

JO DAVIESS COUNTY
PLANNING COMMISSION/ZONING BOARD OF APPEALS & AD HOC ZONING SUBCOMMITTEE
STUDY SESSION MINUTES
APRIL 16, 2026

I. Call to Order

Chair Peter Huschitt called the meeting to order at 6:00 PM on Thursday, April 16, 2026 in the meeting room at the Jo Daviess County Highway Department Building, 1 Commercial DR, Hanover, Illinois.

II. Roll Call

Roll Call for the PC/ZBA was answered as follows: Present – Peter Huschitt, Ron Mapes, Don Hill, Gary Diedrick. Present: 4. Present electronically – 0. Present electronically: 0. Absent – LaVonne Deininger and Steve McIntyre (was counted present with the Ad Hoc Zoning Ordinance Subcommittee). Absent: 2

Roll Call for the Ad Hoc Zoning Ordinance Subcommittee was answered as follows: Present – Dan Caswell, John Creighton, Mike Dittmar, Brian Engle, Steve McIntyre, Beth Baranski, Diane Gallagher, ~~Toby~~ Tony Jones, La Don Trost, Cory Cassens, William Meeker. Present: 11. Present electronically – 0. Present electronically: 0. Absent – LaVonne Deininger and Joel Holland. Absent: 2

III. Establishment of a Quorum

Chair Huschitt noted that a quorum of both bodies was present.

IV. New Business

A. Review of the Recommendations of the Ad Hoc Zoning Subcommittee Regarding Amendments to the Jo Daviess County Zoning Regulations and Associated Regulations:

- 1. Overview of the Purpose of the Study Session (William Meeker, Planning & Development Administrator).**
- 2. Review and Discussion of Proposed Amendments to the Jo Daviess County Zoning Regulations and Associated Regulations (Cory Cassens, Chair of the zoning Ad Hoc Subcommittee & PC/ZBA Members).**

It was noted that the purpose of the Study Session is to permit the PC/ZBA members to review the Ad Hoc Zoning Subcommittee's recommendations for amendments to the Zoning Ordinance and other related ordinances as outlined in the whitepaper entitled: Adapting for Tomorrow's Success (Jo Daviess County Ad-Hoc Zoning Subcommittee 2025). Commissioners may ask questions regarding the proposed amendments, but cannot indicate their position(s) regarding any of the amendments. As

this is a study session with no action to be taken by the PC/ZBA, citizens' comments will be held at the end of the meeting; Commissioners were counseled that they may not respond to any comments made by the public; this must be reserved for the duly-noticed public hearing.

Chair Cory Cassens of the Ad Hoc Zoning Subcommittee reviewed the recommendations of the Subcommittee as follows:

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Adapting for Tomorrow's Success

Jo Daviess County Ad-Hoc Zoning Subcommittee 2025

- I. History of the creation and purpose of the Ad-Hoc Zoning Subcommittee
 - a. Creation of the Ad-Hoc Zoning Subcommittee as authorized by County Board Members on February 11, 2025 - A committee motion to approve a Resolution to Establish an Ad-Hoc Zoning Subcommittee was passed.
 - b. Ad-Hoc Zoning Subcommittee Members were appointed as authorized by County Board Members on February 11, 2025 - A motion to appoint LaDon Trost, Michael Dittmar, John Creighton, Diane Gallagher, William Meeker, Dan Caswell, Brian Engle, Tony Jones, Cory Cassens, Steve McIntyre, Joel Holland and LaVonne Deininger to serve on the Ad-Hoc Zoning Subcommittee was passed. Subsequently member Beth Baranski was added.
 - c. "Statement of Work" of the Ad-Hoc Zoning Subcommittee as viewed by members during the 03/18/25 Ad-Hoc Committee meeting:
 - Member LaDon Trost explained, "The purpose and scope of the committee and how it can become one of the most valuable committees that the County Board has created. It will encompass and take into consideration, the day-to-day lives for every person to build, reside in, and do business within the County. The intent is not to rewrite the entire Zoning Ordinance, but to review and make suggestions to the County Board, for the betterment of the County."
 - Member John Creighton noted, "He would like to put together a series of recommendations that may not benefit anyone sitting at the table, but will benefit their children, grandchildren, and generations to come."
 - Member Bill Meeker offered an observation, "He sees many Variances granted. It is an acceptance implying that the Code, as written, is not appropriate."
 - Member Steve McIntyre explained, "The realtors in the room could potentially tell stories regarding residents starting the process to reside in the County, then deciding to leave halfway through the process, some of those due to obstacles with the Zoning Ordinance and possible perception."
 - d. Goals of the Ad-Hoc Zoning Subcommittee – Each member returned to the 04/15/25 meeting with 3 goals as perceived by the member to propel the committee to succeed in the purpose for the benefit of Jo Daviess County. The result was nearly 40 sound goals. On 05/20/25, members prioritized the goals by voting resulting in the following top 3 goals of the Ad-Hoc Zoning Subcommittee. Such goals would enable the members focus in suggestive ordinance modification to be successful in the scope and purpose of this committee.
 1. *Identify information that may jeopardize new/expanding businesses.*
 2. *Streamline and clarify the Zoning Ordinance to make it more user friendly, to simplify.*
 3. *Reduce the need for Variances without compromising County-wide respectable standards.*

II. Motions Passed by the AD-Hoc Zoning Subcommittee as recommendations to Amend Jo Daviess County Code of Ordinance contents.

(Listed in order of):

Meeting date of occurrence (in bold and underlined)

1. Code numerical reference
 2. Code description
 3. Motion content (underlined/Bold to emphasized suggested change)
 4. Uniform Resource Locator (URL) Hyperlink
- a. **04/15/25:**
1. Section 8-3A-2: E
 2. Zoning Regulations - AG Agricultural District- Permitted uses – Item 2E
 3. from “the minimum zoning lot size shall be at least forty (40) acres”, to “one (1) acre”, and are subject to all checks and balances in the zoning code.
 4. https://codelibrary.amlegal.com/codes/jodaviesscoil/latest/jodaviessco_il/0-0-0-3498#JD_8-3A-2
- b. **06/17/25:**
1. Section 7-1-3C Amendments, R106.1 Exceptions, Subsection a
 2. Building Regulations - Chapter 1 Building Code – Exceptions
 3. “waiver of construction document preparation by a registered design professional; replace \$25,000 with \$100,000 and require this number to be adjusted by the CPI every five years.”
 4. https://codelibrary.amlegal.com/codes/jodaviesscoil/latest/jodaviessco_il/0-0-0-3064
- c. **06/17/25:**
1. Section 7-1-3C Amendments, R105.2, Subsection 1:
 2. Building Regulations – Building Code – Adoption of Codes- Work Exempt from a Permit:
 3. “work exempt from a building permit: change 120 square feet to 600 square feet for structures not requiring a building permit.”
 4. https://codelibrary.amlegal.com/codes/jodaviesscoil/latest/jodaviessco_il/0-0-0-3064#JD_7-1-3
- d. **06/17/25:**
1. Section 8-3A-4 Intensity of Use, Subsection B
 2. Zoning Regulations – District Regulations – Ag Agricultural District – Intensity of Use
 3. “nonagricultural accessory area: eliminate restrictions on lot coverage for accessory structures (i.e. eliminate this section and its limitations).”
 4. https://codelibrary.amlegal.com/codes/jodaviesscoil/latest/jodaviessco_il/0-0-0-3514
- e. **06/17/25:**
1. Section 8-4C-5 Nonconforming signs, Subsection 3:
 2. Zoning Regulations – Supplemental Regulations – Sign Regulations – Non Conforming Signs
 3. “discontinuance of nonconforming signs: require notification to owners of these signs regarding the removal of the sign after 180-days of non-use.
 4. https://codelibrary.amlegal.com/codes/jodaviesscoil/latest/jodaviessco_il/0-0-0-4209

f. 07/15/25

1. Section 8-5B-(Multiple articles affected with suggested modification) – Accessory Dwelling Units
2. Title 8 Zoning Recommendations – Chapter 5 Use Table and Regulations – Article B Use Standards.
3. Proposal to all Accessory Dwelling Units (ADUs) as permitted uses in ALL residential and Agricultural Districts, subject to the County Ordinance. Code Provisions: Accessory Dwellings Units (ADUs) shall be a permitted use in all residential and agricultural districts subject to other applicable provisions of this code. (See 8-5B-32 and 8-5B33B) (Replace 8-5B-52)
4. https://codelibrary.amlegal.com/codes/jodaviesscoil/latest/jodaviessco_il/0-0-0-4876
https://codelibrary.amlegal.com/codes/jodaviesscoil/latest/jodaviessco_il/0-0-0-5200

g. 07/15/25

1. Section 8-5B-16 Home Occupations
2. Title 8 Zoning Regulations – Chapter 5 Use and Table Regulation – Article B Use Standards – Home Occupations
3. Home occupations shall be permitted in all districts permitting dwellings subject to the following provisions and the provisions for accessory uses as specified in section 8-5B-1 of this article:
 - A. Restrictions and Limitations:
 1. The home occupation (*insert: including use of any accessory buildings.*) shall be incidental and subordinate to the principal residential use of the premises.
 2. ~~No more than four (4)~~ (*insert: The number of*) employees who do not reside in the house (*insert: who*) may work at the location of the home occupation on any single day. ~~The home occupation~~ Shall not constitute a nuisance taking into account the character of the surrounding area or neighborhood. The number of employees (*insert: not working*) ~~that never work~~ at the home occupation location shall not be limited.
 3. (*insert: The majority of sales*) Sales on the site of a home occupation shall be limited to goods made (*insert: assembled or otherwise prepared*) on the site (*insert: made offsite shall also be allowed*). Off premises sales, including sales made by telephone, fax or computer are not prohibited by this title.
 4. No exterior display of merchandise sold or used in conjunction with the home occupation shall be allowed.
 5. Signs shall comply with chapter 4, article C of this title. ~~No sign shall exceed two feet (2') in any direction, shall not be illuminated and shall be mounted on premise. placed flat against the main wall of the principal residential structure.~~
 6. Materials or equipment used in conjunction with a home occupation shall be wholly enclosed within the dwelling or accessory building.
 7. No equipment shall be utilized (*insert: used*) that creates a nuisance (*insert: by, for example, excessive* ~~such as~~ noise, vibration, smoke, dust, odor, heat, glare, emissions or electrical interference.
 8. No alteration of the exterior of the principal residential structure shall be made which changes the character thereof as a dwelling.
 9. No traffic shall be generated by the activity of the home occupation which creates a nuisance taking into account the character of the surrounding area or neighborhood. ~~This provision shall also include the prohibition of regular delivery by tractor trailer combination trucks.~~
 10. The following are examples of uses that are permitted for illustrative purposes:
(insert: Antiques Retail)
Art, dancing, and music schools

f. 07/15/25

1. Section 8-5B-(Multiple articles affected with suggested modification) – Accessory Dwelling Units
2. Title 8 Zoning Recommendations – Chapter 5 Use Table and Regulations – Article B Use Standards.
3. Proposal to all Accessory Dwelling Units (ADUs) as permitted uses in ALL residential and Agricultural Districts, subject to the County Ordinance. Code Provisions: Accessory Dwellings Units (ADUs) shall be a permitted use in all residential and agricultural districts subject to other applicable provisions of this code. (See 8-5B-32 and 8-5B33B) (Replace 8-5B-52)
4. https://codelibrary.amlegal.com/codes/jodaviesscoil/latest/jodaviessco_il/0-0-0-4876
https://codelibrary.amlegal.com/codes/jodaviesscoil/latest/jodaviessco_il/0-0-0-5200

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 - A. Restrictions and Limitations:
 1. The home occupation (*insert: including use of any accessory buildings.*) shall be incidental and subordinate to the principal residential use of the premises.
 2. ~~No more than four (4)~~ (*insert: The number of*) employees who do not reside in the house (*insert: who*) may work at the location of the home occupation on any single day. ~~The home occupation~~ Shall not constitute a nuisance taking into account the character of the surrounding area or neighborhood. The number of employees (*insert: not working*) ~~that never work~~ at the home occupation location shall not be limited.
 3. (*insert: The majority of sales*) Sales on the site of a home occupation shall be limited to goods made (*insert: assembled or otherwise prepared*) on the site (*insert: made offsite shall also be allowed*). Off premises sales, including sales made by telephone, fax or computer are not prohibited by this title.
 4. No exterior display of merchandise sold or used in conjunction with the home occupation shall be allowed.
 5. Signs shall comply with chapter 4, article C of this title, ~~No sign shall exceed two feet (2') in any direction, shall not be illuminated and shall be mounted on premise. placed flat against the main wall of the principal residential structure.~~
 6. Materials or equipment used in conjunction with a home occupation shall be wholly enclosed within the dwelling or accessory building.
 7. No equipment shall be utilized (*insert: used*) that creates a nuisance (*insert: by, for example, excessive such as* noise, vibration, smoke, dust, odor, heat, glare, emissions or electrical interference).
 8. No alteration of the exterior of the principal residential structure shall be made which changes the character thereof as a dwelling.
 9. No traffic shall be generated by the activity of the home occupation which creates a nuisance taking into account the character of the surrounding area or neighborhood. ~~This provision shall also include the prohibition of regular delivery by tractor trailer combination trucks.~~
 10. The following are examples of uses that are permitted for illustrative purposes:
(insert: Antiques Retail)
Art, dancing, and music schools

i. 09/15/25

1. Section 8-5B-46

2. Title 8 Zoning Recommendations – Chapter 5 Accessory Uses – Article B Use Standards – Guest Accommodations and Guest Houses/Homes

3. Motion to recommend adoption of the Guest Accommodations modifications as reviewed and amended as follows:

B. Standards:

1. Parking: Each and every facility shall provide no less than one parking place for every two (2) persons for which the licensed facility provides occupancy. Each off street parking space shall be at least nine feet (9') wide by twenty feet (20') long. Such parking must be provided and arranged in such a manner that any emergency vehicle can drive up to and park within one hundred feet (100') of the main entrance to the facility without being impeded by parked vehicles. The area designated for off street parking ~~must not have a slope greater than eight percent (8%) and~~ shall be surfaced with at least ten inches (10") of compacted aggregate. An off street parking design plan must be submitted. Overnight parking on township, county or state roads adjacent to the facility is prohibited.
2. Ingress/Egress: Each and every facility ~~shall provide access roads at a grade no greater than fifteen percent (15%) at any one point and the~~ surface shall be no less than ten inches (10") of compacted aggregate with a ten foot (10') driving surface, one foot (1') shoulders on each side consisting of a material type other than that of the driveway surface grade being one-half inch ($\frac{1}{2}$ ") per foot, with four to one (4:1) side slopes off of the shoulder.
3. Access Sight Distance: Each and every facility shall have sight distance adequate for road type accessing on and off of as indicated by the AASHTO (American Association Of State Highway And Transportation Officials) "A Policy On Geometric Design Of Highways And Streets", 2001, fourth edition manual, as amended. (Ord. 2009-3, 5-12-2009)
4. Building Sitting and Orientation: Structures, as defined in chapter 7 of this title, including all outdoor activity areas (excluding detached accessory buildings and fencing) shall be so located on the property as follows:
 - a. ~~Five feet (5') from the side lot line per bedroom, with a minimum of fifteen feet (15') and a maximum requirement of thirty five feet (35').~~ *Insert: Side-yard setbacks shall be as required by the Zoning District in which the property lies. In the event that a recorded subdivision includes differing setbacks on the recorded plat, then that setback shall apply.*

4. https://codelibrary.amlegal.com/codes/jodaviesscoil/latest/jodaviessco_il/0-0-0-5148#JD_8-5B-46

j. 09/15/25

1. Section 4-6-10:

2. Title 4 Business and License Recommendations – Chapter 6 Guest Accommodations – Article 10 Site and Structure Requirement; Utilities

3. Requirements for Emergencies:

- ~~d. Emergency Telephone: Each guest house or home shall provide a telephone for emergency purposes. Such phone shall be available twenty four (24) hours a day. A list of all emergency numbers shall be posted next to the telephone. Property owners shall contact the Jo Daviess County sheriff's office to schedule an emergency test call to confirm match to the licensed physical address.~~

4. https://codelibrary.amlegal.com/codes/jodaviesscoil/latest/jodaviessco_il/0-0-0-1384

- k. 10/21/25
1. Section 8-4F-2:
 2. Chapter 4 Supplemental Regulations – Article F Adoption of Other Regulations - LAND EVALUATION SITE ASSESSMENT (LESA):
 3. A motion to recommend striking all references to the "LESA" score from the current zoning ordinance.
 4. https://codelibrary.amlegal.com/codes/jodaviesscoil/latest/jodaviessco_il/0-0-0-4445
- l. 12/16/25
1. Section 8-4C-5 A3:
 2. Zoning Regulations – Supplemental Regulations – Sign Regulations – Non Conforming Signs
 3. A motion to modify Section 8-4C-5 A 3 to cross out "and removed" and add notification provided to the owner who shall be given 180-days to repair/replace/remove the sign, subject to a reasonable extension of time when the business is for sale.
 4. https://codelibrary.amlegal.com/codes/jodaviesscoil/latest/jodaviessco_il/0-0-0-4209
- m. 12/16/25
1. Section Reference N/A (*New code*); Consider addition at Section 8-4C-11:
 2. Zoning Regulations – Supplemental Regulations – Sign Regulations – Local Business Off Premise Signs
 3. Creation of "Off-Premise Signs" which is summarized as follows:
 - Double-faced signs permitted, limited to no greater than 32 square feet/sign face with an overall height above the adjacent grade of no greater than 20 feet to the top of the sign.
 - No more than one Local Business Off-Premise sign structure on a property; sign structures may advertise more than one business as long as all other criteria in this section are met.
 - Local Business, Off-Premise signs may be erected no closer than one-mile from any other off-premise sign, including traditional billboards. In determining compliance with this standard, signs on both sides of the highway corridor shall be considered.
 - Must be continually maintained in good condition.
 4. https://codelibrary.amlegal.com/codes/jodaviesscoil/latest/jodaviessco_il/0-0-0-4145
- n. 12/16/25
1. Section 8-4C-5
 2. Zoning Regulations – Supplemental Regulations – Sign Regulations – Non Conforming Signs:
 3. "#3 Discontinuance of nonconforming signs: *require notification to owners* of these signs whom will be given 180-days to repair/replace/remove the sign subject to a reasonable extension of time when the business is for sale."
 4. https://codelibrary.amlegal.com/codes/jodaviesscoil/latest/jodaviessco_il/0-0-0-4209

III. Conclusion

Ad-Hoc zoning subcommittee members agree the contents of code of ordinances were generally fitting during the period of time of passage and have withstood the duration of time reasonably well. Member's proactive engagement and participation during this assignment agree that change is inevitable, whereby requiring adaptation of Jo Daviess County code of ordinances to remain viable. Ad-Hoc zoning subcommittee members support and embrace the day when even the recommendations within this document need to be amended by a future committee. Such ongoing adaptation is whole heartedly embraced and encouraged by all members.

Executive Summary

By Cory C. Cassens – Chairperson of Ad-Hoc Zoning Subcommittee

Adapting for Tomorrow's Success - While performing the task assigned, members of this committee remained protective of the uniqueness of Jo Daviess County which includes history, topography, culture and community. At the same time, we all recognize that we are merely temporary stewards or guardians during our time and have a responsibility to those before us as well as those coming after us to best provide a foundation for success. Ad-Hoc zoning subcommittee members were guided by the goals established by this committee and made a strong effort to attempt to ensure our suggestions of change made every possible effort to avoid *unintended consequences*.

Agreeing to adapt should focus on the consideration for future success and by no means is a statement of criticism as to how we got to today's point of consideration of need for code of ordinance modification. Such process is far more challenging than merely the continuation of potentially historically correct ordinance content and language. While choosing not to adapt may have the short term appearance of simply supporting the code as it was previously written, such position is likely to have stagnate long-term consequences that result in Jo Daviess County having the inability to compete in an ever-changing landscape that includes employment, housing, education, family presence and life-style.

My writing of this summary is an effort to summarize the entire task that the ad-hoc zoning subcommittee members voluntarily undertook in hopeful efforts to the benefit of others. Standard position paper summaries attempt to convince readers of why such document contents are important in the eyes and minds of readers. I have no such goal, as such would appear to be personal and self preserving. I challenge all whom are involved with the process of code of ordinance reform, to be logical, rational, listen to others, and listen to your own heart while never placing yourself first, to reach your own conclusion that best represents all of the constituents you represent. The committee process and discussion was thorough and impossible to summarize feelings and expressions in a singular paragraph. Readers may access the recordings of our meetings to gain further depth in understanding how we reached a conclusion by committee.

While all members applied knowledge obtained as relating to past occurrences, no singular board member presented themselves with a thought or idea that was only pertinent or germane to them for personal benefit or gain. We focused on sections of code that were brought to our attention based on historical variances and decisions where current code was applied. All motions with the exception of one were passed by unanimous vote. This document is a conclusion by committee.

Glossary

1. ***Abbreviations and Definitions within this Document:***
 - a. ***Accessory Dwelling Units (ADUs)***: a secondary housing unit on the same parcel as principal dwelling unit offering independent living which may include kitchen, bathroom, living, eating and sleeping areas and facilities. ADUs may be internal, external, detached attached to the principle dwelling unit. Uses for ADUs shall include but not be limited to dwelling units for family members, farm managers or workers, rental property and guest accommodations.
 - b. ***Deleted ordinance wording*** is identified in font by ~~struck through~~
 - c. ***Hyperlink*** is link from a hypertext document to another location, activated by clicking on a highlighted word or image.
 - d. ***Inserted ordinance wording*** is identified in ***green font, italicized and underlined***
 - e. ***Land Evaluation Site Assessment (LESA)***
 - f. ***Not Applicable (N/A)***
 - g. ***Uniform Resource Locator (URL)***: The unique web address that the link points to. ***Identified by blue font and italicized.***
 - h. ***Unintended Consequences***: The unforeseen or unexpected outcomes (positive, negative, or neutral) that result from a deliberate action, policy, or decision, often occurring in complex systems due to ignorance, error or focusing only on immediate effects.
2. URL's for additional reference with this document hyperlinked for ease of electronic retrieval:
 - a. Archived Agendas & Minutes:
<https://www.jodaviesscountyil.gov/government/archives/index.php>
 - b. Boards and Committees:
https://www.jodaviesscountyil.gov/government/boards_committees/index.php
 - c. County Board 2025 Archived Agendas & Minutes (January - July):
https://www.jodaviesscountyil.gov/government/archives/2025/county_board.php
 - d. Jo Daviess County Illinois Home:
<https://www.jodaviesscountyil.gov/>
 - e. Zoning Ad Hoc Committee Agenda & Minutes (March – July 2025):
https://www.jodaviesscountyil.gov/government/archives/2025/zoning_ad_hoc_committee.php
 - f. Zoning Ad Hoc Committee Agenda & Minutes (August – December 2025):
<https://jodaviesscoil.portal.civicclerk.com/>
 - g. Comprehensive Plan:
https://www.jodaviesscountyil.gov/departments/planning_development/comprehensive_plan.php
 - h. Jo Daviess County Land Evaluation Site Assessment:
<https://cms5.revize.com/revize/jodaviesscounty/Document%20Center/Departments/Planning%20&%20Development/%7BD45CEB55-5CA4-4608-AB87-9828017CDB1D%7D.PDF>
 - g. Guest Accommodations:
https://www.jodaviesscountyil.gov/departments/planning_development/quest_accommodations.php
 - h. Jo Daviess County Departments: <https://www.jodaviesscountyil.gov/departments/index.php>
 - i. Jo Daviess County Home: <https://www.jodaviesscountyil.gov/index.php>
 - j. Jo Daviess County, IL Code of Ordinances:
<https://codelibrary.amlegal.com/codes/jodaviesscoil/latest/overview>

PC/ZBA Commissioners asked clarifying questions regarding the recommended amendments. No action was taken.

V. Citizens' Comments (Commissioners Cannot Respond to Questions or Provide Other Commentary)

Tom Heidenreich, Stockton, IL: Encouraged the PC/ZBA to review the policy direction of the adopted Comprehensive Plan during the deliberations. He noted that the County's population has been relatively stable since 1910. People are migrating from the towns to the rural areas.

VI. Adjourn

A motion to adjourn was made at by Don Hill and seconded by Ron Mapes. Motion carried by voice vote. Meeting adjourned at 7:38 p.m.

The next REGULAR meeting of the Planning Commission/Zoning Board of Appeals will be held on Wednesday, April 22, 2026