Vice-Chairman Wormley called the meeting to order at 7:00 p.m.

ROLL CALL
Members Present: Bill Ashton (arrived at 7:22 p.m.), Roger Bledsoe, Tom Casey, Larry Nelson, Ruben Rodriguez, John Shaw, Claire Wilson, Budd Wormley and Angela Zubko (arrived at 7:04 p.m.)
Members Absent: None
Staff Present: Matthew H. Asselmeier, Senior Planner
In the Audience: Robert Davidson

APPROVAL OF AGENDA
Mr. Nelson made a motion, seconded by Mr. Shaw, to amend the agenda by moving New Business to ahead of Old Business and to approve the agenda as amended. With a voice vote of all ayes, the motion carried.

APPROVAL OF MINUTES
Ms. Wilson made a motion, seconded by Mr. Bledsoe, to approve the October 25, 2017 minutes. With a voice vote of all ayes, the motion carried.

Ms. Zubko arrived at this time (7:04 p.m.)

PETITIONS
17-33 Kendall County Planning, Building and Zoning Committee
Mr. Asselmeier summarized the request. The proposal transfers the authority of Hearing Officer to hear applications for special use permits, applications for major amendments to special use permits and applications for involuntary revocations of special use permits to the Kendall County Zoning Board of Appeals. The proposal also makes citation amendments throughout the Zoning Ordinance to reflect this transfer of review.

Mr. Asselmeier provided a history of the judicial and legislative decisions that occurred since 2004 on this topic.

The proposal does not abolish the Hearing Officer position. The Hearing Officer can still hear and rule on administrative adjudication cases.

ZPAC reviewed this proposal on November 7th and unanimously recommended approval.

This proposal was mailed to the townships on October 25th. To date, no township submitted comments on the proposal.

Mr. Nelson provided a history of how Kendall County created and used the Hearing Officer.

Ms. Wilson asked if this proposal streamlined the application and approval process. The proposal does not streamline the process; the proposal only changes which body hears the application.
The application fee would remain the same if the proposal passed.

Mr. Nelson asked if the criteria for the findings of fact would change with this proposal. Mr. Asselmeier indicated that the criteria for findings of fact would not change with this proposal.

Ms. Zubko expressed concerns about the notification requirement for special uses. Mr. Asselmeier will adjust the text to reflect the five hundred foot (500’) notification requirement. A petition exists to increase the notification requirement to one thousand feet (1,000’).

Chairman Ashton arrived at this time (7:22 p.m.).

Walter Werderich is the current Hearing Officer.

Ms. Zubko made a motion to recommend approval of the proposed text amendments as presented, seconded by Mr. Wormley.

Yes – Ashton, Bledsoe, Casey, Nelson, Rodriguez, Shaw, Wilson, Wormley and Zubko (9)
No – None (0)
Absent – None (0)

The motion passed. This proposal will go to the Zoning Board of Appeals on January 29th.

NEW BUSINESS
Reorganization of Ad-Hoc Zoning Ordinance Committee

Mr. Nelson provided a history of the Ad-Hoc Zoning Ordinance Committee and how the Committee evolved from a Committee used to update and implement the Land Resource Management Plan to a Committee that examined other zoning related matters.

Pursuant to Article XI of the By-Laws of the Kendall County Regional Planning Commission, Chairman Ashton announced the creation of a Comprehensive Land Plan and Ordinance Committee. The members of the Committee are the Chairman of the Kendall County Regional Planning Commission, the Chairman of the Kendall County Zoning Board of Appeals or his designee, the Chairman of the Kendall County Board or his designee, a representative from the Kendall County Soil and Water Conservation District, the Chairman of the Planning, Building and Zoning Committee or his designee, Jeff Wehrli, John Shaw, the County Administrator and Larry Nelson. Larry Nelson will be the Chairman of the Comprehensive Land Plan and Ordinance Committee.

Chairman Ashton invited other members of the Commission to attend and participate in the meetings of the Comprehensive Land Plan and Ordinance Committee. If other members of the Commission would like to be on the new Committee, please let Chairman Ashton know.

Mr. Casey suggested that Commissioners rotate between meetings and attend the Comprehensive Land Plan and Ordinance Committee meeting whenever they see a topic that interests them.

Ms. Zubko expressed concerns about keeping the full Commission updated on the activities and projects of the Comprehensive Land Plan and Ordinance Committee.

Mr. Asselmeier will draft a letter for Chairman Ashton asking the individuals and organizations previously listed if they would like to be on the Comprehensive Land Plan and Ordinance Committee.

Appointments to the Comprehensive Land Plan and Ordinance Committee will be made annually.
OLD BUSINESS

Update on Petition 17-28 Pertaining to text Amendments to Outdoor Target Practice or Shooting Ranges (Not Including Private Shooting in Your Own Yard)
Mr. Asselmeier stated that the Planning, Building and Zoning Committee will hold a special meeting in January 2018 on this topic. The specific date and time of this meeting shall be determined at the December Planning, Building and Zoning Committee meeting.

Commissioners will be informed of the date and time of this special meeting.

Approval to Initiate Text Amendments to Section 3.02 and Section 13.09 of the Kendall County Zoning Ordinance Pertaining to Code Hearing Unit Regulations
Mr. Asselmeier read his memo on the subject. He explained that the Planning, Building and Zoning Committee favored not making any changes to the Code Hearing Unit Regulations at this time because of the small number of cases sent to the State’s Attorney’s Office and because defendants can appeal the decision of the Hearing Officer to the courts. If no changes were made to the existing regulations, the Hearing Officer would remain on the books as an alternative to sending cases to the State’s Attorney’s Office.

Ms. Zubko requested clarification on the definition of “Code” found in the existing regulations. Mr. Asselmeier will check with the Planning, Building and Zoning Committee to see if they would like to update this definition.

The consensus of the Commission was that the Code Hearing Unit regulations remain “as is.”

Land Resource Management Plan Amendments for Properties Along Route 47 in Kendall and Lisbon Townships
Mr. Asselmeier provided an update on this project.

Discussion occurred about the location of the court ordered mining areas and the Prairie Parkway.

This matter was referred to the Comprehensive Land Plan and Ordinance Committee with the timeline of meeting in December and January in order to have draft document at the meeting on the first Saturday in February.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD
No petitions went to the County Board.

OTHER BUSINESS/ANNOUNCEMENTS
None

CITIZENS TO BE HEARD/ PUBLIC COMMENT
None

ADJOURNMENT
Ms. Wilson made a motion, seconded by Mr. Bledsoe, to adjourn. With a voice vote of all ayes, the motion carried. The Kendall County Regional Plan Commission meeting adjourned at 8:43 p.m.

Respectfully submitted by,
Matthew H. Asselmeier, AICP
Senior Planner

KCRPC Meeting Minutes 11.29.17