CALL TO ORDER

ROLL CALL: Bill Ashton (Chair), Roger Bledsoe, Tom Casey, Larry Nelson, Vern Poppen, Claire Wilson, Budd Wormley and three vacancies (Big Grove Township, Kendall Township & Oswego Township)

APPROVAL OF AGENDA

APPROVAL OF MINUTES Approval of minutes from the April 22, 2015 meeting

PETITIONS 15-08 Gary and Linda Heap
Request A-1 Special Use
Location 4819 Route 52, Minooka (northeast corner of 52 and Grove)
Purpose Request an A-1 Special Use to operate a fall festival, corn maze, bakery, farm market and similar activities.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD
14-37 Home Occupations- Landscape Businesses- Referred back to PBZ
14-40 Subdivision Control Regulations- Letters of Credit- Approved by County Board

CITIZENS TO BE HEARD/PUBLIC COMMENT

NEW BUSINESS/ OLD BUSINESS
Approval on by-laws change regarding quorums
Review LRMP draft map changes

ADJOURNMENT Next regularly scheduled meeting on Wednesday, June 24, 2015
Chairman Bill Ashton called the meeting to order at 7:01 pm.

ROLL CALL
Members Present: Chair Bill Ashton, Roger Bledsoe, Tom Casey, Larry Nelson, Vern Poppen, Claire Wilson and Budd Wormley
Others present: Planning & Zoning Manager Angela Zubko and Mike Hoffman from Teska Associates who will be doing the zoning in the interim of Planner Zubko leaving.
Members Absent: 2 vacancies (Oswego Township & Big Grove Township)
In the Audience: None

APPROVAL OF AGENDA
Larry Nelson a motion to approve the agenda as written. Budd Wormley seconded the motion. All were in favor and the agenda was approved

APPROVAL OF MINUTES
Larry Nelson made a motion to approve the minutes from March 25, 2015, Tom Casey seconded the motion. All were in favor and the minutes were approved.

PETITIONS
#15-01 Nancy Austin
Planner Zubko stated this was continued from last month. She met with the Plattville Board on Monday and they are fine with annexing the property but just want to make sure they will not have to maintain Ashley Road. Mr. Nelson will get planner Zubko that zoning case. So they will be zoning 3 acres still and would like this petition to continue on without a plat since it will be Plattville and also since there will be no planning staff.

Larry Nelson made a motion to approve the rezoning, Vern Poppen seconded the motion. With a roll call vote all were in favor and this will move onto the next ZBA meeting on Monday.

#15-06 Village of Millbrook/Keller
Planner Zubko stated this is located at 19 Sherman Street, the petitioner is the Village of Millbrook with the County. Back in 2008 the Village rezoned this parcel but it didn’t go through our zoning process. The intergovernmental agreement was in effect at the time so they should have so this is corrected any errors made. This was discovered as this property is for sale and is contingent on rezoning of the property. They’re looking to rezone 0.22 acres of their 0.46 acre parcel from R-3
(Residential) to M-1 (Manufacturing District) to match the existing zoning on the property. There already is a building that exists on the M-1 side so looking to expand the zoning for the whole parcel across the vacated alley. They would like the whole parcel to be M-1.

There was some discussion on what is permitted in the M-1 district and possible future uses of this building. There was discussion and a lot of concern of the type of uses in the M-1 district and possibly a commercial district would be better suited there.

Larry Nelson made a motion to approve the M-1 zoning with caution that the Village of Millbrook examine what is permitted in the M-1 district and possibly revise text to make sure there are no undesirable effects. Roger Bledsoe seconded the motion.

There was a little more discussion that the County Board can make them put fencing up since its manufacturing verse residential uses.

With a roll call vote of 7-0 all were in favor of the rezoning.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD
15-02 Peter & Laurie Pasteris- On the agenda for the 4.21.15 County Board meeting
14-33 Bee Keeping- Approved at the 3.17.15 County Board Meeting
14-37 Home Occupations- Landscape Businesses- On ZBA Agenda for 4.27.15
14-40 Subdivision Control Regulations- Letters of Credit- On ZBA Agenda for 4.27.15

CITIZENS TO BE HEARD/ PUBLIC COMMENT- None

NEW BUSINESS/ OLD BUSINESS
Discussion and possibly approval on by-laws regarding quorums- Planner Zubko presented the changes and the Commission changed the language on page one to say ‘appointed and serving members.’ With no other changes Larry Nelson made a motion to approve the changes, seconded by Vern Poppen. This will be voted on next month per the by-laws regulations.

Review LRMP draft map changes- Planner Zubko presented the draft map change in Little Rock Township. There was discussion they thought it would be commercial and not part of the transportation corridor. The Commission decided to make it commercial on all the corners up to Frazier Road. The changes will be made and brought back for a public hearing. She also presented the bike trails plan and there was discussion that some thought Plano had some bike paths planned. Mr. Hoffman will double check with Plano before bringing it back.

ADJOURNMENT
Next regularly scheduled meeting on Wednesday, May 27, 2015. Vern Poppen made a motion to adjourn the meeting, Larry Nelson seconded the motion. All were in favor and the meeting was adjourned at 7:57 p.m.

Submitted by,
Angela L. Zubko, Planning & Zoning Manager
15-08
Heaps Giant Pumpkins
A-1 Special Use

SITE INFORMATION
PETITIONERS Gary & Linda Heap- Kevin Heap is main contact

LOCATION 4819 Route 52, Minooka; at the northeast corner of Route 52 and Grove Road

TOWNSHIP Seward Township
PARCEL # 09-17-100-002
SIZE 158.75 Acres
EXISTING LAND USE Farmhouse on separate pin; farmland
ZONING A-1 Agricultural

<table>
<thead>
<tr>
<th>LRMP</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Use</td>
<td>Commercial in the southwest corner at the intersection and rural residential for the rest</td>
</tr>
<tr>
<td>Roads</td>
<td>Grove Road and Route 52 are arterial roadways</td>
</tr>
<tr>
<td>Trails</td>
<td>There are trails shown on the west side of Grove Road and south side of Route 52</td>
</tr>
<tr>
<td>Floodplain/Wetlands</td>
<td>There is some floodplain and floodway in the northwest corner of the property and 500 year floodplain on the property</td>
</tr>
</tbody>
</table>
REQUESTED ACTION

Approval of an A-1 Special Use to allow the operation of a farm market, shop, bakery and seasonal festival including a corn maze and other activities. The petitioners are also seeking a variance to allow parking up to the right of way on Grove and Route 52 in their alfalfa fields and waive the requirements of parking lot lighting.

APPLICABLE REGULATIONS

§7.01.D (A-1 Agricultural Special Uses)
§11.01 (Parking Regulations)
§13.08 (Special Uses)

SURROUNDING LAND USE

<table>
<thead>
<tr>
<th>Location</th>
<th>Adjacent Land Use</th>
<th>Adjacent Zoning</th>
<th>LRMP</th>
<th>Zoning within ½ Mile</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Agricultural</td>
<td>A-1</td>
<td>Rural Residential</td>
<td>A-1</td>
</tr>
<tr>
<td>South</td>
<td>1 home &amp; Agricultural</td>
<td>A-1</td>
<td>Commercial/ Rural Residential</td>
<td>A-1</td>
</tr>
<tr>
<td>East</td>
<td>Agricultural</td>
<td>A-1</td>
<td>Rural Residential</td>
<td>A-1</td>
</tr>
<tr>
<td>West</td>
<td>2 homes &amp; Agricultural</td>
<td>A-1</td>
<td>Commercial/ Rural Estate Residential/ Rural Residential</td>
<td>A-1</td>
</tr>
</tbody>
</table>

PHYSICAL DATA

ENDANGERED SPECIES REPORT
The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:
- Aux Sable Creek INAI Site
- Greater Redhorse (Moxostoma valenciennesi)

NATURAL RESOURCES INVENTORY
Since no new buildings or structures are proposed no NRI report will be necessary.

ACTION SUMMARY

TOWNSHIP (Seward)
MUNICIPALITY (Joliet)
ZPAC
This item is on the township agenda on May 12th, 2015. Sent to Joliet on 4.21.15, have not heard back. Recommended approval, with 10’ to 20’ parking setback, showing new access from Grove Road on Site Plan, and providing 4 paved handicapped parking spaces

REQUESTED ACTION

ZONING
The Zoning Ordinance allows for many of these activities:
Section 7.01.E. j (Conditional Use):
Seasonal Festivals provided that the following conditions and restrictions are met: (Amended 5/18/2010)
i. Adequate parking on site shall be provided in such a way that no on-street parking is necessary
ii. Event areas, stands, booths, parking and other uses and facilities appurtenant to the site shall not be located within 150 feet of a residential district, or residential structure located off the subject zoning lot unless written consent from the effected residents is provided to the Planning, Building and Zoning Office
iii. The operator shall have adequate waste receptacles and toilet facilities on site as determined in writing from the Department of Health and Human Services
iv. No alcohol shall be sold on the premises
v. Petting Zoos shall provide adequate hand sanitation devices as determined by the Department of Health and Human Services
vi. All food prepared or sold on site shall comply with the Department of Health and Human Services requirements.

vii. Noise levels generated from non-agricultural sources shall not exceed 60 dBA as measured at the nearest occupied residential structure on an adjoining property.

viii. The operator shall provide adequate crowd control and parking direction as reasonably determined by the Kendall County Sheriff’s Office.

ix. No event activity shall start earlier than 9:00 A.M. any day of the week, and shall end no later than 10:00pm, Monday thru Wednesday and no later than 11:30pm Thursday thru Sunday.

x. Events shall be permitted once a year unless otherwise approved by the PBZ Committee.

xi. Seasonal Festivals shall be permitted up to, but not exceed, ninety (90) consecutive days in length in one calendar year.

xii. Accessory uses including but not limited to temporary vendors engaged in the sale of ancillary items not produced on site but which are related to products produced on site or associated with the season shall be permitted during the duration of the Seasonal Festival subject to the review and approval of the Zoning Administrator.

xiii. All signage shall comply with Section 12.00 of the Zoning Ordinance.

xiv. All proposed lighting shall be non-obtrusive onto adjoining properties and should not exceed 0.2 foot-candles at any property line.

xv. Any Seasonal Festival which cannot meet these standards may still be permitted if approved as a Special Use. An applicant seeking an approval of the conditional use shall submit an application to be acted upon by the Zoning Administrator. The Zoning Administrator may, at his or her discretion, refer the request to the Planning, Building and Zoning Committee of the County Board for recommendation prior to taking action. In addition, the petitioner may appeal the decision of the Zoning Administrator in the review of a Conditional Use for a Seasonal Festival to the PBZ Committee. In such instances the PBZ Committee shall be the final authority in deciding upon such requests.

Section 7.01.D.10 (Special use)
Banquet Halls are permitted subject to the following conditions:

a. The facility shall have direct access to a road designated as an arterial roadway or major collector road as identified in the Land Resource Management Plan.

b. The subject parcel must be a minimum of 5 acres.

c. The use of this property shall be in compliance with all applicable ordinances. The banquet facility shall conform to the regulations of the Kendall County Health Department and the Kendall County Liquor Control Ordinance. (Ord. 99-34)

d. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the zoning ordinance.

e. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance.

f. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.

g. The noise must follow the Kendall County noise ordinance.

Section 7.01.D.32 (Special Use)
Production and sale of sweet cider, hard cider, wine, jams, wine jams, jellies, pies, pickles, honey, sauces and similar items utilizing crops grown on the same property or in combination with crops grown off-site where such production takes place on the premises. In addition the tasting of and wholesale or retail sale of items produced on site as well as the sales of
ancillary items and products related to crops and products produced on site shall be permitted provided all required licenses and permits have been secured. The total retail sales area on site within any building or combination of buildings shall not exceed one thousand (1,000) square feet. Said sales areas shall be set back at least ninety (90) feet from the center line of all adjacent roads with off-street parking for a minimum of five (5) cars. Seasonal outdoor displays on above listed items are also permitted.  

Section 7.01.D.34 (Special Use)
Retail or wholesale sales yards for agricultural products including, but not necessarily limited to, fruits, vegetables, flowers, plants, etc., that are not grown on the premises.

GENERAL
Approval of an A-1 Special Use to allow the operation of a farm market, shop, bakery and seasonal festival including a corn maze and other activities. The petitioners are also seeking a variance to allow parking up to the right of way on Grove and Route 52 in their alfalfa fields and waive the requirements of parking lot lighting.

The petitioners have been running Heaps Giant Pumpkins since about 2003, it really started to become a larger festival around 2010. They (the Heap family) are looking into future expansion and requesting this special use to allow for current and anticipated future uses. They have put together a list of items they currently do on site or would like to in the future. The list is not all inclusive:

- Fall Festival and Corn Maze
- Bakeries
- Retail sales yard for agricultural products not grown on the farm
- Farm market/ Country Store to sell jams, jellies and other bakery type merchandise (possibly open 365 days a year or through Christmas and summer)
- Haunted house, haunted corn maze, haunted hay rides
- Apple Orchard
- Parking right up to US Highway 52 and Grove Road
- Weddings and Receptions
- Haunted Corn Maze
- Live entertainment
- Train Ride
- Additional concession stands
- Christmas tree sales
- Cafeteria area within Morton barn where bakery is to be housed.
- Host various events such as corporate events, meetings, parties, etc.
- Small concert/show venue (local bands, school bands, plays, comedians, magicians, etc.)
- Zombie paintball hunt
- Possibly serve beer in the future
- Indoor and outdoor storage facility
VARIANCES  The petitioner has requested two variances:
1. Allow parking up to the right of way on Grove and Route 52 in their alfalfa fields
2. Waive the requirements of parking lot lighting.

ROADWAY  Grove Road is the jurisdiction of the County Highway Department and Route 52 is the jurisdiction of IDOT.

ACCESS  The property currently has an access point off of Route 52 for the operation and is also working with the highway department on another entrance off of Grove Road, about 300’ north of the intersection.

EMPLOYEES  The pumpkin farm employs on average about 25 people, seasonally during September and October. They also employ a few workers during the summer. The haunted attraction employs on average around 40 people, also seasonal help for 8-10 days in October each year. They Heaps have hired the Sheriff’s office in the past and have expressed an interested in the future during busy weekends.

NUMBER OF PEOPLE  The petitioner has stated they would like to have a maximum of 200 guests at one time.

PARKING  The petitioner has stated the guest will park in the gravel guest parking that exists and also the alfalfa field.

R.O.W.  Staff will defer to the Highway department and IDOT if ROW will be requested to be dedicated at this time.

SIGNAGE  They have a two-sided pumpkin farm sign at the entrance at Route 52; they also have a two sided haunted corn maze sign at their hay field towards the corner. If any additional signage is requested they will need to comply with section 12 of the Zoning Ordinance.

STORMWATER  Since there are no proposed improvements a stormwater permit is not required, however one might be needed if an impervious parking lot is ever added.
FINDINGS OF FACT

§ 13.08.J of the Zoning Ordinance outlines findings that the Hearing Officer must make in order to grant a special use. Staff has answered as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The special use has been in operation since around 2003 and no complaints have been received. They have, and will continue to coordinate any traffic issues with the Kendall County Sheriff's office.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. The property has been used for this use for some time now and the property in the area is agricultural.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. A new entrance is proposed to be added on Grove Road which will help reduce traffic issues turning onto and off of Route 52. They are coordinating with the Kendall County Highway Department on this new entrance.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Hearing Officer. The petitioners are requesting two variances regarding parking but it’s in keeping with the agricultural district.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. This special use is consistent with the LRMP as it shows this corner to be commercial.
RECOMMENDATION

Staff would recommend approval and the following conditions be placed on the special use, if approved:

1. A maximum of 400 persons at any one time
2. All events must be catered unless approved by the Health Department.
3. Compliance with applicable building codes and Americans with Disabilities Act accessibility provisions and securing of the required permits associated with any proposed remodeling, alteration, construction or expansion of existing and proposed structures on the premises.
4. The ability to commence the operation of a beer garden or winery shall only be permitted contingent on approval from Seward Township, the County of Kendall, and any other required licensing body for a liquor license.
5. The Fall Festival and Corn Maze events shall be permitted to exceed six consecutive days in duration.
6. Adequate parking on site shall be provided in such a way that no on-street parking is necessary. Parking shall be setback a minimum of 10’ from the right-of-way of both Route 52 and Grove Road. Four paved handicap parking spaces will be provided near the ticket booth(building #3 on the site plan)
7. The operator shall have adequate waste receptacles and toilet facilities on site as determined in writing from the Department of Health and Human Services
8. Petting Zoos shall provide adequate hand sanitation devices as determined by the Department of Health and Human Services
9. All food prepared or sold on site shall comply with the Department of Health and Human Services requirements.
10. Noise levels must comply with the Kendall County noise Ordinance
11. The operator shall provide adequate crowd control and parking direction as reasonably determined by the Kendall County Sheriff’s Office.
12. Events will be throughout the year and not held to any consecutive day standard.
13. Accessory uses including but not limited to temporary vendors engaged in the sale of ancillary items not produced on site but which are related to products produced on site or associated with the season shall be permitted.
14. All signage shall comply with Section 12.00 of the Zoning Ordinance

ATTACHMENTS

1. General Description prepared by petitioner
2. Site Plan
3. WBK Review Memo
Current Description:
Heap’s Giant Pumpkin Farm operates during the fall season from the second weekend in September through October 31st each year. We raise over 90 different varieties of pumpkins, gourds and squash. In addition to pumpkins we raise 25 different varieties of mums, amongst a variety of other fall produce and décor. We welcome various school groups and other after-school groups to the farm daily, typically between 9 AM and 6 PM. Our normal business hours for the pumpkin farm are 7 days a week, 9 AM through 6:30 PM. We also welcome families and guests 7 days a week and during this time all of our activities are open to the public, with the exception of hay rides only offered on the weekends, for school or after-school programs or by reservation.

Activities we offer include: Corn Maze, Soybean Maze, Hay Ride, U-Pick Pumpkin Patch, Milo’s Castle Play Ground and Heaps O’ Fun Barn. The corn maze is best suited for families, adults and children above the age of 12. The soybean maze caters more to children under the age of 12. The hayride is perfect for the entire family and takes you out to the U-Pick Pumpkin Patch, where you are able to pick a pumpkin off the vine. Milo’s Castle Play Ground is a giant fort with towers, tunnels and pirate ship play grounds. The Heaps O’ Fun Barn houses the stacks of large straw bales and corn boxes. Finally, during the second weekend of each October we welcome Sherri Farley, Hammered Dulcimer music, to the farm.

In addition to the pumpkin farm, we operate Heap’s Haunted Corn Maze. This is a haunted attraction offered on Friday and Saturday nights in October only, from 7 PM to 11PM. During this time we also offer a moonlight hay ride and a flashlight corn maze (non-haunted). To further accommodate our guests, we offer basic concessions during this time as well.

Business Hours:
Heap’s Giant Pumpkin Farm: 7 days a week, 9 AM – 6:30 PM
Heap’s Haunted Corn Maze: Fridays and Saturdays in October, 7 PM – 11 PM

Employment:
Our pumpkin farm employs on average about 25 people, seasonally during September and October. We also employ a few workers during the summer. The haunted attraction employs on average around 40 people, also seasonal help for 8-10 days in October each year.

Parking:
We have a gravel parking lot 120’ x 75’. We also have additional parking in our 4.75 acre hay field.

Signage:
We have a two-sided pumpkin farm sign at the entrance of the pumpkin farm on US Highway 52. We also have a two-sided haunted corn maze sign in our hay field towards the corner of US Highway 52 and Grove Rd.

Future Description:
Our vision for the farm over the next 3 to 5 years would be to add additional activities to both the pumpkin farm and haunted corn maze. For the pumpkin farm, we would like to build additional play areas and continue to add to our activities offered such as rides, games, etc. We continue to improve the pumpkin farm to cater to our guests who look forward to new attractions and activities each year and continue to attract business to our area. We have a 64’ x 80’ Morton pole-barn
where we intend to put our bakery in the future. In addition, we would like to sell jams, jellies and other crafts and merchandise from this area as well. In other words, we foresee this building serving as our country store / farm market. Since this building is currently where we host school tours, after-school tours and parties, we would look to construct another building to hold these events and other activities once this current building is turned into a country store and bakery.

Over the next couple years, we will begin to look into another venue to add to the haunted corn maze attraction such as a haunted house and/or haunted hay ride.

As the farm grows, we intend to grow the parking area with it. Also, we will look into adding an additional entrance/exit on Grove Rd. to alleviate traffic onto and off US Highway 52.
Special Use:
1. Fall Festival & Corn Maze
2. Bakeries
3. Retail sales yard for agricultural products not grown on the farm
4. Farm Market / Country Store to sell Jams, Jellies and other bakery type merchandise
   a. Open 365 days a year or through Christmas and summer.
5. Sell Merchandise and crafts decorations for Christmas and Fall
6. Haunted house, Haunted corn Maze, Haunted Hay ride
7. Apple Orchard
8. Parking right up to US Highway 52 and Grove Rd.
9. Weddings & Receptions
10. Haunted Corn Maze hours of operation requested
    a. Thursday through Sunday: Friday and Saturday 7 PM – 11 PM, Thursday and Sunday 7 PM – 10 PM.
    b. We are requesting the ability to be open later on Fridays and Saturdays due to lines. We stop selling tickets at 11 PM, but it often takes until 1 AM to filter the line through the attraction. Although this is not often, it does have potential to occur, especially when nights are cancelled due to weather.
11. Live entertainment
12. Train Ride
13. Additional concession stands
14. Sell Christmas trees
15. Cafeteria area within Morton barn where bakery is housed
16. Host various events such as corporate events, meetings, parties, etc.
17. Small concert / show venue
   a. Local bands, school bands, plays, comedians, magicians, etc.
18. Zombie paintball hunt
19. Haunted corn maze noise
20. Serve beer
21. Indoor and outdoor Storage facility
22. Open for fall season September 1st
1. Corn Maze & Soybean Maze will be future parking.
2. Alfalfa 4.5 Acres of additional parking 488' x 408'
3. Pavilion 24' x 48'
4. 64' x 80' Pole Barn Future Bakery & Country Store.
5. Castle Playground
6. Greenhouse 35' x 96'
7. Future Pole Barn
8. Future Play areas or additional buildings
1. Pole Barn 6'Hx80' Future Bakery & Country Store
3. Pumpkin Sales & Ticket Sales Building 12'x12'
4. Craft Sales Building 12'x17'
MEMORANDUM

Date: May 12, 2015

To: Brian Holdiman, Sue Smith

CC:

From: Greg Chismark

Subject: Petition 15-08 Heap’s Giant Pumpkins

This memo is in response to Petition 15-08 Heap’s Giant Pumpkins requesting a special use and parking setback variance. My comments and review are related to the stormwater management ordinance only.

It is noted there are a number of existing buildings where use changes are proposed. None of these warrant concern on behalf of the stormwater ordinance. It is also noted that temporary parking in the alfalfa field is proposed. Because there is no proposed surface condition change I do not consider that aspect to be of concern relative to the stormwater ordinance. Therefore, I have no objection or comments on the special use of parking variance.

There are several future use buildings and areas proposed. These do become a concern relative to the stormwater ordinance when they are constructed. The petitioner should be advised that any cumulative development (land disturbance) greater than 45,000 sf may require stormwater storage and new impervious area totaling more than 32,000 sf may require stormwater storage. Conventional gravel parking lots are considered impervious due to compaction and typical use. The disturbance and impervious surfaces are cumulative from the date of the ordinance (2012).
CONSTITUTION & BY-LAWS
FOR THE
KENDALL COUNTY REGIONAL PLAN COMMISSION

ARTICLE I.  AUTHORITY
Illinois Revised Statutes. Regional Planning, An Act to provide for regional planning and for the creation, organization and powers of regional planning commissions. Laws 1929, p. 308, approved June 25, 1929, eff. July 1, 1929.

3001. Commission to prepare plan...commission shall be a fact finding body and shall make such investigations and gather such statistics as it shall deem necessary for the planning and development of said region and shall make a plan of said region to include all matter which it may deem necessary for the development of the region as provided above.

ARTICLE II.  ROBERTS RULES OF ORDER, as applicable to informal meetings, shall prevail at all meetings of the Kendall County Regional Plan Commission.

ARTICLE III.  COMMISSION MEETINGS

THE REGULAR MEETING of the Commission shall be held on the 4th Wednesday of each month at 7:00 p.m., at the Kendall County Office Building, unless otherwise specified by presiding officer, herein referred to as "Chairman", "Chairwoman" or "Chairperson".

ADJOURNED MEETINGS of the Commission may be held at such time and place as may be fixed in the resolution of adjournment or Notice of Special Meeting. If no other place is fixed in the resolution, the meeting shall be held at the Kendall County Office Building.

SPECIAL MEETINGS of the Commission may be called by the Chairman and held at any time or place fixed in the call.

SPECIAL MEETINGS of the Commission may also be called by the Chairman at the written request of any five or more members of the Commission. If the Chairman shall fail to comply with such a request, the members requesting the meeting have authority to call the meeting by drawing up and signing a notice calling the meeting.

ADJOURNED SPECIAL MEETINGS of the Commission may be held at such time and place as may be fixed in the resolution of adjournment. If no other place is fixed in the resolution, the meeting shall be held at the Kendall County Office Building.

ARTICLE IV.  QUORUM
Fifty percent of the appointed and serving members of this Commission shall be necessary to constitute a quorum for the transaction of any business. Each member of the Commission is entitled
to one vote, only Commission members may vote.

The affirmative vote of a majority of the members present constituting the quorum shall be required for the exercise of powers or functions conferred or imposed upon the Commission, but less than a quorum of members may meet and adjourn from time to time until a quorum is present.

Failure of a quorum of the Commission. In the event the Plan Commission fails to have a quorum for any reason, resulting in the rescheduling of the petition, any expenses regarding public notices (in the paper and neighbors) will be at the expense of the County.

ARTICLE V. NOTICE OF MEETINGS
NOTICE OF MEETINGS shall name the time and place and business to be transacted and shall be emailed to each member of the Commission at his appropriate address unless otherwise specified to mail the packet to the appropriate address. Notice shall be sent at least five days in advance, allowing sufficient time to enable him to attend such meetings.

ARTICLE VI. NOTICE FOR MEETINGS
Section 1. In instances which Kendall County Board is the petitioner, the Planning, Building and Zoning Department shall provide for a notice to surrounding property owners not less than ten (10) days before the regularly scheduled Regional Planning Commission meeting. Said notice shall provide the location of the petition, a brief statement of the nature of the petition, and any other relevant information.

Section 2. In instances in which the property petitioned is located in an Agricultural District, the petitioner shall notify all property owners, as determined by County tax records, within five hundred (500) feet of the parcel being zoned. Said notice shall be completed not less than ten (10) days before the regularly scheduled Regional Planning Commission meeting. Said notice shall provide the location of the petition, a brief statement of the nature of the petition, and any other relevant information. The petitioner shall provide proof of notification to the Secretary.

Section 3. In all other instances, the petitioner shall provide proof of notification to all adjacent property owners, as determined by County tax records. Said notice shall be completed not less than ten (10) days before the regularly scheduled Regional Planning Commission meeting. Said notice shall provide the location of the petition, a brief statement of the nature of the petition, and any other relevant information. The petitioner shall provide proof of notification to the Secretary.

ARTICLE VII. TERM OF OFFICE
Plan Commission members are advisory to the County Board and appointed by the Board. Terms of Plan Commission Members shall be staggered, and for three year periods, beginning with the first month of the year in which the appointment is made. Members shall serve past their term, until a replacement or reappointment is made by the County Board.
When a vacancy occurs in the last quarter of a year, the Board may choose to make a temporary appointment to be confirmed by a full three year appointment for the candidate, beginning in the first month of the upcoming year.

ARTICLE VIII. COMMISSION OFFICERS AND DUTIES
The following officers shall be members of the Commission: a Chairman, Vice Chairman and Secretary. The following two officers may or may not be members of the Commission but may consist of staff: Recording Secretary and Treasurer.

CHAIRMAN (CHAIRPERSON, CHAIRWOMAN, PRESIDING OFFICER)
* The Chairman shall preside at all meetings of the Commission.
* The Chairman shall have general charge of the business of the Commission.
* The Chairman shall, when authorized by the Commission, execute in its name all contracts and other obligations, with the exception of those dealing with expenditures, which lie within the authority of the Kendall County Board.
* The Chairman shall appoint all committees.
* The Chairman shall have general supervision of the conduct of affairs of the Commission.
* The Chairman shall perform such other duties as are usually exercised by the Chairman of a Commission.

VICE CHAIRMAN
* The responsibility of the Vice Chairman shall be to perform the duties of the Chairman during the absence or disability of the same.

SECRETARY
* The Secretary shall attend all regular and special meetings and be responsible for the Minute book of the Commission.

TREASURER
* The Treasurer shall monitor all fiscal activities of the Commission as allocated by the County Board.
* The Treasurer, with the approval of the Commission, shall authorize payment of expenses for the Commission business to the County Board.
* The Treasurer shall keep a running record of all payments made from the budget allocated by the Board to the Commission, and shall keep the Chairman of the Commission informed as to the current status of budget funds.

The Treasurer may be a staff member of the Planning, Building and Zoning Department by majority vote of the Commission for a 1 year term.

RECORDING SECRETARY
* The Recording Secretary shall attend all regular and special meetings and be responsible for
taking the meeting minutes of the Commission.

* The Recording Secretary shall direct the mailing of all notices of regular and special Meetings as required under these by-laws or as directed by the Chairman.
* The Recording Secretary shall have charge of the office of the Commission and all books, papers and records thereof and shall attend to all correspondence of the Commission.
* The Recording Secretary shall be responsible for keeping track of the terms of office of the various Commission members.

The Recording Secretary should be a staff member of the Planning, Building and Zoning Department or employed by the Planning, Building and Zoning Office.

ARTICLE IX. ELECTION OF OFFICERS
ANNUAL MEETING for the election of officers of the Commission shall be held at the Kendall County Office Building at 7:00 p.m., on the 4th Wednesday in the month of January or the next scheduled meeting.

Any Vacancy in the office of Vice-Chairman, Secretary or Treasurer of the commission may be filled at any regular or Special Meeting after such vacancy occurs. The vacancy will be filled until the end of the vacated term by election from among the members. The office will come up for the regular election process the following January.

If the office of Chairman is vacated during a term, the position will be filled by the Vice-Chairman until the end of that Commission year and the office will come up for the regular January election schedule,

* The Chairman of the Commission shall be elected by the Commission. The term of service of the Chairman shall be one year and the Chairman may be re-elected.
* The Vice Chairman shall be elected by the Commission and the term of service shall be one year.
* The Secretary shall be elected by the Commission and the term of service shall be one year.
* The Treasurer shall be elected by the Commission and the term of service shall be one year.

ARTICLE X. APPOINTMENTS
The Chairman of the Commission shall appoint Committees and Committee Chairman when necessary. In the event that the Chairman, Vice Chairman and Secretary and Treasurer of the Commission should all be absent or unable for any reason to attend to the duties of their office, the remaining members of the Commission may at any Regular Meeting or at any Special Meeting, appoint a Chairman pro-tem, who shall attend to all the duties of such officers until such officers shall return or be able to attend to their duties.

ARTICLE XI. COMMITTEES
Whenever necessary, the Chairman of the Commission shall appoint special committees as necessary
or as may be authorized by the Commission.

All reports of committees upon which action of the Commission is contemplated shall be submitted in writing to the Commission and signed by the Chairman of the Committee.

**ARTICLE XII. QUALIFICATIONS AND CONDUCT OF MEMBERS**

All voting members and ex-officio members shall be legal residents of the County of Kendall.

All members of the Kendall County Regional Plan Commission shall be residents of different townships with one member at large so as to reasonably represent the urban and rural areas of the County.

Members who have any personal interest and/or are actively involved with, and have taken a position on the request; or who have ownership, or share of, or financial interest, or equity obligations in connection with the matter presented to the Commission shall disqualify themselves from any discussion, consideration or voting on such matters.

Each Commission member is allowed three (3) unexcused absences during each calendar year. Unexcused absences exceeding three (3) could result in a drop of the member from the Commission.

**ARTICLE XIII. ORDER OF BUSINESS**

* Roll Call of Members present
* Approval of Agenda
* Approval of Bills
* Approval of Minutes
* Petitions
* Citizens to be Heard/Public Comment
* New business.
* Old Business
* Adjournment

**ARTICLE XIV. PETITIONS**

All petitions and other matters brought before the Kendall County Regional Plan Commission shall be reviewed and in cases dealing with the Land Resource Management Plan a public hearing shall be conducted. Advisory recommendations of the Commission shall be transmitted to the Zoning Board of Appeals and the Planning, Building and Zoning Committee for consideration.

**ARTICLE XV. ADDRESSING THE PLAN COMMISSION**

The public is invited by the Planning Commission to speak on items before the Commission. Reasonable time limitations may be imposed by the Chairman.
ARTICLE XVI. AMENDMENT OF BY-LAWS AND RULES OR PROCEDURE

The By-Laws and rules of procedure herein may be amended whenever it is necessary to do so for the best interests of the Commission, providing such amendment is proposed in writing and signed by at least three members. The motion for such amendment shall be made at one meeting and voted upon at the meeting next following; the notice for such meeting shall contain a copy of the proposed amendment.

APPROVED & ADOPTED BY THE KENDALL COUNTY REGIONAL PLAN COMMISSION

Bill Ashton, Planning Commission Chairman
Budd Wormley, Planning Commission Vice-Chairman
Larry Nelson, Planning Commission Treasurer
Tom Casey, Planning Commission Member
Vern Poppen, Planning Commission Member
Roger Bledsoe, Planning Commission Member
Claire Wilson, Planning Commission Member
Vacant, Planning Commission Member
Vacant, Planning Commission Member
Vacant, Planning Commission Member