KENDALL COUNTY
AD HOC ZONING ORDINANCE COMMITTEE

MEETING AGENDA

June 25, 2014
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 March 26, 2014 meeting
3. Open discussion on possible changes to the LRMP for Kendall and NaAuSay Township
4. Concrete crushing and temporary stockpiling of dirt - discussion on revisions
5. Other New Business

Next meeting will be on July 23, 2014
KENDALL COUNTY AD HOC ZONING
ORDINANCE COMMITTEE

Kendall County Office Building
Rooms 209 & 210
111 W. Fox Street, Yorkville, Illinois
5:02 p.m.
Meeting Minutes of March 25, 2014

Present: Larry Nelson (Chairman), Bill Ashton and Jeff Wehrli
Members absent: Elizabeth Flowers, John Shaw and Scott Gryder
Others present: Mike Hoffman from Teska Associates, Planning & Zoning Manager Angela Zubko, Andy Meyer (Kendall Township), Ken Hostart (NaAuSay Township), Steve Curatti, Aaron Rybski (Director of Environmental Health), Todd Drefcinski (Assistant Director of Environmental Health & Well and Septic Coordinator), Craig Johnson (NaAuSay Township) Kim Rieckert and one lady who did not speak.

Chairman Larry Nelson called the meeting to order at 5:02 p.m.

1. APPROVAL OF MINUTES
   Jeff Wehrli made a motion to approve the minutes from June 24, 2013. Bill Ashton seconded the motion. All agreed and the meeting minutes were approved.

2. Open discussion on possible changes to the LRMP for Kendall and NaAuSay Township
   Planner Zubko gave some brief background on where this subject came up and why we asked the Health Department to attend the meeting. Planner Zubko suggested maybe allowing R-2 and R-3 lots back and do straight zoning. The Health Department including Aaron, Todd and Steve gave a brief synopsis of the upgraded codes that were adopted September 2013 and stated they do not believe the new codes will affect lot sizes with regards to septic systems. There was some discussion that perc tests are no longer permitted. Aaron Rybski stated if you’ve got the money and space you can make a septic system work anywhere. Designing the system really depends on the type of soils and water table in the area. There was some discussion on septic systems and how long they work and maintenance of them. In the subdivision regulations there are some guidelines as to the size of septic system areas based on soil type and it can be as large as needing 24,000 square feet for a septic in the worst type of soils. Steve Curatti touched a little with regards to the back-up septic on open space land. He stated the State requires an easement to the property owner.

Mr. Wehrli asked if the new codes discuss curtain drains. Mr. Todd Drefcinski stated they are in discussions currently with the state regarding curtain drains. He also stated
there are a lot of items that are still being discussed with the State regarding the new codes. Mr. Wehrli asked if we could show where the septic envelope is. Planner Zubko stated the regulations now require a septic envelope on the plat and also a chart showing if a conventional vs. alternative system would work on that particular lot due to the soils. There was a very brief discussion on sprinkler systems and the building permit process and how the Health Department is involved in each permit now.

Ken Hostert stated his issues are the open spaces become no man’s land if the HOA disband. Who’s responsible and who’s going to maintain the open space if it’s still the developer who really doesn’t exist? Like in Henneberry Woods, who’s responsible for the secondary septic area if it’s used and it needs to be repaired. He also asked about conventional systems and mechanical systems. There was discussion on the SSA’s and back-up SSA’s if maintenance is needed. To date we have not had to yet but might need to look into it. There was much discussion on systems and education.

Andy Meyer’s main goal is a minimum of 1 acre lots in Kendall Township. It’s not just septic issues. He also suggests having a larger setback due to sight issues. He would like to go back to 50’ front yard setbacks so there is room for cars to park and to fix sight distance. Sump pumps are also an issue and surface and sub-surface water runoff, which might be solved by larger lots. Andy is fine with open space, he wants bigger lots. Planner Zubko asked about road commissions and if there are open space issues currently. Andy stated no one is taking care of the open space and adding an SSA is not going to help anything. There was a brief discussion on storm water detention and the Countywide Ordinance. Andy’s main concerns are to have a minimum of 1 acre and 50’ front setback from the roads. He’s fine with the ordinances on side and rear yard setbacks. There was some discussion on drain tiles and laws regarding tile. Drain tiles are part of the drainage law. Andy suggested possibly adding a curtain drain around the perimeter of the subdivision and tying in all drain tiles to the curtain drains. Andy suggested counting the retention ponds and bike trails as open space so they can get the density needed. A community system might change things a little like bioreactors.

Mr. Hostert wanted to state they are not against open space but how they are being handled. Mr. Wehrli asked if the HOA’s are in place and the economy is better does he think in his opinion they will work. Mr. Hostert stated no, he feels HOA’s just won’t work, everyone gets home and doesn’t want to work outside to maintain open space.

Mr. Meyers stated the HOA in Fields of Farm Colony subdivision is working but they have had to cut out some things they were doing, like algae treatment of the ponds. The other issue with open space is who controls it? Like if someone is snowmobiling who’s to say they can or can’t and the Sheriff’s office won’t help since there is not one owner to say they can or can’t do those things on the property.

There was a minor discussion on retention vs. detention and how they’re designed.
There was some discussion of having R-2 and R-3 and have them be a PUD vs. RPD with conservation areas, etc. and get rid of the credit system. Fox, NaAuSay and Kendall Township are all on board with a change.

The conclusion is Planner Zubko will get Craig from NaAuSay Township the word document of the LRMP and will leave it up to them to make some corrections. They will contact Planner Zubko when they have some answers and modifications and want to reconvene.

3. **Chicken Ordinance Discussion on revisions**

Planner Zubko stated the PBZ Committee sent this to the Ad-hoc committee as there were some concerns about allowing chickens in the residential districts. Kim Rieckert stated she lives in a subdivision that butts up to city limits. This Ordinance was passed 3.5 years ago and she has spent the last year having an extremely bad experience with this ordinance and her neighbors. Mr. Wehrli gave some background stating there are current violations out there that staff is working on. Ms. Rieckert stated there are so many unintended consequences due to this ordinance. She would like us to delete the ordinance in R-2 and R-3 districts. The consequences are the amount of predators going through her yard to get to the chickens, these animals are within 5’ of her front door and this ordinance takes away the harmony and peace that did exist in the subdivision. The neighbor had 40 chickens at one point and they are dying from disease or predators. Planner Zubko stated the Department of Agriculture have been out there twice and have not made contact with the owner. The 2nd time the Department of Agriculture went out they walked in the back yard and did not smell or see any evidence of chickens which could be because they are kept in the barn during the winter. There was some discussion on the hearing officer. Planner Zubko stated they are working on a new way to possibly have Brian write tickets but that’s another subject. Mr. Hoffman asked Planner Zubko if anyone else has complained about this ordinance. Planner Zubko stated they’ve received some complaints but once the PBZ Department goes out there and give them the regulations they fix them and it is fine, this is an extreme case.

Planner Zubko wanted to clarify a few items, Ms. Rieckert did not formally complain until October and Planner Zubko talked to the States Attorney’s Office (SAO) and the SAO stated we can raise/modify the fence height to whatever you’d like but it still falls under a previous condition that it must contain the chickens so we can leave it at 4 feet and still be safe.

After more information the Ad-hoc Committee stated they understand this is an extreme case but decided they did not want to modify the ordinance and will follow up on the current violations out there.

**Adjournment:**
The next meeting will be April 23, 2014. Jeff Wehrli made a motion to adjourn the meeting. Bill Ashton seconded the motion. All were in favor and the meeting was adjourned at 7:44 p.m.

Respectfully submitted,
Angela L. Zubko
Planning & Zoning Manager
TOWNSHIP SUMMARY

SECTION TEN

NA-AU-SAY TOWNSHIP
NA-AU-SAY TOWNSHIP SUMMARY

INTRODUCTION

Purpose

In March 1994, Kendall County adopted a Land Resource Management Plan (LRMP). This plan provides the County with an overall vision of how the County should develop and provides specific strategies to address key growth issues. The existing LRMP provides only general guidelines regarding land use. During development of the LRMP, it was agreed that the County would come back at a later time and develop specific individual township land use plans.

The County decided to begin this township level planning in the southeastern quadrant of the County, including both Seward and Na-Au-Say Townships based on several factors:

- The City of Joliet has formally requested amendment of the County’s LRMP to indicate Contiguous Growth Area within 1 ½ miles of their existing City limits. The City has also expanded their Facility Planning Area to match their corporate boundary within Kendall County.

- The County’s only direct access to an Interstate Highway, I-80, is located in this portion of the County.

- The 1994 Resource Management Concept Plan calls for approximately 90% of the County’s eastern edge to remain agricultural during the 10 year horizon of the plan. How should the County address these issues, and what are the anticipated consequences of alternative strategies?

- Recognizing the need for additional planning in this portion of the County, Joliet, Plainfield, Shorewood, Seward Township and Na-Au-Say Township all agreed to provide partial funding for this planning effort.

The original LRMP for Seward and Na-Au-Say Townships was initially approved in 1998 and later revised in 2001. In late 2003, rapid development pressure around the East Route 126 Corridor prompted the County to update the LRMP for Na-Au-Say Township. This update also included adjacent areas to the west in Kendall Township and to the north in southern Oswego Township.

In 2005, Seward Township was re-evaluated along with Lisbon Township, which is summarized in the previous section (Section Nine). Since Seward Township was combined into the previous section, this last section (Section Ten) is revised to include data and analysis for Na-Au-Say Township only.

Planning Process

One of the reasons the County adopted a LRMP was to promote intergovernmental cooperation. To facilitate this cooperation, a steering committee was established to guide development of the 1994 plan for Na-Au-Say and Seward Townships. The committee was comprised of key staff members and/or representatives from Kendall County, Seward Township, Na-Au-Say Township, Joliet, Plainfield, Shorewood, and Minooka.

Land Resource Management Plan
Key elements of the planning process are highlighted below.

- A public listening session was held on February 25th, 1998 to provide residents with an opportunity to express their concerns and objectives for future development within the study area. Approximately 30 residents attended this meeting.

- Informal interviews were held in January and February with elected officials, staff, residents, and the agricultural community to obtain their unique insights into development trends and key planning issues.

- Steering committee meetings were held on March 19th, April 30th, May 27th, and July 16th to review draft planning documents.

- After preliminary review on May 27th and June 24th, the Kendall County Regional Plan Commission conducted a public hearing on July 29th, 1998. After hearing testimony, the Plan Commission made a recommendation to adopt this plan as an amendment to the Land Resource Management Plan on August 26th, 1998. This draft plan was then reviewed by the County Board at a Planning, Building and Zoning Committee meeting and a subsequent Committee of the Whole meeting on October 16th, 1998.

- Based on the recommendation of the Kendall County Plan Commission, along with letters of support from Plainfield and Shorewood, the Kendall County Board adopted this South Eastern Kendall County Growth Management Plan as a part of the overall County LRMP on October 20th, 1998.

- This plan was modified in early 2001 to reflect municipal annexations by Joliet and Minooka. The plan was modified again in March 2004 to reflect the future land use and transportation recommendations from the East Route 126 Corridor Plan. A Planning Issues Map and Future Land Use Plan Map for this corridor plan are provided in this section.

- Based on a re-evaluation of Seward Township along with Lisbon Township in 2005, this section of the County LRMP was revised to include data and analysis for Na-Au-Say Township only.
SITUATION AUDIT

Prudent planning requires an understanding of both the past and the present. A situation audit was performed to obtain a common understanding of these planning issues. This data gathering and analysis phase included personal interviews and public meetings to quickly identify current planning issues. Existing land use, transportation, and environmental issues were also analyzed during this phase. Population trends and projections were also evaluated to put the planning effort into perspective.

Key Person Interviews

The following list summarizes issues identified during the key person interviews conducted at the beginning of the planning process. These issues are categorized for ease of presentation but are not listed in any particular order.

Transportation

- Conflicts with farm vehicles
- WIKADUKE Trail (a proposed regional limited access roadway generally along Ridge Road through the study area)
- Caton Farm SRA - continue to Route 47? what R.O.W. is needed?...may be widened to 4 lanes by Will County as early as 1999
- Possible Grove Road alignment
- Possible Grove Road or Brisbin Road interchange with I-80
- Need spacing policy on arterial road curb cuts and intersections
- Shorewood exploring possible METRA station on EJ&E line near Route 52, Plainfield exploring possible station at Route 126

Environment

- Width of flood plain - new mapping?
- Quality of soils
- Aux Sable watershed committee formed
- Can't permit subdivisions to connect into existing drainage tile systems
- Better maintenance of stream channels needed

Agriculture

- Pesticide spraying/conflicts with residential
- Odor from livestock operations vs. residential
- Need separation between Agriculture/homes
- Residents next to farms think farm is their backyard
- Fly-dumping big problem
Land Use/Development

- Kendall Ridge which experienced construction of approximately 60 homes in the first year
- Continued development pressure anticipated along Caton Farm Road
- Residential development in otherwise agricultural areas often causes disinvestment in agriculture and increases chances of additional conversion of farmland
- A possible METRA Station in Shorewood at the southwest quadrant of Route 52 and the EJ&E Railroad would serve as the focus for a future town center. This town center may ultimately extend into Kendall County
- Shorewood provides water to the 78 acre Saddlebrook residential subdivision in the northwest quadrant of the EJ&E Railroad and Black Road
- The East Route 126 Corridor Study completed in 2004 indicated the need to provide for a greater diversity of residential uses along the corridor, including the following:

  1. Large-lot and low density detached single family developments at a 0.45 du/ac density and minimum 3-acre lots (Planned Rural Estate Residential);
  2. Large-lot and low density detached single family developments at a 0.60 du/ac density and minimum 2-acre lots (Planned Rural Residential); and
  3. Low to medium density developments at a 1.00 du/ac density (Suburban Residential) with consideration of attached housing units if part of planned development

Listening Session

A public listening session was held on February 25th, 1998 to provide residents with an opportunity to express their concerns and objectives for future development within the study area. Approximately 30 residents attended this meeting. The following page provides a summary of issues discussed at this meeting.

East Route 126 Corridor Study

In late 2003 and early 2004, the township summary for Na-Au-Say Township was revised to incorporate the findings and recommendations from the East Route 126 Corridor Study, which provided future land use and transportation recommendations in the area around the eastern segment of Route 126, including all of Na-Au-Say Township, the southern section of Oswego Township, and the northeast section of Kendall Township. A corridor plan was developed to primarily plan for areas around Route 126 to accommodate anticipated future growth and development, particularly with the corridor’s proximity to the growth areas of Yorkville, Oswego, Plainfield, and Joliet and the planned WIKADUKE Trail. The revised township summary for Na-Au-Say Township was approved in March 2004. A summary of the East Route 126 Corridor Plan Study is provided in the Appendix for reference.
Summary of Comments from 1998 Listening Session  
for Seward & Na-Au-Say Townships

| WEAKNESSES                  | Loss of productive farmland  
|                            | Traffic - Ridge & Route 126  
|                            | Speed, volume, unsafe turns, relocation warning light  
|                            | Flooding along Aux Sable Creek  
| STRENGTHS                  | Prime Soils/Climate  
|                            | Scenic Views  
|                            | Rural Character  
| CONCERNS                    | Joliet Sewage Treatment Plan  
|                            | Promotes development  
|                            | Flooding potential south of Rt. 52  
|                            | Tax on farmland  
|                            | Broken drain tile  
|                            | Conflicts between housing and farm operations - new residents create lawsuits, nuisance on farms  
|                            | Future traffic from WIKADUKE Trail  
|                            | Pipelines  
| GOALS                       | 1. Advocate contiguous/ compact development patterns  
|                            | 2. Promote cooperative land use decisions and boundary agreements between County/ Townships/ Municipalities  
|                            | 3. Advance mutual understanding of state regulations regarding annexation, FPA amendment, and zoning and subdivision review. Promote appropriate modifications to these regulations to achieve plan objectives.  
|                            | 4. Facilitate farmland protection by  
|                            | a. exploring use of conservation easements, PDR, TDR, Trusts, Tax, Subsidy.  
|                            | b. participating in regional planning efforts, including the possibility of joining NIPC.  
|                            | c. encouraging municipal growth that is compact / proper land use.  
|                            | d. requiring buffer strips / trespassing enforcement  
|                            | 5. Separate through traffic from local traffic  
|                            | 6. Protect natural resources and minimize flooding hazards.  

Land Resource Management Plan

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Existing Land Use

To evaluate current development patterns, an existing land use survey was completed in February 1998. This survey included land use mapping based on review of aerial photography, field verification of this information, and calculation of acreage for the various land uses identified in the survey. A separate existing land use exhibit was prepared and is available in the Kendall County Planning, Building, and Zoning Department. Much of this existing land use information is also summarized on the enclosed Planning Issue Map. Table 1 also provides a summary of existing land use acreage as originally surveyed in 1998.

This information indicates that about 95.2% of the land in Na-Au-Say Township was used for agricultural purposes in 1998. Of the remaining 5%, about 4.6% is used for residential land uses. All other land uses are split between institutional uses and open space.

Population Trends

Until the mid-1990s, all of Na-Au-Say Township was unincorporated. Even today, only a small area of Na-Au-Say Township is incorporated into the City of Joliet.

Given this rural character, local population levels are fairly low. Table 2 below shows population growth for Na-Au-Say Township from 1990-2000.

Table 1
1998 Existing Land Use

<table>
<thead>
<tr>
<th>Area (acres)</th>
<th>Percent</th>
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<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single, duplex and townhouse units</td>
<td>545</td>
</tr>
<tr>
<td>Farmhouse</td>
<td>538</td>
</tr>
<tr>
<td></td>
<td>1,083</td>
</tr>
<tr>
<td>Commercial &amp; services</td>
<td>0</td>
</tr>
<tr>
<td>Institutional</td>
<td></td>
</tr>
<tr>
<td></td>
<td>11</td>
</tr>
<tr>
<td></td>
<td>11</td>
</tr>
<tr>
<td>Industrial</td>
<td></td>
</tr>
<tr>
<td></td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Communication &amp; utilities</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Open space</td>
<td></td>
</tr>
<tr>
<td></td>
<td>23</td>
</tr>
<tr>
<td></td>
<td>23</td>
</tr>
<tr>
<td>Agricultural land</td>
<td>21,990</td>
</tr>
<tr>
<td></td>
<td>21,990</td>
</tr>
<tr>
<td>Total</td>
<td>23,107</td>
</tr>
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</table>

Table 2
Population Trends, 1990-2000

<table>
<thead>
<tr>
<th></th>
<th>1990</th>
<th>2000</th>
<th>Population Change</th>
<th>Growth Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Na-Au-Say Twp</td>
<td>1,006</td>
<td>1,672</td>
<td>666</td>
<td>5.21%</td>
</tr>
</tbody>
</table>
Environmental Issues
The Planning Issues map summarizes several critical environmental planning issues including 100 year flood plain, wetlands, soils, large wooded areas, ridge lines and streams, utility corridors, and scenic views. Key issues with each of these features are noted below:

- Floodplain information was taken from Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM). These maps date back to the 1980's, and are currently under review. When updated flood maps are available, this information should be incorporated into this plan.

- Wetland information is based on the National Wetlands Inventory. Site specific surveys should be performed with regard to specific wetlands as development activity warrants.

- Most of Na-Au-Say Township, as well as most of Kendall County, is considered prime farm land by the Soil Conservation Service. Areas which are not considered prime farm land are generally indicated on the planning issues diagram as non-productive farmland. Although labeled as such, much of this land is currently farmed. Still, if development is to occur non-productive soils may be one factor to use when allowing development.

- Wooded areas were mapped based on review of 400 scale aerial photography. Only tree masses were identified, not individual trees or hedgerows.

- Ridge lines and streams are important to understanding flooding potential and to economical provision of municipal sewer service. A majority of Na-Au-Say Township lies within the Aux Sable watershed. A separate committee has been formed to develop recommendations for this watershed. A small portion of the township east of Ridge Road drains to a separate watershed found predominately in western Will County within the municipalities of Joliet, Plainfield, and Shorewood.

- Scenic views and vistas are also identified on the Planning Issues map. These areas were identified through field observation as unique areas which provide passing motorists with interesting views of Kendall County’s rural character.
Transportation Issues

A four-level network of roadways is identified on the Planning Issues map.

Arterial

Typically state and federal routes, arterial roads provide regional roadway connections into and through Na-Au-Say Township. The only existing arterial roadway in Na-Au-Say Township is Illinois Route 126. Through support of the WIKADUKE Trail, Kendall County has also in effect designated Ridge Road as an arterial road. Ridge Road was originally designated as a major collector in the Kendall County 1994 Land Resource Management Plan.

The WIKADUKE Trail is a proposed transportation corridor intended to connect traffic between I-88 and I-80 and alleviate traffic congestion on other regional roads. Planning for the WIKADUKE Trail is a joint effort by Will, Kane, DuPage, and Kendall Counties. Within Na-Au-Say Township, the proposed road system alignment for the WIKADUKE Trail follows along the existing right-of-way for Ridge Road near the township’s eastern edge. A Land Use & Access Management Study was conducted from 2002-2004 with primary focus on the concept of context sensitive design, which considers the total context within which a transportation improvement project will exist.

The Illinois Department of Transportation, (IDOT) through the Chicago Area Transportation Study (CATS), has also designated Ridge Road and Caton Farm Road east of Ridge Road as Strategic Regional Arterials (SRAs). These routes are deemed to be of particular regional significance, and have stricter regulations regarding access and higher potential priority for funding of improvements.

Major Collector

Major collector roads are designed to collect traffic from local roads and feed traffic onto the arterial system. Major collectors typically are County roads, and have greater regional importance and connectivity when compared with minor collectors. Grove Road, the east/west section of Plainfield Road, and Caton Farm Road west of Ridge Road are all identified as major collectors.

Minor Collector

Like major collectors, minor collector roads are designed to collect traffic from local roads and feed traffic onto the arterial system. Minor collectors typically are Township roads, and have less regional importance and connectivity when compared with major collectors. Minor collector roads indicated on the 1994 LRMP include Schlapp Road, Walker Road, Wheeler Road, Arbeiter Road, Theodore Road, and County Line Road.

Local Road

Local roads are typically residential or rural streets that provide direct access to farms and homes.
Traffic Volume

IDOT conducts periodic traffic counts on roadways throughout the state. The following table summarizes 1994 traffic data reported as annual average 24 hour traffic volumes.

<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Il. Route 126</td>
<td>4,200</td>
<td>6,900</td>
<td>2,700</td>
<td>64%</td>
</tr>
<tr>
<td></td>
<td>3,200</td>
<td>4,950</td>
<td>1,750</td>
<td>55%</td>
</tr>
<tr>
<td>Ridge Road</td>
<td>1,900</td>
<td>4,250</td>
<td>2,350</td>
<td>124%</td>
</tr>
<tr>
<td>- From 52 to 126</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Caton Farm</td>
<td>2,050</td>
<td>4,250</td>
<td>2,200</td>
<td>107%</td>
</tr>
<tr>
<td>- East of Ridge Road</td>
<td>1,400</td>
<td>2,100</td>
<td>700</td>
<td>50%</td>
</tr>
<tr>
<td>- West of Ridge Road</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grove Road</td>
<td>550</td>
<td>850</td>
<td>300</td>
<td>55%</td>
</tr>
<tr>
<td>- From 52 to Walker</td>
<td>800</td>
<td>900</td>
<td>100</td>
<td>13%</td>
</tr>
<tr>
<td>- From Walker to 126</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Plainfield Road</td>
<td>1,950</td>
<td>5,400</td>
<td>3,450</td>
<td>177%</td>
</tr>
</tbody>
</table>

*Land Resource Management Plan*
GOALS AND OBJECTIVES

The following goals and objectives have been developed to guide planning efforts in Na-Au-Say Township. Numbered goals have generally been extracted from the existing Kendall County LRMP, while more specific lettered objectives have been added to address specific concerns in this portion of the County.

1. A mutually supportive, non-adversarial team of municipal, township, school, park, county and other governments working toward the benefit of everyone in Kendall County.
   a. Work with municipalities and townships to reach agreement on future land use patterns.
   b. Revise County and Municipal regulations to reduce potential conflicts between agricultural and non-agricultural uses.
   c. Na-Au-Say Township should adopt a land use plan based on this document.
   d. Work with municipalities to develop boundary agreements based on logical service areas and compatibility with County, municipal, and township goals and objectives to avoid competitive annexations and pre-mature development.
   e. Conduct joint transportation project planning and development review to implement policies established in this growth management plan.

2. Use of land resources in a manner sensitive to inherent environmental limitations.
   a. Reduce flooding and prevent development within flood plain and wetland areas. Require vegetative buffers to filter-out pollutants and sediment and enhance these natural amenities.
   b. Pursue acquisition of key woodlands and open space corridors along the Aux Sable Creek between Waa-Kee-Sha Park and Route 126.
   c. Minimize loss of prime farm land by directing growth to areas with less productive soils and to areas immediately adjacent to existing development.
   d. Support creation of wetland banks for stormwater management and to enhance the viability of the wetland environment. Possible locations for wetland banking should be suggested by the Aux Sable Creek Watershed Committee.

3. A strong base of agriculture, commercial and industry that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents.
   a. Support existing and encourage additional agriculture and agribusiness.
4. A pattern of compact, contiguous urban development, countryside residential, and agricultural environments in a natural equilibrium that enhances the quality of personal and community life.

   a. Maintain the viability of agriculture by promoting compact residential development and provide strategic open space buffers between agriculture and residential developments. Such buffers will typically be located along natural drainage ways or along existing roadways.

   b. Encourage development to take place within municipalities where adequate infrastructure and support services can be provided.

   c. Development within the County’s zoning jurisdiction should be located adjacent to existing developed areas and minimize loss of environmental assets such as wetlands, woodlands, prime soils, rural character and contiguous agriculture.

   d. Transition of development densities between suburban scale and form and agricultural/ rural character.

5. A rural environment that provides for continuation of viable agricultural activities and a rural character and lifestyle.

   a. Require new development adjacent to planned agriculture to provide open space buffers as a transition between uses.

   b. Preserve scenic routes and vistas by maintaining open space, requiring careful placement and design of landscape features, and requiring buildings to be setback 100’ from a dedicated road right-of-way or 150’ from the road centerline.

6. Management of the quality, quantity, location, and rate of housing development to provide for the efficient use and conservation of the County’s natural and public resources.

   a. Provide opportunities for appropriate additional residential growth where development can be adequately served by public roads, utilities, and services.

   b. Encourage cluster development which integrates the natural character of the land with creative planning to blend new development into the existing environment.

7. Provision of appropriate local and regional recreational facilities and schools to serve a growing population.

   a. Expand existing Forest Preserve system along the Aux Sable Creek between Waa-Kee-Sha Park and Route 126.

   b. Develop a regional trail system generally along the Aux Sable Creek connecting regional open space resources with residential areas.

   c. Share growth projections and new development proposals with local school districts to facilitate their long range planning activities.

*Land Resource Management Plan*
8. Improvement of major transportation routes to facilitate travel to, within, and through the region.
   a. Work with property owners, IDOT and WIKAĐUKE Trail representatives to realign Ridge Road for a continuous north/south route near Route 126.
   b. Work with property owners, IDOT, and Township officials to realign Grove Road for a continuous north/south route near Route 126.
FUTURE LAND USE & TRANSPORTATION PLAN

Transportation Issues

Major transportation improvements anticipated within the study area include the following. No specific time frame has been established for these improvements.

- Development of the WIKADUKE Trail, including realignment of Ridge Road north of Wheeler Road to connect with Plainfield Road at Route 126.
- Realignment of Grove Road to permit a continuous north/south movement at Route 126.
- A multi-use trail system is proposed to connect existing and future public open space areas with major pockets of residential development.
- Extension of Reservation Road northeast from Grove Road to the intersection of Plainfield Road and Simons Road.
- Alignment of Schlapp Road to connect with Douglas Road at Plainfield Road.
- Alignment of Ashley Road to connect with Minkler Road at Route 126.
- Extension of Wheeler Road from Hopkins Road west to Ashley Road.
- Extension of Arbeiter Road directly north to Wheeler Road and then curving northeast from Wheeler Road to Johnson Road.
- Extension of Theodore Road from County Line Road west to Arbeiter Road.
- Development of a north-south minor collector road located halfway between Grove Road and Schlapp Road, extending from Route 126 to Caton Farm Road and then curving southeast to McKenna Road.
- Development of a local neighborhood road system for the Planned Rural Residential neighborhood located northwest of the intersection of Route 126 and Grove Road.
- A multi-use trail system is proposed to connect existing and future public open space areas with major pockets of residential development.

Future Land Use Plan

The planning issues described earlier provide the basis for the Future Land Use Plan. The Future Land Use Plan for Na-Au-Say Township was originally adopted in October 1998 as part of the overall South Eastern Kendall County Growth Management Plan for Seward and Na-Au-Say Townships. The 1998 Future Land Use Plan planned for the western half of Na-Au-Say Township to maintain an agricultural character. The eastern half of the township was planned for residential land uses of varying densities, particularly due to the expected growth and development of the Village of Plainfield and the City of Joliet. Regional commercial and mixed use business uses were also proposed in the 1998 Plan.

Prompted by growing development pressure and completed in 2004, the Future Land Use Plan for Na-Au-Say Township was updated with specific focus on the East Route 126 Corridor. Although the updated Future Land Use Plan follows the same land use designations from the 1998 Future Land Use Plan, the updated version provides vastly different land use recommendations for the Na-Au-Say Township. Residential land uses are now proposed as the most dominant use throughout a majority of the township. In particular, most of the residential land uses east of Schlapp Road are designated as Suburban Residential (maximum density of 1.00 du/ac). Planned Rural Estate Residential and Planned Rural Residential uses also characterize Na-Au-Say Township and are scattered throughout the township. Under the updated plan prepared and adopted in 2004, the remaining agricultural areas in the township are located in the southwest corner, south of Walker Road and west of the East Aux Sable Creek. Regional commercial uses are located along the...
WIKADUKE Trail at the Route 126 and Caton Farm Road intersections. Neighborhood commercial uses are also located along the WIKADUKE Trail as well as along Route 126. Public/Institutional uses, parks, open spaces and creek corridors also characterize the township.

In conjunction with the 2004 update for Na-Au-Say Township, some of the proposed land uses for southern Oswego Township were adjusted to complement the land use pattern under the East Route 126 Corridor Plan. This did not however alter the recommendations set in the Land Resource Management Plan text for the Northern Three Townships (including Little Rock, Bristol and Oswego Townships), which was adopted in June 2003. It should further be noted that at the time the updated Future Land Use Plan for Na-Au-Say Township was approved, a growth or resource management plan had not been developed yet for Kendall Township; as a result, the future land use recommendations shown for neighboring Kendall Township reflected the available information at the time of approval. A resource management plan for Kendall Township was approved later in March 2005 (see Section Seven). With the update of Lisbon and Seward Townships in 2005, it was recognized that the agricultural uses originally shown in Southern Na-Au-Say Township were no longer viable. Accordingly, the plan map has been adjusted to provide a more seamless transition with the land uses projected for Seward Township per the 2005 update of the portion of the Land Resource Management Plan.

Land Use Categories

All recommended residential densities described below are based upon the gross buildable acreage of a given parcel of land. The gross buildable portion of the land is determined by subtracting those areas of the property that are not suitable for development. These areas include flood plains and wetlands.

The land use categories described below are illustrated on the Future Land Use Plan.

Agricultural. Intended primarily to encourage farming and agricultural businesses and to protect the existing open space character of rural areas, this land use category is designed to provide for continued agricultural use. Residential use shall generally not be permitted unless it is directly associated with the operation of a local farm.

Planned Rural Estate Residential. (Not to exceed .45 dwelling units per gross buildable acre.) The Planned Rural Estate Residential land use category promotes large-lot and/or low density detached single family residential development. This land use category is generally consistent with the County’s R-1 zoning district which requires a minimum 3 acre lot size. Planned development and clustering based on the County’s RPD-1 zoning district are encouraged within this land use category to preserve the natural features of the land such as topography and vegetation. Lot size may be varied with a planned development, but the overall density should generally be within the guidelines established in this plan. The district provides a semi-rural or countryside setting, retaining a greater amount of open space. Compatible governmental, educational, religious, and recreation uses also may be permitted in these areas.

Planned Rural Residential. (Generally not to exceed .65 dwelling units per gross buildable acre.) The Planned Rural Residential land use category promotes large-lot and/or low density detached single family residential development. This land use category is generally consistent with the County’s R-2 zoning district which requires a minimum 2 acre lot size. Planned development and clustering based on the County’s RPD-2 zoning district are encouraged within this land use category to preserve the natural features of the land such as the topography and vegetation. Lot size may be varied with a planned development, but the overall density should generally be within the guidelines established in this plan. Particularly creative development plans

Land Resource Management Plan 10 - 15
providing additional public amenities may be appropriate for an additional density bonus. Density transfers may be considered where land with unique natural features such as woodlands will be dedicated to the Forest Preserve District. The district provides a semi-rural or countryside setting, retaining a greater amount of open space. Compatible governmental, educational, religious, and recreational uses also may be permitted in these areas. Public water should be provided where practical.

Suburban Residential. (Not to exceed 1.0 dwelling units per gross buildable acre if developed under County zoning authority or 2.5 dwelling units per gross buildable acre if developed within a municipality.) This land use category promotes a residential character of low to medium density residences. Higher municipal densities are appropriate on lots where adequate public sewer and water systems exist or can be made available. Creative planned developments may also be appropriate under County zoning authority at a much lower density under the County’s RPD-3 zoning regulations. While anticipated to contain primarily single family detached housing, some attached housing units may be considered, particularly within a planned development. Compatible governmental, educational, religious, and recreational uses also may be permitted in these areas.

Neighborhood Commercial. This land use category provides for office and retail establishments that offer a limited range of goods and services in locations that have direct access to residential neighborhoods. The purpose is to provide for commercial uses which are oriented to the automobile. These uses are concentrated at the intersection of Caton Farm Road and County Line Road and at major intersections along Route 126.

Regional Commercial. This land use category provides for office and retail establishments that offer a wide range of goods and services in locations that have access to heavily traveled expressways and arterial roadways. The purpose is to provide for commercial uses which are oriented to the automobile. These uses are concentrated along the future WIKADUKE Trail.

Public/Institutional. The Public/Institutional land use category applies to those lands where existing or proposed federal, state, or local governmental activities are conducted. Also included are public and private educational and other non-profit organization facilities. A church or a nursing home are two examples of institutional uses. The only major new public use illustrated on the future land use plan is a parcel near Walker Road and the County line which is owned by the Plainfield School District.

Parks and Forest/Nature Preserve. This category includes all Forest Preserve and Park District public open space and recreation facilities such as parks, nature preserves, multi-use trails, picnic areas and other recreation facilities. As illustrated on the Future Land Use Plan, expansion of Waa-Kee-Sha Park is anticipated to preserve the environmental character of the area, provide for recreational opportunities for a growing population, and provide opportunities for improved flood control and wetland banking.

Open Space. This category identifies lands that are sensitive to development containing unique environmental characteristics that should be preserved. These characteristics include: wetlands, flood plains, significant tree coverage, and prairies. These areas also provide the County with such natural functions as flood storage and conveyance, pollution control, and wildlife habitats. Conservation easements, land trusts and other preservation techniques are encouraged to protect these valuable open space assets of Kendall County.
Future Land Use Areas

The following table summarizes the future land use areas for Na-Au-Say Township. The Future Land Use Plan for Na-Au-Say Township is designed to provide sufficient area to accommodate appropriate growth and development until the year 2020. As noted previously, the amount of residential uses illustrated on the plans is actually more than would be required based solely on projected population growth.

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<tr>
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<tr>
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<td>Agricultural</td>
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<td>Municipalities</td>
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<tr>
<td>TOTAL</td>
<td>21,741.5</td>
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</table>
Population Projections

Population growth trends and existing development patterns are key indicators in determining how much the total population of Na-Au-Say Township will grow in the future, particularly in reference to the Future Land Use Plan presented in this LRMP. Population estimates provide a basis for determining the appropriate allocation of land, funds, and other resources to establish new schools, parks, and recreation areas as well as expand forest preserves and service areas for water, sewer, and fire protection.

Based on full build-out of the residential densities depicted on the Future Land Use Plan, the total population of Na-Au-Say Township is anticipated to grow to 33,716 residents, a dramatic 1917% increase from the 2000 population of 1,672 residents. It is important to note that this full build-out estimate is based on a density of 1.00 du/ac for Suburban Residential uses; however, the estimate would be even higher given the fact that Suburban Residential uses near municipalities (i.e. Oswego, Plainfield, and Joliet) would be built at densities at or higher than 2.00 du/ac since these areas would most likely be annexed prior to development. Although the Future Land Use Plan is a long-range plan with full-build out estimated at 15-20 years, the 33,716 population projection is a very generous estimate, even for a 15-20 year buildout time frame.

Population projections can also be viewed from a population growth perspective. From 1990-2000, the population of Na-Au-Say Township grew 66.2% from 1,006 residents in 1990 to 1,672 in 2000. Using the same 66.2% population growth rate, the township's total population is anticipated to grow to 2,779 residents by 2010 and 4,619 residents by 2020. These population projections are substantially lower than the full build-out projection of 33,716 residents. It is highly unlikely that Na-Au-Say Township will maintain this exact same population growth rate; however, the population projections based on this growth rate provide a broad range of population estimates to help County and municipal officials prepare for varying growth and development scenarios in Na-Au-Say Township.

Regardless of which population projection is the most accurate, the County and municipalities should accommodate residential growth by first providing development within incorporated areas (i.e. infill development) and areas located as close to municipalities as possible (i.e. avoid spot developments that are secluded or located too far from municipal services). Once these areas are developed, the County and municipalities may develop areas located further away in County jurisdiction as long as water and sewer services are provided (either by municipal services or individual wells and septic tanks).
IMPLEMENTATION STRATEGY

County Action Steps

- Adopt intergovernmental agreements to promote continued joint planning and cooperation with Joliet, Plainfield, and Shorewood. This agreement may be similar in form to an existing agreement adopted in 1992 between Will County and the Village of Plainfield.

- Develop a Forest Preserve Acquisition Plan to address expansion of existing Forest Preserve holdings. This plan should be coordinated with the Oswegoland Park District, Plainfield Park District, and Joliet Park District.

- Promote designation of Agricultural Areas as defined in Illinois statutes by private property owners where agricultural use is illustrated on the Future Land Use Plan.

- Reserve appropriate right-of-way during plat review for major roadways and trails illustrated on the Future Land Use Plan.

- Implement a notification and recognition program to identify and acknowledge landowners who have protected the County’s scenic assets. Recognition should only be made with the landowner’s permission, but can create a sense of pride and renewed commitment to resource protection.

- Work with neighboring counties and the State legislator to authorize alternative techniques such as Transfer of Development Rights (TDR) and Purchase of Development Rights (PDR). Consider a non-binding County referendum to explore local interest and willingness to financially support additional open space/farm land protection techniques. Both types of systems have been effectively used in the eastern United States. However, both systems require sound planning and significant time to effectively monitor and administer.
  
  - TDR programs allow private developers to purchase development rights from landowners in areas of the county designated as public open space, or other identified property in the path of growth, and place a conservation easement on the property in exchange for the right to develop in an area planned for their needs. The program allows farmers to receive money from developers for the value of their property while keeping the land undeveloped and agricultural.

  - PDR is similar in concept to TDR, except that a private trust or some governmental agency such as the County or the Forest Preserve District purchases the development rights. Kane County has recently adopted such a program.

- Utilize wetland banking, impact fees, grants and developer land dedication to increase the size of Waa-Kee-Sha Park and future trail and greenway connections.
• Require repair, relocation, or replacement of farm drain tile disturbed by new development.

• Coordinate County and municipal land use planning efforts with the Aux Sable Creek Watershed Committee recommendations.

• Coordinate County and municipal efforts in implementing the WIKAUKJE Trail plan.

**Municipal/Township Action Steps**

• Adopt intergovernmental agreement with Kendall County to promote continued joint planning and cooperation. This agreement may be similar in form to an existing agreement adopted in 1992 between Will County and the Village of Plainfield.

• Establish or update boundary agreements with neighboring communities, including Oswego and Plainfield.

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**Residential/Agricultural Transition Guidelines**

The following guidelines are appropriate for both County and municipal adoption to promote a better transition between residential and agricultural uses.

• Utilize existing streams, roadways, hedgerows and other physical barriers to provide a separation between agriculture and new residential development.

• Continue/expand practice of notifying new homeowners that they are moving into an agricultural area and they can expect some inconveniences such as late/early operation of farm machinery, slow moving vehicles on the road, etc.

• Promote the use of cluster subdivisions which provide open space buffers between homes and agricultural land.

• Consider requiring all dwellings to be set back at least 150' from the property line of land actively used for agriculture prior to issuance of a building permit.
i. Provide information regarding any proposed amplified music, and provide a complete lighting plan and a sign plan for the proposed operation.

5. Temporary Construction Uses, Construction Office Trailer, Construction Watchperson’s Trailer, and/or Construction Storage Yards.

a. Temporary construction trailer, construction office, watchperson’s trailer and/or construction storage yard located on-site for approved construction projects are allowed with a Temporary Use Permit in commercial, industrial or planned development zoning districts or with a multi-unit residential development or subdivision;

b. Length of permit shall be one (1) year with additional extensions of one (1) year for active projects;

c. The temporary use or structure shall be removed from the property upon issuance of a Certificate of Occupancy or cessation of construction activities;

d. Watchperson trailers shall be limited to one (1) per construction site; and

e. Water and sanitary facilities shall be provided, as required by the City.

6. Temporary Concrete Batch Plant, Asphalt Plant, Stone Crushing and/or Processing Operations.

a. Temporary batch plants and material processing operations located on-site for approved construction projects are allowed with a Temporary Use Permit in commercial, industrial or planned development zoning districts or with a multi-unit residential development or subdivision. Such uses shall be required to obtain all necessary permits from applicable federal, state and local agencies prior to beginning operations;

b. Temporary batch plants and material processing operations located off-premise may be considered in commercial or industrial zoning districts in association with a permitted construction project located within the City of Cottonwood subject to obtaining a Conditional Use Permit;

c. The application for any temporary material processing plant shall include a detailed routing plan indicating truck and vehicle access to the plant location along with estimated hours of operation and frequency of travel. Primary routing shall be by arterial and collector streets and highways. Operations proposing to use local residential streets for direct access to and from the plant shall be required to obtain a Conditional Use Permit;

d. Upon completion of activities, the site shall be completely restored to the pre-development condition which existed prior to the beginning of operations;
e. Such temporary facilities may only be considered for projects located within the City of Cottonwood, such as local, state or federal road projects, public works improvements, newly platted subdivisions or individual commercial development sites;

f. Such facilities shall be permitted only for the period of construction activity for a one (1) year period. An extension of the permit may be considered for up to one (1) year; however, any additional time beyond a total of two (2) years shall require approval of a Conditional Use Permit;

g. Facilities proposed to be located within one thousand (1,000) feet of any property used for residential purposes shall require approval of a Conditional Use Permit; and

h. Prevention of any dust, fumes, vapors, mists, or gas nuisances due to operations shall be maintained at all times in accordance with established City property nuisance standards.

7. Real Estate Sales Office and Model Homes. New units constructed as part of a subdivision may be used as a sales office and model home display for properties within that development subject to the following:

a. Permitted in any district for any new subdivision development approved in accordance with the City of Cottonwood Subdivision Ordinance; and

b. Maximum length of permit shall be two (2) years, and may be renewed from year-to-year until the completion of the development. The subdivision sales office and model home use shall be discontinued following the sale or occupancy of all homes in the subdivision other than the model homes and the property shall be restored in a manner similar to surrounding residential uses.

G. SIGNS FOR TEMPORARY USES.

1. General Requirements:

   a. Signs displayed in connection with a temporary use shall be approved under the Temporary Use Permit, except as exempted by this ordinance.

   b. Off-premise signs shall not be permitted for temporary uses, except as allowed by this ordinance.

   c. A site plan with proposed sign locations and graphic exhibits describing the proposed signs shall be submitted for review with the Temporary Use Permit application.
CITY OF CHICAGO  
DEPARTMENT OF ENVIRONMENT  
CONSTRUCTION SITE REPROCESSING  
RULES AND REGULATIONS  

Whereas, pursuant to Chapters 11-4 and 2-30 of the Municipal Code of Chicago (the “Code”), the Department of Environment is charged with enforcement of environmental regulations, including waste management, within the City of Chicago; and  

Whereas, pursuant to the authority granted by Section 2-30-030 of the Code, the Commissioner of the Department of Environment, City of Chicago, is authorized to issue rules and regulations necessary or proper to accomplish the purposes of Chapter 11-4 of the Code, and is further authorized to make reasonable administrative and procedural regulations or rules interpreting or clarifying the requirements which are specifically prescribed in Chapter 11-4 of the Code; and  

Whereas, specifically, under Section 11-4-1935 of the Code, the Commissioner of Environment may adopt rules and regulations setting forth application requirements and standards and conditions for the location and operation of construction site reprocessing activities, and to require applicants for and operators of such activities to provide such information as the Commissioner deems necessary to effectuate the purposes of this section; now, therefore,  

I, Sadhu A. Johnston, Commissioner, Department of Environment, City of Chicago, issue the following rules and regulations pursuant to Sections 2-30-030 and 11-4-1935 of the Municipal Code of Chicago.  

1.0 Scope and Purpose. The purpose of these rules and regulations is to interpret and clarify the phrase “used solely on site” with regard to the use of reprocessed construction/demolition materials.  

2.0 Definitions. The following terms, as used in Section 11-4-1935 of the Chicago Municipal Code and the regulations promulgated pursuant thereto, shall have the following meanings:  

2.0.1 The term “Commissioner” means the Commissioner of the Department of Environment of the City of Chicago.  

2.0.2 The term “demolition site” means the real property, or any portion thereof, on which the demolition occurred and on which the authorized reprocessing activity will occur.  

2.0.3 The term “Department” or “DOE” means the Department of Environment of the City of Chicago.  

2.0.4 The term “planned construction” means construction where the necessary site planning, permitting, and preparation have been completed at the time reprocessing authorization is requested pursuant to section 11-4-1935 of the Code.
2.0.5 The term "on site" means the demolition site, and may, with the Commissioner’s express written authorization, include adjacent properties at which planned construction will occur so long as the adjacent properties are:

a) Owned by the same property owner who owns the demolition site. (Projects undertaken by one or more governmental entities, including projects undertaken by one or more municipal corporations and/or any subdivisions thereof, shall be deemed to have common ownership);

b) Developed by the same developer or general contractor who is the developer or general contractor at the demolition site. (Projects undertaken by one or more governmental entities, including projects undertaken by one or more municipal corporations and/or any subdivisions thereof, shall be deemed to have the same developer); and

c) Located no farther than 1/4 mile (1,320 feet) from the demolition site, as measured from the perimeter of the demolition site, whether or not bisected by publicways; or located within 1 mile (5,280 feet) from the demolition site as measured from the perimeter of the demolition site, whether or not bisected by publicways, if the following conditions are met:

1) the applicant has submitted a plan that describes the pollution control measures, monitoring, and recordkeeping (such as maintenance of load tickets and other documentation) that will be implemented to ensure compliance with the Code and DOE regulations; and

2) the applicant submits, within 30 days of the expiration of the temporary reprocessing authorization, a report to DOE that fully documents, to the satisfaction of the Commissioner, the quantity and location of all reprocessed construction and demolition debris removed from the demolition site for use in the planned construction.

3.0 Reprocessing activities. The site operator shall locate the reprocessing device and approved construction site reprocessing activities in accordance with the setback distances and other conditions specified in the reprocessing authorization and shall conduct the reprocessing activities in accordance with the terms and conditions of the construction site reprocessing authorization.

4.0 Changes to construction site reprocessing authorization. No changes to the construction site reprocessing authorization may be made without the operator first having submitted a new authorization application to the Department and having obtained the Commissioner’s express written authorization thereof.
5.0 Use of reprocessed construction/demolition material. The site operator may reprocess only as much reprocessable construction/demolition material as will be used on site for planned construction. All excess reprocessed construction/demolition material and unprocessed construction/demolition material must be disposed of or recycled at a properly permitted facility not more than 30 days from the date that the construction site reprocessing authorization expires.

6.0 Transport. All vehicles transporting construction/demolition material on or from the site must be completely sealed with a tarp or similar cover.
### Environmental Permit Fees

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<th>Permit Type</th>
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<td>Architectural Surface Cleaning</td>
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<td>- Class I</td>
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MEMORANDUM

TO: Angela Zubko, Planning & Zoning Manager
FROM: Mike Hoffman, AICP, PLA
DATE: June 18, 2014

SUBJECT: Temporary Concrete Crushing Regulations

As requested, we have reviewed relevant zoning regulations regarding temporary concrete crushing facilities including the draft prepared by staff and ordinances of other communities and counties. The draft regulations prepared by staff were clearly on-track. We have suggested some minor revisions below based on our research.

Zoning Trends
This is clearly a case where the industry is ahead of zoning regulations. While concrete recycling has been around for a long-time, the availability of portable equipment has increased the efficiency and economic viability of the process by greatly reducing transportation costs. While many ordinances have provisions for the traditional fixed-location concrete recycling facilities, few ordinances address temporary facilities. The table at the end of this memorandum outlines a quick summary of our research (note the Cottonwood, AZ. example was provided by Angela).

It is our understanding that concrete recycling for roadway projects often occurs within the roadway right-of-way during the construction process as a permitted activity. We would also note that Section 7.00F of the Kendall County Zoning Ordinance already provides for concrete ready-mix or asphalt concrete plants as a temporary use in the Agricultural District. A concrete crushing facility would seem a similar use from a zoning perspective.

Recommendations
Starting from the draft contained in the May 20th, 2014 Memorandum prepared by staff, we have outlined a potential approach to address the issue based on our research. Rather than repeat the standards in each allowed zoning district, we recommend creating a new section 4.19 in the General Provision Section that
addresses Temporary Uses in all Zoning Districts (although not all temporary uses would be allowed in all zoning districts).

Proposed to be a conditional use in the A-1 Agricultural and all business districts. Proposed to be a permitted use in all manufacturing districts.

Add the Following Section 4.19 under General Provisions (taken from Section 7.00F in the Agricultural District – which can be eliminated if this new section is created). Note that new proposed text is shown in red. Text in blue is also new as proposed by staff last month.

4.19. TEMPORARY USES PERMITTED
Upon application and issuance by the Zoning Administrator of a permit thereof, the following uses may be operated as temporary uses. The Zoning Administrator may require that a site plan be submitted with the application to provide a means of evaluating compliance with Ordinance requirements. Any permitted temporary use may be treated as a special use (per the procedures contained in Section 13.07) if the stated time limit is to be exceeded.

1. Christmas Tree Sales; each permit shall be valid for a period of not more than sixty (60) days in any Agricultural or Business District.

2. Concrete ready-mix or asphalt concrete plants, when necessary and incidental to a major construction project in any Agricultural, Business or Manufacturing District.
   a. Each such permit shall be valid for a period of not more than one (1) year and shall not be renewed for more than two (2) successive periods at the same location.
   b. The plant shall be located a minimum of one thousand (1,000) feet from any occupied principal structure.
   c. All facilities placed or located on the site shall be removed and the site restored to a clean and vegetated condition within the time frame of the permit. The operator of the facility shall guarantee the proper removal of all facilities with good and sufficient security as approved by the Zoning Administrator.
   d. The plant shall produce product only for the specific parcel for which the temporary use is permitted. For plants constructed to support a major road project, the plant shall be located adjacent to the roadway.

3. Temporary building, trailer, or yard for construction materials and/or equipment, both incidental and necessary to construction in the zoning district provided that:
   a. Each permit shall specify the location of the building, trailer, or yard and the area of permitted operation.
   b. Each such permit shall be valid for a period of not more than six (6) calendar months and shall not be renewed for more than four (4) successive periods.

4. Trailers or mobile homes may be used for residential purposes only during the construction of a residence and must be removed within thirty (30) days of obtaining a certificate of occupancy or completion of construction. In no case shall a trailer or mobile home be permitted to remain on the premises for more than two years.

5. Portable Concrete Crushing, Screening and Stockpiling of Dirt, Crushed Concrete and RAP (recycled asphalt pavement), when necessary and incidental to a major construction project in any Agricultural, Business or Manufacturing District as long as the following conditions are met:
   a. Each such permit shall be valid for a period of not more than one (1) year and shall not be
renewed for more than two (2) successive periods at the same location.

b. The operation shall be located a minimum of seven hundred and fifty (750) feet from the lot line of any occupied single family residence/townhome.duplex.

c. All facilities placed or located on the site shall be removed and the site restored to its original condition: clean and vegetated condition within the time frame of the permit.

d. The operation shall have hard surface road frontage. If located in an Agricultural District, the operation must have frontage onto an arterial or major collector roadway as depicted on the Kendall County Land Resource Management Plan located adjacent to the roadway.

e. Hours of operation must be stated on the temporary conditional use permit in the A-1 agricultural and business districts only.

6. Temporary Stockpiling of dirt on private property:
   a. Erosion control measures must be in place
   b. Each such permit shall be valid for a period of not more than one (1) year and shall not be renewed for more than two (2) successive periods at the same location.

4.12 Performance Standards – Any use established in a Manufacturing District after the effective date of this comprehensive amendment shall be so operated as to comply with the performance standards set forth in Title 35 of the Illinois Administrative Code and Administered by the Illinois Pollution Control Board (www.ipcb.state.il.us) the standards adopted by the Illinois Air Pollution Control Board dated April 14, 1972; and the State Water Pollution Control Board dated March 7, 1972. No use lawfully established on the effective date of this comprehensive amendment shall be so altered or modified as to conflict with, or further conflict with these performance standards.

Delete Section 10.0 F. Performance Standards in Manufacturing Districts as it is covered in the General Provisions section (4.12). – It had the same wording as 4.12 above.
### Comparison of Regulations on Temporary Concrete Crushing Facilities

<table>
<thead>
<tr>
<th></th>
<th>Lake County</th>
<th>Will County</th>
<th>McHenry County</th>
<th>Cottonwood, AZ</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Regulations address temporary facilities</strong></td>
<td>No – provisions noted are for permanent uses</td>
<td>No – provisions noted are for permanent uses</td>
<td>Proposed in Draft UDO</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Approval Required</strong></td>
<td>Special Use in industrial districts, must specify hours</td>
<td>Special use in industrial districts</td>
<td>Temporary Use Permit issued by Zoning Officer – any district</td>
<td>Temporary Use Permit for on-site use in commercial, industrial or planned development districts (including residential). Allowed for off-site use in commercial and industrial zones</td>
</tr>
<tr>
<td><strong>Site Plan Required</strong></td>
<td>Yes</td>
<td>Yes – part of special use</td>
<td>Yes – but just by zoning officer</td>
<td>Yes, including routing plan for trucks, hours of operation and frequency of travel.</td>
</tr>
<tr>
<td><strong>Roadway access</strong></td>
<td>Frontage on a collector or arterial street</td>
<td>None specified</td>
<td>None specified</td>
<td>Access from arterial or collector street</td>
</tr>
<tr>
<td><strong>Site Restoration required</strong></td>
<td>Per special use</td>
<td>Per special use</td>
<td>None specified</td>
<td>Yes – to pre-development conditions</td>
</tr>
<tr>
<td><strong>Duration</strong></td>
<td>n/a</td>
<td>n/a</td>
<td>1 year, with up to 1 year extension</td>
<td>1 year, with 1 year extension allowed</td>
</tr>
<tr>
<td><strong>Separation requirements</strong></td>
<td>1,000’ from residential zoning or lot with residential use</td>
<td>Per special use</td>
<td>None, except zoning district setback requirements</td>
<td>1,000’ from residential use (not zone). Reduction possible if special use granted.</td>
</tr>
<tr>
<td><strong>Minimum site size</strong></td>
<td>200,000 sq. ft.</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td><strong>Environmental Standards</strong></td>
<td>Internal roads dust-free, first 50’ of access drive must by concrete or asphalt</td>
<td>Per special use</td>
<td>Requires a Spill Prevention Containment and Control Plan</td>
<td>Dust, fumes, vapors, mist or gas addressed in City’s nuisance reg’s.</td>
</tr>
</tbody>
</table>