

COUNTY OF MENARD)
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STATE OF ILLINOIS)

The Menard County Planning Commission met on Monday, January 18, 2010 at 7:00 p.m., at the Menard County Courthouse, Petersburg, Illinois. Chairperson Jim Orum called the meeting to order at 7:00 p.m.

Chairperson Orum called for a roll call of present members. Planning Commission members Jim Orum, Edie Sternberg, Ben Kiningham, Terry Entwistle, Rod Riech and Julie Wankel were present. Planning Commission member Kevin Willis was absent and there were two vacancies for this nine-member commission. A quorum was present. Zoning Administrator Steve Duncan was also present.

Minutes from the November 16, 2009 meeting were presented for approval. Planning Commission member Kiningham moved to approve the minutes, as presented. Planning Commission member Entwistle seconded the motion. The motion carried with six "ayes", no "nays", one absent and two vacancies.

NEW BUSINESS

LEGISLATIVE PUBLIC HEARING: MENARD COUNTY ZONING ORDINANCE TEXT AMENDMENT PROPOSALS, AS FOLLOWS:

A-AGRICULTURE DISTRICT

- **AMEND ARTICLE IV, SECTION 6.03(C)(1)(a) "AGRI-BUSINESS" TO PROVIDE FOR LAWN & LANDSCAPING SERVICES BUSINESSES (MAY INCLUDE GREENHOUSE, NURSERY & OTHER ASSOCIATED BUSINESS) TO BE PROVIDED FOR BY SPECIAL USE PERMIT ONLY. LAWN & LANDSCAPING SERVICES BUSINESSES ARE NOT CURRENTLY ALLOWED.**

RR-RURAL RESIDENTIAL DISTRICT

- **AMEND ARTICLE IV, SECTION 6.04(C) TO PROVIDE FOR LAWN & LANDSCAPING SERVICES BUSINESSES (MAY INCLUDE GREENHOUSE, NURSERY & OTHER ASSOCIATED BUSINESS) TO BE PROVIDED FOR AS A PRINCIPAL USE OF PROPERTY & BY SPECIAL USE PERMIT ONLY. LAWN & LANDSCAPING SERVICES BUSINESSES ARE NOT CURRENTLY ALLOWED.**
- **AMEND ARTICLE IV, SECTION 6.04(D)(1) "MINIMUM LOT AREA" TO ESTABLISH A ONE ACRE MINIMUM LOT AREA FOR LAWN & LANDSCAPING SERVICES BUSINESSES, WHEN A PRINCIPAL USE OF PROPERTY.**

B-1 DOWNTOWN BUSINESS DISTRICT

- **AMEND ARTICLE IV, SECTION 6.07(B) TO PROVIDE FOR LAWN & LANDSCAPING SERVICES BUSINESSES (MAY INCLUDE GREENHOUSE, NURSERY & OTHER ASSOCIATED BUSINESS) TO BE PROVIDED FOR AS A PERMITTED USE. LAWN & LANDSCAPING SERVICES BUSINESSES ARE NOT CURRENTLY ALLOWED.**

B-2 HIGHWAY BUSINESS DISTRICT

- **AMEND ARTICLE IV, SECTION 6.08(B) TO PROVIDE FOR LAWN & LANDSCAPING SERVICES BUSINESSES (MAY INCLUDE GREENHOUSE, NURSERY & OTHER ASSOCIATED BUSINESS) TO BE PROVIDED FOR AS A PERMITTED USE. LAWN & LANDSCAPING SERVICES BUSINESSES ARE NOT CURRENTLY ALLOWED.**

SPECIAL USE REGULATIONS

- **AMEND ARTICLE X, SECTION 10.01(D)(2)(f) TO PROVIDE FOR SPECIFIC STANDARDS FOR LAWN & LANDSCAPING SERVICES BUSINESSES APPLYING FOR A SPECIAL USE PERMIT**

Chairperson Orum opened the public hearing to give consideration to the various zoning text amendments, initiated by the County.

As there were no public comments on any of the proposed text amendments, Planning Commission member Kiningham moved to adjourn the public hearing at 7:05 p.m. Planning Commission member Sternberg seconded the motion. The motion carried with six (6) "ayes", no "nays", one absent and two vacancies.

Planning Commission member Kiningham asked if a pre-existing greenhouse or landscape business, located in the Rural Residential or Agriculture zoning districts, would need to get a special use permit. Zoning Administrator Duncan stated that existing uses would be looked at as grandfathered in. Planning Commission

member Kiningham asked if a use was not provided for in a zoning district what was its status. Zoning Administrator Duncan stated that he had always been told and taught that if a use is not provided for in a zoning district it is not allowed. He stated that, otherwise, what would be the point of zoning districts as any use could be established.

Planning Commissioner member Sternberg expressed concern with greenhouse, greenhouse/nurseries and lawn & landscaping services - with greenhouses/nurseries also being allowed as part of a lawn and landscaping services use - all being listed separately as distinct uses. She thought that it made it confusing to a reader of the zoning ordinance. Zoning Administrator Duncan stated that it was a little redundant but it did create a "step ladder" approach and wanted to make it clear that any of these, listed principal uses, could be established as a principal use in the B-1 or B-2 zoning districts, as applicable.

Planning Commission member Kiningham asked about land preserves and agricultural purposes and described a situation where trees were being grown as part of a "preserve". After discussion, Zoning Administrator Duncan stated that he did not believe the described activity would constitute a lawn and landscaping services use.

Planning Commissioner member Kiningham moved to recommend approval to amend Article IV, Section 6.03(C)(1)(a) "Agri-business" to provide for lawn & landscaping businesses for lawn & landscaping service businesses (may include greenhouse, nursery & other associated business) to be provided for by special use permit only, as presented. Planning Commission member Sternberg seconded the motion. The motion carried with six (6) "ayes", no "nays", one absent and two vacancies.

Planning Commission member Riech moved to recommend approval to amend Article IV, Section 6.04(C) to provide for lawn & landscaping businesses (may include greenhouse, nursery & other associated business) to be provided for as a principal use of property & by special use permit only and to amend Article IV, Section 6.04(D)(1) "minimum lot area" to establish a one acre minimum lot area for lawn & landscaping services businesses, when a principal use of property, as presented. Planning Commission member Entwistle seconded the motion. The motion carried with six (6) "ayes", no "nays", one absent and two vacancies.

Planning Commission member Wankel moved to recommend approval to amend Article IV, Section 6.07(B) to provide for lawn & landscaping businesses (may include greenhouse, nursery & other associated business) to be provided for as a permitted use, as presented. Planning Commission member Entwistle seconded the motion. The motion carried with six (6) "ayes", no "nays", one absent and two vacancies.

Planning Commissioner member Sternberg moved to recommend approval to amend Article IV, Section 6.08(B) to provide for lawn & landscaping businesses (may include greenhouse, nursery & other associated business) to be provided for as a permitted use, as presented. Planning Commission member Riech seconded the motion. The motion carried with six (6) "ayes", no "nays", one absent and two vacancies.

Planning Commissioner member Kiningham moved to recommend approval to amend Article X, Section 10.01(D)(2)(f) to provide for specific standards for lawn & landscaping services businesses applying for a special use permit, as presented. Planning Commission member Wankel seconded the motion. The motion carried with six (6) "ayes", no "nays", one absent and two vacancies.

Unscheduled Public Comments/Requests

There were no unscheduled public comments.

Zoning Administrator's Report

There was no report.

Individual Planning Commission Member Comments

There were no individual Planning Commission member comments.

Adjournment

As no other business was brought before the Planning Commission, Planning Commission member Kiningham moved to adjourn the meeting at 7:21 p.m. Planning Commission member Wankel seconded the motion. The motion carried with six "ayes", no "nays", one absent and two vacancies.