments, special uses, variances, planned developments and other matters which under this chapter require referral to the Regional Planning Commission, the ZBA, the ZPAC, the PBZ Committee, or the full County Board.

#### Section 36-36 County Regional Planning Commission Duties

(1) To receive from the Zoning Administrator copies of all applications for amendments and special use permits along with the Committee report from the ZPAC and report thereon with its recommendations comments and recommendations of other appropriate departments.

#### Section 36-42 (c) Amendments

(2) A copy of such application shall thereafter be forwarded to the ZPAC County Staff, the Regional Planning Commission and to the County ZBA with a request to hold a public hearing and submit to the County Board a report of its findings and recommendations.

#### Section 36-112 (Processing Special Use and Planned Developments)

a) An application for a special use shall be filed with the Zoning Administrator.

#### (b) A copy of such application shall be forwarded to the ZPAC for review, comment, and recommendation.

- (c) (b) A copy of such application and the Committee report from the ZPAC shall thereafter be forwarded to the Regional Planning Commission for review, comment, and recommendation.
- (d) (c) A copy of such application and the reports report from the ZPAC and Regional Planning Commission shall thereafter be forwarded to the ZBA with a request to hold a public hearing and submit to the County Board a report of its findings and recommendations.
- (e) (d) The recommendation and findings of the ZBA shall be forwarded to the PBZ Committee of the County Board for review and recommendation prior to final action by the County Board.

#### Section 36-125 (c) Planned Developments

- (2) The applicant shall request a concept review of the planned development/special use, by letter addressed to the Secretary of the Regional Planning Commission, to be placed on the agenda of ZPAC reviewed by County Staff and the next regular meeting of the Regional Planning Commission for a preliminary discussion and concept review of the proposed planned development at such meeting, which may be continued from time to time. The applicant shall present such exhibits and written information as may be necessary to fully acquaint the Regional Planning Commission with the proposed development, which shall include, but not necessarily be limited to, the following:
- a. A tentative sketch plan, which may be in freehand sketch form, showing the location and extent of the types of land uses proposed.
- b. The existing topography at five (5) foot contour intervals which may be taken from USGS information.
- c. Existing streets surrounding the subject property.
- d. Existing utilities, including storm drainage facilities.

ZPAC Meeting Minutes 05.06.25

- e. The following shall be provided by either graphic exhibits or written statement:
- 1. The density of commercial uses, including maximum lot coverage and building height.
- 2. The off-street parking and other service facilities proposed.
- 3. The exception or variations to the County zoning or subdivision requirements being requested as part of the planned development application.

(4)

- a. The formal petition for a planned development shall be filed with the Zoning Administrator. The Zoning Administrator or deputies shall be responsible for distributing the complete application to the following at the appropriate time:

  1.ZPAC.
- 2. 1. Members of the Regional Planning Commission.
- 3- 2. ZBA.
- 4. 3. The County Board.

#### Section 36-154 (c) Preliminary Site Plan/Plat Approval

- (1) The applicant shall request the preliminary plan/plat approval in addition to a petition for a zoning map amendment, by letter addressed to the PBZ or designee, to be placed on the agenda of the next regular meeting of the ZPAC for a preliminary discussion of the proposed planned development. The applicant shall present such exhibits and written information as may be necessary to fully acquaint the ZPAC with the proposed development.
- (4) The petition shall be reviewed by the ZPAC County Staff within thirty (30) days of the date of the complete original submission of the final plan, and a recommendation shall be made, accompanied by such plats, exhibits and supporting documents as shall have been presented by the petitioner, each identified for reference by letter or number, together with any suggested changes therein. The director or staff shall submit minutes of the ZPAC meeting applicable documents containing such recommendation shall be submitted to the Regional Planning Commission for review and recommendation, along with any written correspondence received from any municipality or township.
- (5) The petition shall be heard by the Regional Planning Commission within sixty (60) days of the ZPAC meeting receipt of comments from County Staff provided any necessary revisions or supplemental information requested by ZPAC have County Staff has been supplied at least thirty (30) days in advance the Regional Planning Commission meeting. Upon completion of their review of the preliminary plan or plat, a recommendation shall be made, accompanied by such plats, exhibits and supporting documents as shall have been presented by the petitioner, each identified for reference by letter or number, together with any suggested changes therein. The minutes of the Regional Planning Commission meeting containing such recommendation shall be submitted to the ZBA, along with any written correspondence received from any municipality or township.

#### Section 36-155 (c) Final Plat Approval

- (4) The petition will be placed on the agenda of the next regular meeting of the ZPAC for a preliminary discussion of the proposed planned development. The applicant shall present such exhibits and written information as may be necessary to fully acquaint the ZPAC with the final plat for the proposed development. forwarded to other appropriate departments for review and comment.
- (5) The petition shall be reviewed by the ZPAC County Staff within thirty (30) days of the date of the complete original submission of the final plan, and a recommendation shall be made, accompanied by such plats, exhibits and supporting documents as shall have been presented by the petitioner, each identified for reference by letter or number, together with any suggested changes therein. The minutes of the ZPAC meeting comments of County Staff containing such recommendation shall be submitted to the Regional Planning Commission for review and recommendation, along with any written correspondence received from any municipality or township.
- (6) The petition shall be reviewed by the Regional Planning Commission within sixty (60) days of the date of the ZPAC meeting receipt of comments from County Staff by the Plat Officer provided any necessary revisions or supplemental information requested by ZPAC have. County Staff has been supplied at least thirty (30) days in advance the Regional Planning Commission meeting. Upon completion of their review of the final plat, a recommendation shall be made, accompanied by such plats, exhibits and agreements as shall have been presented by the petitioner, each identified for reference by letter or number, together with any suggested changes therein. The minutes of the Regional Planning Commission meeting containing such recommendation shall be submitted to the PBZ Committee of the County Board for review and recommendation to the County Board.

Section 36-182 (2) (d) Site Design Standards

Traffic studies may be required by the **ZPAC** County Staff or the PBZ Committee. Such traffic studies should address:

- 1. Projected number of motor vehicle trips to enter or leave the site, estimated for daily and peak hour traffic levels;
- 2. Projected traffic flow patterns, including vehicular movements at all major intersections likely to be affected by the proposed use of the site.

Existing and proposed daily and peak hour traffic levels as well as road capacity levels shall also be provided.

#### Section 36-183 (b) Filing (for Site Plan Approval)

- (b) *Filing*. Petitions for site plan review shall be filed in writing with the Zoning Administrator and shall be accompanied by such documents and information as the **ZPAC** County Staff or the PBZ Committee may require. Such documents and information shall include, but are not limited to, the following:
- (1) Completed petition for site plan review in a format developed by the County;
- (2) Application fee;
- (3) Generalized location map;
- (4) Plats and drawings depicting compliance with the aforementioned site design standards.

#### Section 36-184 Procedure (Site Plan Approval)

A written application for site plan review shall be submitted to the PBZ Department, which will schedule the item for review. Consultation with the appropriate County staff and consultants is encouraged throughout this process to ensure a minimum delay. If requested by the applicant, the County will review applications for site plan review concurrently with separate requests for rezoning or platting. The review process will include the following:

- (1) ZPAC. Zoning Administrator. One (1) copy of the complete application, along with eight (8) three (3) copies of the site plan, shall be submitted by the property owner or certified agent to the Zoning Administrator at least fourteen (14) days prior to the ZPAC meeting. The purpose of the ZPAC meeting will be to evaluate the completeness of the application and to provide the applicant with feedback/input on the proposed site plan. Prior to the ZPAC meeting, the Zoning Administrator shall distribute copies of the site plan to Committee members. After discussion on a proposed site plan, the ZPAC may approve, deny, or approve with modifications, or request that the applicant revise the plan and return to a future ZPAC meeting for further review. Upon submittal of a complete application, the Zoning Administrator shall forward the application and other relevant material to appropriate departments for review and comment. The appropriate departments will be given fourteen (14) days from the date that the Zoning Administrator submitted documents to them to submit comments to the Zoning Administrator. If all applicable regulations have been addressed, the Zoning Administrator shall approve the site plan. If changes are required to bring the site plan into compliance, the Zoning Administrator shall inform the applicant of the required changes and give the applicant an opportunity to amend the site plan. If the applicant fails to bring the site plan into compliance with applicable regulations, the site plan application will be denied.
- (2) PBZ Committee. Site plan decisions by ZPAC the Zoning Administrator may be appealed to the PBZ Committee.

Information was sent to the Townships on April 23, 2025.

Mr. Asselmeier outlined the process for reviewing applications, if this proposal was approved.

Chairman Wormley felt that the proposal created more efficiencies of County employees' and related agencies' time.

Mr. Klaas felt that Departments could still provide necessary review without officially meeting. Group emails could occur because ZPAC would no longer be an official committee of the County.

Discussion occurred regarding the lack of rural subdivision applications and concerns related to platting could be addressed by email correspondence.

Applicants for special use permit, major amendments to special use permits, map amendments and text amendments would be saved two (2) weeks, but there would be less time for applicants to resolve issues, if any issues arose with a given application.

Mr. Rybski asked if the Petitioners' information will be emailed to ZPAC members. Mr. Asselmeier responded yes.

Mr. Asselmeier noted that the earliest the proposal could be approved by the County Board is July 15, 2025. There could still be ZPAC meetings in June, July, and August.

ZPAC Meeting Minutes 05.06.25

Mr. Guritz made a motion, seconded by Mr. Klaas, to recommend approval of the proposal to the Kendall County Regional Planning Commission.

The votes were follows:

Ayes (7): Asselmeier, Guritz, Holdiman, Klaas, Olson, Rybski, and Wormley

Nays (0): None Abstain (0): None

Absent (3): Briganti, Chismark, and Langston

The motion passed.

The proposal goes to the Kendall County Regional Planning Commission on May 28, 2025.

#### **PUBLIC COMMENT**

None

#### <u>ADJOURNMENT</u>

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

With a voice vote of seven (7) ayes, the motion carried.

The ZPAC, at 9:41 a.m., adjourned.

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

Enc.



# KENDALL COUNTY ZONING & PLATTING ADVISORY COMMITTEE MAY 6, 2025

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)	
Paniel J. Garner			

#### KENDALL COUNTY REGIONAL PLANNING COMMISSION

#### Kendall County Historic Court House Court Room 110 W. Madison Street, Yorkville, Illinois

#### Unapproved - Meeting Minutes of May 28, 2025 - 7:00 p.m.

Chairman Keith Landovitz called the meeting to order at 7:01 p.m.

#### **ROLL CALL**

Members Present: Bill Ashton, Eric Bernacki (Arrived at 7:03 p.m.), Keith Landovitz, Karin McCarthy-Lange,

Ruben Rodriguez, Bob Stewart, and Seth Wormley

Members Absent: Tom Casey, Dave Hamman, and Claire Wilson

Staff Present: Matthew H. Asselmeier, Director, and Wanda A. Rolf, Office Assistant

Others Present: Dan Gorman, Doug Winsor, and Annette Wolf

#### **PETITIONS**

#### **Petition 25-06 Kendall Zoning Administrator**

Mr. Asselmeier summarized the request.

In an effort to reduce the number of physical meetings required as part of the development and zoning processes, Staff has been asked to prepare a proposal which would abolish ZPAC as a formal committee of the County and transfer the duties of ZPAC to various Staff members.

#### A few items to note:

- 1. The present members of ZPAC and their successors in their respective positions would still receive notification of Petitions and would be allowed to submit comments on the Petitions in the timeframes stated in this proposed text amendment.
- 2. Since ZPAC would no longer be a formal committee, the Open Meetings Act would no longer apply to the correspondence and gatherings of former ZPAC members as they relate to Planning, Building and Zoning matters.
- 3. The Planning, Building and Zoning Committee probably would amend the application approval timeline to account for ZPAC not meeting. In such a case, the application deadline for map amendments, text amendments, special use permits, and major amendments to special use permits would be no later than thirty (30) days prior to the Zoning Board of Appeals hearing. For site plan reviews, no specific deadline would exist. For applications for plats of vacations, the deadline would effectively remain unchanged at three (3) weeks prior to the Planning, Building and Zoning Committee meeting.

The redlined proposal is as follows:

**Subdivision Code** 

Section 30-37 Administration; organization

- Eight (8) Seven (7) offices in the County are concerned with the administration of this chapter. For the purposes of clarity these offices along with their pertinent functions are listed below:
- (1) *The Plat Officer*. There is hereby created the Plat Officer who shall exercise the authority and have the responsibility provided in this chapter. The Plat Officer shall administer the provisions of this chapter and, in addition thereto, and in furtherance of said authority, shall:
- a. Maintain permanent and current records of this chapter, including amendments thereto.
- b. Receive and file all preliminary and final plats.
- c. Forward copies of the preliminary plat to other appropriate agencies for their recommendations and report.
- d. Receive and file all final plats and check their compliance with the preliminary plat.
- e. Make all other determinations required of the Plat Officer by the regulations herein.
- f. Discourage the subdividing of lands that are far in advance of the needs of the development of the County; or which, by their locations, cannot be efficiently served by public utilities, fire protection, or other community services; or which are located in areas subject to flooding, or are topographically unsuitable for development; or which, for any other reason, are being unwisely or prematurely subdivided.
- (2) Township Highway Commissioner and County Engineer. The Township Highway Commissioner and County Engineer shall review with Plat Officer all preliminary subdivision plans and make determinations concerning street and drainage design standards and engineering specifications as stipulated herein.
- (3) *Planning, Building, and Zoning Committee (PBZC)*. The Planning, Building, and Zoning Committee shall review the preliminary plat and final plat and exercise the authority and have the responsibilities provided in this chapter.
- (4) Kendall County Regional Plan Commission (KCRPC). The Kendall County Regional Plan Commission shall review the preliminary plat and exercise the authority and have the responsibilities provided in this chapter.
- (5) *County Soil and Water Conservation District*. The County Soil and Water Conservation District shall review the preliminary plat and exercise the authority and have the responsibilities provided in this chapter.
- (6) County Health Department. The County Health Department shall review the preliminary plat and exercise the authority and have the responsibilities provided in this chapter.
- (7) Zoning and Platting Advisory Committee (ZPAC). The Zoning and Platting Advisory Committee shall review the preliminary plat and exercise the authority and have the responsibilities provided in this chapter.
- (8) (7) Sanitary and/or water reclamation districts. Sanitary and/or water reclamation districts shall review the preliminary plat and exercise the authority and have the responsibilities provided in this chapter.

Section 30-76 Preliminary Plat Procedure

The procedure for preliminary plats shall be as follows:

- (1) The applicant shall prepare a preliminary plat, which shall include all of the property to be subdivided, properties that are adjacent and considered to be contiguous to the proposed subdivision, together with improvement plans and other supplementary material as specified.
- (2) The applicant shall submit to the Plat Officer this preliminary plat accompanied with a completed application for a preliminary plat of subdivision with the appropriate filing fees.
- (3) The application will be placed on the agenda for the next regularly scheduled meeting of the Zoning and Platting Advisory Committee (ZPAC) for review and recommendation.
- (4) (3) At the same time, the The Plat Officer and the County Engineer will collaborate with the subdivider in assembling plans for the design and construction of streets, drainage systems and other such improvements as may be required by ordinance.
- (5) (4) A copy of the application and preliminary plat shall also be submitted, by the applicant, to the plan Commission of the townships in which the proposed subdivision is located and submit to the nearest municipality, if the corporate limits of the municipality are not more than one and one-half (1½) miles from the property lines of the proposed development.
- (6) (5) The application shall be reviewed by **ZPAC** County Staff for compliance with the regulations of this chapter and all other ordinances of the County during a regularly scheduled meeting within thirty (30) days of the date of the submittal of the completed application of the preliminary plat.
- (7) (6) Following a recommendation by ZPAC review by County Staff, the application shall be placed on the agenda of the next regularly scheduled meeting of the Kendall County Regional Plan Commission (KCRPC).
- (8) (7) The application shall be reviewed by KCRPC for compliance with the regulations of this chapter and all other ordinances of the County within thirty (30) days of the recommendation made by ZPAC receipt of comments from County Staff, provided that all necessary revisions and/or supplemental information requested by ZPAC County Staff has been supplied to the Plat Officer.
- (9) (8) KCRPC, within a reasonable time after the first discussion of the proposal, shall:
- a. Recommend approval or disapproval of the proposed preliminary subdivision plat and record in the official minutes its recommendation, which may include the recommendations of the County Engineer, the County Engineering Consultant, other affected agencies and/or the Plat Officer.
- b. If KCRPC finds that changes, additions or corrections are required on the preliminary plat prior to a recommendation being made by KCRPC, KCRPC shall so advise the applicant. The applicant may resubmit the preliminary plat with revisions for its consideration at the next available regular meeting of KCRPC.
- (10) (9) Upon recommended approval of the preliminary plat by KCRPC, an application for the final plat of subdivision shall be filed within one (1) year, unless otherwise extended per the provisions of this chapter per Section 30-98.
- (11) (10) The following qualifications shall govern approval of the preliminary plat:
- a. Approval of a preliminary plat by KCRPC is tentative only, involving merely the general acceptability of the layout as submitted. Final approval of the preliminary plat shall be granted by the County Board at the time of KCRPC Meeting Minutes 5.28.25

  Page 3 of 10

final plat approval. An applicant may seek approval from KCRPC of the preliminary plat simultaneously with the final plat and/or rezoning petition at the applicant's choosing.

- b. KCRPC shall require such changes or revisions as are deemed necessary in the interest of the needs of the County.
- c. Approval of the preliminary plat shall be effective for a maximum period of one (1) year, unless upon application of the developer, KCRPC grants an extension. The application for said extension shall not require the submittal of additional copies of the plan of subdivision.
- (12) (11) The final approval of the preliminary plat is contingent upon payment of all fees for review and approval in accordance with <u>Section 30-39</u>.

#### Section 30-78 Other Plat (vacation, dedication, etc.) procedure

- (e) Upon receiving the complete application and review by the PBZ (Planning, Building and Zoning) staff for compliance with the regulations of this section and all other ordinances of the County the item will be placed on the agenda for the next regularly scheduled meeting of the Zoning, Platting and Advisory Committee (ZPAC) forwarded to appropriate departments for review and recommendation to the Planning, Building and Zoning Committee (PBZC) of the County Board. After the ZPAC meeting review by appropriate departments, this item will be placed on the agenda for the next regularly scheduled meeting of the PBZ for review and recommendation to the full County Board.
- (f) Upon completion of the review by the PBZC a recommendation shall be made and the minutes of the **ZPAC** and PBZC meeting containing such recommendations shall be submitted to the full County Board.

#### Section 30-98 Generally (Final Plats)

- (d) Accompanying the copy of the application for approval of the final plat shall be **four** (4) three (3) copies of the final engineering plans and specifications prepared, stamped, and signed by a State-registered professional engineer. Such plans and specifications shall be prepared as specified, and shall be submitted to the Plat Officer within one (1) year after approval of the preliminary plat; otherwise such approval shall become null and void unless application for an extension of time is made to and granted by KCRPC. Such extensions will not require an additional copy of the plat. Engineering plans and specifications must comply with all County ordinances in addition to the design standards in Article IV of this chapter and the improvement standards in Article V of this chapter. Following approval of the final engineering plans, the applicant shall supply the County with a copy of the approved final version in electronic CAD format, NAD 1983 State Plane Illinois East projected coordinate system, as required by the County.
- (f) The application will be placed on the agenda of the next Zoning and Platting Advisory Committee (ZPAC) meeting forwarded to other appropriate departments for review and comment.
- (g) The application shall be reviewed by **ZPAC** County Staff within thirty (30) days of the date of the complete original submission of the final plat. A recommendation shall be made by **ZPAC** and the minutes of **ZPAC** meeting containing such a recommendation Comments from County Staff shall be submitted to KCRPC for review and recommendation.

- (h) Following a recommendation by ZPAC comments from County Staff, the application shall be placed on the agenda for the next regular meeting of KCRPC.
- (i) The application shall be reviewed by KCRPC within sixty (60) days of **ZPAC** recommendation receipt of comments from County Staff by the Plat Officer provided any necessary revisions or supplemental information requested by **ZPAC** County Staff have been supplied prior to KCRPC meeting.

#### Section 30-135 Blocks

(c) Pedestrian crosswalks not less than ten (10) feet wide shall be required where deemed necessary by the **Zoning and Platting Advisory Committee County Staff** to provide for pedestrian circulation or access to schools, playgrounds, shopping centers, transportation and other community facilities.

#### **Zoning Code**

#### Section 36-2 Definitions

Zoning and Platting Advisory Committee (ZPAC) means an informal, strictly advisory committee and not a County Board committee comprised primarily of County staff and advisors. Membership includes, but is not limited to, representatives from the County PBZ Department, the Highway Department, the Health Department, the Sheriff's Department, Forest Preserve District, Soil and Water Conservation District, and the County Engineer or consultants. The PBZ Chairman or designee, as needed, from the Planning, Building and Zoning (PBZ) Committee shall serve on ZPAC.

#### Section 36-35 (b) Zoning Administrator Powers and Duties

(5) Receive, file and forward applications for zoning map and text amendments, special uses, variances, planned developments and other matters which under this chapter require referral to the Regional Planning Commission, the ZBA, the ZPAC, the PBZ Committee, or the full County Board.

#### Section 36-36 County Regional Planning Commission Duties

(1) To receive from the Zoning Administrator copies of all applications for amendments and special use permits along with the Committee report from the ZPAC and report thereon with its recommendations comments and recommendations of other appropriate departments.

#### Section 36-42 (c) Amendments

(2) A copy of such application shall thereafter be forwarded to the ZPAC-County Staff, the Regional Planning Commission and to the County ZBA with a request to hold a public hearing and submit to the County Board a report of its findings and recommendations.

#### Section 36-112 (Processing Special Use and Planned Developments)

- a) An application for a special use shall be filed with the Zoning Administrator.
- (b) A copy of such application shall be forwarded to the ZPAC for review, comment, and recommendation.

- (e) (b) A copy of such application and the Committee report from the ZPAC shall thereafter be forwarded to the Regional Planning Commission for review, comment, and recommendation.
- (d) (c) A copy of such application and the reports report from the ZPAC and Regional Planning Commission shall thereafter be forwarded to the ZBA with a request to hold a public hearing and submit to the County Board a report of its findings and recommendations.
- (e) (d) The recommendation and findings of the ZBA shall be forwarded to the PBZ Committee of the County Board for review and recommendation prior to final action by the County Board.

#### Section 36-125 (c) Planned Developments

- (2) The applicant shall request a concept review of the planned development/special use, by letter addressed to the Secretary of the Regional Planning Commission, to be placed on the agenda of ZPAC reviewed by County Staff and the next regular meeting of the Regional Planning Commission for a preliminary discussion and concept review of the proposed planned development at such meeting, which may be continued from time to time. The applicant shall present such exhibits and written information as may be necessary to fully acquaint the Regional Planning Commission with the proposed development, which shall include, but not necessarily be limited to, the following:
- a. A tentative sketch plan, which may be in freehand sketch form, showing the location and extent of the types of land uses proposed.
- b. The existing topography at five (5) foot contour intervals which may be taken from USGS information.
- c. Existing streets surrounding the subject property.
- d. Existing utilities, including storm drainage facilities.
- e. The following shall be provided by either graphic exhibits or written statement:
- 1. The density of commercial uses, including maximum lot coverage and building height.
- 2. The off-street parking and other service facilities proposed.
- 3. The exception or variations to the County zoning or subdivision requirements being requested as part of the planned development application.

(4)

a. The formal petition for a planned development shall be filed with the Zoning Administrator. The Zoning Administrator or deputies shall be responsible for distributing the complete application to the following at the appropriate time:

#### 1.ZPAC.

- **2.1.** Members of the Regional Planning Commission.
- 3. 2. ZBA.
- **4. 3.** The County Board.

#### Section 36-154 (c) Preliminary Site Plan/Plat Approval

- (1) The applicant shall request the preliminary plan/plat approval in addition to a petition for a zoning map amendment, by letter addressed to the PBZ or designee, to be placed on the agenda of the next regular meeting of the ZPAC for a preliminary discussion of the proposed planned development. The applicant shall present such exhibits and written information as may be necessary to fully acquaint the ZPAC with the proposed development.
- (4) The petition shall be reviewed by the ZPAC County Staff within thirty (30) days of the date of the complete original submission of the final plan, and a recommendation shall be made, accompanied by such plats, exhibits and supporting documents as shall have been presented by the petitioner, each identified for reference by letter or number, together with any suggested changes therein. The director or staff shall submit minutes of the ZPAC meeting applicable documents containing such recommendation shall be submitted to the Regional Planning Commission for review and recommendation, along with any written correspondence received from any municipality or township.
- (5) The petition shall be heard by the Regional Planning Commission within sixty (60) days of the ZPAC meeting receipt of comments from County Staff provided any necessary revisions or supplemental information requested by ZPAC have County Staff have been supplied at least thirty (30) days in advance of the Regional Planning Commission meeting. Upon completion of their review of the preliminary plan or plat, a recommendation shall be made, accompanied by such plats, exhibits and supporting documents as shall have been presented by the petitioner, each identified for reference by letter or number, together with any suggested changes therein. The minutes of the Regional Planning Commission meeting containing such recommendation shall be submitted to the ZBA, along with any written correspondence received from any municipality or township.

#### Section 36-155 (c) Final Plat Approval

- (4) The petition will be placed on the agenda of the next regular meeting of the ZPAC for a preliminary discussion of the proposed planned development. The applicant shall present such exhibits and written information as may be necessary to fully acquaint the ZPAC with the final plat for the proposed development, forwarded to other appropriate departments for review and comment.
- (5) The petition shall be reviewed by the ZPAC County Staff within thirty (30) days of the date of the complete original submission of the final plan, and a recommendation shall be made, accompanied by such plats, exhibits and supporting documents as shall have been presented by the petitioner, each identified for reference by letter or number, together with any suggested changes therein. The minutes of the ZPAC meeting comments of County Staff containing such recommendation shall be submitted to the Regional Planning Commission for review and recommendation, along with any written correspondence received from any municipality or township.
- (6) The petition shall be reviewed by the Regional Planning Commission within sixty (60) days of the date of the ZPAC meeting receipt of comments from County Staff by the Plat Officer provided any necessary revisions or supplemental information requested by ZPAC have County Staff has been supplied at least thirty (30) days in advance the Regional Planning Commission meeting. Upon completion of their review of the final plat, a recommendation shall be made, accompanied by such plats, exhibits and agreements as shall have been presented by the petitioner, each identified for reference by letter or number, together with any suggested KCRPC Meeting Minutes 5.28.25

  Page 7 of 10

changes therein. The minutes of the Regional Planning Commission meeting containing such recommendation shall be submitted to the PBZ Committee of the County Board for review and recommendation to the County Board.

Traffic studies may be required by the **ZPAC** County Staff or the PBZ Committee. Such traffic studies should address:

- 1. Projected number of motor vehicle trips to enter or leave the site, estimated for daily and peak hour traffic levels;
- 2. Projected traffic flow patterns, including vehicular movements at all major intersections likely to be affected by the proposed use of the site.

Existing and proposed daily and peak hour traffic levels as well as road capacity levels shall also be provided.

- (b) *Filing*. Petitions for site plan review shall be filed in writing with the Zoning Administrator and shall be accompanied by such documents and information as the **ZPAC** County Staff or the PBZ Committee may require. Such documents and information shall include, but are not limited to, the following:
- (1) Completed petition for site plan review in a format developed by the County;
- (2) Application fee;
- (3) Generalized location map;
- (4) Plats and drawings depicting compliance with the aforementioned site design standards.

#### Section 36-184 Procedure (Site Plan Approval)

A written application for site plan review shall be submitted to the PBZ Department, which will schedule the item for review. Consultation with the appropriate County staff and consultants is encouraged throughout this process to ensure a minimum delay. If requested by the applicant, the County will review applications for site plan review concurrently with separate requests for rezoning or platting. The review process will include the following:

(1) ZPAC. Zoning Administrator. One (1) copy of the complete application, along with eight (8) three (3) copies of the site plan, shall be submitted by the property owner or certified agent to the Zoning Administrator. at least fourteen (14) days prior to the ZPAC meeting. The purpose of the ZPAC meeting will be to evaluate the completeness of the application and to provide the applicant with feedback/input on the proposed site plan. Prior to the ZPAC meeting, the Zoning Administrator shall distribute copies of the site plan to Committee members. After discussion on a proposed site plan, the ZPAC may approve, deny, or approve with modifications, or request that the applicant revise the plan and return to a future ZPAC meeting for further review. Upon submittal of a complete application, the Zoning Administrator shall forward the application and other relevant material to appropriate departments for review and comment. The appropriate departments will be given fourteen (14) days from the date that

the Zoning Administrator submitted documents to them to submit comments to the Zoning Administrator. If all applicable regulations have been addressed, the Zoning Administrator shall approve the site plan. If changes are required to bring the site plan into compliance, the Zoning Administrator shall inform the applicant of the required changes and give the applicant an opportunity to amend the site plan. If the applicant fails to bring the site plan into compliance with applicable regulations, the site plan application will be denied.

(2) *PBZ Committee*. Site plan decisions by **ZPAC** the **Zoning Administrator** may be appealed to the PBZ Committee.

Information was sent to the Townships on April 23, 2025. No comments were received.

ZPAC reviewed the proposal at their meeting on May 6, 2025. Discussion occurred regarding the process of reviewing applications, if the proposal was approved. The overall opinion was the proposal would improve efficiency for the various reviewing departments. Petition information would still be emailed. The earliest the proposal could be approved by the County Board is July 15, 2025. There could still be ZPAC meetings in June, July, and August. ZPAC recommended approval of the proposal by a vote of seven (7) in favor and zero (0) in opposition with three (3) members absent. The minutes of the meeting were provided.

Member Wormley noted the importance of maximizing County Staff's time by having one (1) less meeting. Some of the recent ZPAC meetings have been under ten (10) minutes.

Member Stewart made a motion, seconded by Member Rodriguez, to recommend approval of the text amendment.

The votes were as follows:

Ayes (7): Ashton, Bernacki, Landovitz, McCarthy-Lange, Rodriguez, Stewart, and Wormley

Nays (0): None Absent (0): None

Abstain (3): Casey, Hamman, and Wilson

The motion carried.

The proposal goes to the Kendall County Zoning Board of Appeals on June 2, 2025.

#### CITIZENS TO BE HEARD/PUBLIC COMMENT

Member Ashton thanked the people that made positive comments amount his tenure as Regional Planning Commission Chairman; he was very appreciative.

#### **OTHER BUSINESS/ANNOUNCEMENTS**

Mr. Asselmeier reported that Petition 25-04 will be only Petition on the agenda.

#### **ADJOURNMENT**

Member McCarthy-Lange made a motion, seconded by Member Bernacki, to adjourn. With a voice vote of seven (7) ayes, the motion carried.

The Kendall County Regional Planning Commission meeting adjourned at 8:33 p.m.

Respectfully submitted by, Matthew H. Asselmeier, AICP, CFM, Director

Encs.

# KENDALL COUNTY REGIONAL PLANNING COMMISSION MAY 28, 2025

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)	
Dan Gorman			
Doug Winsor			
Annette Wolf			
		0	