KENDALL COUNTY
AD HOC ZONING ORDINANCE COMMITTEE

MEETING AGENDA

July 22, 2015
5:00pm –6:45pm
Kendall County Office Building
Rooms 209 & 210
111 W. Fox Street
Yorkville, Illinois

1. Approval of Agenda
2. Approval of Minutes from the April 22, 2014 meeting
3. Open discussion on possible changes to LRMP and Zoning to address concerns in Kendall and Na-Au-Say Townships regarding lot size and open space
4. Other New Business

Next meeting will be on August 26, 2015
Present: Larry Nelson (Chairman), Bill Ashton, Scott Gryder, Elizabeth Flowers, Matt Prochaska, John Shaw & Jeff Wehrli
Members absent: None
Others present: Mike Hoffman from Teska Associates and Planning & Zoning Manager Angela Zubko

Chairman Larry Nelson called the meeting to order at 5:03 p.m.

1. **APPROVAL OF AGENDA**
   Jeff Wehrli made a motion to approve the agenda as written. Matt Prochaska seconded the motion. All agreed and the agenda was approved.

2. **APPROVAL OF MINUTES**
   Elizabeth Flowers made a motion to approve the minutes from October 22, 2015. John Shaw seconded the motion. All agreed and the meeting minutes were approved.

3. **Open discussion on possible changes to R-1, 2 and 3 Zoning to allow small subdivisions without PUD**
   Mr. Nelson stated a few townships do not want PUD’s so wanted the flexibility to do straight zoning. This was discussed last month at Plan Commission and they did not want a large subdivision but possibly 4-12 lots, they wanted a cap on it. One of the other suggestions instead of allowing it countywide make it for certain townships if chosen. Planner Zubko stated this also was discussed at the PBZ Committee meeting and they would like a cap. Mr. Gryder stated at the PBZ meeting they were not sure why they wanted to go down that road. Mr. Hoffman gave a brief description of why we deleted R-2 and R-3 zoning in the first place. 2/3’s of the County is shown for development and that was done with Kendall County was booming. Mr. Hoffman did a presentation and talked about the meeting we had with developers to not worry about subdivisions right now. Mr. Hoffman went over Hamlets, rural towns, rural development and conservation developments like Whitetail Ridge, Henneberry and Grove Estates. He gave some ideas to consider, allow R-2 and R-3 subdivisions, up the minimum lot size in PUD’s, increase agricultural area on LRMP, allow R-2 and R-3 on
limited basis (due to unique land characteristics?, or maximum number of lots?) or do nothing. Mr. Wehrli stated Dupage has everyone keep the water on their own lots which has created ‘mosquito pits.’ This came about since the townships are upset nothing’s been done. Planner Zubko stated also she’s received a handful of phone calls from people wanting to rezone 1 or 2 smaller lots. Mr. Wehrli stated there will be one or two acre lots that eventually get surrounded by municipalities. Mr. Wehrli stated when we did this Kendall County was booming and what we tried to do is limit the amount of off-site lots out in the middle of nowhere. Mr. Wehrli asked what we could do to not jeopardize the future. Mr. Ashton stated the other issue is open space maintenance. Mr. Ashton would like to leave it as is and we could put something in the text to now allow septics in open space. On page 8-29 number 6 we can delete the words individual. Mr. Hoffman suggests lowering the required amount of open space, Mr. Wehrli thinks that opens up a whole new thing. The Committee agrees to delete that wording countywide. Mike Hoffman will work on that text amendment and send it to all the townships. Scott Gryder made a motion, seconded by Matt Prochaska for Mr. Hoffman to do that. All were in favor.

4. **Update on Angela meeting with Townships**
   Planner Zubko stated she has not attended Big Grove township, Little Rock township and Fox township. She does talk to Fox Township regularly.

5. **Other New Business- None**

**Adjournment:**
The next meeting will be May 27, 2015. Larry Nelson made a motion to adjourn the meeting. John Shaw seconded the motion. All were in favor and the meeting was adjourned at 6:04 p.m.

Respectfully submitted,
Angela L. Zubko  
Planning & Zoning Manager
TO: Township Supervisors and Clerks  
FROM: Mike Hoffman, AICP, Kendall County Planning Consultant  
DATE: July 10, 2015  
SUBJECT: Request to Address Lot Size Concerns Follow-up

Based on my May 11th correspondence to all 9 Townships, I have heard back from Kendall, Na-Au-Say and Oswego and the responses were consistent – the text amendment proposed did not adequately address your concerns. So, to ensure that the County can appropriately respond, we would like to invite you to an AdHoc Planning Committee meeting on July 22nd, 2015 at the County office building at 111 West Fox Street in Yorkville at 5:00pm. This will be a workshop where we can all discuss options and potential modifications to the County’s Land Resources Management Plan (LRMP) and/or Zoning regulations.

Background
At the 2014 Kendall County annual Land Resource Management Plan (LRMP) meeting, representatives from Kendall and Na-Au-Say Townships suggested consideration of an increase in the minimum lot size to 1 acre. Concerns expressed included the ability of smaller lots to handle septic systems, and potential problems of having a back-up system located on common open space. Other concerns related to the maintenance of common open space, and the ability to accommodate septic systems, decks, pools, etc.

The County has promoted the concept of conservation design in new subdivisions since the adoption of the original LRMP in 1994. Current regulations require most new subdivisions to be created as planned developments (R-1, 3 acre lot subdivisions are also permitted). In a planned development, lots may be reduced to as small as 20,000 square feet, and back-up septic fields are permitted in common open space.

As an initial step, the County conducted a developer’s forum in the fall of 2014 to discuss the issue. Key recommendations coming out of that meeting were to focus on economic development and transportation. It was suggested that there would be little pressure for new residential development in unincorporated Kendall County for many years. The County already has a significant inventory of available residential lots in existing subdivisions, and so far this year has only had two building permits for new homes.

The issue was brought up again at the 2015 Annual LRMP Meeting. Subsequently, the County’s AdHoc Zoning Committee met on April 22nd to continue discussions. Rather than modify the LRMP, a recommendation was made to modify the zoning code. This modification would require all primary and back-up septic systems to be on the private lot and outside of the common open space area. Based on responses from Kendall, Oswego, and Na-Au-Say Townships concern was raised that this did not adequately address all issues raised by the Townships.

If you cannot make the meeting, or would like to discuss or provide additional thoughts on the issue, please feel free to e-mail me at MHoffman@TeskaAssociates.com or call at (815) 436-9485.
TO: Township Supervisors and Clerks  
FROM: Mike Hoffman, AICP, Kendall County Planning Consultant  
DATE: May 11, 2015  
SUBJECT: Request to Address Lot Size Concerns

At the 2014 Kendall County annual Land Resource Management Plan (LRMP) meeting, representatives from Kendall and Na-Au-Say Townships suggested consideration of an increase in the minimum lot size to 1 acre. Concerns expressed included the ability of smaller lots to handle septic systems, and potential problems of having a back-up system located on common open space. Other concerns related to the maintenance of common open space.

As you may recall, the County has promoted the concept of conservation design in new subdivisions since the adoption of the original LRMP in 1994. Current regulations require most new subdivisions to be created as planned developments (R-1, 3 acre lot subdivisions are still permitted). Currently in a planned development, lots may be reduced to as small as 20,000 square feet, and back-up septic fields are permitted in common open space areas.

As an initial step, the County conducted a developer’s forum in the fall of 2014 to discuss the issue. Key recommendations coming out of that meeting were to focus on economic development and transportation. It was generally felt that trends in development suggested that there would be little pressure for new residential development in unincorporated Kendall County for some time to come. The County already has a significant inventory of available residential lots in existing subdivisions, and so far this year has only had two building permits for new homes.

The issue was brought up again at the 2015 Annual LRMP Meeting. Subsequently, the County’s AdHoc Zoning Committee meet on April 22nd to continue discussions on the issue. A number of alternatives were discussed. Rather than modify the LRMP Future Land Use Plan or text, a recommendation was made to modify the text of the zoning code that addresses individual septic fields in planned developments. Specifically, the modification would require all primary and back-up septic systems to be within the private lot and outside of the common open space area. The concerns for maintenance of common open space were acknowledged, but improvements made to County regulations in recent years will hopefully address many of those issues.

The proposed zoning text change is as follows (Section 8, page 8-29)

The required open space may be used for underground drainage fields for individual or community septic systems, and for “spray fields” or spray irrigation purposes in a “land treatment” sewage disposal system. However, “mound” systems protruding above grade and aerated sewage treatment ponds or “spray fields” shall be limited to no more than ten percent (10% of the required minimum open space.

Prior to processing this revision, the Adhoc Committee requested communication with the Townships to make sure their concerns were addressed and to confirm this change is appropriate. Although the change
was requested by Kendall and Na-Au-Say Townships, the proposed text change would be applicable throughout the entire County.

Please e-mail me your comments/questions at your earliest convenience at MHoffman@TeskaAssociates.com or feel free to call at (815) 436-9485. Given Angela Zubko’s departure, I am temporarily filling in on a consulting basis to assist the County with this and other planning issues.

Sincerely,

[Signature]

Michael E. Hoffman, AICP, PLA
Vice President
Na Au Say Township Plan Commission  
Kendall County, IL  
June 4, 2015  

Mike Hoffman, AICP, Kendall County Planning Consultant  
111 West Fox Street  
Yorkville, IL 60560  

Mr. Hoffman:  

This letter is in response to your letter dated May 11, 2015 regarding “Request to Address Lot Size Concerns.” The consensus of the Na Au Say Township Plan Commission Members is that our position has not changed. We continue to see the need for a text change of the zoning code in the Land Resource Management Plan Future Land Use Plan regarding lot size.  

We request and desire a one-acre minimum lot size for Na Au Say Township.  

The current proposed text change as outlined in your letter is not enough to alleviate our concerns as stated in previous communications from us. We agree there is not much building activity at the present time, that is why we want to make the change now: we would therefore be ready when the day comes that development increases.  

So to answer your letter: our concerns have not been addressed and the change is not adequate. You may request from us additional statements of justification for our position if you need them from us.  

Sincerely,  

Pamela Wynne, Chairperson