KENDALL COUNTY
REGIONAL PLANNING COMMISSION

111 West Fox Street • Rooms 209 and 210 • Yorkville, IL • 60560

AGENDA

Wednesday, July 22, 2020 – 7:00 p.m.

CALL TO ORDER

ROLL CALL: Bill Ashton (Chair), Roger Bledsoe, Tom Casey, Dave Hamman, Karin McCarthy-Lange, Larry Nelson (Secretary), Ruben Rodriguez (Vice-Chairman), Bob Stewart, Claire Wilson, and One Vacancy

APPROVAL OF AGENDA

APPROVAL OF MINUTES Approval of Minutes from February 26, 2020 Meeting (Pages 5-9)

Approval of Minutes from June 29, 2020 Special Meeting (Pages 10-19)

PETITIONS

1. **19 – 39 – John Dollinger on Behalf of Hansel Ridge, LLC (Current Owner), Jason Shelley on Behalf of Goproball, LLC (Prospective Buyer), and James and Denise Maffeo (Prospective Buyer) (Pages 20-203)**

Request: Map Amendment Rezoning the Subject Property from A-1 Agricultural to B-3 Highway Business District and Special Use Permits for Indoor and Outdoor Storage and to B-2 General Business District

PIN: Northeastern 8.69 +/- Acres of 09-13-200-002

Location: 195 Route 52, Seward Township

Purpose: Petitioners Would Like to Operate an Indoor and Outdoor Storage Facility on the Property and Market the East Side of the Property for Additional Business Uses.

2. **20 – 14 – Kendall County Regional Planning Commission (Pages 204-394)**

Request: Text Amendments to the Kendall County Zoning Ordinance Including the Following:
Text Amendments throughout the Kendall County Zoning Ordinance Including Section Numbers Changed from Period Separators to Colon Separators, Correcting General Typographical Errors, Placing Definitions and Uses in the Proper Places Alphabetically, Spelling Out Numbers and Adding Numbers When Numbers are Spelled, Correcting Reference Citation Errors, Renumbering and Re-lettering Sections Without Changing the Meaning of the Text, Removing Language Related to Compliance With Other Local, State and Federal Laws, Listing Use Conditions in the First Zoning District Where the Use is Listed, Adding Dates of Adoption and Dates of Amendment, Deleting References to Accessory Uses Meeting Certain Standards, Deleting References to Home Based Businesses Meeting Applicable Regulations, Deleting References to Small Wind Energy System Standards, Adding Language Clarifying Words and Terms Not Defined in the Ordinance, Deleting the Definitions of Automobile Service Station, Bus Lot, Garage (Bus), Erect (from the Sign Portion of the Ordinance), Garage (Public), Hotel (Apartment), Junker, Sign Advertising (Billboard), and Tourist Courts, Motor Lodges, Moving Signage Related Definitions from Section 12:03 to the Appropriate Places Alphabetically in Section 3:02, Amending the Definitions of Banner Signs, Bed and Breakfast, Building, Completely Enclosed, Family, Floor Area For Determining Floor Area Ratio, Grade, Hotel, Motel, or Inn, Kennel, Land Resource Management Plan, Loading and Unloading Space, Off Street, Microbrewery, Outdoor Advertising Structure: Billboard, Philanthropic Institutions, Railroad Right-of-Way, Service Station, Short-Term Rental, Clarifying That Buildings and Structures Shall Conform to Applicable Regulations, Clarifying That Merchandise Storage Shall be on the Same Lot as the Business Use Not Restricted to Just Retail Services, Establishing Regulations for Short-Term Rentals as an Accessory Use, Removing the Language Regarding

Attached Accessory Structures in Section 4:05.B, Establishing Regulations for Research and Development Related Home Occupations, Allowing the County Board to Establish Fees for Permits Related to Solar Panels and Residentially Zoned Bee Keeping Operations, Deleting the Part Title in Section 5, Correcting the Number of Zoning Districts Listed in Section 6:01, Renumbering the Sections of the Specific Zoning Districts, Clarifying the Name of the M-3 District in Section 6:01, Defining the Location of the Official Zoning Map, Adding a Right to Farm Clause in Sections 7, 8, and 9, Deleting the Procedure for Classifying Existing Approved Lots Regarding Agricultural Housing Allocations, Amends the Use Restrictions for Bed and Breakfast Establishments to Match State Law, Classifying Riding Stables as a Conditional Use Only in the A-1 Agricultural District, Clarifies the Setback for Primary and Accessory Structures from Roads in the A-1 Agricultural District, Removing Language Regarding Buffering in the Second Paragraph of Section 8:01, Adds "Or Similar" and Alpacas to List of Allowable Farm Animals Listed in Section 8:02.A.11.e, Deleting the Administrative Fee in Section 8:02.B.1.1, Deleting the Requirement that Rest Homes, Nursing Homes, and Sanitariums Be For Human Beings Only, Moving Footnotes in Section 8:03 into the Body of the Text, Deleting Distinctions between Golf Course and Par 3 Golf Courses, Adding the Phrase "and Uses" to Sections 8:04.C and 8:05.C, Moving the Procedures for Approving RPD Zoning Requests from Section 8:06 to Section 13:09, Adding the Title "No Rezoning" to the Paragraphs Stating These Rezoning to the R-2 and R-3 Districts, Moving the Language for Conditional Uses in Various Zoning Districts to the Introductory Paragraph When Only One Conditional Use Permit is Listed, Adding Telecommunication Stations to Telecommunication Hubs, Removing Self-Storage Facilities as a Conditional Use in the B-3 District, Merging the Side and Rear Yard Setback Requirements in Section 9:04.G, Separating and Listing Alphabetically Miscellaneous Uses in Section 10, Expanding the Location of Adult Regulated Uses in Relation to A-1 Special Use PUDs, Residential Zoning Districts, and All Business Districts, Clarifying the Enforcement Officer as the Zoning Administrator in Section 10:03.1, Deleting the Severability Language in Section 10:03.1, Deleting the Reference to the Shared Parking by the Urban Land Institute in Section 11:02.C, Adding Links to the Americans With Disabilities Act Parking Regulations and Removing the Specific Americans With Disabilities Act Information, Establishing Screening Requirements and Establishing an Appeal Process in Section 11:02.F.8, Amending the Parking Calculations for Restaurants, Furniture and Appliance Stores, Household Equipment or Furniture Repair Shops and Health Clubs and Fitness Centers in Section 11:04, Clarifying the Parking Requirements for Self-Storage Facilities in Section 11:04, Establishing Parking Requirements for Uses Not Listed in the Parking Table in Section 11:04, Clarifying Parking Requirements for Recreational Vehicles to be Determined by the Parking Regulations of the Applicable Zoning District in Section 11:05.A.1.b, Deleting the Fee for Registering Recreational Vehicles, Changing References from the Planning, Building and Zoning Director to Zoning Administrator in Section 11:05.D, Adding the Phrase "unless otherwise allowed by ordinance" in Section 11:05.D.5, Clarifying Square Footage Numbers in Section 11:06.G, Adding Signs Approved by Governmental Entities as Public or Quasi-Public Information Signs in Section 12:04.A, Clarifying the Removal as Within 7 Days of Certain Real Estate Signs and the Removal of Open House Signs in Section 12:04.J, Deleting the Replacement Bonus for Certain Signs in Section 12:06.D, Deleting the Reference to Political Signs in Section 12:08.A.1.c, Deleting the 60% Size of Changeable Copy Signs as a Part of the Whole Sign Area in Section 12:08.A.3, Amending the Scrolling Period for Signs To Be Determined by the Special Use Permit, Amending Message Signs Regulations to Pulsate, Clarifying that Messages Must Be Visible for 2 Seconds Instead of 5 Minutes To Be Considered Flashing, Clarifying that Government Use Signs Cannot Be Changeable in the Residential Districts, Clarifying the Regulations of Temporary Event Signs in Section 12:14.B.4, Clarifying that Outdoor Advertising Structures Would Be Governed by Their Respective Special Use Permits in Section 12:17.K, Deleting the Amortization Period Stated in Section 12:20, Clarifying Zoning Maps as the Official Zoning Map, Deleting the Terms of the Original Members of the Zoning Board of Appeals, Amending the Notice Requirement for Zoning Board of Appeals Meetings Regarding the Publication Timelines in the Newspaper in

Section 13:01.B.9, Allowing the Regional Planning Commission to Establish Bylaws, Adding Completion Permits to Occupancy Permits in Section 13:03, Clarifying that Variances Cannot Be Issued for Use in Section 13:04.A.1, Adding the Zoning Administrator to the List of Entities that Can Initiate Amendments, Removing the Zoning Board of Appeals Initiation of Proceedings in Section 13:07.D, Clarifying the Issuance of Recommendations by the Zoning Board of Appeals as Within 30 Days After the Close of the Hearing in Section 13:07.F, Clarifying the Language to Ensure Compliance with State Law Regarding Written Protests in Section 13:07.G, Adding Soil Consideration for Septic Fields to Open Space Considerations in Section 13:09, Clarifying the Membership of the Concept Plan Committee Regarding Affected Districts in 13:09.B.2, Clarifying the Notification of Certain Municipalities Regarding Extra-Territorial Control in Section 13:09.D, Extending to 60 Days the Timeframe for the Planning, Building and Zoning Committee to Review RPDs in Section 13:09.D.3, and Amending the Application Deadline to 14 Days Prior to ZPAC in Section 13:10.F.1.

CITIZENS TO BE HEARD/PUBLIC COMMENT

NEW BUSINESS

OLD BUSINESS

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

1. Petition 19-34 Outdoor Storage at 7821 Route 71
2. Petition 19-37 LRMP Amendment at County Line and Route 52 in Seward Township
3. Petition 19-38 Map Amendment at County Line and Route 52 in Seward Township for the Indoor Athletic Facility
4. Petition 19-41 Text Amendment to the Kendall County Zoning Ordinance Pertaining to Citation Authority, Hearing Officer and Fines

OTHER BUSINESS/ANNOUNCEMENTS

ADJOURNMENT Next Meeting August 26, 2020

If special accommodations or arrangements are needed to attend this County meeting, please contact the Administration Office at 630-553-4171, a minimum of 24-hours prior to the meeting time.

Kendall County Regional Planning Commission
7-22-2020 Remote Meeting Attendance

In accordance with the Governor's Executive Order 2020-07, Kendall County Board Chairman Scott Gryder is encouraging social distancing by allowing remote attendance to the Kendall County Regional Planning Commission Meeting scheduled for Wednesday, July 22nd, 2020, at 7:00 p.m. Instructions for joining the meeting are listed below.

For your safety and others, please attend the meeting by phone or computer, if possible. The County Board Room located on the 2nd floor of the County Office Building, 111 W. Fox St, in Yorkville, will have limited seating available. Masks are required when social distancing is not possible. If you plan to attend in person, please follow all social distancing requirements.

If anyone from the public would like to make a comment during the meeting there will be an allotted time on the agenda for public comment, and all of the county board rules of order still apply. We will also accept public comment by emailing: masselmeier@co.kendall.il.us. Members of the public may contact Kendall County PBZ Department prior to the meeting for assistance making public comment at 630-553-4139; email correspondence is preferred.

Join Microsoft Teams Meeting

+1 309-248-0701 United States, Rock Island (Toll)

Conference ID: 487 373 373#

Local numbers | Reset PIN | Learn more about Teams | Meeting options

Kendall County

Legal

Kendall County Regional Planning Commission Meeting Information:

https://www.co.kendall.il.us/transparency/agendas-packets-and-meetings-schedules/planning-building-and-zoning/kcrpc-kendall-county-regional-plan-commission

For information about how to join a Microsoft Teams meeting, please see the following link.

https://support.office.com/en-us/article/join-a-meeting-in-teams-1613bb53-f3fa-431e-85a9-d6a91e3468c9

KENDALL COUNTY
REGIONAL PLANNING COMMISSION

Kendall County Office Building
Rooms 209 & 210
111 W. Fox Street, Yorkville, Illinois

Unapproved - Meeting Minutes of February 26, 2020 - 7:00 p.m.

Chairman Ashton called the meeting to order at 7:02 p.m.

ROLL CALL
Members Present: Bill Ashton, Roger Bledsoe, Tom Casey, Dave Hamman, Karin McCarthy-Lange, Larry Nelson, Ruben Rodriguez, Bob Stewart, and Claire Wilson
Members Absent: None
Staff Present: Scott Koeppel, County Administrator
Others Present: None

Chairman Ashton introduced Bob Stewart from Kendall Township.

APPROVAL OF AGENDA
Member Wilson made a motion, seconded by Member Bledsoe, to approve the agenda. With a voice vote of nine (9) ayes, the motion carried.

APPROVAL OF MINUTES
Member Nelson made a motion, seconded by Member McCarthy-Lange, to approve the minutes of the January 22, 2020, meeting. With a voice vote of nine (9) ayes, the motion carried.

Member Nelson made a motion, seconded by Member McCarthy-Lange, to approve the minutes of the February 1, 2020, Annual Meeting. With a voice vote of nine (9) ayes, the motion carried.

PETITIONS
19-41 Kendall County Planning, Building and Zoning Committee
Mr. Koeppel summarized the request from Mr. Asselmeier's memo.

For the last several months, the Planning, Building and Zoning Committee has been discussing allowing the Planning, Building and Zoning Department to issue citations in an effort to streamline and increase the time for obtaining compliance for violations to the Zoning Ordinance.

In summary, this proposal does the following:

1. Moves the procedure for handling violations of the signage portion of the Ordinance (Section 12) to the same section as the procedure for handling other violations of the Zoning Ordinance. Violations to the signage portions of the Zoning Ordinance will be treated the same as violations of other portions of the Zoning Ordinance.

2. Establishes the procedures for issuing citations and other remedies of violations to the Zoning Ordinance.

3. Abolishes the Hearing Officer for Zoning Ordinance violations. All citations will be sent to court for hearings.

4. Clarifies the fines the County may pursue in cases of violations.

5. Sets the fine structure for violations of the site plan review portions of the Zoning Ordinance as the same as other violations of the Zoning Ordinance.

6. Moves the procedure for handling violations of the site plan review portions of the Zoning Ordinance to the same section as the procedure for handling other violations of the Zoning Ordinance. Violations to the site plan portions of the Zoning Ordinance will be treated the same as violations of other portions of the Zoning Ordinance.

On October 7, 2019, the Planning, Building and Zoning Committee voted to initiate this text amendment and have the State's Attorney's Office assist in preparing the amendment. On November 12, 2019, the Committee reviewed the changes Staff incorporated based on the State's Attorney's Office's comments and the Committee did not object to the changes to the proposal. The Committee was asked to review retaining the Hearing Officer. At their meeting on January 13, 2020, the Committee chose not to amend the proposal and remove the Hearing Officer.

This proposal was sent to the townships on January 22, 2020. To date, no comments have been received from the townships.

ZPAC reviewed this proposal at their meeting on February 4, 2020. ZPAC recommended approval of the proposal without objection; three (3) members were absent.

The redlined copy of the proposal was provided.

Mr. Koeppel noted that this proposal was similar to a parking ticket. This proposal is similar to the enforcement language in the Junk and Debris Ordinance and Inoperable Vehicle Ordinance. Compliance remains the primary goal.

Member Wilson asked about eliminating the Hearing Officer. Mr. Koeppel said that the County has a low volume of citations and the State's Attorney's Office favors cases going to courts. Municipalities have administrative adjudication because municipalities want control and collect fees. The Hearing Officer could be brought back if the number of cases increased.

Member Nelson asked if the County was in the field looking for violations. Mr. Koeppel responded that the County was complaint driven. However, now, if an inspector sees something while in the field, they can start the citation process. The County will not patrol per se. Member Nelson expressed concerns about selective enforcement.

Member Wilson requested clarification on the notice. Mr. Koeppel said that the party is given time to comply before a court date is set. The goal is resolve the glaring cases.

Member McCarthy-Lange encouraged having a paper trail for complaints. Mr. Koeppel stated the County has an existing complaint process which will remain in place if this proposal is adopted.

Member Wilson asked about the complaint process. Mr. Koeppel responded that someone submits the complaint. The complaint is then investigated. Cases currently go to the Planning, Building and Zoning Committee, which has the discretion for giving someone additional time to remedy a violation. If this proposal is approved, the party would have time to remedy the violation and then would go to court.

Member Nelson asked if devices were installed in County vehicles showing where and when they are going on investigations. Mr. Koeppel responded that GPS devices are not presently installed on or in Planning, Building and Zoning vehicles. Member Nelson suggested that such devices should be installed in the vehicles.

Member Wilson asked if violations go to tenants or to the property owner in the cases where the tenant committed the violation. Mr. Koeppel said the tenant would be notified, if possible. The owner would also get notified. The Planning, Building and Zoning Department would work with people to obtain compliance.

Member Wilson asked about the definition of "served upon". Mr. Koeppel responded hand delivered.

Member Nelson made a motion, seconded by Member Hamman, that a condition be added that written administrative procedures be established regarding enforcement documentation and processing and that the Department provide quarterly reports to the Regional Planning Commission on the number of violations.

The votes were as follows:
Ayes (8): Ashton, Bledsoe, Casey, Hamman, McCarthy-Lange, Nelson, Rodriguez, and Stewart
Nays (1): Wilson
Absent (0): None

Member Wilson voted no because she felt that the proposal contains specific written procedures. Discussion occurred regarding the availability of certain information in complaints.

Member Nelson made a motion, seconded by Member Hamman, to forward the proposal to the Kendall County Zoning Board of Appeals as amended.

The votes were as follows:
Ayes (9): Ashton, Bledsoe, Casey, Hamman, McCarthy-Lange, Nelson, Rodriguez, Stewart, and Wilson
Nays (0): None
Absent (0): None

The motion passed. The proposal goes to the Zoning Board of Appeals on March 2, 2020.

CITIZENS TO BE HEARD/ PUBLIC COMMENT
None

NEW BUSINESS
Approval to Initiate Text Amendments to Section 1:00 "Title" of the Kendall County Zoning Ordinance
Mr. Koeppel summarized the proposal.

Mr. Nelson noted that the goal of the proposal was to have all of the sections in one (1), searchable document.

Approval to Initiate Text Amendments to Section 2:00 "Intent and Purpose" of the Kendall County Zoning Ordinance
No discussion occurred specifically on this topic.

Approval to Initiate Text Amendments to Section 3:00 "Rules and Definitions" of the Kendall County Zoning Ordinance and Related Appendices
Member Wilson asked about the purpose of Floor Area Ratio, specifically why grain elevators and petroleum tanks were included in the definition.

Member Casey asked about furriers.

Approval to Initiate Text Amendments to Section 4:00 "General Provisions" of the Kendall County Zoning Ordinance

Member Wilson asked about number of buildings in Section 4:10. The Section applies to residential buildings. Discussion occurred about adding a definition of principal building.

Member Nelson made a motion, seconded by Member Hamman, to layover the initiation of the Petitions until March.

With a voice vote of nine (9) ayes, the motion carried.

Further discussion on these matters will occur at the March 25, 2020, Comprehensive Land Plan and Ordinance Committee meeting.

Member Wilson asked if a way existed to get rid of some of the regulations. The response was some of the regulations were proposed for removal.

OLD BUSINESS

Discussion of Amending the Future Land Use Map in Land Resource Management Plan by Having the Transportation Plan Correspond to the 2019-2039 Long Range Transportation Plan, Updating Municipal Boundaries, Reclassifying Islands in the Fox River from Unknown to Open Space and Reclassifying the Remaining Unknown Properties to Match Adjoining Land Use Classifications

Mr. Koeppel summarized the request.

In December 2019, the County Board approved a 2019-2039 Long Range Transportation Plan.

This Plan has several changes from the Future Land Use Map contained in the Land Resource Management Plan. Fran Klaas suggested the following changes to the Land Resource Management Plan:

Remove

- Prairie Parkway
- Lisbon / Helmar Bypass.
- Caton Farm Road West Route 71
- Fox River Drive Westerly Bypass of Village of Newark.
- Whitfield Road Extension North to Griswold Springs Road
- Gates Lane West of Route 47
- County has now taken position to keep WIKADUKE Trail on the existing Stewart Road alignment all the way to Rance Road and then extend a new alignment northeasterly to Route 30 and Heggs Road, using the Village of Oswego's alignment for the WIKADUKE Trail.

Add

- Millington Road Extending North of Lions Road to Connect to Route 34.
- Walker Road Relocated West of Route 71 to Make Connection to New Fox River Drive / Crimmins Rd intersection
- Westerly Extension of Collins Road West of Minkler Road to Route 71.

At their January meeting, the PBZ Committee suggested connecting Millbrook Road with the Millbrook Bridge.

At their February meeting, the PBZ Committee suggested having Douglas Road's alignment correspond to the Village of Oswego's plans, aligning Cannonball Trail to Dickson Road and Gordon Street, aligning Millbrook Road and Whitfield Road behind the existing bank building, extending Cherry Road into the Henneberry Woods Forest Preserve, adding the extension of Johnson Road east from Ridge Road to the County Line, changing the Suburban Residential classification for the properties south of the Johnson Road extension to Mixed Use Business, and having the former FS property on Wabena Road be classified as Mixed Use Business.

In addition to the changes to the Transportation Plan changes, Staff is proposing to update the Future Land Use Map to reflect municipal annexations that occurred since the last map update, correct the classification of the Minooka School District property near the intersection of Route 52 and County Line Road, and to classify the parcels of land shown as "Unknown" on the Future Land Use Map.

Member Nelson requested that Fran Klaas attend an upcoming Comprehensive Land Plan and Ordinance Committee meeting to discuss the reasons for some of the proposal. Mr. Koeppel suggested that Chairman Gryder, who is also the Chair of the Highway Committee, attend the meeting as well. Discussion also occurred about having a joint meeting of the Highway Committee and Comprehensive Land Plan and Ordinance Committee.

Discussion occurred regarding Miller Road and the importance of placing roads on the Future Land Use Map.

Discussion occurred regarding changing future land uses along and near Route 47 in Lisbon Township.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Petition 19-47, regarding the kennel and veterinary at the northeast corner of Ridge Road and Bell Road, was approved.

OTHER BUSINESS/ANNOUNCEMENTS

Chairman Ashton reported that the text amendment to the Zoning Ordinance pertaining adding truck storage area or yard to the list of permitted uses in the M-1 was proposed by the owner of 3485 Route 126. The owner of this property wants to change the Future Land Use Map and rezone his property to M-1 in order to have that business on the property.

Discussion occurred regarding cannabis regulations.

Discussion occurred regarding a proposal in Springfield, SB 2466, related to the revocation of special use permits. A conviction would be required to revoke a special use permit.

ADJOURNMENT

Member Wilson made a motion, seconded by Member Rodriguez, to adjourn. With a voice vote of nine (9) ayes, the motion passed. The Kendall County Regional Plan Commission meeting adjourned at 8:29 p.m.

Respectfully submitted by,
Matthew H. Asselmeier, AICP
Senior Planner

KENDALL COUNTY
REGIONAL PLANNING COMMISSION

Kendall County Office Building
Rooms 209 & 210
111 W. Fox Street, Yorkville, Illinois

Unapproved – Special Meeting Minutes of June 29, 2020 - 5:00 p.m.

Chairman Ashton called the meeting to order at 5:01 p.m.

ROLL CALL
Members Present: Bill Ashton, Roger Bledsoe, Tom Casey (Attended Remotely), Larry Nelson, Ruben Rodriguez (Arrived at 5:05 p.m.), and Claire Wilson (Attended Remotely Starting at 5:41 p.m.)
Members Absent: Dave Hamman, Karin McCarthy-Lange, and Bob Stewart
Staff Present: Matthew H. Asselmeier, Senior Planner and Scott Koeppel County Administrator (Attended Remotely)
Others Present: Aaron Rybski (Attended Remotely), David Guritz, Alyse Olson, Jason Langston, Meagan Briganti, Jeff Wehrli, Scott Gryder (Attended Remotely Starting at 5:41 p.m.), Randy Mohr, Karen Clementi (Attended Remotely), Cliff Fox, Tom LeCuyer, Dick Thompson, Dick Whitfield, Elizabeth Flowers (Attended Remotely), Scott Gengler, Judy Gilmour, Matthew Prochaska, Mike Hoffman, Megan Andrews, and Audra Hendrix (Attended Remotely)

APPROVAL OF AGENDA
Without objection, the agenda was approved as presented.

CITIZENS TO BE HEARD/PUBLIC COMMENT
None

NEW BUSINESS
Discussion of Amendments to the Kendall County Zoning Ordinance
Mr. Asselmeier provided a history of the project and summarized the request.

Member Rodriguez arrived at this time (5:05 p.m.).

Throughout the document, the following changes were proposed:

1. Section number changed from period separators to colon separators (i.e. Section 1.00 became Section 1:00).

2. General typographical errors were corrected.

3. Uses and definitions were moved to their proper place in alphabetical lists.

4. Words and numbers were added to the text without changing meaning (i.e. if the phrase "fifty feet" appeared in the text, the phrase "50'" was added to the text.).

5. Abbreviations for certain terms replaced longer names in the text (i.e. Planning, Building and Zoning became PBZ, Zoning Board of Appeals became ZBA, Land Resource Management Plan became LRMP, etc.).

6. Incorrect citations were corrected and citations in general will be hyperlinked.

7. Sections were re-numbered and re-lettered without changing the meaning of the text.

8. Statements about complying with other sections of the Ordinance or other local, State, or Federal laws were removed because they are redundant (i.e. the statement "Signs must comply with Section 12 of the Ordinance" was used frequently throughout the document. The statement has no extra meaning because signs have to comply with the signage regulations whether or not this statement was included in the Ordinance).

9. If a use had multiple conditions, those conditions were listed in the first zoning district where the use occurred. In subsequent statements about the use, a reference to the original list of conditions and restrictions was added.

10. The phrases "date of adoption" and "date of amendment" were deleted and replaced with the date the section became effective.

11. In various sections, references to accessory uses meeting certain standards was deleted.

12. In various sections, references to home based businesses meeting applicable regulations was deleted.

13. In various sections, reference to small wind energy system standards were deleted.

In the Section 1:00 Title, the following change was proposed:

1. Only changes listed in the Throughout the Document section occurred.

In Section 2:00 Intent and Purpose, the following change was proposed:

1. The wording of the first paragraph regarding serving certain purposes was amended.

In Section 3:00 Rules and Definitions, the following changes were proposed:

1. Section 3:01 was amended by adding "Words and terms not defined shall have the meanings indicated by common dictionary definition."

2. The definitions of Automobile Service Station, Bus Lot, Garage (Bus), Erect (from the Sign Portion of the Ordinance), Garage (Public), Hotel (Apartment), Junker, Sign Advertising (Billboard), and Tourist Courts, Motor Lodges were deleted because the terms did not appear in the Ordinance or were duplicated, in whole or in part, by other terms.

3. The definitions of Awning Signs, Banner Signs, Changeable Copy Sign, Commercial Message, Construction Sign, Crop Identification Sign, External Illumination, Façade, Free-Standing Signs, Garage/Yard Sale Sign, Ground Sign, Illegal Sign, Illuminated Sign, Inflatable Sign, Instructional Sign, Internal Illumination, Marquee or Canopy, Marquee or Canopy Sign, Memorial or Tablet Sign, Non-Conforming Sign, Off Premise Identification Sign, Outdoor Advertising Structure (Billboard), Pennant, Political Sign, Portable Signs, Projecting Signs, Real Estate Sign, Roof Sign, Sign, Business, Sign Church Bulletin Board, Sign Contractor, Sign, Flashing, Sign, Gross Area Of, Sign Identification, Sign Structure, Sign Supports, Special Event Signs, Temporary Sign, Wall Sign, Window Area, and Window

Sign were moved from the definitions section of the sign portion of the Ordinance (12:03) to this section.

Mr. Wehrli asked about limiting the types of banner signs. The consensus of attendees was to change the language to reference those signs as examples.

4. The definition of Bed and Breakfast was changed to more closely match the definition of bed and breakfast contained in the Illinois Bed and Breakfast Act.

5. The definition of Building, Completely Enclosed was changed regarding the separation from other structures and by removing the phrase other buildings.

6. The definition of Family was amended by deleting the phrase "group of".

7. The definition of Floor Area For Determining Floor Area Ratio was amended by changing the calculation of floor area ratio for certain structures.

8. The definition of Grade was amended from the sign portion of the Ordinance.

9. The definition of Hotel, Motel, or Inn was amended to address short-term rentals. The consensus of attendees was to clarify that the thirty (30) days be consecutive days.

10. The definition of Kennel was amended to have the definition more closely the match the definition of kennel contained in the Illinois Animal Welfare Act.

11. The definition of Land Resource Management Plan was added to the Ordinance.

12. The definition of Loading and Unloading Space, Off Street was amended by deleting the phrase of land.

13. The definition of Microbrewery was amended by clarifying the Class 1 brewer reference from State law.

14. The definition of Non-Conforming Use was moved to the appropriate place alphabetically.

15. The reference "see Billboard" was added to the definition Outdoor Advertising Structure: Billboard.

16. The reference to eleemosynary institutions was removed from the definition of Philanthropic Institutions.

17. The definition of Railroad Right-of-Way was amended to clarify that the definition only applied to certain uses under regulation by the Interstate Commerce Commission.

18. The definition of Service Station was amended by replacing referencing with public garage with motor vehicle repair facility.

19. The definition of Short-Term Rental was added.

The consensus of attendees was to check with the State's Attorney's Office regarding whether or not the Zoning, Platting and Advisory Committee had to comply with the various regulations applying to public committees.

In Section 4:00 General Provisions, the following changes were proposed:

1. In Section 4:03, the buildings and structures shall conform to regulations, not just building regulations.

2. In Section 4:05.A.3, merchandise storage shall be on the same lot as the business use and not restricted to just retail services.

3. In Section 4:05.A.15, short-term rentals were added as accessory uses provided they are registered.

4. In Section 4:05.B, Permitted Obstructions Table, the reference to attached accessory buildings for eaves and gutters was removed.

   Discussion occurred regarding swimming in relation to setbacks from wells and septic systems. The consensus of the attendees was to keep the distinction between the various types of swimming pools.

5. In Sections 4:06.1 and 4:07.1, research and development businesses were exempted from the requirement that they be conducted indoors.

6. In Section 4:06.6 and 4:07.7, noise, vibration, smoke, dust, odors, heat, glare, or electrical disturbances cannot be perceivable at the property line or cross the property line unless otherwise permitted by law.

7. In Section 4:18.L, the fee schedule for solar panels was adjusted to round kW up to the nearest whole number. The consensus of the attendees was to change the language to allow the County Board to set a fee, but the fee should be listed in the Planning, Building and Zoning Department's Fee Schedule Ordinance and not in the Zoning Ordinance.

   Member Wilson joined the meeting remotely at this time (5:41 p.m.).

In Section 5:00 Non-Conforming Buildings and Uses, the following change was proposed:

1. This Section was divided into parts A, B, and C. These partitions have been deleted.

In Section 6:00 Zoning Districts, the following changes were proposed:

1. In Section 6:01, the number of Zoning Districts was corrected from nineteen (19) to twenty (20).

2. In Section 6:01, the locations of certain districts within the Ordinance were reclassified based on the renumbering of certain sections and relocation of certain information.

3. In Section 6:01, the name of the M-3 District was changed to match its name in Section 10 of the Ordinance.

4. In Section 6:02, the location of the Official Zoning Map is more specifically defined and its location clarified.

In Section 7:00 Agricultural District, the following changes were proposed:

1. In Section 7:01.B.4, the Right to Farm Clause was added.

2. In Section 7:01.C.18.f., the procedure for classifying existing approved lots was deleted because the date referenced in the Section has passed.

3. In Section 7:01.D.13, the operational period for Bed and Breakfast Establishments was changed to match State law.

4. In Section 7:01.D.46, Riding Stables were deleted as a special use. Riding Stables were listed as both special and conditional uses. This deletion makes Riding Stables conditional uses in the A-1 District.

5. In Section 7:01.G.2.a and b, the measurement of the setbacks for primary and accessory structures in the A-1 District shall be either one hundred (100) feet from a dedicated road right-of-way or one hundred and fifty (150) feet from the center line of all adjacent roads and not whichever is greater.

In Section 8:00 Residential District, the following changes were proposed:

1. In Section 8:01, the last sentence in second paragraph regarding buffers was deleted and the Right to Farm Clause was added.

2. In Section 8:02.A.11.e, the phrase "or similar" was added to allowable farm animals. Alpacas were also added to the list of animals and the spelling of llamas was corrected.

3. In Section 8:02.B.1.b, remove the $25 annual renewal and have the fee set by the County Board.

4. In Section 8:02.B.1.l, the administrative fee is removed.

   Mr. Wehrli asked about wholesale food operations in residential districts. This use was allowed because of the cupcake law.

5. In Section 8:02.C and other sections where they were listed as special uses, rest homes, nursing homes, and sanitariums will not be for human beings only.

6. In Section 8:03, the phrase "subject to approval of the County Board" was listed as footnote in several locations. This phrase was removed as a footnote and added to the body of the text where the footnote appeared.

7. In Section 8:03, the phrase, "as determined by the County Board or as identified in a local historic preservation plan" was listed as a footnote in several locations. This phrase was removed as a footnote and added to the body of the text where the footnote appeared.

8. In Section 8:03.H, the distinction between golf courses and par 3 golf courses was removed.

9. In Sections 8:04.C and 8.05.C, the phrase "and uses" was added to these sections confirming that uses in the RPD-1 were the same uses in the RPD-2 and RPD-3.

10. Section 8:06 was moved to Section 13 with the other procedures for approving zoning requests.

    Discussion occurred about septic fields for certain retail uses in residential zoned areas. The consensus of attendees was not to make changes with regards to this issue.

11. In the R-2 and R-3 District, a title of "NO REZONING" was added to the paragraphs stating these rezoning to these districts cannot occur if the property was over a certain acreage.

12. In several districts, if there was only one conditional use, that use was listed in the introductory paragraph of the conditional use section instead of listing uses.

    Discussion occurred regarding input from Homeowners' Associations. The consensus of attendees was not to include regulations regarding input from Homeowners' Associations.

In Section 9:00 Business Districts, the following changes were proposed:

1. Throughout this Section, telecommunication stations were included with telecommunication hubs.

2. In several districts, if there was only one conditional use, that use was listed in the introductory paragraph of the conditional use section instead of listing uses.

3. In Section 9:00, the Right to Farm Clause was added.

4. In Section 9:03, the self-storage facilities were removed as a conditional use because they are already special uses in the B-3 District.

5. In Section 9:04.G, the side and rear yard setback requirements were merged into one paragraph.

In Section 10:00 Manufacturing Districts, the following changes were proposed:

1. Throughout the Section, miscellaneous uses were separated and listed alphabetically in the appropriate places.

2. In several districts, if there was only one conditional use, that use was listed in the introductory paragraph of the conditional use section instead of listing uses.

3. In Section 10:01.C.3, the location of adult regulated uses was changed based on area to be zoned, the distance from certain other zoning districts was expanded to 1,000 feet, and the certain other districts were expanded to include A-1 Special Use PUDs, all residential zoning districts, and all business zoning districts.

4. In Section 10:03.1, the Enforcement Officer was changed to Zoning Administrator.

5. In Section 10:03.1, the severability section was deleted because there is a severability section in Section 14 that applies to the entire Zoning Ordinance.

In Section 11:00 Off-Street Parking and Loading, the following changes were proposed:

1. In Section 11:02.C, the reference to the Shared Parking published by the Urban Land Instituted is deleted.

2. In Section 11:02.F.6, the Americans With Disabilities Act parking information is deleted and replaced with a link to the appropriate sections to the Americans With Disabilities Act.

3. In 11:02.F.8, the applicability of the screening requirements was changed from institutional premises to properties zoned business, manufacturing, and agricultural with a special use permit. Screening provisions could be approved as part of a special use permit and could be reduced upon approval by the Regional Planning Commission or upon appeal by the Planning, Building and Zoning Committee.

4. In Section 11:04, the parking calculation for restaurants, furniture and appliance stores, household equipment or furniture repair shops, and health clubs and fitness centers was clarified to be based on the square footage of the entire premises.

5. In Section 11:04, the parking requirement for warehouse and storage was clarified to not be applicable to self-storage facilities.

6. In the final paragraph of Section 11:04, the parking requirements for uses not included in the parking table is proposed to be determined by the special use permit in cases where special use permits are issued.

7. In Section 11:05.A.1.b, the parking requirements for recreational vehicles would be determined by the parking regulations of the zoning district where the property is located.

8. In Section 11:05.A.1.b, the fee for registering a recreational vehicle was deleted because recreational vehicles can no longer be registered.

9. In Section 11:05.D, references to the Planning, Building and Zoning Director were changed to the Zoning Administrator.

10. In Section 11:05.D.5, the phrase unless otherwise allowed by ordinance was added.

11. In Section 11:06.G, the square footage requirement numbers were changed to remove conflicts (i.e. instead of category of 5,000 to 10,000 square feet, 10,000 to 25,000 square feet, etc. the new categories are 5,000 to 10,000 square feet, 10,001 to 25,000 square feet were created).

    Discussion occurred regarding parking regulations in relation to outdoor seating. The consensus of attendees was not make any changes to the proposal regarding parking for outdoor seating.

In Section 12:00 Signs, the following changes were proposed:

1. In Section 12:03, definitions were moved to Section 3:02 of the Zoning Ordinance.

2. In Section 12:04.A, signs approved by governmental entities were added as public or quasi-public informational signs.

3. In Section 12:04.J, the conflicting language regarding the removal of certain real estate signs was removed; for rent or for lease signs must be removed within 7 days of closing or lease initiation. Signs for open houses must be removed on the same day as the open house.

4. In Section 12:06.D, regarding replacement bonus for certain signs was deleted.

5. In Section 12:08.A.1.c, the reference to political signs was removed and the provision was made applicable to all temporary signs.

6. In Sections 12:08.A.3, the 60% size of changeable copy signs as a part of the whole sign area was removed; the scrolling period for signs in the A-1 District would be determined by the special use permit; message signs cannot pulsate; message must be visible for 2 seconds instead of 5 minutes to be considered flashing.

7. In Section 12:09.A.3, government use signs cannot be changeable in the Residential Districts and the changes made in Section 12:08.A.3 listed previously would also occur in Residential Districts.

8. In Section 12:10.B, the changes listed in Section 12:08.A.3. would apply to signs in Business and Manufacturing Districts.

9. In Section 12:14.B.4, the regulation regarding temporary event signs will be clarified to "may".

10. In Section 12:17.K, outdoor advertising structures would be governed by their respective special use permits.

11. Section 12:20 would be deleted because the amortization period has ended.

In Section 13 Administration, the following changes were proposed:

1. Throughout the Section, references to zoning maps are changed to the Official Zoning Map.

2. In Section 13:01.B.2, the terms of office for the original members of the Zoning Board of Appeals are deleted.

3. In Section 13:01.B.9, the notice requirement is changed from the newspaper notification between 30 and 15 days to notice by manner defined by applicable law. The members of the Zoning Board of Appeals had no objections to this change.

4. In Section 13:01.C.3, the Zoning Map will not be attached hereto.

5. In Section 13:03, the County issues completion permits in addition to occupancy permits; the section is amended to reflect this fact.

6. In Section 13:04.A.1, the language is clarified that variances can granted for anything except use.

7. In Section 13:07.B, the Zoning Administrator was added to the list of entities that may initiate amendments.

8. In Section 13:07.D, the ZBA initiation of proceedings was deleted.

9. In Section 13:07.F, the language was clarified to require the Zoning Board of Appeals to issue a recommendation within 30 days after the close of the hearing. The members of the Zoning Board of Appeals had no objections to this change.

10. In Section 13:07.G.2, the language was amended to correspond with State law regarding written protests.

11. Section 8:06, regarding approval of RPDs, was moved to Section 13:09.

12. In Section 13:09.B.2, the language was clarified regarding membership on the Concept Plan Committee to include other affected districts.

13. In Section 13:09.D.3.b, the notification was clarified to the municipality with extra-territorial control.

14. In Section 13:09.D.3.g, the timeline of overview for the PBZ Committee was extend to 60 days to allow appropriate entities time to file legal objections.

15. In Section 13:10.F.1, the application deadline is changed from 7 to 14 days prior to ZPAC.

No changes were proposed in Section 14 Separability.

Discussion occurred about identifying the designee of the Zoning Administrator in the absence of the Zoning Administrator. The suggestion was made to have the Chairman of the Planning, Building and Zoning Committee as the designee.

Member Nelson suggested that the meetings of the Regional Planning Commission be called by the Chairman of the Regional Planning Commission.

Discussion occurred regarding the factors for designating open space. Mr. Rybski suggested that soils unsuitable for septic systems be considered for open space. ZPAC will propose language at their meeting on July 7, 2020.

Member Nelson made a motion, seconded by Member Casey, to initiate the text amendments as discussed at this evening's meeting as one (1) application.

The votes were as follows:
Ayes (6): Ashton, Bledsoe, Casey, Nelson, Rodriguez, and Wilson
Nays (0): None
Absent (3): Hamman, McCarthy-Lange, and Stewart

The proposal will go to ZPAC on July 7, 2020.

There were no additional comments by the public.

ADJOURNMENT

Member Nelson made a motion, seconded by Member Rodriguez, to adjourn.

The votes were as follows:
Ayes (6): Ashton, Bledsoe, Casey, Nelson, Rodriguez, and Wilson
Nays (0): None
Absent (3): Hamman, McCarthy-Lange, and Stewart

The Kendall County Regional Plan Commission meeting adjourned at 6:58 p.m.

Respectfully submitted by,
Matthew H. Asselmeier, AICP
Senior Planner

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Petition 19-39
John Dollinger on Behalf of Hansel Ridge, LLC (Current Owner) Jason Shelley on Behalf of Goproball, LLC (Prospective Buyer) and James and Denise Maffeo (Prospective Buyer) Map Amendment Rezoning Property from A-1 to B-3 and Special Use Permit for Indoor and Outdoor Storage and to B-2

INTRODUCTION

Goproball, LLC would like to sell the northeastern portion of the subject property to James and Denise Maffeo for an indoor and outdoor storage business called Four Seasons Storage and market the frontage along County Line Road for future commercial development.

The site plan is included as Attachment 15. The landscaping plan is included as Attachment 16. The lighting plan is included as Attachment 17.

In March 2020, the County Board approved Resolution 2020-18, reclassifying the subject property on the Future Land Use Map as Commercial. At the same meeting, the County Board approved Ordinance 2020-02 rezoning the northwestern portion of the subject property to B-4 Commercial Recreation District in order to facilitate the construction of an indoor athletic facility.

The Petitioners are working on preliminary and final plats for a four (4) lot commercial subdivision which is still under review.

SITE INFORMATION

PETITIONERS: John Dollinger on Behalf of Hansel Ridge, LLC (Current Owner), Jason Shelley on Behalf of Goproball, LLC (Prospective Buyer), and James and Denise Maffeo (Prospective Buyer)

ADDRESS: Portion of the Northern 18.7 Acres of 195 Route 52

LOCATION: Northwest Corner of Route 52 and County Line Road

TOWNSHIP: Seward

PARCEL #: Northeastern Part of 09-13-200-002

LOT SIZE: 40 Acres (Total Existing Parcel) 4.01 +/- Acres for B-3 Special Use Area and 4.67 +/- Acres for B-2 Area

EXISTING LAND USE: Agricultural

ZONING: A-1 Agricultural District

LRMP:

Future Land Use	Commercial
Roads	County Line Road is a Township Maintained Arterial Road.
Trails	None
Floodplain/ Wetlands	None

REQUESTED ACTION: Map Amendment Rezoning Property from A-1 Agricultural to B-3 Highway Business District and Special Use Permits for Indoor and Outdoor Storage and to B-2 General Business District

APPLICABLE REGULATIONS: Section 13.07 – Map Amendment Procedures

Section 13.08 – Special Use Procedures

Section 9.04.C.20 (B-3 Special Uses) – Outdoor Storage Provided Such Storage is Screen from Adjacent and Surrounding Properties

Section 9.04.C.28 (B-3 Special Uses) – Self-Service Storage Facilities

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Agricultural	A-1	Public/Institutional and Suburban Residential (1 DU/Acre)	A-1 and A-1 SU
South	Agricultural/Farmstead/Fertilizer and Grain Operation	A-1 and B-4	Public/Institutional and Suburban Residential	A-1, A-1 SU, and B-4
East	Agricultural	A-1 (Will County)	Suburban Development	A-1 (Will County)
West	Agricultural	A-1 and B-4	Suburban Residential	A-1 and A-1 SU and B-4

The aerial of the property is included as Attachment 2. Pictures of the property are included as Attachments 3-7.

Minooka School District 111 owns the adjacent properties to the north and west of the subject property.

The A-1 special use to the north is for a church. The A-1 special use to the south is for a fertilizer and grain storage operation. The A-1 special use to the west appears to be for an airstrip. The property at 276 Route 52 has a special use permit for a landscaping business.

Seven (7) existing houses are within one half (1/2) mile of the subject property.

PHYSICAL DATA

ENDANGERED SPECIES REPORT

EcoCAT Report submitted and consultation was terminated, see Attachment 1, Pages 24-26.

NATURAL RESOURCES INVENTORY

The LESA Score was 217 indicating a medium level of protection. The NRI Report is included as Attachment 18.

ACTION SUMMARY

SEWARD TOWNSHIP

The original petition information was sent to Seward Township on October 25, 2019. The Seward Township Planning Commission reviewed this request at their meeting on January 14, 2020. Concerns were expressed regarding traffic congestion and the potential for increased vehicular accidents. Discussion also occurred regarding drainage. The property's proximity to Shorewood and its location were the reasons for seeking the change to the Land Resource Management Plan and for the requested map amendments and special use permits. The Seward Township Planning Commission recommended approval of the request. The minutes of this meeting are included as Attachment 10.

The Seward Township Board reviewed the original request at their meeting on January 14, 2020. They echoed the concerns of the Seward Township Planning Commission regarding traffic and drainage. The Seward Township Board recommended approval of the request. The minutes of this meeting are included as Attachment 11.

VILLAGE OF SHOREWOOD

The original petition information was sent to the Village of Shorewood on October 25, 2019. The Village of Shorewood submitted an email on January 6, 2020, stating that they were in discussions with the Petitioner and would have further review at upcoming Village Zoning Commission meeting. This email is included as Attachment 12.

The Village of Shorewood held a public hearing for a proposed annexation agreement on July 14, 2020. As of the date of this memo, the Village is still waiting on a traffic study, signage information, and information regarding the private road in the proposed Go Pro Subdivision. The draft annexation agreement is included as Attachment 19.

TROY FIRE PROTECTION DISTRICT

The Troy Fire Protection District has no objections to commercial uses at this location, see Attachment 8.

ZPAC

ZPAC reviewed the original proposal at their meetings on November 5, 2019, and January 7, 2020. At the November 5th meeting, discussion occurred regarding well and septic service at the site. The Petitioner agreed to a right-of-way dedication along the County Line Road frontage. At the January 7th meeting, the Petitioner provided updated septic information and updated traffic information. The final size of the detention pond had yet been determined. The Petitioner was working on a pre-annexation agreement with Shorewood that would allow the Village to annex the property when the

property becomes contiguous to the Village. It was noted that the Village of Shorewood would like the special use to apply to only the storage portion of the property and that the acreage between the storage units and County Line Road be zoned business without a special use permit and that a formal subdivision occur. The Petitioner agreed to a sixty foot (60') right-of-way dedication as measured from the centerline of County Line Road including a ten foot (10') dedication for utilities. It was also noted that the Village of Shorewood requested the removal of some fencing and the reorientation of some of the storage buildings. It was noted that the landscaping plan and signage plan required more definition. ZPAC recommended forwarding the proposal to the Kendall County Regional Planning Commission without objection; two (2) members were absent. The minutes of these meetings are included as Attachments 13 and 14 respectively.

GENERAL
Per State law, the rezoning portion of the request cannot be conditioned. However, the special use portion of the request could be conditioned.

According to the revised site plan, a strip of land would remain east of the proposed indoor and outdoor storage area that would be used for future commercial and/or retail development, which is the B-2 map amendment portion of the request.

BUSINESS OPERATION
According to the proposed site plan (see Attachment 15), Mr. and Mrs. Maffeo would like to construct one (1) three thousand two hundred sixty-four (3,264) square foot metal storage and office building, eight (8) four thousand eight hundred (4,800) square foot storage buildings, four (4) three thousand two hundred (3,200) square foot storage buildings, one (1) four thousand two hundred fifty (4,250) square foot storage building, and one (1) five thousand (5,000) square foot storage building. The storage buildings on the periphery of the site are planned to face inward and substitute as part of the fencing.

The office building will contain offices, restrooms, and inside storage for vehicles. The facility will be used for general storage uses; no illegal or flammable materials will be stored or distributed out of the facility. No other active businesses will be operated out of the storage facility.

The renderings of the office building and other storage buildings are included as Attachment 16, Pages 3 and 4.

Originally, the Petitioners planned to develop the site in two phases. Phase I will commence in Summer 2020 and consists of the metal storage and office building, the southern storage buildings, paved parking area, and the six foot (6') privacy fence. Phase II will commence in Spring 2023 and will consist of the remaining metal storage buildings.

The outdoor storage area would be placed where the Phase II structurers are planned. The outdoor storage area would be removed upon construction the Phase II structures. The outdoor parking area would be asphalt.

Mr. and Mrs. Maffeo anticipate employing between one (1) and five (5) part-time employees. One (1) employee would be for maintenance and the remaining employees would staff the office on a shift-basis to ensure that at least one (1) employee was onsite during business hours.

Access to the facility would be twenty-four (24) hours via access through the security gate between the office building and southern most storage building. Hours of operation are 7:00 a.m. until 7:00 p.m. daily.

BUILDING AND BUILDING CODES
All structures constructed on the site will require building and occupancy permits.

ENVIRONMENTAL HEALTH
The proposed facilities would be served by well and septic. The Petitioner provided septic plan information which is included as Attachment 9. According to the site plan, the septic area would be south and west of the proposed office building.

STORMWATER
According to the proposed site plan, one (1) approximately ninety thousand, five hundred (90,500) square foot wet bottom stormwater detention pond is planned for the property. The pond would be approximately eleven feet (11') feet deep at its deepest area. The pond is sized to handle runoff from future commercial development on the proposed B-2 portion of the site.

The Petitioners have applied for a stormwater management permit.

ROAD ACCESS
The property fronts County Line Road. As noted at the ZPAC meeting, the Petitioners were agreeable to a right-of-way dedication.

As part of the subdivision, the Petitioners will create a private road connecting County Line Road to the entrance of the storage facility.

PARKING AND INTERNAL TRAFFIC CIRCULATION
The site plan shows three (3) parking spaces, including one (1) handicapped accessible parking space.

LIGHTING
Based on the original lighting plan submitted as Attachment 17, there will be lights on all of the buildings and lights between buildings. The total number of lights on buildings is sixty-three (63) with eleven (11) additional lights throughout the property. None of the lighting will leave the site.

SIGNAGE
One (1) monument sign was shown on the landscaping plan (Attachment 16). No size dimensions were provided. The sign will be illuminated.

SECURITY
Access to the storage area will be through a gate with a key pad. No information was provided regarding the dimensions of the gate. The gate width was not provided. One (1) four foot (4') wide gate is located on the northeast corner of the site.

Some of the lighting will be for security purposes and security cameras will be provided.

The proposal calls for six foot (6') privacy fence around most of the perimeter of the property. A six foot (6') ornamental fence is shown on the site plan on the eastern side of the site. Pictures of the ornamental fence are included in Attachment 16.

The Petitioners' Attorney indicated that the fence will be installed as part of Phase I.

No fencing is planned along the detention ponds.

LANDSCAPING
Based on the landscaping plan submitted as Attachment 16, twelve (12) shade trees, three (3) evergreen shrubs, seventeen (17) deciduous shrubs, and ten (10) perennials would be planted on the property. The trees would be between twelve feet and fifteen feet (12'-15') in height at the time of planting and would grow between thirty feet and sixty feet (30'-60') in height. Based on the information in Attachment 16, page 2, no trees or bushes would be planted north of the storage area. The balance of the site would be covered in lawn.

NOISE CONTROL
Little noise is anticipated from the proposed operations.

REFUSE PLAN
The site plan called for dumpsters to be provided onsite.

RELATION TO OTHER SPECIAL USES
If approved, this would be the second active special use permit for a storage facility on non A-1 zoned property in unincorporated Kendall County.

FINDINGS OF FACT-MAP AMENDMENTS
§ 13.07.F of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order recommend in favor of the applicant on map amendment applications. They are listed below in *italics.* Staff has provided findings in **bold** below based on the recommendation:

Existing uses of property within the general area of the property in question. **The surrounding properties are used agricultural or uses similar to agricultural uses such as farmsteads and fertilizer operations.**

The Zoning classification of property within the general area of the property in question. **The surrounding properties are zoned A-1, A-1 with a special use, or B-4.**

The suitability of the property in question for the uses permitted under the existing zoning classification. **The property is presently zoned A-1 and can be used for farming.**

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. **The trend of development in the area is stable with residential growth and special uses normally found in agricultural zoned areas.**

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **The Future Land Use Map was amended earlier in 2020 to reclassify the subject property as Commercial. The property to the west is planned to be used for recreational purposes. Minooka School District #111 plans to construct a school in the area. The Village of Shorewood's Future Land Use Map calls for this property to be Commercial and Government/Institutional. The proposed map amendments are consistent with the purpose and objectives of the Land Resource Management Plan.**

FINDINGS OF FACT-SPECIAL USE PERMIT
§ 13.08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order recommend in favor of the applicant on special use permit applications. They are listed below in *italics.* Staff has provided findings in **bold** below based on the recommendation:

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 operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare provided that the operator of the business allowed by this special use permit develops the site according to the submitted site plan and landscaping plan, dedicates land for right-of-way, follows the agreed upon hours of operation, and follows the Kendall County Inoperable Vehicle Ordinance, Kendall County Junk and Debris Ordinance, and related ordinances.**

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. **Provided that the business operates as proposed, no injury should occur to other property and property values should not be negatively impacted.**

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **The proposed use will be a low utility user and adequate utilities are planned for the development of the site. A private road is planned from County Line Road to the subject use. A right-of-way dedication is planned along County Line Road. The Petitioners will have to secure a stormwater management permit.**

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 Zoning Board of Appeals. **This is true.**

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. **True, the proposed use is consistent with an objective found on Page 6-34 of the Kendall County Land Resource Management Plan which calls for "a strong base of agricultural, commercial and industrial uses that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents" through the encouragement ". . . of locally owned businesses."**

RECOMMENDATION
Staff recommends approval of the requested map amendments.

Staff also recommends approval of the requested special use permits for an outdoor storage business and a self-service storage facility subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the attached site plan (Attachment 15), landscaping plan (Attachment 16), and lighting plan (Attachment 17).
2. The operator(s) of the businesses allowed by this special use permit shall plant the vegetation and install the fencing identified in the landscaping plan (Attachment 16) within ninety (90) days of the approval of the special use permit ordinance. Dead or damaged vegetation shall be replaced on a timetable approved by the Kendall County Planning, Building and Zoning Department. The trees shown on the landscaping plan shall be between twelve feet and fifteen feet (12'-15') in height at the time of planting.
3. One (1) two (2)-sided illuminated sign may be installed on the subject property in substantially the location shown on the landscaping plan (Attachment 16). The sign shall be **Insert Dimensions.**
4. Within sixty days (60) days of approval of this special use permit ordinance, the property owners shall convey land along the entire length of County Line Road side of the property at a depth of sixty feet (60') as measured from the centerline of County Line Road to Seward Township for County Line Road right-of-way.
5. The owners of the business allowed by this special use permit shall construct all of the storage buildings shown on the attached site plan (Attachment 15) on or before December 31, 2023. Either December 31, 2023, or upon completion of the final self-service storage building, whichever occurs first, the special use permit for an outdoor storage business shall automatically cease. The final self-service storage building shall be considered complete when all occupancy permits for the self-service storage buildings are issued. The completion and expiration dates listed in this condition may be extended upon approval by the Kendall County Planning, Building and Zoning Committee.
6. A maximum of twelve (12) items, including, but not limited to, boats, trailers, and motor vehicles may be stored outdoors as part of the outdoor storage business special use permit.
7. None of the vehicles stored on premises shall be considered agricultural equipment as they relate to the businesses allowed by these special use permits.
8. All of the vehicles stored on the premises shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
9. The hours of operation for the businesses allowed by these special use permits shall be daily from 7:00 a.m. until 7:00 p.m. The operator(s) of the businesses allowed by these special use permit may reduce these hours of operation. Patrons may access the storage area at any time.

10. The total maximum number of employees combined for the businesses allowed by these special use permit shall be five (5), including the business owners.
11. The owners of the businesses allowed by these special use permits shall diligently monitor the property for leaks from items stored on the premises and shall promptly clean up the site if leaks occur.
12. The operator(s) of the business allowed by this special use permit shall provide the Kendall County Sheriff's Department and Troy Fire Protection District with passcodes to the gate upon the request of these agencies.
13. The operator(s) of the businesses allowed by these special use permits acknowledge and agree to follow Kendall County's Right to Farm Clause.
14. The operator(s) of the businesses allowed by these special use permits shall follow all applicable Federal, State, and Local laws related to the operation of these types of businesses.
15. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permits.
16. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

ATTACHMENTS

1. Application Materials (Including the Petitioner's Findings of Fact and EcoCat)
2. Aerial
3. Looking West
4. Looking East
5. Looking Southwest
6. Looking South
7. Looking Northwest
8. October 10, 2019, Troy Fire Protection District Email
9. Septic Plan Information
10. January 14, 2020 Seward Township Planning Commission Minutes
11. January 14, 2020 Seward Township Board Meeting Minutes
12. January 6, 2020 Email from the Village of Shorewood.
13. November 5, 2019 ZPAC Minutes
14. January 7, 2020 ZPAC Minutes
15. Site Plan
16. Landscaping Plan
17. Lighting Plan
18. NRI
19. Draft Annexation Agreement (July 13, 2020)

DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

APPLICATION

PROJECT NAME Goproball, LLC **FILE #:** 19-39

NAME OF APPLICANT		
Goproball, LLC		
CURRENT LANDOWNER/NAME(s)		
Hansel Ridge, LLC		
SITE INFORMATION		
ACRES	**SITE ADDRESS OR LOCATION**	**ASSESSOR'S ID NUMBER (PIN)**
18.75	Vacant Land County Line Road	part of 09-13-200-002
EXISTING LAND USE	**CURRENT ZONING**	**LAND CLASSIFICATION ON LRMP**
row crops	A-1	A-1

REQUESTED ACTION (Check All That Apply):

X SPECIAL USE	X MAP AMENDMENT (Rezone to See attached)	___ VARIANCE
___ ADMINISTRATIVE VARIANCE	___ A-1 CONDITIONAL USE for:_____	___ SITE PLAN REVIEW
___ TEXT AMENDMENT	___ RPD (___Concept; ___ Preliminary; ___ Final)	___ ADMINISTRATIVE APPEAL
___ PRELIMINARY PLAT	___ FINAL PLAT	___ OTHER PLAT (Vacation, Dedication, etc.)
___ AMENDMENT TO A SPECIAL USE (___ Major; ___ Minor)		

[1]PRIMARY CONTACT	**PRIMARY CONTACT MAILING ADDRESS**	**PRIMARY CONTACT EMAIL**
Daniel J. Kramer	1107A S. Bridge Street, Yorkville, IL 60560	dkramer@dankramerlaw.com
PRIMARY CONTACT PHONE #	**PRIMARY CONTACT FAX #**	**PRIMARY CONTACT OTHER #(Cell, etc.)**
630-553-9500	630-553-5764	
[2]ENGINEER CONTACT	**ENGINEER MAILING ADDRESS**	**ENGINEER EMAIL**
John Tebrugge		info@tebruggeengineering.com
ENGINEER PHONE #	**ENGINEER FAX #**	**ENGINEER OTHER # (Cell, etc.)**
815-786-0195		

I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.

I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES.

SIGNATURE OF APPLICANT [redacted] **DATE** 9-27-19.

FEE PAID:$ 1965
CHECK #: 5351

[1]*Primary Contact will receive all correspondence from County*
[2]*Engineering Contact will receive all correspondence from the County's Engineering Consultants*

Last Revised: 9.18.12
Map Amendment

Date Stamp Here If Checklist Is Complete

Please fill out the following findings of fact to the best of your capabilities. § 13.07.F of the Zoning Ordinance lists the Finding of Fact criteria the Zoning Board of Appeals must answer in order to make a recommendation to the County Board on any **map amendment** request. They are as follows:

Existing uses of property within the general area of the property in question.

Both the Village of Shorewood and the City of Joliet have various residential and commercial uses along major intersections within the Mile and a Half Planning Jurisdiction in the area of the property. Further there is an intense agricultural grain warehouse to the south property on the south side of Route 52. The land to the west and north is agricultural land which would not be disturbed by our intended use.

The Zoning classification of property within the general area of the property in question.

A-1 Agricultural, Special Use for intense Agricultural Use, and a mixture of municipal residential and commercial not adjacent but in the general area

The suitability of the property in question for the uses permitted under the existing zoning classification.

The property is suitable for row crop agricultural as is indicated by farming on the site. The Kendall County Land Resource Management Plan called for the subject property to be used for school purposes, which intention has now been abandoned in that the School District sold the land to a private investor and has no intention of building a school.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification.

The trend of development is basically stable with slow residential growth coming back after the market crash. The recreational indoor baseball facility and outdoor recreational uses blend well with the need for facilities that my client currently is experiencing in the Village of Shorewood. The facility would further provide active sports fields indoors for traveling teams for both baseball and softball that currently have to travel great distances to find suitable facilities for year round sports.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies.

Having the recreational facility both indoor and outdoor is as consistent as one can come with the institutional school use which would have provided an indoor gym and athletic facilities as well as educational facilities. We believe the proposed use of the subject property by Petitioners comports to the change in ownership but intention of the use of the property by the Kendall County Land Resource Plan

Special Use Findings of Fact for B-3 Special Use Zoning

1. The proposed storage Special Use is set to the rear of the 8.6092 acres and is a good destination use for the rear portion of the proposed B-3 Zoning District Property. It will be totally fenced and provide a valuable service for the outlying residential users for the Village of Shorewood and the Joliet Area. It will be a totally secure facility.

   It creates no adverse public health, safety or moral conflicts.

2. The proposed use is a good buffer to the baseball/recreational facility to the rear, and the combination street drive entrance promotes future arterial traffic on County Line Road with only one road cut. Adequate buffers in terms of fencing and landscaping to the east are provided. To the north there would be a detention facility which serves as a buffer. To the south there would some landscaping and again the street as the setback.

3. The proposed use is a very low utility user in that it will only need private septic and well for a small office. Electrical service will be provided to the facility along the private drive shared with the recreational sports facility to the west.

4. No variances of any kind are requested and the facility will be designed in totally compliance with Kendall County Zoning Requirements.

5. Given the fact that the Comprehensive Plan will be modified to accommodate both the storage use, the B-3 uses along the front of the property adjoining County Line Road and is complimentary to the sports facility in the back in that it will have very little in and out traffic and share the joint expense of the private roadway. We believe permitting business zoning in this area of County Line Road and Route 52 given the large elevator use to the southwest compliments the development in the area and would be a compliment to any residential use in the vicinity that would be developed in the future either at the Village of Shorewood's approval or by Kendall County Zoning.

B3 SPECIAL USE ZONING APPLICATION REQUIREMENTS
FOR JAMES MOFFEO

1. Enclosed please fine detailed Storage Facilities Site Plan.

   The proposed drawing shows the entire intended buildout, which could involve the buildings being turned in an East/Westerly direction, but within the same footprint. The Applicant will construct the Office Building adjacent to the private roadway and one of the East/West Buildings first and then probably do in terms of phasing two buildings going in a North/South direction with the smaller units at the time.

   The fencing around the entire facility will either be a solid fencing in conformity with the Kendall County fence standard not in excess of 6 ft. or will be a cyclone fence with slatted totally opaque materials contained therein. There will be a limited number of lights in the parking area, and battery packs on the building.

   Parking for customer use including Handicapped at the small office building at the Southwestern end of the property is duly noted with three customer spaces and one handicap space. Appropriate drive distance aisles will be provided between buildings, but no permit parking shall be permitted thereon.

2. We are attaching a preliminary Landscape Plan.

3. We are attaching a preliminary Photometric Plan which shows Street lighting on the private roadway and in the Parking lot of the GoPro Baseball facility. On the Storage Facility we expect battery packed lighting on the buildings themselves.

4. Signage will be contained in a Signage Easement common to both properties with a permanent monument sign at the corner of the private roadway and Countyline Road. When we submit detailed Site Plan drawings we will have a Sign Easement for the permanent signage and will provide enough signage space for future business users along the B3 so that we only need one central sign for both filings. It is anticipated the sign will be lit because the baseball facility primarily operates during the months where we have shorter daylight times and we do need notice to customers where it is at to the rear of the property. There will be no fencing on the GoPro Facility.

5. Each business will have a refuse area and on the detailed Site Plan, we will show a fenced in trash containment area.

   Both business the Special Use and GoPro will anticipate starting business sometime in 2020 and commence construction so long as all Zoning is in place around mid 2020 or late Spring, 2020.

6. Attached is a Business Plan for the Storage Facility.

7. Attached is the B3 Special Use Findings for the Storage Facility.

8. Attached is a drawing of the main Office Building and indoor Storage Facility (1 building) for B3 Special Use. (Color rendering)

9. Attached is a drawing for Unit Building elevation B3 (color rendering) Storage Building, small units will be the same design.

LEGAL DESCRIPTION OF TRACT 2 (B-3 Special Use Parcel):

That Part of the Northeast Quarter of Section 13, Township 35 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter; thence Southerly, along the East Line of said Northeast Quarter, 1142.05 feet; thence Westerly, parallel with the North Line of said Northeast Quarter, 599.06 feet; thence Southerly, parallel with the West Line of said Northeast Quarter, 165.29 feet for the point of beginning; thence Easterly, parallel with said North Line, 332.25 feet; thence Southerly, parallel with said West Line, 525.07 feet to a line which is 1834.37 feet Southerly of (as measured along the East Line of said Northeast Quarter) and parallel with the North Line of said Northeast Quarter; thence Westerly, parallel with said North Line, 332.25 feet to a line drawn Southerly from the point of beginning, parallel with said West Line; thence Northerly, parallel with said West Line, 527.0 feet to the point of beginning in Seward Township, Kendall County, Illinois.

LEGAL DESCRIPTION OF TRACT 3 (B2 Zoning Parcel):

That Part of the Northeast Quarter of Section 13, Township 35 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter; thence Southerly, along the East Line of said Northeast Quarter, 1142.05 feet; thence Westerly, parallel with the North Line of said Northeast Quarter, 51.55 feet to a point hereinafter referred to as "Point A"; thence Southerly, along a line which forms an angle of 89°33'03" with the prolongation of the last described course, measured counter-clockwise therefrom, 692.32 feet to a line which is 1834.37 feet Southerly of (as measured along the East Line of said Northeast Quarter) and parallel with the North Line of said Northeast Quarter for the point of beginning; thence Northerly, along the line of the last described course 692.32 feet to "Point A"; thence Westerly, parallel with said North Line, 547.51 feet; thence Southerly, parallel with the West Line of said Northeast Quarter, 165.29 feet; thence Easterly, parallel with said North Line, 332.25 feet; thence Southerly, parallel with said West Line, 525.07 feet to a line which is 1834.37 feet Southerly of (as measured along the East Line of said Northeast Quarter) and parallel with the North Line of said Northeast Quarter; thence Easterly, parallel with said North Line, 213.85 feet to the point of beginning in Seward Township, Kendall County, Illinois.

STATE OF ILLINOIS)
)
COUNTY OF KENDALL)

CONSENT TO KENDALL COUNTY ZONING AND SPECIAL USE APPLICATION

NOW COMES HANSEL RIDGE, LLC, AN ILLINOIS LIMITED LIABILITY COMPANY, OWNER, who does hereby consent to the Kendall County Zoning and Special Use Application submitted by GOPROBALL, LLC AN ILLINOIS LIMITED LIABILITY COMPANY for B-4 Commercial Recreation and B-3 Business District and Special Use for Outdoor Storage.

OWNER
HANSEL RIDGE, LLC, AN ILLINOIS LIMITED LIABILITY COMPANY

BY: [redacted]

Authorized Representative [redacted]

Dated: 9/27/19

SPECIAL WARRANTY DEED

201900000682

DEBBIE GILLETTE
RECORDER - KENDALL COUNTY, IL

RECORDED: 1/17/2019 10:23 AM
UD: 41.00 RHSPS FEE: 10.00
STATE TAX: 385.00
COUNTY TAX: 192.50
PAGES: 6

PREPARED BY:
John F. Dixon
Law Offices of John F. Dixon, LLC
1415 West 55th Street
Suite 101
Countryside, IL 60525
Tel: (708) 352-1800
Fax: (708) 352-1888

COUNTY OF KENDALL
REAL ESTATE TRANSFER TAX
$ 192.50

(The Above Space For Recorder's Use Only)

THE GRANTOR, D.W. Burke & Associates, LLC, an Illinois limited liability company ("Grantee"), of the Village of Hinsdale, County of DuPage, State of Illinois, for and in consideration of the sum of TEN & 00/100 ($10.00) DOLLARS and other good and valuable consideration in hand paid, CONVEYS and WARRANTS to **HANSEL RIDGE, L.L.C.**, an Illinois limited liability company, of the Village of Channahon, County of Grundy, State of Illinois ("Grantee"), the receipt of which is acknowledged, does grant, bargain, sell and convey, with covenant of Special Warranty to Grantee, all of Grantor's right, title and interest in and to the real property situated in the County of Kendall, in the State of Illinois, as legally described in **Exhibit A** attached hereto and made a part hereof. This conveyance is with: (i) all of Grantor's right, title and interest in and to all rights, benefits, privileges, easements, tenements and appurtenances, including all of Grantor's right, title and interest in and to any adjacent streets, roads, alleys, easement and rights-of-way; (ii) all of Grantor's right, title and interest and to any and all improvements and buildings located on the Property; and (iii) all of Grantor's right, title and interest in any and all fixtures affixed or attached to, or situated on, or acquired or used in connection with the Property (the Property, together with the rights, appurtenances and interest, improvements, buildings, and fixtures being collectively called the Property). However, the conveyance is subject to those exceptions and encumbrances below.

SUBJECT TO: See Permitted Exceptions in Exhibit B attached hereto

Unofficial

SUBSEQUENT TAX BILLS TO:

Hansel Ridge, L.L.C.
7502 E. Hansel Road
Channahon, IL 60410

AFTER RECORDING RETURN TO:

Castle Law
Attn: Theresa Dollinger
822 129th Infantry Drive
Suite 104
Joliet, Illinois 60435

C.T.I./CY
18gnlw190007CS
1952KB

STATE OF ILLINOIS
STATE TAX
JAN.17.19
REAL ESTATE TRANSFER TAX
DEPARTMENT OF REVENUE

0000017540
REAL ESTATE TRANSFER TAX
0038500
FP326656

6

DATE: December 20, 2018

GRANTOR:

D.W. Burke & Associates, LLC,
An Illinois limited liability company

[redacted]

Donald W. Burke, Jr., Manager

STATE OF ILLINOIS)
) S.S.
COUNTY OF COOK)

I, a notary public in and for the county and state above, do certify that **DONALD W. BURKE, JR.**, as **MANAGER OF D.W. BURKE & ASSOCIATES, LLC**, an Illinois limited liability company, and being known to me to be the same person whose name is subscribed to the above instrument, appeared before me this day in person and acknowledged that he signed and delivered the instrument as his free and voluntary act, for the uses and purposes stated above.

GIVEN under my hand and official seal, this 20th day of December, 2018

OFFICIAL SEAL
KATHRYN L. BELL
NOTARY PUBLIC, STATE OF ILLINOIS
My Commission Expires 05/27/2020

[redacted]

Notary Public

Unofficial

EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1: THAT PART OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF THE NORTH RIGHT OF WAY OF U.S. ROUTE 52, LYING EAST OF THE EAST LINE OF THE WEST 1500 FEET OF SAID NORTHEAST 1/4, AND LYING SOUTH OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 13; THENCE SOUTH 00 DEGREES 00 MINUTES 03 SECONDS EAST, ON THE EAST LINE OF SAID NORTHEAST 1/4, 1142.05 FEET, TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 31 MINUTES 49 SECONDS WEST, PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST 1/4, 1152.42 FEET, TO THE EAST LINE OF THE WEST 1500 FEET OF SAID NORTHEAST 1/4, FOR THE TERMINUS OF SAID LINE, ALL IN KENDALL COUNTY, ILLINOIS.

PARCEL 2: THAT PART OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF THE SOUTHERLY RIGHT OF WAY OF U.S. ROUTE 52 PER DEDICATION RECORDED JANUARY 13, 1933 IN KENDALL COUNTY, ILLINOIS.

PROPERTY INDEX NUMBER: 09-13-200-002

COMMONLY KNOWN AS: 195 US Highway 52, Minooka, IL 60447

Unofficial

EXHIBIT B

PERMITTED EXCEPTIONS

1. Taxes that accrued, but not yet due and payable.

2. Rights, if any, of public and quasi-public utilities in the Land as disclosed by underground telephone lines, utility poles, gas main, and overhead electric lines as show on Survey number 404-1931-as prepared by Ruettiger, Toelli & Associates, Inc. dated September 20, 2004.

3. Rights of way for drainage tiles, ditches, feeders, laterals and underground pipes, if any.

4. Rights of the public, the State of Illinois, County of Kendall and the municipality in and to that part of the Land, if any, taken or used for road purposes, including that portion thereof falling within the public highway known as Route 69 running along the Southerly line and Southeasterly corner of the Land as same was originally constituted by instrument of dedication recorded January 12, 1933 in Book 86 Deeds, Page 44.

5. Easement in favor of the Commonwealth Edison Company, and its/their respective successors and assigns, to install, operate and maintain all equipment necessary for the purpose of serving the Land and other property with warning siren, together with the right of access to said equipment, and the provisions relating thereto contained in the grant recorded/filed as Document No. 81-4692, affecting the West Line of the Land.

6. No right of way dedication was found for County Line Road per the notes on the Plat of Survey Prepared by Ruettiger, Tonelli & Associates, Inc. dated September 20, 2004

Unofficial

Debbie Gillette

Kendall County Clerk & Recorder

STATE OF ILLINOIS

COUNTY OF KENDALL

Donald W. Burke, JR., being duly sworn on oath, states that affiant owns 195 US Highway 52, Minooka, Il 60447 And further states that: (please check the appropriate box)

A. [ ] That the attached deed is not in violation of 765 ILS 205/1(a), in that the sale or exchange is of an entire tract of land not being part of a larger tract of land; or

B. [X] That the attached deed is not in violation of 765 ILCS 205/1(b) for one of the following reasons: (please circle the appropriate number)

1. The division or subdivision of land into parcels or tracts of 5.0 acres or more in size which does not involve any new streets or easements of access;
2. The division of lots or blocks of less than one (1) acre in any recorded subdivision which does not involve any new streets or easements of access;
3. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
4. The conveyance of parcels of land or interests therein for use as right of way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
5. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
6. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
7. Conveyances made to correct descriptions in prior conveyances;
8. The sale or exchange of parcels or tracts of land following the division into not more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959, and not involving any new streets or easements of access;
9. The sale of a single lot of less than 5.0 acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land;
10. The conveyance is of land described in the same manner as title was taken by grantor(s).

AFFIANT further states that he makes this affidavit for the purpose of inducing the Recorder of Deeds of Kendall County, Illinois, to accept the attached deed for recording.

Unofficial

111 West Fox Street, Yorkville IL 60560-1498
Tel: (630) 553-4104 • Fax: (630) 553-4119 • Email: Dgillette@co.kendall.il.us

SUBSCRIBED AND SWORN BEFORE ME

This 21st day of December, 2018

[redacted]

Signature of Notary Public

OFFICIAL SEAL
KATHRYN L. BELL
NOTARY PUBLIC, STATE OF ILLINOIS
My Commission Expires 05/27/2020

D.W. Burke & Associates, LLC

By: Donald W. Burke, Jr., Manager

By: [redacted]
Kelly L. Lake, Attorney-in-fact

Unofficial

202000004426

DEBBIE GILLETTE
RECORDER - KENDALL COUNTY, IL

RECORDED: 3/20/2020 12:20 PM
WD: 57.00 RHSPS FEE: 10.00
STATE TAX: 328.00
COUNTY TAX: 164.00
PAGES: 4

WARRANTY DEED
ILLINOIS STATUTORY

THE GRANTOR (NAME AND ADDRESS)

Hansel Ridge, LLC
7502 E. Hansel Rd.
Channahon, IL 60410

(The Above Space for Recorder's Use Only)

THE GRANTOR **Hansel Ridge, LLC,** a limited liability company licensed to conduct business in Illinois for and in consideration of TEN AND 00/100 DOLLARS ($10.00), and other good and valuable considerations in hand paid, CONVEYS AND WARRANTS to **GoProBall, LLC**, an Illinois limited liability company, whose principal place of business is located 24317 W. 143rd St., Plainfield, IL 60544, in fee simple forever, the following described real estate situated in the County of Kendall, in the State of Illinois, to wit:

SEE ATTACHED LEGAL DESCRIPTION ATTACHED AS EXHIBIT "A"

Permanent Index Number(s): 09-13-200-002 (part of)
Property Address: 195 US Rt. 52, Minooka, IL 60447

SUBJECT TO: covenants, conditions and restrictions of record and building lines and easements, if any, provided they do not interfere with the current use and enjoyment of the Real Estate; and general real estate taxes not due and payable at the time of Closing.

Dated this 10th day of Feb., 2020.

Fidelity Title [redacted]

Unofficial

HANSEL RIDGE, LLC

By [redacted]
John Dollinger

STATE OF ILLINOIS)
) **SS,**
COUNTY OF)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, CERTIFY THAT John Dollinger, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered in the instrument as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal, this 10th day of Feb., 2020.

[redacted]
Notary Public

PATRICIA W RICKMAN
Official Seal
Notary Public - State of Illinois
My Commission Expires Aug 26, 2020

Unofficial

THIS INSTRUMENT PREPARED BY:
Theresa Dollinger
Castle Law
822 129th Infantry Dr., #104
Joliet, IL 60435

MAIL TO:

Daniel J. Kramer
1107A S. Bridge St.
Yorkville, IL 60560

SEND SUBSEQUENT TAX BILLS TO:

GoProBall, LLC
24317 W. 143rd St.
Plainfield, IL 60544

EXHIBIT A
LEGAL DESCRIPTION

THAT PART OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTHERLY, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 1142.05 FEET FOR THE POINT OF BEGINNING; THENCE WESTERLY, PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER, 1146.61 FEET TO A LINE WHICH IS 1500.00 FEET (NORMALLY DISTANT) EASTERLY OF THE WEST LINE OF SAID NORTHEAST QUARTER; THENCE SOUTHERLY, PARALLEL WITH SAID WEST LINE, 679.29 FEET; THENCE EASTERLY, PARALLEL WITH SAID NORTH LINE, 423.0 FEET; THENCE SOUTHERLY, PARALLEL WITH SAID WEST LINE 53.0 FEET; THENCE EASTERLY PARALLEL WITH SAID NORTH LINE, 720.57 FEET TO SAID EAST LINE OF THE NORTHEAST QUARTER; THENCE NORTHERLY, ALONG SAID EAST LINE, 732.32 FEET TO THE POINT OF BEGINNING IN SEWARD TOWNSHIP, KENDALL COUNTY, ILLINOIS.

Unofficial

Debbie Gillette
Kendall County Clerk & Recorder

PLAT ACT AFFIDAVIT OF METES AND BOUNDS

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

[redacted], being duly sworn on oath, states that affiant resides at [redacted] And further states that: (please check the appropriate box)

A. [ ] That the attached deed is not in violation of 765 ILCS 205/1(a), in that the sale or exchange is of an entire tract of land not being part of a larger tract of land; or

B. [X] That the attached deed is not in violation of 765 ILCS 205/1(b) for one of the following reasons: (please circle the appropriate number)

(1.) The division or subdivision of land into parcels or tracts of 5.0 acres or more in size which does not involve any new streets or easements of access;
2. The division of lots or blocks of less than one (1) acre in any recorded subdivision which does not involve any new streets or easements of access;
3. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
4. The conveyance of parcels of land or interests therein for use as right of way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
5. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
6. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
7. Conveyances made to correct descriptions in prior conveyances;
8. The sale or exchange of parcels or tracts of land following the division into not more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959, and not involving any new streets or easements of access;
9. The sale of a single lot of less than 5.0 acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land;
10. The conveyance is of land described in the same manner as title was taken by grantor(s).

AFFIANT further states that S he makes this affidavit for the purpose of inducing the Recorder of Deeds of Kendall County, Illinois, to accept the attached deed for recording.

PATRICIA W RICKMAN
Official Seal
Notary Public - State of Illinois
My Commission Expires Aug 26, 2020

SUBSCRIBED AND SWORN TO BEFORE ME

This 13th day of March, 2020.

[redacted]

Signature of Notary Public

[redacted]

Signature of Affiant

111 West Fox Street, Yorkville IL 60560-1498
Tel: (630) 553-4104 • Fax: (630) 553-4119 • Email: Dgillette@co.kendall.il.us

QUIT CLAIM DEED

Statutory (Illinois)

THE GRANTOR,

GOPROBALL, LLC, an Illinois
Limited Liability Company
Of the Village of Plainfield
in the County of Kendall
and State of Illinois

for and in consideration of $10.00 in hand paid, CONVEY and QUIT CLAIM TO:

FOUR SEASONS STORAGE, LLC, an Illinois Limited Liability Company
whose address is: 1223 Buell Avenue, Joliet, Illinois 60435

all interest in the following described Real Estate situated in the County of Kendall in the State of Illinois to wit:

SUBJECT TO: Existing easements, covenants, and restrictions of record, and 2019 and subsequent years real estate taxes.

Hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Permanent Real Estate Index Number: part of 09-13-200-002
Address of Real Estate: 8.6902 acres vacant land, County Line Road, Seward Township, Kendall County, Illinois

Dated this 27th day of March, 2020.

GOPROBALL, LLC, an Illinois Limited Liability Company
BY: [redacted]

Jason Shelley, Manager

GOPROBALL, LLC, an Illinois Limited Liability Company
BY:

[redacted]
James Maffeo, Manager

Quit Claim Deed

STATE OF ILLINOIS)
) SS.
COUNTY OF Kendall)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, CERTIFY THAT James Maffeo and Jason Shelley personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered this instrument as his free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and notarial seal this 27th Day of March, 2020.

[redacted]
Notary Public

"OFFICIAL SEAL"
COLLEEN HANSON
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 11/18/2023

SEND SUBSEQUENT TAX BILLS TO:
Four Seasons Storage, LLC
1223 Buell Ave.
Joliet, IL 60435

THIS DOCUMENT PREPARED BY:
AFTER RECORDING, RETURN TO:
Attorney Daniel J. Kramer
1107A S. Bridge Street
Yorkville, IL 60560

This Transaction EXEMPT under provisions of 35ILCS 200/31-45, Par. ___.
Dated March 27, 2020.
Signed [redacted]

LEGAL DESCRIPTION OF TRACT 2 (B-3 Special Use Parcel):

That Part of the Northeast Quarter of Section 13, Township 35 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter; thence Southerly, along the East Line of said Northeast Quarter, 1142.05 feet; thence Westerly, parallel with the North Line of said Northeast Quarter, 599.06 feet; thence Southerly, parallel with the West Line of said Northeast Quarter, 165.29 feet for the point of beginning; thence Easterly, parallel with said North Line, 332.25 feet; thence Southerly, parallel with said West Line, 525.07 feet to a line which is 1834.37 feet Southerly of (as measured along the East Line of said Northeast Quarter) and parallel with the North Line of said Northeast Quarter; thence Westerly, parallel with said North Line, 332.25 feet to a line drawn Southerly from the point of beginning, parallel with said West Line; thence Northerly, parallel with said West Line, 527.0 feet to the point of beginning in Seward Township, Kendall County, Illinois.

LEGAL DESCRIPTION OF TRACT 3 (B2 Zoning Parcel):

That Part of the Northeast Quarter of Section 13, Township 35 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter; thence Southerly, along the East Line of said Northeast Quarter, 1142.05 feet; thence Westerly, parallel with the North Line of said Northeast Quarter, 51.55 feet to a point hereinafter referred to as "Point A"; thence Southerly, along a line which forms an angle of 89°33'03" with the prolongation of the last described course, measured counter-clockwise therefrom, 692.32 feet to a line which is 1834.37 feet Southerly of (as measured along the East Line of said Northeast Quarter) and parallel with the North Line of said Northeast Quarter for the point of beginning; thence Northerly, along the line of the last described course 692.32 feet to "Point A"; thence Westerly, parallel with said North Line, 547.51 feet; thence Southerly, parallel with the West Line of said Northeast Quarter, 165.29 feet; thence Easterly, parallel with said North Line, 332.25 feet; thence Southerly, parallel with said West Line, 525.07 feet to a line which is 1834.37 feet Southerly of (as measured along the East Line of said Northeast Quarter) and parallel with the North Line of said Northeast Quarter; thence Easterly, parallel with said North Line, 213.85 feet to the point of beginning in Seward Township, Kendall County, Illinois.

PLAT ACT AFFIDAVIT

(FILE WITH THE RECORDER OF DEEDS OF KENDALL COUNTY)

STATE OF ILLINOIS)
)ss.
COUNTY OF KENDALL)

DOCUMENT #

DANIEL J. KRAMER, being duly sworn on oath, states that he resides at 1107A S. Bridge Street, Yorkville, IL 60560. That the attached deed represents:

1. The subject property is unsubdivided property.

2. A distinct separate parcel qualifying for a Kendall County building permit prior to August 10, 1971.

3. The division of subdivision of the land is into parcels or tracts of five acres or more in size which does not involve any new streets or easements of access.

4. The division is of lots or blocks of less than one acre in any recorded subdivision which does not involve any new streets or easements of access.

5. The sale of exchange of parcels of land is between owners of adjoining and contiguous land.

6. The conveyance is of parcels of land or interests therein for use as right of way for railroads or other public utility facilities, which does not involve any new streets or easement of access.

7. The conveyance is of land owned by a railroad or other public utility which does not involve any new streets or easements of access.

8. The conveyance is of land for highway or other public purposes or grants of conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use.

9. The conveyance is made to correct descriptions in prior conveyances.

10. The sale or exchange is of parcels or tracts of land following the division into no more than two parts of a particular parcel or tract of land existing on July 17, 1959, and not involving any new streets or easements of access.

11. The sale is of a single lot of less than five acres from a larger tract, evidenced by a survey made by a registered surveyor which single lot is the first sale from said larger tract as determined by the dimensions and configurations thereof on October 1, 1973, and which sale does not violate any local requirements applicable to the subdivision of land.

CIRCLE NUMBER ABOVE WHICH IS APPLICABLE TO ATTACHED DEED.

Affiant further states that he makes this affidavit for the purpose of inducing the Recorder of Deeds of Kendall County, Illinois, to accept the attached deed for recording.

[redacted]

DANIEL J. KRAMER, Attorney at Law

SUBSCRIBED AND SWORN to before me

this 27th day of March, 2020.

[redacted]

Notary Public

"OFFICIAL SEAL"
COLLEEN HANSON
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 11/18/2023

KENDALL COUNTY
DISCLOSURE OF BENEFICIARIES FORM

1. Applicant Hansel Ridge, LLC

   Address 7502 E Hansel Rd

   City Channahon State IL Zip 60410

2. Nature of Benefit Sought _____

3. Nature of Applicant: (Please check one)
   - ___ Natural Person
   - _X_ Corporation
   - ___ Land Trust/Trustee
   - ___ Trust/Trustee
   - ___ Partnership
   - ___ Joint Venture

4. If applicant is an entity other than described in Section 3, briefly state the nature and characteristics of the applicant:

   Limited Liability Company

5. If your answer to Section 3 you have checked letter b, c, d, e, or f, identify by name and address each person or entity who is a 5% shareholder in case of a corporation, a beneficiary in the case of a trust or land trust, a joint venture in the case of a joint venture, or who otherwise has proprietary interest, interest in profits and losses or right to control such entity:

NAME	ADDRESS	INTEREST
John Dollinger	[redacted]	50%. Member
Edward Dollinger	[redacted]	50%. Member

6. Name, address, and capacity of person making this disclosure on behalf of the applicant:

   Theresa Dollinger, [redacted]

VERIFICATION

I, Theresa Dollinger, Attorney for Hansel Ridge LLC, being first duly sworn under oath that I am the person making this disclosure on behalf of the applicant, that I am duly authorized to make the disclosure, that I have red the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in both substance and fact.

Subscribed and sworn to before me this 27th day of September, A.D. 2019

(seal)

[redacted]
Notary Public

Official Seal
Pamela Dowling
Notary Public State of Illinois
My Commission Expires 04/12/2021

KENDALL COUNTY
DISCLOSURE OF BENEFICIARIES FORM

1. Applicant Goproball, LLC

   Address 24317 W 143rd Street

   City Plainfield State IL Zip 60544

2. Nature of Benefit Sought run baseball/soccer facility

3. Nature of Applicant: (Please check one)
   - ___ Natural Person
   - X Corporation/LLC
   - ___ Land Trust/Trustee
   - ___ Trust/Trustee
   - ___ Partnership
   - ___ Joint Venture

4. If applicant is an entity other than described in Section 3, briefly state the nature and characteristics of the applicant:

5. If your answer to Section 3 you have checked letter b, c, d, e, or f, identify by name and address each person or entity who is a 5% shareholder in case of a corporation, a beneficiary in the case of a trust or land trust, a joint venture in the case of a joint venture, or who otherwise has proprietary interest, interest in profits and losses or right to control such entity:

NAME	ADDRESS	INTEREST
Jason Shelley	[redacted]	85%
James Maffeo		15%

6. Name, address, and capacity of person making this disclosure on behalf of the applicant:

   Jason Shelley [redacted] 9-26-19

VERIFICATION

I, Colleen Hanson, Manager, being first duly sworn under oath that I am the person making this disclosure on behalf of the applicant, that I am duly authorized to make the disclosure, that I have red the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in both substance and fact.

Subscribed and sworn to before me this 26th day of September, A.D. 2019

(seal)

"OFFICIAL SEAL"
COLLEEN HANSON
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 11/18/2019

[redacted]
Notary Public

EcoCAT
Ecological Compliance Assessment Tool

ILLINOIS DEPARTMENT OF NATURAL RESOURCES

Applicant: Goproball, LLC
Contact: Attorney Daniel J. Kramer
Address: 1107A South Bridge St
Yorkville, IL 60560

Project: GoProball
Address: County Line Road, Shorewood

IDNR Project Number: 2003132
Date: 09/25/2019

Description: Indoor/Outdoor facility for baseball and soccer fields

Natural Resource Review Results

Consultation for Endangered Species Protection and Natural Areas Preservation (Part 1075)

The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

Consultation is terminated. This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary. Termination does not imply IDNR's authorization or endorsement.

Location

The applicant is responsible for the accuracy of the location submitted for the project.

County: Kendall

Township, Range, Section:
35N, 8E, 13

IL Department of Natural Resources Contact
Adam Rawe
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction
Kendall County Planning, Building, and Zoning
Matt Asselmeier
111 W Fox Street
Yorkville, Illinois 60560

Disclaimer

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, compliance with applicable statutes and regulations is required.

IDNR Project Number: 2003132

Terms of Use

By using this website, you acknowledge that you have read and agree to these terms. These terms may be revised by IDNR as necessary. If you continue to use the EcoCAT application after we post changes to these terms, it will mean that you accept such changes. If at any time you do not accept the Terms of Use, you may not continue to use the website.

1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act, Illinois Natural Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if proposed actions are in the vicinity of protected natural resources. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.

2. Unauthorized attempts to upload, download, or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act.

3. IDNR reserves the right to enhance, modify, alter, or suspend the website at any time without notice, or to terminate or restrict access.

Security

EcoCAT operates on a state of Illinois computer system. We may use software to monitor traffic and to identify unauthorized attempts to upload, download, or change information, to cause harm or otherwise to damage this site. Unauthorized attempts to upload, download, or change information on this server is strictly prohibited by law.

Unauthorized use, tampering with or modification of this system, including supporting hardware or software, may subject the violator to criminal and civil penalties. In the event of unauthorized intrusion, all relevant information regarding possible violation of law may be provided to law enforcement officials.

Privacy

EcoCAT generates a public record subject to disclosure under the Freedom of Information Act. Otherwise, IDNR uses the information submitted to EcoCAT solely for internal tracking purposes.

IDNR Project Number: 2003132

EcoCAT
Ecological Compliance Assessment Tool

ILLINOIS DEPARTMENT OF NATURAL RESOURCES

EcoCAT Receipt

Project Code 2003132

APPLICANT	DATE
Goproball, LLC Attorney Daniel J. Kramer 1107A South Bridge St Yorkville, IL 60560	9/25/2019

DESCRIPTION	FEE	CONVENIENCE FEE	TOTAL PAID
EcoCAT Consultation	$ 125.00	$ 2.81	$ 127.81

TOTAL PAID $ 127.81

Illinois Department of Natural Resources
One Natural Resources Way
Springfield, IL 62702
217-785-5500
dnr.ecocat@illinois.gov

Maffeo Business Plan 10-08-19

Timeline

- Phase 1 Construction Spring - Summer 2020
- Phase 2 Construction Spring 2023

Plan

- Phase 1

60' x 45' x 16 ' Metal Building
Office
Restrooms
Inside storage for recreational vehicles

2 200' x 30' Metal Buildings
Mini Storage Warehouse
245' x 300' Paved outside Area

- Phase 2

4 200' x 30' Metal Storage Warehouse

6 foot Privacy Fence Surrounding entire area

Dumpsters Provided

No lighting plan completed at this time

Employees One employee /3-5 days per week

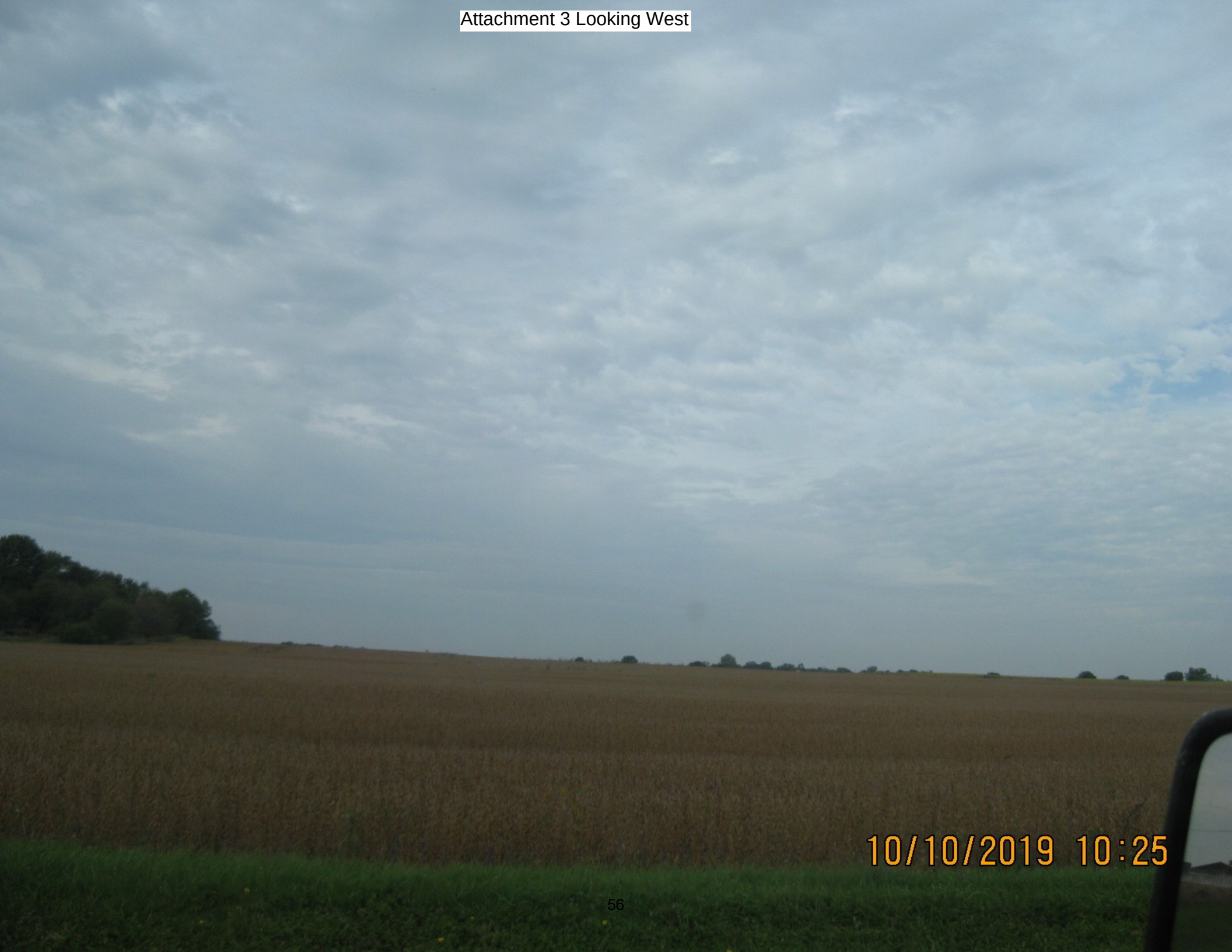
Hours Outside Storage/ 24 hour access

Mini Warehouses / 7 AM – 7 PM daily

Office building by appointment

Signage Lighted sign for both buildings

Route 52
Line Rd


Attachment 3 Looking West
10/10/2019 10:25

Attachment 4 Looking East
10/10/2019 10:25

Attachment 5 Looking Southwest
10/10/2019 10:26

Attachment 6 Looking South

Attachment 7 Looking Northwest

Matt Asselmeier

From: andrew doyle <adoyle@troyfpd.com>
Sent: Thursday, October 10, 2019 1:29 PM
To: Matt Asselmeier
Subject: [External]RE: 195 Route 52 Question

Mr. Asselmeier,

Thank you for reaching out to our department regarding the rezoning change for 195 Route 52. We currently do not have any concerns regarding the proposed changes.

Thank you,
Andy

Andrew Doyle
Andrew Doyle, Fire Chief
Troy Fire Protection District
700 Cottage St.
Shorewood, IL 60404
815-725-2149 Main Line
815-651-2102 Direct Line
815-725-0772 Fax Line
815-791-0391 Cell Phone
www.troyfirepd.com

CONFIDENTIALITY NOTICE: THE MATERIAL ENCLOSED WITH THIS TRANSMITTAL AND ANY ATTACHMENTS ARE PRIVATE AND CONFIDENTIAL AND ARE THE PROPERTY OF THE SENDER. THE INFORMATION MAY BE PRIVILEGED AND IS INTENDED FOR THE USE OF THE INDIVIDUAL(S) OR ENTITY(IES) TO WHOM IT IS DIRECTED. IF YOU ARE NOT THE INTENDED RECIPIENT, BE ADVISED THAT ANY UNAUTHORIZED DISCLOSURE, COPYING, DISTRIBUTION OR THE TAKING OF ACTION IN RELIANCE ON THE CONTENTS OF THIS TRANSMITTAL IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS INFORMATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY REPLYING TO THE SENDER AND DELETING THIS COPY FROM YOUR SYSTEM

From: Matt Asselmeier [mailto:masselmeier@co.kendall.il.us]
Sent: Thursday, October 10, 2019 12:36 PM
To: andrew doyle
Subject: 195 Route 52 Question

Chief Doyle:

Kendall County received a request to change its Future Land Use Map for the northern portion of 195 Route 52 (PIN 09-13-200-002) from Public Institutional to Commercial. The property owner also wants to rezone the property from A-1 Agricultural to B-3 Highway Business District with a special use permit for indoor/outdoor storage and B-4 Commercial Recreation District to construct an indoor athletic facility.

Does the Troy Fire Protection District have any general concerns about this type of proposal?

I am at the initial phase of reviewing this application and will send you more information as I proceed with my review.

Thanks,

Matthew H. Asselmeier, AICP
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

--
This email was Malware checked by UTM 9. http://www.sophos.com

KENDALL COUNTY HEALTH DEPARTM
811 W. John Street, Yorkville, IL 60560-9249 630/553-9100 Administration Fax 6
Public Health
Prevent. Promote. Protect.

November 27, 2019

RE: Proposed Development with Private Onsite Wastewater Disposal Systems
RE: PIN # 09-13-200-002

To Whom it May Concern,

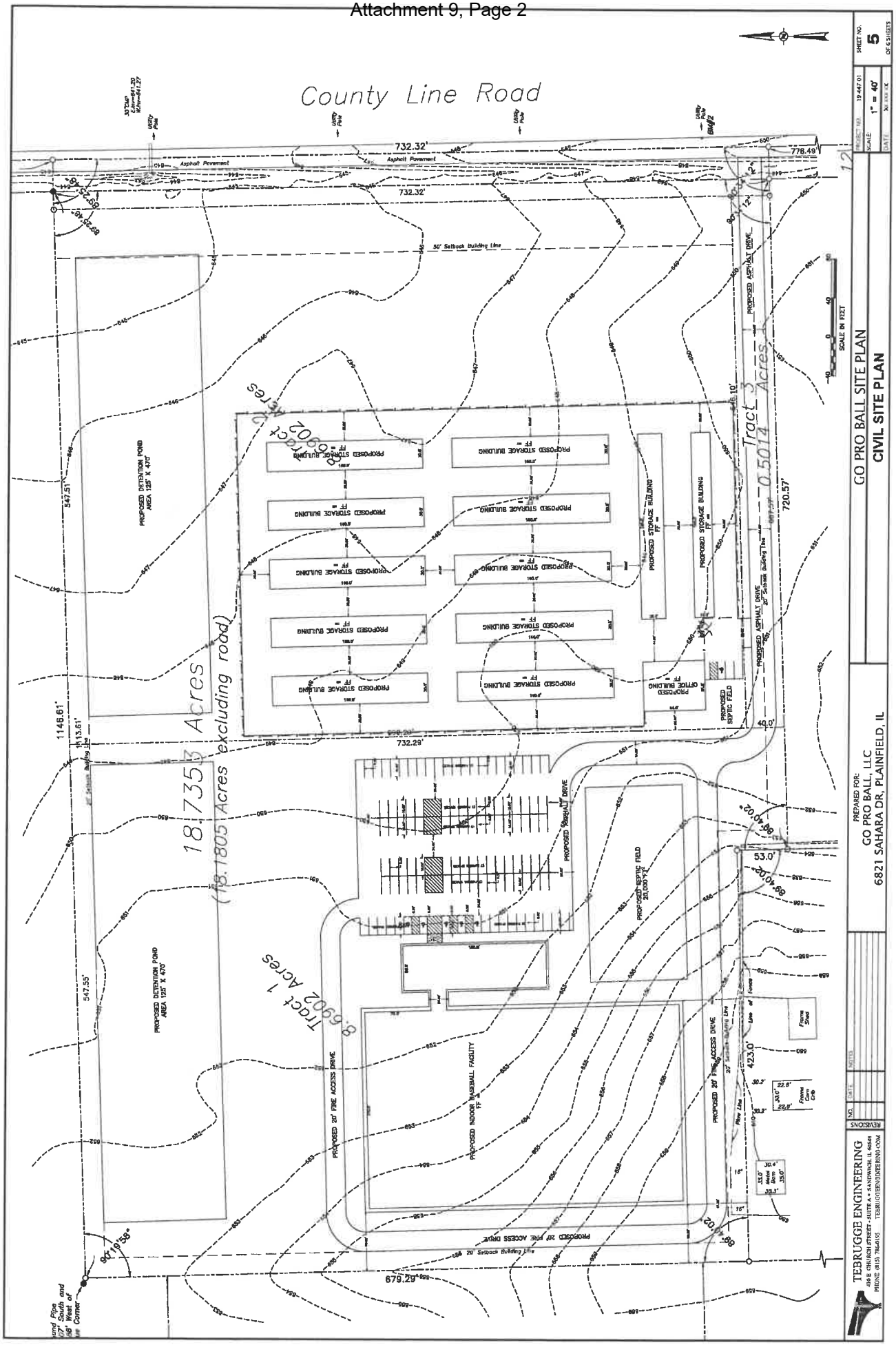
A preliminary planning meeting was held today, November 27, 2019, with Dan Kramer, Ted McCannon, and myself, Lauren Belville, to discuss preliminary design plans for the onsite wastewater disposal systems needed to service the two proposed facilities, namely the proposed Go Pro Baseball Academy and the proposed Storage Facility, to be included in the development of this parcel 09-13-200-002.

After reviewing and discussing the preliminary design plans for the onsite wastewater treatment systems, at this current time we do not have any objections or restrictions as to the use of private onsite wastewater disposal systems as a means for sewage disposal for these proposed facilities. Formal design review will occur at a later date after formal permit application and required plans are submitted.

If you have any questions or concerns regarding this matter please contact me directly at 630-553-8054.

Sincerely,

Lauren Belville, LEHP
Well & Septic Program Coordinator
Environmental Health Services
Kendall County Health Department



GO PRO BALL SITE PLAN

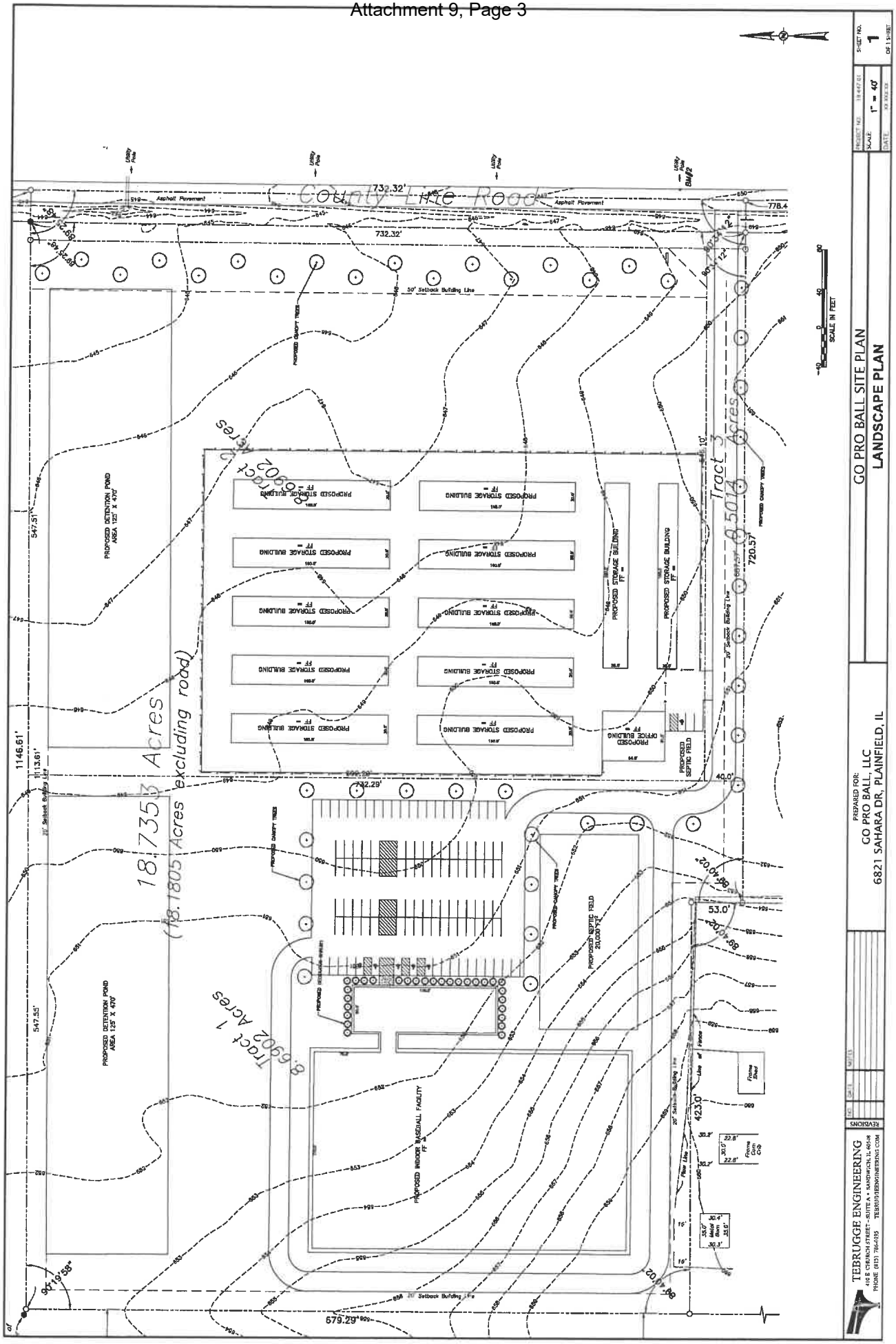
CIVIL SITE PLAN

PREPARED FOR:
GO PRO BALL, LLC
6821 SAHARA DR, PLAINFIELD, IL

TEBRUGGE ENGINEERING
109 E CHURCH STREET - SUITE A • SANDWICH, IL 60548
PHONE (815) 786-8155 · TEBRUGGEENGINEERING.COM

REVISIONS

PROJECT NO. 19-447-01
SCALE 1" = 40'
DATE XX.XXX.XX
SHEET NO. 5 OF 6 SHEETS



TEBRUGGE ENGINEERING
410 E CHURCH STREET - SUITE A • SANDWICH, IL 60548
PHONE (815) 786-8195 TEBRUGGEENGINEERING.COM

REVISIONS

PREPARED FOR:
GO PRO BALL, LLC
6821 SAHARA DR, PLAINFIELD, IL

GO PRO BALL SITE PLAN
LANDSCAPE PLAN

PROJECT NO. 19-447-01
SCALE: 1" = 40'
DATE: XX-XX-XX
SHEET NO. 1
OF 1 SHEET

Project Name:	Drawn By: Joell Collins
GO PRO BASEBALL SITE	Drawn By: joell.collins@pg-enlighten.com
Location:	Date: 10/18/2019
KENDALL CO, IL	Scale: Not To Scale

#	Date	Comment	Revisions

enlighten

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County Line Road

Luminaire Schedule- Part numbers are provided by the manufacturer and are only intended to be used as a reference to output and optics used.

Symbol	Qty	Tag	Label	Arrangement	Lum. Lumens	Arr. Lum. Lumens	Lum. Watts	Arr. Watts	LLF	Description	Manufacturer
	2	A1	RAR2-320L-165-4K7-4W	SINGLE	21488	21488	153.6	153.6	0.900	RAR2-320L-165-4K7-4W	HUBBELL OUTDOOR
	2	A2	RAR2-320L-165-4K7-5QW	2 @ 180 DEGREES	21976	43952	153.6	307.2	0.900	RAR2-320L-165-4K7-5QW	HUBBELL OUTDOOR
	7	A3	RAR-2-320L-110-4K7-3-BC	SINGLE	9330	9330	105	105	0.900	RAR-2-320L-110-4K7-3-BC	HUBBELL OUTDOOR
	63	B	LNC3-24L4K-105-4	SINGLE	7402	7402	82.8	82.8	0.900	LNC3-24L4K-105-4	HUBBELL OUTDOOR

Calculation Summary

Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min	Description
PROPERTY Planar	Illuminance	Fc	0.65	7.1	0.0	N.A.	N.A.	READINGS @ GRADE
ENTRY DRIVE	Illuminance	Fc	2.19	3.7	0.5	4.36	7.40	READINGS @ GRADE
PARKING LOT	Illuminance	Fc	2.58	6.3	0.5	5.16	12.60	READINGS @ GRADE
STORAGE AREA	Illuminance	Fc	2.98	7.1	0.3	9.93	23.67	READINGS @ GRADE

Parking Lot Design Guide	Basic (for typical conditions)	Basic Enhanced Security (in consideration of personal security or vandalism)	Security (security lighting for public spaces)	High Security (security lighting for public spaces)
Minimum Horizontal Illuminance (Measured on parking surface without any shadowing from any object)	1lux/fc	1lux/fc	1lux/fc	1lux/fc
Uniformity Ratio Maximum - to - Minimum	2.0/0.2	5.0/0.5	10.0/1.0	30.0-60.0/3.0-4.0
Uniformity Ratio Average - to - Minimum	20:1	15:1	15:1	4:1 *Avg-Min
Vertical Illuminance (For facial recognition measured 5' above the parking surface at the point of lowest horizontal illuminance)	1.0/0.1	2.5/0.25	5.0-6.0/0.5-0.6	12-60/1.2-6.0

Recommendations based on RP-33-99, RP-20-98, 9th Edition IESNA Lighting Handbook

PG-Enlighten is neither licensed nor insured to determine code compliance. Code compliance review by others.

Project Name:
GO PRO BASEBALL SITE

Location:
KENDALL CO., IL

Drawn By: Joel Collins
Drawn By: joel.collins@pg-enlighten.com
Date: 10/18/2019
Scale: 1" = 30'

#	Date	Comment
Revisions		

PG enlighten

PG-Enlighten is neither licensed nor insured to determine code compliance. Code compliance review by others.

Luminaire Location Summary

LumNo	Tag (Qty)	Label	X	Y	Z	Orient	Tilt
1	B (1)	LNC3-24L4K-105-4	11024.476	11145.501	11	180	0
2	B (1)	LNC3-24L4K-105-4	11025.925	11095.501	11	180	0
3	B (1)	LNC3-24L4K-105-4	11027.455	11045.501	11	180	0
4	B (1)	LNC3-24L4K-105-4	11084.45	11147.27	11	180	0
5	B (1)	LNC3-24L4K-105-4	11085.899	11097.27	11	180	0
6	B (1)	LNC3-24L4K-105-4	11087.429	11047.27	11	180	0
7	B (1)	LNC3-24L4K-105-4	11144.424	11149.039	11	180	0
8	B (1)	LNC3-24L4K-105-4	11145.873	11099.039	11	180	0
9	B (1)	LNC3-24L4K-105-4	11147.403	11049.039	11	180	0
10	B (1)	LNC3-24L4K-105-4	11204.398	11150.808	11	180	0
11	B (1)	LNC3-24L4K-105-4	11205.847	11100.808	11	180	0
12	B (1)	LNC3-24L4K-105-4	11207.377	11050.808	11	180	0
13	B (1)	LNC3-24L4K-105-4	11264.372	11152.576	11	180	0
14	B (1)	LNC3-24L4K-105-4	11265.821	11102.576	11	180	0
15	B (1)	LNC3-24L4K-105-4	11267.351	11052.576	11	180	0
16	B (1)	LNC3-24L4K-105-4	11018.875	11335.418	11	180	0
17	B (1)	LNC3-24L4K-105-4	11020.324	11285.418	11	180	0
18	B (1)	LNC3-24L4K-105-4	11021.854	11335.418	11	180	0
19	B (1)	LNC3-24L4K-105-4	11078.849	11337.187	11	180	0
20	B (1)	LNC3-24L4K-105-4	11080.298	11287.187	11	180	0
21	B (1)	LNC3-24L4K-105-4	11081.828	11337.187	11	180	0
22	B (1)	LNC3-24L4K-105-4	11138.823	11308.956	11	180	0
23	B (1)	LNC3-24L4K-105-4	11140.272	11288.956	11	180	0
24	B (1)	LNC3-24L4K-105-4	11141.802	11288.956	11	180	0
25	B (1)	LNC3-24L4K-105-4	11198.796	11340.725	11	180	0
26	B (1)	LNC3-24L4K-105-4	11200.245	11290.725	11	180	0
27	B (1)	LNC3-24L4K-105-4	11201.775	11240.725	11	180	0
28	B (1)	LNC3-24L4K-105-4	11258.77	11342.494	11	180	0
29	B (1)	LNC3-24L4K-105-4	11260.219	11292.494	11	180	0
30	B (1)	LNC3-24L4K-105-4	11261.749	11242.494	11	180	0
31	B (1)	LNC3-24L4K-105-4	11289.637	11343.378	11	0	0
32	B (1)	LNC3-24L4K-105-4	11291.086	11293.378	11	0	0
33	B (1)	LNC3-24L4K-105-4	11292.616	11243.378	11	0	0
34	B (1)	LNC3-24L4K-105-4	11295.238	11153.461	11	0	0
35	B (1)	LNC3-24L4K-105-4	11296.687	11103.461	11	0	0
36	B (1)	LNC3-24L4K-105-4	11298.217	11053.461	11	0	0
37	B (1)	LNC3-24L4K-105-4	11043.76	11015.576	11	270	0
38	B (1)	LNC3-24L4K-105-4	11103.734	11017.345	11	270	0
39	B (1)	LNC3-24L4K-105-4	11143.708	11019.114	11	270	0
40	B (1)	LNC3-24L4K-105-4	11223.682	11050.883	11	270	0
41	B (1)	LNC3-24L4K-105-4	11283.656	11022.651	11	270	0
42	B (1)	LNC3-24L4K-105-4	11038.147	11205.278	11	270	0
43	B (1)	LNC3-24L4K-105-4	11098.121	11207.047	11	270	0
44	B (1)	LNC3-24L4K-105-4	11158.095	11248.816	11	270	0
45	B (1)	LNC3-24L4K-105-4	11218.069	11210.585	11	270	0
46	B (1)	LNC3-24L4K-105-4	11278.043	11211.353	11	270	0
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48	B (1)	LNC3-24L4K-105-4	11213.364	11371.535	11	90	0
49	B (1)	LNC3-24L4K-105-4	11033.442	11366.228	11	90	0
50	B (1)	LNC3-24L4K-105-4	11153.39	11369.746	11	90	0
51	B (1)	LNC3-24L4K-105-4	11273.338	11373.304	11	90	0
52	B (1)	LNC3-24L4K-105-4	11067.082	11955.676	11	0	0
53	B (1)	LNC3-24L4K-105-4	11057.894	11921.806	11	270	0
54	B (1)	LNC3-24L4K-105-4	11125.312	11962.573	11	270	0
55	B (1)	LNC3-24L4K-105-4	11292.312	11967.73	11	270	0
56	B (1)	LNC3-24L4K-105-4	11235.312	11966.069	11	270	0
57	B (1)	LNC3-24L4K-105-4	11180.312	10964.209	11	270	0
58	B (1)	LNC3-24L4K-105-4	11129.926	10913.428	11	270	0
59	B (1)	LNC3-24L4K-105-4	11295.375	10917.54	11	270	0
60	B (1)	LNC3-24L4K-105-4	11241.375	10916.281	11	270	0
61	B (1)	LNC3-24L4K-105-4	11186.375	10914.898	11	270	0
62	A3 (1)	RAR-2-320L-110-4K7-3-8C	11525.502	10844.268	20	92.022	0
63	A3 (1)	RAR-2-320L-110-4K7-3-8C	11408.564	10960.537	20	92.022	0
64	A3 (1)	RAR-2-320L-110-4K7-3-8C	11291.627	10855.507	20	92.022	0
65	A3 (1)	RAR-2-320L-110-4K7-3-8C	11174.689	10851.935	20	92.022	0
66	A3 (1)	RAR-2-320L-110-4K7-3-8C	11058.751	10948.03	20	92.022	0
67	A3 (1)	RAR-2-320L-110-4K7-3-8C	10957.141	10999.961	20	15	0
68	A3 (1)	RAR-2-320L-110-4K7-3-8C	10957.163	11008.424	20	0	0
69	A1 (1)	RAR2-320L-165-4K7-4W	10965.072	11223.198	20	180	0
70	A1 (1)	RAR2-320L-165-4K7-4W	10968.088	11171.085	20	180	0
71	A2 (2)	RAR2-320L-165-4K7-5QW	10946.398	11108.448	20	0	0
72	A2 (2)	RAR2-320L-165-4K7-5QW	10944.949	11225.597	20	0	0
73	B (1)	LNC3-24L4K-105-4	11300.453	10981.014	11	0	0
74	B (1)	LNC3-24L4K-105-4	11302.037	10928.536	11	0	0

FG-Enlighten is neither licensed nor insured to determine code compliance. Code compliance review by others.

Project Name: GO PRO BASEBALL SITE	Page 3 of 3
Location: KENDALL CO, IL	
Drawn By: Joell Collins	
Date: 10/18/2019	
Scale: Not to Scale	

Revisions			
#	Date	Comments	

FG enlighten

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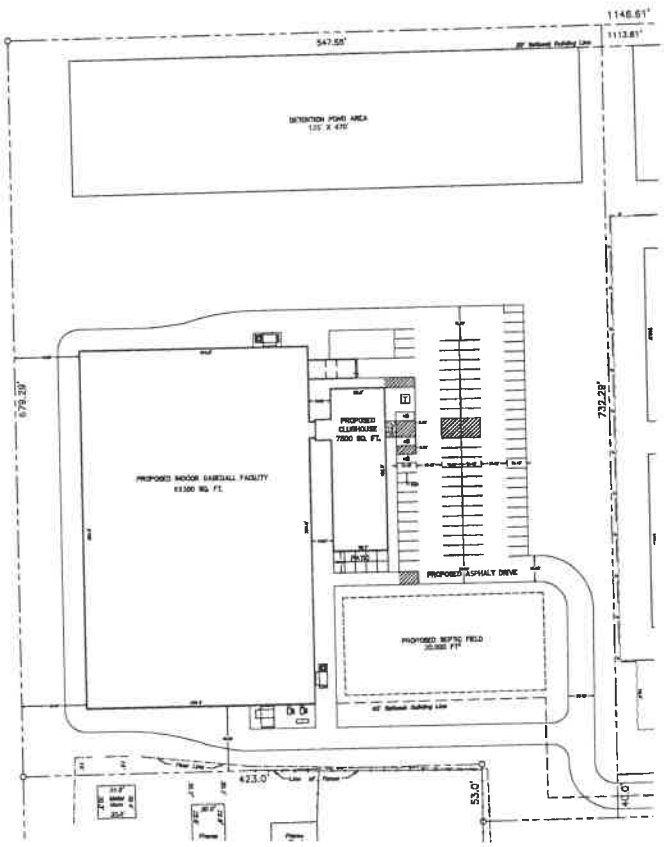

PROPOSED SITE PLAN

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NEW FACILITY FOR:

GO PRO BASEBALL

NW CORNER COUNTY LINE RD, NEAR RTE 52

KENDALL COUNTY, IL

CONCEPT BUILDING & SITE PLAN

OWNER:

GO PRO SPORTS ACADEMY
24317 143RD St.
PLAINFIELD, IL

SP-1

PROJECT #: 19066
DATE: 10-24-19
REVISIONS:
SCALE: AS NOTED

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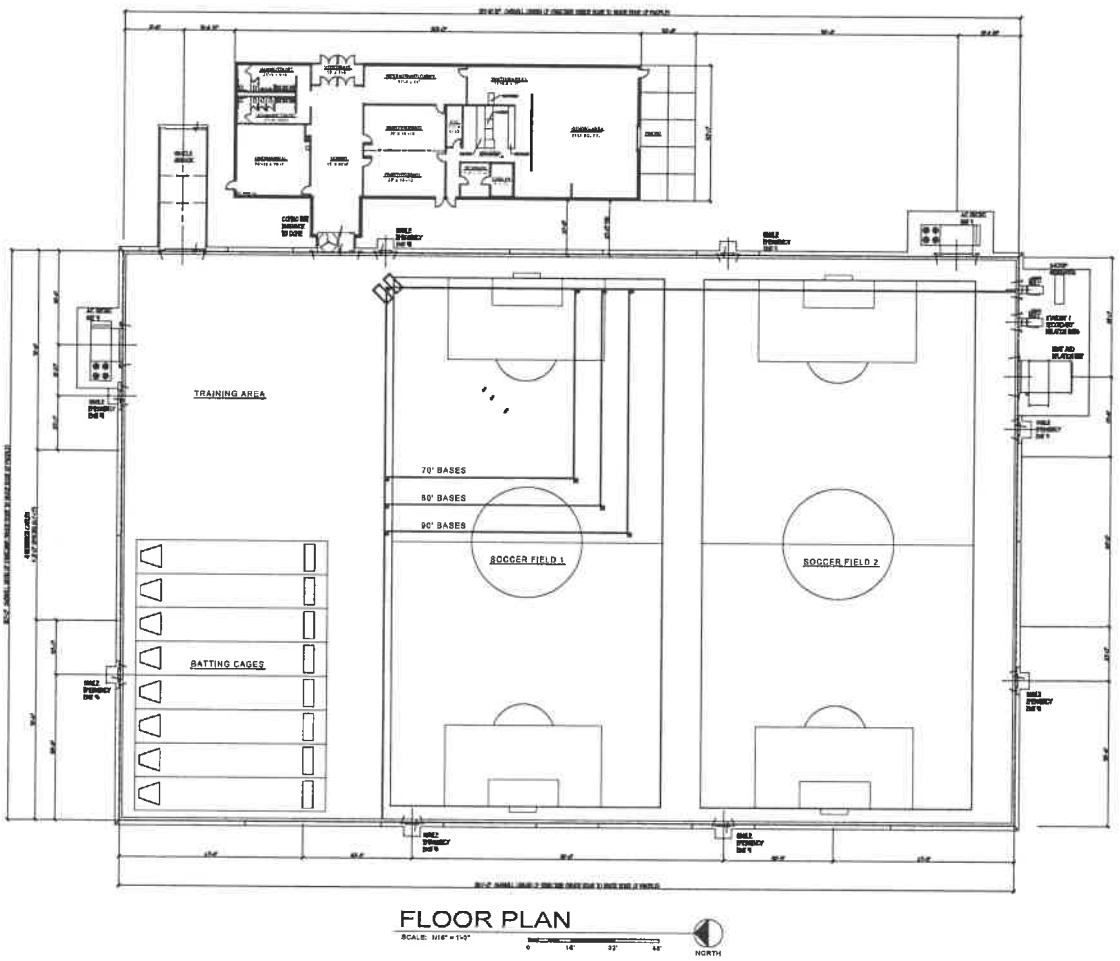

FLOOR PLAN

SCALE: 1/16" = 1'-0"

NORTH

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NEW FACILITY FOR:

GO PRO BASEBALL

NW CORNER COUNTY LINE RD, NEAR RTE 52

KENDALL COUNTY, IL

CONCEPT BUILDING & SITE PLAN

OWNER:

GO PRO SPORTS ACADEMY
24317 143RD St.
PLAINFIELD, IL

FP-1

PROJECT #: 19056
DATE: 10-24-19
REVISIONS:
SCALE: AS NOTED

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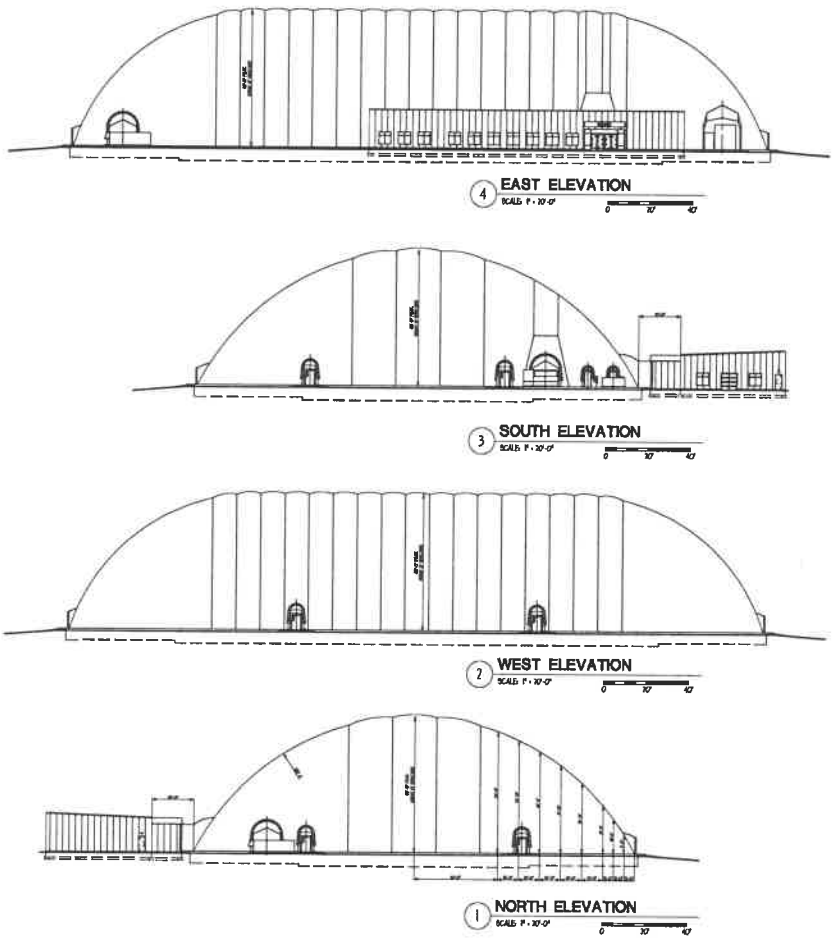

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NEW FACILITY FOR:

GO PRO BASEBALL

NW CORNER COUNTY LINE RD, NEAR RTE 52

KENDALL COUNTY, IL

CONCEPT BUILDING & SITE PLAN

OWNER:

GO PRO SPORTS ACADEMY
24317 143RD St.
PLAINFIELD, IL

EL-1

PROJECT #: 19056
DATE: 10-24-19
REVISIONS:
SCALE: AS NOTED

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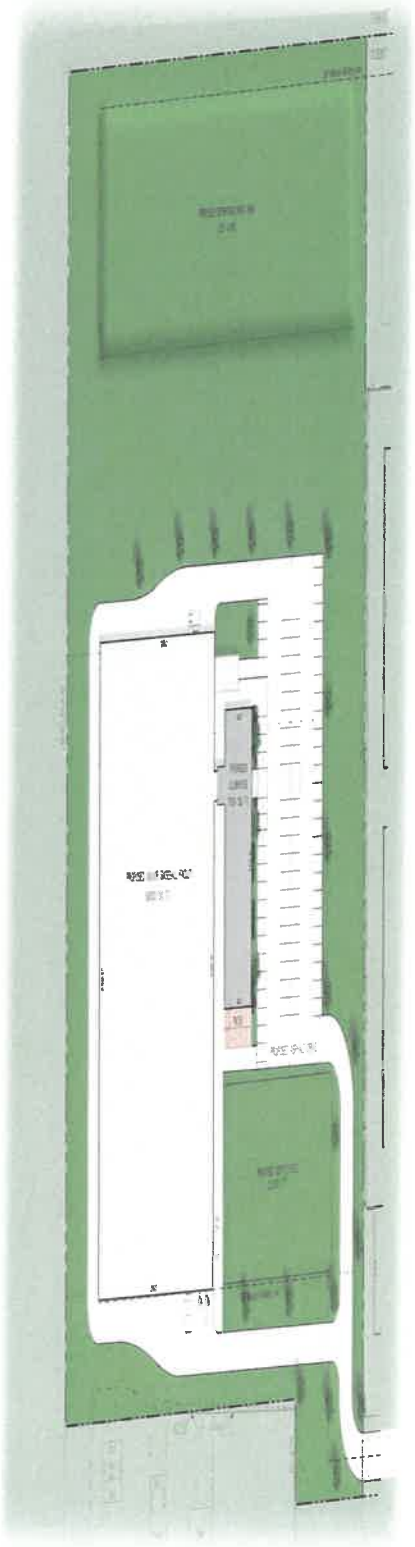

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NEW FACILITY FOR:

GO PRO BASEBALL

NW CORNER COUNTY LINE RD. NEAR RTE 52

KENDALL COUNTY, IL

CONCEPT BUILDING & SITE PLAN

OWNER:

GO PRO SPORTS ACADEMY
24317 143RD St.
PLAINFIELD, IL

SP-1

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SEWARD TOWNSHIP PLAN COMMISSION MINUTES

JANUARY 14, 2020

The Seward Township Plan Commission met on January 14, 2020 at 6:00 p.m. . Members present included Rob Lombardo, Jessica Nelsen, Eleanor Beutel and Suzanne Casey. Daniel Dugan was absent. Following the pledge to the flag, Chairman Lombard initiated discussion of the two proposals for the evening.

The first presentation was by Michael Cook of Cook Engineering representing the proposal for a Veterinary Clinic/Doggy Daycare on 6.99 acres at the Northeast corner of Bell Road and Ridge Road. The Developer was not present. Grading and drainage, signage and the construction of the buildings was all presented, with clarifying questions asked. A discussion of the traffic on Ridge Road followed, and the corner in question being one that experiences heavy traffic coming north from Minooka. The explanation was that only individuals would be coming and going, and not large numbers of people at one time. Additionally, members questioned the septic and well components of the project, and the explanation of the detailed Department of Public Health review that would be executed at the time of construction seemed to satisfy members present. When questioned as to why this location was selected, it did not appear that it was for business reasons, but rather land available for purchase in an area that seemed desirable for such a business.

In summary, the committee felt that if the grading plans, signage, and construction, landscaping and traffic flow were all considered by the developer, the plan would be an appropriate addition to the township. The motion to approve was made by Jessica, and seconded by Eleanor. Motion to approve carried.

The next proposal for consideration, the construction of a Sports Dome, as well as several storage units, was presented by Daniel Kramer on behalf of the developer, who was not present. Numerous questions were raised by the committee and by public members present. Drainage, septic and well, and landscaping were all presented and questioned. Considerable discussion occurred relative to the storage units, their location, and road access in and out of that facility. Two community members/residents who reside directly next to and across the street from the proposed project were present and expressed concerns. It was the committee's understanding from the presenter, Mr. Kramer, that given the traffic patterns in this congested area, and the expectation for continued growth, there would be road access/widening at the entrance into the storage facility/dome, and a parking lot area that could be expanded into restaurant or other gathering options for individuals coming to the sport dome in the future. This would lessen the potential for congestion/accidents at the entrance off County Line. Additionally, it was clarified that the land being purchased was not from the School District but from the Dollinger family. The Sports Dome would, however, be located adjacent to school district property, and potentially a school in the future. There was less concern expressed for

the Sports Dome, than for the construction of several storage units. Again, the question was raised as to why this land was selected for the development, and the answer was essentially that it was for sale and in a geographic area close to Shorewood. After lengthy discussion, a motion to approve was made by Jessica Nelson and seconded by Rob Lombardo. Motion carried.

It should be noted that in both presentations, discussion was had regarding the traffic congestion in this area, and the impact of establishing such businesses in areas where traffic/congestion/accidents are already an issue. The committee was advised that traffic management by either County or State follows growth build-out, and until the area grows, and emerging traffic patterns produce a need for road re-routing, traffic lights, etc. will not be considered. For some members, traffic and accidents still remained a concern.

The meeting adjourned at 7:15 p.m.

Minutes submitted by Suzanne Casey

January 15, 2020

STATE OF ILLINOIS
Kendall County
Town of Seward

The Board of Trustees met at the office of the Town Clerk at Seward Town Hall on January 14, 2020.

Present:

Mrs. Jean Homerding, Supervisor
Ms Sharleen Smith, Clerk
Mr. Tom Fleming, Trustee
Mr. Dan Roberts, Trustee
Mr. Jim Martin, Trustee
Mrs. Anne Vickery, Road Commissioner
Mr. Phil Chaney, Trustee

Jean Homerding, Chairperson and Sharleen Smith, Clerk conducted the following business.

The Seward Township January 14, 2020 meeting was called to order at 7:40 p.m. All Trustees were present and there were 6 visitors. After the Pledge of Allegiance, the minutes of the December meeting were read. A motion to approve the minutes was made by Jim Martin and seconded by Tom Fleming. All in favor motion carried. Balances in all funds were reviewed and reported. An itemized list is attached. The following are the balances of the township funds Corporate Fund $439,530.75, Road and Bridge $936,523.69, Hard Road $657,597.49, Special Bridge $838,562.69, and General Assistance $6,384.33.

Phil Chaney made a motion to approve the Corporate Fund bills in the amount of $8,611.37. Jim Martin seconded all members voting, Aye and the motion carried.

Motion to approve the bills in the Road and Bridge Fund in the amount $27,458.49 was made by Tom Fleming and seconded by Dan Roberts. All members voting Aye, motion carried.

Motion to approve the bills in the Hard Road Fund in the amount $2,107.69 was made by Jim Martin and seconded by Phil Chaney. All members voting Aye, motion carried.

Correspondence: We received a “thank you” from Joliet Hospice for our donation.

Old Business: none

In new business: There was some discussion about the 2 new businesses applying for a special use permit. Since most of the Trustees were at the Planning Commission meeting, much of their concerns were voiced and reflected in those minutes. However, of special note, for both the Doggy Day Care and Clinic and also the Go pro facility and storage units, it was noted that flooding can be an issue even with the creating of retention ponds. It was asked if the companies had checked out the tiles that were already in the fields and how they were going to impact the new facilities. Both claimed that the retention ponds and sewers would handle the drainage issues. It is still a major concern for the trustees. Also the traffic pattern on Rte 52 for the Go pro facility is a huge concern. This is a terrible intersection now. It was asked if IDOT is involved in a traffic study. Mr Kramer, the lawyer for Go pro said he is trying to get them involved but says that is not his concern, that is an IDOT issue. Again there is strong concern about the safety of Kendall County residents with the added traffic at that intersection. Mr. Kramer stated that they would encourage people to use Baltz Road but that just moves the danger up to around the curve. Dan Roberts made a motion to approve both projects which was the recommendation of the Planning Committee with **STRONG CONCERNS** regarding the drainage issues and the traffic issues. Tom Fleming seconded, all in favor, motion carried.
Tom Fleming discussed possibilities about helping Grundy County and/or Kendall County PADS. No decision was made.
The Tax Abatement Form was presented. This will be the last one as the building is paid off. Dan Roberts made a motion to accept with Tom Fleming seconding. All in favor, motion carried.

In public comments, Officer Kallas of the Kendall County Sheriff's Department stated that there were 32 service calls and 25 traffic stops. He also thanked the Road Commissioner and her staff for the help with the fatal accident on O'Brien and Sherril.

With no further business, a motion to adjourn was made Dan Roberts and seconded by Jim Martin. All members voted Aye, motion carried. Meeting adjourned at 8:10 p.m.

Our next scheduled meeting is February 11, 2020 at 7:30pm

Attest
Sharleen Smith/ Clerk

Matt Asselmeier

From: Engel_Natalie <nengel@vil.shorewood.il.us>
Sent: Monday, January 6, 2020 5:29 PM
To: Matt Asselmeier
Cc: Chrisse_Kelley
Subject: [External]ZPAC Meeting

Hi Matt,

Happy New Year!

Kelley and I will not be able to attend tomorrow's ZPAC meeting but wanted to provide some comments regarding the projects within 1 ½ miles of Shorewood's boundaries.

Petitions 19-37, 19-38 and 19-39
We met with Dan Kramer to discuss the projects. We provided some feedback and suggestions regarding the site layout and zoning uses. He was open to our comments and agreed to carry them back to his clients.

They will be submitting applications to the Village and we hope to bring forward their proposals for discussion at our February 5, 2020 Planning and Zoning Commission meeting. I will touch base with you when we have applications and a staff report.

Petition 19-47
Our main concerns regarding the Doggy Day Care project are about noise impacts on the neighbors. We are comfortable that you are addressing these concerns so we defer to you on this project.
When the site and engineering plans are available, please have the applicants send over a copy to Shorewood so that we can determine whether they trigger our Subdivision and Development Ordinance.

Thank you Matt! Please let us know if you have any questions or need any information from us.

Natalie Engel, AICP
Village Planner
Shorewood
ILLINOIS
Village of Shorewood
One Towne Center Blvd | Shorewood, IL 60404
815.553.2314

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ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
November 5, 2019

PBZ Chairman Matthew Prochaska called the meeting to order at 9:02 a.m.

Present:
Megan Andrews – Soil and Water Conservation District
Matt Asselmeier – PBZ Department
Meagan Briganti – GIS
Fran Klaas – Highway Department
Commander Jason Langston – Sheriff's Department
Matthew Prochaska – PBZ Committee Chair
Aaron Rybski – Health Department

Absent:
Greg Chismark – WBK Engineering, LLC
David Guritz – Forest Preserve
Brian Holdiman – PBZ Department

Audience:
Ruben Hernandez, John Tebrugge, Dan Kramer, Anne Vickery, and Natalie Engel

AGENDA

Mr. Klaas made a motion, seconded by Ms. Andrews, to approve the agenda as presented. With a voice vote of all ayes, the motion carried unanimously.

MINUTES

Ms. Andrews made a motion, seconded by Mr. Rybski, to approve the October 1, 2019, meeting minutes by correcting the date of approval of the previous minutes from September 30 to September 3. With a voice vote of all ayes, the motion carried unanimously.

PETITIONS

Petition 19-36 Ruben Hernandez on Behalf of Majey Concrete, Inc.
Mr. Asselmeier summarized the request.

Majey Concrete, Inc. is requesting permission to construct pads for vehicles and equipment on lots 6-10 of Light Road Industrial Park. The proposed parking lots consist of one hundred thirty-four (134) parking stalls of varying depths. The parking lots would be asphalt shavings with three (3) concrete paved access points off of Commerce Road.

If approved, the Petitioner would like to start construction and operations at the property as soon as possible.

This proposal is similar to a site plan approved earlier in 2019 for Lots 1-5 of the Light Road Industrial Park.

The property is approximately five point five (5.5) acres in size and is zoned M-1.

The Future Land Use Map calls for the property to be Mixed Use Business.

Light Road is a Township maintained Collector Road. Commerce Road is a Local Road maintained by Oswego Township. The Village of Oswego has a trail proposed along Light Road.

There are no floodplains or wetlands on the property.

The adjacent land uses are railroad, industrial, and agricultural to the north, Comed ROW to the south and east, and railroad and agriculture to the west. The adjacent zonings are M-1 to the north, east, and west and A-1 to the south. The Land Resource Management Plan calls for Mixed Use Business, Railroad, and Comed ROW in the vicinity. Zonings within one half (1/2) mile include A-1, R-6, R-7, R-7 SU, B-2, and M-1 in the County, M-2 in Montgomery, and R-1, R-2, and M-2 in Oswego.

EcoCat was submitted and found the Iowa Darter in the area, but no adverse impacts were anticipated.

An NRI was not required.

Information was sent to Oswego Township, Bristol Township, Oswego Fire Protection District, the Village of Montgomery, and the Village of Oswego. The Oswego Fire Protection District had no comments because no structures were planned and the Knox Box information would be provided.

WBK requested the following information:

1. Submit stormwater calculations that document the percent impervious is consistent with original / approved design, overflow routes continue to have capacity as per original design, tributary area to each basin is per original design, emergency overflow routes from each basin are not impeded and the volume changes as a result of proposed grading are defined in a stage storage table.
2. Record drawing of the revised basin grading will be required to verify stage storage requirements.
3. Sheet 3 – Filter baskets shall be used at all inlets. Filter fabric is not allowed and reference to it shall be removed. Add filter baskets at all inlets within the limits and adjacent to the project. Please depict these specifically on the plan.
4. Sheet 5 – Remove the proposed light pole from the north drainage swale.
5. Sheet 5 – Provide proposed elevations at the perimeter of the grindings to assure drainage patterns are clear and constructed properly.
6. Sheet 5 – Provide proposed elevation for all curb including where depressions are proposed.

The proposed design standards were as follows:

Responsive to Site Conditions-Site plans should be based on an analysis of the site. Such site analysis shall examine characteristics such as site context; geology and soils; topography; climate and ecology; existing vegetation, structures and road network; visual features; and current use of the site. In addition to the standards listed below, petitioners must also follow the regulations outlined in this Zoning Ordinance. To the fullest extent possible, improvements shall be located to preserve the natural features of the site, to avoid areas of environmental sensitivity, and to minimize negative effects and alteration of natural features. Fragile areas such as wetlands and flood plains should be preserved as open space. Slopes in excess of 20 percent as measured over a 10-foot interval also should remain as open space, unless appropriate engineering measures concerning slope stability, erosion and safety are taken. No structures are planned for the site. A stormwater permit will be required prior to the issuance of any permits. Existing stormwater detention ponds are located to the southwest and west of Lots 8 and 9 and to the northeast of Lot 10.

Traffic and Parking Layout-Site plans should minimize dangerous traffic movements and congestion, while achieving efficient traffic flow. An appropriate number of parking spaces shall be provided while maintaining County design standards. The number of curb cuts should be minimized and normally be located as far as possible from intersections. Connections shall be provided between parking areas to allow vehicles to travel among adjacent commercial or office uses. Cross-access easements or other recordable mechanisms must be employed. Ample space exists on the property for the proposed use. The property will be fenced. Commerce Drive is maintained by Oswego Township.

Conflicts between pedestrians and vehicular movements should be minimized. When truck traffic will be present upon the site, the road size and configuration shall be adequate to provide for off-street parking and loading facilities for large vehicles. Barrier curb should be employed for all perimeters of and islands in paved parking lots, as well as for all service drives, loading dock areas, and the equivalent. Parking lots in industrial or commercial areas shall be paved with hot-mix asphalt or concrete surfacing. This is not an issue.

Site Layout-Improvements shall be laid out to avoid adversely affecting ground water and aquifer recharge; minimize cut and fill; avoid unnecessary impervious cover; prevent flooding and pollution; provide adequate access to lots and sites; and mitigate adverse effects of shadow, noise, odor, traffic, drainage and utilities on neighboring properties. The site will be laid out in a manner that will not impact shadow, noise, odor, or traffic. A stormwater permit must be secured prior to final approval by the County.

Consistent with the Land Resource Management Plan-The proposed use and the design of the site should be consistent with the Land Resource Management Plan. This is true.

Building Materials-The proposed site plan design shall provide a desirable environment for its occupants and visitors as well as its neighbors through aesthetic use of materials, textures and colors that will remain appealing and will retain a reasonably adequate level of maintenance. Buildings shall be in scale with the ultimate development planned for the area. Monotony of design shall be avoided. Variations in detail, form, and setting shall be used to provide visual interest. Variation shall be balanced by coherence of design elements. No building is planned for the site.

Relationship to Surrounding Development-A site shall be developed in harmony with neighboring street pattern, setbacks and other design elements. The proposed site development is in harmony with the existing use of neighboring properties provided fencing meets the Kendall County Zoning Ordinance.

Open Space and Pedestrian Circulation-Improvements shall be designed to facilitate convenient and safe pedestrian and bicycle movement within and to the property. This is not applicable.

Buffering-Measures shall be taken to protect adjacent properties from any undue disturbance caused by excessive noise, smoke, vapors, fumes, dusts, odors, glare or stormwater runoff. Incompatible, unsightly activities are to be screened and buffered from public view. The Petitioner plans to install a fence as required by the Kendall County Zoning Ordinance and the uses are away from neighboring residential uses.

Emergency Vehicle Access-Every structure shall have sufficient access for emergency vehicles. Staff would like comments from the Kendall County Sheriff's Department and Oswego Fire Protection District on this issue.

Mechanical Equipment Screening-All heating, ventilation and air conditioning equipment shall be screened on sides where they abut residential districts. No buildings are proposed.

Lighting-The height and shielding of lighting fixtures shall provide proper lighting without hazard to motorists on adjacent roadways or nuisance to adjacent residents by extending onto adjacent property. Cut-off lighting should be used in most locations, with fixtures designed so that the bulb/light source is not visible from general side view. Ten (10) lights, twenty feet (20') in height are proposed.

Refuse Disposal and Recycling Storage Areas-All refuse disposal and recycling storage areas should be located in areas designed to provide adequate accessibility for service vehicles. Locations should be in areas where minimal exposure to public streets or residential districts will exist. Screening shall be required in areas which are adjacent to residential districts or are within public view. Such enclosures should not be located in landscape buffers. Refuse containers and compactor systems shall be placed on smooth surfaces of non-absorbent material such as concrete or machine-laid asphalt. A concrete pad shall be used for storing grease containers. Refuse disposal and recycling storage areas serving food establishments shall be located as far as possible from the building's doors and windows. The use of chain link fences with slats is prohibited. Refuse will not be collected onsite.

Pending concerns regarding safety and traffic circulation, Staff recommends approval of the proposed site plan as proposed with the following conditions:

1. The site shall be developed substantial in conformance with the submitted engineering plans (Attachment 3). The specific location of parking pads shall be the discretion of the property owner, provided their locations meet the requirements of the Kendall County Zoning Ordinance.

2. The site shall be developed in accordance with all applicable federal, state, and local laws related to site development and the type of business proposed for the site, including, but, not limited to, securing the applicable stormwater management permit. The site plan may be slightly modified to address the concerns of WBK's letter dated October 26, 2019.

3. The property owner shall supply the Kendall County Dispatch Office with the code for property's Knox Box.

4. The property owner shall erect and maintain signage directing trucks not to use Dolores Street.

Mr. Klaas made a motion, seconded by Mr. Rybski, to approve the site plan with conditions proposed by Staff.

Ayes (7): Andrews, Asselmeier, Briganti, Klaas, Langston, Prochaska, and Rybski
Nays (0): None
Present (0): None
Absent (3): Chismark, Guritz, and Holdiman

The motion passed.

Petitions 19-37, -38, and -39 John Dollinger on Behalf of Hansel Ridge, LLC, Jason Shelley on Behalf of Goproball, LLC, and James and Denise Maffeo

Mr. Asselmeier summarized the request and stated that the three (3) requests impacted the same property.

Hansel Ridge, LLC would like to reclassify the northern eighteen point seven (18.7) acres of 195 Route 52 from Public/Institutional to Commercial. They would then like to sell the northwestern nine point one nine (9.19) acres to Goproball, LLC to be for use as an athletic facility which requires a map amendment from A-1 to B-4 Commercial

Recreation District. The northeastern eight point six-nine (8.69) acres would then be sold to James and Denise Maffeo for use as an indoor/outdoor storage facility which requires a map amendment from A-1 to B-3 Highway Business District and special use permits for indoor and outdoor storage. The larger property is forty (40) acres in size.

County Line Road is a Township Road classified as an Arterial.

There are no trails or floodplains or wetlands on the subject property.

The adjacent land uses are agricultural with a fertilizer and grain operation at the southwest corner of Route 52 and County Line Road. The adjacent zonings and zonings within one half (1/2) mile are A-1 or A-1 SU. The Kendall County Land Resource Management Plan calls for the property to the north and south to be Public/Institution and Suburban Residential. The property to the west is classified as Suburban Residential. The Will County Land Resource Management Plan calls for the property to the east to be Suburban Development. The Village of Shorewood's Comprehensive Plan calls for this property to be Commercial and Government/Institutional. Minooka School District 111 owns the property to the north and west and plans to use that property for educational purposes.

There is an A-1 SU to the north for a church and an A-1 SU to the west which is probably an airstrip. There is also a request for a special use permit for a landscaping business at 276 Route 52.

There are seven (7) houses within one half (1/2) mile of the subject property.

The EcoCat was submitted and consultation was terminated.

The NRI application was submitted on September 26, 2019.

Information was sent to Seward Township, the Village of Shorewood, and the Troy Fire Protection District. The Troy Fire Protection District had no objections to the proposal.

With regards to the Goproball map amendment portion of the request, Goproball, LLC provided a business plan which stated they would have between twenty (20) and forty (40) part-time employees with no more than four (4) to six (6) employees onsite. They have fifteen (15) existing travel baseball teams and hope to expand to twenty-five (25) teams within the next five (5) years. They would also like to use the facility to attract other sports including girls soccer and softball. They would have a concession area and rehabilitation services would be provided onsite. The proposed hours of operation are between 8:00 a.m. and midnight. The proposed facility is approximately sixty-nine thousand, three hundred (69,300) square feet and will have a parking area to the east.

Any new structures would require applicable building permits.

The property will access County Line Road. County Line Road has an eighty thousand (80,000) pound weight restriction. Depending on the uses, additional right-of-way could be necessary for turn lanes.

No new odors are foreseen, but the site plan of future commercial activities on the site should be examined to address odors.

The parking lot will have lights. Security lighting will be installed. Commercial establishments could have additional lights and illuminated signage on the building and associated with monument signage. The site plan of commercial establishments should be evaluated to address lighting.

Any fencing or buffering should be evaluated as part of the site plan review process.

The site plan shows two detention ponds. Development on the site would require stormwater management permits.

Electricity is nearby. New well and septic information would have to be evaluated as part of the building permit process.

Map amendments cannot be conditioned, but the Petitioner would need to obtain site plan approval before commencing construction.

With regards to the Maffeo map amendment and special use permits, they plan to purchase the property from Goproball, LLC.

Mr. and Mrs. Maffeo would like to construct one (1) sixty foot by forty-five foot by sixteen foot (60'X45'X16') metal storage and office building and twelve (12) two hundred foot by thirty foot (200'X30') metal storage warehouses. The office building will contain offices, restrooms, and inside storage for vehicles. The facility will be used for general storage uses; no illegal or flammable materials will be stored or distributed out of the facility. No other active businesses will be operated out of the storage facility. The renderings of the office building and other storage buildings were provided.

If approved, development of the site will occur in two phases. Phase I will commence in Summer 2020 and consists of the metal storage and office building, five (5) of the metal storage buildings, and the paved parking area. The five (5) buildings in the southern row will be constructed first. Phase II will commence in Spring 2023 and will consist of the remain metal storage buildings, the six foot (6') privacy fence, and dumpsters.

A two hundred forty-five foot by three hundred foot (245'X300') paved storage area was identified in the business plan. The outdoor storage area would be placed where the Phase II structurers are planned. The outdoor storage area would be removed upon construction the Phase II structures.

Mr. and Mrs. Maffeo anticipate employing between one (1) and five (5) part-time employees. One (1) employee would be for maintenance and the remaining employees would staff the office on a shift-basis to ensure that at least one (1) employee was onsite during business hours.

Access to the facility would be twenty-four (24) hours via access through the security gate. Hours of operation are 7:00 a.m. until 7:00 p.m. daily.

All structures constructed on the site will require building and occupancy permits.

The proposed facilities would be served by well and septic.

Staff would like comments from the Kendall County Health Department regarding the proposed restroom facilities at the property and any other public health concerns.

The site plan shows a proposed one hundred twenty-five feet by four hundred seventy foot (125'X470') stormwater detention pond on the property. No information was provided regarding the depth of the pond. The pond is proposed to be landscaped, but no information regarding landscaping was provided.

The development will require a stormwater management permit.

Staff would like comments from WBK regarding any stormwater related concerns.

The property fronts County Line Road.

Staff would like comments from the Kendall County Highway Department, Kendall County Sheriff's Department, and Seward Township regarding any concerns about having vehicles entering and leaving County Line Road at this location as well as increased traffic at this location.

The site plan shows three (3) parking spaces, including one (1) handicapped accessible parking space.

While the Troy Fire Protection District previously submitted comments on this proposal, Staff would like to make sure that neither the Troy Fire Protection District nor the Kendall County Sheriff's Department have concerns regarding emergency equipment access the facility.

Based on the submitted lighting plan, there will be lights on all of the buildings and lights between buildings. The total number of lights on buildings appears to be sixty-three (63) with eleven (11) additional lights throughout the property. None of the lighting will leave the site.

The Petitioners indicated that lit signage will be placed near County Line Road. No specific location or size dimensions were provided.

Access to the storage area will be through a gate with a key pad. No information was provided regarding the dimensions of the gate.

Some of the lighting will be for security purposes and security cameras will be provided.

The proposal calls for six foot (6') privacy fence around the perimeter of the property. The Petitioners' Attorney indicated that the fence will be installed as part of Phase I.

The landscaping plan calls for several canopy trees along the eastern and southern portions of the site. No information was provided regarding the trees.

Little noise is anticipated from the proposed operations.

Dumpsters will be provided onsite. No information was provided regarding the location of dumpsters.

If approved, this would be the second active special use permit for a storage facility on non A-1 zoned property in unincorporated Kendall County.

Unlike map amendments, special use permits can be conditioned.

Before issuing a recommendation, Staff would like comments from ZPAC members, the Village of Shorewood, Seward Township, and Troy Fire Protection District.

Anne Vickery, Seward Township Highway Commissioner, stated that the Township was willing to work with the Petitioner and Kendall County Highway Department to address concerns regarding increased traffic and safety in the area of the subject property.

Natalie Engel, Village of Shorewood, stated that Shorewood's plans call for the area to be commercial with residential surrounding the property. She felt that the entertainment use was compatible with commercial uses. She felt that the proposed storage uses were more industrial in nature. The Village would like to meet with the Petitioner and go over how the proposed uses meet with the Village Comprehensive Plan.

Mr. Klaas stated that he had not heard of any planned road improvements at County Line Road and Route 52. Ms. Engel expressed concerns regarding safety at County Line and Route 52. Ms. Vickery would work closely with everyone involved to address safety concerns at County Line and Route 52.

Ms. Andrews noted that the she is working on the NRI Report. The application to the Soil and Water Conservation District included information on both the athletic facility and storage uses.

Mr. Rybski asked about concession at the athletic facility. Dan Kramer, Attorney for the Petitioners, stated that they hoped to have the soil information and septic design available at the December ZPAC meeting. Mr. Kramer stated that concessions are planned at the property. The athletic facility will have separate septic facilities from the storage facility. The property drains to the northeast of the property. Mr. Kramer said they were considering one (1) large wet bottom pond instead of two (2) as shown on the current plans. A dry hydrant will be installed in the pond.

Mr. Kramer offered to provide a traffic study to address safety concerns on the adjacent roads.

Mr. Rybski noted the state of soils in that portion of the County in relation to septic systems. He noted that the septic area for the storage facility seems small and it could be expensive to place a septic system in the space shown on the site plan. He suggested more space for the septic system or relocating the septic system to another location on the property.

Mr. Rybski noted that the well will be a non-community well for the athletic facility. The well for the storage facility should not meet the usage requirements for a non-community well.

Mr. Rybski noted that a well was sealed on the farm to the south and there is likely a septic tank somewhere in the area of the sealed well. That septic tank needs an abandonment permit.

Discussion occurred regarding Joliet sewer and water. Ms. Engel responded that Shorewood could serve the property with water and Joliet sometimes provides sewer service to areas inside Shorewood.

Mr. Kramer stated that they hoped to have the septic information ready for the December ZPAC and the engineer will start the stormwater permit process. Mr. Kramer has a meeting scheduled with the Village of Shorewood and was open to having a meeting with the Kendall County Highway Department and Seward Township Road District. Mr. Rybski suggested that Mr. Kramer also meet with the Kendall County Health Department regarding well and septic placement.

Mr. Klaas noted that Seward Township probably would request a right-of-way dedication along County Line Road, at least fifty feet (50') from centerline with the possibility of a utility and drainage easement.

Mr. Kramer requested to wait with all hearings until January 2020.

Without objection, Petition 19-37, 19-38, and 19-39 will be laid over until the December ZPAC meeting.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

None

OLD BUSINESS/NEW BUSINESS

None

CORRESPONDENCE

None

PUBLIC COMMENT

None

ADJOURNMENT

Ms. Andrews made a motion, seconded by Mr. Langston, to adjourn. With a voice vote of all ayes, the motion carried. The ZPAC, at 9:44 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP
Senior Planner

Enc.

ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
January 7, 2020 – Unapproved Meeting Minutes

PBZ Chairman Matthew Prochaska called the meeting to order at 9:00 a.m.

Present:
Matt Asselmeier – PBZ Department
Meagan Briganti – GIS
David Guritz – Forest Preserve
Brian Holdiman – PBZ Department
Fran Klaas – Highway Department
Commander Jason Langston – Sheriff's Department
Matthew Prochaska – PBZ Committee Chair
Aaron Rybski – Health Department

Absent:
Megan Andrews – Soil and Water Conservation District
Greg Chismark – WBK Engineering, LLC

Audience:
Anne Vickery, Dan Kramer, Mike Cook, and Ron Smrz

AGENDA

Mr. Guritz made a motion, seconded by Mr. Klaas, to approve the agenda as presented. With a voice vote of all ayes, the motion carried unanimously.

MINUTES

Mr. Guritz made a motion, seconded by Commander Langston, to approve the November 5, 2019, meeting minutes. With a voice vote of all ayes, the motion carried unanimously.

PETITIONS

Petition 19-34 Ronald Smrz on Behalf of the Ronald Smrz Trust

Mr. Asselmeier stated that the changes from the last time the Petitioner appeared at ZPAC were that the site had been reduced to space for fifty-one (51) parking stalls, the new hours of operation would be from 6:00 a.m. until 9:00 p.m., six (6) new light poles would be installed, seven (7) evergreens would be planted southeast of the parking area, and the Petitioner would monitor the site for motor vehicle related leaks and remove the contaminated gravel.

Mr. Asselmeier asked Mr. Smrz how he would control the parking area in relation to the hours of operation. Mr. Smrz indicated that the lock for the gate would have a timer.

A stormwater permit will be required, if the special use permit is approved.

Commander Langston asked about access for first responders to the gated area. Mr. Smrz said that he would give a passcode to the Sheriff and local fire protection district.

No offices and no restroom facilities would be onsite.

Mr. Klaas made a motion, seconded by Mr. Rybski, to recommend approval of the proposal.

Ayes (8): Asselmeier, Briganti, Guritz, Holdiman, Klaas, Langston, Prochaska, and Rybski
Nays (0): None
Present (0): None
Absent (2): Andrews and Chismark

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on January 22, 2020.

Petition 19-37 John Dollinger on Behalf of Hansel Ridge, LLC

Dan Kramer, Attorney for the Petitioner, explained his client was purchasing approximately eight (18) acres for the athletic facility and indoor and outdoor storage facility. East of the proposed storage facility, approximately three point five (3.5) acres would be left vacant for future commercial development.

Mr. Kramer felt that the proposed uses would complement educational uses and retail uses.

Mr. Kramer acknowledged the traffic concerns at the intersection of Route 52 and County Line Road. The busy time for the athletic facility would be between the end of October and the beginning of spring. Games would occur the entire weekend. The Petitioners would like to start construction in the spring and be fully operational by fall. A traffic study was forthcoming. He believed that it would be difficult to have a left-turn lane going north. Traffic could be directed down Baltz Road. A view corridor could be considered.

Mr. Asselmeier read an email from the Village of Shorewood. The proposal will be reviewed at the Shorewood Planning Commission meeting in February 2020.

Mr. Rybski made a motion, seconded by Ms. Briganti, to forward the proposal.

Ayes (8): Asselmeier, Briganti, Guritz, Holdiman, Klaas, Langston, Prochaska, and Rybski
Nays (0): None
Present (0): None
Absent (2): Andrews and Chismark

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on January 22, 2020.

Petition 19-38 John Dollinger on Behalf of Hansel Ridge, LLC and Jason Shelley on Behalf of Goproball, LLC
Mr. Kramer explained the structure of the domed athletic facility.

Mr. Kramer believed that the proposed use will work well with the adjacent school property and nearby residential developments.

Approximately eight (8) fastball teams train at the company's existing facility and nine (9) additional teams are planned to be added at this proposed facility.

Ms. Vickery asked the square footage of the dome. Mr. Kramer said that the dome is approximately eighty thousand (80,000) square feet.

The final size of the detention pond has not been determined; it will be wet-bottomed.

A pre-annexation agreement with Shorewood is under consideration. A Chatham annexation was not desired.

Mr. Rybski requested that Mr. Kramer consider the septic needs of future commercial businesses that could locate on the property.

Mr. Kramer noted that Shorewood wanted the special use only on the storage portion of the property and that the property be subdivided to separate the storage use from the rest of the property.

Mr. Klaas made a motion, seconded by Mr. Guritz, to forward the proposal.

Ayes (8): Asselmeier, Briganti, Guritz, Holdiman, Klaas, Langston, Prochaska, and Rybski
Nays (0): None
Present (0): None
Absent (2): Andrews and Chismark

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on January 22, 2020.

Petition 19-39 John Dollinger on Behalf of Hansel Ridge, LLC, Jason Shelley on Behalf of Goproball, LLC, and James and Denise Maffeo
Mr. Kramer noted discussions with Shorewood for a plat of the site.

Mr. Kramer noted the private road at the south end of the site with a utility easement for future utility extensions.

The Petitioners agreed to do a sixty foot (60') right-of-way dedication as measured from the centerline of County Line Road. Ten feet (10') inside the right-of-way dedication would be available for utilities.

Shorewood requested that some of the fence be removed and replaced with buildings rearing County Line Road. The site plan will be revised to reflect this request.

The landscaping plan and signage plan needs more definition.

Mr. Kramer requested that the Petition advance to the Planning Commission and he will provide updated plans.

Mr. Klaas made a motion, seconded by Mr. Guritz, to forward the proposal.

Ayes (8): Asselmeier, Briganti, Guritz, Holdiman, Klaas, Langston, Prochaska, and Rybski
Nays (0): None
Present (0): None
Absent (2): Andrews and Chismark

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on January 22, 2020.

Petition 19-47 Deb Chow on Behalf of Jade Restorations, Inc. and D. Howard on Behalf of Bullmastiff Construction Company, LTD

Mr. Asselmeier summarized the request.

Jade Restorations, Inc. is working with Bullmastiff Construction Company to construct a kennel and veterinary clinic at the subject property. At this time, Jade Restorations, Inc. has no plans to sell the subject property.

The application material site plan, landscaping plan, photometric plan, and proposed building information were provided.

The property is approximately twenty (20) acres in size, but the special use portion would cover approximately eight point five (8.5) acres.

The future land use is commercial.

Ridge Road is a County Road classified as an Arterial Road. Bell Road is a Township Road classified as a Minor Collector. Minooka has a trail planned along Ridge Road. Shorewood has a trail planned along Bell Road.

The adjacent land uses are agricultural in all directions with a farmstead and landscaping business to the west.

The adjacent zoning are A-1 and A-1 SU. There is R-1 zoning within one half (1/2) mile to the east. There are twelve (12) homes located within one half (1/2) mile of the subject property. The special uses to the north and south are landing strips. The special use to the east is for natural gas compression. The special use to the west is for a landscaping business.

The EcoCat was submitted on December 5, 2019, and consultation was terminated.

The NRI application was submitted on December 18, 2019.

Seward Towship was emailed information on December 31, 2019.

The Minooka Fire Protection District was emailed information on December 31, 2019, and they wanted the Petitioner to be aware of the new kennel regulations regarding staffing and sprinkling.

The Village of Shorewood was emailed information on December 31, 2019. They expressed concerns regarding noise, but were comfortable with the County addressing those concerns.

The Village of Minooka was emailed information on December 31, 2019.

According to the information provided to the County, the Petitioners plan to offer veterinary services, pet daycare, boarding, and grooming services. The proposed hours of operation for both uses will be Monday through Friday from 6:00 a.m. until 7:00 p.m. The kennel will employ between fifteen and thirty (15-30) people per day and the veterinary will be employ between fifteen and twenty (15-20) people per day. The kennel will be staffed at all times. Grooming services will be provided as needed. Overlap in employees will occur. The maximum number of animals planned for the kennel forty (40). Per the Kendall County Zoning Ordinance, all animals will be indoors by sunset.

As noted in the site plan, the Petitioners plan to construct an approximately eighteen thousand (18,000) square foot building facing south towards Bell Road. The proposed location of the building on the property was placed in accordance to the setback requirements of the Kendall County Zoning Ordinance.

Elevations of the building and rendering of the site were provided.

As noted in building diagram, the building shall consist of waiting areas for grooming and exams, eight (8) exam rooms, a treatment room with pharmacy area, two (2) surgery rooms, an X-ray room, a recovery room, two (2) isolation rooms, a doctor's room, a staff room, a janitorial room, a cat boarding room, three (3) bathrooms, a laundry area, a grooming area, a store, a storage area, a groom kennel, two (2) play areas, a pool, and a boarding kennel area. The building is planned to be slightly over twenty-three feet (23') tall at its highest point and made of metal.

Two (2) approximately twelve thousand (12,000) square foot outdoor play areas are planned on both sides of the kennel wing of the building. A six foot (6') tall cedar fence would be located around the outdoor play area.

Building and Occupancy Permits will be required for the new building.

The site plan shows one (1) raised septic field west of the building and parking lot and one (1) raised septic field south of the parking lot. The proposed well would be located east of the building.

The site plan shows two (2) wet detention ponds on the north side of the subject property. A dual-phase restricted stormwater detention outlet is planned to discharge stormwater at the northwest corner of the site into ditches along the east side of Ridge Road.

If the special use permit is approved, the Petitioners would need to secure a stormwater management permit from Kendall County.

The property fronts Bell Road and two (2) points of ingress/egress are planned from Bell Road.

The Petitioners plan to dedicate right-of-way for a depth of fifty feet (50') along the entire Bell Road frontage of the property and a depth of seventy-five feet (75') along the entire Ridge Road side of the property.

The Petitioners propose to install a fifty-two (52) stall parking lot to the south and east of the building. Three (3) of the spaces would be handicapped accessible.

The Petitioners plan to install six (6) lights along the driveway and in the parking lot. The lights will be LED and on poles a maximum twenty feet (20') in height. There will be an additional eight (8) building mounted lights at various locations around the exterior of the building. Lighting information can be found on the photometric plan.

The Petitioners plan to have one (1) monument sign along Bell Road and one (1) monument sign along Ridge Road. Both signs are planned to be four feet by eight feet (4'X8') and a maximum of eight feet (8') in height. Neither sign will be illuminated.

Per the landscaping plan, the Petitioners plan to install thirty-eight (38) shade trees of various types, seventy-eight (78) evergreen trees of various types, sixty-eight (68) evergreen shrubs of various types, two hundred eighty-two (282) deciduous shrubs of various types, and one hundred fifteen (115) perennials of various types. In addition, a wet-to-mesic prairie seed mix is planned around the stormwater detention ponds.

Berms are planned along the west, east, and southeast corner of the property. An additional berm is planned south of the parking lot. The berms will vary in height from three feet (3') to seven feet (7').

A topsoil stockpile area is planned east of the parking lot.

Noise will be addressed with soundproofing of the building, the fence mentioned previously, the installation of trees and berms, and having the animals indoors by sunset.

The Petitioners plan to install a refuse enclosure at the northern end of the eastern parking lot. The screening shall be either of wood or masonry construction at least seven feet (7') in height. The Petitioners also indicated that they may screen the refuse area with a chain link fence and dense plantings.

If approved, this would be the sixth active special use permit for a kennel and second active special use for a veterinary establishment in unincorporated Kendall County.

Mr. Rybski asked about design engineering and soil analysis. Mr. Cook said that they have retained a septic engineer. Soil tests and percolation tests have not been completed. Mr. Rybski advised Mr. Cook of the requirement of a preliminary meeting with the Health Department regarding the septic system. Mr. Rybski advised Mr. Cook of the well monitoring requirements.

Mr. Klaas said that he was fine with the proposed right-of-way dedication.

Ms. Vickery said that she will review the Bell Road right-of-way dedication.

Mr. Holdiman advised Mr. Cook that the County adopted the 2018 versions of the International Codes.

Mr. Klaas asked if the building would have a basement. Mr. Cook said the building will be slab on grade.

Mr. Asselmeier asked if either business planned to have Saturday hours. Mr. Cook said that drop-offs and pick-ups would not occur on weekends. The clinic could have emergency hours on weekends.

Mr. Asselmeier asked when the landscaping will be installed. Mr. Cook said the landscaping timeline has not been determined. The goal is to open the business late in 2020 or early 2021.

Mr. Asselmeier asked about the frequency of refuse pick-up. Mr. Cook said that pick-up would occur a few times per week.

Mr. Klaas made a motion, seconded by Ms. Briganti, to forward the proposal.

Ayes (8): Asselmeier, Briganti, Guritz, Holdiman, Klaas, Langston, Prochaska, and Rybski
Nays (0): None
Present (0): None
Absent (2): Andrews and Chismark

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on January 22, 2020.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Petition 19-26 regarding the landscaping business at 276 Route 52 was approved by the County Board.

Petition 19-31 regarding cannabis zoning regulations was approved by the County Board.

Petition 19-35 regarding a kennel at 3601 Plainfield Road was approved by the County Board.

OLD BUSINESS/NEW BUSINESS

Mr. Asselmeier noted that the Kendall County Regional Planning Commission's Annual Meeting will be Saturday, February 1st, at 9:00 a.m.

CORRESPONDENCE

None

PUBLIC COMMENT

None

ADJOURNMENT

Mr. Guritz made a motion, seconded by Mr. Rybski, to adjourn. With a voice vote of all ayes, the motion carried. The ZPAC, at 9:50 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP
Senior Planner

Encs.

KENDALL COUNTY
ZONING & PLATTING ADVISORY COMMITTEE
JANUARY 7, 2020

IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Dan Kramer 19-39, 38, +39	1107 A S. Bridge St Yorkville IL	dkramer@dkramerlaw.com
MIKE COOK	26316 MAPLEVIEW PLAINFIELD	mcook@cookengg.com

Matt Asselmeier

From: Rodney Bradberry <rbradberry@minookafire.com>
Sent: Monday, January 6, 2020 1:41 PM
To: Matt Asselmeier
Subject: [External]FYI

Matt,

Just an FYI, I am sure you are aware of this; however, if not (see attachment) this location will be required staffed at all times or have a sprinkler system/fire alarm.

https://www.chicagotribune.com/news/breaking/ct-kennel-fire-safety-law-20190807-ytkwawanybfmroj6hb32yps2pq-story.html

Any questions please contact me.

Thanks.

Rodney Bradberry
Fire Inspector

Minooka Fire Protection Distric
7901 E. Minooka Rd.
Minooka IL 60447
Direct: 815-467-5637
Cell: 815-531-9967

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Matt Asselmeier

From: Engel_Natalie <nengel@vil.shorewood.il.us>
Sent: Monday, January 6, 2020 5:29 PM
To: Matt Asselmeier
Cc: Chrisse_Kelley
Subject: [External]ZPAC Meeting

Hi Matt,

Happy New Year!

Kelley and I will not be able to attend tomorrow's ZPAC meeting but wanted to provide some comments regarding the projects within 1 ½ miles of Shorewood's boundaries.

Petitions 19-37, 19-38 and 19-39
We met with Dan Kramer to discuss the projects. We provided some feedback and suggestions regarding the site layout and zoning uses. He was open to our comments and agreed to carry them back to his clients.

They will be submitting applications to the Village and we hope to bring forward their proposals for discussion at our February 5, 2020 Planning and Zoning Commission meeting. I will touch base with you when we have applications and a staff report.

Petition 19-47
Our main concerns regarding the Doggy Day Care project are about noise impacts on the neighbors. We are comfortable that you are addressing these concerns so we defer to you on this project.
When the site and engineering plans are available, please have the applicants send over a copy to Shorewood so that we can determine whether they trigger our Subdivision and Development Ordinance.

Thank you Matt! Please let us know if you have any questions or need any information from us.

Natalie Engel, AICP
Village Planner
Shorewood
ILLINOIS
Village of Shorewood
One Towne Center Blvd | Shorewood, IL 60404
815.553.2314

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ENGINEERING PLANS
FOR
FOUR SEASONS STORAGE FACILITY

SECTION 13, TOWNSHIP 35 NORTH, RANGE 8 EAST
COUNTY LINE RD & ROUTE 52
MINOOKA, IL 60447
KENDALL COUNTY
FEBRUARY, 2020

LEGEND

	PROPERTY BOUNDARY
600	EXISTING CONTOUR LINE
	EXISTING STORM SEWER
	EXISTING SANITARY SEWER LINE
	EXISTING WATERMAIN
UE	EXISTING UNDERGROUND ELECTRIC
OHE	EXISTING OVERHEAD ELECTRIC
GAS	EXISTING GAS SERVICE
T	EXISTING TELEPHONE
673	PROPOSED CONTOUR LINE
W	PROPOSED WATERMAIN
STM	PROPOSED STORM SEWER
SAN	PROPOSED SANITARY SEWER LINE
GREASE	PROPOSED GREASE SERVICE LINE
VENT	PROPOSED VENT LINE
F	EXISTING FENCELINE
SF	PROPOSED SILT FENCE
x 685.00	EXISTING SPOT SHOT
x 686.00	PROPOSED SPOT GRADE

	EXIST	PROP	
WATER:			B-BOX
			HYDRANT
			VALVE
			VALVE VAULT
STORM:			INLET-CURB
			INLET OR MANHOLE
			FLARED END SECTION
SANITARY:			CLEANOUT
			MANHOLE

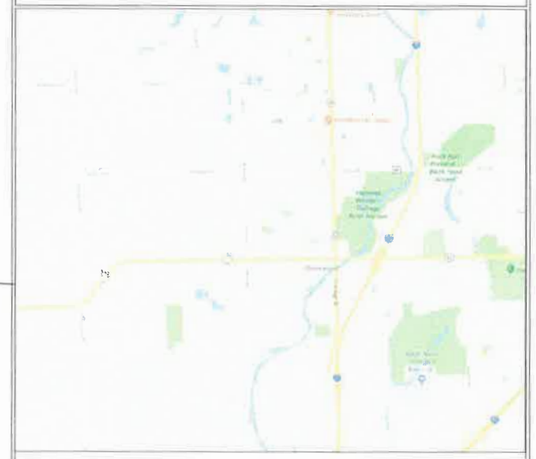
R.O.W. MONUMENT	UTILITY POLE
PROPERTY PIN	GUY WIRE LOC.
P.K. NAIL	UTIL CABINET
CHISELED MARK	UTIL PEDESTAL
BENCHMARK	LIGHT POLE
HUB & TACK	TRAFFIC SIGNAL
SOIL BORING	ELECTRIC VAULT
OVERLAND RELIEF	GAS VALVE
FLOW DIRECTION	

INDEX TO SHEETS

1. COVER SHEET
2. EXISTING CONDITIONS & DEMOLITION PLAN
3. STORMWATER POLLUTION & PREVENTION PLAN 1
4. STORMWATER POLLUTION & PREVENTION PLAN 2
5. OVERALL CIVIL SITE PLAN
6. CIVIL SITE PLANS
7. GENERAL NOTES & DETAILS
8. GENERAL NOTES & DETAILS II

PROJECT LOCATION

LOCATION MAP
N.T.S.



BENCHMARKS:

BM#1 - Magnail in Pavement West of Utility Pole 89 feet North of the Northeast Corner of the Subject Property.

Elevation = 645.28 NAVD 29

BM#2 - Magnail in Pavement West of Utility Pole 72 feet North of the Southeast Corner of the Subject Property.

Elevation = 649.49 NAVD 29

PLANS PREPARED FOR:

JAMES & DENISE MAFFEO
1223 BUELL AVENUE
JOLIET, IL 60453
PHONE: (815) 955-9914

CIVIL ENGINEER:

TEBRUGGE ENGINEERING
410 E CHURCH ST - SUITE A
SANDWICH, ILLINOIS 60548
(815) 786-0195

INFO@TEBRUGGEENGINEERING.COM
WWW.TEBRUGGEENGINEERING.COM

811
Know what's below.
Call before you dig.

Contractor and or sub-contractors shall verify locations of all underground utilities prior to digging. Contact J.U.L.I.E. (Joint Utility Locating for Excavators) at 1-800-892-0123 or dial 811.

UTILITY STATEMENT

THE UTILITIES SHOWN HAVE BEEN LOCATED FROM VISIBLE FIELD EVIDENCE AND EXISTING DRAWINGS, MAPS AND RECORDS SUPPLIED TO SURVEYOR. THE SURVEYOR MAKES NO GUARANTEES THAT THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM AVAILABLE INFORMATION. THE SURVEYOR HAS PHYSICALLY LOCATED VISIBLE STRUCTURES; HOWEVER, HE HAS NOT PHYSICALLY LOCATED THE UNDERGROUND LINES.

PROFESSIONAL ENGINEER'S CERTIFICATION
STATE OF ILLINOIS, COUNTY OF KENDALL

I JOHN J. TEBRUGGE, A LICENSED PROFESSIONAL ENGINEER OF ILLINOIS, HEREBY CERTIFY THAT THESE PLANS HAVE BEEN PREPARED UNDER MY PERSONAL DIRECTION BASED ON AVAILABLE DOCUMENTS AND FIELD MEASUREMENTS FOR THE EXCLUSIVE USE OF THE CLIENT NOTED HEREON.

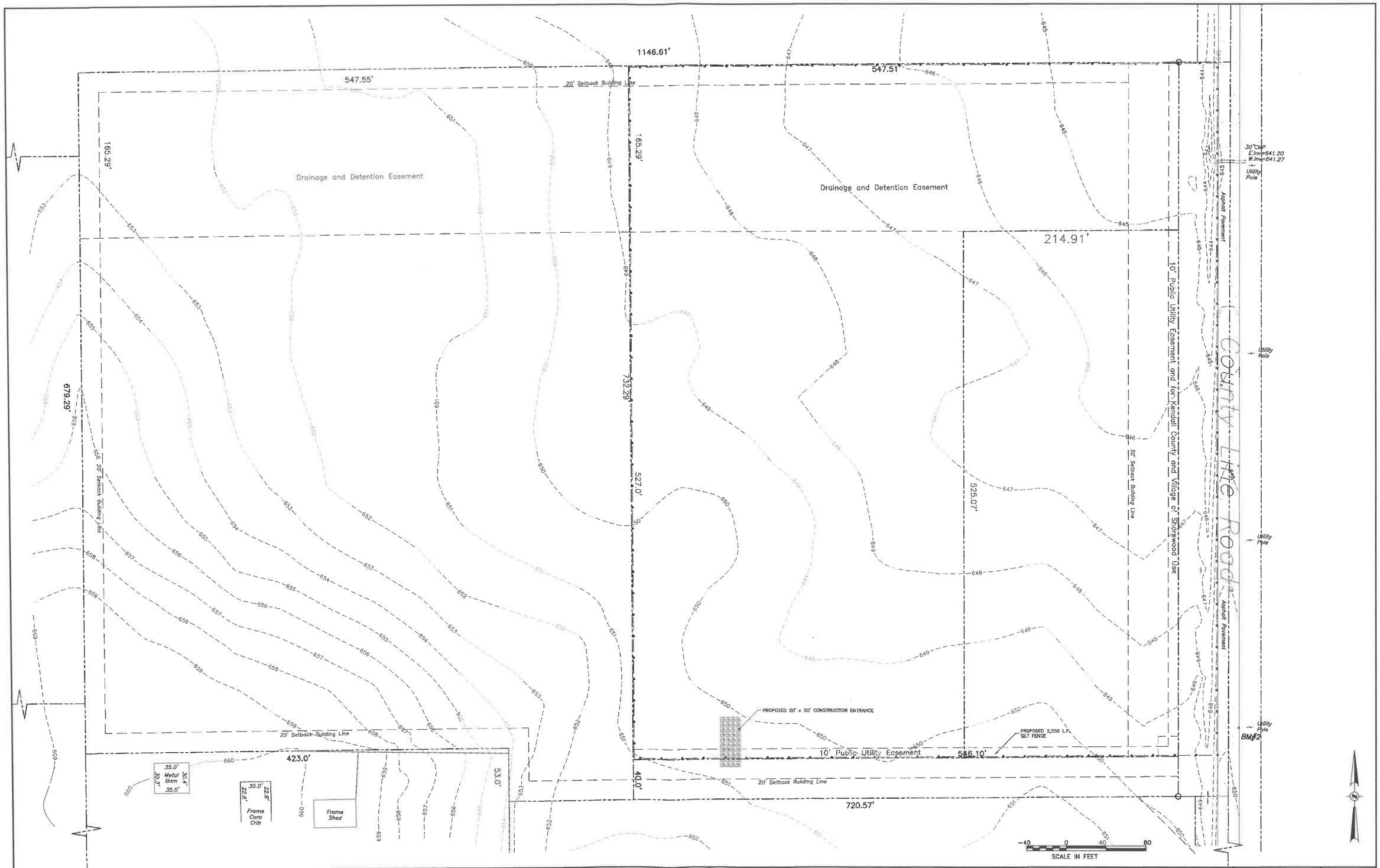
GIVEN UNDER MY HAND & SEAL THIS 19TH DAY OF FEBRUARY, 2020.

JOHN J. TEBRUGGE 041828 REGISTERED PROFESSIONAL ENGINEER OF ILLINOIS

ILLINOIS REGISTERED PROFESSIONAL ENGINEER
NO. 062-041828 EXPIRES NOV. 30, 2021

COPYRIGHT © 2020 BY TEBRUGGE ENGINEERING
ALL RIGHTS RESERVED. NO PART OF THESE CIVIL ENGINEERING PLANS MAY BE REPRODUCED, DISTRIBUTED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, INCLUDING PHOTOCOPYING, RECORDING, OR OTHER ELECTRONIC OR MECHANICAL METHODS, WITHOUT THE PRIOR WRITTEN PERMISSION OF TEBRUGGE ENGINEERING.

REVISIONS	NO.	DATE	NOTES

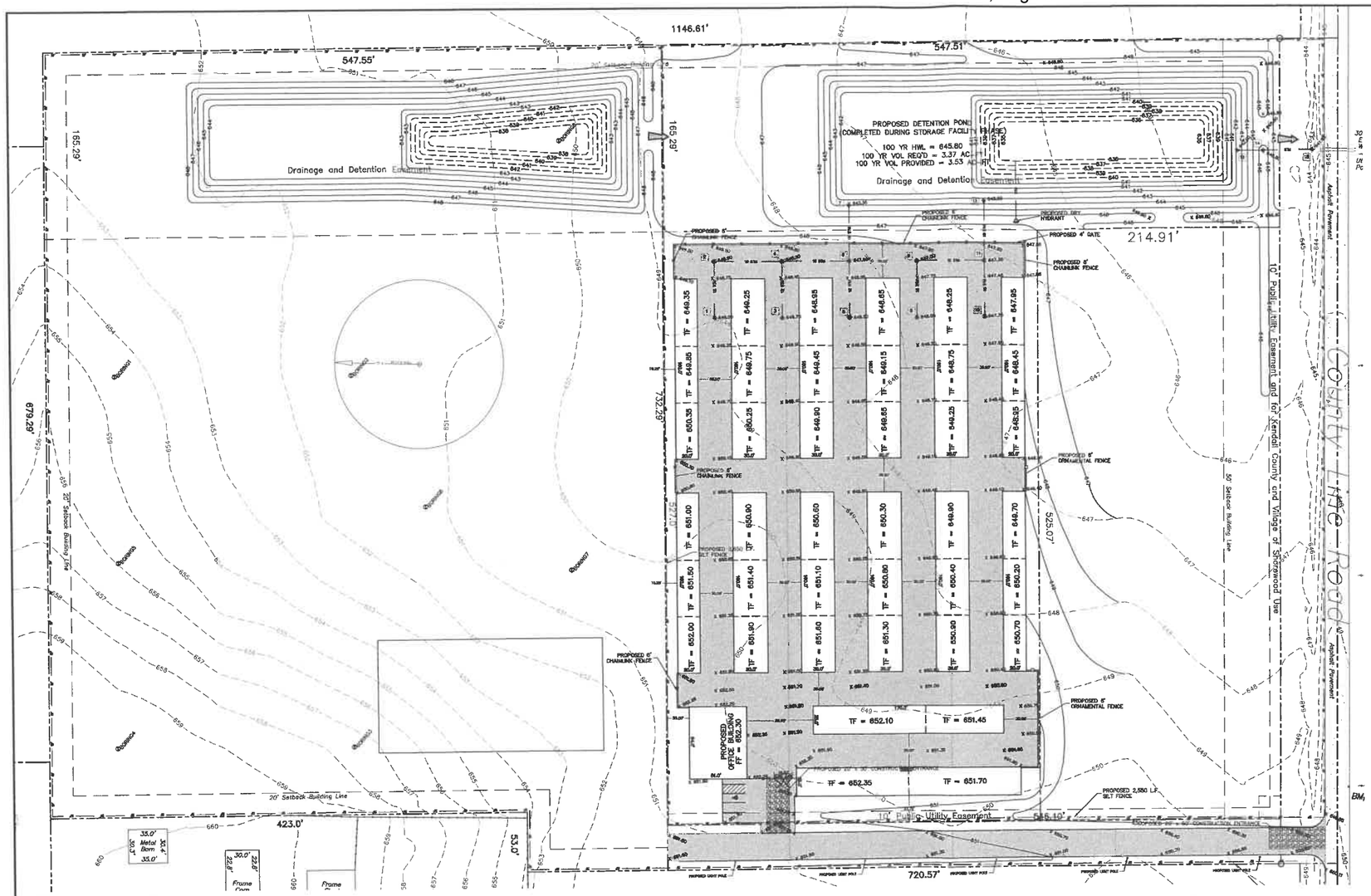


TEBRUGGE ENGINEERING 410 E. CHURCH STREET - SUITE A • SANDWICH, IL 60548 PHONE: (815) 786-0195 TEBRUGGEENGINEERING.COM	PREPARED FOR: JAMES & DENISE MAFFEO 1223 BUELL AVE, JOLIET, IL	FOUR SEASONS STORAGE FACILITY EXISTING CONDITIONS & DEMOLITION PLAN

REVISIONS	NO.	DATE	NOTES

PROJECT NO.	19 447 02
SCALE:	1" = 40'
DATE:	JAN 16, 2020

SHEET NO. 2 OF 8 SHEETS



TYPICAL SOIL PROTECTION CHART

Stabilization Type	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Permanent Seeding			A	A	A	A*	A*	A	A			
Dormant Seeding	B	B	B								B	B
Temporary Seeding			C	C	C	C*	D*	D	D			
Sodding			E**	E**	E**	E**	E**	E**	E**			
Mulching	F	F	F	F	F	F	F	F	F	F	F	F

A – Kentucky Bluegrass – 90 lbs/acre mixed with perennial ryegrass – 30 lbs/acre

B – Kentucky Bluegrass – 135 lbs/acre mixed with perennial ryegrass – 45 lbs/acre

C – Spring Oats – 100 lbs/acre

D – Wheat or Cereal Rye – 150 lbs/acre

E – Sod

F – Straw Mulch – 2 tons/acre

* Watering needed in June and July

** Water for 2–3 weeks after sodding

SOIL EROSION / SEDIMENT CONTROL OPERATION TIME SCHEDULE

NOTE: GENERAL CONTRACTOR TO COMPLETE TABLE WITH THEIR SPECIFIC PROJECT SCHEDULE

CONSTRUCTION SEQUENCE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL
TEMPORARY CONSTRUCTION EXITS																			
TEMPORARY CONTROL MEASURES																			
SEDIMENT CONTROL BASINS																			
STRIP & STOCKPILE TOPSOIL																			
ROUGH GRADE																			
STORM FACILITIES																			
SITE CONSTRUCTION																			
PERMANENT CONTROL STRUCTURES																			
FOUNDATION / BUILDING CONSTRUCTION																			
FINISH GRADING																			
LANDSCAPING / SEED / FINAL STABILIZATION																			

1) CONTRACTOR SHALL UPDATE THE TABLE BY SHADING OR DATING THE APPLICABLE ACTIVITIES AS PROJECT PROGRESSES.

2) TIME SCHEDULE MUST COINCIDE WITH SEQUENCE OF CONSTRUCTION.

GENERAL CONTRACTOR / OWNER SHALL COORDINATE WHICH CONTRACTORS WILL BE PROVIDING SWPPP SERVICES AND HAVE THEM SIGN THE CONTRACTOR'S CERTIFICATION

ALL CONTRACTORS AND SUBCONTRACTORS IDENTIFIED IN A STORM WATER POLLUTION PREVENTION PLAN SHALL SIGN A COPY OF THE FOLLOWING CERTIFICATION STATEMENT BEFORE CONDUCTING ANY PROFESSIONAL SERVICES AT THE SITE IDENTIFIED IN THE STORM WATER POLLUTION PREVENTION PLAN

CONTRACTOR'S CERTIFICATION

"I CERTIFY UNDER PENALTY OF LAW THAT I UNDERSTAND THE TERMS AND CONDITIONS OF THE GENERAL NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT (ILR10) THAT AUTHORIZES THE STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY FROM THE CONSTRUCTION SITE IDENTIFIED AS PART OF THE CERTIFICATION.

CONTRACTOR NAME & TITLE:
ADDRESS:
PHONE #:

SIGNATURE DATE

CONTRACTOR NAME & TITLE:
ADDRESS:
PHONE #:

SIGNATURE DATE

CONTRACTOR NAME & TITLE:
ADDRESS:
PHONE #:

SIGNATURE DATE

BEST MANAGEMENT PRACTICE NOTES

1. SEE STABILIZED CONSTRUCTION ENTRANCE DETAIL. THE CONSTRUCTION EXIT SHALL BE A MINIMUM OF 14' IN WIDTH AND 50' IN LENGTH FROM EXISTING PAVED SURFACE. ALL CONSTRUCTION TRAFFIC MUST UTILIZE CONSTRUCTION EXIT PER DETAIL TO ACCESS THE PUBLIC ROAD, DURING CONSTRUCTION. THE CONSTRUCTION EXITS MAY BE SHIFTED AT THE CONTRACTOR'S DISCRETION TO FACILITATE GRADING OPERATION. EXIT MUST TERMINATE AT EXISTING PAVED SURFACE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ENSURING THAT THE RUNOFF FROM THE CONSTRUCTION EXIT IS DIRECTED BACK TOWARD THE SITE OR THAT THE RUNOFF IS CLEAR OF SEDIMENT.

2. THE CONTRACTOR MAY PERMANENTLY REMOVE ANY PORTION OF THE PERIMETER SILT FENCE AFTER ESTABLISHMENT OF FINAL GRADE AND/OR FINAL STABILIZATION RENDERS THE RESPECTIVE PORTION OF THE PERIMETER SILT FENCE UP STREAM OF A DISTURBANCE AND/OR INEFFECTIVE AS A BEST MANAGEMENT PRACTICE. ANY SUCH REMOVAL SHALL BE NOTED ON THE SWPPP SITE MAPS ALONG WITH UPSTREAM STABILIZATION AND GRADING CONDITIONS.

3. NO STRUCTURE SHALL BE ALLOWED TO BE PROTECTED WITH ANY MEASURE OTHER THAN THOSE DETAILED IN THIS SWPPP SITE MAP FOR MORE THAN 48 HOURS OR IF RAIN IS IMMINENT. STRUCTURES THAT WILL NOT RECEIVE A CASTING WITHIN 48 HOURS OF INSTALLATION SHALL RECEIVE IP6 PROTECTION. UPON INSTALLATION OF THE GRATE, IP3 OR IP5 PROTECTION SHALL BE INSTALLED RESPECTIVE TO THE TYPE OF GRATE. STRUCTURES WITH CLOSED LIDS WILL NOT REQUIRE PROTECTION FOLLOWING INSTALLATION OF THE LID. THE CONTRACTOR SHALL NOTE THE TIME STRUCTURE INSTALLATION (AND PROTECTION INSTALLATION, INCLUDING TYPES OF PROTECTION) ARE EMPLOYED. WHENEVER PIPE INSTALLATION IS HALTED FOR MORE THAN 24 HOURS OR WHEN RAIN IS IMMINENT, THE OPEN END SHALL BE PROTECTED WITH A TEMPORARY BULK HEAD. A 3" SHEET OF PLYWOOD THAT EXTENDS 6" BEYOND THE OUTSIDE DIAMETER OF THE PIPE SHALL BE PLACED AGAINST THE EXPOSED PIPE END. GRAVEL SHALL BE PLACED AGAINST THE PLYWOOD IN SUFFICIENT QUANTITY SO AS TO ENSURE THE TIGHTEST POSSIBLE SEAL. THE TRENCH SHALL BE DE-WATERED PRIOR TO REMOVING THE BULKHEAD.

4. PERMANENT EROSION CONTROL FABRIC SHALL BE APPLIED TO ALL SLOPES 4:1 OR GREATER. FOLLOW MANUFACTURER SPECIFICATIONS FOR INSTALLATION. THE CONTRACTOR SHALL NOTE ALL AREAS WHERE FABRIC HAS BEEN INSTALLED RELATIVE TO AS-BUILT GRADES AND FURNISH THESE BOUNDARIES TO THE CIVIL ENGINEER UPON REQUEST.

5. PERMANENT SEEDING SHOULD BE PLANTED AS SOON AS IT IS PRACTICAL TO ENSURE PROPER GERMINATION PRIOR TO TERMINATION OF PERMIT COVERAGE. THE CONTRACTOR SHALL PLANT PERMANENT SEEDING AS SPECIFIED ON THE LANDSCAPING PLAN AS SOON AS FINAL GRADES ARE ESTABLISHED AS SPECIFIED ON THE GRADING PLAN. SEE SITE LANDSCAPING PLAN FOR EXACT GROUND COVER TYPE AND LOCATION.

6. STOCKPILE SHOULD BE LOCATED IN AREAS THAT DO NOT HAVE HIGH POTENTIAL FOR CONTRIBUTING SEDIMENTS TO STORMWATER FACILITIES.

7. STOCKPILES OF SOIL AND OTHER BUILDING MATERIALS TO REMAIN IN PLACE MORE THAN THREE (3) DAYS SHALL BE FURNISHED WITH EROSION AND SEDIMENT CONTROL MEASURES. STOCK PILES NOT ACTIVELY WORKED AND TO REMAIN IN PLACE FOR 14 DAYS OR MORE SHALL RECEIVE TEMPORARY SEEDING.

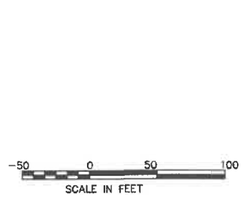
8. THE CONDITION OF THE CONSTRUCTION SITE FOR WINTER SHUTDOWN SHALL BE ADDRESSED EARLY IN THE FALL GROWING SEASON SO THAT SLOPES AND OTHER BARE EARTH AREAS MAY BE STABILIZED WITH TEMPORARY AND/OR PERMANENT VEGETATIVE COVER FOR PROPER EROSION AND SEDIMENT CONTROL. ALL OPEN AREAS THAT ARE TO REMAIN IDLE THROUGHOUT THE WINTER SHALL RECEIVE TEMPORARY EROSION CONTROL MEASURES INCLUDING TEMPORARY SEEDING, MULCHING AND/OR EROSION CONTROL BLANKET PRIOR TO THE END OF THE FALL GROWING SEASON. THE AREAS TO BE WORKED BEYOND THE END OF THE GROWING SEASON MUST INCORPORATE SOIL STABILIZATION MEASURES THAT DO NOT RELY ON VEGETATIVE COVER SUCH AS EROSION CONTROL BLANKET AND HEAVY MULCHING.

STORMWATER OUTFLOW CONTRIBUTING/RECEIVING WATERS
FROM SITE – RETENTION POND
TO RECEIVING WATERS – STORM SEWER IN COUNTY ROW

PROPOSED GRADE INFORMATION THAT IS PROVIDED ON THE SWPPP SITE MAP IS FOR THE PURPOSE OF INDICATING FINAL DRAINAGE PATTERNS ONLY. SEE GRADING PLAN FOR FINAL GRADING DETAILS.

THE CONTRACTOR SHALL MAINTAIN ALL EXISTING ROADWAYS, SIDEWALKS, DRIVES, ETC., TO BE FREE AND CLEAR OF ANY CONSTRUCTION DEBRIS AND/OR EXCAVATED AND HAULED MATERIAL TO ENSURE EASY AND SAFE PEDESTRIAN AND VEHICULAR TRAFFIC TO AND FROM ADJACENT SITES.

ILLINOIS URBAN MANUAL PROTECTIONS:
IP–1. BLOCK AND ROCK SOCK INLET PROTECTION FOR SUMP OR ON–GRADE INLETS
IP–2. CURB (ROCK) SOCKS UPSTREAM OF INLET PROTECTION.
ON–GRADE INLETS
IP–3. ROCK SOCK INLET PROTECTION FOR SUMP/AREA INLET
IP–4. SILT FENCE INLET PROTECTION FOR SUMP/AREA INLET
IP–5. OVER–EXCAVATION INLET PROTECTION
IP–6. STRAW BALE INLET PROTECTION FOR SUMP/AREA INLET
CIP–1. CULVERT INLET PROTECTION



JAMES & DENISE MAFFEO
1223 BUELL AVENUE
JOLIET, IL 60453
PHONE: (815) 955-9914

ACREAGE SUMMARY

NOTICE OF INTENT (NOI)
FOUR SEASONS STORAGE FACILITY
1223 BUELL AVENUE
JOLIET, IL 60435

PHONE (815) 955–9914

LANDOWNER: JAMES & DENISE MAFFEO

TOTAL SITE AREA	8.69 AC±
TOTAL DISTURBED AREA	8.94 AC±
PROPOSED IMPERVIOUS AREA	3.51 AC±
LANDSCAPED AREA	5.18 AC±
PROPOSED CN	87

TEBRUGGE ENGINEERING
410 E. CHURCH STREET - SUITE A • SANDWICH, IL 60548
PHONE: (815) 786-0195 TEBRUGGEENGINEERING.COM

REVISIONS	NO.	DATE	NOTES

PREPARED FOR:
JAMES & DENISE MAFFEO
1223 BUELL AVE, JOLIET, IL

FOUR SEASONS STORAGE FACILITY
STORM WATER POLLUTION & PREVENTION PLAN

PROJECT NO. 19 447 02
SCALE: 1" = 40'
DATE: JAN 16, 2020

SHEET NO. 3 OF 8 SHEETS

1. GENERAL NOTES & DESCRIPTIONS

The Storm Water Pollution Prevention Plan (SWPPP) includes, but is not limited to the Erosion and Demolition Plan included in the Engineering Plans with the Detail Sheet, the Notice of Intent, Permit Authorization, General Permit, Notice of Termination. All records of inspection and activities which are created during the course of the project, and other documents as may be included by reference to this SWPPP, Changes, modifications, revisions, additions, or deletions shall become part of this SWPPP as they occur.

- All Contractors and sub-contractors that are responsible for implementing and measure of this SWPPP must be identified and must certify this SWPPP by signing the SWPPP certification in accordance with Part VI.G (Signatory Requirements) of the ILR10 Permit.

All signed certifications must be kept with the SWPPP documents and be available for inspection.

The Contractor and all sub-contractors involved with construction activity that disturbs site soil or who implement a pollutant control measure identified in the Storm Water Pollution Prevention Plan must comply with the following requirements of the National Pollutant Discharge Elimination System (NPDES) General Permit, the NPDES Permit No. ILR10 for the State of Illinois and any local governing agency having jurisdiction concerning erosion and sediment control.

A. GENERAL PERMIT INFORMATION

All construction sites that will result in the disturbance of one acre or more must be permitted under the Illinois General NPDES Permit. The Notice of Intent (NOI) has been submitted at the address below. The NOI is for the onsite and offsite improvements . The NPDES Permit will be issued 30 days after the postmark date of the submittal of the NOI and billed yearly fee.

Permit Information: The Owner has mailed the Owner-signed NOI form and the initial yearly fee of $500 to the address listed below. The Contractor will be responsible for submitting each subsequent $500 yearly fee, if applicable. A copy of the signed NOI form will be supplied to the Contractor.

Unless notified by the Illinois Environmental Protection Agency (IEPA) to the contrary, construction activities may begin in accordance with this SWPPP and the ILR10 in 30 days following the post mark date of the NOI.

Transfer Information: If a portion of the property is sold, that new Owner may obtain their own general permit by submitting a separate NOI. The original NOI may then be modified by re-submitting the NOI with update acreage and checking the box "change of information". Also include documentation substantiating that a lot has been sold, the acreage difference and the date of sale. There is no fee involved with modifying the NOI.

There are no requirements for a pre-construction meeting from any of the reviewing agencies.

Agency Information:

Illinois Environmental Protection Agency
Division of Water Pollution Control
1021 North Grand Avenue East
Springfield, Illinois 62794-9276
Phone: (217) 782-0610

Kendall County
Planning, Building & Zoning
111 West Fox Street
Yorkville, Illinois 60560
Phone: (630) 553-4141

B. PUBLIC POSTING

The following documents will be supplied to the contractor and must be posted on the Entrance Sign in a prominent place for public viewing until termination of permit coverage has been obtained by filing the Notice of Termination (NOT).

1. Notice of Intent signed in accordance with ILR10.
2. Permit Authorization from the Illinois Environmental Agency (IEPA).
3. Construction Site Notice.

The location of the SWPPP must be clearly visible.

C. RETENTION OF RECORDS

A complete copy of the SWPPP, including copies of all inspection reports, plan revisions, etc., must be retained at the project site at all times during the duration of the project (until NOT is filed) and kept in the permanent project records of the Contractor for at least three years following submittal of the Notice of Termination (NOT).

D. CONTRACTOR/SUB-CONTRACTOR LIST

The Contractor must provide names and addresses of all sub-contractors working on this project who will be involved with the major construction activities that disturb site soil. This information must be kept with the SWPPP.

E. CONTRACTOR/SUB-CONTRACTOR CERTIFICATION FORM

The Contractor and all sub-contractors involved with ground disturbing or installation and maintenance of any Best Management Practice (BMP) on site must sign a copy of the Contractor Certification that will be supplied to the Contractor. This information must be kept with the SWPPP.

F. INSPECTIONS

At least once every seven calendar days and with 24 hours of a 0.5 in rainfall event, inspections by documented Contractor Compliance Officer must be made to determine the effectiveness of the SWPPP. If the State or Local agencies have a required inspection form, the both forms must be completed. This SWPPP, including the best management practices implemented on the jobsite, shall be modified as needed to reduce or prevent pollutants from discharging from the site.

An example BMP Inspection Form will be supplied to the Contractor.

A delegation of authority letter authorizing the Contractor Compliance Officer to sign the inspection forms will also be supplied to the Contractor.

The inspector must be a person familiar with the site, the nature of major construction activities, and qualified to evaluate both overall system performance and individual component performance. The inspector must either be someone empowered to implement modifications to this SWPPP and the pollutant control devices, if needed, in order to increase effectiveness to an acceptable level, or someone with the authority to cause such things to happen. Additionally, the inspector shall be properly authorized in accordance with the applicable General Permit to conduct the certified site storm water inspections.

See Section VII on this sheet for further reporting requirements.

G. SWPPP UPDATES & AMENDMENTS

This SWPPP must be updated each time there are significant modifications to the pollution prevention system or a change of Contractors working on the project that disturb site soils. The SWPPP must be amended as necessary during the course of construction in order to keep it current with the pollutant control measures utilized on the site. Amending the SWPPP does not mean that it has to be reprinted. It is acceptable to add addenda, sketches, new sections, and/or revised drawings. The site map showing the locations of all storm water controls must be posted on the site and updated to reflect the progress of construction and changes to the SWPPP. Any control measure that has a hydrologic design component must be updated as amended by the Engineer. Substitution of sediment control BMPs beyond those specified in the SWPPP is considered a hydrologic design component.

H. DISCHARGE OF PETROLEUM PRODUCTS OR HAZARDOUS SUBSTANCES

Discharge of Petroleum products or other hazardous substances into storm water or the storm water (storm sewer) system is subject to reporting and clean up requirements. See section V.E.6 of this SWPPP for State and local information on reporting spills. Refer to the General Permit for additional information.

I. NOTICE OF TERMINATION

Once the site reaches final stabilization as defined in the General Permit, with all permanent erosion and sedimentation controls installed and all temporary erosion and sedimentation controls removed, the Contractor and Owner's representative must complete a final inspection. Upon approval by the Owner's representative, the Owner and Contractor, as applicable, must complete and submit a NOT.

J. CONTRACTORS RESPONSIBILITY

This SWPPP intends to control water-bourne and liquid pollutant discharges by some combination of interception, sedimentation, filtration, and containment. The Contractor and sub-contractors implementing this SWPPP must remain alert to the need to periodically refine and update the SWPPP in order to accomplish the intended goals. The Contractor is ultimately responsible for all site conditions and permit compliance.

K. LOG OF CONSTRUCTION ACTIVITY

A record of dates when major ground-disturbing activities occur, when construction activities temporarily or permanently cease on a portion of the site, and when stabilization measures are initiated or completed must be maintained until the NOT is filed. A log for keeping such records is included. Contracts must be in place down gradient of any ground-disturbing activities prior to the commencement of construction and noted on the Site Map and Record of Stabilization and Construction Activity Dates.

2. INTRODUCTION

This SWPPP includes the elements necessary to comply with the natural baseline general permit for construction activities administered by the US Environmental Protection Agency (EPA) under the National Pollutant Discharge Elimination System (NPDES) program, the NPDES Permit No. ILR10 for the State of Illinois, and all Local governing agency requirements. This SWPPP must be implemented at the start of construction.

Construction phase pollutant sources anticipated at the site are disturbed (bare) soil, vehicle fuels and lubricants, chemicals associated with building construction, and building materials. Without adequate control there is a potential for each type of pollutant to be transported by storm water.
Project construction will consist primarily of site grading, utility service connections, and site paving to facilitate construction.

A. PURPOSE

A major goal of pollution prevention efforts during project construction is to control soil and pollutants that originate on the site and prevent them from flowing to surface waters. The purpose of this SWPPP is to provide guidelines for achieving that goal. A successful pollution prevention program also relies upon careful inspection and adjustments during the construction process in order to enhance its effectiveness.

B. SCOPE

This SWPPP must be implemented before construction begins on the site. It primarily addresses the impact of storm rainfall and runoff on areas of the ground surface disturbed during the construction process. In addition, there are recommendations for controlling other sources of pollution that could accompany the major construction activities. The SWPPP will terminate when disturbed areas are stabilized, permanent erosion and sedimentation controls are installed, temporary erosion and sedimentation controls are removed, construction activities covered herein have ceased, and a completed Notice of Termination (NOT) is transmitted to the governing agency.

3. PROJECT DESCRIPTION

Described below are the major construction activities that are subject of this SWPPP. Also included in the sequence are BMP installation activities that must take place prior to construction activities. NOTE: Down slope protective measures must always be in place before soil is disturbed. Activities are presented in the order (sequence) they are expected to be completed.

All activities and time frames (beginning and ending dates) shall be noted on the Site Map. The sequence of construction is as follows:

Upon implementation and installation of the following areas: trailers, parking, lay down, porto-potty, wheel wash, concrete washout, mason's area, fuel and material storage containers, solid waste containers, etc., immediately denote them on the Site Maps and note any changes in location as they occur throughout the construction process.

Typical Stage of Construction, items shall be added or deleted as needed for each individual project.

Phase I
1. Install stabilized construction entrance and SWPPP Entrance Sign.
2. Install silt fence(s) on the site (clear only those areas necessary to install silt fence).
3. Prepare temporary parking and storage area.
4. Install and stabilize hydraulic control structures (dikes, swales, check dams, etc.).
5. Begin grading the site.
6. Start construction of building pad and structures.

Phase II
7. Temporarily seed, throughout construction, denuded areas that will be inactive for 14 days or more.
8. Install utilities, underdrains, storm sewers, curbs and gutters.
9. Install inlet protection at all storm sewer structures as each inlet structure is installed.
10. Permanently stabilize areas to be vegetated as they are brought to final grade.
11. Prepare site for paving.
12. Pave site.
13. Install appropriate inlet protection devices for paved areas as work progresses.
14. Complete grading and installation or permanent stabilization over all areas including outlots.
15. Call Engineer when the site appears to be fully stabilized for inspection.
16. Remove all temporary erosion and sediment control devices after approval of the Engineer and stabilize any areas disturbed by the removal of the BMPs.

NOTE: The Contractor may complete construction-related activities concurrently only if all preceding BMPs have been completely installed.

The actual schedule for implementing pollutant control measures will be determined by project construction progress and recorded by the Contractor on the Soil Erosion/Sediment Control Operation Time Schedule on the Erosion and Sediment Control Plans. Down slope protective measures must always be in place before soil is disturbed.

4. SITE DESCRIPTION

1. Site description
   Site construction activities consist of general site clearing, grading for building pads, excavation of retention pond, and construction of entry drive and parking lot.
2. Total area of site = 8.59 acres
   Total disturbed area on site = 5.94 acres
3. Estimated site runoff coefficient after construction activities are complete: C=.87.
4. Site map included indicating existing & proposed slopes across site is included in SWPPP.
5. Site drainage is received by Storm Sewer in the County ROW.

5. STORM WATER POLLUTION PREVENTION MEASURES AND CONTROLS

A variety of storm water pollutant controls are recommended for this project. Some controls are intended for function temporarily and will be used as needed for pollutant control during the construction period. These include temporary sediment and erosion control measures (barriers and basins) which can also function as temporary sediment basins). Permanent stabilization will be accomplished in all disturbed areas by covering the soil with pavement, building foundation, vegetation, or other forms of soil stabilization.

A. EROSION AND SEDIMENT CONTROLS

1. Soil Stabilization
   The purpose of soil stabilization is to prevent soil from eroding and leaving the site. In the natural condition, soil is stabilized by native vegetation. The primary technique to be used at this project for stabilizing site soils will be to provide a dense vegetative cover of grass, pavement, or building structures.

   a) Temporary Seeding or Stabilization — All denuded areas that will be inactive for 14 days or more, must be stabilized temporarily with the use of fast-germinating annual grass/grain varieties, straw/hay mulch, seed cellulose fibers, tackifiers, netting or blankets.

   b) Permanent Seeding or Sodding — All areas at final grade must be seeded or sodded within 14 days after completion of work in any area. The entire site must have permanent vegetative cover established in all areas not covered by hardscape at the completion of all soil disturbing activities on site. Except for small level spots, seeded areas should generally be protected with mulch or a rolled erosion control product. All areas to be seeded will have topsoil and other soil amendments as specified on the Landscape Plan.

2. Structural Controls

   a) Silt Fence – Silt fence is a synthetic permeable woven or non-woven geotextile fabric incorporating metal support stakes of sufficient sufficient to support the fence (5-feet maximum distance between posts), water, and sediment retained by the fence. The fence is designed to retain sediment-laden storm water and allow settlement of suspended soils before the storm water flows through the fabric and discharges off-site. Silt fence shall be located on the contour to capture overland, low-velocity sheet flows. The Contractor may utilize triangular silt dike and/or non-wire backed silt fence as intermediate BMPs. Install silt fence at a fairly level grade along the contour with the ends curved uphill to prevent upstream storage water from the anticipated runoff. Drainage areas shall not exceed ½ acre per 100 feet of silt fence for slopes less than 2 percent.

   b) Construction Exit — All access points from the public street into the construction site shall include a construction exit composed of course stone to the dimensions shown on the Existing Conditions and Demolition Plan. The rough texture of the stone helps to remove clumps of soil adhering to the construction vehicles tires through the action of vibration and jarring over the rough surface and the friction of the stone matrix against soils attached to vehicle tires.

   In addition to the stone at the construction exit, it may be necessary to install devices such as pipes (cattle guard) to increase the vibration and jarring. It may also be necessary to install a wheel wash system. If this is done, a sediment trap control must be installed to treat the wash water before it discharges from the site.

   All site access must be confined to the Construction Exit(s). Barricade, sufficient to prevent use, any locations other than Construction Exit(s) where vehicles or equipment may access the site.

   c) Storm Sewer Inlet Protection – Curb and grated inlets are protected from the intrusion of sediment through a variety of measures as shown on the details included in the Construction drawings. The primary mechanism is to place controls in the path of flow sufficient to slow the sediment-laden water to allow settlement of suspended soils before discharging into the storm sewer. It is possible that as construction progresses from storm sewer installation through paving that the inlet protection devices should change. All inlet protection devices create ponding of storm water. This should be taken into consideration when deciding on which device or devices should be used.

   d) Inspection and any necessary cleaning of the underground storm system shall be included as part of this swppp.

   Final site stabilization is achieved when perennial vegetative cover provides permanent stabilization with a density greater than 70 percent over the entire area to be stabilized by vegetative cover. This is exclusive of areas paved, rocked, or having a building on them.

B. OTHER POLLUTANT CONTROLS

This section includes the controls of pollutants other than sediment and additional requirements of the General Permit.

1. Dust Control
   Construction traffic must enter and exit the site at the stabilized construction exit. Water trucks or other dust control agents will be used as needed during construction to reduce dust generated on the site. Dust control must be provided by the Contractor to a degree that is in compliance with applicable Local and State dust control regulations.

2. Solid Waste Disposal
   No solid materials, including building materials, are allowed to be discharged from the site with storm water. All solid waste, including disposable materials incidental to the major construction activities, must be collected and placed in containers. The containers will be emptied as necessary by a contract trash disposal service and hauled away from the site. Covers for the containers will be provided as necessary to meet State and Local requirements. The location of solid waste receptacles shall be shown on the Site Maps.

   Substances that have the potential for polluting surface and/or groundwater must be controlled by whatever means necessary in order to ensure that they do not discharge from the site. As an example, special care must be exercised during equipment fueling and servicing operations. If a spill occurs, it must be contained and disposed of so that it will not flow from the site or enter groundwater, even if this requires removal, treatment, and disposal of soil. In this regard, potentially polluting substances should be handled in a manner consistent with the impact they represent.

3. Sanitary Facilities
   All personnel involved with construction activities must comply with State and Local sanitary or septic regulations. Temporary sanitary facilities will be provided at the site throughout the construction phase. They must be utilized by all construction personnel and will be serviced by a commercial operator. The location of sanitary facilities shall be shown on the Site Map.

4. Non-Storm Water Discharge
   Non-storm water components of site discharges are not permitted under ILR10 except as follows: discharges from fire fighting activities; fire hydrant flushings; water used to wash vehicles where detergents are not used; waters used to control dust; potable water sources including uncontaminated waterline flushings; irrigation drainage; routine external building washdown which does not use detergents; pavement washdowns where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used; air conditioning condensate; springs, uncontaminated ground water; and foundation or footing drains where flows are not contaminated with process materials such as solvents.

5. Concrete Waste from Concrete Ready-Mix Trucks
   Discharge of excess or waste concrete and/or wash water from concrete trucks will be allowed on the construction site, but only in specifically designated diked areas prepared to prevent contact between the concrete and/or wash water and storm water that will be discharged from the site. Alternatively, waste concrete can be placed into forms to make rip rap or other useful concrete products. The cured residue from the concrete washout diked areas shall be disposed in accordance with applicable State and Federal regulations. The jobsite superintendent is responsible for ensuring that these procedures are followed. The location of concrete washout areas shall be shown on the Site Maps.

6. Mason's Area
   Contractor shall identify mason's area on the site and indicate location on the Site Map. To the extent practical, all masonry tools, material, including sand and sacked cement or mortar materials, and equipment shall be located within the area identified. Runoff control, such as berms or diversion ditches, silt fence, straw wattles, or other means of containment shall be provided to prevent the migration of storm water pollutants in runoff from the mason's area. Receptacles for debris and trash disposal shall also be provided.

7. Fuel Tanks
   Temporary on-site fuel tanks for construction vehicles shall meet all State and Federal regulations. Tanks shall have approved spill containment with the capacity required by the applicable regulations. The tanks shall be in sound condition free of rust or other damage which might compromise containment. Fuel storage areas will meet all EPA, OSHA and other regulatory requirements for stpnges, fire extinguisher, etc. Hoses, valves, fittings, caps, filler nozzles, and associated hardware shall be maintained in proper working condition at all times. The location of fuel tanks shall be shown on the Site Maps.

   A Spill Prevention, Control and Countermeasure (SPCC) Plan must be developed if aboveground oil storage capacity at the construction site exceeds 1,320-gallons. Containers with storage capacity of 55-gallons or less are not included when calculating site storage capacity. The Contractor shall work with the Engineering Consultant to develop or implement a SPCC Plan in accordance with the Oil Pollution Prevention regulation at Title 40 of the Code of Federal Regulations, Part 112, (40 CFR 112).

8. Hazardous Material Management and Spill Reporting Plan
   Any hazardous or potentially hazardous material that is bought onto the construction site will be handled properly in order to reduce the potential for storm water pollution. All material used on the construction site will be properly stored, handled, dispensed and disposed of following all applicable label directions. Material Safety Data Sheets (MSDS) information will be kept on site for any and all applicable materials.

   In the event of an accidental spill, immediate action will be undertaken by the Contractor to contain and remove the spilled material. All hazardous materials will be disposed of by the Contractor in the manner specified by Federal, State and Local regulations and by the manufacturer of such products. As soon as possible, the spill will be reported to the appropriate agencies. As required under the provisions of the Clean Water Act, any spill or discharge entering waters of the United States will be properly reported. The Contractor will prepare a written record of any spill of petroleum products or hazardous materials in excess of reportable quantities and will provide notice to Owner within 24-hours of the occurrence of the spill.

   Any spills of petroleum products or hazardous materials in excess of Reportable Quantities as defined by EPA shall be immediately reported to the EPA National Response Center (1-800-424-8802). In addition, 35 Ill. Adm. Code 750.410 requires notification of IEMA (1-800-782-7860). Reportable chemical spill quantities are those listed for hazardous substances under Superfund, or as extremely hazardous substances under the Superfund Reauthorization and Amendments Act of 1986 (SARA), the emergency planning statute which also establishes threshold planning quantities (29 Ill. Admin. Code 430.30). Oil spills are reportable if they must be reported under the Federal Water Pollution Control Act. This generally includes spills that are in excess of 25 gallons and or "may be harmful to the public health or welfare" (40 CFR 110). Harmful discharges include those that (1) violate applicable water quality standards, or (2) leave a film on the water or adjoining shorelands or cause a sludge or emulsion to be deposited beneath the water's surface or on adjoining shorelands. The reportable quality for hazardous materials can be found in 40 CFR 302 or by contacting the IEMA (1-800-765-8688).

   In order to minimize the potential for a spill of petroleum product or hazardous materials to come in contact with storm water, the following steps will be implemented:

   a) All materials with hazardous properties (such as pesticides, petroleum products, fertilizers, detergents, construction chemicals, acids, paints, paint solvents, additives for soil stabilization, concrete, curing compounds and additives, etc.) will be stored in a secure location, under cover, when not in use.

   b) The minimum practical quantity of all such materials will be kept on the job site and scheduled for delivery as close to time of use as practical.

   c) A spill control and containment kit (containing for example, absorbent material such as kitty litter or sawdust, acid neutralizing agent, brooms, dust pans, mops, rags, gloves, goggles, plastic and metal trash containers, etc.) will be provided at the storage site.

   d) All of the products in a container will be used before the container is disposed of. All such containers will be triple rinsed, with water prior to disposal. The rinse water used in these containers will be disposed of in a manner in compliance with State and Federal regulations and will not be allowed to mix with storm water discharges.

   e) All products will be stored in and used from the original container with the original product label.

   f) All products will be used in strict compliance with instructions on the product label.

   g) The disposal of excess or used products will be in strict compliance with instructions on the product label.

9. Long Term Pollutant Controls
   Storm water pollutant control measures installed during construction, that will also provide storm water management benefits after construction, include turf areas in sufficient quantity so as to provide a site impervious ratio (ISR) or 0.76.

C. CONSTRUCTION PHASE "BEST MANAGEMENT PRACTICES" (BMPs)

During the construction phase, the Contractor shall implement the following measures:

1. Materials resulting from the clearing and grubbing or excavation operations shall be stockpiled up slope from adequate sedimentation controls. Materials removed to an off-site location shall be protected with appropriate controls and property permitted.

2. The Contractor shall designate areas on the Site Map for equipment cleaning, maintenance, and repair. The Contractor and sub-contractors shall utilize such designated areas. Cleaning, maintenance, and repair areas shall be protected by a temporary perimeter berm, shall not occur within 150 feet of any waterway, water body or wetland, and in areas located as far as practical from storm water inlets.

3. Use of detergents for large scale washing is prohibited (i.e. vehicles, buildings, pavement, surfaces, etc.).

4. Chemicals, paints, solvents, fertilizers, and other toxic materials must be stored in waterproof containers. Except during application, the containers, the contents must be kept in trucks or within storage facilities. Runoff containing such material must be collected, removed from the site, treated, and disposed of at an approved solid waste and chemical disposal facility.

D. OFF-SITE FACILITIES IN THE OPERATIONAL CONTROL OF THE CONTRACTOR

Whenever dirt, rock, or other materials are imported to the construction site or exported for placement in areas off of the primary construction site, the Contractor is responsible for determining that all storm water permitting and pollution control requirements are met for each site which receives such materials or from which site materials are taken. Prior to the disturbance of any such site, Contractor will confirm that the operators of the site they are importing to or exporting from have properly obtained all required permits, and will comply with all laws, regulations and permit conditions applicable to such sites.

At a minimum, each off-site area that provides or receives material or is disturbed by project activities must implement erosion and sediment control measures consisting of perimeter controls on all down slope and side slope boundaries and must also provide for both temporary stabilization and for permanent re-vegetation after all disturbances has ended.

6. LOCAL PLANS

In addition to this SWPPP, construction activities associated with this project must comply with any guidelines set forth by Local regulatory agencies. The Contractor shall maintain documents evidencing such compliance in this SWPPP.

7. INSPECTIONS AND SYSTEM MAINTENANCE

Between the time this SWPPP is implemented and final Notice of Termination has been submitted, all disturbed areas and pollutant controls must be inspected weekly and within 24 hours of the end of a storm event 0.5 inches or equivalent snowfall. The purpose of such inspections is to assess performance of pollutant controls. The inspections will be conducted by the Contractor's Site Superintendent. Based on these inspections, the Contractor will decide whether it is necessary to modify this SWPPP, add or relocate controls, or revise or implement additional Best Management Practices in order to reflect changing conditions. The Contractor has the ability to cause pollutant control measures to be repaired, modified, supplemented, or take additional steps as necessary in order to achieve effective pollutant control.

Examples of specific items to evaluate during site inspections are listed below. This list is not intended to be comprehensive. During each inspection, the inspector must evaluate overall pollutant control system performance as well as particular details of individual system components. Additional factors should be considered as appropriate to the circumstances.

A. CONSTRUCTION EXIT AND TRACK OUT

Locations where vehicles enter and exit the site must be inspected for evidence of off-site sediment tracking. A stabilized construction exit shall be constructed at each construction where vehicles enter and exit. Exits shall be maintained or supplemented with additional rock as necessary to prevent the release of sediment from vehicles leaving the site. Any sediment deposited on the roadway shall be swept as necessary throughout the day or at the end of everyday and disposed of in an appropriate manner. Sediment shall NOT be washed into storm sewer systems.

B. SEDIMENT CONTROL DEVICES

Sediment barriers, traps and basins must be inspected and they must be cleaned out at such time as their original capacity has been reduced by 50 percent. All material excavated from behind sediment barriers or in traps and basins shall be incorporated into on-site soils or spread out on an upland portion of the site and stabilized. Additional sediment barriers must be constructed as needed.

C. MATERIAL STORAGE AREAS

Inspections shall evaluate disturbed areas and areas used for storing materials that are exposed to rainfall for evidence of, or the potential for, pollutants entering the drainage system or discharging from the site. If necessary, the materials must be covered or original covers must be repaired or supplemented. Also, protective berms must be constructed. If needed, in order to contain runoff from material storage areas. All State and Local regulations pertaining to material storage areas will be adhered to.

D. VEGETATION

Grassed areas shall be inspected to confirm that a healthy stand of grass is maintained. The site has achieved final stabilization once all areas are covered with building foundation or pavement, or have a stand of grass with a minimum of 70 percent density or greater over the entire vegetated area in accordance with the General Permit requirements. The vegetative density must be maintained to be considered stabilized. Area must be watered, fertilized, and re-seeded as needed to achieve this requirement.

E. DISCHARGE POINTS

All discharge points must be inspected to determine whether erosion and sediment control measures are effective in preventing discharge of sediment from the site or impacts to receiving waters.

The Inspection Report Form must identify all deficiencies, any corrections, whether they are identified during the current inspection or have occurred since the previous inspection, and any additional comments. Based on inspection results, any modification necessary to increase effectiveness of this SWPPP to an acceptable level must be made immediately but no longer than within 48 hours of inspection. The inspections reports must be complete and additional information should be included if needed to help ensure compliance in such a situation. An important aspect of the inspection is the description of additional measures that need to be taken to enhance plan effectiveness. The inspection report must identify whether the site is in compliance with the SWPPP at the time of inspection and specifically identify all incidents of non-compliance.

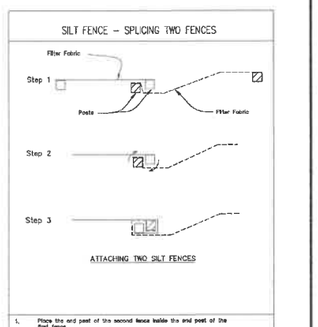
The Inspection Report Form must summarize the scope of the inspection, name(s) and qualifications of personnel making the inspection, the date(s) of the inspection, major observations relating to the implementation of this SWPPP, and actions taken in accordance with section 4.h shall be made and retained as part of the plan for at least six years after the date of the inspection. The report shall be signed in accordance with Part VI.G of the General Permit.

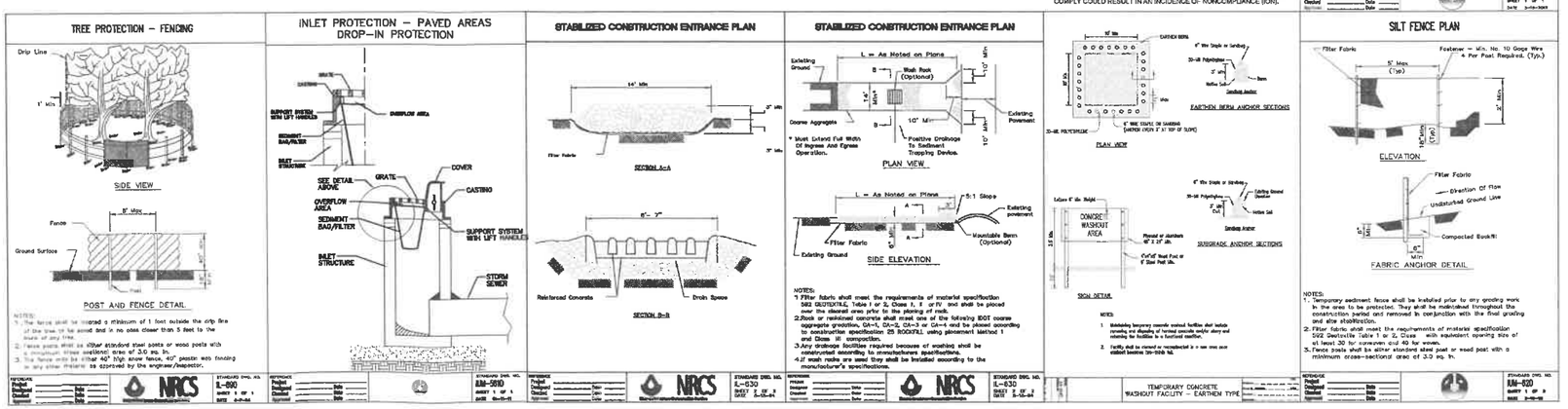
If any violation of the provisions of this plan is identified during the conduct of the construction work covered by this plan, the Contractor's Compliance Officer shall complete and file an "Incidence of Noncompliance" (ION) report for the identified violation. The Contractor's Compliance Officer shall use forms provided by the IEPA, and shall include specific information on the cause of noncompliance, actions which were taken to prevent any further causes of noncompliance, and a statement detailing any environmental impact which may have resulted in noncompliance. All reports of noncompliance shall be signed by a responsible authority in accordance with part VI.G of the General Permit. The report of noncompliance shall be mailed to the following address:

Illinois Environmental Protection Agency
Division of Water Pollution Control
Attn: Compliance Assurance Section
1021 North Grand East
P.O. Box 19276
Springfield, IL 62794-9276

Ultimately, it is the responsibility of the General Contractor to assure the adequacy of site pollutant discharge controls. Actual physical site conditions or Contractor practices could make it necessary to install more structural controls than are shown on the plans. For example, localized concentrations of runoff could make it necessary to install additional sediment barriers. Assessing the need for additional controls and implementing them or adjusting existing controls will be a continuing aspect of this SWPPP until the site achieves final stabilization. Any modifications, additions or deletions of sediment control devices must be approved by the Engineer through written communications.

CONCRETE WASHOUT NOTE:
CONCRETE WASHOUT SHOULD BE CONTAINED AT ALL TIMES. WASHOUT MATERIAL SHOULD NOT BE ALLOWED TO ENTER WATER BODIES, STORM SEWERS OR LEACH INTO THE SOIL UNDER ANY CIRCUMSTANCES. ANY WASTE SHOULD BE DISPOSED OF PROPERLY AND THE LOCATION OF THE WASHOUT SHOULD BE DESIGNATED WITH PROPER SIGNAGE. FAILURE TO COMPLY COULD RESULT IN AN INCIDENCE OF NONCOMPLIANCE (ION).





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PHONE: (815) 786-0195 TEBRUGGEENGINEERING.COM

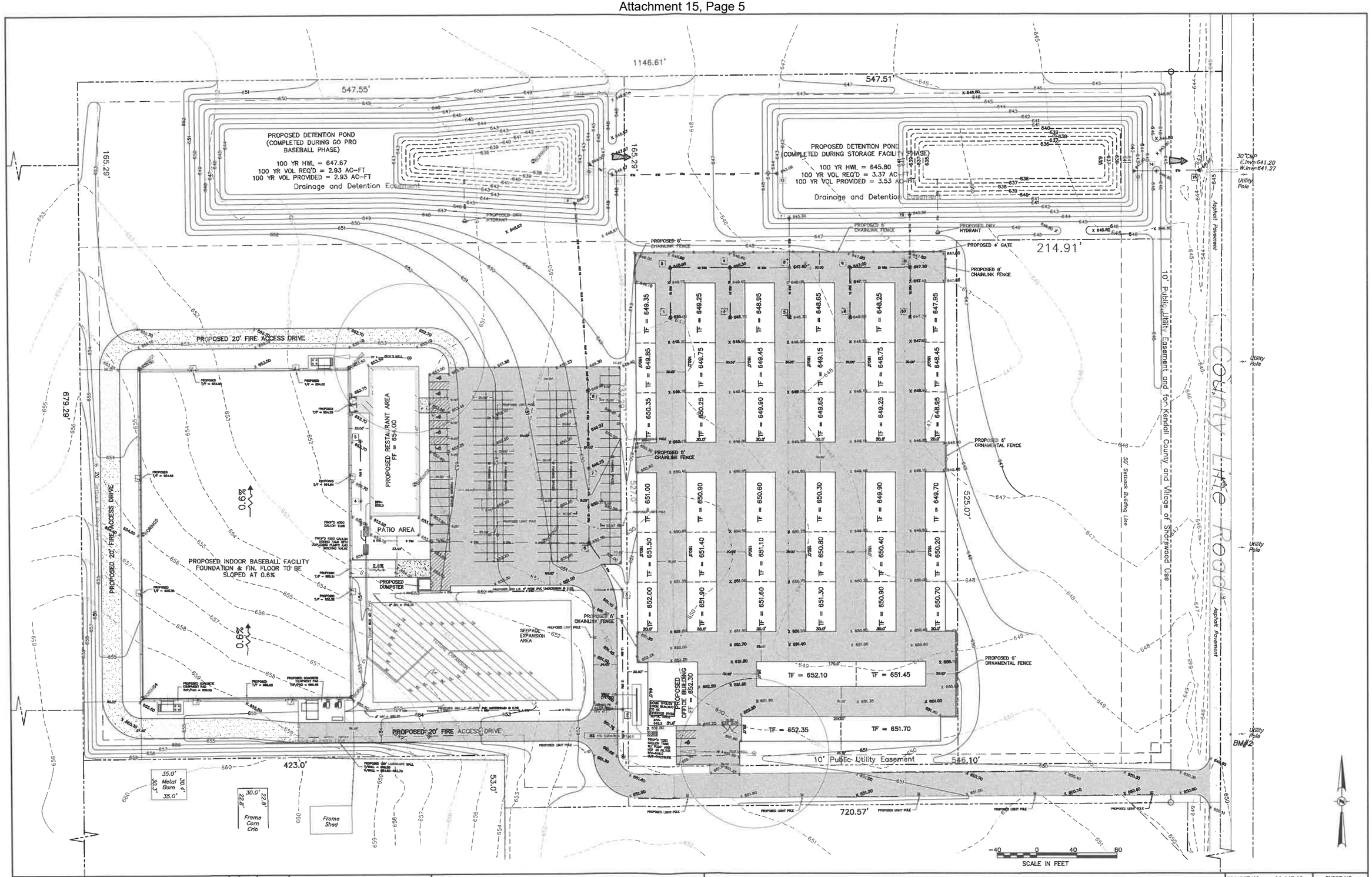
REVISIONS	NO.	DATE	NOTES

PREPARED FOR:
JAMES & DENISE MAFFEO
1223 BUELL AVE, JOLIET, IL

FOUR SEASONS STORAGE FACILITY
STORMWATER POLLUTION & PREVENTION PLAN DETAILS

PROJECT NO.	19 447 02
SCALE:	1" = 40'
DATE:	JAN 16, 2020

SHEET NO. 4 OF 8 SHEETS



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REVISIONS	NO.	DATE	NOTES

PREPARED FOR:
JAMES & DENISE MAFFEO
1223 BUELL AVE, JOLIET, IL

FOUR SEASONS STORAGE FACILITY
OVERALL CIVIL SITE PLAN

PROJECT NO. 19 447 02
SCALE: 1" = 40'
DATE: JAN 16, 2020

SHEET NO. 5 OF 8 SHEETS

1146.61'

547.55'

547.51'

165.29'

165.29'

732.29'

679.29'

525.07'

214.91'

423.0'

53.0'

720.57'

546.10'

PROPOSED DETENTION POND
COMPLETED DURING STORAGE FACILITY PHASE)
100 YR HWL = 645.80
100 YR VOL REQ'D = 3.37 AC-ft
100 YR VOL PROVIDED = 3.53 AC-ft

Drainage and Detention Easement

Drainage and Detention Easement

20' Setback Building Line

20' Setback Building Line

50' Setback Building Line

PROPOSED STORM SEWER STRUCTURES

PROPOSED 8' CHAINLINK FENCE

PROPOSED 4' GATE

PROPOSED 6' CHAINLINK FENCE

PROPOSED 6' ORNAMENTAL FENCE

PROPOSED DRY HYDRANT

PROPOSED 1150 GALLON TANK W/ PUMP AND 20SF 45 FILTER SYSTEM BY OTHERS

PROPOSED OFFICE BUILDING TF = 652.30

TF = 652.10

TF = 651.45

TF = 652.35

TF = 651.70

10' Public Utility Easement

30"CMP
E.Inv=641.20
W.Inv=641.27

Utility Pole

Asphalt Pavement

Utility Pole

Utility Pole

BM#2

Little Rock Road

35.0' Metal Barn 35.0'

30.3'

30.0' Frame Corn Crib 22.8'

22.2'

Frame Shed

SCALE IN FEET

40 0 40 80

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REVISIONS

NO.	DATE	NOTES

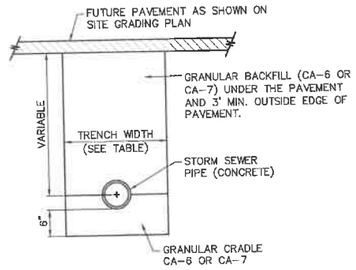
PREPARED FOR:
JAMES & DENISE MAFFEO
1223 BUELL AVE, JOLIET, IL

FOUR SEASONS STORAGE FACILITY
CIVIL SITE PLAN

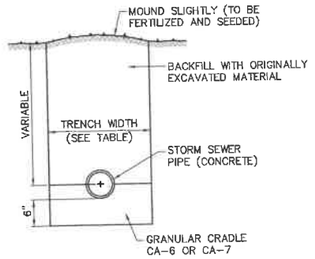
PROJECT NO.	19 447 02
SCALE:	1" = 40'
DATE:	JAN 16, 2020

SHEET NO. 6 OF 8 SHEETS

INSIDE DIAMETER OF STORM SEWER (INCHES)	MAXIMUM TRENCH WIDTH
6	3'-2"
8	3'-2"
12	3'-4"
15	3'-6"
18	3'-10"
21	4'-4"
24	4'-8"
27	4'-11"
30	5'-3"
36	6'-4"
42	6'-11"
48	7'-6"
54	8'-7"
60	9'-2"
66	9'-9"
72	10'-4"
78	10'-11"
84	11'-6"
90	12'-1"
96	12'-8"
102	13'-3"
108	13'-10"



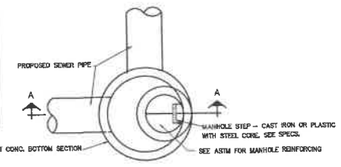
ALL PAVED AREAS



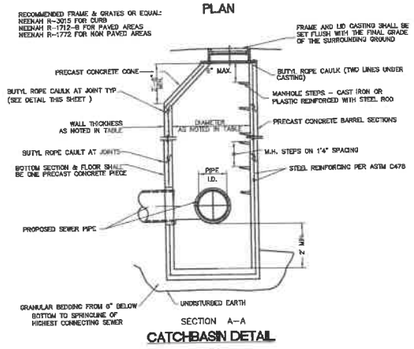
NON-PAVED AREAS

TRENCH DETAILS - STORM SEWER
N.T.S.

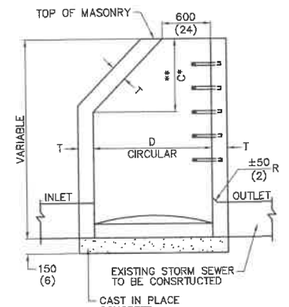
MANHOLE TYPE	INSIDE DIA.	MIN. WALL THICKNESS
A-4	4'-0"	5"
A-5	5'-0"	6"
A-6	6'-0"	7"



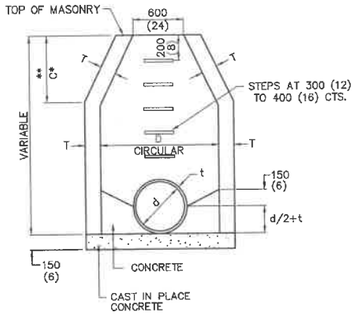
PLAN



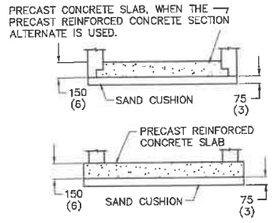
CATCHBASIN DETAIL
N.T.S.



ELEVATION-ECCENTRIC



ELEVATION-CONCENTRIC



ALTERNATE BOTTOM SLABS

ALTERNATE MATERIALS FOR WALLS	D	C	T (min.)
CONCRETE MASONRY UNIT	1.2 m (4'-0")	750 (30)	125 (5)
	1.5 m (5'-0")	1.15 m (3'-9")	125 (5)
BRICK MASONRY	1.2 m (4'-0")	750 (30)	200 (8)
	1.5 m (5'-0")	1.15 m (3'-9")	200 (8)
PRECAST REINFORCED CONCRETE SECTION	1.2 m (4'-0")	750 (30)	100 (4)
	1.5 m (5'-0")	1.15 m (3'-9")	125 (5)
CAST IN PLACE CONC.	1.2 m (4'-0")	750 (30)	150 (6)
	1.5 m (5'-0")	1.15 m (3'-9")	150 (6)

SEE IDOT STANDARD 2447 FOR DETAILS OF STEPS.

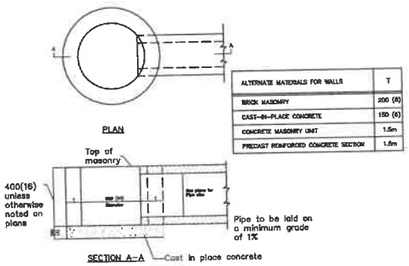
* DIMENSION "C" FOR PRECAST REINFORCED CONCRETE SECTIONS MAY VARY FROM THE DIMENSIONS GIVEN TO PLUS 150mm (6").

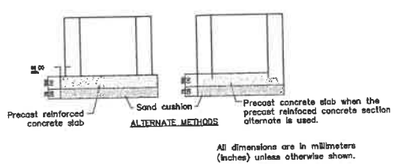
** SEE STANDARD 2354 FOR OPTIONAL PRECAST REINFORCED CONCRETE SLAB TOP.

ALL DIMENSIONS ARE IN MILIMETERS (INCHES) UNLESS OTHERWISE SHOWN.

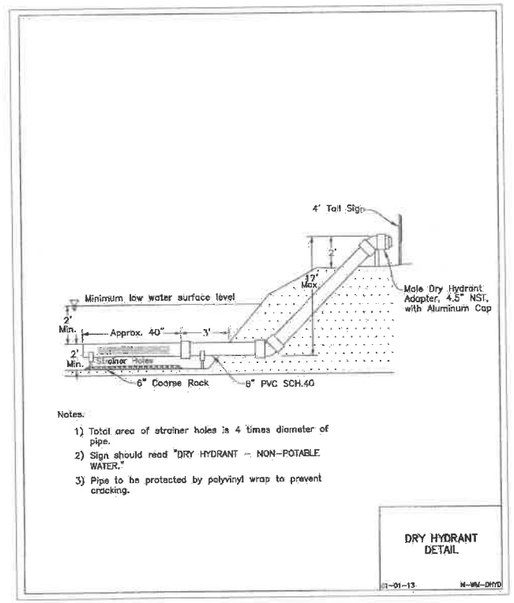
GENERAL NOTES

MANHOLE TYPE A
IDOT STANDARD 1527-10





TYPE A INLET DETAIL
N.T.S.



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REVISIONS	NO.	DATE	NOTES

PREPARED FOR:
JAMES & DENISE MAFFEO
1223 BUELL AVE, JOLIET, IL

FOUR SEASONS STORAGE FACILITY
GENERAL NOTES & DETAILS II

PROJECT NO. 19 447 02
SCALE: 1" = 40'
DATE: JAN 16, 2020

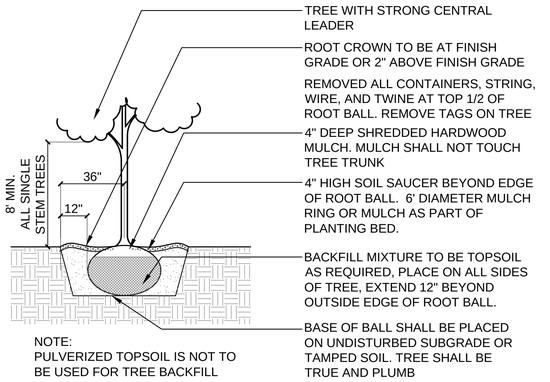
SHEET NO. 8 OF 8 SHEETS

Storage Unit Facility

SCALE: 1" = 40'-0"

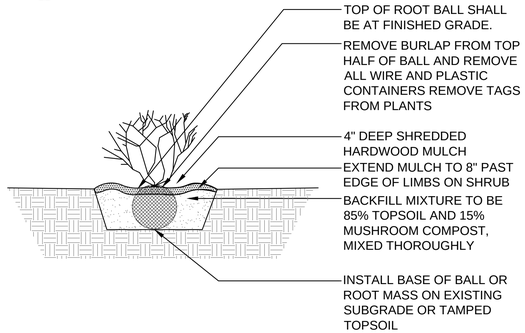
0 20' 40' 80' 120'

North



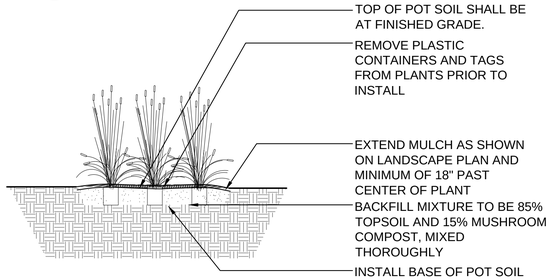
1 Tree Installation

SCALE: N.T.S. d-plant-tree_12



2 Shrub Installation

SCALE: N.T.S. d-plant-shrub_12



3 Perennial & Ornamental Grass Installation

SCALE: 1" = 1'-0" d-perennials

PLANT LIST

Shade Trees - Balled and Burlap

Qty.	Size	Botanical Name	Common Name
2	3" cal.	*Acer rubrum*	Red Maple
4	3" cal.	*Aesculus glabra*	Ohio Buckeye
3	3" cal.	*Quercus bicolor*	Swamp White Oak
3	3" cal.	*Ulmus 'Patriot'*	Patriot Elm
12	Total		

Evergreen Shrubs - Balled and Burlap or Container

Qty.	Size	Botanical Name	Common Name
3	24" Ht. x 24" Spr.	*Taxus x media 'Densiformis'*	Dense Yew
3	Total		

Deciduous Shrubs - Balled and Burlap or Container

Qty.	Size	Botanical Name	Common Name
3	24" Ht. x 24" Spr.	Viburnum dentatum 'Christom'	Blue Muffin Viburnum
4	36" Ht. x 24" Spr.	*Syringa x 'Penda'*	Purple Bloomerang Lilac
10	18" Ht. x 24" Spr.	*Weigela x 'Dark Horse'*	Dark Horse Weigela
17	Total		

Perennials, Ornamental Grasses, and Groundcovers

Qty.	Size	Botanical Name	Common Name
10	#1 cont.	Sporobolus heterolepis	Prairie Dropseed
10	Total		

GENERAL NOTES: LANDSCAPE

1. Notes indicated on grading plans shall pertain to landscape plans. Final grade of planting beds shall be as per grading plan.
2. The landscape contractor shall be responsible for making themselves familiar with all underground utilities and structures.
3. All existing plant material and trees shall be saved and protected unless otherwise noted. Contractor to protect new and existing trees and landscaping from damage and shall restore all areas disturbed as a result of construction.
4. Plant material shall be supplied from Northern Illinois nursery stock, shall be dug the planting season it is installed, and shall conform to the American Association of Nurseryman's standards.
5. Plant material shall be size and type specified. Substitution of plant material shall be on a case by case basis and approved in writing by the Owner's Representative. In no case shall plant material be smaller than indicated in the plans.
6. Do not willfully proceed with plantings as designed when it is obvious that obstructions and/or grade differences exist that may not have been known during the design process. Such conditions shall be immediately brought to the attention of the Owner's Representative.
7. All plant material shall be inspected and approved by the Owner's Representative prior to the installation of any and all plant material.
8. Plant locations shall be flagged in field with Owner's Rep. Final location of all plant material shall be subject to approval of the Owner's Representative prior to digging any holes. The landscape contractor is responsible for providing Owner's Representative with 48 hour minimum advance notice prior to planting.
9. Plants shall be watered on the day they are planted and maintained with watering until final acceptance of the project.
10. Apply a pre-emergent as per manufacturer's specification prior to installing mulch.
11. Beds and tree rings (6' diameter) shall have 3" of hardwood shredded mulch applied and a 4" deep spade edge at lawn. Trees that are not located in beds, shall have a tree ring.
12. Landscape plant material shall be guaranteed for 12 months from final acceptance. Any plant 1/3 dead or more shall be replaced under the guarantee.
13. Contractor to prepare landscape beds by roto-tilling 2" of Mushroom Compost into new beds. Do not add compost nor roto-till within drip line of existing trees.
14. Lawn Seeding shall be under favorable weather conditions, and shall follow dates in specification.
15. Turf mixes shall be installed and lawn established at all disturbed areas.
16. Do not overseed into mulch beds and paving.
17. Contractor shall restore all areas disturbed as a result of construction.

LEGEND

Shade Tree

Evergreen Shrub

Deciduous Shrub

Ornamental Grass

Go Pro Ball, LLC
6821 Sahara Drive
Plainfield, IL

PROJECT

Go Pro Ball Facility

NW Quadrant of Rt 52 & County Line Rd
Shorewood, Illinois

uplandDesign ltd
Park Planning and Landscape Architecture
24042 Lockport St, Plainfield, Illinois 60544
815-254-0091 www.uplanddesign.com

SHEET TITLE

Landscape Plan

SHEET NUMBER L1.0

DRAW / REVISION

TD/LD	Permit Submittal	19FEB2020
DW/MB	Revision 1/Rendering 1	06MAR2020

Project Number 813

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Law Offices
of
Daniel J. Kramer
1107A S. Bridge Street
Daniel J. Kramer — Yorkville, Illinois 60560 — Kelly A. Helland
630-553-9500 — D.J. Kramer
Fax: 630-553-5764
dkramer@dankramerlaw.com

May 14, 2020

Matt Asselmeier
Kendall County Planning, Building, & Zoning
Masseleier@co.kendall.il.us

RE: Four Seasons Storage Facility Special Use

Dear Mr. Asselmeier:

I have consulted our Landscape Architect Michelle Kelley at Upland Design. The trees planned for the Four Seasons Project would be 3-inch caliber with a height of 12 to 15 feet at installation. Ultimately the trees would grow to a 30 to 60 foot tall height over time.

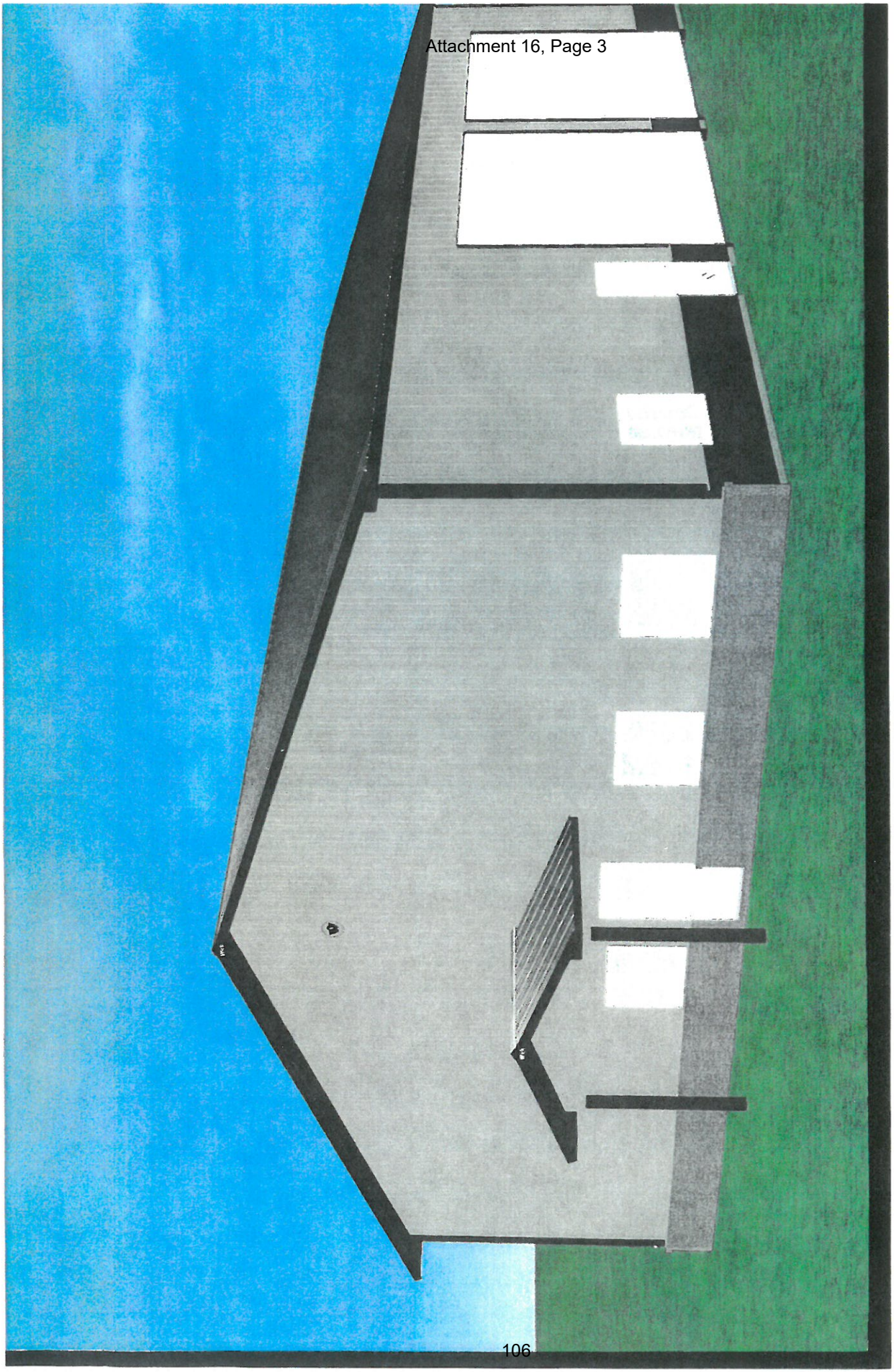
Given the startup costs, they would not put trees in initially on the north side of the fence but as the project develops yes they would consider both trees and bushes on the north side of the fence between the facility and the detention pond. Should you have any questions or concerns please feel free to contact me.

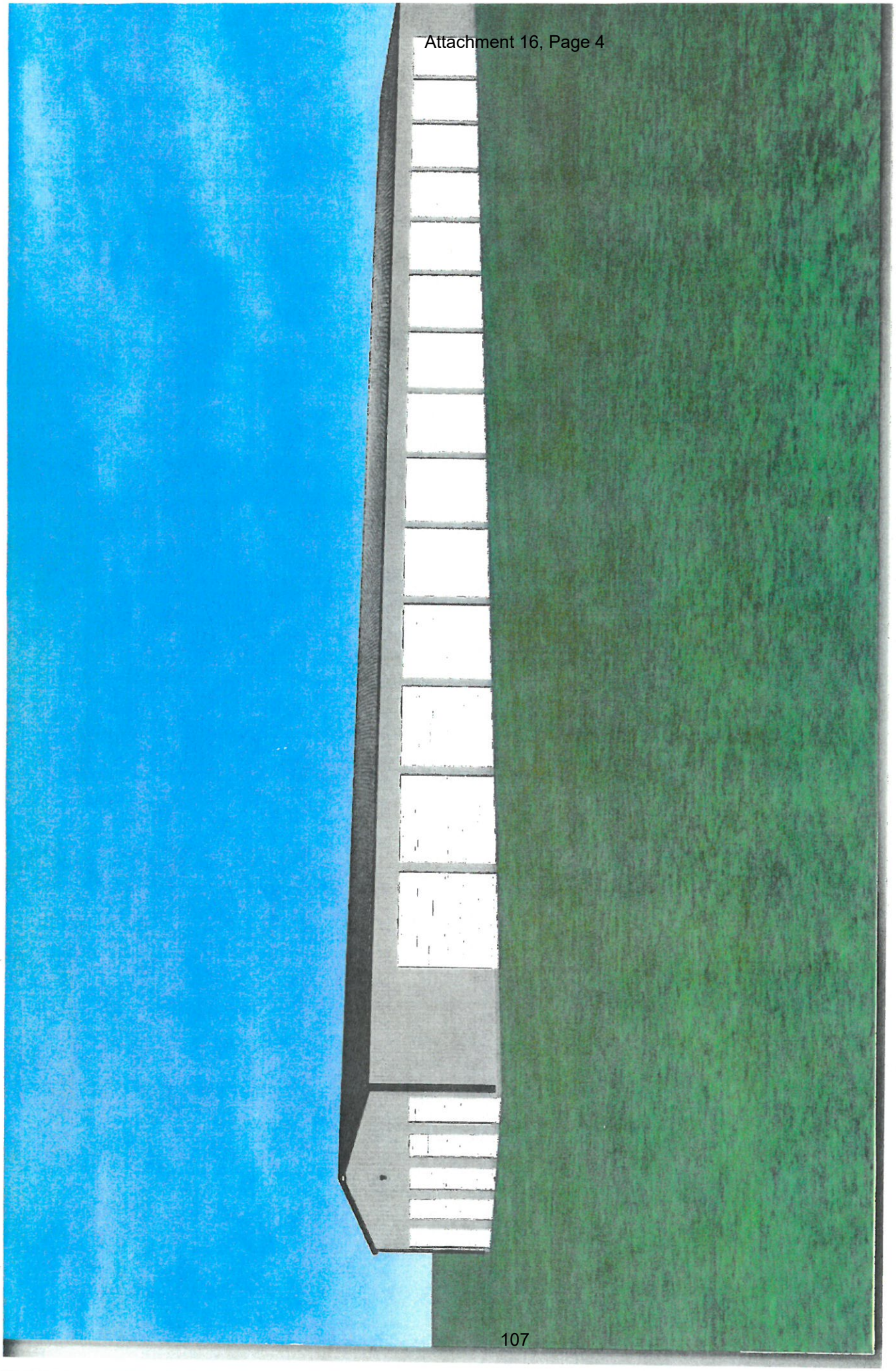
Very truly yours,

Daniel J. Kramer

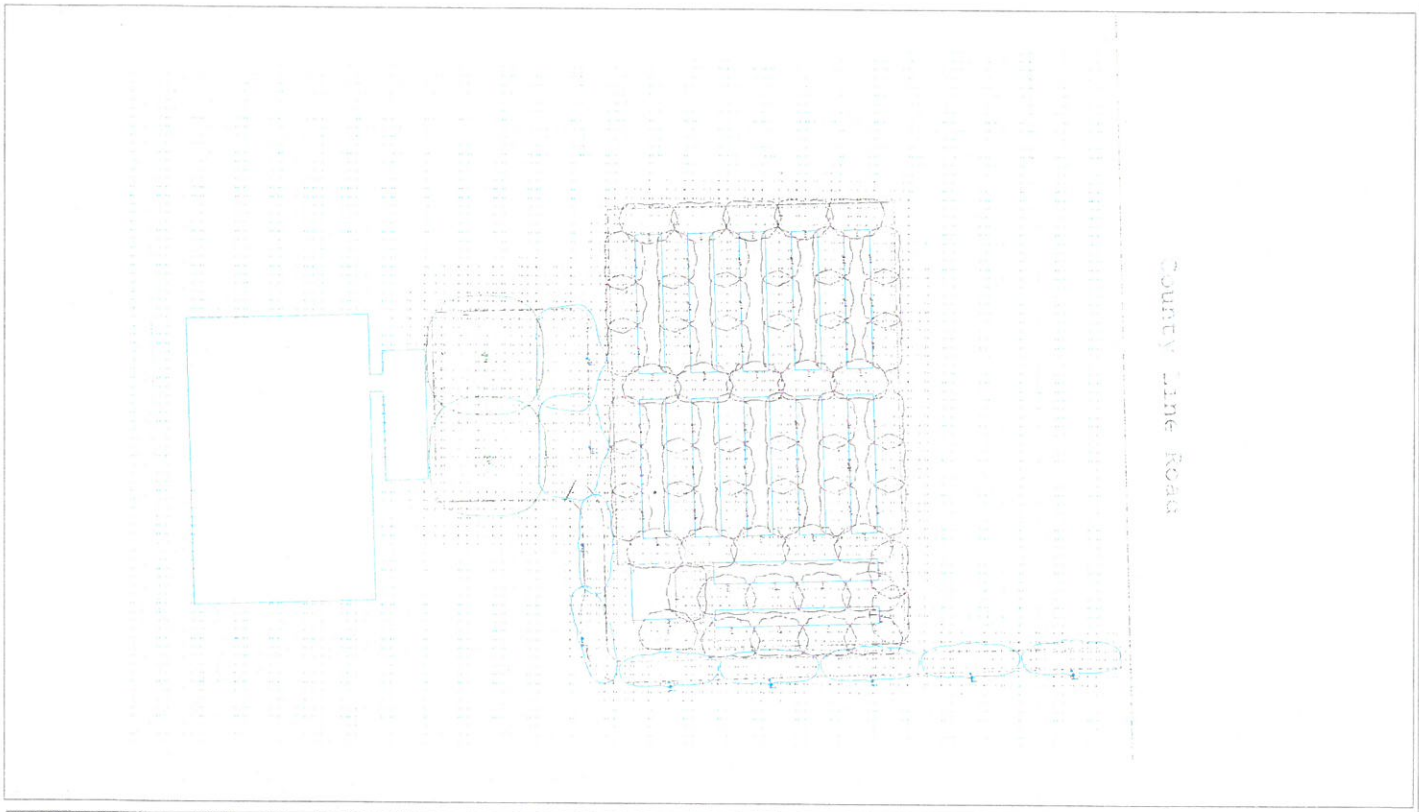
Daniel J. Kramer
Attorney at Law

DJK:cth
Enclosures





MARCHIO
FENCE CO
815 726-6995



Luminaire Schedule- Part numbers are provided by the manufacturer and are only intended to be used as a reference to output and optics used.

Symbol	Qty	Tag	Label	Arrangement	Lum. Lumens	Arr. Lum. Lumens	Lum. Watts	Arr. Watts	LLF	Description	Manufacturer
	2	A1	RAR2-320L-165-4K7-4W	SINGLE	21488	21488	153.6	153.6	0.900	RAR2-320L-165-4K7-4W	HUBBELL OUTDOOR
	2	A2	RAR2-320L-165-4K7-SQW	2 @ 180 DEGREES	21976	43952	153.6	307.2	0.900	RAR2-320L-165-4K7-SQW	HUBBELL OUTDOOR
	7	A3	RAR-2-320L-110-4K7-3-BC	SINGLE	9030	9030	105	105	0.900	RAR-2-320L-110-4K7-3-BC	HUBBELL OUTDOOR
	63	B	LNC3-24L4K-105-4	SINGLE	7402	7402	82.8	82.8	0.900	LNC3-24L4K-105-4	HUBBELL OUTDOOR

Calculation Summary

Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min	Description
PROPERTY_Planar	Illuminance	Fc	0.65	7.1	0.0	N.A.	N.A.	READINGS @ GRADE
ENTRY DRIVE	Illuminance	Fc	2.18	3.7	0.5	4.36	7.40	READINGS @ GRADE
PARKING LOT	Illuminance	Fc	2.58	6.3	0.5	5.16	12.60	READINGS @ GRADE
STORAGE AREA	Illuminance	Fc	2.98	7.1	0.3	9.93	23.67	READINGS @ GRADE

PG-Enlighten is neither licensed nor insured to determine code compliance. Code compliance review by others.

Parking Lot Design Grade	Basic (for typical conditions)	Basic Enhanced Security (in consideration of perceived security lighting for pedestrian security or vandalism)	Security (security lighting for pedestrians)	High Security (security lighting for public locations)
	lux/fc	lux/fc	lux/fc	lux/fc
Minimum Maintained Illuminance (Measured on parking surface without any shadowing from any object)	2.0/0.2	5.0/0.5	10.0/1.0	20.0/2.0/0.60
Uniformity Ratio Maximum / to - Minimum	20:1	15:1	15:1	*4:1 *Avg:Min
Minimum Vertical Illuminance (for facial recognition measured at 5' above the parking surface at the point of lowest horizontal illuminance)	1.0/0.1	2.5/0.25	5.0/0.5/0.5/0.8	10.0/1.0/2.0

Recommendations based on IES RP-33-99, RP-20-98, 9th Edition IESNA Lighting Handbook

enlighten

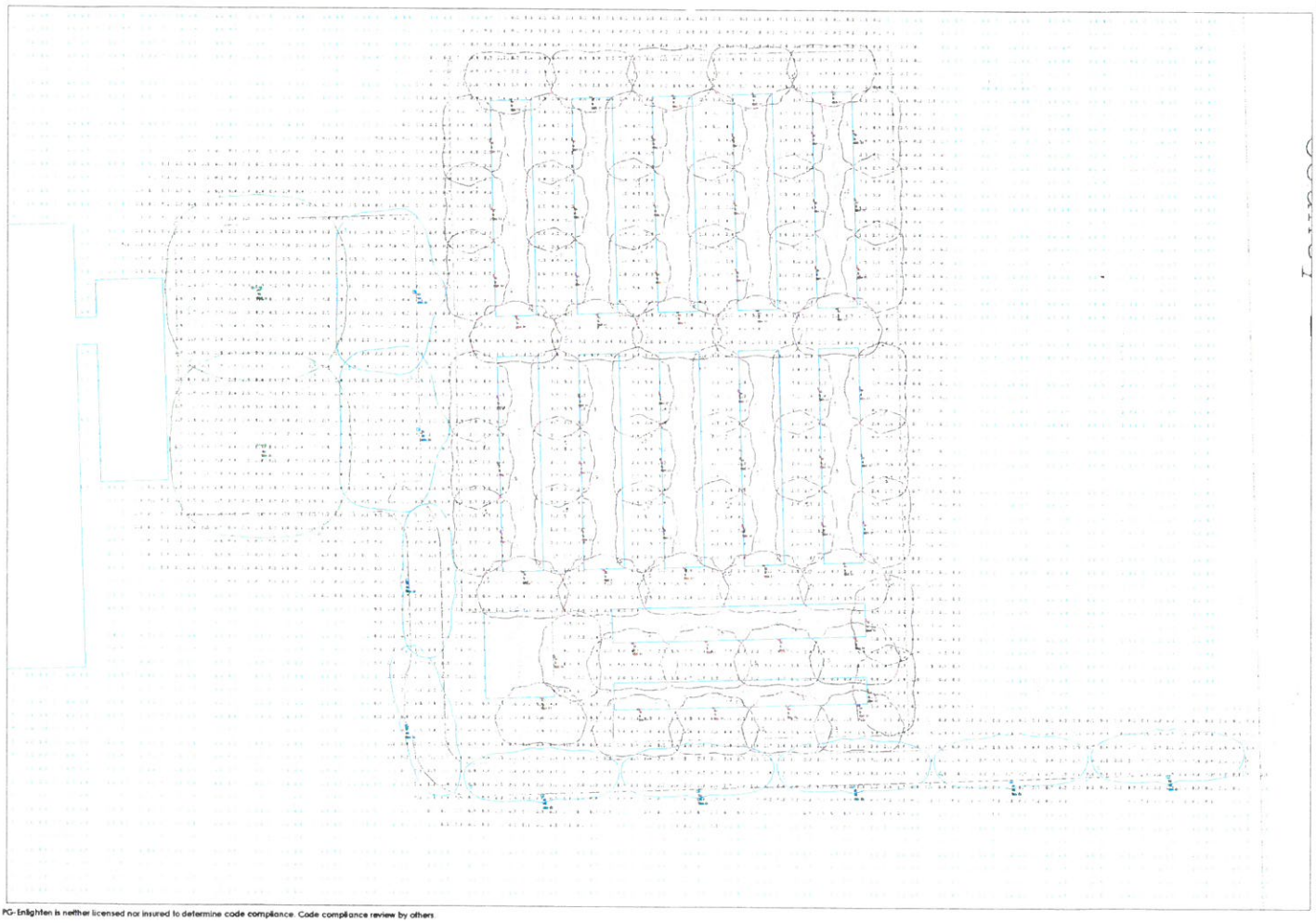
#	Date	Comments
Revisions		

Drawn By: Joel Collins
Drawn By: joel.collins@pg-enlighten.com
Date: 10/18/2019
Scale: Not to Scale

Project Name:
GO PRO BASEBALL SITE

Location:
KENDALL CO. IL

Page 1 of 3



PG- Enlighten is neither licensed nor insured to determine code compliance. Code compliance review by others.

Project Name:
GO PRO BASEBALL SITE
location:
KENDALL CO, IL

Drawn By: Josè Collins
Drawn By: jose.c@pgenlighten.com
Date: 10/18/2019
Scale: 1" = 30'

Revisions

#	Date	Comments

enlighten

Page 2 of 3

Luminaire Location Summary

LumNo	Tag (Qty)	Label	X	Y	Z	Orient	Tilt
1	B (1)	LNC3-24L4K-105-4	11024.476	11145.501	11	180	0
2	B (1)	LNC3-24L4K-105-4	11025.925	11095.501	11	180	0
3	B (1)	LNC3-24L4K-105-4	11027.455	11045.501	11	180	0
4	B (1)	LNC3-24L4K-105-4	11084.45	11147.27	11	180	0
5	B (1)	LNC3-24L4K-105-4	11085.899	11097.27	11	180	0
6	B (1)	LNC3-24L4K-105-4	11087.429	11047.27	11	180	0
7	B (1)	LNC3-24L4K-105-4	11144.424	11149.039	11	180	0
8	B (1)	LNC3-24L4K-105-4	11145.873	11099.039	11	180	0
9	B (1)	LNC3-24L4K-105-4	11147.403	11049.039	11	180	0
10	B (1)	LNC3-24L4K-105-4	11204.398	11150.808	11	180	0
11	B (1)	LNC3-24L4K-105-4	11205.847	11100.808	11	180	0
12	B (1)	LNC3-24L4K-105-4	11207.377	11050.808	11	180	0
13	B (1)	LNC3-24L4K-105-4	11264.372	11152.576	11	180	0
14	B (1)	LNC3-24L4K-105-4	11265.821	11102.576	11	180	0
15	B (1)	LNC3-24L4K-105-4	11267.351	11052.576	11	180	0
16	B (1)	LNC3-24L4K-105-4	11018.875	11335.418	11	180	0
17	B (1)	LNC3-24L4K-105-4	11020.324	11285.418	11	180	0
18	B (1)	LNC3-24L4K-105-4	11021.854	11235.418	11	180	0
19	B (1)	LNC3-24L4K-105-4	11078.849	11337.187	11	180	0
20	B (1)	LNC3-24L4K-105-4	11080.298	11287.187	11	180	0
21	B (1)	LNC3-24L4K-105-4	11081.828	11237.187	11	180	0
22	B (1)	LNC3-24L4K-105-4	11138.823	11338.956	11	180	0
23	B (1)	LNC3-24L4K-105-4	11140.272	11288.956	11	180	0
24	B (1)	LNC3-24L4K-105-4	11141.802	11238.956	11	180	0
25	B (1)	LNC3-24L4K-105-4	11198.796	11340.725	11	180	0
26	B (1)	LNC3-24L4K-105-4	11200.245	11290.725	11	180	0
27	B (1)	LNC3-24L4K-105-4	11201.775	11240.725	11	180	0
28	B (1)	LNC3-24L4K-105-4	11258.77	11342.494	11	180	0
29	B (1)	LNC3-24L4K-105-4	11260.219	11292.494	11	180	0
30	B (1)	LNC3-24L4K-105-4	11261.749	11242.494	11	180	0
31	B (1)	LNC3-24L4K-105-4	11259.637	11343.378	11	0	0
32	B (1)	LNC3-24L4K-105-4	11291.086	11293.378	11	0	0
33	B (1)	LNC3-24L4K-105-4	11292.616	11243.378	11	0	0
34	B (1)	LNC3-24L4K-105-4	11295.238	11153.461	11	0	0
35	B (1)	LNC3-24L4K-105-4	11296.687	11103.461	11	0	0
36	B (1)	LNC3-24L4K-105-4	11298.217	11053.461	11	0	0
37	B (1)	LNC3-24L4K-105-4	11043.76	11015.576	11	270	0
38	B (1)	LNC3-24L4K-105-4	11103.734	11017.345	11	270	0
39	B (1)	LNC3-24L4K-105-4	11163.708	11019.114	11	270	0
40	B (1)	LNC3-24L4K-105-4	11223.682	11020.883	11	270	0
41	B (1)	LNC3-24L4K-105-4	11283.656	11022.651	11	270	0
42	B (1)	LNC3-24L4K-105-4	11038.147	11205.278	11	270	0
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45	B (1)	LNC3-24L4K-105-4	11218.069	11210.585	11	270	0
46	B (1)	LNC3-24L4K-105-4	11278.043	11212.353	11	270	0
47	B (1)	LNC3-24L4K-105-4	11093.416	11367.997	11	90	0
48	B (1)	LNC3-24L4K-105-4	11213.364	11371.535	11	90	0
49	B (1)	LNC3-24L4K-105-4	11033.442	11366.228	11	90	0
50	B (1)	LNC3-24L4K-105-4	11153.39	11369.766	11	90	0
51	B (1)	LNC3-24L4K-105-4	11273.338	11373.304	11	90	0
52	B (1)	LNC3-24L4K-105-4	11067.082	10952.876	11	0	0
53	B (1)	LNC3-24L4K-105-4	11057.894	10921.806	11	270	0
54	B (1)	LNC3-24L4K-105-4	11125.312	10962.573	11	270	0
55	B (1)	LNC3-24L4K-105-4	11292.312	10967.73	11	270	0
56	B (1)	LNC3-24L4K-105-4	11235.312	10966.089	11	270	0
57	B (1)	LNC3-24L4K-105-4	11180.312	10964.209	11	270	0
58	B (1)	LNC3-24L4K-105-4	11129.926	10913.428	11	270	0
59	B (1)	LNC3-24L4K-105-4	11295.375	10917.54	11	270	0
60	B (1)	LNC3-24L4K-105-4	11241.375	10916.281	11	270	0
61	B (1)	LNC3-24L4K-105-4	11186.375	10914.898	11	270	0
62	A3 (1)	RAR-2-320L-110-4K7-3-BC	11525.502	10864.268	20	92.022	0
63	A3 (1)	RAR-2-320L-110-4K7-3-BC	11408.564	10860.737	20	92.022	0
64	A3 (1)	RAR-2-320L-110-4K7-3-BC	11291.627	10855.967	20	92.022	0
65	A3 (1)	RAR-2-320L-110-4K7-3-BC	11174.689	10851.935	20	92.022	0
66	A3 (1)	RAR-2-320L-110-4K7-3-BC	11058.751	10848.03	20	92.022	0
67	A3 (1)	RAR-2-320L-110-4K7-3-BC	10957.141	10899.961	20	15	0
68	A3 (1)	RAR-2-320L-110-4K7-3-BC	10957.163	11008.424	20	0	0
69	A1 (1)	RAR2-320L-165-4K7-4W	10965.072	11223.198	20	180	0
70	A1 (1)	RAR2-320L-165-4K7-4W	10968.088	11121.065	20	180	0
71	A2 (2)	RAR2-320L-165-4K7-5QW	10848.398	11106.648	20	0	0
72	A2 (2)	RAR2-320L-165-4K7-5QW	10844.949	11225.597	20	0	0
73	B (1)	LNC3-24L4K-105-4	11300.453	10981.014	11	0	0
74	B (1)	LNC3-24L4K-105-4	11302.037	10928.536	11	0	0

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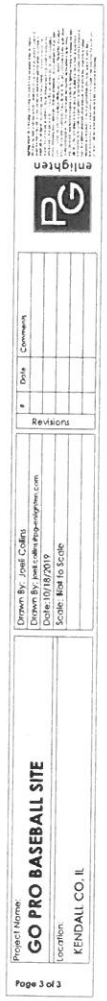
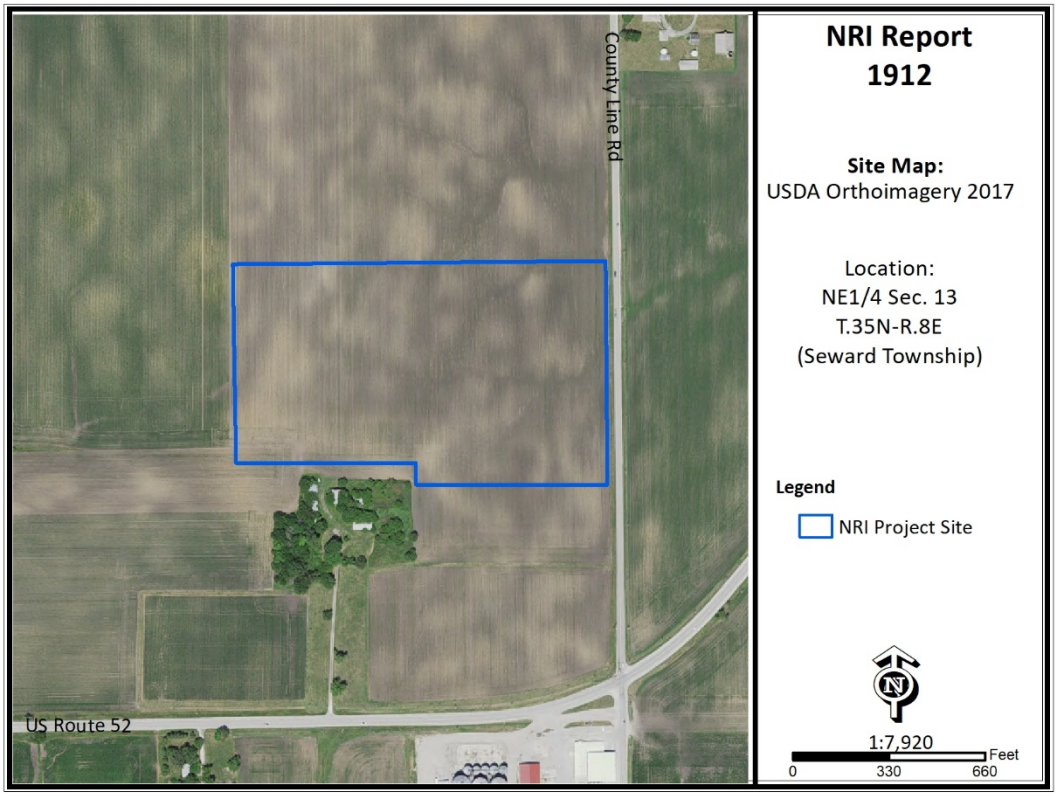


NATURAL RESOURCE INFORMATION (NRI) REPORT: 1912



November 2019

Petitioner: Goproball, LLC
Contact: Daniel J. Kramer, Attorney

Prepared by:

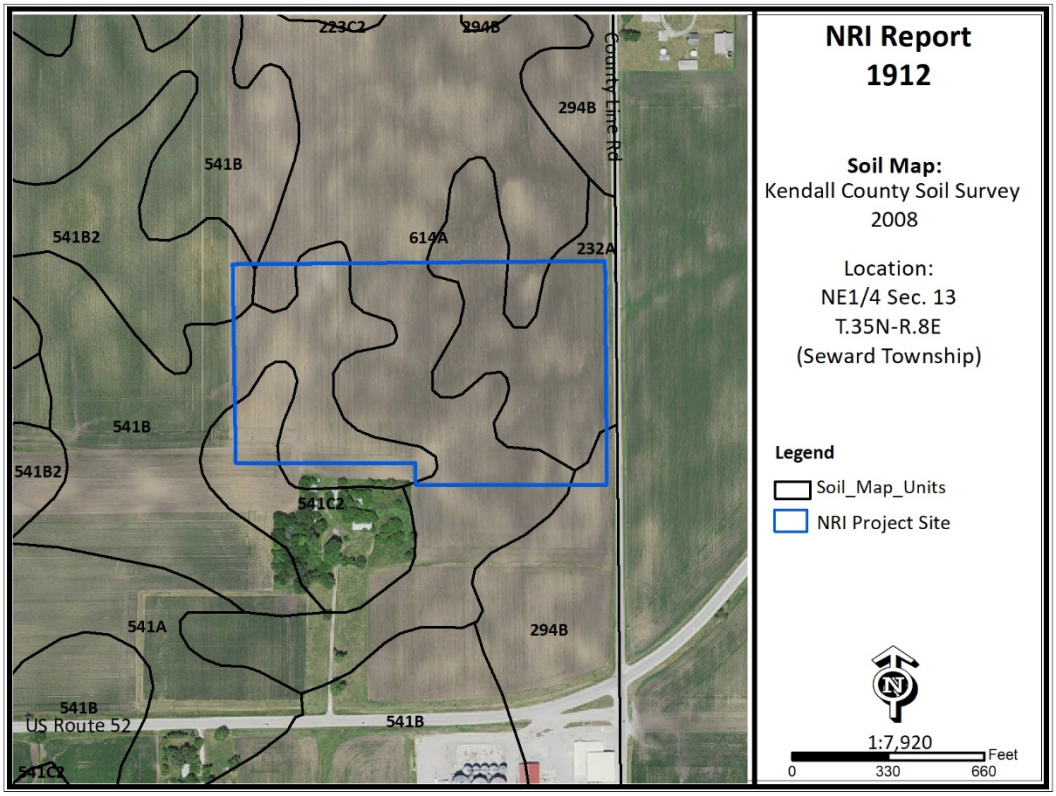
Kendall County Soil & Water Conservation District
7775A Route 47 • Yorkville, Illinois 60560
Phone: (630)553-5821 x3 • Fax: (630)553-7442
www.kendallswcd.org

1912 **Executive Summary** **November 2019**

Petitioner: Goproball, LLC
Contact Person: Attorney Daniel J. Kramer
County or Municipality the petition is filled with: Kendall County
Location of Parcel: NE¼ Section 13, T.35N.-R.8E. (Seward Township) of the 3rd Principal Meridian
Project or Subdivision Name: Goproball
Existing Zoning & Land Use: A-1; Agricultural
Proposed Zoning & Land Use: A-1 Special Use, B-3, B-4; Commercial Recreation, Highway Business District
Proposed Water Source: Well
Proposed Type of Sewage Disposal System: Septic
Proposed Type of Storm Water Management: On-Site Detention
Size of Site: 18.75 acres
Land Evaluation Score: 217 (Land Evaluation: 89; Site Assessment:128)

Natural Resource Findings

Soil Map:



SOIL INFORMATION:
Based on information from the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) 2008 Kendall County Soil Survey, this parcel is shown to contain the following soil types (please note this does not replace the need for or results of onsite soil testing; if completed, please refer to onsite soil test results for planning/engineering purposes):

Table 1:

Map Unit	Soil Name	Drainage Class	Hydrologic Group	Hydric Designation	Farmland Designation
232A	Ashkum silty clay loam, 0-2% slopes	Poorly Drained	C/D	Hydric	Prime Farmland (if drained)
294B	Symerton silt loam, 2-5% slopes	Moderately Well Drained	C	Non-hydric	Prime Farmland
541B	Graymont silt loam, 2-5% slopes	Moderately Well Drained	C	Non-hydric	Prime Farmland
541C2	Graymont silt loam, 5-10% slopes, eroded	Moderately Well Drained	C	Non-hydric	Farmland of Statewide Importance
614A	Chenoa silty clay loam, 0-2% slopes	Somewhat Poorly Drained	C/D	Hydric Inclusions Likely	Prime Farmland

Hydrologic Soil Groups: Soils have been classified into four (A, B, C, D) hydrologic groups based on runoff characteristics due to rainfall. If a soil is assigned to a dual hydrologic group (A/D, B/D or C/D), the first letter is for drained areas and the second letter is for undrained areas.

- ✓ **Hydrologic group A:** Soils have a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.
- ✓ **Hydrologic group B:** Soils have a moderate infiltration rate when thoroughly wet, consist chiefly of moderately deep to deep, moderately well drained to well drained soils that have a moderately fine to moderately coarse texture. These soils have a moderate rate of water transmission.
- ✓ **Hydrologic group C:** Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.
- ✓ **Hydrologic group D:** Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

Hydric Soils: A hydric soil is one that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile that supports the growth or regeneration of hydrophytic vegetation. Soils with hydric inclusions have map units dominantly made up of non-hydric soils that may have inclusions of hydric soils in the lower positions on the landscape. Of the soils found onsite, 232A Ashkum silty clay loam is classified as being a hydric soil and 614A Chenoa silty clay loam is noted as having the potential for hydric inclusions.

Prime Farmland: Prime farmland is land that has the best combination of physical and chemical characteristics for agricultural production. Prime farmland soils are an important resource to Kendall County and some of the most productive soils in the United States occur locally. Of the soils found onsite, all, expect for 614A Chenoa silty clay loam which is designated of being of statewide importance, are designated as prime farmland.

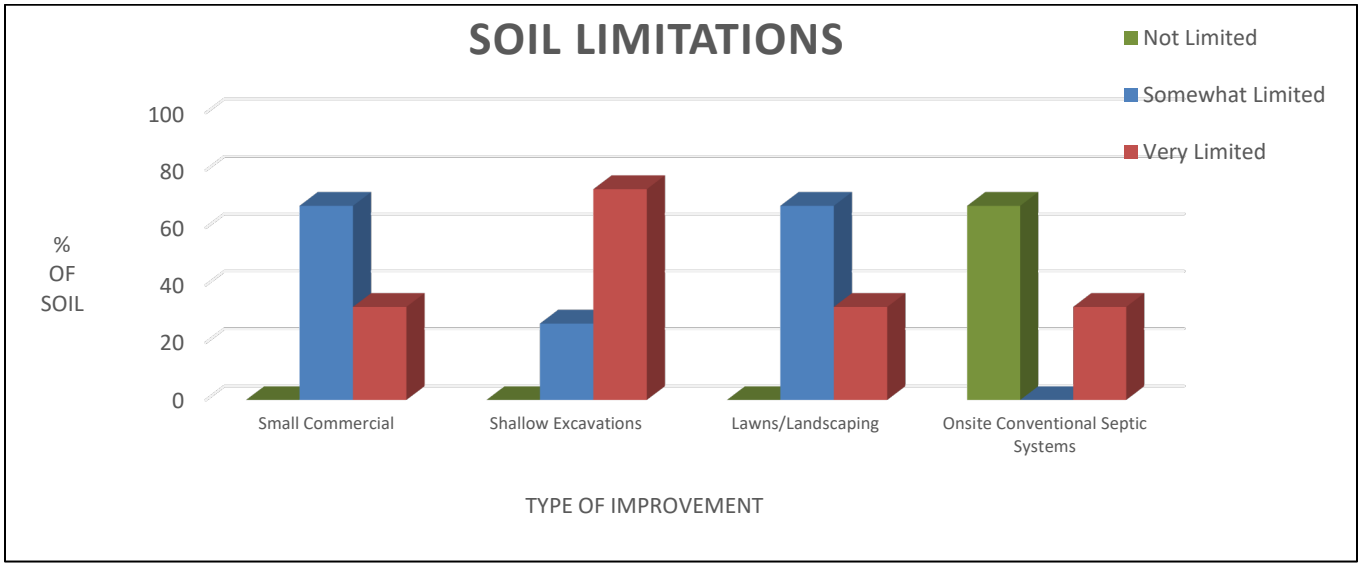
Soil Limitations: Limitations for dwellings without basements, dwellings with basements, small commercial building, shallow excavations, lawns/landscaping and local roads/streets.

Table 2a:

Soil Type	Dwellings Without Basements	Dwellings With Basements	Small Commercial Building
232A	Very Limited	Very Limited	Very Limited
294B	Somewhat Limited	Somewhat Limited	Somewhat Limited
541B	Somewhat Limited	Somewhat Limited	Somewhat Limited
541C2	Somewhat Limited	Very Limited	Somewhat Limited
614A	Somewhat Limited	Very Limited	Somewhat Limited

Table 2b:

Soil Type	Shallow Excavations	Lawns/Landscaping	Onsite Conventional Septic Systems
232A	Very Limited	Very Limited	Unsuitable: wet
294B	Somewhat Limited	Somewhat Limited	Suitable
541B	Somewhat Limited	Somewhat Limited	Suitable
541C2	Somewhat Limited	Somewhat Limited	Suitable
614A	Very Limited	Somewhat Limited	Suitable



Kendall County Land Evaluation and Site Assessment (LESA):

Decision-makers in Kendall County use the Land Evaluation and Site Assessment (LESA) system to determine the suitability of a land use change and/or a zoning request as it relates to agricultural land. The LESA system was developed by the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) and takes into consideration local conditions such as physical characteristics of the land, compatibility of surrounding land-uses, and urban growth factors. The LESA system is a two-step procedure that includes:

- **LAND EVALUATION (LE)** – The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland or forestland. The best group is assigned a value of 100 and all other groups are assigned lower values. The Land Evaluation is based on data from the Kendall County Soil Survey. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.
  - ✓ The Land Evaluation score for this site is 89, indicating that this site is **currently well suited** for agricultural uses.
- **SITE ASSESSMENT (SA)** – The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The Kendall County LESA Committee is responsible for this portion of the LESA system.
  - ✓ The Site Assessment score for this site is 128.

  The **LESA Score for this site is 217 which indicates a low level of protection** for the proposed project site. Note: Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

Wetlands: The U.S. Fish & Wildlife Service's National Wetland Inventory map **does not indicate** the presence of a wetland(s) on the proposed project site. To determine if a wetland is present, a wetland delineation specialist, who is recognized by the U.S. Army Corps of Engineers, should determine the exact boundaries and value of the wetlands.

Floodplain: The parcel is not located within the floodplain.

Sediment and Erosion Control: Development on this site should include an erosion and sediment control plan in accordance with local, state and federal regulations. Soil erosion on construction sites is a resource concern because suspended sediment from areas undergoing development is a primary nonpoint source of water pollution. Please consult the *Illinois Urban Manual* (http://www.aiswcd.org/illinois-urban-manual/) for appropriate best management practices.

LAND USE FINDINGS:

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed development plans for Petitioner Goproball, LLC for the proposed Goproball project (change in zoning request from A-1 to A-1 Special Use, B-3, B-4) located in Section 13 of Seward Township (T.35N-R.8E) of the 3rd Principal Meridian) in Kendall County. Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board presents the following information.

The Kendall County SWCD has always had the opinion that Prime Farmland should be preserved whenever feasible. A land evaluation, which is a part of the Land Evaluation and Site Assessment (LESA) was conducted on this parcel. The soils on this parcel scored a 90 out of a possible 100 points indicating the soils are well suited for agricultural uses. The total LESA Score for this site is 217 which indicates a medium level of protection for the proposed project site. Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County. Additionally, of the soils found onsite, 98.9% are classified as prime farmland.

Soils found on the project site are rated for specific uses and can have potential limitations for development. Soil types with severe limitations do not preclude the ability to develop the site for the proposed use but it is important to note the limitation that may require soil reclamation, special design/engineering, or maintenance to obtain suitable soil conditions to support development with significant limitations. This report indicates that for soils located on the parcel, 100% are very limited for local roads/streets, 73.4% are very limited for dwellings with basements and shallow excavations, 32.4% are very limited for dwellings without basements, small commercial buildings and lawns/landscaping. Additionally, 32.4% are unsuitable for conventional septic systems. If the scope of the project may include the use of onsite septic systems, please consult with the Kendall County Health Department. This information is based on the soil in an undisturbed state.

This site is located within both the Illinois River Watershed Des Plaines Watershed.

This development should include a soil erosion and sediment control plan to be implemented during construction. Sediment may become a primary non-point source of pollution; eroded soils during the construction phase can create unsafe conditions on roadways, degrade water quality and destroy aquatic ecosystems lower in the watershed.

For intense use it is recommended that the drainage tile survey completed on the parcel to locate the subsurface drainage tile be taken into consideration during the land use planning process. Drainage tile expedites drainage and facilitates farming. It is imperative that these drainage tiles remain undisturbed. Impaired tile may affect a few acres or hundreds of acres of drainage.

The information that is included in this Natural Resources Information Report is to assure the Land Developers take into full consideration the limitations of that land that they wish to develop. Guidelines and recommendations are also a part of this report and should be considered in the planning process. The Natural Resource Information Report is required by the Illinois Soil and Water Conservation District Act (Ill. Complied Statues, Ch. 70, Par 405/22.02a).

[redacted]
SWCD Chairman or Designee

11/04/19
Date

KENDALL CO SOIL AND WATER CONSERVATION DISTRICT NATURAL RESOURCE INFORMATION REPORT (NRI)

NRI Report Number	1912
Date District Board Reviews Application	November 2019
Applicant's Name	Groproball, LLC
Size of Parcel	18.8 acres
Current Zoning & Use	A-1; Cropland
Proposed Zoning & Use	A-1 Special Use, B-4 and B-3; Commerical
Parcel Index Number(s)	09-13-200-002 (portion of)
Contact Person	Daniel J. Kramer, Attorney

Copies of this report or notification of the proposed land-use change were provided to:	***Yes***	***No***
The Applicant	X	
The Applicant's Legal Representation	X	
The Local/Township Planning Commission	X	
The Village/City/**County** Planning and Zoning Department or Appropriate Agency	X	
The Kendall County Soil and Water Conservation District Files	X	

Report Prepared By: *Megan Andrews* Position: *Resource Conservationist*

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PURPOSE AND INTENT

The purpose of this report is to inform officials of the local governing body and other decision-makers with natural resource information. This information may be useful when undertaking land use decisions concerning variations, amendments or relief of local zoning ordinances, proposed subdivision of vacant or agricultural lands and the subsequent development of these lands. This report is a requirement under Section 22.02a of the Illinois Soil and Water Conservation Districts Act.

The intent of this report is to present the most current natural resource information available in a readily understandable manner. It contains a description of the present site conditions, the present resources, and the potential impacts that the proposed change may have on the site and its resources. The natural resource information was gathered from standardized data, on-site investigations and information furnished by the petitioner. This report must be read in its entirety so that the relationship between the natural resource factors and the proposed land use change can be fully understood.

Due to the limitations of scale encountered with the various resource maps, the property boundaries depicted in the various exhibits in this report provide a generalized representation of the property location and may not precisely reflect the legal description of the PIQ (Parcel in Question).

This report, when used properly, will provide the basis for proper land use change decisions and development while protecting the natural resource base of the county. It should not be used in place of detailed environmental and/or engineering studies that are warranted under most circumstances, but in conjunction with those studies.

The conclusions of this report in no way indicate that a certain land use is not possible, but it should alert the reader to possible problems that may occur if the capabilities of the land are ignored. Any questions on the technical data supplied in this report or if anyone feels that they would like to see more additional specific information to make the report more effective, please contact:

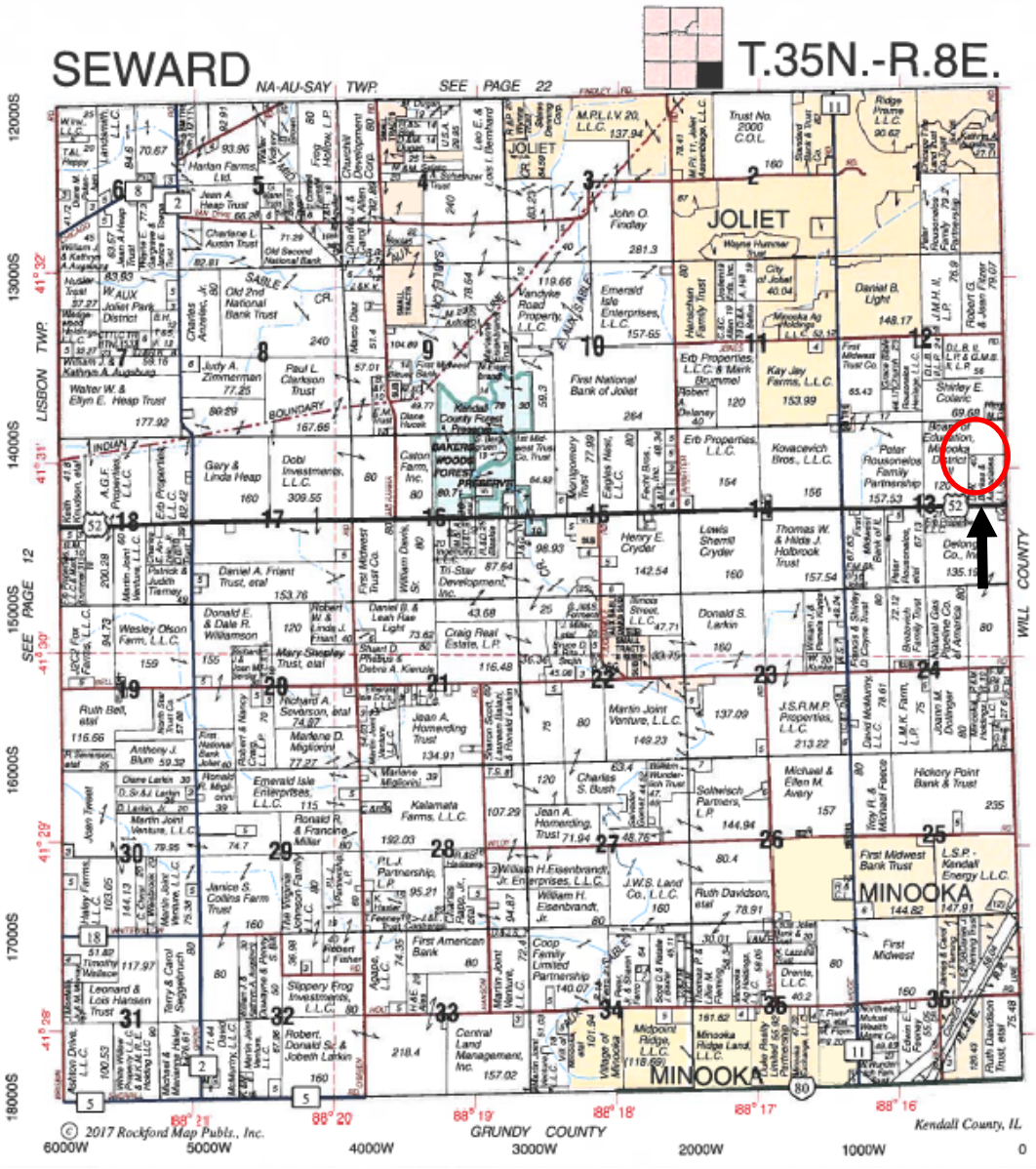
Kendall County Soil and Water Conservation District
7775A Route 47, Yorkville, IL 60560
Phone: (630) 553-5821 ext. 3
FAX: (630) 553-7442
E-mail: Megan.Andrews@il.nacdnet.net

PARCEL LOCATION

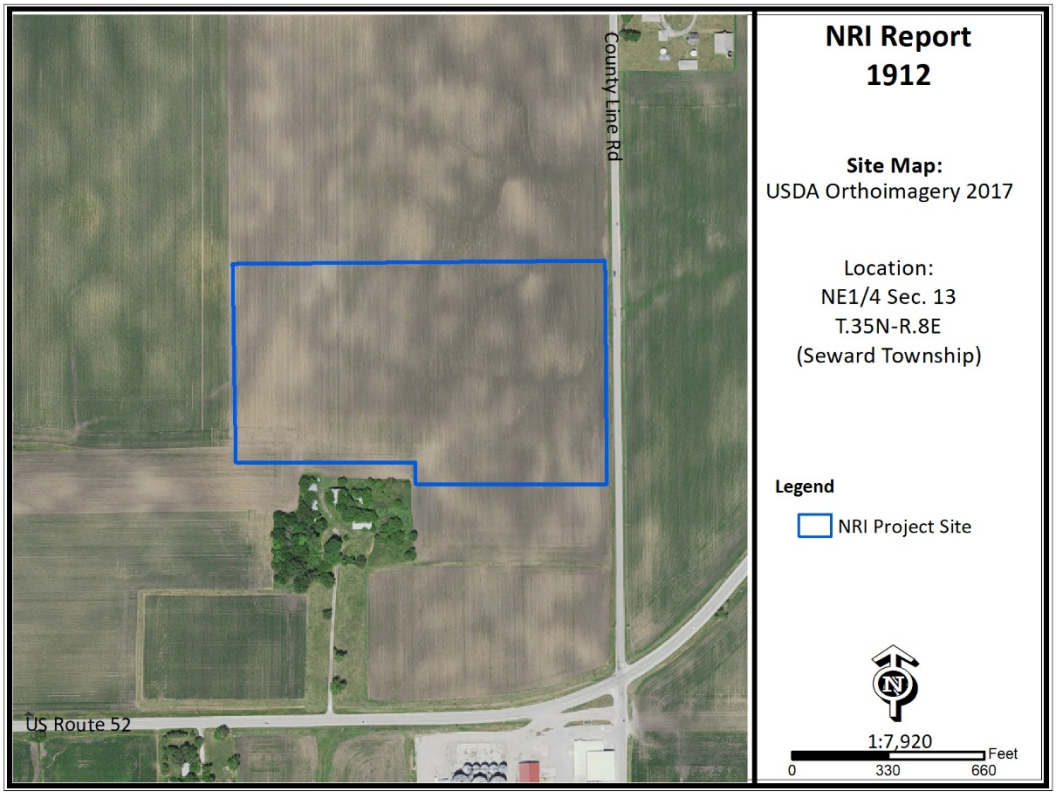
Location Map for Natural Resources Information Report # 1912

NE¼ Section 13 of Township 35 North, Range 8 East (Seward Township) on 18.8 acres. This parcel is located on the north side of Route 52 and northeast of the intersection of Route 52 and Ridge Road. The parcel is currently located in unincorporated Kendall County.

Figure 1: 2017 Plat Map and 2017 Aerial Map with NRI Site Boundary



2017 Land Atlas and Plat Book Kendall County, Illinois



ARCHAEOLOGIC/CUTURAL RESOURCES

Simply stated, cultural resources are all the past activities and accomplishments of people. They include the following: buildings; objects made or used by people; locations; and less tangible resources, such as stories, dance forms, and holiday traditions. The Soil and Water Conservation District most often encounters cultural resources as historical properties. These may be prehistoric or historical sites, buildings, structures, features, or objects. The most common type of historical property that the Soil and Water Conservation District may encounter is non-structural archaeological sites. These sites often extend below the soil surface, and must be protected against disruption by development or other earth moving activity if possible. Cultural resources are *non-renewable* because there is no way to "grow" a site to replace a disrupted site.

Landowners with historical properties on their land have ownership of that historical property. However, the State of Illinois owns all of the following: human remains, grave markers, burial mounds, and artifacts associated with graves and human remains.

Non-grave artifacts from archaeological sites and historical buildings are the property of the landowner. The landowner may choose to disturb a historical property, but may not receive federal or state assistance to do so. If an earth moving activity disturbs human remains, the landowner must contact the county coroner within 48 hours.

The Illinois Historic Preservation Agency has not been notified of the proposed land use change by the Kendall County SWCD. The applicant may need to contact the IHPA according to current Illinois law.

ECOLOGICALLY SENSITIVE AREAS

What is Biological Diversity and Why Should it be Conserved?[1]

Biological diversity, or biodiversity, is the range of life on our planet. A more thorough definition is presented by botanist Peter H. Raven: "At the simplest level, biodiversity is the sum total of all the plants, animals, fungi and microorganisms in the world, or in a particular area; all of their individual variation; and all of the interactions between them. It is the set of living organisms that make up the fabric of the planet Earth and allow it to function as it does, by capturing energy from the sun and using it to drive all of life's processes; by forming communities of organisms that have, through the several billion years of life's history on Earth, altered the nature of the atmosphere, the soil and the water of our Planet; and by making possible the sustainability of our planet through their life activities now." (Raven 1994)

It is not known how many species occur on our planet. Presently, about 1.4 million species have been named. It has been estimated that there are perhaps 9 million more that have not been identified. What is known is that they are vanishing at an unprecedented rate. Reliable estimates show extinction occurring at a rate several orders of magnitude above "background" in some ecological systems. (Wilson 1992, Hoose 1981)

The reasons for protecting biological diversity are complex, but they fall into four major categories.

First, loss of diversity generally weakens entire natural systems. Healthy ecosystems tend to have many natural checks and balances. Every species plays a role in maintaining this system. When simplified by the loss of diversity, the system becomes more susceptible to natural and artificial perturbations. The chances of a system-wide collapse increase. In parts of the midwestem United States, for example, it was only the remnant areas of natural prairies that kept soil intact during the dust bowl years of the 1930s. (Roush 1982)

Simplified ecosystems are almost always expensive to maintain. For example, when synthetic chemicals are relied upon to control pests, the target species are not the only ones affected. Their predators are almost always killed or driven away, exasperating the pest problem. In the meantime, people are unintentionally breeding pesticide-resistant pests. A process has begun where people become perpetual guardians of the affected area, which requires the expenditure of financial resources and human ingenuity to keep the system going.

A second reason for protecting biological diversity is that it represents one of our greatest untapped resources. Great benefits can be reaped from a single species. About 20 species provide 90% of the world's food. Of these 20, just three, wheat, maize and rice-supply over one half of that food. American wheat farmers need new varieties every five to 15 years to compete with pests and diseases. Wild strains of wheat are critical genetic reservoirs for these new varieties.

Further, every species is a potential source of human medicine. In 1980, a published report identified the market value of prescription drugs from higher plants at over $3 billion. Organic alkaloids, a class of chemical compounds used in medicines, are found in an estimated 20% of plant species. Yet only 2% of plant species have been screened for these compounds. (Hoose 1981)

The third reason for protecting diversity is that humans benefit from natural areas and depend on healthy ecosystems. The natural world supplies our air, our water, our food and supports human economic activity. Further, humans are creatures that evolved in a diverse natural environment between forest and

[1]Taken from *The Conservation of Biological Diversity in the Great Lakes Ecosystem: Issues and Opportunities*, prepared by the Nature Conservancy Great Lakes Program 79W. Monroe Street, Suite 1309, Chicago, IL 60603, January 1994

grasslands. People need to be reassured that such places remain. When people speak of "going to the country," they generally mean more than getting out of town. For reasons of their own sanity and well being, they need a holistic, organic experience. Prolonged exposure to urban monotony produces neuroses, for which cultural and natural diversity cure.

Historically, the lack of attention to biological diversity, and the ecological processes it supports, has resulted in economic hardships for segments of the basin's human population.

The final reason for protecting biological diversity is that species and natural systems are intrinsically valuable. The above reasons have focused on the benefits of the natural world to humans. All things possess intrinsic value simply because they exist.

Biological Resources Concerning the Subject Parcel

As part of the Natural Resources Information Report, staff checks office maps to determine if any nature preserves are in the general vicinity of the parcel in question. If there is a nature preserve in the area, then that resource will be identified as part of the report. The SWCD recommends that every effort be made to protect that resource. Such efforts should include, but are not limited to erosion control, sediment control, stormwater management, and groundwater monitoring.

Office maps indicate that ecologically sensitive area(s) are not located near the parcel in question (PIQ).

SOILS INFORMATION

Importance of Soils Information

Soils information comes from the Natural Resources Conservation Service Soil Maps and Descriptions for Kendall County. This information is important to all parties involved in determining the suitability of the proposed land use change.

Each soil polygon is given a number, which represents its soil type. The letter found after the soil type number indicates the soils slope class.

Each soil map unit has limitations for a variety of land uses such as septic systems, buildings with basements, and buildings without basements. It is important to remember that soils do not function independently of each other. The behavior of a soil depends upon the physical properties of adjacent soil types, the presence of artificial drainage, soil compaction, and its position in the local landscape.

The limitation categories (slight, moderate or severe) indicate the potential for difficulty in using that soil unit for the proposed activity and, thus, the degree of need for thorough soil borings and engineering studies. A limitation does not necessarily mean that the proposed activity cannot be done on that soil type. It does mean that the reasons for the limitation need to be thoroughly understood and dealt with in order to complete the proposed activity successfully. A severe limitation indicates that the proposed activity will be more difficult and costly to do on that soil type than on a soil type with a moderate or slight rating.

Soil survey interpretations are predictions of soil behavior for specified land uses and specified management practices. They are based on the soil properties that directly influence the specified use of the soil. Soil survey interpretations allow users of soil surveys to plan reasonable alternatives for the use and management of soils.

Soil interpretations do not eliminate the need for on-site study and testing of specific sites for the design and construction for specific uses. They can be used as a guide for planning more detailed investigations and for avoiding undesirable sites for an intended use. The scale of the maps and the range of error limit the use of the soil delineation.

Figure 2: Soil Map

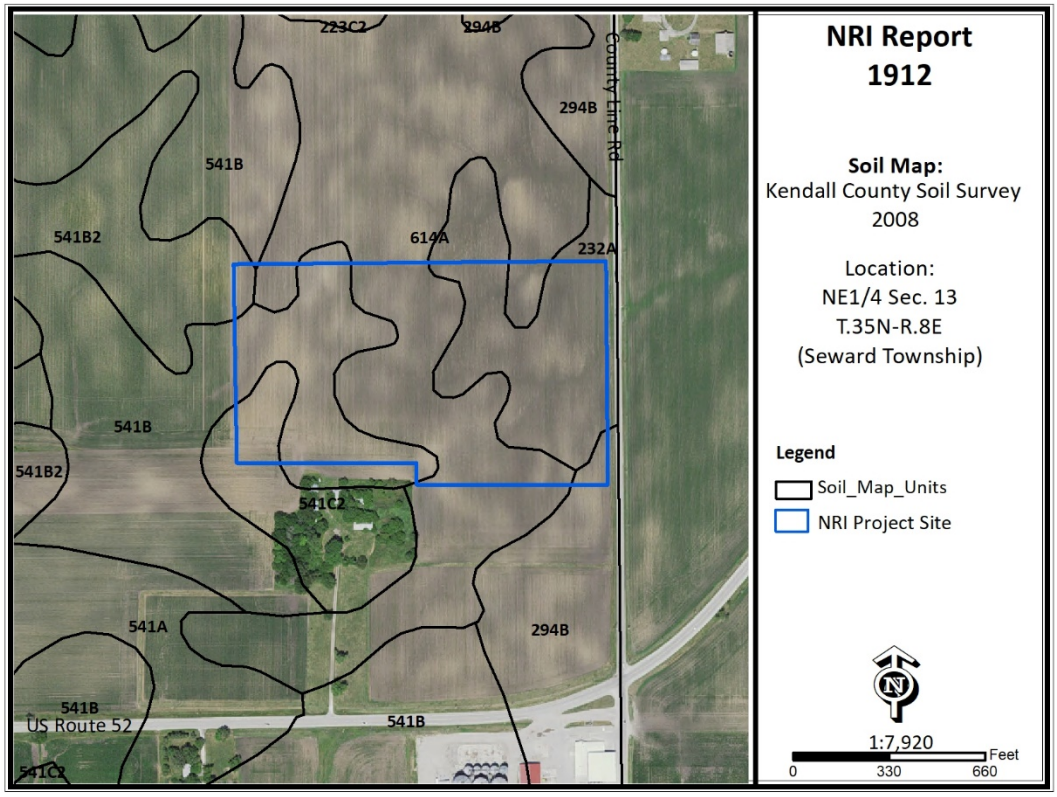


Table 1: Soil Map Unit Descriptions

Symbol	Descriptions	Acres	Percent
232A	Ashkum silty clay loam, 0-2% slopes	6.1	32.4%
294B	Symerton silt loam, 2-5% slopes	0.6	3.2%
541B	Graymont silt loam, 2-5% slopes	4.4	23.4%
541C2	Graymont silt loam, 5-10% slopes, eroded	0.2	1.1%
614A	Chenoa silty clay loam, 0-2% slopes	7.5	39.9%

*SOURCE: National Cooperative Soil Survey – USDA-NRCS

SOIL INTERPRETATIONS EXPLANATION

Nonagricultural

General

These interpretative ratings help engineers, planners, and others to understand how soil properties influence behavior when used for nonagricultural uses such as building site development or construction materials. This report gives ratings for proposed uses in terms of limitations and restrictive features. The tables list only the most restrictive features.

Other features may need treatment to overcome soil limitations for a specific purpose.

Ratings come from the soil's "natural" state, that is, no unusual modification occurs other than that which is considered normal practice for the rated use. Even though soils may have limitations, an engineer may alter soil features or adjust building plans for a structure to compensate for most degrees of limitations. Most of these practices, however, are costly. The final decision in selecting a site for a particular use generally involves weighing the costs for site preparation and maintenance. Soil properties influence development of building sites, including the selection of the site, the design of the structure, construction, performance after construction, and maintenance. Soil limitation ratings of slight, moderate, and severe are given for the types of proposed improvements that are listed or inferred by the petitioner as entered on the report application and/or zoning petition. The most common types of building limitation that this report gives limitations ratings for is: septic systems. It is understood that engineering practices can overcome most limitations for buildings with and without basements, and small commercial buildings. Limitation ratings for these types of buildings are not commonly provided. Organic soils, when present on the parcel, are referenced in the hydric soils section of the report. This type of soil is considered to be unsuitable for all types of construction.

Limitations Ratings

1. ***Not Limited*** - This soil has favorable properties for the use. The degree of limitation is minor. The people involved can expect good performance and low maintenance.
2. ***Somewhat Limited*** - This soil has moderately favorable properties for the use. Special planning, design, or maintenance can overcome this degree of limitation. During some part of the year, the expected performance is less desirable than for soils rated slight.
3. ***Very Limited*** - This soil has one or more properties that are unfavorable for the rated use. These may include the following: steep slopes, bedrock near the surface, flooding, high shrink-swell potential, a seasonal high water table, or low strength. This degree of limitation generally requires major soil reclamation, special design, or intensive maintenance, which in most situations is difficult and costly.

BUILDING LIMITATIONS

Building on Poorly Suited or Unsuitable Soils: Can present problems to future property owners such as cracked foundations, wet basements, lowered structural integrity and high maintenance costs associated with these problems. The staff of the Kendall County SWCD strongly urges scrutiny by the plat reviewers when granting parcels with these soils exclusively.

Dwellings without Basements - Ratings are for undisturbed soil for a houses of three stories or less of less than 3 stories without a basement. The foundation is assumed to be spread footings of reinforced concrete at a depth of 2 feet or the depth of maximum frost penetration, whichever is deeper. The ratings for dwellings are based on soil properties that affect the capacity of the soil to support a load without

movement and on the properties that affect excavation and construction costs.

Dwellings with Basements - Ratings are for undisturbed soil for a building structure of less than 3 stories with a basement. The foundation is assumed to be spread footings of reinforced concrete built on undisturbed soil at a depth of about 7 feet. The ratings for dwellings are based on soil properties that affect the capacity of the soil to support a load without movement and on the properties that affect excavation and construction costs.

Small Commercial Building - Ratings are for structures that are less than three stories high and do not have basements. The foundation is is assumed to be spread footings of reinforced concrete built on disturbed soil at a depth of 2 feet or at the depth of maximum frost penetration, whichever is deeper. The ratings are based on soil properties that affect the capacity of the soil to support a load without movement and on the properties that affect excavation and construction costs.

Shallow Excavations - Trenches or holes dug to a maximum depth of 5 or 6 feet for utility lines, open ditches or other purposes. Ratings are based on soil properties that influence the ease of digging and the resistance to sloughing.

Lawns and Landscaping - Require soils on which turf and ornamental trees and shrubs can be established and maintained (irrigation is not considered in the ratings). The ratings are based on the soil properties that affect plant growth and trafficability after vegetation is established.

Local Roads & Streets – have an all-weather surface and carry automobile and light truck traffic all year. The ratings are based on the soil properties that affect the ease of excavation and grading and the traffic-supporting capacity.

Onsite Sewage Disposal – The factors considered are the characteristics and qualities of the soil that affect the limitations for absorbing waste from domestic sewage disposal systems. The major features considered are soil permeability, percolation rate, groundwater level, depth to bedrock, flooding hazards, and slope. The table below indicates soils that are deemed unsuitable per the Kendall County Subdivision Control Ordinance. Installation of an on-site sewage disposal system in soils designated as unsuitable may necessitate the installation of a non-conventional onsite sewage disposal system. For more information please contact the Kendall County Health Department – Environmental Health at (630)553-9100 x8026

Table 2a: Building Limitations

Soil Type	Dwellings Without Basements	Dwellings With Basements	Small Commercial Building	Acres	%
232A	**Very Limited:** Ponding; Depth to saturated zone; Shrink-swell	**Very Limited:** Ponding; Depth to saturated zone; Shrink-swell	**Very Limited**: Ponding; Depth to saturated zone; Shrink-swell	6.1	32.4%
294B	**Somewhat Limited:** Shrink-swell	**Somewhat Limited:** Depth to saturated zone	**Somewhat Limited:** Shrink-swell	0.6	3.2%
541B	**Somewhat Limited:** Shrink-swell	**Somewhat Limited:** Depth to saturated zone; Shrink-swell	**Somewhat Limited:** Shrink-swell	4.4	23.4%
541C2	**Somewhat Limited:** Shrink-swell	**Very Limited:** Depth to saturated zone; Shrink-swell	**Somewhat Limited:** Slope; Shrink-swell	0.2	1.1%
614A	**Somewhat Limited:** Depth to saturated zone; Shrink-swell	**Very Limited:** Depth to saturated zone	**Somewhat Limited:** Depth to saturated zone; Shrink-swell	7.5	39.9%
% Very Limited	**32.4%**	**73.4%**	**32.4%**		

Table 2b: Building Limitations

Soil Type	Shallow Excavations	Lawns & Landscaping	Onsite Conventional Septic Systems	Acres	%
232A	**Very Limited**: Ponding; Depth to saturated zone; Dusty; Unstable Excavation Walls; Too clayey	**Very Limited:** Ponding; Depth to saturated zone; Dusty	**Unsuitable: Wet**	6.1	32.4%
294B	**Somewhat Limited:** Depth to saturated zone; Dusty; Unstable excavation walls	**Somewhat Limited:** Dusty	**Suitable**	0.6	3.2%
541B	**Somewhat Limited:** Depth to saturated zone; Dusty; Unstable excavation walls	**Somewhat Limited:** Dusty	**Suitable**	4.4	23.4%
541C2	**Somewhat Limited:** Depth to saturated zone; Dusty; Unstable excavation walls	**Somewhat Limited:** Dusty	**Suitable**	0.2	1.1%
614A	**Very Limited:** Depth to saturated zone; Dusty; Unstable excavation walls	**Somewhat Limited:** Dusty	**Suitable**	7.5	39.9%
% Very Limited	**73.4%**	**32.4%**	**32.4%**		

Figure 3a: Map of Building Limitations – Small Commercial Building

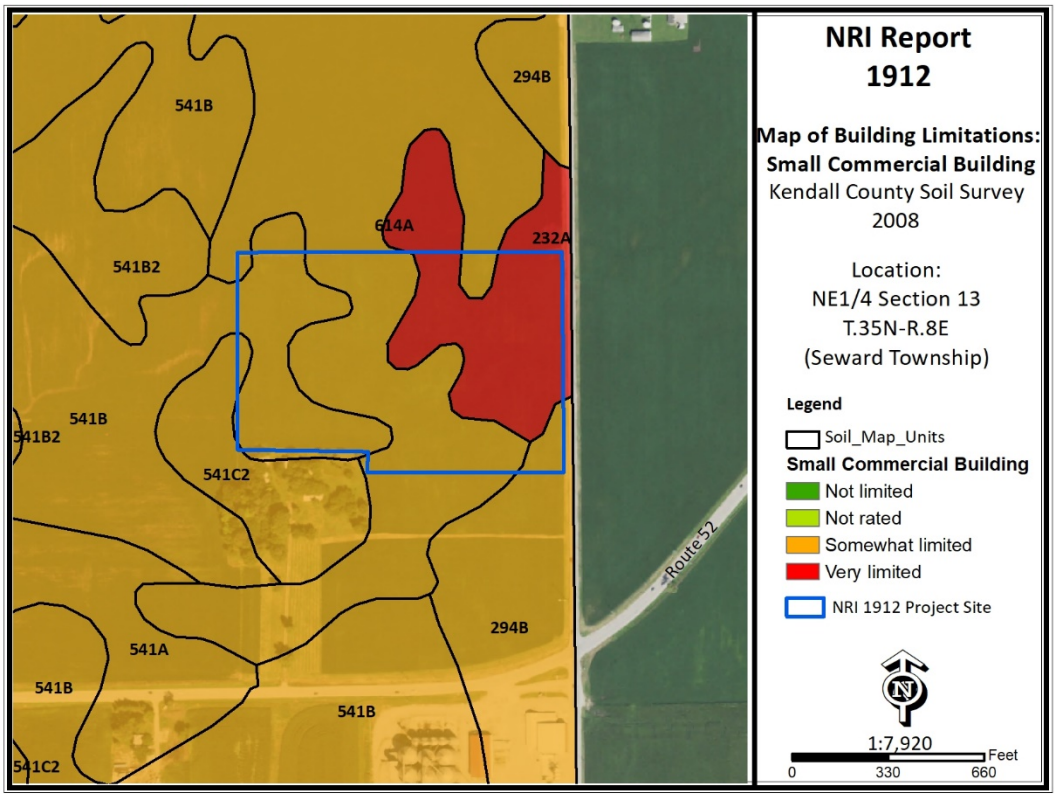


Figure 3b: Map of Building Limitations – Shallow Excavations

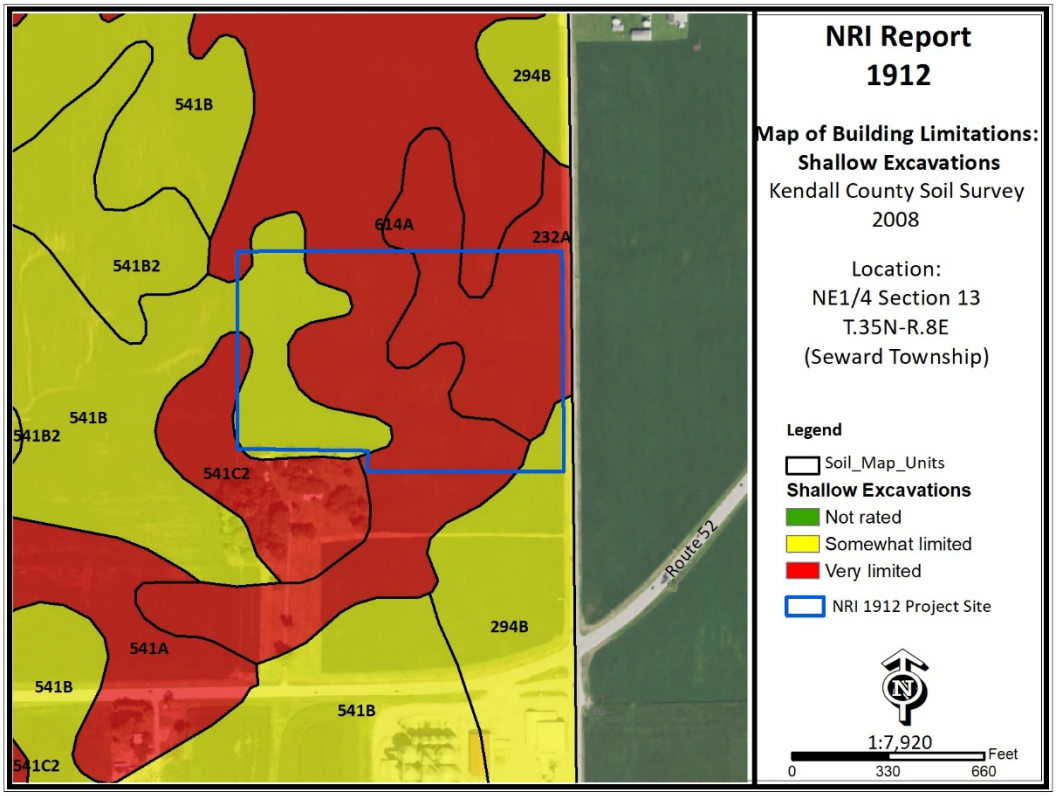


Figure 3c: Map of Building Limitations – Lawns & Landscaping

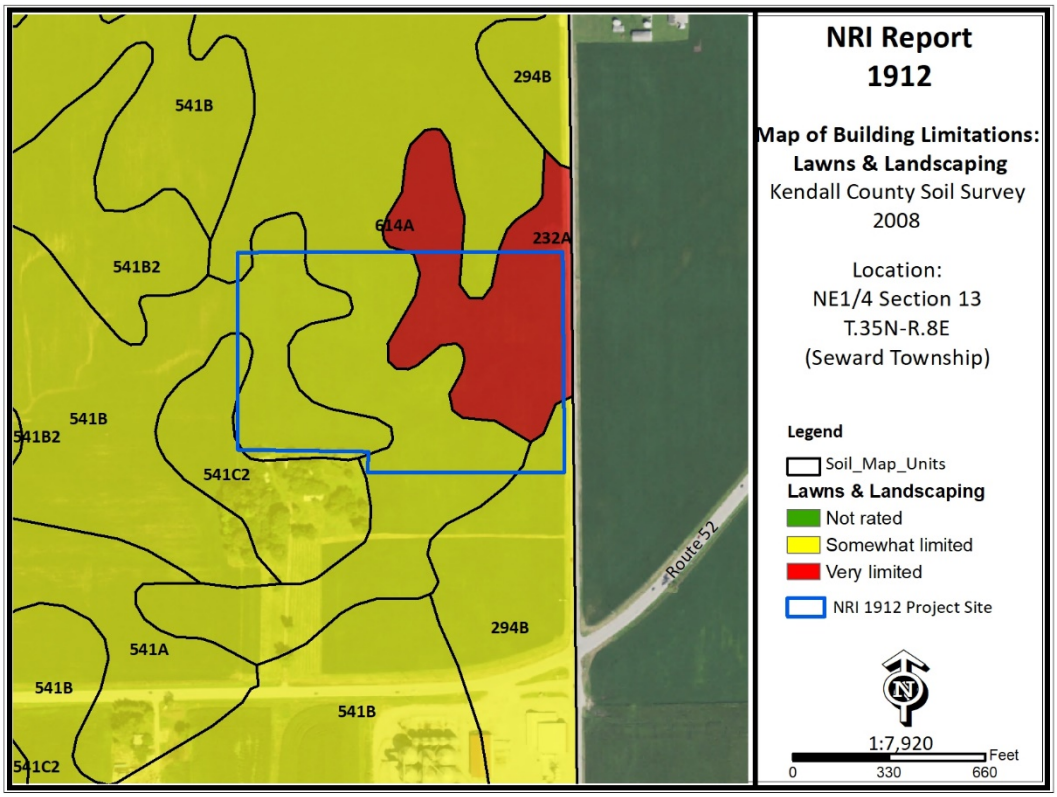
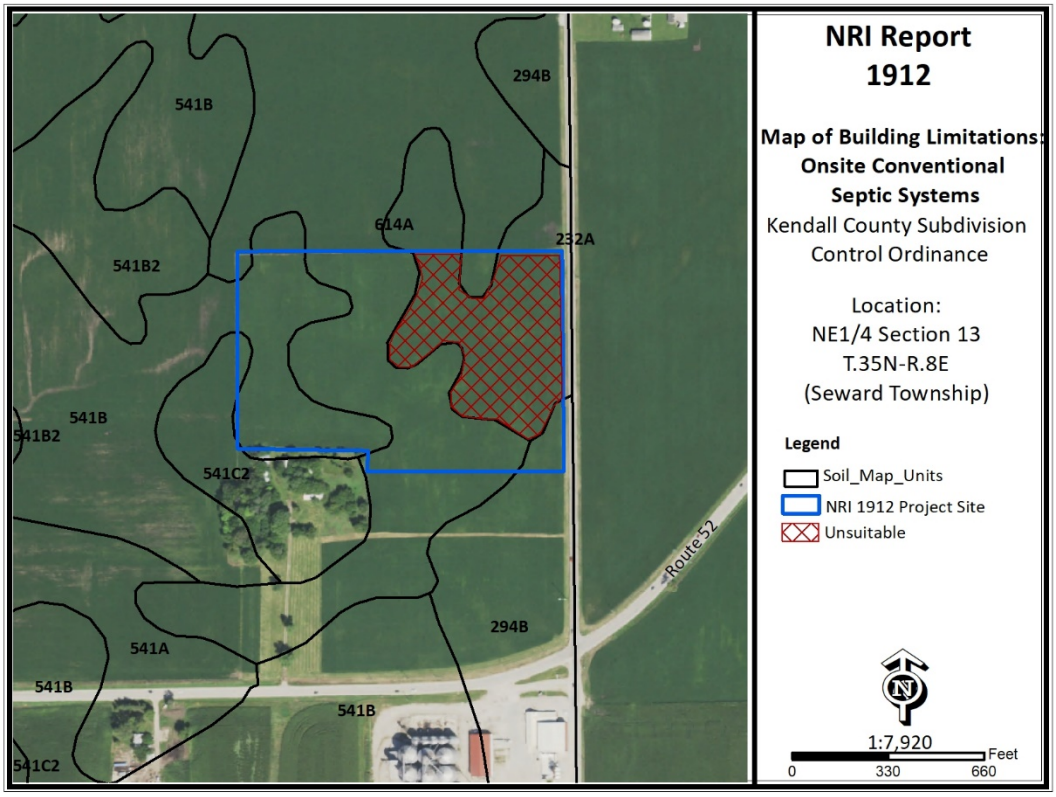


Figure 3d: Map of Building Limitations – Onsite Conventional Septic Systems



SOIL WATER FEATURES

This table gives estimates of various soil water features that should be taken into consideration when reviewing engineering for a land use project.

Hydrologic Soil Groups (HSGs): The groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

Group A: Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B: Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C: Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D: Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

Note: If a soil is assigned to a dual hydrologic group (A/D, B/D or C/D) the first letter is for drained areas and the second is for undrained areas.

Surface Runoff: Refers to the loss of water from an area by flow over the land surface. Surface runoff classes are based upon slope, climate and vegetative cover and indicates relative runoff for very specific conditions (it is assumed that the surface of the soil is bare and that the retention of

surface water resulting from irregularities in the ground surface is minimal). The classes are: negligible, very low, low, medium, high and very high.

Months: Indicates the portion of the year in which a water table, ponding, and/or flooding is most likely to be a concern.

Water Table: Refers to a saturated zone in the soil and the data indicates, by month, depth to the top (upper limit) and base (lower limit) of the saturated zone in most years. These estimates are based upon observations of the water table at selected sites and on evidence of a saturated zone (grayish colors or mottles (redoximorphic features)) in the soil. Note: A saturated zone that lasts for less than a month is not considered a water table.

Ponding: Refers to standing water in a closed depression and the data indicates surface water depth, duration and frequency of ponding.

Duration: Expressed as *very brief* if less than 2 days, *brief* is 2 to 7 days, *long* if 7 to 30 days and *very long* if more than 30 days.

Frequency: Expressed as: *none* meaning ponding is not possible; *rare* means unlikely but possible under unusual weather conditions (chance of ponding is 0-5% in any year); *occasional* means that it occurs, on the average, once or less in 2 years (chance of ponding is 5 to 50% in any year); and frequent means that it occurs, on the average, more than once in 2 years (chance of ponding is more than 50% in any year).

Flooding: The temporary inundation of an area caused by overflowing streams, by runoff from adjacent slopes, or by tides. Water standing for short periods after rainfall or snowmelt is not considered flooding, and water standing in swamps and marshes is considered ponding rather than flooding.

Duration: Expressed as: *extremely brief* if 0.1 hour to 4 hours; *very brief* if 4 hours to 2 days; *brief* if 2 to 7 days; *long* if 7 to 30 days; and *very long* if more than 30 days.

Frequency: Expressed as: *none* means flooding is not probable; *very rare* means that it is very unlikely but possible under extremely unusual weather conditions (chance of flooding is less than 1% in any year); *rare* means that it is unlikely but possible under unusual weather conditions (chance of flooding is 1 to 5% in any year); *occasional* means that it occurs infrequently under normal weather conditions (chance of flooding is 5 to 50% in any year but is less than 50% in all months in any year); and *very frequent* means that it is likely to occur very often under normal weather conditions (chance of flooding is more than 50% in all months of any year).

Note: The information is based on evidence in the soil profile. In addition, consideration is also given to local information about the extent and levels of flooding and the relation of each soil on the landscape to historic floods. Information on the extent of flooding based on soil data is less specific than that provided by detailed engineering surveys that delineate flood-prone areas at specific flood frequency levels.

Table 3: Water Features

Map Unit	Hydrologic Group	Surface Runoff	Water Table	Ponding	Flooding
232A	C/D	Negligible	January – May Upper Limit: 0.0'-1.0' Lower Limit: >6.0'	January - May Surface Water Depth: 0.0'-0.5' Duration: Brief (2 to 7 days) Frequency: Frequent	January - May Duration: -- Frequency: None
294B	C	Low	February - April Upper Limit: 2.0'-3.5' Lower Limit: 2.5'-4.7'	February - April Surface Water Depth & Duration: - Frequency: None	February - April Duration: -- Frequency: None
541B	B/D	Low	February - April Upper Limit: 2.0'-3.5' Lower Limit: 2.2'-4.3'	February - April Surface Water Depth & Duration: - Frequency: None	February - April Duration: -- Frequency: None
541C2	C	Medium	February - April Upper Limit: 2.0'-3.5' Lower Limit: 2.2'-4.3'	February - April Surface Water Depth & Duration: - Frequency: None	February - April Duration: -- Frequency: None
614A	C/D	Low	January - May Upper Limit: 1.0'-2.0' Lower Limit: 2.1'-4.3'	January - May Surface Water Depth & Duration: - Frequency: None	January - May Duration: -- Frequency: None

SOIL EROSION & SEDIMENT CONTROL

Erosion is the wearing away of the soil by water, wind, and other forces. Soil erosion threatens the Nation's soil productivity and contributes the most pollutants in our waterways. Water causes about two thirds of erosion on agricultural land. Four properties, mainly, determine a soil's erodibility: texture, slope, structure, organic matter content.

Slope has the most influence on soil erosion potential when the site is under construction. Erosivity and runoff increase as slope grade increases. The runoff then exerts more force on the particles, breaking their bonds more readily and carrying them farther before deposition. The longer water flows along a slope before reaching a major waterway, the greater the potential for erosion.

Soil erosion during and after this proposed construction can be a primary non-point source of water pollution. Eroded soil during the construction phase can create unsafe conditions on roadways, decrease the storage capacity of lakes, clog streams and drainage channels, cause deterioration of aquatic habitats, and increase water treatment costs. Soil erosion also increases the risk of flooding by choking culverts, ditches and storm sewers, and by reducing the capacity of natural and man-made detention facilities.

The general principles of erosion and sedimentation control measures include:

- reducing or diverting flow from exposed areas, storing flows or limiting runoff from exposed areas,
- staging construction in order to keep disturbed areas to a minimum,
- establishing or maintaining or temporary or permanent groundcover,
- retaining sediment on site and
- properly installing, inspecting and maintaining control measures.

Erosion control practices are useful controls only if they are properly located, installed, inspected and maintained.
The SWCD recommends an erosion and sediment control plan for all building sites, especially if there is a wetland or stream nearby.

Table 4: Soil Erosion Potential

Soil Type	Slope	Rating	Acreage	Percent of Parcel
232A	0-2%	Slight	6.1	32.4%
294B	2-5%	Slight	0.6	3.2%
541B	2-5%	Slight	4.4	23.4%
541C2	5-10%	Moderate	0.2	1.1%
614A	0-2%	Slight	7.5	39.9%

PRIME FARMLAND SOILS

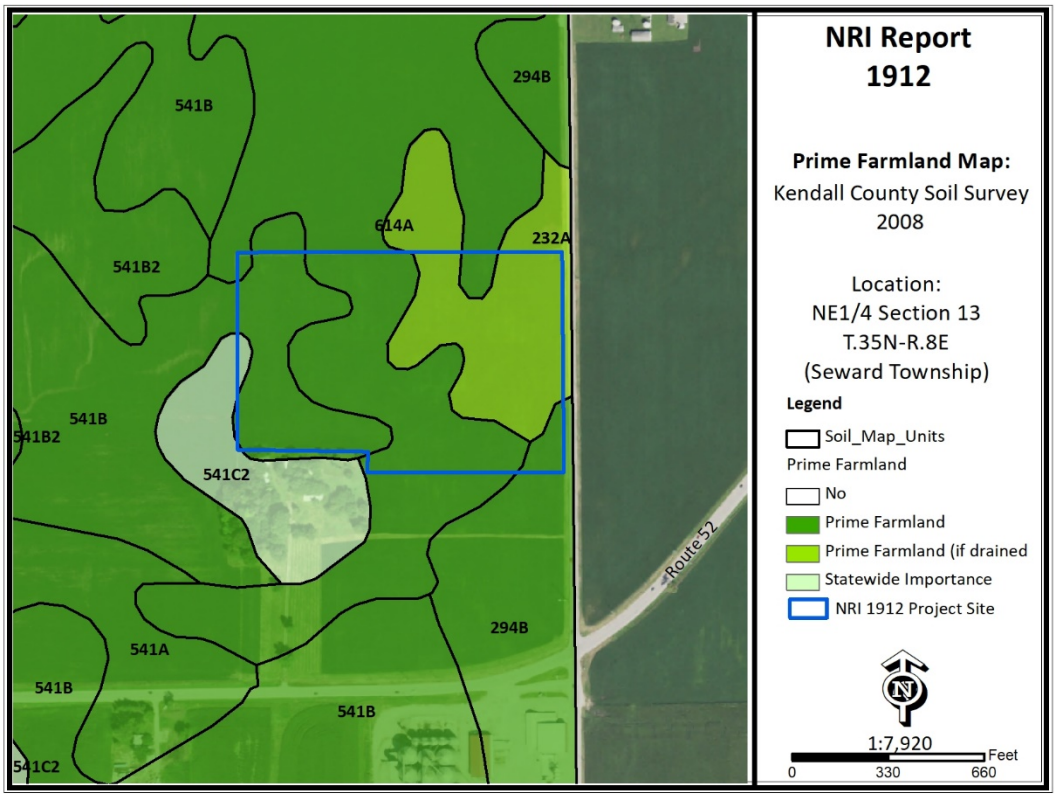
Prime farmland soils are an important resource to Kendall County. Some of the most productive soils in the United States occur locally. Each soil map unit in the United States is assigned a prime or non-prime rating. Prime agricultural land does not need to be in the production of food & fiber.

Section 310 of the NRCS general manual states that urban or built-up land on prime farmland soils is not prime farmland. The percentages of soils map units on the parcel reflect the determination that urban or built up land on prime farmland soils is not prime farmland.

Table 5: Prime Farmland Soils

Soil Types	Prime Designation	Acreage	Percent
232A	Prime Farmland (if drained)	6.1	32.4%
294B	Prime Farmland	0.6	3.2%
541B	Prime Farmland	4.4	23.4%
541C2	Farmland of Statewide Importance	0.2	1.1%
614A	Prime Farmland	7.5	39.9%
% Prime Farmland	98.9%		

Figure 4: Map of Prime Farmland Soils



LAND EVALUATION & SITE ASSESSMENT (LESA)

Decision-makers in Kendall County use the Land Evaluation and Site Assessment (LESA) system to determine the suitability of a land use change and/or a zoning request as it relates to agricultural land. The LESA system was developed by the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) and takes into consideration local conditions such as physical characteristics of the land, compatibility of surrounding land-uses, and urban growth factors. The LESA system is a two-step procedure that includes:

LAND EVALUATION (LE) – The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland or forestland. The best group is assigned a value of 100 and all other groups are assigned lower values. The Land Evaluation is based on data from the Kendall County Soil Survey. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.

SITE ASSESSMENT (SA) – The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The Kendall County LESA Committee is responsible for this portion of the LESA system.

The value group is a predetermined value based upon prime farmland designation. The LE score is calculated by multiplying the relative value of each soil type by the number of acres of that soil. The sum of the products is then divided by the total number of acres; the answer is the Land Evaluation score on this site.

Please Note: A land evaluation (LE) score will be compiled for every project parcel. However, when a parcel is located within municipal planning boundaries, a site assessment score is not compiled as the scoring factors are not applicable. As a result, only the LE score is available and a full LESA score is unavailable for the parcel.

Table 6a: Land Evaluation Computation

Soil Type	Value Group	Relative Value	Acres	Product (Relative Value x Acres)
232A	3	87	6.1	530.7
294B	2	94	0.6	56.4
541B	2	94	4.4	413.6
541C2	5	82	0.2	16.4
614A	3	87	7.5	652.5
Totals			**18.8**	**1669.6**
LE Score		**LE= 1669.6/18.8**		**LE=89**

The Land Evaluation score for this site is 89, indicating that this site is currently designated as prime farmland that is well suited for agricultural uses.

Table 6b: Site Assessment Computation

A.	Agricultural Land Uses	Points
	1. Percentage of area in agricultural uses within 1.5 miles of site. (20-10-5-0)	20
	2. Current land use adjacent to site. (30-20-15-10-0)	30
	3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0)	20
	4. Size of site. (30-15-10-0)	0
B.	**Compatibility / Impact on Uses**	
	1. Distance from city or village limits. (20-10-0)	10
	2. Consistency of proposed use with County Land Resource Management Concept Plan and/or municipal comprehensive land use plan. (20-10-0)	10
	3. Compatibility of agricultural and non-agricultural uses. (15-7-0)	7
C.	**Existence of Infrastructure**	
	1. Availability of public sewage system. (10-8-6-0)	8
	2. Availability of public water system. (10-8-6-0)	8
	3. Transportation systems. (15-7-0)	7
	4. Distance from fire protection service. (10-8-6-2-0)	8
	Site Assessment Score:	**128**

Land Evaluation Value: 89 + **Site Assessment Value:** 128 = **LESA Score: 217**

LESA SCORE	LEVEL OF PROTECTION
0-200	Low
201-225	Medium
226-250	High
251-300	Very High

The **LESA Score for this site is 217 which indicates a medium level of protection** for the proposed project site. Note: Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

LAND USE PLANS

Many counties, municipalities, villages and townships have developed land-use plans. These plans are intended to reflect the existing and future land-use needs of a given community. Please contact the Kendall County Planning, Building & Zoning for information regarding the County's comprehensive land use plan and map.

DRAINAGE, RUNOFF AND FLOOD INFORMATION

U.S.G.S Topographic maps give information on elevations, which are important mostly to determine slopes, drainage directions, and watershed information.

Elevations determine the area of impact of floods of record. Slope information determines steepness and erosion potential. Drainage directions determine where water leaves the PIQ, possibly impacting surrounding natural resources.

Watershed information is given for changing land use to a subdivision type of development on parcels greater than 10 acres.

What is a watershed?

Simply stated, a watershed is the area of land that contributes water to a certain point. The watershed boundary is important because the area of land in the watershed can now be calculated using an irregular shape area calculator such as a dot counter or planimiter.

Using regional storm event information, and site specific soils and land use information, the peak stormwater flow through the point marked "O" for a specified storm event can be calculated. This value is called a "Q" value (for the given storm event), and is measured in cubic feet per second (CFS).

When construction occurs, the Q value naturally increases because of the increase in impermeable surfaces. This process decreases the ability of soils to accept and temporarily hold water. Therefore, more water runs off and increases the Q value.

Theoretically, if each development, no matter how large or small, maintains their preconstruction Q value after construction by the installation of stormwater management systems, the streams and wetlands and lakes will not suffer damage from excessive urban stormwater.

For this reason, the Kendall County SWCD recommends that the developer for intense uses such as a subdivision calculate the preconstruction Q value for the exit point(s). A stormwater management system should be designed, installed, and maintained to limit the postconstruction Q value to be at or below the preconstruction value.

Importance of Flood Information

A floodplain is defined as land adjoining a watercourse (riverine) or an inland depression (non-riverine) that is subject to periodic inundation by high water. Floodplains are important areas demanding protection since they have water storage and conveyance functions which affect upstream and down stream flows, water quality and quantity, and suitability of the land for human activity. Since floodplains play distinct and vital roles in the hydrologic cycle, development that interferes

with their hydrologic and biologic functions should be carefully considered.

Flooding is both dangerous to people and destructive to their properties. The following maps, when combined with wetland and topographic information, can help developers and future homeowners to "sidestep" potential flooding or ponding problems.

FIRM is the acronym for the Flood Insurance Rate Map, produced by the Federal Emergency Management Agency. These maps define flood elevation adjacent to tributaries and major bodies of water, and superimpose that onto a simplified USGS topographic map. The scale of the FIRM maps is generally dependent on the size and density of parcels in that area. (This is to correctly determine the parcel location and flood plain location.) The FIRM map has three (3) zones. A is the zone of 100 year flood, zone B is the 100 to 500 year flood, and zone C is outside the flood plain.

The Hydrologic Atlas (H.A.) Series of the Flood of Record Map is also used for the topographic information. This map is different from the FIRM map mainly because it will show isolated, or pocketed flooded areas. Kendall County uses both these maps in conjunction with each other for flooded area determinations. The Flood of Record maps, show the areas of flood for various years. Both of these maps stress that the recurrence of flooding is merely statistical. That is to say a 100-year flood may occur twice in one year, or twice in one week, for that matter.

It should be noted that greater floods than those shown on the two maps are possible. The flood boundaries indicated provide a historic record only until the map publication date.

Additionally, these flood boundaries are a function of the watershed conditions existing when the maps were produced. Cumulative changes in runoff characteristics caused by urbanization can result in an increase in flood height of future flood episodes.

Floodplains play a vital role in reducing the flood damage potential associated with an urbanizing area and, when left in an undisturbed state, also provide valuable wildlife habitat benefits. If it is the petitioner's intent to conduct floodplain filling or modification activities, the petitioner and the Unit of Government responsible need to consider the potentially adverse effects this type of action could have on adjacent properties. The change or loss of natural floodplain storage often increases the frequency and severity of flooding on adjacent property.

If the available maps indicate the presence of a floodplain on the PIQ, the petitioner should contact the IDOT-DWR and FEMA to delineate a floodplain elevation for the parcel. If a portion of the property is indeed floodplain, applicable state, county and local regulations will need to be reflected in the site plans.
Another indication of flooding potential can be found in the soils information. Hydric soils indicate the presence of drainageways, areas subject to ponding, or a naturally occurring high water table. These need to be considered along with the floodplain information when developing the site plan and the stormwater management plan. If the site does include these hydric soils and development occurs, thus raising the concerns of the loss of water storage in these soils and the potential for increased flooding in the area.

This parcel is located on topography (**slopes 0 to 10%**) involving high and low areas (**elevation is approximately 640' to 650' above sea level**). The parcel lies within both the **Illinois River Watershed and Des Plaines River Watershed.**

Figure 5: FEMA Floodplain Map

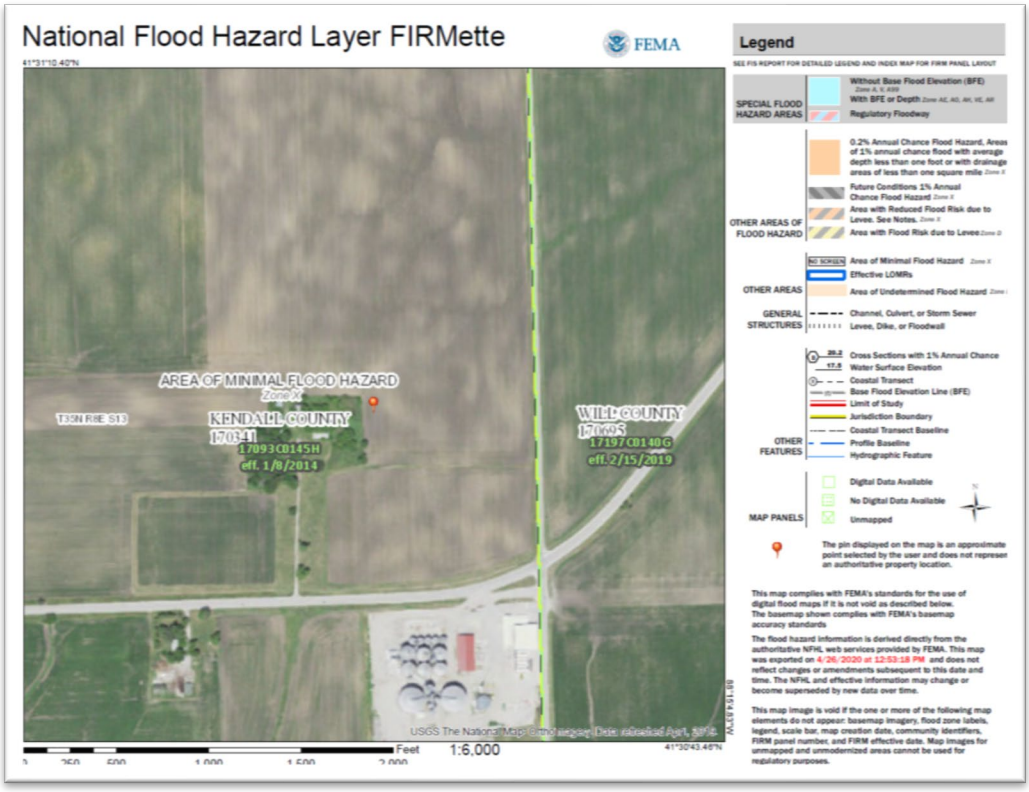
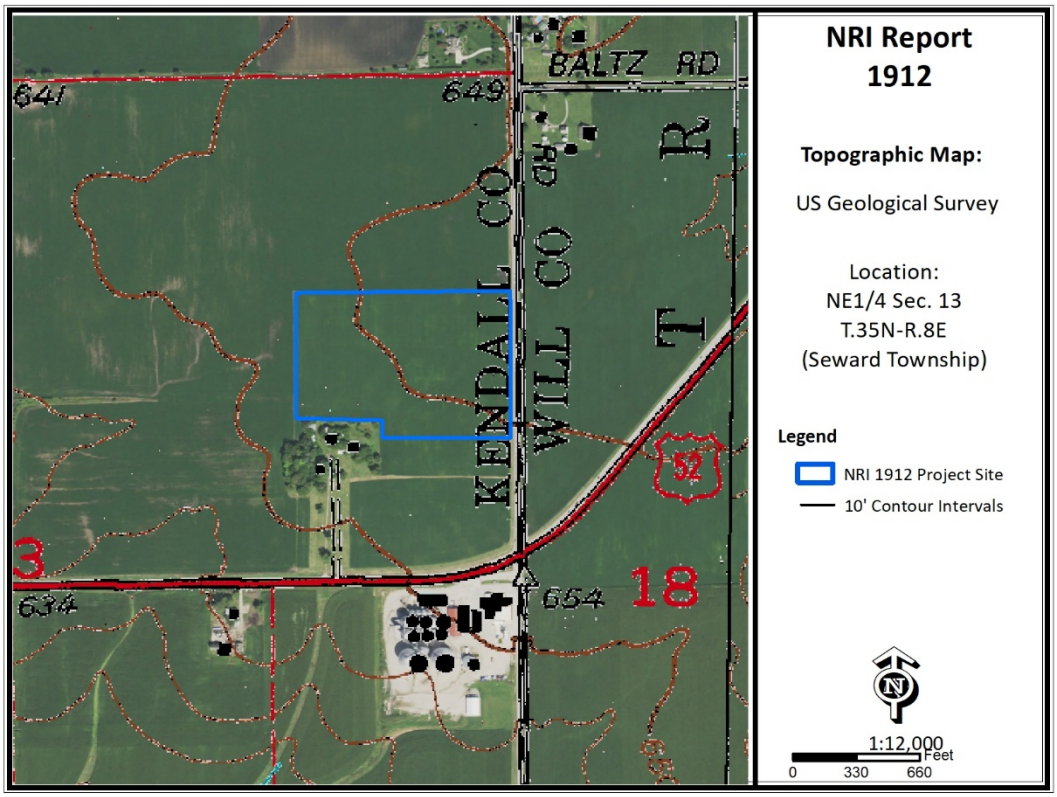


Figure 6: USGS Topographic Map



WATERSHED PLANS

Watershed and Subwatershed Information

A watershed is the area of land that drains into a specific point including a stream, lake or other body of water. High points on the Earth's surface, such as hills and ridges define watersheds. When rain falls in the watershed, it flows across the ground towards a stream or lake. Rainwater carries any pollutants it comes in contact with such as oils, pesticides, and soil. Everyone lives in a watershed. Their actions can impact natural resources and people living downstream. Residents can minimize this impact by being aware of their environment and implications of their activities, implementing practices recommended in watershed plans and educating others about their watershed.

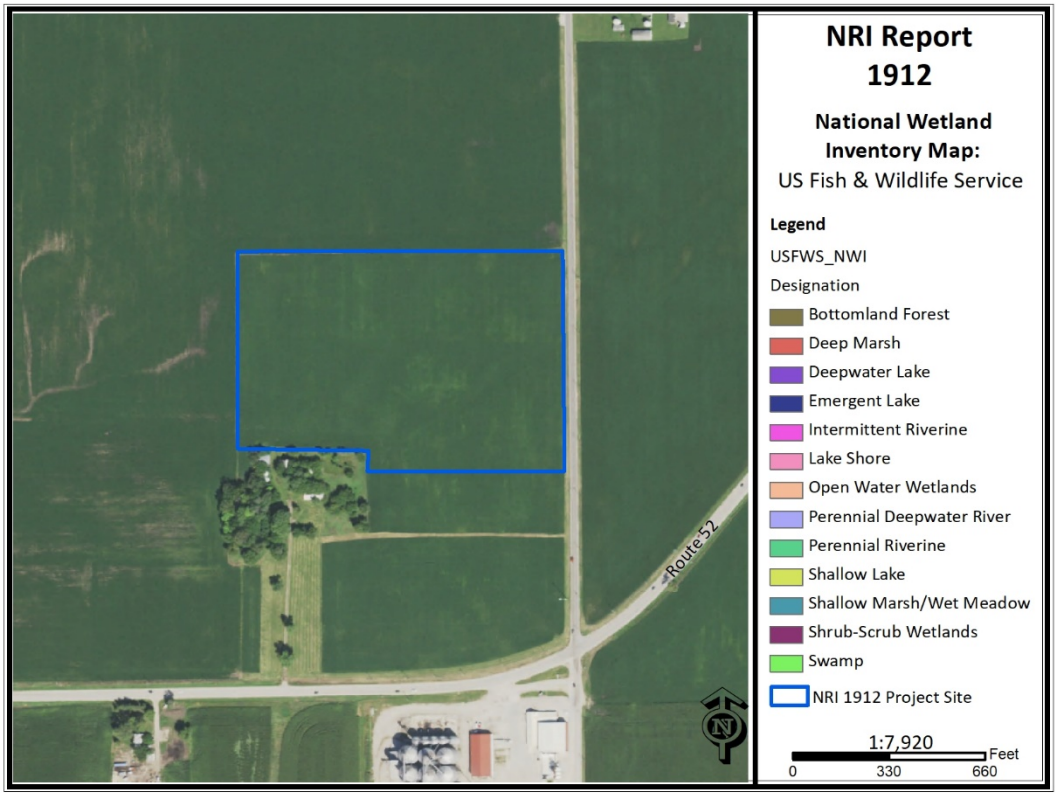
This parcel is located within the **Illinois River Watershed and Des Plaines River Watershed.**

The following are recommendations to developers for protection of this watershed:

-Preserve open space.
-Maintain wetlands as part of development.
-Use natural water management.
-Prevent soil from leaving a construction site.
-Protect subsurface drainage.
-Use native vegetation.
-Retain natural features.
-Mix housing styles and types.
-Decrease impervious surfaces.
-Reduce area disturbed by mass grading.
-Shrink lot size and create more open space.
-Maintain historical and cultural resources.
-Treat water where it falls.
-Preserve views.
-Establish and link trails.

WETLAND INFORMATION

Figure 7: Wetland Map – USFWS National Wetland Inventory



Office maps indicate that wetlands **are not** present on the parcel in question (PIQ).

Importance of Wetland Information

Wetlands function in many ways to provide numerous benefits to society. They control flooding by offering a slow release of excess water downstream or through the soil. They cleanse water by filtering out sediment and some pollutants, and can function as rechargers of our valuable groundwater. They also are essential breeding, rearing, and feeding grounds for many species of wildlife.

These benefits are particularly valuable in urbanizing areas as development activity typically adversely affects water quality, increases the volume of stormwater runoff, and increases the demand for groundwater. In an area where many individual homes rely on shallow groundwater wells for domestic water supplies, activities that threaten potential groundwater recharge areas are contrary to the public good. The conversion of wetlands, with their sediment trapping and nutrient absorbing vegetation, to biologically barren stormwater detention ponds can cause additional degradation of water quality in downstream or adjacent areas.

It has been estimated that over 95% of the wetlands that were historically present in Illinois have been destroyed while only recently has the true environmental significance of wetlands been fully recognized. America is losing 100,000 acres of wetland a year, and has saved 5 million acres total (since 1934). One acre of wetland can filter 7.3 million gallons of water a year. These are reasons why our wetlands are high quality and important.

This section contains the NRCS (Natural Resources Conservation Service) Wetlands Inventory, which is the most comprehensive inventory to date. The NRCS Wetlands Inventory is reproduced from an aerial photo at a scale of 1" equals 660 feet. The NRCS developed these maps in cooperation with U.S. EPA (Environmental Protection Agency,) and the U.S. Fish and Wildlife Service, using the National Food Security Act Manual, 3rd Edition. The main purpose of these maps is to determine wetland areas on agricultural fields and areas that may be wetlands but are in a non-agriculture setting.

The NRCS Wetlands Inventory in no way gives an exact delineation of the wetlands, but merely an outline, or the determination that there is a wetland within the outline. For the final, most accurate wetland **determination** of a specific wetland, a wetland ***delineation*** must be certified by NRCS staff using the National Food Security Act Manual (on agricultural land.) On urban land, a certified wetland delineator must perform the delineation using the ACOE 1987 Manual. *See the glossary section for the definitions of "delineation" and "determination.*

Hydric Soils

Soils information gives another indication of flooding potential. The soils map on this page indicates the soil(s) on the parcel that the Natural Resources Conservation Service indicates as hydric. Hydric soils by definition have seasonal high water at or near the soil surface and/or have potential flooding or ponding problems. All hydric soils range from poorly suited to unsuitable for building. One group of the hydric soils, are the organic soils, which formed from dead organic material. Organic soils are unsuitable for building because of not only the high water table, but also their subsidence problems.

It is also important to add the possibility of hydric inclusions in a soil type. An inclusion is a soil polygon that is too small to appear on these maps. While relatively insignificant for agricultural use, hydric soil inclusions become more important to more intense uses such as a residential subdivision.

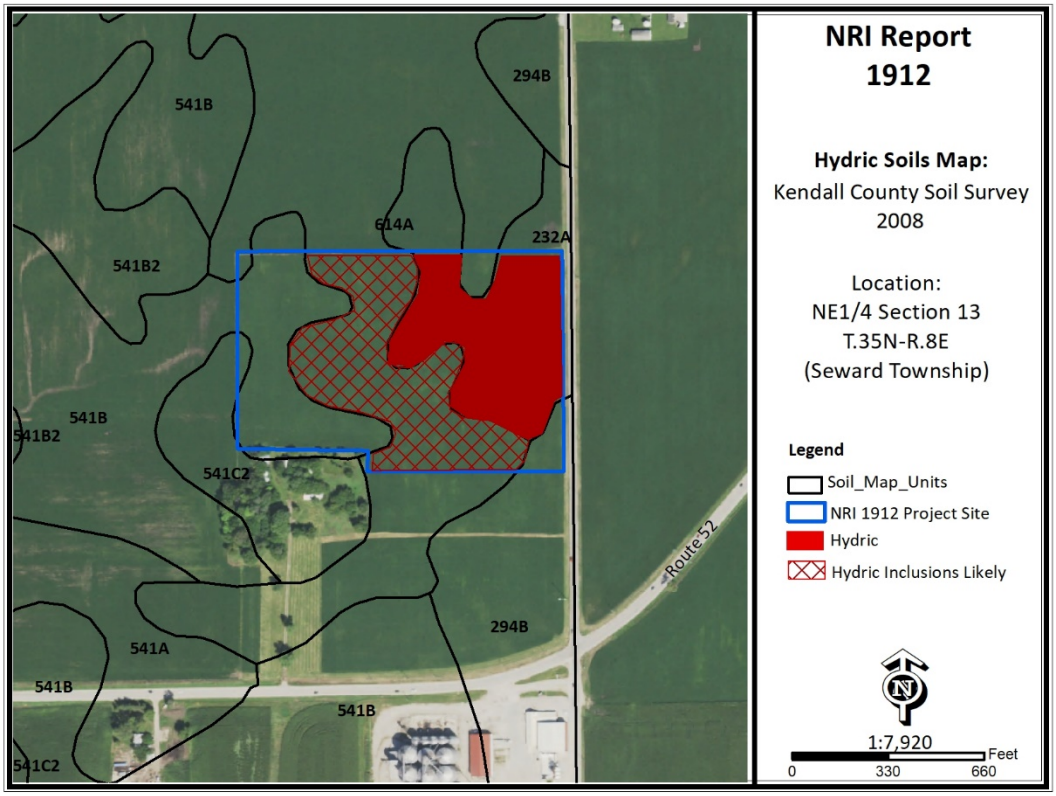
While considering hydric soils and hydric inclusions, it is noteworthy to mention that subsurface agriculture drainage tile occurs in almost all poorly drained and somewhat poorly drained soils. Drainage tile expedites drainage and facilitates farming. It is imperative that these drainage tiles remain undisturbed. A damaged subsurface drainage tile may return original hydrologic conditions to all of the areas that drained through the tile (ranging from less than one acre to many square miles.)

For an intense land use, such as a subdivision, the Kendall County SWCD recommends the following: a topographical survey with 1 foot contour intervals to accurately define the flood area on the parcel, an intensive soil survey to define most accurately the locations of the hydric soils and inclusions and a drainage tile survey on the area to locate the tiles that must be preserved to maintain subsurface drainage .

Table 7: Hydric Soils

Soil Types	Drainage Class	Hydric Designation	Hydric Inclusions Likely	Acreage	Percent
232A	Poorly drained	Hydric	--	6.1	32.4%
294B	Moderately well drained	Non-hydric	--	0.6	3.2%
541B	Moderately well drained	Non-hydric	--	4.4	23.4%
541C2	Moderately well drained	Non-hydric	--	0.2	1.1%
614A	Somewhat Poorly Drained	Non-hydric	Yes	7.5	39.9%

Figure 8: Hydric Soils Map



WETLAND AND FLOODPLAIN REGULATIONS

PLEASE READ THE FOLLOWING IF YOU ARE PLANNING TO DO ANY WORK NEAR A STREAM (THIS INCLUDES SMALL UNNAMED STREAMS), LAKE, WETLAND OR FLOODWAY.

The laws of the United States and the State of Illinois assign certain agencies specific and different regulatory roles to protect the waters within the State's boundaries. These roles, when considered together, include protection of navigation channels and harbors, protection against flood way encroachments, maintenance and enhancement of water quality, protection of fish and wildlife habitat and recreational resources, and, in general, the protection of total public interest. Unregulated use of the waters within the State of Illinois could permanently destroy or alter the character of these valuable resources and adversely impact the public. Therefore, please contact the proper regulatory authorities when planning any work associated with Illinois waters so that proper consideration and approval can be obtained.

WHO MUST APPLY

Anyone proposing to dredge, fill, rip rap, or otherwise alter the banks or beds of, or construct, operate, or maintain any dock, pier, wharf, sluice, dam, piling, wall, fence, utility, flood plain or flood way subject to State or Federal regulatory jurisdiction should apply for agency approvals.

REGULATORY AGENCIES:

- **Wetlands or U.S. Waters: U.S. Army Corps of Engineers**, Rock Island District, Clock Tower Building, Rock Island, IL
- **Flood plains: Illinois Department of Natural Resources \ Office of Water Resources**, Natural Resources Way, Springfield, IL 62702-1270.
- **Water Quality \ Erosion Control: Illinois Environmental Protection Agency**, Springfield, IL

COORDINATION

We recommend early coordination with the regulatory agencies BEFORE finalizing work plans. This allows the agencies to recommend measures to mitigate or compensate for adverse impacts. Also, the agency can make possible environmental enhancement provisions early in the project planning stages. This could reduce time required to process necessary approvals.

CAUTION: Contact with the United States Army Corps of Engineers is strongly advised before commencement of any work in or near a water of the United States. This could save considerable time and expense. Persons responsible for willful and direct violation of Section 10 of the River And Harbor Act of 1899 or Section 404 of the Federal Water Pollution Control Act are subject to fines ranging up to $27,500 per day of violation and imprisonment for up to one year or both.

GLOSSARY

AGRICULTURAL PROTECTION AREAS (AG AREAS) - Allowed by P.A. 81-1173. An AG AREA consists of a minimum of 350 acres of farmland, as contiguous and compact as possible. Petitioned by landowners, AG AREAS protect for a period of ten years initially, then reviewed every eight years thereafter. AG AREA establishment exempts landowners from local nuisance ordinances directed at farming operations, and designated land cannot receive special tax assessments on public improvements that do not benefit the land, e.g. water and sewer lines.

AGRICULTURE - The growing, harvesting and storing of crops including legumes, hay, grain, fruit and truck or vegetable including dairying, poultry, swine, sheep, beef cattle, pony and horse production, fur farms, and fish and wildlife farms; farm buildings used for growing, harvesting and preparing crop products for market, or for use on the farm; roadside stands, farm buildings for storing and protecting farm machinery and equipment from the elements, for housing livestock or poultry and for preparing livestock or poultry products for market; farm dwellings occupied by farm owners, operators, tenants or seasonal or year around hired farm workers.

B.G. - Below Grade. Under the surface of the Earth.

BEDROCK - Indicates depth at which bedrock occurs. Also lists hardness as rippable or hard.

FLOODING - Indicates frequency, duration, and period during year when floods are likely to occur.

HIGH LEVEL MANAGEMENT - The application of effective practices adapted to different crops, soils, and climatic conditions. Such practices include providing for adequate soil drainage, protection from flooding, erosion and runoff control, near optimum tillage, and planting the correct kind and amount of high quality seed. Weeds, diseases, and harmful insects are controlled. Favorable soil reaction and near optimum levels of available nitrogen, phosphorus, and potassium for individual crops are maintained. Efficient use is made of available crop residues, barnyard manure, and/or green manure crops. All operations, when combined efficiently and timely, can create favorable growing conditions and reduce harvesting losses -- within limits imposed by weather.

HIGH WATER TABLE - A seasonal high water table is a zone of saturation at the highest average depth during the wettest part of the year. May be apparent, perched, or artesian kinds of water tables.

Water Table, Apparent - A thick zone of free water in the soil. An apparent water table is indicated by the level at which water stands in an uncased borehole after adequate time is allowed for adjustment in the surrounding soil.

Water Table, Artesian - A water table under hydrostatic head, generally beneath an impermeable layer. When this layer is penetrated, the water level rises in an uncased borehole.

Water Table, Perched - A water table standing above an unsaturated zone. In places an upper, or perched, water table is separated from a lower one by a dry zone.

DELINEATION - For Wetlands: A series of orange flags placed on the ground by a certified professional that outlines the wetland boundary on a parcel.

DETERMINATION - A polygon drawn on a map using map information that gives an outline of a wetland.

HYDRIC SOIL - This type of soil is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part (USDA Natural Resources Conservation Service 1987)

INTENSIVE SOIL MAPPING - Mapping done on a smaller more intensive scale than a modern soil survey to determine soil properties of a specific site, e.g. mapping for septic suitability.

LAND EVALUATION AND SITE ASSESSMENT (L.E.S.A.) - LESA is a systematic approach for evaluating a parcel of land and to determine a numerical value for the parcel for farmland preservation purposes.

MODERN SOIL SURVEY - A soil survey is a field investigation of the soils of a specific area, supported by information from other sources. The kinds of soil in the survey area are identified and their extent shown on a map, and an accompanying report describes, defines, classifies, and interprets the soils. Interpretations predict the behavior of the soils under different used and the soils' response to management. Predictions are made for areas of soil at specific places. Soils information collected in a soil survey is useful in developing land-use plans and alternatives involving soil management systems and in evaluating and predicting the effects of land use.

PALUSTRINE - Name given to inland fresh water wetlands.

PERMEABILITY - Values listed estimate the range (in rate and time) it takes for downward movement of water in the major soil layers when saturated, but allowed to drain freely. The estimates are based on soil texture, soil structure, available data on

permeability and infiltration tests, and observation of water movement through soils or other geologic materials.

PIQ - Parcel in question

POTENTIAL FROST ACTION - Damage that may occur to structures and roads due to ice lens formation causing upward and lateral soil movement. Based primarily on soil texture and wetness.

PRIME FARMLAND - Prime farmland soils are lands that are best suited to food, feed, forage, fiber and oilseed crops. It may be cropland, pasture, woodland, or other land, but it is not urban and built up land or water areas. It either is used for food or fiber or is available for those uses. The soil qualities, growing season, and moisture supply are those needed for a well managed soil economically to produce a sustained high yield of crops. Prime farmland produces in highest yields with minimum inputs of energy and economic resources, and farming the land results in the least damage to the environment.

Prime farmland has an adequate and dependable supply of moisture from precipitation or irrigation. The temperature and growing season are favorable. The level of acidity or alkalinity is acceptable. Prime farmland has few or no rocks and is permeable to water and air. It is not excessively erodible or saturated with water for long periods and is not frequently flooded during the growing season. The slope ranges mainly from 0 to 5 percent. (Source USDA Natural Resources Conservation Service)

PRODUCTIVITY INDEXES - Productivity indexes for grain crops express the estimated yields of the major grain crops grown in Illinois as a single percentage of the average yields obtained under basic management from several of the more productive soils in the state. This group of soils is composed of the Muscatine, Ipava, Sable, Lisbon, Drummer, Flanagan, Littleton, Elburn and Joy soils. Each of the 425 soils found in Illinois are found in Circular 1156 from the Illinois Cooperative Extension Service.

SEASONAL - When used in reference to wetlands indicates that the area is flooded only during a portion of the year.

SHRINK-SWELL POTENTIAL - Indicates volume changes to be expected for the specific soil material with changes in moisture content.

SOIL MAPPING UNIT - A map unit is a collection of soil areas of miscellaneous areas delineated in mapping. A map unit is generally an aggregate of the delineations of many different bodies of a kind of soil or miscellaneous area but may consist of only one delineated body. Taxonomic class names and accompanying phase terms are used to name soil map units. They are described in terms of ranges of soil properties within the limits defined for taxa and in terms of ranges of taxadjuncts and inclusions.

SOIL SERIES - A group of soils, formed from a particular type of parent material, having horizons that, except for texture of the A or surface horizon, are similar in all profile characteristics and in arrangement in the soil profile. Among these characteristics are color, texture, structure, reaction, consistence, and mineralogical and chemical composition.

SUBSIDENCE - Applies mainly to organic soils after drainage. Soil material subsides due to shrinkage and oxidation.

TERRAIN - The area or surface over which a particular rock or group of rocks is prevalent.

TOPSOIL - That portion of the soil profile where higher concentrations of organic material, fertility, bacterial activity and plant growth take place. Depths of topsoil vary between soil types.

WATERSHED - An area of land that drains to an associated water resource such as a wetland, river or lake. Depending on the size and topography, watersheds can contain numerous tributaries, such as streams and ditches, and ponding areas such as detention structures, natural ponds and wetlands.

WETLAND - An area that has a predominance of hydric soils and that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances does support, a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions.

REFERENCES

Hydric Soils of the United States. USDA Natural Resources Conservation Service, 2007.

FIRM – Flood Insurance Rate Maps for Kendall County. Prepared by FEMA – Federal Emergency Management Agency.

Hydrologic Unit Map for Kendall County. Natural Resources Conservation Service, United States Department of Agriculture.

Land Evaluation and Site Assessment System. The Kendall County Department of Planning Building and Zoning, and The Kendall County Soil and Water Conservation District. In cooperation with: USDA, Natural Resources Conservation Service.

Soil Survey of Kendall County. United States Department of Agriculture 2008, Natural Resources Conservation Service.

Illinois Urban Manuel. Association of Illinois Soil & Water Conservation Districts, 2016

Kendall County Land Atlas and Plat Book. 19th Edition, 2014.

Potential For Contamination of Shallow Aquifers from Land Burial of Municipal Wastes. Illinois State Geological Survey.

Natural Resources Conservation Service Wetland Inventory Map. United States Department of Agriculture.

Geologic Road Map of Illinois. Department of Natural Resources, Illinois State Geological Survey, Natural Resources Building, 615 East Peabody, Champaign IL 61820-6964.

Wetlands - The Corps of Engineers' Administration of the Section 404 Program (GAO/RCED-88-110)

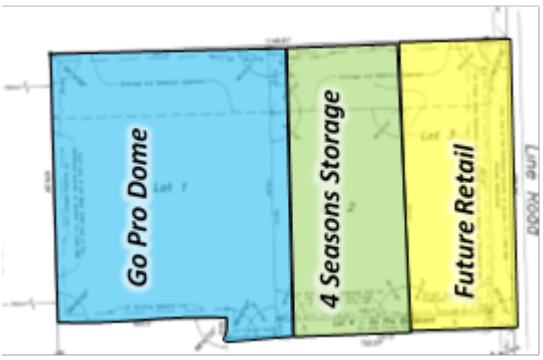
Soil Erosion by Water - United States Department of Agriculture Natural Resources Conservation Service. Agriculture Information Bulletin 513.

The Conservation of Biological Diversity in the Great Lakes Ecosystem: Issues and Opportunities, prepared by the Nature Conservancy Great Lakes Program 79W. Monroe Street, Suite 1309, Chicago, IL 60603, January 1994.

MEMO

To:	Mayor and Board of Trustees
From:	Kelley Chrisse, AICP, Economic Development Director
Date:	July 13, 2020
Subject:	Annexation Agreement: Four Seasons Self Storage
Petition#:	20-402

SUMMARY:



Four Seasons Storage, represented by Dan Kramer, has petitioned for Annexation to the Village when the property located at 14339 County Line Road is contiguous. The subject property is the eastern half of 18.7 acres located on the west side of County Line Road approximately ¼ mile north of US Route 52 in Seward Township, Kendall County. The western half of the property is owned by GoProBall, LLC to construct and operate a sports dome facility.

Four Seasons Storage owns the subject property and is proposing to construct and operate a self-storage facility on the western portion of the site. The portion of the property fronting County Line Road will be for a commercial (retail) development in the future. The self-storage business will consist of an office building and private storage for the owners as well as 14 cold storage buildings. The storage buildings will be oriented to have doors face into the site, not toward the road. In addition to the storage business and future retail, the site will also have stormwater detention and contain the private driveway along the south property line that GoPro and Four Seasons will use for access to their businesses.

The property owner has agreed to enter into an annexation agreement with the Village in order to obtain Village support. While the GoPro dome and future retail are both commercial in nature and are consistent with the Commercial Future Land Use designation of the Village's Comprehensive Plan, the self-storage use is not considered commercial and would need to be located within an industrial zoning district. In the event the self-storage use is not desirable, the Village Board can file an official objection to the rezoning request, which would require a supermajority vote at the Kendall County Board. If the Board wants to allow the self-storage use, the annexation agreements will allow the Village to influence the design and use of the property to minimize the impact on adjacent properties.

The annexation agreement requires the property to be subdivided through a Final Plat, requires the commencement of construction on the GoPro facility prior to issuance of any building permits for the self-storage facility, requires the shared private driveway to be constructed prior to operating the storage business, restricts uses on Lots 2 and 3, allows outdoor storage of RVs, boats and campers for a limited time, waives Village Development fees, requires connection with Village utilities in accordance with Code requirements, allows a multi-tenant monument sign along County Line Road, and requires adherence to the attached Site Development and Landscape Plans. Refer to the attached draft annexation agreement for complete details.

Four Seasons has a meeting before the Kendall County Regional Plan Commission for the Special Use request and Site Plan approval on July 22, 2020 and a public hearing before the Kendall County Zoning Board of Appeals for the Rezoning request on July 27, 2020. If the Village Board wants to file an official objection to the Rezoning request, it will need to be done within 30 days of the ZBA meeting (August 26th). The County will not schedule this matter before the Kendall County Board until the objection period has lapsed, which could be as soon as the September 1, 2020 meeting. The owner will also follow up with a Final Plat approval upon substantial completion of the engineering design. If the annexation agreement is approved, the final review of this project by the Village Board will be the Final Plat unless and until other modifications outlined in the annexation agreement are requested.

Staff presented an overview of the projects and an analysis to the Planning and Zoning Commission. **Refer to the attached Memo for complete details.**

PZC RECOMMENDATION:

The Planning and Zoning Commission (PZC) discussed the project during their regular meeting held July 1, 2020. Commissioners voiced concerns about the self-storage facility and if it fit in this area. Generally, the Commissioners supported the regional draw of the sports dome and thought the future retail would be supported by the visitors to the sports dome. The Commissioners felt that the annexation agreements could address their concerns and restrict uses that might not be in keeping with the Village's plan for this area. The attorney for the petitioner was not present and no public comments were received.

Attachments:

- Draft Annexation Agreement
- Community Development Memo dated June 25, 2020 prepared by Natalie Engel
- Draft Minutes Excerpt from the July 1, 2020 Planning and Zoning Commission Meeting

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

Prepared By:

Law Offices of Daniel J. Kramer
1107A S. Bridge St.
Yorkville, IL 60560
(630) 553-9500

Return to:

Village Clerk, Village of Shorewood
One Towne Center
Shorewood, IL 60404
Attn: Village Administrator

Reserved for Recorder's Use

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ANNEXATION AGREEMENT

This Annexation Agreement ("Agreement"), is made and entered into this __ day of _____, 2020, by and between the Village of Shorewood, an Illinois municipal corporation ("Village"), and Four Seasons Storage, LLC, an Illinois Limited Liability Company, FOUR SEASONS("Four Seasons" or "Owner"), Four Seasons and the Village are individually referred to as "Party" and collectively referred to as "Parties."

WITNESSETH

WHEREAS, the Property which is legally described on Exhibit A attached hereto is situated in the unincorporated area of Kendall County, and is currently not contiguous to the incorporated territory of the VILLAGE; and,

WHEREAS, FOUR SEASONS is the owner of the Property; and,

WHEREAS, the Property is generally depicted as Lot 2 and Lot 3 on the Draft Final Plat of Subdivision attached hereto as Exhibit B; and,

WHEREAS, it is the desire of FOUR SEASONS to develop the Property as a B-3 Special Use Storage Facility on Lot 2 as depicted on the Draft Final Plat and the B-2 Business District as to Lot 3 of said Subdivision. A copy of the current Kendall County Zoning Ordinance as [NOTE: Dan Kramer, who will own Lot 4?] it relates to these uses with modifications agreed to by the Parties (the "Kendall County Zoning Ordinance") is attached hereto and incorporated herein by reference as Exhibit "C"; and,

WHEREAS, it is the desire of the Parties that those uses which have been stricken from the Kendall County Zoning Ordinance Exhibit C will not be allowed on the Property unless specifically permitted by the Village; and,

WHEREAS, it is the desire of the VILLAGE to annex the Property and to facilitate its development pursuant to the terms and conditions of this Agreement; and,

WHEREAS, FOUR SEASONS has or will perform all acts required by law to effectuate such annexation; and,

WHEREAS, upon annexation the Parties wish to zone the Property under the Village Zoning Ordinance pursuant to the terms of this Agreement; and,

WHEREAS, all notices required by law relating to this Agreement have been given to the persons or entities entitled to such notice pursuant to the applicable provisions of the Illinois Compiled Statutes; and,

WHEREAS, the Corporate Authorities of the Village have duly affixed the time for a public hearing on this Agreement and pursuant to legal notices have held such hearing thereon all as required by the provisions of the Illinois Compiled Statutes; and,

WHEREAS, the VILLAGE and FOUR SEASONS agree that the Property shall be developed in substantial accordance with this Agreement and the Draft Final Plat as recorded, which shall be in substantial conformance with the Draft Final Plat attached hereto, and Site Development Plan attached hereto and incorporated herein as Exhibit "D"; and,

WHEREAS, in reliance upon the development of the Property in the manner permitted by this Agreement and the Exhibits attached, the Parties are entering into this Agreement hereto; and,

WHEREAS, it is the desire of the VILLAGE and FOUR SEASONS that the development of the Property proceeds, subject to the ordinances, codes and regulations of the County of Kendall, as amended, which are consistent with this Agreement until such time as contiguity is obtained; and,

WHEREAS, in accordance with the powers granted to the VILLAGE by the provisions of 65 ICLS 5/11-15.1 through 15.1-5 inclusive, relating to Annexation Agreements and the Village's authority as a home-rule municipal corporation, the Parties hereto wish to enter into a binding Agreement with respect to the Property and to provide for various other matters related directly or indirectly to the annexation of the Property as authorized by the provisions of said statutes and other authority; and,

WHEREAS, the Owner has previously conveyed the area depicted as Lot 1 on the Draft Final Plat to GoProBall, LLC; and,

WHEREAS, GoPro Ball, LLC intends to develop a sports dome and sport recreation facility on Lot 1 ("GoPro Ball Facility"); and,

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WHEREAS, it is the intent of the Village and the Owner that the use proposed for a storage facility on Lot 2 of the Draft Final Plan will not be commenced unless or until the terms and conditions set forth herein with respect to the GoPro Ball Facility have been complied with.

NOW THEREFORE, in consideration of the mutual covenants, agreements and conditions herein contained, and by authority of and in accordance with the aforesaid statutes of the State of Illinois and other authority, the Parties agree as follows:

I. ANNEXATION

FOUR SEASONS has filed with the Clerk of the VILLAGE a duly executed verified petition pursuant to, and in accordance with, 65 ILCS 5/7-1-1 *et. seq.* to annex the Property and any adjacent highways to the VILLAGE subject to the approval of this Agreement. In the event Four Seasons is not the record owner of the Property at the time of annexation, the then current record owner shall execute a Petition to Annex the Property in the form required by law. The Owner shall also prepare and submit to the Village a Plat of Annexation prior to annexation.

II. ZONING AND PLANNING

A. Permitted Property Use

The Kendall County Special Use Permit for Lot 2 will allow the Lot 2 to be used as a Self-storage Facility. In addition to the terms and conditions of the Kendall County Special Use Permit, the Property shall at all times comply with the terms, conditions and requirements of this Agreement. The Parties hereto agree that the Kendall County Special Use permit which is being issued pursuant to the Kendall County Zoning Ordinance approving said Special Use will be as to Lot 2 of the attached Subdivision and shall continue in full effect on the same terms and conditions as supplemented by the terms and conditions of this Agreement when the Property is annexed to the Village of Shorewood.

B. Zoning

Lot 2 will be zoned as B-3 and Lot 3 will be zoned B-2 under the current Kendall County Ordinances. Lot 2 shall be entitled to use all of the B-3 uses permitted under the current Kendall County B-3 Zoning Ordinance, attached which have not been stricken from Exhibit "C." The stricken uses in Exhibit "C" are expressly prohibited before and after annexation. Lot 3 shall be entitled to use of all the current B-2 uses permitted under the current Kendall County B-2 Zoning Ordinance as outlined in Exhibit "C." In addition to the uses listed therein, Owner shall be further entitled to the use of Drive-in Restaurants or Restaurants having drive through facilities, as well as Banking Institutions that have drive throughs. Prior to establishing any uses allowed on Exhibit C the owner shall notify the Village of its intent to establish such use and the new use shall be subject to the Village Site Plan Review and other applicable review processes. At such time as the Property is contiguous to the Corporate Limits of the Village, the Owner (or then current owner of record) shall Petition the Village to rezone Lot 2 to the most closely related Village classification

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with a Conditional Use to allow the continued use of the Self-Storage Facility consistent with this Agreement and Lot 3 to the most closely related Village Zoning classification. In the event that the Village does not grant such Petitions then, in that event, the Owner will not be required to annex the Property for such zoning approvals as Village to continue.

C. Self-Storage Facility

No work may commence on the Four Seasons Self-Storage project until such time as building permits have been obtained and work has commenced on the GoPro Project or on a similar family/youth-oriented recreational facility on Lot 1.

The self-storage facility shall be considered a legal non-conforming use (except as permitted on a temporary basis as set forth below) designed to fit in well with the character of a community retail corridor. Small scale buildings with brick elements, wrought-iron type fencing, and high-quality landscape screening will help to achieve this goal. The site should be lined with buildings whenever possible so that doors do not face streets or adjacent properties.

1. The self-storage facility shall be limited to the pick-up, deposit and storage of dead storage goods in rental units.
2. The following activities are prohibited:
    - outdoor storage of goods, materials, and products;
    - storage of flammable liquids, highly combustible or explosive materials, or hazardous chemicals;
    - sale of merchandise or products;
    - garage or yard sales;
    - operation of businesses, such as transfer/storage businesses that utilize vehicles as part of their business;
    - servicing of vehicles and equipment;
    - rental of storage units, trailers, and trucks;
    - parking of trucks and construction equipment; and
    - residential use of any kind.
3. A maximum of twenty four (24), recreational vehicles, and boats on trailers may be temporarily stored on the Property, three years after commencement of business of the first phase of cold storage that number shall reduce to twelve (12) and two years thereafter to zero (0). All temporary outdoor storage must be in operable condition and must be fully screened from the road via buildings and landscaping. Provided, however, then no storage of recreational vehicles or boats on trailers is permitted unless or until the office building and at least four (4) cold storage buildings have been completed and the entire area paved.
4. All drive aisles and parking spaces must be paved with asphalt or concrete in accordance with Village standards. Gravel is not permitted. Parking of all temporarily stored vehicles, guest parking, and employee parking must be in designated, paved parking spaces.
5. Dumpsters and rubbish containers must be provided to meet the needs of the business. They must be screened in accordance with the Shorewood Zoning Ordinance requirements.

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6. The facility must meet the zoning ordinance requirements pertaining to mini warehouses and self-storage facilities, currently listed in Section 10-3-31, as may be amended from time to time.

D. Village Codes and Ordinances

The VILLAGE and FOUR SEASONS agree that except as specifically modified in this Agreement and the attached Exhibits, after annexation the Property shall be developed, maintained and operated in compliance with all ordinances, codes and regulations of the VILLAGE, as amended from time to time. In the application and interpretation of this Agreement, the terms of this Agreement shall prevail and supersede Ordinance requirements which are in conflict.

E. Final Plat

In conformance with its extraterritorial jurisdiction, the Village shall execute a Final Plat of Subdivision in substantially the form of the Draft Final Plat attached to this Agreement. The Owners shall not seek a building or development permit for the Property until such time as a Final Plat has been recorded.

F. Bulk Requirements

Notwithstanding the fact that development on Lot 3 may be approved by Kendall County, the Owner shall comply with the Bulk Requirements of the Village B-2 Zoning District.

G. Consistency with Exhibits

The Property shall be developed in substantial conformance with the Draft Final Plat, Site Development Plan, and Landscape Plan attached as exhibits to this Agreement.

III. ACCESS

A. Right-of-Way

Owner shall dedicate 50ft right-of-way from the centerline of County Line Road, West on the Property for purposes of road right of way to the Township of Seward as part of the Kendall County Zoning Approval. Further Owner shall dedicate a 10 Ft. wide Easement immediately adjacent and contiguous to the roadway right of dedication for future Public and Municipal utility extensions as depicted on Exhibit B.

Owner shall include language on the Final Plat that the Easement is being dedicated to the County of Kendall, Township of Seward, Village of Shorewood, and all Public Utilities for future extension of utilities.

The Roadway and Easement dedication shall be at no cost to any Governmental Body.

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B. Driveway

The Property is going to be served by a private driveway constructed either by Owner or by others connecting the Property to County Line Road on the East and ending at the parking lot of Go Pro Ball Facility as depicted by Lot 4 on the Draft Final Plat attached. Lot 4 shall be 40 Ft. in width, with a 24 Ft. improved blacktop driveway. Owner will together with GOPROBALL, LLC who has Petitioned for Annexation on Lot 1 on the Draft Final Plat, grant a Mutual and Reciprocal Utility Easement for the benefit of all Public Utilities 10 Ft. in width along the Northside of said private driveway. The driveway must be completed prior to commencing business operations on the Property.

The cost of the driveway shall be totally at Private Developer expense. All improvements to County Line Road as recommended by the "Traffic Impact Study" attached hereto as Exhibit F and as agreed to by the Village Engineer shall be made before the driveway is constructed. [NOTE: Waiting for the Traffic Study to review prior to approving this Agreement]

IV. FEES, DONATIONS, AND CONTRIBUTIONS

The Property is being Annexed at the specific instance and request as an accommodation to the Village. No Impact Fees, School Transition Fees, or other Development Fees of any kind shall be charged to Owner as a result of Owner agreeing voluntarily to said Annexation. All fees due as a result of construction or development occurring after annexation shall be paid.

The Owner shall connect to the Village Sanitary Sewer and/or Water after annexation if sewer or water mains, as applicable, are located within 200 feet of the Property.

When connection is made to either system, the Owner shall bear all the costs, including recaptures due, and fees associated with the connections. The Village is under no obligation to extend utilities to the Property.

Until such time as Annexation takes place, all Building Permit and Development activity shall conform to Kendall County Ordinances and this Agreement. Upon Annexation the Application for any Building Permits or Site Development shall be made with the Village.

V. SIGNAGE

A. Signage

All signage on the Property must comply with the Village Sign ordinance except as permitted on the exhibit attached hereto as Exhibit G. No off-premises advertisement or billboards are allowed.

VI. GENERAL OBLIGATIONS

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A. Successor Owner and/or Developer

If the Property, or any portion thereof, is transferred from FOUR SEASONS' obligations under this Agreement shall transfer and be binding and become the exclusive obligation of any successor OWNER and/or DEVELOPER of the Property, or any portion of the Property.

B. Recording

This Agreement shall be recorded in the Office of the Recorder of Deeds of Kendall County.

C. Reserved

D. Time is of the Essence

It is understood and agreed by the Parties that time is of the essence in this Agreement and that all Parties will make every reasonable effort to expedite the subject matter hereof. It is further understood and agreed by the Parties that the successful consummation of this Agreement requires their continued cooperation.

E. Binding Effect and Term

This Annexation Agreement shall be binding upon and insure to the benefit of the Parties hereto, their successors and assigns, including, but not limited to, successor owner of record, successor developers, lessees and successor lessees, and upon any successor municipal authority of the VILLAGE and successor municipalities for a period of twenty (20) years from the later of the date of execution hereof and the date of adoption of the ordinances pursuant hereto.

F. Breach of Agreement

1. Remedy

This Agreement and the covenants and undertakings made hereunder are performable in Kendall County, Illinois, and shall be governed by the laws of the State of Illinois. Any legal proceedings of any kind arising from this Agreement shall be filed in the Circuit Court for the 23rd Judicial Circuit, Kendall County, Illinois.

2. Notice Required

Before any failure of any Party to this Agreement to perform its obligations under this Agreement shall be deemed a breach of this Agreement, the Party claiming such failure shall notify, in writing, by certified mail, return receipt requested, the Party alleged to have failed to perform, state the obligation allegedly not performed, and the performance demanded.

3. Addresses

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Notice shall be provided to the following addresses:

To VILLAGE: Village of Shorewood
One Towne Center
Shorewood, IL 60404
Attn: Village Administrator

Copy to: David J. Silverman
Mahoney, Silverman and Cross
822 N. 129th Infantry Dr., Ste 100
Joliet, IL 60435

To PARTY: FOUR SEASONS, LLC

Copy to: Law Offices of Daniel J. Kramer
1107A S. Bridge Street
Yorkville, IL 60560

G. Agreement to Prevail Over Ordinances

After annexation, in the event of any conflict between this Agreement and any ordinances of the VILLAGE in force at the time of execution of this Agreement or enacted during the pendency of this Agreement, the provision of this Agreement shall prevail to the extent of any such conflict or inconsistency.

H. Partial Invalidity of Agreement

If any provision of this Agreement or its application to any person, entity, or property is held invalid, such provision shall be deemed to be excised herefrom and the invalid thereof shall not affect the application or validity of any other terms, conditions, and provisions of this Agreement and, to that end, any terms conditions and provisions of this Agreement are declared to be severable. If for any reason during the term of this Agreement any approval or permission granted hereunder regarding plans or plats of subdivision or zoning is declared invalid, the VILLAGE agrees to take whatever action is necessary to reconfirm such plans, plat approvals, or zoning ordinances effectuating the zoning, variations, and plat approvals proposed herein.

I. Headings

The article headings are for convenience only, and in no way define, limit or describe the scope or intent or any article or section of this Agreement.

J. Counterparts

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This Agreement may be executed in counterparts.

K. Property Maintenance

The Property must be maintained free of all rubbish, mounds of dirt, sand and/or concrete and in a neat, clean, presentable and attractive condition. Except to facilitate on-going construction and for the temporary allowance for outdoor storage on Lot 2, there shall be no open storage of construction items or materials or of vehicles such as cars, trucks, motorcycles, boats and buses. Upon annexation the Property shall be subject to the Village Property Maintenance Code.

L. Property Address

Upon annexation, the Owner shall take all steps required to conform the Property with the Village address system.

M. Landscaping

Notwithstanding the fact that the Property may be developed under the jurisdiction of Kendall County, all development must comply with the Village Landscape Ordinance and in substantial conformance with the Landscape Plan attached as Exhibit "E".

N. County Building Permits

The Owner shall notify the Village prior to requesting any building permits on the Property.

O. County Special Use Requests

The Owner shall notify the Village prior to applying for any additional Special Use Permits at Kendall County.

P. Cell Towers

No cell towers, antennas, dishes or panel not used in conjunction with uses on the Property may be installed without Village approval.

IN WITNESS WHEREOF, the Parties have executed this Annexation Agreement the day and year first above written.

VILLAGE:
VILLAGE OF SHOREWOOD

By: _____
Village President

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Attest: _____
Village Clerk

STATE OF ILLINOIS)
COUNTY OF _____) SS
)

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that _____, Village President and _____, Village Clerk, personally known to me to be the same persons whose names are subscribed on the foregoing instruments, appeared before me this day in person and severally acknowledged that as such Village President and Village Clerk, they signed and delivered the said instrument as Village President and Village Clerk and caused the corporate seal of said Village to be affixed thereto, pursuant to the authority, given by the Village of Shorewood Board of Trustees as a free and voluntary act and deed of said Village for the uses and purposes set forth.

Given under my hand and official seal this ____ day of _____, _____.

Notary Public
PARTY:
FOUR SEASONS

_____

STATE OF ILLINOIS)
COUNTY OF _____) SS
)

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that FOUR SEASONS, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as the free and voluntary act for the use and purposes set forth.

Given under my hand and official seal this ____ day of _____, _____.

Notary Public

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Prepared by and Return to:

Law Offices of
Daniel J. Kramer
1107A S. Bridge St.
Yorkville, IL 60560
(630) 553-9500
dkramer@dankramerlaw.com

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LIST OF EXHIBITS

Exhibit "A"	Legal Description
Exhibit "B"	Draft Final Plat
Exhibit "C"	Kendall County Zoning Ordinance
Exhibit "D"	Site Development Plan
Exhibit "E"	Landscape Plan
Exhibit "F"	Traffic Impact Study
Exhibit "G"	Sign Plan

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Exhibit A
Legal Description

That Part of the Northeast Quarter of Section 13, Township 35 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter; thence Southerly, along the East Line of said Northeast Quarter, 1142.05 feet; thence Westerly, parallel with the North Line of said Northeast Quarter, 51.55 feet for the point of beginning; thence continuing Westerly, parallel with said North Line, 547.51 feet; thence Southerly, parallel with the West Line of said Northeast Quarter, 732.29 feet to a line which is 1874.37 feet Southerly of (as measured along the East Line of said Northeast Quarter) and parallel with the North Line of said Northeast Quarter; thence Easterly, parallel with said North Line, 546.10 feet; thence Northerly at an angle of 90 26'57" measured clockwise from the last described course, 732.32 feet to the point of beginning in Seward Township, Kendall County, Illinois.

Exhibit B Draft
Final Plat

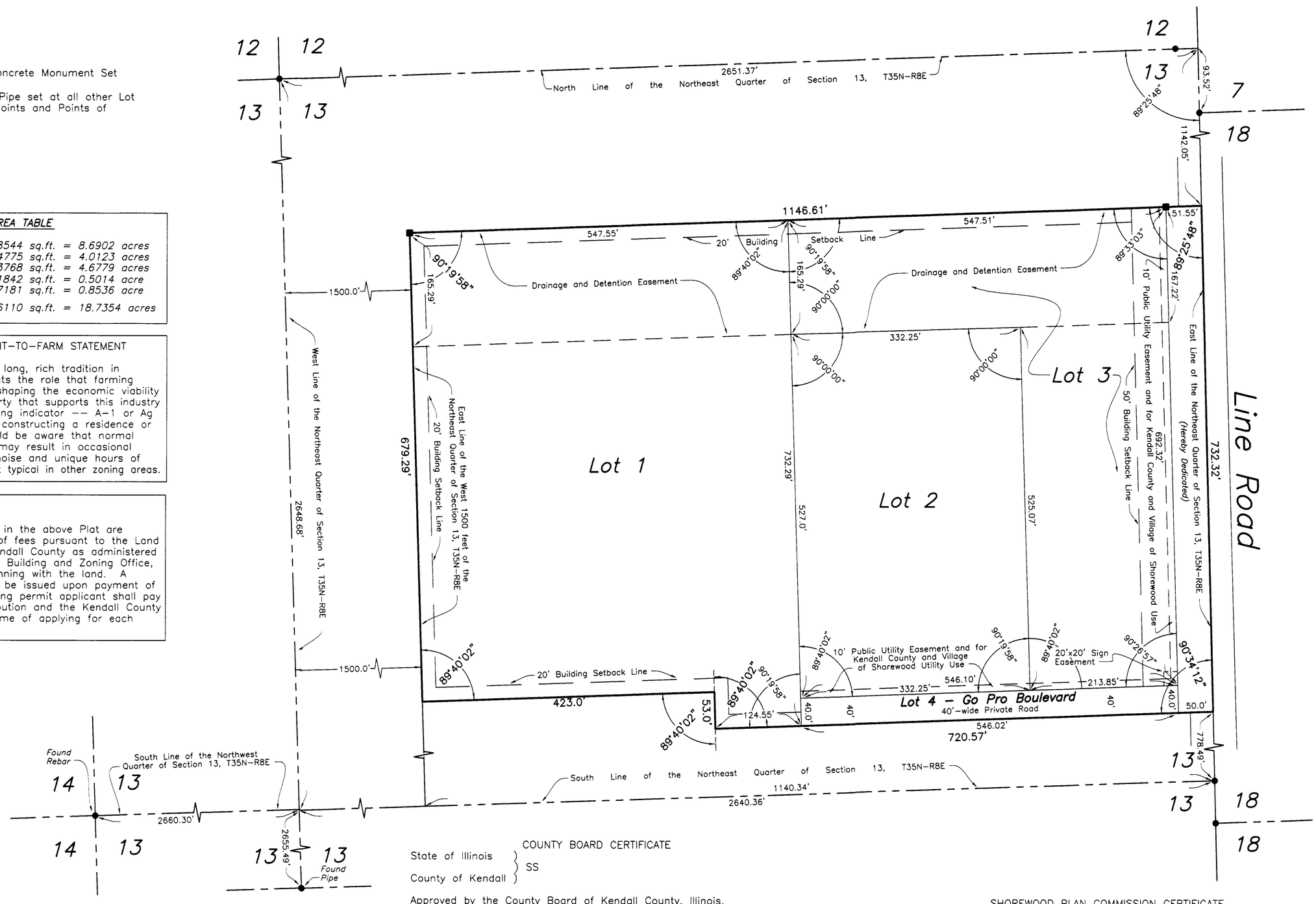
FINAL PLAT OF
GO PRO SPORTS SUBDIVISION
SEWARD TOWNSHIP KENDALL COUNTY ILLINOIS

N

SCALE
1"=100'

■ Indicates Concrete Monument Set

3/4"x 24" Iron Pipe set at all other Lot Corners, Angle Points and Points of Curvature.



AREA TABLE		
Lot 1	378544 sq.ft. =	8.6902 acres
Lot 2	174775 sq.ft. =	4.0123 acres
Lot 3	203768 sq.ft. =	4.6779 acres
Lot 4	21842 sq.ft. =	0.5014 acre
Hereby Dedicated	37181 sq.ft. =	0.8536 acre
Total	816110 sq.ft. =	18.7354 acres

KENDALL COUNTY RIGHT-TO-FARM STATEMENT

Kendall County has a long, rich tradition in agriculture and respects the role that farming continues to play in shaping the economic viability of the county. Property that supports this industry is indicated by a zoning indicator -- A-1 or Ag Special Use. Anyone constructing a residence or near this zoning should be aware that normal agricultural practices may result in occasional smells, dust, sights, noise and unique hours of operations that are not typical in other zoning areas.

NOTICE OF FEES:

All Lots as delineated in the above Plat are subject to payments of fees pursuant to the Land Cash Ordinance of Kendall County as administered by the Kendall County Building and Zoning Office, and is a covenant running with the land. A recordable receipt will be issued upon payment of such fees. The building permit applicant shall pay the Land Cash contribution and the Kendall County Highway Fee at the time of applying for each building permit.

SURVEYOR'S CERTIFICATE

State of Illinois } SS
County of Kendall }

This is to certify that I, Phillip D. Young, an Illinois Professional Land Surveyor and an officer of Phillip D. Young and Associates, Inc., at the request of the administrator of the land described hereon, have surveyed, subdivided and platted the land shown hereon to be hereinafter known as "Go Pro Sports Subdivision, Seward Township, Kendall County, Illinois", being a Subdivision of Part of the Northeast Quarter of Section 13, Township 35 North, Range 8 East of the Third Principal Meridian in Seward Township, Kendall County, Illinois, more particularly described as follows:

That Part of the Northeast Quarter of Section 13, Township 35 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter; thence Southerly, along the East Line of said Northeast Quarter, 1142.05 feet for the point of beginning; thence Westerly, parallel with the North Line of said Northeast Quarter, 1146.61 feet to a line which is 1500.0 feet (normally distant) Easterly of the West Line of said Northeast Quarter; thence Southerly, parallel with said West Line, 679.29 feet; thence Easterly, parallel with said North Line, 423.0 feet; thence Southerly, parallel with said West Line 53.0 feet; thence Easterly, parallel with said North Line, 720.57 feet to said East Line of the Northeast Quarter; thence Northerly, along said East Line, 732.32 feet to the point of beginning in Seward Township, Kendall County, Illinois.

I also certify that the above described property lies within 1-1/2 miles of the corporate limits of the Village of Shorewood and the City of Joliet, both of which have adopted and properly filed an Official Plan and are exercising the special powers authorized by Division 12 of Article 11 of the Illinois Municipal Code as Amended.

I also certify that no part of the property above described lies within a special flood hazard area as identified by the Federal Emergency Management Agency based on Flood Insurance Rate Map Panel No. 17093C0145H with an effective date of January 8, 2014.

I also certify that the attached plat is in compliance with Chapter 109 of the Illinois Revised Statutes, that all subdivision exterior monuments have been set, that all interior monuments will be set within 12 months of the recordation of this plat, and that all dimensions are shown in feet and decimal parts thereof.

This professional service conforms to the current Illinois minimum standard for a boundary survey.

Dated _____, 20__ at Yorkville, Illinois

Phillip D. Young
Illinois Professional Land Surveyor No. 2678 (Expires 11/30/20)

COUNTY ENGINEER CERTIFICATE

State of Illinois } SS
County of Kendall }

I, _____, County Engineer of Kendall County, do hereby certify that the annexed plat has been examined by me and found to comply with the highway requirements as set forth in the regulations governing plats of subdivided land adopted by the County Board of Kendall County, Illinois.

Dated this ___ day of _____, 20__.

_____
Kendall County Engineer

TOWNSHIP HIGHWAY COMMISSIONER CERTIFICATE

State of Illinois } SS
County of Kendall }

I, _____ do hereby certify that all matters pertaining to the highway requirements as described in the regulations governing plats adopted by the County Board of Kendall County, insofar as they pertain to the annexed plat, have been complied with.

Dated this ___ day of _____, 20__.

_____
Seward Township Highway Commissioner

PLAT OFFICER CERTIFICATE

State of Illinois } SS
County of Kendall }

Approved this ___ day of _____, 20__.

_____
Plat Officer

COUNTY BOARD CERTIFICATE

State of Illinois } SS
County of Kendall }

Approved by the County Board of Kendall County, Illinois, this ___ day of _____, 20__,

_____ _____
Chairman of County Board County Clerk

PLAN AND ZONING COMMITTEE CERTIFICATE

State of Illinois } SS
County of Kendall }

Approved by the Plat and Zoning Committee, this ___ day of _____, 20___.

_____
Plan and Zoning Committee, Chairman

OWNER'S AND SCHOOL CERTIFICATE

State of Illinois } SS
County of Kendall }

This is to certify that Go Pro Baseball, LLC is the owner of the property described in the attached Surveyor's Certificate has caused the same to be surveyed and subdivided as indicated for the uses and purposes therein set forth and does hereby acknowledge and adopt the same under the style and title of "Go Pro Sports Subdivision, Seward Township, Kendall County, Illinois". All of the property hereon described is located within the boundaries of Minooka Community Consolidated School District 201 and Minooka Community High School District 111.

Dated at _____, Illinois this ___ day of _____, 20__.

_____
Jason Shelly, manager
Go Pro Baseball, LLC
1068 Ronald Drive
Joliet, Illinois 60431

NOTARY'S CERTIFICATE

State of Illinois } SS
County of Kendall }

I, _____, a Notary Public in and for the County and State aforesaid, to hereby certify that Jason Shelly, who is personally known to me to be the same person whose name is subscribed to the foregoing Owner's and School Certificate, appeared before me this day, in person, and acknowledged that he signed and delivered the annexed plat as her own free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this ___ day of _____, 20__.

_____
Notary Public
My commission expires _____.

PROFESSIONAL ENGINEER'S CERTIFICATE

State of Illinois } SS
County of Kendall }

We, John Tebrugge, an Illinois Registered Professional Engineer and Go Pro Baseball, LLC, the owner of the property described in the attached Surveyor's Certificate submit the topographical and profile studies, and certify that, to the best of our knowledge and belief, the drainage of surface waters will not be changed by the construction of this Subdivision or any Part thereof, or, that if such surface water drainage will be changed, reasonable provisions have been made for the collection and diversion of such surface waters into public areas or drains which the subdivider has a right to use, and that such surface waters will be planned for in accordance with generally accepted engineering practices so as to reduce the likelihood of damage to the adjoining property because of the construction of the Subdivision.

Dated at _____, Illinois this ___ day of _____, 20__.

_____
Go Pro Baseball, LLC – Jason Shelly, manager

_____ No. _____
Registered Professional Engineer

COUNTY CLERK CERTIFICATE

State of Illinois } SS
County of Kendall }

This is to certify that I, _____ County Clerk for the County aforesaid, do hereby certify that there are no delinquent general taxes, no unpaid current taxes, no unpaid forfeiture taxes and no redeemable tax sales against any of the real estate described in the foregoing certificates.

Dated this ___ day of _____, 20__.

_____
County Clerk

SHOREWOOD PLAN COMMISSION CERTIFICATE

State of Illinois } SS
County of Will }

Approved by the Plan Commission of the Village of Shorewood, Will County, Illinois this ___ day of _____, 20___.

_____ _____
Chairman Secretary

SHOREWOOD TRUSTEES CERTIFICATE

State of Illinois } SS
County of Will }

Approved by the Board of Trustees of the Village of Shorewood, Will County, Illinois this ___ day of _____, 20__.

_____ _____
Village President Village Clerk

COUNTY RECORDER CERTIFICATE

State of Illinois } SS
County of Kendall }

This Instrument No. _____ was filed for record in the Recorder's Office of Kendall County, aforesaid, on the ___ day of _____, 20__ at _____ o'clock __M.

_____
Kendall County Recorder

COUNTY HEALTH DEPARTMENT

State of Illinois } SS
County of Kendall }

Issuance of building permits shall be subject to lot soil testing and site evaluation, demonstrating the ability to construct and operate a sewage disposal system capable of meeting or exceeding all applicable state and local rules and regulations.

Approved this ___ day of _____, 20__.

_____
Kendall County Health Department

PUBLIC UTILITY EASEMENT PROVISIONS:

An easement for serving the subdivision and other property with natural gas, electric and communications service is hereby reserved for and granted to COMMONWEALTH EDISON, SBC-AMERITECH, CABLE TELEVISION FRANCHISE, NICOR AND GRANTEES, their respective successors and assigns, jointly and severally, to install, operate, maintain and remove, from time to time, facilities used in conjunction with underground transmission and distribution of natural gas and electricity, sounds, signals in, over, under, across, along and upon the surface of the property shown within the dashed lines on the plat and marked "Public Utility Easement", the property designated in the Declaration of Condominium and/or on this plat as "Common Elements", and the property designated on the plot for streets and alleys, whether public or private, together with the right to install required service connections over or under the surface of each lot and common area or areas to serve improvements, thereon, or on adjacent lots, and common areas or areas, the right to cut, trim or remove trees, bushes and roots as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. Obstructions shall not be placed over grantee's facilities or in, upon or over the property within the dashed lines marked "Public Utility Easement" without the prior written consent of grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered in a manner so as to interfere with proper operation and maintenance thereof.

The term "Common Elements" shall have the meaning set forth for such term in the "Condominium Property Act", Chapter 765 ILCS 605/2(e), as amended from time to time.

The term "common area or areas" is defined as a lot, parcel or area of real property, the beneficial use and enjoyment of which is reserved in whole as an appurtenance to the separately owned lots, parcels or areas within the planned development, even though such be otherwise designated on the plat by terms such as "outlots", "common elements", "open spaces", "open area", "common ground", "parking and common area". The terms "common area or areas" and "Common Elements" includes real property physically occupied by a building, Service Business District or structures such as a pool or retention pond, or mechanical equipment.

Relocation of facilities will be done by Grantees at cost of Grantor/Lot Owner, upon written request.

DRAINAGE EASEMENT AND DETENTION EASEMENT PROVISIONS:

An easement is hereby reserved for and granted to the County of Kendall, Illinois, and its successors and assigns over all of the areas marked "Drainage Easement" and "Detention Easements" on the plat hereon drawn for the perpetual right, privilege and authority to construct, reconstruct, repair, inspect, maintain, and operate storm sewers and the storm water detention ponds, together with any and all necessary manholes, catch basins, connections, ditches, swales and other structures and appurtenances as may be deemed necessary by said County upon, along, under and through said indicated easement, together with the right of access across the property for necessary men and equipment to do any of the above work. The right is also granted to cut down, trim or remove any trees, shrubs or other plants on the easements that interfere with the operation of the sewers or other utilities. No permanent buildings shall be placed on said easement. No changes to the topography or storm water management structures within the easement area shall be made without the express written consent of said County, but the same may be used for the purposes that do not then or later interfere with the aforesaid rights. The owner of the property shall remain responsible for the maintenance of the storm water detention pond and appurtenances.

JOB NO.	19171
JOB NAME	GO PRO BASEBALL
DWG FILE	19171B
REVISION DATE	

Phillip D. Young and Associates, Inc.
LAND SURVEYING - TOPOGRAPHIC MAPPING - Lic.#184-002775
1107B South Bridge Street
Yorkville, Illinois 60560
Telephone (630)553-1580

EXHIBIT C
Kendall County Zoning Ordinance

9.00 COMMERCIAL ZONING DISTRICTS

9 .01 PURPOSE

The purpose of this section is to encourage the orderly development of commercial properties to serve and meet the needs of the citizens of Kendall County. The establishment of new commercial districts shall follow the guidelines of the Kendall County Land Resource Management Plan (LRMP). In general, areas designated as Commercial/Industrial or Transportation Corridors on the Resource Management Concept Plan are appropriate for commercial development. Where properties proposed for commercial development are contiguous to existing municipalities, the County encourages the annexation of these properties.

More specifically, the commercial zoning districts are intended to provide for groupings of business and commercial establishments that are compatible in scope of services, methods of operation, and traffic generation.

9.02 B-1 LOCAL SHOPPING DISTRICT

A. Purpose. The B-1 Local Shopping District is composed of those areas of the County whose principal use is neighborhood-oriented, limited retail, service and repair business activities which serve the surrounding area. This district is provided to permit the development of these business activities, to protect adjacent areas against encroachment by incompatible uses, and to lessen congestion on public roads. To these ends, certain uses which would interfere with the operation of these business activities and the purpose of this district have been excluded.

B. Permitted Uses. The following uses are permitted:

1. Accessory uses. Accessory uses, structures, and buildings shall be permitted provided such uses, structures or buildings comply with the regulations of Section 4.05.

2. Adult Day Care or Respite Care

3. Art Galleries and Studios

4. Bait Shop

5. Barber Shops, Beauty Parlors, Massage or Similar Personal and business Service Shops

6. Bicycle Sales and Repair

7. Convenience Store

8. Custom Dressmaking, Millinery, Tailoring or Shoe Repair Shops

9. Drug Store

10. Fire Stations

11. Gardening Supplies and Seed Stores (retail sales only)

12. Governmental buildings and facilities

13. Grocery and food sales under 10,000 square feet

14. Indoor business sales and service under 10,000 square feet

15. Indoor retail sales of goods under 10,000 square feet, including repair of goods sold on the premises

16. Nano Breweries, subject to the following conditions: *(Amended 11/15/11; Ord. 11-29)*
   a. The facility shall have direct access to a road designated as a major collector (or higher) on the County Land Resource Management Plan.
   b. All applicable Federal (including the Alcohol and Tobacco Tax and Trade Bureau), State (including the Illinois Liquor Control Commission), and County rules and regulations shall apply.
   c. Locally grown inputs shall be used to the greatest extent possible, with production utilizing crops grown on the same property or in combination with crops grown off-site.
   d. Any tasting or sale of beer shall be subject to the Kendall County Liquor Control regulations.

17. Offices, business and professional, including medical clinics

18. Personal and business service shops under 10,000 square feet but not including uses regulated in Section 4.16

19. Photography Studios

20. Police Stations.

21. Postal substations

22. Restaurants, cafes, cafeterias or other similar establishments including but not limited to retail food stores.

23. Temporary buildings or structures for construction offices or storage, on the same zoning lot, for a period not to exceed such construction

24. Tobacco Shops

C. Special Uses. The following uses may be allowed by special use permit in accordance with the provisions of Section 13.00:

1. Book and Stationery Stores when Services are intended to serve the immediate convenience needs of persons employed in the area

2. Business Planned Developments

3. Camera and Photographic Supply Stores

4. Clubs and lodges (non-profit), fraternal or religious institutions

~~5. Communications use~~

~~6. Currency Exchange~~

7. Child Day Care Facility

8. Drive through or drive up windows for any permitted use excluding the sale of alcoholic beverages.

~~9. Dwelling units for Watchmen and Families including a Caretaker.~~

10. Musical Instrument Sales and Repair (including lessons)

11. Places of Worship subject to the following conditions:
    a. The height for the towers and steeples shall not exceed seventy-five (75) feet and not more than forty-five (45) feet for the main structure.
    b. Other related uses, such as school, child day care services, kindergartens, meeting facilities shall be permitted to the extent that the activity is otherwise permitted, and shall be subject to all applicable regulations, including parking.
    c. Off-street parking, lighting and loading shall be provided as required or permitted in Section 11.00

~~12. Public or Private Utilities and Service uses:~~

~~a. Telecommunications hub~~
~~b. Filtration plant, pumping station, and water reservoir.~~
~~c. Sewage treatment plant.~~
~~d. Electric substations and booster stations.~~
~~e. Other Similar uses~~

~~13. Telecommunications Stations~~

14. Veterinary establishments, but not including the boarding of animals except for overnight stays for medical treatment and observation.

~~15. Solar Gardens subject to the provisions of Section 4.00 of the Kendall County Zoning Ordinance. (Amended 11/20/2018)~~

D. Conditional Uses. The following Conditional Uses may be permitted only if specifically authorized by the Zoning Administrator:

1. Dry-cleaning and pressing establishments, when employing facilities for the cleaning and pressing of not more than fifteen hundred pounds of dry goods per day, and when using carbon tetrachloride or other similar non-inflammable solvents approved by the State Fire Marshal.

2. Electrical Appliance Stores and Repair with a size limit of 10,000 square feet.

3. Laundries, automatic self-service types or hand employing not more than two persons in addition to one owner or manager, provided that laundry machines shall not exceed ten pounds capacity each.

~~4. Small Wind Energy Systems subject to the conditions of Section 4.18~~

E. Lot Size. Every lot or tract of land upon which a building is erected or maintained shall have an area of not less than 10,000 square feet and a width of not less than 100 feet as measured from the front building line.

F. Yard Areas. No building shall be erected or enlarged unless the following yards are provided and maintained in connection with such building:

1. Front Yard. Every building hereafter erected or enlarged shall provide and maintain a front yard in accordance with the following requirements:

a. Arterial Roadways. Fifty (50) feet from a dedicated road right-of-

way or one hundred (100) feet from the center line of all adjacent roads, whichever is greater.

b. Major or Minor Collector Roadways. Forty (40) feet from a dedicated road right-of-way or ninety (90) feet from the center line of all adjacent roads, whichever is greater.

c. All Other Streets. Thirty feet (30) from a dedicated road right-of- way or seventy-five (75) feet from the center line of all adjacent roads, whichever is greater.

2. Side Yard. Ten feet from the property line. Where a side yard abuts a setback in an agricultural or residential district or a municipality, the required side yard shall be ten feet, or equivalent to said adjacent setback, whichever is greater.

3. Rear Yard. Twenty feet from the property line. Where a rear yard abuts a setback in an agricultural or residential district or a municipality, the required rear yard shall be twenty feet, or equivalent to said adjacent setback, whichever is greater.

G. Lot Coverage.

1. Maximum Floor Area Ratio. Not to exceed 0.50.

2. Impervious Lot Coverage (buildings, parking, drives, etc.). Not to exceed 75% of the lot.

H. Maximum Building Height. No building hereinafter erected shall exceed 35 feet in height.

I. Signs. In accordance with the regulations set forth in Section 12.00.

J. Off-Street Parking and Loading. In accordance with the regulations set forth in Section 11.00. Parking shall not encroach upon the required front or side yard. Parking may encroach upon the required rear yard, provided that a landscaped buffer yard of at least 10' from the rear property line is maintained.

K. Other Provisions.

1. Performance Standards. All activities shall conform with the performance standards set forth in section 10.01.G.

2. Refuse Enclosures. Refuse or trash collection areas shall be completely

screened from view on all sides, with solid fencing of either wood or masonry construction, and shall include a concrete pad and an operable door of adequate width. Screening may also be of chain link, with a screen of dense landscape plantings.

3. Waste Materials. No materials or wastes shall be deposited upon a lot in such a form that they may be transferred off the property by natural causes or forces.

4. Screening and Landscaping. Where a commercial use abuts or is across the street from a residential district, adequate screening and landscaping shall be provided as set forth in Section 13.00. Site Plan Review. All areas must include a landscaping plan for approval at the time the request for B-1 zoning is made.

9.03 B-2 GENERAL BUSINESS DISTRICT

A. Purpose. The B-2 General Business District is composed of those areas of the County whose principal use is general retail, service and repair business activities which serve persons and businesses in the County. This district is provided to permit the development of these business activities, to protect adjacent areas against encroachment by incompatible uses, and to lessen congestion on public roads.

B. Permitted Uses. The following uses are permitted:

1. All permitted uses in the B-1 Local Shopping District

~~2. Private Ambulance service~~

3. Antique Shops

4. Art and school supply stores

5. Auction Facility when conducted wholly within an enclosed building and with no outside storage.

6. Banks and financial institutions

7. Book and Stationery Stores

8. Building material sales (retail)

No outdoor sales or storage

9. Camera and Photographic Supply Stores

10. Catering Establishments

11. Copying/Reproduction Stores & banner or sign supplies

12. Electrical Appliance Stores and Repair

13. Furrier

14. Glass cutting and glazing establishments

15. Grocery and food sales

16. Indoor business sales and service in excess of 10,000 square feet

17. Indoor retail sales of goods in excess of 10,000 sq. feet, including repair of goods sold on the premises

~~18. Monument sales, but not including the cutting or grinding of stones~~

19. Motor Vehicle accessory store

20. Musical Instrument Sales and Repair (including lessons)

21. Packaged Liquor Store or any sale of alcoholic beverages

25. Personal and business service shops in excess of 10,000 Sq. ft.

26. Pet shop when conducted wholly within an enclosed building

~~27. Plumbing, heating, and roofing supply shops~~

28. Schools (including music, dance, business, driving, commercial, or trade but excluding truck driving)

29. Veterinary establishments, but not including the boarding of animals except for overnight stays for medical treatment and observation.

C. Special Uses. The following uses may be allowed by special use permit in accordance with the provisions of Section 13.00:

~~1. Agricultural implement sales and service on an open lot or within a building~~

~~2. Boat, Trailer and Recreational Vehicle sales or rental and service.~~

3. Child Day Care Facility

4. Clubs and lodges (non-profit), fraternal or religious institutions

~~5. Communications use~~

~~6. Crematories/Funeral Homes~~

~~7. Currency Exchange~~

8. Drive through or drive up windows for any permitted use excluding the sale of alcoholic beverages.

~~9. Dwelling units for Watchmen and Families including a Caretaker.~~

~~10. Fertilizer sales, including limited storage.~~

~~11. Hospital~~

12. Indoor entertainment and recreation

13. Indoor Target Practice with the following conditions:
    a. The indoor shooting range shall meet all applicable standards established in the NRA Range Source Book. Documentation indicating compliance with the aforementioned standards shall be submitted with the site plan. Plans require engineer certification for soundproofing and appropriate design.
    b. Must be at least 150' from existing dwellings and property lines of schools, daycares, and places of worship.
    c. Hours of operation from 7am to 10pm
    d. No alcohol allowed.
    e. Must meet all requirements of the Kendall County Health Department.
    f. All applicable Federal, State, EPA and County rules and regulations shall be adhered to.

~~14. Kendall County Sheriff's Office shooting range with conditions to be set and approved by the County Board.~~

15. Meeting halls

~~16. Motor Vehicle Service Stations for Retail Sale of Gasoline and Oil for~~

~~Motor Vehicles~~

~~17. Motor Vehicle /Motorcycle service stations, including repair and rebuilding, or painting of motor vehicles~~

18. Motor vehicle-Sales/ Motorcycle Sales

~~19. Motor vehicle washing including the use of mechanical conveyers, blowers and steam cleaning~~

~~20. Outdoor storage, provided such storage is screened from adjacent and surrounding properties~~

~~21. Parking Garages for storage of private passenger automobiles and commercial vehicles under one and one-half ton capacity~~

22. Places of Worship subject to the following conditions:
    a. The height for the towers and steeples shall not exceed seventy-five (75) feet and not more than forty-five (45) feet for the main structure.
    b. Other related uses, such as school, child day care services, kindergartens, meeting facilities shall be permitted to the extent that the activity is otherwise permitted, and shall be subject to all applicable regulations, including parking.
    c. Off-street parking, lighting and loading shall be provided as required or permitted in Section 11.00

~~23. Public or Private Utilities and Service uses:~~
    ~~a. Telecommunications hub~~
    ~~b. Filtration plant, pumping station, and water reservoir.~~
    ~~c. Sewage treatment plant.~~
    ~~d. Electric substations and booster stations.~~
    ~~e. Other Similar uses~~

24. Taverns

~~25. Telecommunications Stations~~

~~26. Solar Gardens subject to the provisions of Section 4.00 of the Kendall County Zoning Ordinance. (Amended 11/20/2018)~~

D. Conditional Uses. The following Conditional Uses may be permitted only if specifically authorized by the Zoning Administrator:

1. Contractor or construction Services such as: building, cement, electrical, refrigeration, masonry, building, plumbing, roofing, air-conditioning, heating and ventilating.

2. Contractors' offices and shops, where no fabrication is done on the premises and where all storage of material and equipment is within a building.

3. Dry-cleaning and pressing establishments, when employing facilities for the cleaning and pressing of not more than fifteen hundred pounds of dry goods per day, and when using carbon tetrachloride or other similar non-inflammable solvents approved by the State Fire Marshal.

4. Enclosed self-service storage facility, provided that:

   a. Each self-service storage facility shall be governed by the provisions of the Illinois Self-Service Storage Facility Act, 770 ILCS 95/1 et seq.

   b. A fence and landscaping shall be provided which completely encloses the facility and screens it from view of residential structures and residentially zoned property

5. Laboratories (medical, dental, research, experimental and testing), provided no production or manufacturing of products takes place

6. Laundries, automatic self-service types or hand employing not more than two persons in addition to one owner or manager, provided that laundry machines shall not exceed ten pounds capacity each.

8. Outdoor Display may be permitted subject to the following:

   a. TEMPORARY SEASONAL DISPLAYS

      (i) Seasonal displays not exceeding 60 days per calendar year may be conducted on the same zoning lot as the principal business.

      (ii) A site plan must be submitted by the applicant and approved by the Zoning Administrator showing the location of the seasonal display, the items to be displayed and the duration of the display.

      (iii) Seasonal display areas shall be located at least 10 feet from any property line, shall not use required parking spaces, and

shall not encroach into any required vision triangle areas.

All signage for seasonal display areas shall conform with Section 12.00 of the Kendall County Zoning Ordinance.

~~b. PERMANENT OUTDOOR DISPLAYS~~

~~(i) Shall only be permitted on the same zoning lot as the principal business, and shall only display merchandise which is sold at the subject premises. Items which are not sold on the premises or which are general outdoor storage are not permitted.~~

~~(ii) Shall not exceed 10% of the subject area or 1,000 square feet in area, whichever is smaller.~~

~~(iii) Shall be subject to site plan review and approval by the Zoning Administrator.~~

~~(iv) Shall be located at least 10 feet from any property line, shall not use required parking spaces, and shall not encroach into any required vision triangle areas.~~

~~(v) Displays shall not be higher than 15 feet in height.~~

~~(vi) All signage for outdoor display areas shall conform with Section 12.00 of the Kendall County Zoning Ordinance.~~

~~(vii) A zoning certificate and fee are required for approval of an outdoor display area.~~

~~(viii) Any outdoor display area shall be subject to review by the Planning, Building and Zoning Committee and may be rescinded if deemed necessary.~~

~~(ix) Any outdoor display area which does not meet these requirements may be permitted as a special use.~~

~~9. Processing or assembly, provided that space occupied in a building does not exceed six thousand square feet of total floor space and basement space, not including stairwells or elevator shafts; and provided such processing or assembly can be conducted without noise, vibration, odor, dust or any other conditions which might be disturbing to occupants of adjacent buildings. When manufacturing operations of the same or similar products demand space exceeding six thousand square feet, they shall~~

~~then be located in the M-1 Manufacturing District.~~

~~10. Small Wind Energy Systems subject to the conditions of Section~~

E. Lot Size. Every lot or tract of land upon 4.18 which a building is erected or maintained shall have an area of not less than 10,000 square feet and a width of not less than 100 feet.

F. Yard Areas. No building shall be erected or enlarged unless the following yards are provided and maintained in connection with such building:

1. Front Yard. Every building hereafter erected or enlarged shall provide and maintain a front yard in accordance with the following requirements:

a. Arterial Roadways. Fifty feet (50) from the dedicated road right-of-way or one hundred (100) feet from the center line of all adjacent roads, whichever is greater.

b. Major or Minor Collector Roadways. Forty (40) feet from the dedicated road right-of-way or ninety (90) feet from the center line of all adjacent roads, whichever is greater.

c. All Other Streets. Thirty (30) feet from the dedicated road right-of-way or seventy (70) feet from the center line of all adjacent roads, whichever is greater.

d. Exception. Where lots comprising fifty percent of the frontage on the same street and within the same block are developed with buildings having front yards with a variation of not more than ten feet in depth the average of such front shall establish the minimum front yard depth for the entire frontage, but in no case shall a front yard of more than that stipulated above for the applicable classification of a street on which the property is located be required.

2. Side Yard. Ten feet from the property line. Where a side yard abuts a setback in an agricultural or residential district or a municipality, the required side yard shall be ten feet, or equivalent to said adjacent setback, whichever is greater.

3. Rear Yard. Twenty feet from the property line. Where a rear yard abuts a setback in an agricultural or residential district or a municipality, the required rear yard shall be twenty feet, or equivalent to said adjacent setback, whichever is greater.

G. Lot Coverage.

1. Maximum Floor Area Ratio. Not to exceed 0.50.

2. Impervious Lot Coverage (buildings, parking, drives, etc.). Not to exceed 70% of the lot.

H. Maximum Building Height. No building hereinafter erected shall exceed 35 feet in height.

I. Signs. In accordance with the regulations set forth in Section 12.00.

J. Off-Street Parking and Loading. In accordance with the regulations set forth in Section 11.00. Parking shall not encroach upon the required front or side yard. Parking may encroach upon the required rear yard, provided that a landscaped buffer yard of at least 10' from the rear property line is maintained.

K. Other Provisions.

1. Performance Standards. All activities shall conform with the performance standards set forth in section 10.01.G.

2. Outdoor Sales. All outdoor sales space shall be provided with a permanent durable and dustless surface, and shall be graded and drained as to dispose of all surface water.

3. Refuse Enclosures. Refuse or trash collection areas shall be completely screened from view on all sides, with solid fencing of either wood or masonry construction, to a height of seven feet; and shall include concrete pad and an operable door of adequate width. Screening may also be of chain link, with a screen of dense landscape plantings.

4. Waste Materials. No materials or wastes shall be deposited upon a lot in such a form that they may be transferred off the property by natural causes or forces.

5. Screening and Landscaping. Where a commercial use abuts or is across the street from a residential district, adequate screening and landscaping shall be provided as set forth in Section 13.00 Site Plan Review. All areas must include a landscaping plan for approval at the time the request for B-2 zoning is made.

9.04 B-3 HIGHWAY BUSINESS DISTRICT

SECTION 9.00 BUSINESS DISTRICTS Updated on 11.19.19

A. Purpose: The B-3, Highway Business District is intended for major retail, service and repair establishments serving a large trade area, usually the entire County or beyond and oriented to the traveling public. The trade area population served by these establishments requires easy access, although patronage is more dispersed and visits to these establishments less frequent than in the B-1 District and B-2 District. It is the intent of the B-3 District regulations that establishments desiring location along major traffic routes are grouped with appropriate and adequate access ways provided.

B. Permitted Uses. The following uses are permitted:

1. All Permitted Uses identified in the B-2 General Business District

~~2. Agricultural implement sales and service on an open lot or within a building.~~

3. Animal hospital

4. 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 regulations are as follows:

      Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.

Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.

EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.

~~5. Beverages, non-alcoholic, bottling and distributing.~~

6. Boat, Trailer and Recreational Vehicle sales or rental and service

7. Carpet and Rug Stores

~~8. Clean up and restoration services with the following conditions:~~

~~a. If zoned A-1 Agricultural the facility shall have direct access to a road designated as a major collector (or higher) on the County Land Resource Management Plan.~~

~~b. All commercial vehicles are to be stored inside an accessory structure when not in use unless outdoor storage is screened from adjacent and surrounding properties and screening and storage is shown on the approving site plan.~~

~~c. All operations are to take place inside an enclosed structure.~~

~~d. A waste management plan must be submitted for approval and included as an exhibit to the approving ordinance~~

~~e. A material management plan must be submitted including where items will be stored on site including but not limited to chemicals and belongings.~~

~~f. No materials that are brought in can be burned on this site.~~

~~g. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance (Sign Regulations).~~

~~h. Shall satisfy all requirements of the Kendall County Health Department and Building Department prior to the issuance of occupancy permits.~~

~~9. Construction equipment sales and service.~~

10. Crematories/ Funeral Homes

11. Currency exchange.

12. Drive through or drive up windows for any permitted use excluding the sale of alcoholic beverages.

~~13. Dry-cleaning and pressing establishments, when employing facilities for the cleaning and pressing of not more than fifteen hundred pounds of dry goods per day, and when using carbon tetrachloride or other similar non-inflammable solvents approved by the State Fire Marshal.~~

14. Health clubs (public or private) and related accessory uses.

15. Hotel and/or Motels

16. Indoor entertainment and recreation

17. Laboratories (medical, dental, research, experimental and testing), provided no production or manufacturing of products takes place.

18. Laundries, automatic self-service types or hand employing not more than two persons in addition to one owner or manager, provided that laundry machines shall not exceed ten pounds capacity each.

19. Miniature Golf Courses

~~20. Motor Vehicle Service Stations for Retail Sale of Gasoline and Oil for Motor Vehicles~~

21. Motor Vehicle Sales/Motorcycle Sales

~~22. Motor Vehicle/Motorcycle service stations, including repair and rebuilding, or painting of motor vehicles~~

~~23. Motor Vehicle washing Facilities including the use of mechanical conveyers, blowers and steam cleaning.~~

24. Nurseries and greenhouses

~~25. Parking Garages for storage of private passenger automobiles and commercial vehicles under one and one-half ton capacity.~~

26. Restaurants, including the drive-in type where food is served to customers remaining in motor vehicles.

SECTION 9.00 BUSINESS DISTRICTS Updated on 11.19.19

27. Taverns

C. Special Uses. The following uses may be allowed by special use permit in accordance with the provisions of Section 13.00.

~~1. Adult-Use Cannabis Dispensing Organization subject to the following conditions:~~

~~a. Facility may not be located within one thousand feet (1,000') of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section. The measurement shall be from the cannabis use.~~

~~b. Facility may not be located in a dwelling unit or within two hundred fifty feet (250') of the property line of a pre-existing property zoned or used for residential purposes. The measurement shall be from the cannabis use.~~

~~c. Facility may not be located within one thousand feet (1,000') of the property line of a pre-existing forest preserve, public park, place of worship, public library, or game arcade to which admission is not restricted to persons twenty-one (21) years of age or older. The measurement shall be from the cannabis use.~~

~~d. At least seventy-five percent (75%) of the floor area of any tenant space occupied by a dispensing organization shall be devoted to the activities of the dispensing organization as authorized by the Cannabis Regulation and Tax Act and no dispensing organization shall also sell food for consumption on the premises other than as authorized below in the same tenant space.~~

~~e. Onsite consumption of cannabis by the public shall not be allowed at Adult Use Cannabis Dispensing Organizations.~~

~~f. On properties zoned M-1 or M-2, Adult-Use Cannabis Dispensing Organizations may co-locate with Adult-Use Craft Growers and Adult-Use Cannabis Infuser Organizations or both. In a co-location, the floor requirements listed above shall not apply, but the co-located establishments shall be the sole use of the tenant space.~~

~~g. On properties zoned B-3, Adult-Use Cannabis Dispensing Organizations may co-locate with Adult-Use Cannabis Infuser Organizations. In a co-location, the floor requirements listed above shall not apply, but the co-located establishments shall be the sole use of the tenant space.~~

~~h. On properties zoned B-3, this use shall be within one thousand feet (1,000') of an interchange of an Interstate Highway and a County or State Highway.~~

~~i. Facility may not conduct any sales or distribution of cannabis other than as authorized by the Cannabis Regulation and Tax Act.~~

~~j. At the time of application, the Petitioner shall submit the following information:~~

~~i. A statement regarding the impact of the proposed facility on existing or planned uses located within the vicinity of the subject property.~~

~~ii. Information on the proposed structure the facility will be located including total square footage, security installations/security plan including type of security system and plans to address operations when security and surveillance system malfunction, and building code compliance.~~

~~iii. Hours of operation.~~

~~iv. Anticipated number of employees and customers.~~

~~v. Anticipated parking demand and available parking supply.~~

~~vi. Anticipated traffic generation in the context of adjacent roadway capacity and access to such roadways.~~

~~vii. Site design, including access points and internal site circulation.~~

~~viii. Proposed signage plan.~~

~~ix. Other criteria as may be necessary to determine Findings of Fact of the Special Use Permit application.~~

~~k. No flashing light, search light, spot lights, or other similar lighting systems may be used on the exterior of the building.~~

~~l. Electronic message boards and temporary signs are not allowed. Any additional merchandise packaging provided by an Adult Use Cannabis Dispensing Organization, such as bags, sacks, totes, or boxes shall be opaque and identify the name of the Adult Use Cannabis Dispensing Organization.~~

~~m. Hours of operation are 6:00 a.m. until 10:00 p.m.~~

~~n. The Operator of the business allowed by the special use permit shall provide the Kendall County Sheriff's Office access to security system and security plans upon request by the Kendall County Sheriff's Office.~~

~~o. This use shall be in a stand-alone building.~~

~~p. The Petitioner shall file an affidavit with the County affirming compliance with the regulations contained in the Kendall County Zoning Ordinance.~~

~~*q.* In the event that the Cannabis Regulation and Tax Act is amended, the more restrictive of the State or County Regulation shall apply. *(Amended 11/19/19)*~~

2. Adult-Use Cannabis Infuser Organization subject to the following conditions:
    a. Facility may not be located within one thousand five hundred feet (1,500') of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section. The measurement shall be from the cannabis use.
    b. Facility may not be located in a dwelling unit or within two hundred fifty feet (250') of the property line of a pre-existing property zoned or used for residential purposes. The measurement shall be from the cannabis use.
    c. Facility may not be located within one thousand five hundred feet (1,500') of the property line of a pre-existing forest preserve, public park, place of worship, public library, or game arcade to which admission is not restricted to persons twenty-one (21) years of age or older. The measurement shall be from the cannabis use.
    d. At least seventy-five percent (75%) of the floor area of any tenant space occupied by an infusing organization shall be devoted to the activities of the infusing organization as authorized by the Cannabis Regulation and Tax Act.
    e. On properties zoned M-1 or M-2, Adult-Use Cannabis Infuser Organizations may co-locate with Adult-Use Dispensing Organizations and Adult-Use Cannabis Craft Growers or both. In a co-location, the floor requirements listed above shall not apply, but the co-located establishments shall be the sole use of the tenant space.
    f. On properties zoned B-3, Adult-Use Cannabis Infuser Organizations may co-locate with Adult-Use Dispensing Organizations. In a co-location, the floor requirements listed above shall not apply, but the co-located establishments shall be the sole use of the tenant space.
    g. On properties zoned B-3, this use shall be within one thousand feet (1,000') of an interchange of an Interstate Highway and a County or State Highway.
    h. Facility may not conduct any sales or distribution of cannabis other than as authorized by the Cannabis Regulation and Tax Act.
    i. At the time of application, the Petitioner shall submit the following information:
        i. A statement regarding the impact of the proposed facility on existing or planned uses located within the vicinity of the subject property.
        ii. Information on the proposed structure the facility will be

located including total square footage, security installations/security plan including type of security system and plans to address operations when security and surveillance system malfunction, and building code compliance.

iii. Hours of operation.

iv. Anticipated number of employees and customers.

v. Anticipated parking demand and available parking supply.

vi. Anticipated traffic generation in the context of adjacent roadway capacity and access to such roadways.

vii. Site design, including access points and internal site circulation.

viii. Proposed signage plan.

ix. Other criteria as may be necessary to determine Findings of Fact of the Special Use Permit application.

j. The Operator of the business allowed by the special use permit shall provide the Kendall County Sheriff's Office access to security system and security plans upon request by the Kendall County Sheriff's Office.

k. This use shall be in a stand-alone building.

l. The Petitioner shall file an affidavit with the County affirming compliance with the regulations contained in the Kendall County Zoning Ordinance.

m. In the event that the Cannabis Regulation and Tax Act is amended, the more restrictive of the State or County Regulation shall apply. *(Amended 11/19/19)*

3. Adult-Use Cannabis Processing Organization subject to the following conditions:

a. Facility may not be located within one thousand five hundred feet (1,500') of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section. The measurement shall be from the cannabis use.

b. Facility may not be located in a dwelling unit or within two hundred fifty feet (250') of the property line of a pre-existing property zoned or used for residential purposes. The measurement shall be from the cannabis use.

c. Facility may not be located within one thousand five hundred feet (1,500') of the property line of a pre-existing forest preserve, public park, place of worship, public library, or game arcade to which admission is not restricted to persons twenty-one (21) years of age

~~or older. The measurement shall be from the cannabis use.~~

~~d. At least seventy-five percent (75%) of the floor area of any tenant space occupied by a processing organization shall be devoted to the activities of the processing organization as authorized by the Cannabis Regulation and Tax Act.~~

~~e. Facility may not conduct any sales or distribution of cannabis other than as authorized by the Cannabis Regulation and Tax Act.~~

~~f. At the time of application, the Petitioner shall submit the following information:~~

~~i. A statement regarding the impact of the proposed facility on existing or planned uses located within the vicinity of the subject property.~~

~~ii. Information on the proposed structure the facility will be located including total square footage, security installations/security plan including type of security system and plans to address operations when security and surveillance system malfunction, and building code compliance.~~

~~iii. Hours of operation.~~

~~iv. Anticipated number of employees and customers.~~

~~v. Anticipated parking demand and available parking supply.~~

~~vi. Anticipated traffic generation in the context of adjacent roadway capacity and access to such roadways.~~

~~vii. Site design, including access points and internal site circulation.~~

~~viii. Proposed signage plan.~~

~~ix. Other criteria as may be necessary to determine Findings of Fact of the Special Use Permit application.~~

~~g. The Operator of the business allowed by the special use permit shall provide the Kendall County Sheriff's Office access to security system and security plans upon request by the Kendall County Sheriff's Office.~~

~~h. On properties zoned B-3, this use shall be within one thousand feet (1,000') of an interchange of an Interstate Highway and a County or State Highway.~~

~~i. This use shall be in a stand-alone building.~~

~~j. The Petitioner shall file an affidavit with the County affirming compliance with the regulations contained in the Kendall County Zoning Ordinance.~~

~~*k.* In the event that the Cannabis Regulation and Tax Act is amended, the more restrictive of the State or County Regulation shall apply. *(Amended 11/19/19)*~~

4. Child Day Care Facility

5. Clubs and Lodges (non-profit), fraternal or religious institutions.

~~6. Communication Uses~~

7. Community Center/ After school programs/ Educational Center

~~8. Consumer credit, payday loan offices, financing or financial offices.~~

~~9. Dwelling units for Watchmen and Families including a Caretaker.~~

~~10. Fertilizer sales, including limited storage.~~

~~11. Hospitals~~

12. Indoor Target Practice with the following conditions:
    a. The indoor shooting range shall meet all applicable standards established in the NRA Range Source Book. Documentation indicating compliance with the aforementioned standards shall be submitted with the site plan. Plans require engineer certification for soundproofing and appropriate design.
    b. Must be at least 150' from existing dwellings and property lines of schools, daycares, and places of worship.
    c. Hours of operation from 7am to 10pm
    d. No alcohol allowed.
    e. Must meet all requirements of the Kendall County Health Department.
    f. All applicable Federal, State, EPA and County rules and regulations shall be adhered to.

~~13. Kendall County Sheriff's Office shooting range with conditions to be set and approved by the County Board.~~

14. Kennels with the condition that the kennels must be located inside and must be located a minimum of 250' from the lot line of lots zoned residential or shown as Residential on the Land Resource Management Plan (LRMP) map and 150' from lots zoned other than residential or shown on the LRMP map as non-residential. The animals must be indoors by sunset.

~~15. Landscaping business, provided that:~~
    ~~a. All vehicles equipment and materials associated with a landscaping business shall be stored entirely within an enclosed structure, unless otherwise permitted under the terms of this Special Use Permit.~~

b. The business shall be located on, and have direct access to, a State, County or Collector Highway as identified in the County's LRMP, having an all-weather surface, designed to accommodate loads of at least 73,280 lbs, unless otherwise approved in writing by the agency having jurisdiction over said Highway. Such approvals shall establish limitations as to the number of employees and types of vehicles coming to and from the site that are engaged in the operation of the use (including delivery vehicles). These restrictions shall be included as controlling conditions of the Special Use.

c. No landscape waste generated off the property can be burned on this site.

16. Medical Cannabis Dispensing Organization subject to the following conditions:

a. Facility may not be located within one thousand feet (1,000') of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section. The measurement shall be from the cannabis use.

b. Facility may not be located in a dwelling unit or within two hundred fifty feet (250') of the property line of a pre-existing property zoned or used for residential purposes. The measurement shall be from the cannabis use.

c. Facility may not be located within one thousand feet (1,000') of the property line of a pre-existing forest preserve, public park, place of worship, public library, or game arcade to which admission is not restricted to persons twenty-one (21) years of age or older. The measurement shall be from the cannabis use.

d. Onsite consumption of cannabis by the public shall not be allowed at Medical Cannabis Dispensing Organizations.

e. Facility may not conduct any sales or distribution of cannabis other than as authorized by State law.

f. At the time of application, the Petitioner shall submit the following information:

i. A statement regarding the impact of the proposed facility on existing or planned uses located within the vicinity of the subject property.

ii. Information on the proposed structure the facility will be located including total square footage, security installations/security plan including type of security system and plans to address operations when security and surveillance system malfunction, and building code

~~compliance.~~

~~iii. Hours of operation.~~

~~iv. Anticipated number of employees and customers.~~

~~v. Anticipated parking demand and available parking supply.~~

~~vi. Anticipated traffic generation in the context of adjacent roadway capacity and access to such roadways.~~

~~vii. Site design, including access points and internal site circulation.~~

~~viii. Proposed signage plan.~~

~~ix. Other criteria as may be necessary to determine Findings of Fact of the Special Use Permit application.~~

~~g. No flashing lights, search lights, spot lights, or other similar lighting systems may be used on the exterior of the building.~~

~~h. Electronic message boards and temporary signs not allowed. Any additional merchandise packaging provided by a dispensary, such as bags, sacks, totes or boxes, shall be opaque and identify the name of the dispensing organization.~~

~~i. Hours of operation are 6:00 a.m. until 10:00 p.m.~~

~~j. The Operator of the business allowed by the special use permit shall provide the Kendall County Sheriff's Office access to security system and security plans upon request by the Kendall County Sheriff's Office.~~

~~k. On properties zoned B-3, this use shall be within one thousand feet (1,000') of an interchange of an Interstate Highway and a County or State Highway.~~

~~l. This use shall be in a stand-alone building.~~

~~m. The Petitioner shall file an affidavit with the County affirming compliance with the regulations contained in the Kendall County Zoning Ordinance.~~

~~*n.* In the event that the Compassionate Use of Medical Cannabis Program Act is amended, the more restrictive of the State or County Regulation shall apply. *(Amended 11/19/19)*~~

17. Meetings Halls

18. Micro-Brewery and/or Winery

19. Micro Distillery subject to the following conditions:
    a. If zoned A-1 Agricultural the facility shall have direct access to a road designated as a major collector (or higher) on the County Land Resource Management Plan.
    b. Locally grown inputs shall be used to the greatest extent possible

c. The number of hours permitted to operate shall be on the approving ordinance.
d. Parking shall be in accordance with Section 11 of the Zoning Ordinance including lighting.
e. All applicable Federal (including the Alcohol and Tobacco Tax and Trade Bureau), State (including the Illinois Liquor Control Commission), and County rules and regulations shall apply.
f. Shall contact & meet all requirements of the Kendall County Health Department.
g. A waste management plan should be submitted to the Kendall County Health Department

~~20. Outdoor storage provided such storage is screened from adjacent and surrounding properties.~~

21. Outdoor amusement establishments, carnivals, kiddie parks, and other similar amusement centers, and including places of assembly devoted thereto, such as stadiums and arenas.

~~22. Pawn Shop~~

23. Performing arts center subject to the following conditions:
    a. The site shall have frontage on and access to a collector or arterial road, provided that the highway authority with jurisdiction over the subject road may approve alternative access.
    b. The site shall be shown as a commercial area on the Land Resource Management Plan.
    c. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance (Sign Regulations)
    d. The amount of students and type of events are listed in the approving ordinance.
    e. Shall satisfy all requirements of the Kendall County Health Department and Building Department prior to the issuance of occupancy permits.
    f. Must meet applicable Fire Protection District codes.

24. Places of Worship subject to the following conditions:
    a. The height for the towers and steeples shall not exceed seventy-five (75) feet and not more than forty-five (45) feet for the main structure.
    b. Other related uses, such as school, child day care services, kindergartens, meeting facilities shall be permitted to the extent

that the activity is otherwise permitted, and shall be subject to all applicable regulations, including parking.

c. Off-street parking, lighting and loading shall be provided as required or permitted in Section 11.00

25. 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.

26. Public or Private Utilities and Service uses:
    a. Telecommunications hub
    b. Filtration plant, pumping station, and water reservoir.
    c. Sewage treatment plant.
    d. Electric substations and booster stations.
    e. Other Similar uses

27. 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.

28. Self-Service Storage Facilities

~~29. Telecommunications Stations~~

30. Theaters: Outdoor theaters (drive-in), indoor theaters and convention centers.

~~31. Truck Driving School~~

~~32. Truck Stop~~

~~33. Solar Gardens subject to the provisions of Section 4.00 of the Kendall County Zoning Ordinance. (Amended 11/20/2018)~~

SECTION 9.00 BUSINESS DISTRICTS Updated on 11.19.19

D. Conditional Uses. All conditional uses outlined in the B-2 General Business District (Section 9.03D) may be permitted only if specifically authorized by the Zoning Administrator.

E. Lot Size. Every lot or tract of land upon which a building is erected or maintained shall have an area of not less than 10,000 square feet and a width of not less than 100 feet.

F. Yard Areas. No building shall be erected or enlarged unless the following yards are provided and maintained in connection with such building:

1. Front Yard. Every building hereafter erected or enlarged shall provide and maintain a front yard in accordance with the following requirements:

a. Arterial Roadways. Fifty (50) feet from a dedicated road right-of- way or one hundred (100) feet from the centerline of all adjacent roads, whichever is greater.

b. Major or Minor Collector Roadways. Forty (40) feet from a dedicated road right-of-way or ninety (90) feet from the centerline of all adjacent roads, whichever is greater.

c. All Other Streets. Thirty feet (30) from a dedicated road right-of- way or seventy-five (75) feet from the centerline of all adjacent roads, whichever is greater.

2. Side Yard. Twenty (20) feet from the property line. Where a side yard abuts a setback in an agricultural or residential district or a municipality, the required side yard shall be twenty (20) feet, or equivalent to said adjacent setback, whichever is greater.

3. Rear Yard. Twenty (20) feet from the property line. Where a rear yard abuts a setback in an agricultural or residential district or a municipality, the required side yard shall be twenty (20) feet, or equivalent to said adjacent setback, whichever is greater.

G. Lot Coverage.

1. Maximum Floor Area Ratio. Not to exceed 0.50.

2. Impervious Lot Coverage (building, parking, drives, etc.). Not to exceed 70% of the lot.

SECTION 9.00 BUSINESS DISTRICTS Updated on 11.19.19

H. Maximum Building Height. No building hereinafter erected shall exceed 35 feet in height.

I. Signs. In accordance with the regulations set forth n Section 12.00.

J. Off-Street Parking and Loading. In accordance with the regulations set forth in Section 11.00. Parking shall not encroach along the required front or side yard. Parking may encroach upon the required rear yard, provided that a landscaped buffer yard of at least ten (10) feet from the rear property line is maintained.

K. Other Provisions.

1. Performance Standards. All activities shall conform to the performance standards set forth in section 10.01.G.

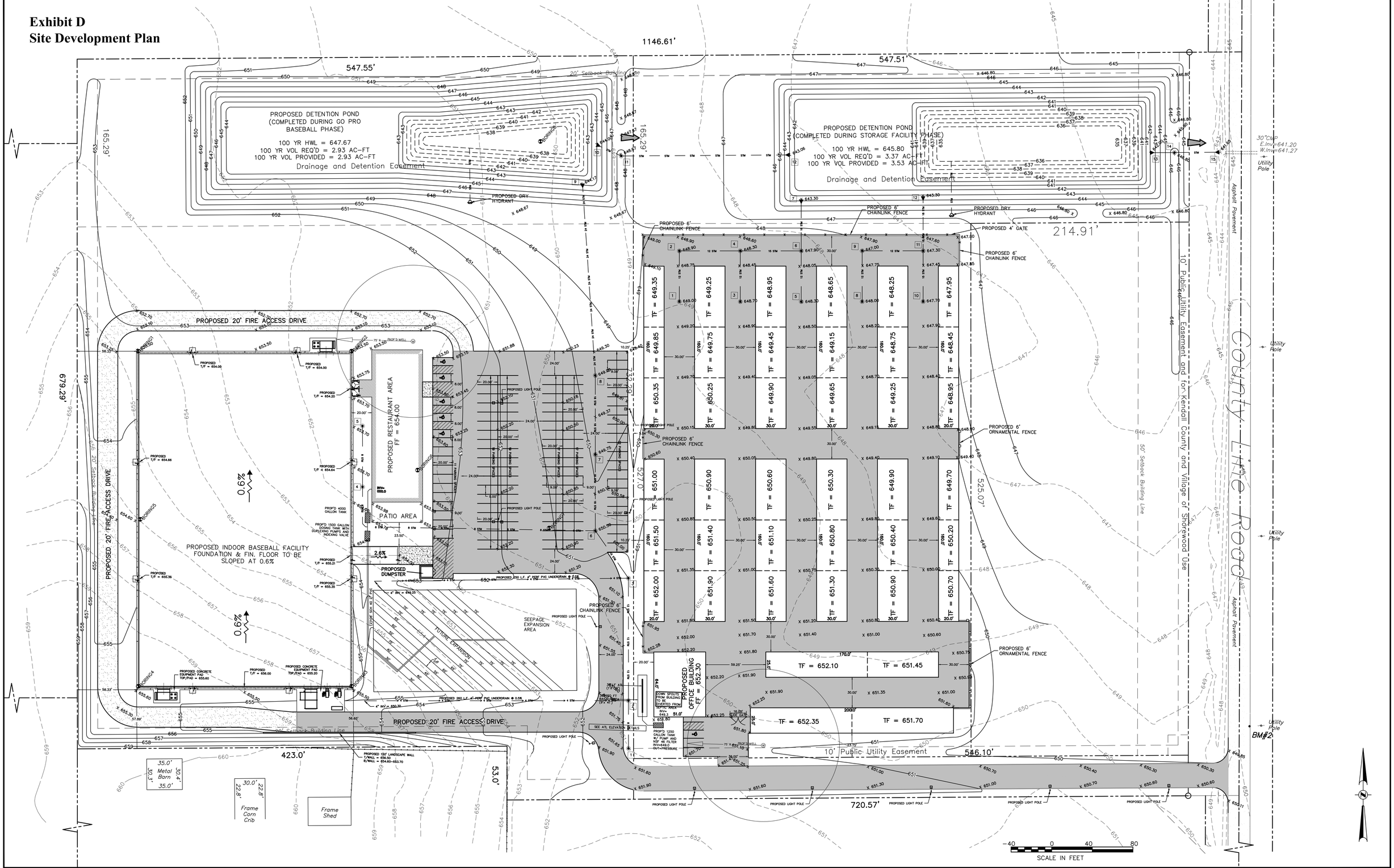
2. Outdoor Sales. All outdoor sales space shall be provided with a permanent durable dustless surface, and shall be graded and drained as to dispose of all surface water.

3. Refuse Enclosure. Refuse or trash collection areas shall be completely screened from view on all sides, with solid fencing or either wood or masonry construction, to a height of seven (7) feet; and shall include concrete pad and an operable door of adequate width. Screening may also be of chain link, with a screen of dense landscape plantings.

4. Waste Material. No materials or wastes shall be deposited upon a lot in such a form that natural causes or forces may transfer them off the property.

5. Screening and Landscaping. Where commercial use abuts or is across the street from a residential district, adequate screening and landscaping shall be provided as set forth in Section 13, Site Plan Review. All areas must include a landscaping plan for approval at the time the request for B- 3 zoning is made.

Exhibit D
Site Development Plan


PROPOSED DETENTION POND
(COMPLETED DURING GO PRO
BASEBALL PHASE)
100 YR HWL = 647.67
100 YR VOL REQ'D = 2.93 AC-FT
100 YR VOL PROVIDED = 2.93 AC-FT
Drainage and Detention Easement
PROPOSED DETENTION POND
(COMPLETED DURING STORAGE FACILITY PHASE)
100 YR HWL = 645.80
100 YR VOL REQ'D = 3.37 AC-FT
100 YR VOL PROVIDED = 3.53 AC-FT
Drainage and Detention Easement
1146.61'
547.55'
547.51'
165.29'
165.29'
214.91'
20' Setback Building Line
PROPOSED DRY HYDRANT
PROPOSED DRY HYDRANT
PROPOSED 6' CHAINLINK FENCE
PROPOSED 4' GATE
PROPOSED 6' CHAINLINK FENCE
PROPOSED 6' ORNAMENTAL FENCE
PROPOSED 6' CHAINLINK FENCE
PROPOSED 6' ORNAMENTAL FENCE
PROPOSED 6' CHAINLINK FENCE
PROPOSED 20' FIRE ACCESS DRIVE
PROPOSED 20' FIRE ACCESS DRIVE
PROPOSED RESTAURANT
FF = 654.00
PATIO AREA
PROPOSED INDOOR BASEBALL FACILITY
FOUNDATION & FIN. FLOOR TO BE
SLOPED AT 0.6%
PROPOSED DUMPSTER
SEEPAGE
EXPANSION
AREA
FUTURE EXPANSION
PROPOSED
OFFICE BUILDING
FF = 652.30
PROPOSED 20' FIRE ACCESS DRIVE
679.29'
423.0'
53.0'
525.07'
546.10'
720.57'
10' Public Utility Easement and for Kendall County and Village of Shorewood Use
50' Setback Building Line
20' Setback Building Line
Asphalt Pavement
30"CMP
E.Inv=641.20
W.Inv=641.27
Utility Pole
Utility Pole
Utility Pole
BM#2
Centerline Road
0.6%
0.6%
2.6%
PROPOSED LIGHT POLE
PROPOSED 150' LANDSCAPE WALL
T/WALL = 656.50
B/WALL = 654.60-653.70
PROPOSED 250 L.F. 4" PERF PVC UNDERDRAIN @ 0.5%
PROPOSED 260 L.F. 4" PERF PVC UNDERDRAIN @ 0.5%
PROPOSED 1250 GALLON TANK W/ PUMP AND NSF 46 FILTER INV=649.0 OUT=PRESSURE
PROPOSED 4000 GALLON TANK
PROPOSED 1500 GALLON DOSING TANK WITH DUPLEXING PUMPS AND INDEXING VALVE
DOWN SPOUTS FROM BUILDING TO BE DIRECTED FROM SEEPAGE AREA
35.0' Metal Barn 30.3' 30.4' 35.0'
30.0' 22.8' Frame Corn Crib
22.8' 30.0'
Frame Shed
TF = 649.35
TF = 649.25
TF = 649.85
TF = 649.75
TF = 650.35
TF = 650.25
TF = 649.95
TF = 649.45
TF = 649.65
TF = 649.15
TF = 648.65
TF = 648.15
TF = 649.25
TF = 648.75
TF = 648.95
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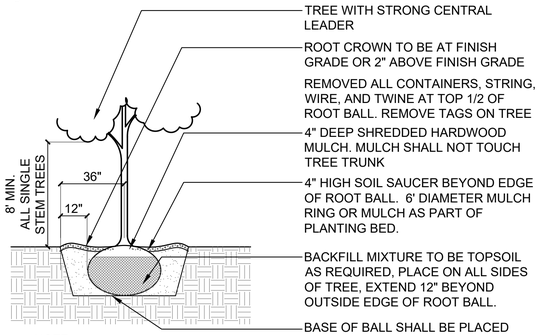
Storage Unit Facility

North

SCALE: 1" = 40'-0"

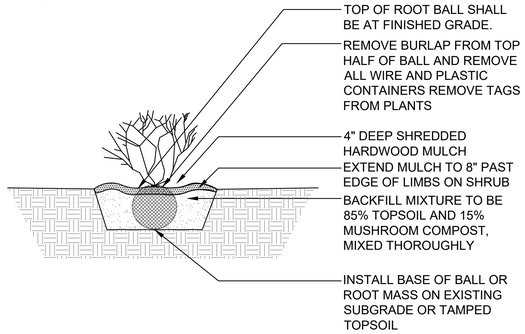
0 20' 40' 80' 120'

190



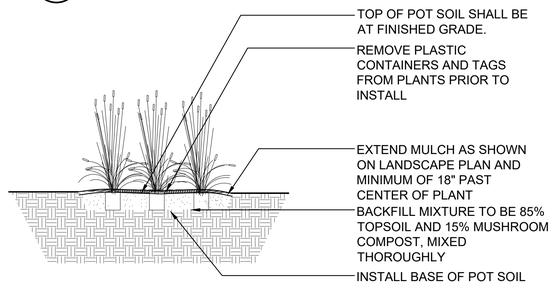
1 Tree Installation

SCALE: N.T.S. d-plant-tree_12



2 Shrub Installation

SCALE: N.T.S. d-plant-shrub_12



3 Perennial & Ornamental Grass Installation

SCALE: 1" = 1'-0" d-perennials

PLANT LIST

Shade Trees - Balled and Burlap

Qty.	Size	Botanical Name	Common Name
2	3" cal.	*Acer rubrum*	Red Maple
4	3" cal.	*Aesculus glabra*	Ohio Buckeye
3	3" cal.	*Quercus bicolor*	Swamp White Oak
3	3" cal.	*Ulmus 'Patriot'*	Patriot Elm
12	Total		

Evergreen Shrubs - Balled and Burlap or Container

Qty.	Size	Botanical Name	Common Name
3	24" Ht. x 24" Spr.	*Taxus x media 'Densiformis'*	Dense Yew
3	Total		

Deciduous Shrubs - Balled and Burlap or Container

Qty.	Size	Botanical Name	Common Name
3	24" Ht. x 24" Spr.	Viburnum dentatum 'Christom'	Blue Muffin Viburnum
4	36" Ht. x 24" Spr.	*Syringa x 'Penda'*	Purple Bloomerang Lilac
10	18" Ht. x 24" Spr.	*Weigela x 'Dark Horse'*	Dark Horse Weigela
17	Total		

Perennials, Ornamental Grasses, and Groundcovers

Qty.	Size	Botanical Name	Common Name
10	#1 cont.	Sporobolus heterolepis	Prairie Dropseed
10	Total		

GENERAL NOTES: LANDSCAPE

1. Notes indicated on grading plans shall pertain to landscape plans. Final grade of planting beds shall be as per grading plan.
2. The landscape contractor shall be responsible for making themselves familiar with all underground utilities and structures.
3. All existing plant material and trees shall be saved and protected unless otherwise noted. Contractor to protect new and existing trees and landscaping from damage and shall restore all areas disturbed as a result of construction.
4. Plant material shall be supplied from Northern Illinois nursery stock, shall be dug the planting season it is installed, and shall conform to the American Association of Nurseryman's standards.
5. Plant material shall be size and type specified. Substitution of plant material shall be on a case by case basis and approved in writing by the Owner's Representative. In no case shall plant material be smaller than indicated in the plans.
6. Do not willfully proceed with plantings as designed when it is obvious that obstructions and/or grade differences exist that may not have been known during the design process. Such conditions shall be immediately brought to the attention of the Owner's Representative.
7. All plant material shall be inspected and approved by the Owner's Representative prior to the installation of any and all plant material.
8. Plant locations shall be flagged in field with Owner's Rep. Final location of all plant material shall be subject to approval of the Owner's Representative prior to digging any holes. The landscape contractor is responsible for providing Owner's Representative with 48 hour minimum advance notice prior to planting.
9. Plants shall be watered on the day they are planted and maintained with watering until final acceptance of the project.
10. Apply a pre-emergent as per manufacturer's specification prior to installing mulch.
11. Beds and tree rings (6' diameter) shall have 3" of hardwood shredded mulch applied and a 4" deep spade edge at lawn. Trees that are not located in beds, shall have a tree ring.
12. Landscape plant material shall be guaranteed for 12 months from final acceptance. Any plant 1/3 dead or more shall be replaced under the guarantee.
13. Contractor to prepare landscape beds by roto-tilling 2" of Mushroom Compost into new beds. Do not add compost nor roto-till within drip line of existing trees.
14. Lawn Seeding shall be under favorable weather conditions, and shall follow dates in specification.
15. Turf mixes shall be installed and lawn established at all disturbed areas.
16. Do not overseed into mulch beds and paving.
17. Contractor shall restore all areas disturbed as a result of construction.

LEGEND

Shade Tree

Evergreen Shrub

Deciduous Shrub

Ornamental Grass

Go Pro Ball, LLC
6821 Sahara Drive
Plainfield, IL

PROJECT

Go Pro Ball Facility

NW Quadrant of Rt 52 & County Line Rd
Shorewood, Illinois

uplandDesign ltd
Park Planning and Landscape Architecture
24042 Lockport St, Plainfield, Illinois 60544
815-254-0091 www.uplanddesign.com

SHEET TITLE

Landscape Plan

SHEET NUMBER L1.0

DRAW / REVISION

TD/LD	Permit Submittal	19FEB2020
DW/MB	Revision 1/Rendering 1	06MAR2020

Project Number 813

Copyright 2020 Upland Design Ltd.

Exhibit F
Traffic Impact Study

The Traffic impact Study will be submitted shortly and will be included with the next draft of the Annexation Agreement.

Exhibit G
Sign Exhibit

The Sign Exhibit will be submitted shortly and will be included with the next draft of the Annexation Agreement.

Village of Shorewood
Community Development Department
One Towne Center Blvd.
Shorewood, IL 60404
Phone (815) 553-2310

Community Development Memo

Petition # 20-402A

TO: Planning & Zoning Commission

FROM: Natalie Engel, AICP
Village Planner

DATE: June 25, 2020

SUBJECT: Four Seasons Self-Storage and GoPro Extra-Jurisdictional Review

I. REQUESTS

Applications have been filed with Kendall County for the development of property at 14285-14339 County Line Road. As a municipality within 1½ miles of the site, Shorewood has Extra-Jurisdictional Review Authority and can provide comments on the requests, including filing a legal objection pertaining to the requested rezoning, for Kendall County's consideration.

II. PROPERTY INFORMATION

A. Petitioner: Attorney Dan Kramer is representing James Maffeo and GoProBall LLC. James Maffeo is the petitioner.

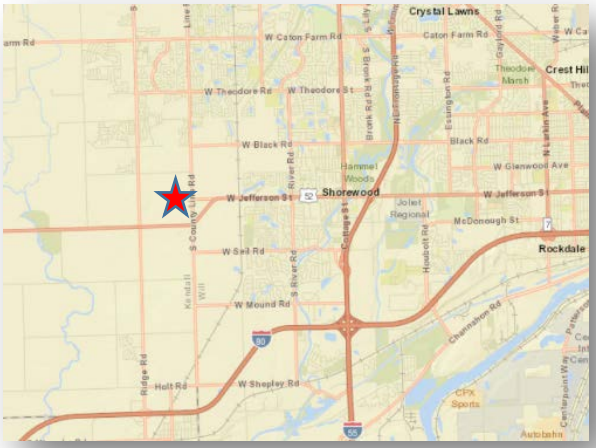
B. Location: 14285 County Line Road (Go Pro) to 14339 County Line Road (4 Seasons)

C. Parcel Size: The overall parcel measures 18.7 acres. Of this, 8.7 acres will be developed as a GoPro Sports Dome, 4 acres will be developed as Four Seasons Storage, 4.7 acres will be reserved for future retail, and 0.5 acres will be used for access.

D. PIN Numbers: Kendall County
09-13-200-002 and
09-13-200-004

E. Current Zoning: Kendall County Agricultural

F. Current Use: Agriculture



III. HISTORY OF THE PROPOSAL

The property is currently unincorporated. This is the first time that the subject property has been discussed at a public meeting in Shorewood.

Other Pending Applications

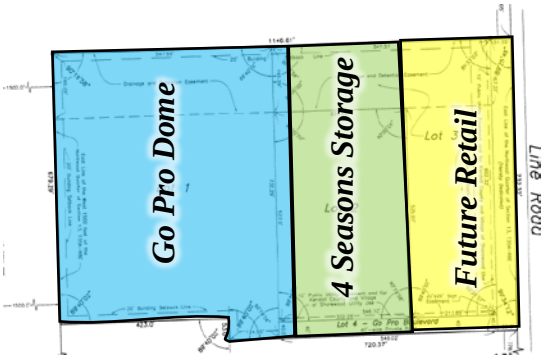
In addition to the Extra-Jurisdictional Review currently being discussed, the following applications have been filed and are at various stages with Shorewood, Kendall County, and other local governments.

- The Go Pro property has been zoned B-4 in Kendall County. This zoning district allows a sports facility by-right.
- James Maffeo has petitioned Kendall County for rezoning of the Four Seasons property to B-3 and for rezoning of the future retail property to B-2.
- James Maffeo has requested a Kendall County Special Use Permit for the operation of a Storage Facility.
- Site plan reviews are underway with Kendall County for both Go Pro and Four Seasons.
- Both Kendall County and the Village of Shorewood are reviewing a Final Plat for the full 18.7 acres. This will come forward to the Shorewood PZC at a future date. At that time, the zoning approvals should be well underway and the PZC will be asked to evaluate the plat based on the subdivision regulations.
- The Village of Shorewood is negotiating annexation agreements with Go Pro and Mr. Maffeo in anticipation of the future incorporation of the sites.

IV. DESCRIPTION OF PROPOSAL

The property lies on the east side of County Line Road, just north of US 52 (Jefferson Street).

- The eastern half has of the property has been sold to James Maffeo. Mr. Maffeo would like to hold the frontage until retail becomes viable along the corridor and the property can be annexed to Shorewood. In the meantime, he would like to develop the central part of the site as a self-storage facility. The extra-jurisdictional review includes reviewing the appropriateness of the requested rezoning and the Special Use to operate an indoor and outdoor storage facility.
- The western half of the property (highlighted in blue) has been sold to GoProBall, LLC. GoPro would like to develop the site as a sports dome with the primary focus of training youth in baseball and hosting youth baseball tournaments. The rezoning of this property has been approved by the Kendall County Board to rezone to B-4, which fosters the development of recreational and entertainment facilities and is consistent with our Future Land Use Plan calling for commercial uses.



Access to the lots will be from County Line Road via a private driveway. Stormwater management will be provided onsite. The properties will operate on private well and sanitary until Shorewood utilities are close enough to connect to.

Rezoning County Line Road Frontage to Kendall County B-2

Mr. Maffeo has requested Kendall County B-2 zoning for the future retail frontage, highlighted in yellow. The County's B-2 zoning district and the Village's B-2 Zoning District are fairly similar and both allow the following general categories of uses.

- Art Galleries and Studios
- Banks and financial institutions
- Barber Shops
- Beauty Shops
- Catering establishments
- Civic buildings.
- Drinking establishments
- Garment care businesses
- General Retail
- Medical/ dental offices
  Animal grooming service.
  Animal hospitals.
- Personal and business services
- Photo studios
- Professional offices
- Restaurants
- Schools - music and dance.

Certain uses are allowed by right or as conditional uses (issued by staff) in Kendall County. The following uses, could be approved without a public hearing.

- Adult day care and respite care
- Auction facility, indoor
- Commercial, trade, truck driving schools
- Contractor or construction Services
- Contractors' offices and shop
- Enclosed self-service storage facility
- Laboratories (medical, dental, research, experimental and testing), without manufacturing
- Massage establishments
- Outdoor Display
- Processing or assembly
- Wind energy

In addition, Kendall County lists a number of *Special Uses* that require public hearings. If the property owner were to petition the County for a special use, the Village of Shorewood would be notified.

Mr. Maffeo had originally applied for this property to be rezoned to B-3 but modified his application to request B-2 zoning based on comments by Shorewood staff.

Rezoning to B-3 & Four Seasons Storage Proposal

Mr. Maffeo has requested Kendall County B-3 Zoning for the central piece, highlighted in green. He has also requested a Special Use Permit for a storage facility.

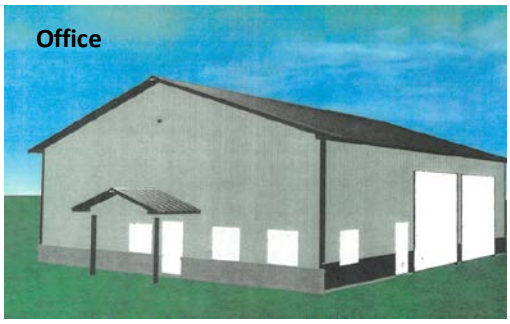
Like Shorewood's Zoning Code, Kendall County's commercial zoning districts are pyramidal and build upon one another. All of the uses listed in the B-2 description are also allowed in the B-3 District. Following are some additional of the uses that could be allowed on the County B-3 parcel that would require a public hearing in Shorewood.

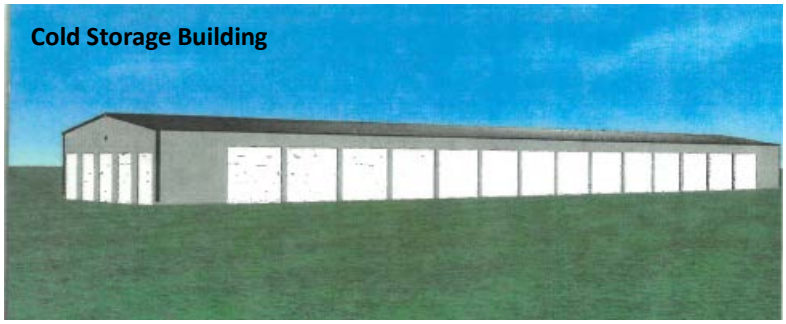
- Recreation and fitness, indoor and outdoor
- Automotive uses – car washes, service stations, sales, parking garages
- Drive-thru and drive-ins
- Hotels / motels
- Agricultural implement and construction equipment sales
- Banquet halls
- Boat, Trailer and Recreational Vehicle sales or rental and service

In addition to these uses, Kendall County also has *Special Uses* which require public hearings. Mr. Maffeo has requested approval of a Special Use for a Storage Facility. The facility will be located behind (west of) the retail piece and east of the Go Pro Sports Dome. It will include an office building and 14 cold storage buildings with doors leading to individual storage units.

The applicant intends to build the office, pave the entire storage area, and erect 4 cold storage building in the first phase. He would like to allow parking for up to 12 RVs, trailers, or boats on a temporary basis until he is able to build out the remaining cold storage buildings. There will not be any other outdoor storage on the site.

The storage buildings will be metal. At the request of the Village staff, the applicant has agreed to orient the doors towards the interior of the site and to use the buildings to line the storage business. The public facing buildings will incorporate brick along the base. Where there is no building, they have agreed to install wrought-iron style fencing. We have requested that they include both overstory and evergreen trees in their landscaping. We have also requested that they follow village regulations pertaining to self-storage.



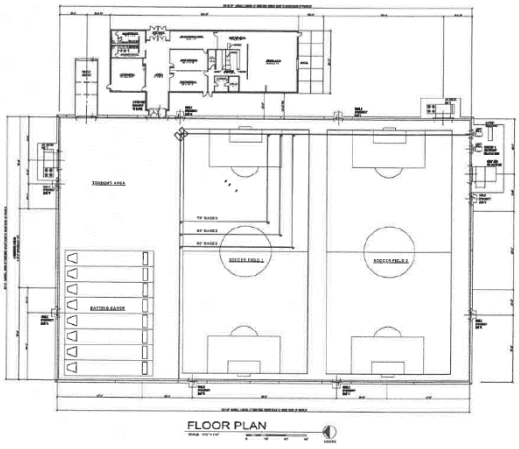


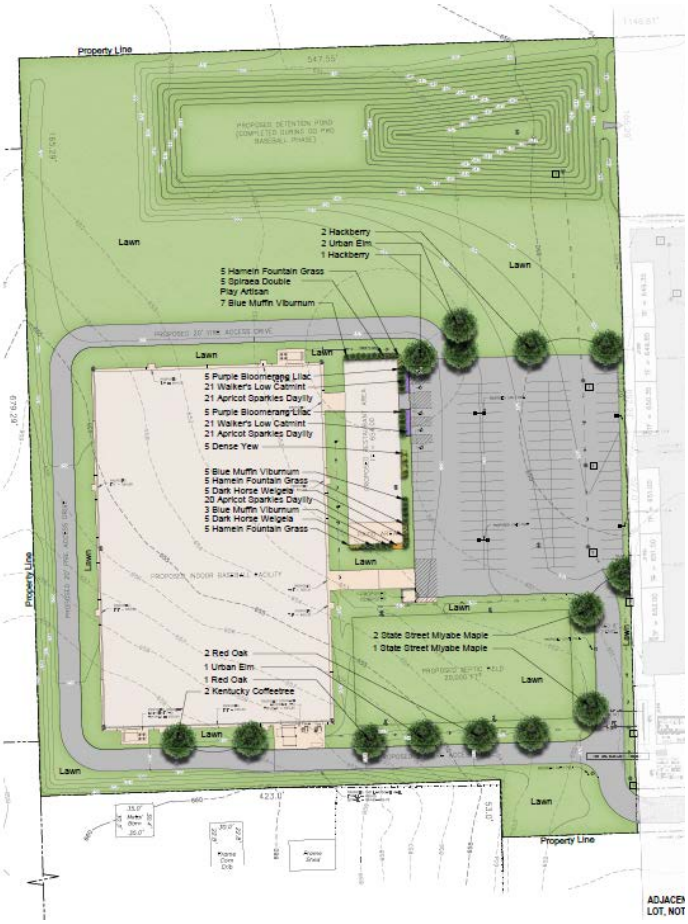
Self-storage is not permitted in any commercial zoning district in Shorewood and does not fit with the *Commercial* designation in our Comprehensive Plan. Since the use works with Kendall County commercial zoning and was necessary in order to make the Go Pro project financially feasible, the staff approached the review from the perspective of helping the business fit in with the future commercial uses.

Go Pro Sports Dome

The largest portion of the development will be used by GoProBall LLC. They intend to build a pressurized sports dome which will be used primarily for youth baseball training and tournaments and for soccer practice.

The Go Pro lot includes a 114-space parking lot, a concession building, a sports dome, and the potential for some outdoor practice fields. They have proposed overstory trees and some foundation landscaping. Staff requested that they add some additional landscape species and that they consider adding parking lot islands.





County Line Road

Safety improvements are already needed at the intersection of US 52 and County Line Road. We anticipate that this project, particularly the sports dome, will increase traffic through this intersection causing an even greater safety concern. We are awaiting a traffic study. Once that is available, we will complete our review of the plans for the project.

V. RELEVANT MASTER PLANS

The Comprehensive Plan designates the property as "Commercial". The proposed uses, with the exception of the storage business, are consistent with the Comprehensive Plan.

The Comprehensive Plan calls for commercial south and east of these properties and government/institutional to the north and west.

VI. COMMENTS AND REVIEW

Because this project is not within the corporate limits of the Village of Shorewood, we have limited authority. At this time, no formal recommendation is needed. Instead, we ask that the PZC provide ideas and feedback regarding zoning and land use. All comments shared at this meeting will be forwarded to the Village Board for their consideration.

We expect to hold a public hearing on July 14th where the Village Board will consider requests for Annexation Agreements for this site – one for each property owner. The PZC's comments will be very helpful as the Annexation Agreement is drafted.

In the event that the Annexation Agreement does not move forward or the Village Board determines that the project is not desirable or has concerns, they have the option to file a legal objection. A legal objection by the Village Board would trigger the requirement for a supermajority approval by the County Board for the rezoning only.

VII. ATTACHMENT(S)

1. Final Plat of Go Pro Sports Subdivision; Philip D. Young and Associates, Inc.
2. Four Seasons Storage Facility – Overall Civil Site Plan; Tebrugge Engineering, 1/16/2020
3. Go Pro Ball Facility – Landscape Plan; uplandDesign ltd, 3/6/2020

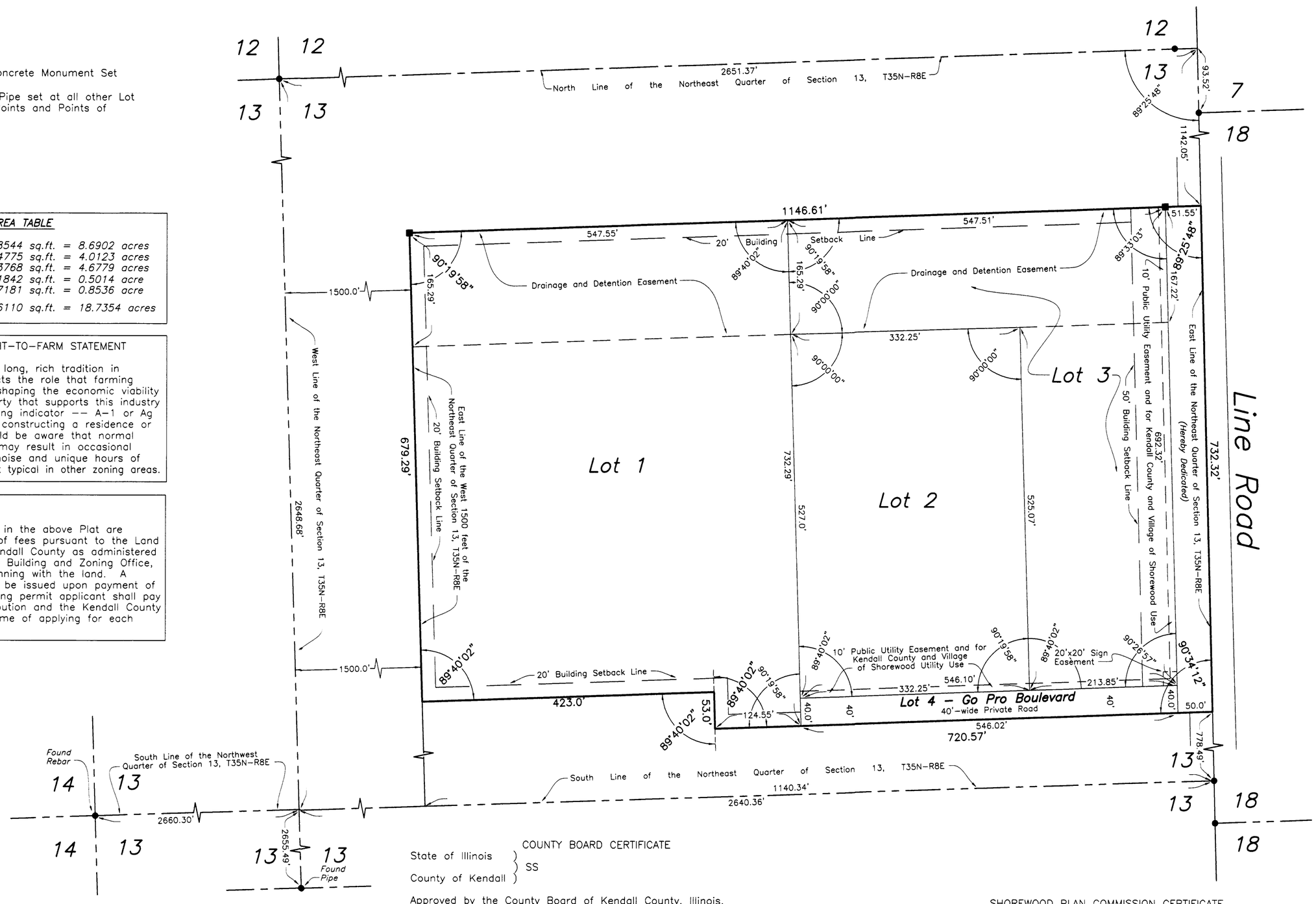
FINAL PLAT OF
GO PRO SPORTS SUBDIVISION
SEWARD TOWNSHIP KENDALL COUNTY ILLINOIS

N

SCALE
1"=100'

■ Indicates Concrete Monument Set

3/4"x 24" Iron Pipe set at all other Lot Corners, Angle Points and Points of Curvature.



AREA TABLE		
Lot 1	378544 sq.ft. =	8.6902 acres
Lot 2	174775 sq.ft. =	4.0123 acres
Lot 3	203768 sq.ft. =	4.6779 acres
Lot 4	21842 sq.ft. =	0.5014 acre
Hereby Dedicated	37181 sq.ft. =	0.8536 acre
Total	816110 sq.ft. =	18.7354 acres

KENDALL COUNTY RIGHT–TO–FARM STATEMENT

Kendall County has a long, rich tradition in agriculture and respects the role that farming continues to play in shaping the economic viability of the county. Property that supports this industry is indicated by a zoning indicator –– A–1 or Ag Special Use. Anyone constructing a residence or near this zoning should be aware that normal agricultural practices may result in occasional smells, dust, sights, noise and unique hours of operations that are not typical in other zoning areas.

NOTICE OF FEES:

All Lots as delineated in the above Plat are subject to payments of fees pursuant to the Land Cash Ordinance of Kendall County as administered by the Kendall County Building and Zoning Office, and is a covenant running with the land. A recordable receipt will be issued upon payment of such fees. The building permit applicant shall pay the Land Cash contribution and the Kendall County Highway Fee at the time of applying for each building permit.

SURVEYOR'S CERTIFICATE

State of Illinois)
) SS
County of Kendall)

This is to certify that I, Phillip D. Young, an Illinois Professional Land Surveyor and an officer of Phillip D. Young and Associates, Inc., at the request of the administrator of the land described hereon, have surveyed, subdivided and platted the land shown hereon to be hereinafter known as "Go Pro Sports Subdivision, Seward Township, Kendall County, Illinois", being a Subdivision of Part of the Northeast Quarter of Section 13, Township 35 North, Range 8 East of the Third Principal Meridian in Seward Township, Kendall County, Illinois, more particularly described as follows:

That Part of the Northeast Quarter of Section 13, Township 35 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter; thence Southerly, along the East Line of said Northeast Quarter, 1142.05 feet for the point of beginning; thence Westerly, parallel with the North Line of said Northeast Quarter, 1146.61 feet to a line which is 1500.0 feet (normally distant) Easterly of the West Line of said Northeast Quarter; thence Southerly, parallel with said West Line, 679.29 feet; thence Easterly, parallel with said North Line, 423.0 feet; thence Southerly, parallel with said West Line 53.0 feet; thence Easterly, parallel with said North Line, 720.57 feet to said East Line of the Northeast Quarter; thence Northerly, along said East Line, 732.32 feet to the point of beginning in Seward Township, Kendall County, Illinois.

I also certify that the above described property lies within 1–1/2 miles of the corporate limits of the Village of Shorewood and the City of Joliet, both of which have adopted and properly filed an Official Plan and are exercising the special powers authorized by Division 12 of Article 11 of the Illinois Municipal Code as Amended.

I also certify that no part of the property above described lies within a special flood hazard area as identified by the Federal Emergency Management Agency based on Flood Insurance Rate Map Panel No. 17093C0145H with an effective date of January 8, 2014.

I also certify that the attached plat is in compliance with Chapter 109 of the Illinois Revised Statutes, that all subdivision exterior monuments have been set, that all interior monuments will be set within 12 months of the recordation of this plat, and that all dimensions are shown in feet and decimal parts thereof.

This professional service conforms to the current Illinois minimum standard for a boundary survey.

Dated _____, 20__ at Yorkville, Illinois

Phillip D. Young
Illinois Professional Land Surveyor No. 2678 (Expires 11/30/20)

COUNTY ENGINEER CERTIFICATE

State of Illinois)
) SS
County of Kendall)

I, _____, County Engineer of Kendall County, do hereby certify that the annexed plat has been examined by me and found to comply with the highway requirements as set forth in the regulations governing plats of subdivided land adopted by the County Board of Kendall County, Illinois.

Dated this ___ day of _____, 20__.

_____
Kendall County Engineer

TOWNSHIP HIGHWAY COMMISSIONER CERTIFICATE

State of Illinois)
) SS
County of Kendall)

I, _____ do hereby certify that all matters pertaining to the highway requirements as described in the regulations governing plats adopted by the County Board of Kendall County, insofar as they pertain to the annexed plat, have been complied with.

Dated this ___ day of _____, 20__.

_____
Seward Township Highway Commissioner

PLAT OFFICER CERTIFICATE

State of Illinois)
) SS
County of Kendall)

Approved this ___ day of _____, 20__.

_____
Plat Officer

COUNTY BOARD CERTIFICATE

State of Illinois)
) SS
County of Kendall)

Approved by the County Board of Kendall County, Illinois, this ___ day of _____, 20__,

_____ _____
Chairman of County Board County Clerk

PLAN AND ZONING COMMITTEE CERTIFICATE

State of Illinois)
) SS
County of Kendall)

Approved by the Plat and Zoning Committee, this ___ day of _____, 20___.

_____
Plan and Zoning Committee, Chairman

OWNER'S AND SCHOOL CERTIFICATE

State of Illinois)
) SS
County of Kendall)

This is to certify that Go Pro Baseball, LLC is the owner of the property described in the attached Surveyor's Certificate has caused the same to be surveyed and subdivided as indicated for the uses and purposes therein set forth and does hereby acknowledge and adopt the same under the style and title of "Go Pro Sports Subdivision, Seward Township, Kendall County, Illinois". All of the property hereon described is located within the boundaries of Minooka Community Consolidated School District 201 and Minooka Community High School District 111.

Dated at _____, Illinois this ___ day of _____, 20__.

_____
Jason Shelly, manager
Go Pro Baseball, LLC
1068 Ronald Drive
Joliet, Illinois 60431

NOTARY'S CERTIFICATE

State of Illinois)
) SS
County of Kendall)

I, _____, a Notary Public in and for the County and State aforesaid, to hereby certify that Jason Shelly, who is personally known to me to be the same person whose name is subscribed to the foregoing Owner's and School Certificate, appeared before me this day, in person, and acknowledged that he signed and delivered the annexed plat as her own free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this ___ day of _____, 20__.

_____
Notary Public
My commission expires _____.

PROFESSIONAL ENGINEER'S CERTIFICATE

State of Illinois)
) SS
County of Kendall)

We, John Tebrugge, an Illinois Registered Professional Engineer and Go Pro Baseball, LLC, the owner of the property described in the attached Surveyor's Certificate submit the topographical and profile studies, and certify that, to the best of our knowledge and belief, the drainage of surface waters will not be changed by the construction of this Subdivision or any Part thereof, or, that if such surface water drainage will be changed, reasonable provisions have been made for the collection and diversion of such surface waters into public areas or drains which the subdivider has a right to use, and that such surface waters will be planned for in accordance with generally accepted engineering practices so as to reduce the likelihood of damage to the adjoining property because of the construction of the Subdivision.

Dated at _____, Illinois this ___ day of _____, 20__.

_____
Go Pro Baseball, LLC – Jason Shelly, manager

_____ No. _____
Registered Professional Engineer

COUNTY CLERK CERTIFICATE

State of Illinois)
) SS
County of Kendall)

This is to certify that I, _____ County Clerk for the County aforesaid, do hereby certify that there are no delinquent general taxes, no unpaid current taxes, no unpaid forfeiture taxes and no redeemable tax sales against any of the real estate described in the foregoing certificates.

Dated this ___ day of _____, 20__.

_____
County Clerk

SHOREWOOD PLAN COMMISSION CERTIFICATE

State of Illinois)
) SS
County of Will)

Approved by the Plan Commission of the Village of Shorewood, Will County, Illinois this ___ day of _____, 20___.

_____ _____
Chairman Secretary

SHOREWOOD TRUSTEES CERTIFICATE

State of Illinois)
) SS
County of Will)

Approved by the Board of Trustees of the Village of Shorewood, Will County, Illinois this ___ day of _____, 20__.

_____ _____
Village President Village Clerk

COUNTY RECORDER CERTIFICATE

State of Illinois)
) SS
County of Kendall)

This Instrument No. _____ was filed for record in the Recorder's Office of Kendall County, aforesaid, on the ___ day of _____, 20__ at _____ o'clock __M.

_____
Kendall County Recorder

COUNTY HEALTH DEPARTMENT

State of Illinois)
) SS
County of Kendall)

Issuance of building permits shall be subject to lot soil testing and site evaluation, demonstrating the ability to construct and operate a sewage disposal system capable of meeting or exceeding all applicable state and local rules and regulations.

Approved this ___ day of _____, 20__.

_____
Kendall County Health Department

PUBLIC UTILITY EASEMENT PROVISIONS:

An easement for serving the subdivision and other property with natural gas, electric and communications service is hereby reserved for and granted to COMMONWEALTH EDISON, SBC–AMERITECH, CABLE TELEVISION FRANCHISE, NICOR AND GRANTEES, their respective successors and assigns, jointly and severally, to install, operate, maintain and remove, from time to time, facilities used in conjunction with underground transmission and distribution of natural gas and electricity, sounds, signals in, over, under, across, along and upon the surface of the property shown within the dashed lines on the plat and marked "Public Utility Easement", the property designated in the Declaration of Condominium and/or on this plat as "Common Elements", and the property designated on the plot for streets and alleys, whether public or private, together with the right to install required service connections over or under the surface of each lot and common area or areas to serve improvements, thereon, or on adjacent lots, and common areas or areas, the right to cut, trim or remove trees, bushes and roots as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. Obstructions shall not be placed over grantee's facilities or in, upon or over the property within the dashed lines marked "Public Utility Easement" without the prior written consent of grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered in a manner so as to interfere with proper operation and maintenance thereof.

The term "Common Elements" shall have the meaning set forth for such term in the "Condominium Property Act", Chapter 765 ILCS 605/2(e), as amended from time to time.

The term "common area or areas" is defined as a lot, parcel or area of real property, the beneficial use and enjoyment of which is reserved in whole as an appurtenance to the separately owned lots, parcels or areas within the planned development, even though such be otherwise designated on the plat by terms such as "outlots", "common elements", "open spaces", "open area", "common ground", "parking and common area". The terms "common area or areas" and "Common Elements" includes real property physically occupied by a building, Service Business District or structures such as a pool or retention pond, or mechanical equipment.

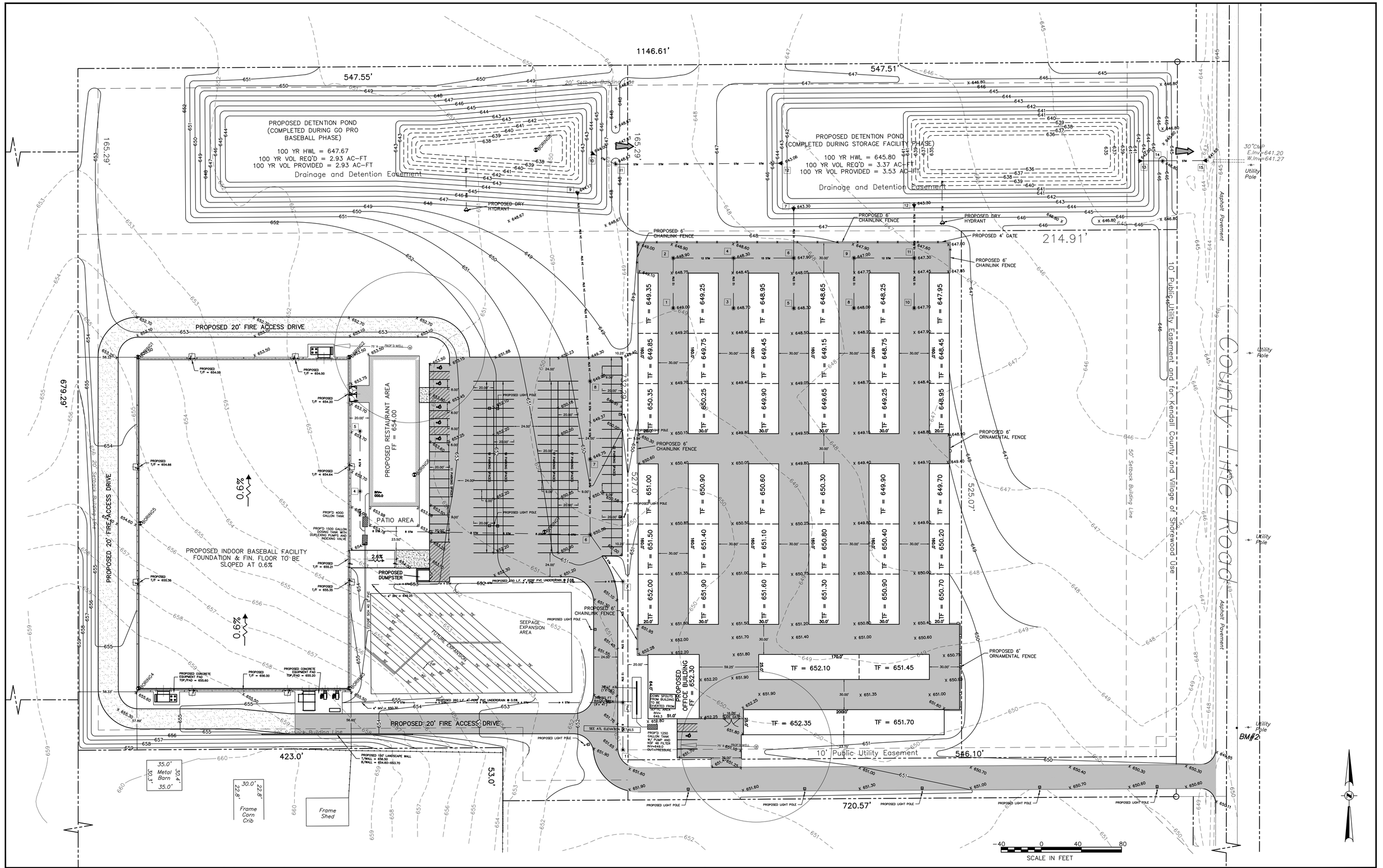
Relocation of facilities will be done by Grantees at cost of Grantor/Lot Owner, upon written request.

DRAINAGE EASEMENT AND DETENTION EASEMENT PROVISIONS:

An easement is hereby reserved for and granted to the County of Kendall, Illinois, and its successors and assigns over all of the areas marked "Drainage Easement" and "Detention Easements" on the plat hereon drawn for the perpetual right, privilege and authority to construct, reconstruct, repair, inspect, maintain, and operate storm sewers and the storm water detention ponds, together with any and all necessary manholes, catch basins, connections, ditches, swales and other structures and appurtenances as may be deemed necessary by said County upon, along, under and through said indicated easement, together with the right of access across the property for necessary men and equipment to do any of the above work. The right is also granted to cut down, trim or remove any trees, shrubs or other plants on the easements that interfere with the operation of the sewers or other utilities. No permanent buildings shall be placed on said easement. No changes to the topography or storm water management structures within the easement area shall be made without the express written consent of said County, but the same may be used for the purposes that do not then or later interfere with the aforesaid rights. The owner of the property shall remain responsible for the maintenance of the storm water detention pond and appurtenances.

JOB NO.	19171
JOB NAME	GO PRO BASEBALL
DWG FILE	19171B
REVISION DATE	

Phillip D. Young and Associates, Inc.
LAND SURVEYING – TOPOGRAPHIC MAPPING – Lic.#184–002775
1107B South Bridge Street
Yorkville, Illinois 60560
Telephone (630)553–1580



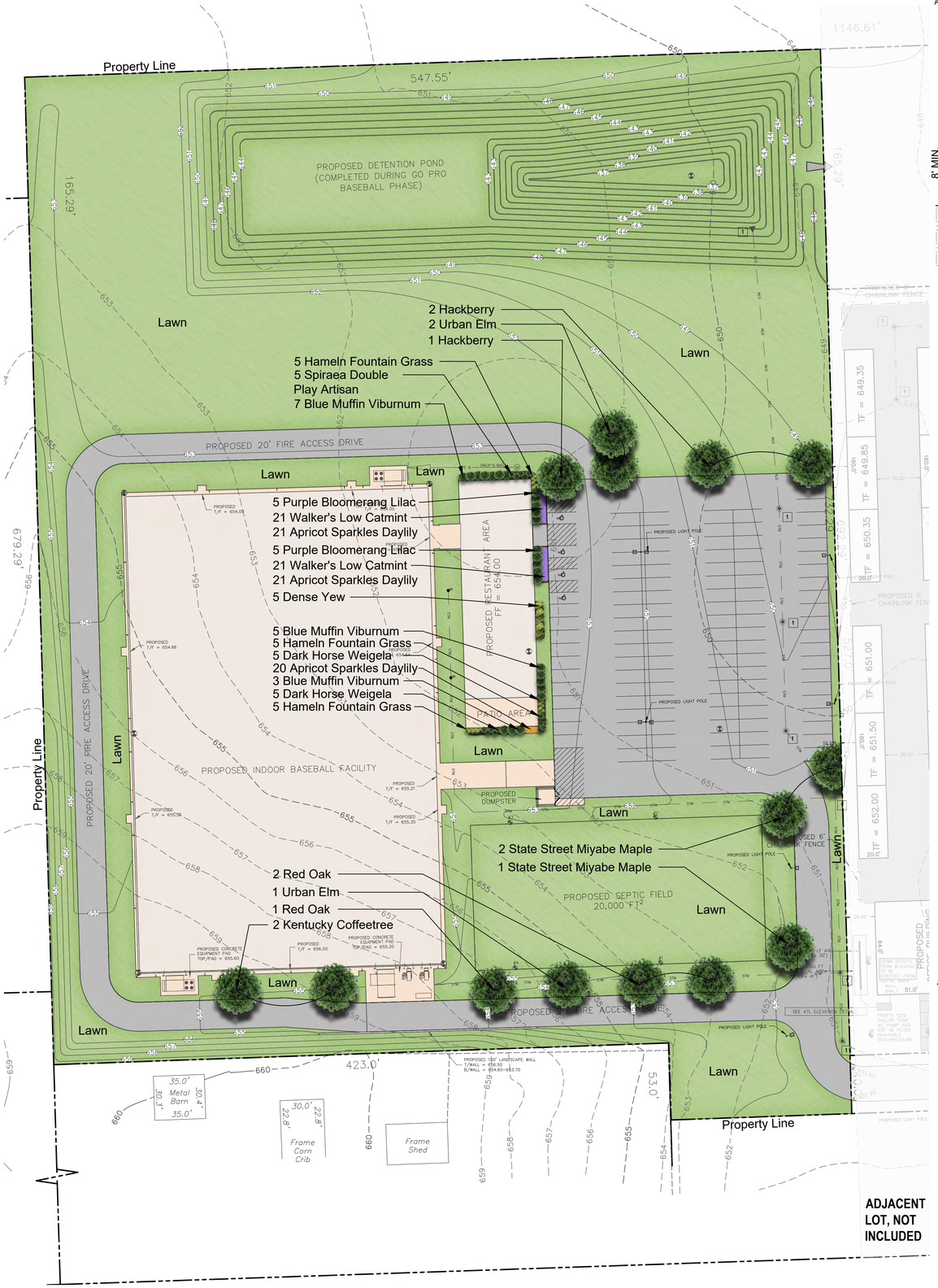
TEBRUGGE ENGINEERING	PREPARED FOR:
410 E. CHURCH STREET - SUITE A • SANDWICH, IL 60548	JAMES & DENISE MAFFEO
PHONE: (815) 786-0195 TEBRUGGEENGINEERING.COM	1223 BUELL AVE, JOLIET, IL

REVISIONS	NO.	DATE	NOTES

FOUR SEASONS STORAGE FACILITY

OVERALL CIVIL SITE PLAN

PROJECT NO.	19 447 02
SCALE:	1" = 40'
DATE:	JAN 16, 2020
SHEET NO.	5
	OF 8 SHEETS

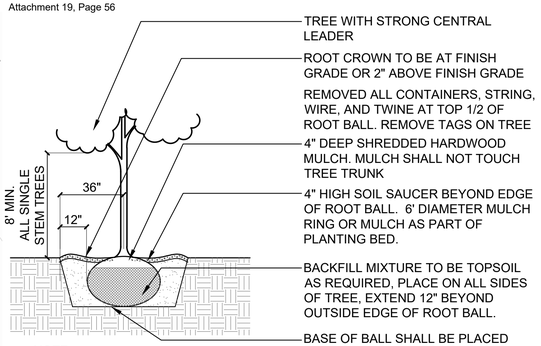


Go Pro Ball Facility

North

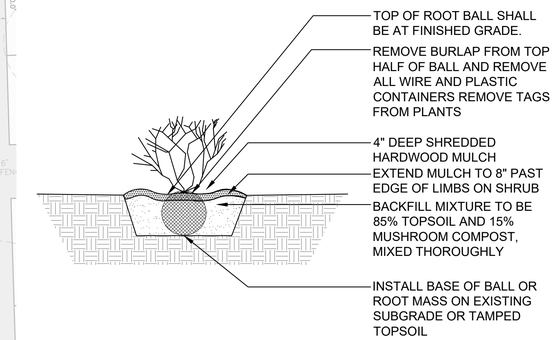
SCALE: 1" = 40'-0"

0 20' 40' 80' 120'



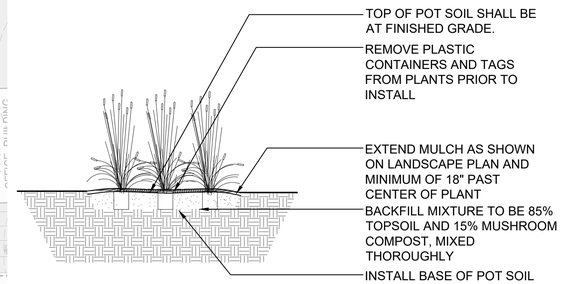
1 Tree Installation

SCALE: N.T.S. d-plant-tree_12



2 Shrub Installation

SCALE: N.T.S. d-plant-shrub_12



3 Perennial & Ornamental Grass Installation

SCALE: 1" = 1'-0" d-perennials

GENERAL NOTES: LANDSCAPE

1. Notes indicated on grading plans shall pertain to landscape plans. Final grade of planting beds shall be as per grading plan.
2. The landscape contractor shall be responsible for making themselves familiar with all underground utilities and structures.
3. All existing plant material and trees shall be saved and protected unless otherwise noted. Contractor to protect new and existing trees and landscaping from damage and shall restore all areas disturbed as a result of construction.
4. Plant material shall be supplied from Northern Illinois nursery stock, shall be dug the planting season it is installed, and shall conform to the American Association of Nurseryman's standards.
5. Plant material shall be size and type specified. Substitution of plant material shall be on a case by case basis and approved in writing by the Owner's Representative. In no case shall plant material be smaller than indicated in the plans.
6. Do not willfully proceed with plantings as designed when it is obvious that obstructions and/or grade differences exist that may not have been known during the design process. Such conditions shall be immediately brought to the attention of the Owner's Representative.
7. All plant material shall be inspected and approved by the Owner's Representative prior to the installation of any and all plant material.
8. Plant locations shall be flagged in field with Owner's Rep. Final location of all plant material shall be subject to approval of the Owner's Representative prior to digging any holes. The landscape contractor is responsible for providing Owner's Representative with 48 hour minimum advance notice prior to planting.
9. Plants shall be watered on the day they are planted and maintained with watering until final acceptance of the project.
10. Apply a pre-emergent as per manufacturer's specification prior to installing mulch.
11. Beds and tree rings (6' diameter) shall have 3" of hardwood shredded mulch applied and a 4" deep spade edge at lawn. Trees that are not located in beds, shall have a tree ring.
12. Landscape plant material shall be guaranteed for 12 months from final acceptance. Any plant 1/3 dead or more shall be replaced under the guarantee.
13. Contractor to prepare landscape beds by roto-tilling 2" of Mushroom Compost into new beds. Do not add compost nor roto-till within drip line of existing trees.
14. Lawn Seeding shall be under favorable weather conditions, and shall follow dates in specification.
15. Turf mixes shall be installed and lawn established at all disturbed areas.
16. Do not overseed into mulch beds and paving.
17. Contractor shall restore all areas disturbed as a result of construction.

LEGEND

- Shade Tree
- Evergreen Shrub
- Deciduous Shrub
- Ornamental Grass
- Perennial and Groundcover

PLANT LIST

Shade Trees - Balled and Burlap

Qty.	Size	Botanical Name	Common Name
3	3" cal.	*Acer miyabei 'Morton'*	State Street Miyabe Maple
3	3" cal.	*Celtis occidentalis*	Hackberry
2	3" cal.	*Gymnocladus dioica*	Kentucky Coffeetree
3	3" cal.	*Quercus rubra*	Red Oak
3	3" cal.	*Ulmus 'Urban'*	Urban Elm
14	Total		

Evergreen Shrubs - Balled and Burlap or Container

Qty.	Size	Botanical Name	Common Name
5	24" Ht. x 24" Spr.	*Taxus x media 'Densiformis'*	Dense Yew
5	Total		

Deciduous Shrubs - Balled and Burlap or Container

Qty.	Size	Botanical Name	Common Name
5	24" Ht. x 24" Spr.	*Spirea japonica 'Galen'*	Spiraea Double Play Artisan
15	24" Ht. x 24" Spr.	Viburnum dentatum 'Christom'	Blue Muffin Viburnum
10	36" Ht. x 24" Spr.	*Syrnga x 'Penda'*	Purple Bloomerang Lilac
10	18" Ht. x 24" Spr.	*Weigela x 'Dark Horse'*	Dark Horse Weigela
40	Total		

Perennials, Ornamental Grasses, and Groundcovers

Qty.	Size	Botanical Name	Common Name
62	#1 cont.	*Hemerocallis 'Apricot Sparkles'*	Apricot Sparkles Daylily
42	#1 cont.	Nepeta racemosa 'Walker's Low'	Walker's Low Catmint
15	#1 cont.	*Pennisetum alopecuroides 'Hameln'*	Hameln Fountain Grass
119	Total		

Go Pro Ball, LLC
6821 Sahara Drive
Plainfield, IL

PROJECT

Go Pro Ball Facility

NW Quadrant of Rt 52 & County Line Rd
Shorewood, Illinois

uplandDesign ltd
Park Planning and Landscape Architecture
24042 Lockport St, Plainfield, Illinois 60544
815-254-0091 www.uplanddesign.com

SHEET TITLE

Landscape Plan

SHEET NUMBER L1.0

DRAW / REVISION

TD/LD	Permit Submittal	19FEB2020
DW/MB	Rendering	06MAR2020

Project Number 812

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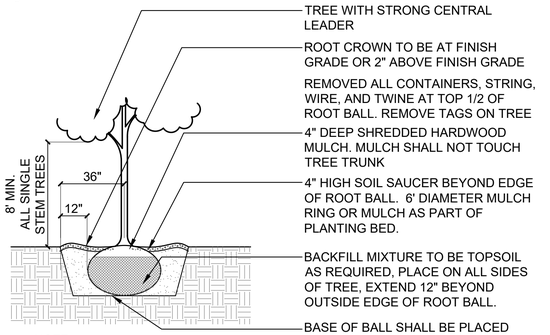
Storage Unit Facility

North

SCALE: 1" = 40'-0"

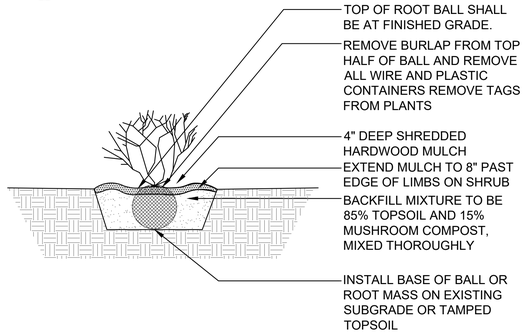
0 20' 40' 80' 120'

201



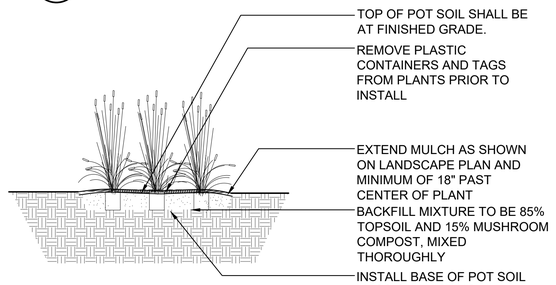
1 Tree Installation

SCALE: N.T.S. d-plant-tree_12



2 Shrub Installation

SCALE: N.T.S. d-plant-shrub_12



3 Perennial & Ornamental Grass Installation

SCALE: 1" = 1'-0" d-perennials

PLANT LIST

Shade Trees - Balled and Burlap

Qty.	Size	Botanical Name	Common Name
2	3" cal.	*Acer rubrum*	Red Maple
4	3" cal.	*Aesculus glabra*	Ohio Buckeye
3	3" cal.	*Quercus bicolor*	Swamp White Oak
3	3" cal.	*Ulmus 'Patriot'*	Patriot Elm
12	Total		

Evergreen Shrubs - Balled and Burlap or Container

Qty.	Size	Botanical Name	Common Name
3	24" Ht. x 24" Spr.	*Taxus x media 'Densiformis'*	Dense Yew
3	Total		

Deciduous Shrubs - Balled and Burlap or Container

Qty.	Size	Botanical Name	Common Name
3	24" Ht. x 24" Spr.	Viburnum dentatum 'Christom'	Blue Muffin Viburnum
4	36" Ht. x 24" Spr.	*Syringa x 'Penda'*	Purple Bloomerang Lilac
10	18" Ht. x 24" Spr.	*Weigela x 'Dark Horse'*	Dark Horse Weigela
17	Total		

Perennials, Ornamental Grasses, and Groundcovers

Qty.	Size	Botanical Name	Common Name
10	#1 cont.	Sporobolus heterolepis	Prairie Dropseed
10	Total		

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LEGEND

Shade Tree

Evergreen Shrub

Deciduous Shrub

Ornamental Grass

Go Pro Ball, LLC
6821 Sahara Drive
Plainfield, IL

PROJECT

Go Pro Ball Facility

NW Quadrant of Rt 52 & County Line Rd
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SHEET TITLE

Landscape Plan

SHEET NUMBER L1.0

DRAW / REVISION

TD/LD	Permit Submittal	19FEB2020
DW/MB	Revision 1/Rendering 1	06MAR2020

Project Number 813

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Shorewood ILLINOIS

Planning and Zoning Commission

July 1, 2020 Meeting Minutes
Excerpt Pertaining to Petition 20-402A

Four Seasons Self-Storage and GoPro Extra-Jurisdictional Review

Natalie Engel and Kelley Chrisse presented the staff report. They explained that the western part of the site had been zoned B-4 in Kendall County which allowed recreational and entertainment uses. The eastern part of the property was up for Kendall County rezoning to B-2 and B-3 to accommodate a storage business and future retail. Site plans, final plats, and annexation agreements were also being reviewed.

The PZC discussed concerns about the use and how the area would ultimately develop. They discussed whether the area would in fact be viable for commercial uses.

Staff explained the County zoning districts as compared to the Village zoning districts. The applicant had revised his application to request B-2 zoning along the retail frontage when staff had indicated concern about the intensity of the B-3 commercial uses. The Comprehensive Plan calls for commercial on the property but staff expected that it would be more of a community commercial area.

Staff worked with the applicant to make modifications to the site plan for Four Seasons so that it would fit in better in a commercial area. The applicant agreed to turn the buildings so the doors faced inward, add brick to the base of the public facing sides, incorporate wrought iron type fencing, and landscape the site.

The staff explained how there were multiple levels to the review and process since the project was in the County and not the Village. There were meetings at the County level and at the Township level. The Village staff has requested a traffic study due to concerns with the road. They will dedicate the required land for 50 feet of right-of-way [from centerline] but it may not be sufficient if a northbound turn lane is warranted.

The Commission discussed the Go Pro proposal. Some Commissioners had been to similar facilities. The business would be busiest on evenings and weekends and when weather does not allow for outdoor play. The dome will be able to be seen from a far distance.

The Commission discussed how Minooka High School owns the adjacent property. Go Pro and the retail may be complementary to the high school, but not the storage facility.

Shorewood has limited ability to approve this project. The applicant has agreed to enter into an Annexation Agreement with Shorewood to discuss how the property will be developed and its future annexation into the Village. The Village Board also has the option of filing a legal objection to the project which would trigger a supermajority vote of the County Board for approval.

There was conversation about the capacity of the roadway and that the oil and chip construction was not designed for intense use.

DRAFT

Commissioner Relyea raised the question of how the surrounding properties could develop if the intersection did not turn out to be viable for retail. Is there enough room? Chairman Brockman indicated that the retail potential of Shorewood would be impacted by whether the Cullinan property developed.

Commissioners Kijowski and Olson discussed how business brings business and the school could be a catalyst for some retail development.

Commissioner Kaminsky said that he was a big fan of the GoPro idea and had been to a similar facility that attracted customers from a wide area.

Commissioner Goodale said that he would not like to see just the storage facility develop. Ms. Chrisse said that the staff was trying to incorporate a lot of guidance into the Annexation Agreement. Chairman Brockman asked that any comments be sent to Ms. Chrisse or Ms. Engel before Wednesday or Thursday so they could be considered in the Annexation Agreement.

DRAFT

DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Room 204
Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

MEMORANDUM

To: Kendall County Regional Planning Commission
From: Matthew H. Asselmeier, AICP, CFM, Senior Planner
Date: July 14, 2020
Re: Petition 20-14 Zoning Ordinance Project

Attached please find the summary of the proposed changes to the Zoning Ordinance incorporating the changes made at the June 29, 2020, special meeting of the advisory boards and the July 7, 2020 ZPAC meeting.

Only those sections of the Zoning Ordinance with significant proposed changes were provided. Most of the sections with minor changes (i.e. typographical corrections, citation corrections, renumbering, adding of acronyms, etc.) that did not alter the meaning or intent of the regulations were not provided. Some sections with minor changes were provided for illustrative purposes. Section 14 was not provided because no changes were proposed to that Section.

Also, language was added allowing the Kendall County Regional Planning Commission to establish bylaws.

The townships were notified of this proposal on July 1, 2020. To date, no township has provided comments.

At the July 7, 2020, ZPAC meeting, ZPAC added language to Section 13:09.C.1 pertaining to the 200 foot grid soil survey and soils classified as unsuitable for conventional septic systems when considering open space. The minutes from the July 7th ZPAC meeting are attached.

If you have any questions regarding this memo, please let me know.

MHA

Zoning Ordinance Changes Summary

(7/14/2020)

Throughout the Document

1. Section number changed from period separators to colon separators (i.e. Section 1.00 became Section 1:00).

2. General typographical errors were corrected.

3. Uses and definitions were moved to their proper place in alphabetical lists.

4. Words and numbers were added to the text without changing meaning (i.e. if the phrase "fifty feet" appeared in the text, the phrase "50'" was added to the text.).

5. Abbreviations for certain terms replaced longer names in the text (i.e. Planning, Building and Zoning became PBZ, Zoning Board of Appeals became ZBA, Land Resource Management Plan became LRMP, etc.).

6. Incorrect citations were corrected and citations in general will be hyperlinked.

7. Sections were re-numbered and re-lettered without changing the meaning of the text.

8. Statements about complying with other sections of the Ordinance or other local, State, or Federal laws were removed because they are redundant (i.e. the statement "Signs must comply with Section 12 of the Ordinance" was used frequently throughout the document. The statement has no extra meaning because signs have to comply with the signage regulations whether or not this statement was included in the Ordinance).

9. If a use had multiple conditions, those conditions were listed in the first zoning district where the use occurred. In subsequent statements about the use, a reference to the original list of conditions and restrictions was added.

10. The phrases "date of adoption" and "date of amendment" were deleted and replaced with the date the section became effective.

11. In various sections, references to accessory uses meeting certain standards was deleted.

12. In various sections, references to home based businesses meeting applicable regulations was deleted.

13. In various sections, reference to small wind energy system standards were deleted.

Section 1:00 Title

1. Only changes listed in the Throughout the Document section occurred.

Section 2:00 Intent and Purpose

1. The wording of the first paragraph regarding serving certain purposes was amended.

Section 3:00 Rules and Definitions

1. Section 3:01 was amended by adding "Words and terms not defined shall have the meanings indicated by common dictionary definition."

2. The definitions of Automobile Service Station, Bus Lot, Garage (Bus), Erect (from the Sign Portion of the Ordinance), Garage (Public), Hotel (Apartment), Junker, Sign Advertising (Billboard), and Tourist Courts, Motor Lodges were deleted because the terms did not appear in the Ordinance or were duplicated, in whole or in part, by other terms.

3. The definitions of Awning Signs, Banner Signs, Changeable Copy Sign, Commercial Message, Construction Sign, Crop Identification Sign, External Illumination, Façade, Free-Standing Signs, Garage/Yard Sale Sign, Ground Sign, Illegal Sign, Illuminated Sign, Inflatable Sign, Instructional Sign, Internal Illumination, Marquee or Canopy, Marquee or Canopy Sign, Memorial or Tablet Sign, Non-Conforming Sign, Off Premise Identification Sign, Outdoor Advertising Structure (Billboard), Pennant, Political Sign, Portable Signs, Projecting Signs, Real Estate Sign, Roof Sign, Sign, Business, Sign Church Bulletin Board, Sign Contractor, Sign, Flashing, Sign, Gross Area Of, Sign Identification, Sign Structure, Sign Supports, Special Event Signs, Temporary Sign, Wall Sign, Window Area, and Window Sign were moved from the definitions section of the sign portion of the Ordinance (12:03) to this section.

4. The definition of Bed and Breakfast was changed to more closely match the definition of bed and breakfast contained in the Illinois Bed and Breakfast Act.

5. The definition of Building, Completely Enclosed was changed regarding the separation from other structures and by removing the phrase other buildings.

6. The definition of Family was amended by deleting the phrase "group of".

7. The definition of Floor Area For Determining Floor Area Ratio was amended by changing the calculation of floor area ratio for certain structures.

8. The definition of Grade was amended from the sign portion of the Ordinance.

9. The definition of Hotel, Motel, or Inn was amended to address short-term rentals and clarify the number of days as (30) consecutive days.

10. The definition of Kennel was amended to have the definition more closely the match the definition of kennel contained in the Illinois Animal Welfare Act.

11. The definition of Land Resource Management Plan was added to the Ordinance.

12. The definition of Loading and Unloading Space, Off Street was amended by deleting the phrase of land.

13. The definition of Microbrewery was amended by clarifying the Class 1 brewer reference from State law.

14. The definition of Non-Conforming Use was moved to the appropriate place alphabetically.

15. The reference "see Billboard" was added to the definition Outdoor Advertising Structure: Billboard.

16. The reference to eleemosynary institutions was removed from the definition of Philanthropic Institutions.

17. The definition of Railroad Right-of-Way was amended to clarify that the definition only applied to certain uses under regulation by the Interstate Commerce Commission.

18. The definition of Service Station was amended by replacing referencing with public garage with motor vehicle repair facility.

19. The definition of Short-Term Rental was added.

Section 4:00 General Provisions

1. In Section 4:03, the buildings and structures shall conform to regulations, not just building regulations.

2. In Section 4:05.A.3, merchandise storage shall be on the same lot as the business use and not restricted to just retail services.

3. In Section 4:05.A.15, short-term rentals were added as accessory uses provided they are registered.

4. In Section 4:05.B, Permitted Obstructions Table, the reference to attached accessory buildings for eaves and gutters was removed.

5. In Sections 4:06.1 and 4:07.1, research and development businesses were exempted from the requirement that they be conducted indoors.

6. In Section 4:06.6 and 4:07.7, noise, vibration, smoke, dust, odors, heat, glare, or electrical disturbances cannot be perceivable at the property line or cross the property line unless otherwise permitted by law.

7. In Section 4:18.L, the fee should be listed in the Planning, Building and Zoning Department's Fee Schedule Ordinance and not in the Zoning Ordinance.

Section 5:00 Non-Conforming Buildings and Uses

1. This Section was divided into parts A, B, and C. These partitions have been deleted.

Section 6:00 Zoning Districts

1. In Section 6:01, the number of Zoning Districts was corrected from nineteen (19) to twenty (20).

2. In Section 6:01, the locations of certain districts within the Ordinance were reclassified based on the renumbering of certain sections and relocation of certain information.

3. In Section 6:01, the name of the M-3 District was changed to match its name in Section 10 of the Ordinance.

4. In Section 6:02, the location of the Official Zoning Map is more specifically defined and its location clarified.

Section 7:00 Agricultural District

1. In Section 7:01.B.4, the Right to Farm Clause was added.

2. In Section 7:01.C.18.f., the procedure for classifying existing approved lots was deleted because the date referenced in the Section has passed.

3. In Section 7:01.D.13, the operational period for Bed and Breakfast Establishments was changed to match State law.

4. In Section 7:01.D.46, Riding Stables were deleted as a special use. Riding Stables were listed as both special and conditional uses. This deletion makes Riding Stables conditional uses in the A-1 District.

5. In Section 7:01.G.2.a and b, the measurement of the setbacks for primary and accessory structures in the A-1 District shall be either one hundred (100) feet from a dedicated road right-of-way or one hundred and fifty (150) feet from the center line of all adjacent roads and not whichever is greater.

Section 8:00 Residential District

1. In Section 8:01, the last sentence in second paragraph regarding buffers was deleted and the Right to Farm Clause was added.

2. In Section 8:02.A.11.e, the phrase "or similar" was added to allowable farm animals. Alpacas were also added to the list of animals and the spelling of llamas was corrected.

3. In Section 8:02.B.1.b, remove the $25 annual renewal and have the fee set by the County Board.

4. In Section 8:02.B.1.l, the administrative fee is removed.

5. In Section 8:02.C and other sections where they were listed as special uses, rest homes, nursing homes, and sanitariums will not be for human beings only.

6. In Section 8:03, the phrase "subject to approval of the County Board" was listed as footnote in several locations. This phrase was removed as a footnote and added to the body of the text where the footnote appeared.

7. In Section 8:03, the phrase, "as determined by the County Board or as identified in a local historic preservation plan" was listed as a footnote in several locations. This phrase was removed as a footnote and added to the body of the text where the footnote appeared.

8. In Section 8:03.H, the distinction between golf courses and par 3 golf courses was removed.

9. In Sections 8:04.C and 8.05.C, the phrase "and uses" was added to these sections confirming that uses in the RPD-1 were the same uses in the RPD-2 and RPD-3.

10. Section 8:06 was moved to Section 13 with the other procedures for approving zoning requests.

11. In the R-2 and R-3 District, a title of "NO REZONING" was added to the paragraphs stating these rezoning to these districts cannot occur if the property was over a certain acreage.

12. In several districts, if there was only one conditional use, that use was listed in the introductory paragraph of the conditional use section instead of listing uses.

Section 9:00 Business Districts

1. Throughout this Section, telecommunication stations were included with telecommunication hubs.

2. In several districts, if there was only one conditional use, that use was listed in the introductory paragraph of the conditional use section instead of listing uses.

3. In Section 9:00, the Right to Farm Clause was added.

4. In Section 9:03, the self-storage facilities were removed as a conditional use because they are already special uses in the B-3 District.

5. In Section 9:04.G, the side and rear yard setback requirements were merged into one paragraph.

Section 10:00 Manufacturing Districts

1. Throughout the Section, miscellaneous uses were separated and listed alphabetically in the appropriate places.

2. In several districts, if there was only one conditional use, that use was listed in the introductory paragraph of the conditional use section instead of listing uses.

3. In Section 10:01.C.3, the location of adult regulated uses was changed based on area to be zoned, the distance from certain other zoning districts was expanded to 1,000 feet, and the certain other districts were expanded to include A-1 Special Use PUDs, all residential zoning districts, and all business zoning districts.

4. In Section 10:03.1, the Enforcement Officer was changed to Zoning Administrator.

5. In Section 10:03.1, the severability section was deleted because there is a severability section in Section 14 that applies to the entire Zoning Ordinance.

Section 11:00 Off-Street Parking and Loading

1. In Section 11:02.C, the reference to the Shared Parking published by the Urban Land Instituted is deleted.

2. In Section 11:02.F.6, the Americans With Disabilities Act parking information is deleted and replaced with a link to the appropriate sections to the Americans With Disabilities Act.

3. In 11:02.F.8, the applicability of the screening requirements was changed from institutional premises to properties zoned business, manufacturing, and agricultural with a special use

permit. Screening provisions could be approved as part of a special use permit and could be reduced upon approval by the Regional Planning Commission or upon appeal by the Planning, Building and Zoning Committee.

4. In Section 11:04, the parking calculation for restaurants, furniture and appliance stores, household equipment or furniture repair shops, and health clubs and fitness centers was clarified to be based on the square footage of the entire premises.

5. In Section 11:04, the parking requirement for warehouse and storage was clarified to not be applicable to self-storage facilities.

6. In the final paragraph of Section 11:04, the parking requirements for uses not included in the parking table is proposed to be determined by the special use permit in cases where special use permits are issued.

7. In Section 11:05.A.1.b, the parking requirements for recreational vehicles would be determined by the parking regulations of the zoning district where the property is located.

8. In Section 11:05.A.1.b, the fee for registering a recreational vehicle was deleted because recreational vehicles can no longer be registered.

9. In Section 11:05.D, references to the Planning, Building and Zoning Director were changed to the Zoning Administrator.

10. In Section 11:05.D.5, the phrase unless otherwise allowed by ordinance was added.

11. In Section 11:06.G, the square footage requirement numbers were changed to remove conflicts (i.e. instead of category of 5,000 to 10,000 square feet, 10,000 to 25,000 square feet, etc. the new categories are 5,000 to 10,000 square feet, 10,001 to 25,000 square feet were created).

Section 12:00 Signs

1. In Section 12:03, definitions were moved to Section 3:02 of the Zoning Ordinance.

2. In Section 12:04.A, signs approved by governmental entities were added as public or quasi-public informational signs.

3. In Section 12:04.J, the conflicting language regarding the removal of certain real estate signs was removed; for rent or for lease signs must be removed within 7 days of closing or lease initiation. Signs for open houses must be removed on the same day as the open house.

4. In Section 12:06.D, regarding replacement bonus for certain signs was deleted.

5. In Section 12:08.A.1.c, the reference to political signs was removed and the provision was made applicable to all temporary signs.

6. In Sections 12:08.A.3, the 60% size of changeable copy signs as a part of the whole sign area was removed; the scrolling period for signs in the A-1 District would be determined by the special use permit; message signs cannot pulsate; message must be visible for 2 seconds instead of 5 minutes to be considered flashing.

7. In Section 12:09.A.3, government use signs cannot be changeable in the Residential Districts and the changes made in Section 12:08.A.3 listed previously would also occur in Residential Districts.

8. In Section 12:10.B, the changes listed in Section 12:08.A.3. would apply to signs in Business and Manufacturing Districts.

9. In Section 12:14.B.4, the regulation regarding temporary event signs will be clarified to "may".

10. In Section 12:17.K, outdoor advertising structures would be governed by their respective special use permits.

11. Section 12:20 would be deleted because the amortization period has ended.

Section 13 Administration

1. Throughout the Section, references to zoning maps are changed to the Official Zoning Map.

2. In Section 13:01.B.2, the terms of office for the original members of the Zoning Board of Appeals are deleted.

3. In Section 13:01.B.9, the notice requirement is changed from the newspaper notification between 30 and 15 days to notice by manner defined by applicable law.

4. In Section 13:01.C.3, the Zoning Map will not be attached hereto.

5. In Section 13:01.C.4, the Kendall County Regional Planning Commission is given the authority to establish bylaws.

6. In Section 13:03, the County issues completion permits in addition to occupancy permits; the section is amended to reflect this fact.

7. In Section 13:04.A.1, the language is clarified that variances can granted for anything except use.

8. In Section 13:07.B, the Zoning Administrator was added to the list of entities that may initiate amendments.

9. In Section 13:07.D, the ZBA initiation of proceedings was deleted.

10. In Section 13:07.F, the language was clarified to require the Zoning Board of Appeals to issue a recommendation within 30 days after the close of the hearing.

11. In Section 13:07.G.2, the language was amended to correspond with State law regarding written protests.

12. Section 8:06, regarding approval of RPDs, was moved to Section 13:09.

13. In Section 13:09.B.2, the language was clarified regarding membership on the Concept Plan Committee to include other affected districts.

14. In Section 13:09.C.1, the 200 foot grid soil survey and soils classified as unsuitable for conventional septic systems were added when considering lands designated for open space.

15. In Section 13:09.D.3.b, the notification was clarified to the municipality with extra-territorial control.

16. In Section 13:09.D.3.g, the timeline of overview for the PBZ Committee was extend to 60 days to allow appropriate entities time to file legal objections.

17. In Section 13:10.F.1, the application deadline is changed from 7 to 14 days prior to ZPAC.

Section 14 Separability

1. No changes.

ZONING ORDINANCE OF KENDALL COUNTY

BE IT ORDAINED BY THE COUNTY BOARD OF THE COUNTY OF KENDALL, STATE OF ILLINOIS, that the Zoning Ordinance adopted on January 16, 1940, and as subsequently amended, is hereby revised and amended to read as follows:

SECTION 1:00 TITLE

This amended ordinance, including the Zoning District Maps made a part hereof, shall be known and may be cited and referred to as the "Kendall County Zoning Ordinance.".

SECTION 2:00 INTENT AND PURPOSE

This amended ordinance adopted pursuant to the provisions of "An Act in Relation to County Zoning", passed by the General Assembly of the State of Illinois and enacted into law on June 28, 1935, and all amendments thereto, ~~is intended to~~ serves the following purposes:

1. ~~A.~~ To promote the public health, safety, morals, comfort, and general welfare;

2. ~~B.~~ To conserve the values or property throughout the County and to protect the character and stability of agricultural, residential, business, and manufacturing area, and to promote the orderly and beneficial development of such area;

3. ~~C.~~ To provide adequate light, air, privacy, and convenience of access to property;

4. ~~D.~~ To lessen or avoid congestion in the public streets and highways;

5. ~~E.~~ To regulate and restrict the location and use of buildings, structures and restrict the intensity of such uses, and to establish building or setback lines outside the limits of incorporated cities, villages and towns;

6. ~~F.~~ To divide the entire County outside the limits of such cities, villages, and incorporated towns into districts of such number, shape, area, and of such different classes, according to the use of land and buildings, and the intensity of such use, as may be deemed best suited to carry out the purposes of this Act;

7. ~~G.~~ To prohibit uses, buildings, or structures incompatible with the character of such districts respectively;

8. ~~H.~~ To prevent additions to and alterations or remodeling of existing buildings or structures in such a way as to avoid the restrictions and limitations lawfully imposed hereunder;

9. ~~I.~~ To protect against fire, panic, explosion, noxious fumes, flooding along natural water courses and other hazards in the interest of public health, safety, comfort and general welfare;

10. ~~J.~~ To provide for the elimination of incompatible and non-conforming uses of land, buildings, and structures which are adversely affecting the character and values of desirable development in each district; and

11. ~~K.~~ To define and limit the powers and duties of the administrative officers and bodies as provided herein.

SECTION 3:00 RULES AND DEFINITIONS Updated on 11.19.19

3:01 RULES

A. Words used in the present tense shall include the future; and words used in the singular number shall include the plural number, and the plural, the singular.

B. The word "shall" is mandatory and not discretionary.

C. The word "may" is permissive.

D. The word "lot" shall include the words "plot", "piece", and "parcel"; the word "building" includes all other structures of every kind regardless of similarity to buildings; and the phrase "used for" shall include the phrase "arranged for", "designed for", "intended for", "maintained for", and "occupied for".

E. The following words and terms, wherever they occur in this amended ordinance shall be interpreted as herein defined.

F. Words and terms not defined shall have the meanings indicated by common dictionary definition.

3:02 DEFINITIONS

~~**AUTOMOBILE SERVICE STATION. A place where gasoline, stored in underground tanks, kerosene, lubricating oil or grease, for operation of automobiles, are offered for sale directly to the public on the premises, and including minor accessories and the service of automobiles; but not including major automobile repairs, and including washing of automobiles where production line methods are not used. When the dispensing sale or offering for sale of motor fuels or oil is incidental to the conduct of a public garage, the premises shall be classified as a public garage. Automobile service stations shall not include sale or storage of automobiles or trailers (new or used).**~~

AWNING SIGN: Any sign that is painted, printed or otherwise placed on the outer surface of an awning in such a manner that the awning forms the background surface of the sign.

BANNER SIGN: Any Temporary Sign of lightweight fabric or similar material. ~~that is~~ Examples include signs attached to a pole, building, or fence, and secured on at least two sides. National flags, state or municipal flags shall not be considered banners. (Amended 7/19/2011)

BED AND BREAKFAST ESTABLISHMENTS - ~~**A lodging establishment, generally in a single-family dwelling and/or detached guesthouse, primarily engaged in providing overnight or otherwise temporary lodging for the general public and may provide meals for compensation.**~~ **An operator-occupied residence providing**

accommodations for a charge to the public with no more than five (5) guest rooms for rent, in operation for more than ten (10) nights in a twelve (12) month period. Breakfast may be provided to the guests only. Bed and breakfast establishments shall not include motels, hotels, boarding houses, or food service establishments. Bed and bed breakfast establishments shall meet the criteria set forth in the Illinois Bed and Breakfast Act.

BILLBOARD. Any structure or portion thereof upon which are signs or advertisements used as an outdoor display. This definition does not include any bulletin boards used to announce church services, or to display court or other public office notices, or signs offering the sale or lease of the premises on which the sign is located.

BUILDING, COMPLETELY ENCLOSED. A building separated on all sides from the adjacent open space, or from ~~**other buildings or**~~ other structures, by a permanent roof and by exterior walls or party walls, pierced only by windows and normal entrance or exit doors.

~~**BUS LOT. Any lot or land area used for the storage or layover of passenger buses or motor coaches.**~~

CHANGEABLE COPY SIGN: A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged either manually or electronically.

COMMERCIAL MESSAGE: Any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.

CONSTRUCTION SIGN: A sign announcing the impending construction of a project, limited to displaying the name of the project, the developer, the financial institution providing the finance, the designer(s), the general contractor, a phone number where more information may be obtained, and a date announcing the planned completion of the project.

CROP IDENTIFICATION SIGNS: A sign whose content includes the type, description, identification and otherwise pertinent information of crops being grown on a plot of land.

CURRENCY EXCHANGE. Trading US or other countries money for another based on the value of the money. ~~**Also**~~ ~~**m**~~May provide other services such as notaries, money orders, etc.

ERECT. The act of placing or affixing a component of a structure upon the ground or upon another such component.

~~**ERECT: To build, construct, attach, hang, re-hang, place, affix, or relocate and includes the painting or lettering of sign structures. SIGN SECTION**~~

EXTERNAL ILLUMINATION: Illumination of a sign which is produced by an artificial source of light which is not contained within the sign itself.

FACADE: Any side, surface or wall below the roof of a building which is parallel or within forty-five (45) degrees of parallel with a parcel's frontage on a public thoroughfare, which faces toward and relates to that public thoroughfare. If a building has a complex shape, then all walls or surfaces facing in the same direction, or nearly the same direction, are part of a single facade.

FAMILY. Two or more persons related to each other by blood, marriage, or legal adoption, living together as a single housekeeping unit; or ~~**group of**~~ not more than three persons, who need not be related by blood, marriage, or legal adoption living together as a single housekeeping unit and occupying a single dwelling unit; in either case, exclusive of usual domestic servants.

FLOOR AREA ~~–~~FOR DETERMINING FLOOR AREA RATIO. The sum of the gross horizontal areas of the several floors including the basement floor if a building, measured from the exterior faces of the exterior wall, or from the center lines of walls separating two buildings. The "floor area" shall also include the horizontal areas on each floor devoted to:

1. Elevator shafts and stairwells;
2. Mechanical equipment, except if located on the roof, when either open or enclosed, i.e., bulkheads, water tanks and cooling towers;
3. Habitable attic space as permitted by the Building Code of Kendall County;
4. Interior balconies and mezzanines;
5. Enclosed porches;
6. Accessory uses.

The "floor area" of structures used for bulk storage of materials, i.e., grain elevators, petroleum tanks, shall also be included in the "floor area" and ~~**such**~~ **calculated as** one floor for each ten feet of structure height ~~**and if such structure measures less than ten feet but not less than five feet over such floor height intervals, it shall be constructed to have an additional floor**~~. The horizontal area in each floor or a building devoted to off-street parking and off-street loading facilities and the horizontal area of a cellar floor shall not be included in the "floor area".

FLOOR AREA FOR DETERMINING REQUIREMENTS FOR OFF-STREET PARKING AND LOADING. "Floor Area" when prescribed as the basis of measurement of off-street parking spaces and off-street loading spaces for any use shall be the sum of the gross horizontal area of the several floors of the building, excluding areas used for accessory

off-street parking facilities and the horizontal areas of the basement and cellar floors that are devoted exclusively to uses accessory to the operation of the entire building. All horizontal dimensions shall be taken from the exterior of the walls.

FLOOR AREA, USABLE. Any floor area within outside walls of a residential building exclusive of areas in cellars, basements, unfinished attics, garages, open porches and accessory buildings, but including any area "roughed in" but not completed which is designed and intended for human occupancy.

FLOOR AREA RATIO. The numerical value obtained by dividing the floor area within a building or buildings on a lot by the area of such lot. The floor area ratio as designated for each district when multiplied by the lot area in square feet shall determine the maximum permissible floor area for the building or buildings on the lot.

FREE-STANDING SIGNS: Any sign not attached to a building; primarily ground signs, pole signs, pylon signs, and portable signs.

~~**GARAGE, BUS. Any building used or intended to be used for the storage of three or more passenger motor buses, or motor coaches used in public transportation, excluding school buses.**~~

~~**GARAGE, PUBLIC. Any building where automotive vehicles are painted, repaired, rebuilt, reconstructed and/or stored for compensation.**~~

GARAGE / YARD SALE SIGN: Any sign used in residential zoning districts to advertise the sale of used, unwanted household goods.

GRADE: The lowest point of elevation of the surface of the ground, paving, or sidewalk at any point adjacent to a structure. For the purposes of signs, grade shall be the established or finished elevation measured at the centerline of the adjacent street.

GROUND SIGN: Any detached sign which has its bottom portion erected upon or mounted on a base that is permanently set on the ground that is at least as wide as the bottom of the sign. Ground signs are also commonly known as Monument Signs.

GUEST HOUSE. Living quarters within a detached accessory building located on the same premises with the principal building, for use by guests of the occupants of the premises no longer than 90 continuous days. Such quarters can have kitchen facilities and shall not be rented or otherwise used as a separate dwelling.

HALFWAY HOUSE. A home for persons who have demonstrated a tendency toward alcoholism, drug abuse, mental illness, or antisocial or criminal conduct, or inmates on

release from more restrictive custodial care or initially placed in lieu of such more restrictive custodial confinement, wherein supervision, rehabilitation, and counseling are provided to mainstream residents back into society. A temporary residential living arrangement for persons who are receiving therapy and counseling from support staff who are **always** present ~~**at all times.**~~ ~~r~~**R**esidents are present for the following purposes:

1. To help them recuperate from the effects of drugs or alcohol addiction;
2. To help them re-enter society while housed under supervision while under the constraints of alternatives to imprisonment, including, but not limited to, prerelease, work release and probationary programs;
3. To help persons with family or school adjustment problems that require specialized attention and care in order to achieve personal independence; or
4. To provide temporary shelter for persons who are victims of domestic abuse. *(Amended 10/17/2000)*

HOME OCCUPATION. Any occupation or profession engaged in by an occupant of a dwelling unit as a use which is clearly incidental and secondary to the use of the dwelling as a residence.

HOME OCCUPATION - AGRICULTURAL. A home occupation in an agricultural zoning district. Tearooms, restaurants, eating and/or drinking establishments, animal hospitals or kennels, clinics, general retail and wholesale, stables, undertaking establishments and funeral parlors shall not be deemed to be "home occupation". *(Amended 04/18/2000)*

HOME OCCUPATION- RESIDENTIAL. A home occupation in a residential zoning district. Tearooms, restaurants, eating and/or drinking establishments, animal hospitals or kennels, clinics, general retail and wholesale, stables, undertaking establishments and funeral parlors shall not be deemed to be a "home occupation".

~~**HOTEL, APARTMENT. A building containing dwelling units or individual guest rooms, the majority of which are for permanent guest. Maid and janitor service may be provided, but kitchen facilities are not necessarily included.**~~

HOTEL, MOTEL, **OR** INN ~~**OR AUTO COURT**~~. An establishment containing lodging accommodations designed for use by transients, or travelers or temporary guests. Facilities provided may include maid service, laundering of linen used on the premises, telephone and secretarial desk service, restaurants, cocktail lounges, meeting rooms, and ancillary retain uses provided access to such uses are from the exterior of the principal use. **Short-term rentals of a maximum thirty (30) consecutive days in a dwelling, one family or dwelling, two family or accessory structures with residentially allowed occupancy permits shall not be considered hotels.**

ILLEGAL SIGN: A sign which contravenes this ordinance, or a nonconforming sign for which a permit required under a previous ordinance was not obtained.

ILLUMINATED SIGN: Any sign which is lit by an artificial (usually electric) light source.

INDOOR ENTERTAINMENT AND RECREATION. ~~**The indoor recreation and entertainment use classification applies to all**~~ **u**Uses which provide recreation or entertainment services entirely within an enclosed building. Examples may include: skating rink, arcades, billiards rooms/pool halls, dance hall/club, dance/music school or studio, gymnastic facility, martial arts facility, sports training facility, health/fitness club, and similar land uses. Adult and Regulated Uses are specifically excluded from this category.

INDOOR RETAIL SALES OF GOODS (OTHER THAN GROCERIES OR FOOD). The indoor retail sales of goods use classification, excluding grocery and food sales, applies to retail uses which display or conduct the sale or rental of merchandise entirely within an enclosed building. Examples may include: antique shops, furniture stores, hardware stores, department stores, clothing/wearing apparel stores, ~~**book stores**~~ **bookstores**, sporting goods stores, drug stores, pharmacies, florist shops, and similar land uses. Adult Uses are specifically excluded from this category. *(Amended 8/21/2001)*

INFLATABLE SIGN: Any sign or inflatable device of more than two (2) cubic feet in capacity designed to be filled with air or a gas lighter than air, displayed to attract the attention of the public. This definition shall include Balloons and Balloon Signs.

INSTRUCTIONAL SIGN: A sign, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as "no parking," "entrance," "loading only," and other similar directives.

INTERNAL ILLUMINATION: The illumination of a sign which is produced by an artificial source of light concealed or contained within the sign itself, and which becomes visible in darkness through the translucent portion of the sign face.

~~**JUNKER. An automobile, truck, or other motor vehicle which has been damaged to such an extent that it cannot be operated under its own power and will require major repairs before being made usable, or such a vehicle which does not comply with State or County laws or ordinance for vehicles.**~~

KENNEL. Any lot or premises or portion thereof ~~**on which more than a total of 4 dogs, cats, and other household domestic animals or combination thereof over four months of age are kept for sale, or on which more than two such animals are boarded for compensation.** *(Amended 6/20/2006)*~~ **other than an animal control facility, veterinary hospital, or animal shelter, where animals allowed by the Illinois Animal Welfare Act are maintained for boarding, training, or similar purposes for a fee or**

compensation and meet the requirements of the Illinois Animal Welfare Act.

LAND RESOURCE MANAGEMENT PLAN. An official plan adopted by Kendall County to guide growth and development. The Land Resource Management Plan (LRMP) serves as the County's Comprehensive Plan, including Township specific plans and extensive goals and objectives focused on both planning and management.

LOADING AND UNLOADING SPACE, OFF-STREET. An open hard surfaced area ~~of land~~ other than a street or public way, the principal use of which is for the standing, loading, and unloading of motor vehicles, tractors, and trailers to avoid undue interference with public streets and alleys. Such space shall not be less than ten feet in width, thirty~~-~~five feet in length, and fourteen feet in height, exclusive of access aisles and maneuvering space.

MARQUEE OR CANOPY: A roof-like structure of a permanent nature which projects from the wall of a building or overhangs the public way and is designed and intended to protect pedestrians from adverse weather conditions.

MARQUEE OR CANOPY SIGN: A sign that is mounted or painted on, or attached to, a canopy or marquee.

MEMORIAL OR TABLET SIGN: The permanent part of a building which denotes the name of the building, date of erection, historical significance, dedication, or other similar information.

MICROBREWERY. A brewery that produces between 1,000 barrels and 15,000 barrels (31,000 to 465,000 gallons) of beer per year with 75% or more of its beer sold off-site. Also referred to as a "**Class 1** ~~**craft**~~ brewer" per 235 ILCS 5/1-3.38.

~~**NON-CONFORMING USE. Any building, structure or land lawfully occupied by a use or lawfully established at the time of the adoption of this Ordinance or amendments hereto with the regulations of this Ordinance.**~~

NON-CONFORMING SIGN: Any sign that does not conform to the requirements of this ordinance.

NON-CONFORMING USE. Any building, structure or land lawfully occupied by a use or lawfully established at the time of the adoption of this Ordinance or amendments hereto with the regulations of this Ordinance.

NURSING HOMES OR REST HOMES. A home for the care of children or the aged or infirm, or place of rest for those suffering bodily disorders, but not including facilities for the treatment of sickness or injuries or for surgical care.

OFF PREMISE IDENTIFICATION SIGN: Any sign displaying the name and or logo of a business and which is situated on a parcel of land other than the property for which the sign is identifying.

OPEN SALES LOT. Any land used or occupied for the purpose of buying and selling new or second-hand passenger cars or trucks, motor scooters, motor**cycles** ~~cycles~~, boats, trailers, aircraft, and monuments, and for the storing of same prior to sale.

OUTDOOR ADVERTISING STRUCTURE: (BILLBOARD). A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than upon the premises on which such sign is located or to which it is affixed (See Billboard).

PENNANT: Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

PERSONAL SERVICES. Personal service uses are exclusively indoor land uses in which personal services are provided to individuals on a walk-in or on an appointment basis. Examples may include: barber shops, beauty shops, shoe repair/shoe**shine** ~~shine~~ shops, tailor/garment repair shops, small household appliance repair shops, travel office, and similar land uses. Adult and Regulated Uses are specifically excluded from this category. (Amended 6/19/2007)

PHILANTHROPIC ~~**AND ELEEMOSYNARY**~~ INSTITUTIONS. A nonprofit nongovernmental institution organized and operated for charitable purposes whose net income does not inure in whole or in part to the benefit of shareholders or individuals but through donated assets and income to provide social useful services. Community foundations, endowments, hospitals, educational institution founded by charity and charitable trusts are types of philanthropic ~~**and eleemosynary**~~ organizations.

PLACE~~**S**~~ OF WORSHIP. A building, together with its accessory buildings and use, where persons regularly assemble for religious purposes and related social events and which building(s) and uses(s) are maintained and controlled by a religious body organized to sustain religious ceremonies and/or purposes.

POLITICAL SIGN: Any sign displayed in conjunction with an official election or referendum, used on behalf of candidates for elected public office or to advocate a position on referenda.

PORTABLE SIGNS: Any sign attached to or mounted upon a frame intended to be moved from place to place. Such sign may be used as a temporary free standing sign and may or may not include movable lettering.

PRIMARY OPEN SPACE. All non-buildable areas (except existing road rights-of-way), specifically wetlands, lands that are generally inundated (under ponds, lakes, creeks, ~~ect~~ **etc**.), land within the 100-year floodplain, slopes exceeding 25% and soils subject to slumping. Primary open space areas are predetermined by the locations of these features.

PROJECTING SIGNS: A sign wholly or partly dependent upon a building for support, and which projects more than twelve (12) inches in a perpendicular fashion from such building.

RAILROAD RIGHT-OF-WAY. A strip of land with tracks and auxiliary facilities for track operation, but not including depot loading platforms, stations, ~~trainsheds~~, **train sheds**, warehouses, rail car shops, rail car yards, locomotive shops, water towers, etc., **under regulation by the Interstate Commerce Commission (ICC).**

REAL ESTATE SIGN: A sign used to advertise the sale or lease of an individual home, apartment office, or retail development.

REST HOME. See "Nursing Home".

ROOF SIGN: A sign mounted on the roof of a building.

SECONDARY OPEN SPACE. All buildable acreage protected as open space. Secondary open spaces shall include, at a minimum, a 150-foot deep greenway buffer along all water bodies and watercourses, and a 50-foot greenway buffer alongside arterial and major collector streets and wetlands. The location of secondary open space areas shall be guided by the maps and policies contained in the ~~Land Resource Management Plan~~ **LRMP** and shall typically include all or part of the following kinds of resources: mature woodlands, aquifer recharge areas, areas with highly permeable soil according to the Kendall County Soil Survey, significant wildlife habitats, sites listed by the Critical Trends Assessment Program of the Illinois Department of Natural Resources, prime farmland, historic or traditional rural architecture reminiscent of Kendall County's agricultural heritage, and scenic views into the property from existing public roads.

SERVICE STATION. A place where gasoline, stored in underground tanks, kerosene, lubricating oil or grease, for operation of motor vehicles, are offered for sale directly to the public on the premises, and including minor accessories and the service of motor vehicles; but not including major motor vehicle repairs, and including washing of motor vehicles. When the dispensing sale or offering for sale of motor fuels or oil is incidental to the conduct of a ~~public garage~~ **motor vehicle repair facility**, the premises shall be classified as a ~~public garage~~ **motor vehicle repair facility**. Service stations shall not include sale or storage of automobiles or trailers (new or used) *(Amended 6/19/2007)*

SHORT-TERM RENTAL. A dwelling, one family or dwelling, two family or accessory structures with residentially allowed occupancy permits that are rented for a maximum thirty (30) days.

SIGN. A name, identification, description, display or illustration which is affixed to or painted or represented directly or indirectly upon a building, structure, tree, rock, or other object, or piece of land, and which directs attention to an object, product, place, activity, persons, institutions, organization or business. However, a sign shall not include the flag, emblem or insignia of a nation, political unit, school or religious group. A sign shall not include a sign located completely within an enclosed building unless the context shall be exposed to view from a street. Each display surface of a sign shall be considered to be a sign.

~~**SIGN, ADVERTISING (BILLBOARD). A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than upon the premises on which such sign is located or to which it is affixed.**~~

SIGN, BUSINESS. A sign which directs attention to a business or profession conducted, or to commodity, service or entertainment sold or offered upon the premises where such a sign is located or to which it is affixed. From Definitions

SIGN, CHURCH BULLETIN BOARD. A sign attached to the exterior of a church or located elsewhere on the church premises used to indicate the services or activities of the church and including its name, if desired. From Definitions

SIGN CONTRACTOR: A person or entity who performs work for compensation in connection with the erection, construction, enlargement, alteration, repair, moving, improvement, maintenance, conversion or manufacture of any sign.

SIGN, FLASHING. Any illuminated sign on which the artificial light is not maintained stationary or constant in intensity and color at all times when such sign is in use. For the purpose of this ordinance any revolving, illuminated sign shall be considered as a flashing sign. From Definitions

SIGN, GROSS SURFACE AREA OF. A sign shall be the entire area within a single continuous perimeter enclosing the extreme limits of such sign and in no case passing through or between any adjacent elements of same. However, such perimeter shall not include any structural or framing elements lying outside the limits of such sign and not forming an intricate part of the display. From Definitions

SIGN IDENTIFICATION. A structure, building wall or other outdoor surface use to display and identify the name of the individual business, profession, organization or institution occupying the premises upon which it is located. From Definitions

SIGN STRUCTURE: The sign and all parts associated with its mounting.

SIGN SUPPORTS: All structural features by which a sign is held up, including, for example, poles, braces, guys, and anchors.

~~**SLAUGHTER HOUSE**~~ **SLAUGHTERHOUSE**. An establishment where animals are butchered for food.

SMALL POULTRY AND SMALL ANIMAL PROCESSING PLANT. Operations in which the carcasses of slaughtered poultry are defeathered, eviscerated, cut-up, skinned, boned, canned, salted, stuffed, rendered, or otherwise manufactured or processed. Poultry and small animals are defined as **rabbits,** chickens, turkeys, ducks, geese, guineas, squab (pigeons up to one month old), small game birds such as quail, pheasant, and partridge ~~**and rabbits**~~.

SPECIAL EVENT SIGNS: A temporary sign associated with a special event on the property where the sign is located that exceeds the allowable amount of time and number of signs permitted under Section 12:14.B.1 of this Ordinance. Such signs must be related to the special event occurring on the property. (Amended 7/19/2011)

SPECIFIED SEXUAL ACTIVITIES. ~~**For the purpose of this section a**~~**A**re defined as:

1. Human genitals in a state of sexual stimulation or arousal;

2. Acts of human masturbation, sexual intercourse, fellatio or sodomy;

3. Fondling, kissing, or other erotic touching of specified anatomical areas.

STACKING REQUIREMENTS. ~~**For the purpose of this ordinance, stacking requirements are t**~~**T**he number of cars and trucks that must be accommodated in a reservoir space while awaiting ingress or egress to specified business or service establishments.

TEMPORARY. For a duration of time no longer the 7 days including weekends.

TEMPORARY SIGN: Any sign designed, constructed, or erected to display a message for a limited duration of time. Such signs include but are not limited to: Beacon or Search Light, Grand Opening, Inflatable, Political and Special Event Signs, as well as any other sign which by its definition and application in this chapter is designated as a Temporary Sign.

~~**TOURIST COURTS, MOTOR LODGES. A group of attached or detached buildings containing individual sleeping or living units, designed for or used temporarily by automobile tourists or transients, with garage attached or parking space**~~

~~**conveniently located to each unit, including auto courts, motor lodges, or other similar type uses.**~~

WALL SIGN: Any sign attached parallel to and supported by a wall or building, and within six (6) inches of such wall, or painted on the wall surface of any building.

WINDOW AREA: Any transparent area on a facade through which the interior of a premises may be viewed from outside.

WINDOW SIGN: Any sign which is affixed or placed so that its message or image is read as a part of the total composition of a window area.

ZONING BOARD. The Kendall County Zoning Board of Appeals **(ZBA)**.

ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC). An informal, strictly advisory committee and not a County Board committee comprised primarily of County staff and advisors. Membership includes, but is not limited to, representatives from the County ~~**Planning, Building and Zoning**~~ **(PBZ)** Department **(PBZ Department)**, the Highway Department, the Health Department, the Sheriff's Department, Forest Preserve District, Soil and Water Conservation District, and the County Engineer or consultants. The PBZ Chair or his/her designee, as needed, from the Planning, Building and Zoning (PBZ) Committee shall serve on ZPAC.

4:03 USE AND BULK REGULATIONS

A. USE. No buildings, structure or land shall hereafter be used or occupied, and no building or part thereof, or other structure, shall be erected, raised, moved, reconstructed, extended, enlarged, or altered except in conformity with the regulations herein specified in the district in which it is located.

B. BULK. All new buildings and structures shall conform to the ~~**building**~~ regulations established herein for the district in which each building ~~**shall be**~~ **is** located, except that parapet walls, chimneys, cooling towers, elevator bulkheads, fire towers, stacks and necessary appurtenances shall be permitted to exceed the maximum height provisions when erected in accordance with all other ~~**ordinances of**~~ Kendall County **ordinances**.

4:04 LOT COVERAGE (Amended 10/17/2000)

A. MAINTENANCE OF YARDS, COURTS AND OTHER OPEN SPACES. The maintenance of yards, courts and other open space and minimum lot area ~~**legally**~~ required for a building shall be a continuing obligation of the owner of such building or of the property on which it is located, as long as the building is in existence. ~~**Furthermore, no legally**~~ **No** required yards, courts, other open space or minimum lot area allocated to any building shall, by virtue of change of ownership or for any other reason be used to satisfy ~~**yard, court, other open space, or minimum lot area**~~ requirements for any other building.

B. DIVISION OF ZONING LOT. No zoning lot improved with a building or buildings shall hereafter be divided into two or more zoning lots and no portion of any zoning lot which is improved with a building or buildings shall be sold, unless all zoning lots resulting from each such division or sale and improved with a building or buildings ~~**shall not be less conforming to all**~~ **comply with the** bulk regulations of the zoning district in which the property is located.

C. LOCATION OF REQUIRED OPEN SPACE. ~~**All**~~ **The** location of required open spaces or yards or courts and other open space allocated to a building or dwelling group shall be located on the same zoning lot as such building dwelling group, except as otherwise permitted in planned development and planned open spaces.

D. REQUIRED YARDS FOR EXISTING BUILDINGS. No yards now or hereafter provided for a building existing on the effective date of this amended ordinance shall subsequently be reduced below, or further reduced below if already less than, the minimum yard requirements of this amended ordinance for equivalent new

construction, except as provided in Section 5:11.

E. CORNER CLEARANCE. There shall be no material obstruction to vision on any corner lot between a height of two feet and a height of ten feet above the finished grade of either street within a forty (40) foot triangle formed by the intersection street lines with the following exception:

On corner lots within that part of a yard, court, or other open area located within a radius of twenty-five (25) feet from the point of intersection of the two (2) street right-of-way lines forming the lot corner, no buildings, structures, or shrubs as herein permitted as obstructions in front or side yards adjoining a street shall be erected, altered, or planted which have a height more than thirty (30) inches above the ground grade in this area, and trees planted in such areas shall be maintained in a manner that trees shall not have branches lower than eight (8) feet above the ground grade elevation in this area. (Amended 11/18/2003)

4:05 ACCESSORY BUILDINGS, STRUCTURES AND USES

A. ACCESSORY BUILDINGS OR USE. An "accessory building or use" includes but is not limited to the following:

1. A children's playhouse, garden house and private greenhouse;
2. A garage, shed or building for domestic storage;
3. ~~Storage or merchandise~~ **Merchandise storage** normally carried in stock on the same lot with any ~~retail service or~~ business use, unless such storage is excluded by the district regulations;
4. Storage of goods used in or produced by manufacturing activities on the same lot or parcel of ground with such activities, unless such storage is excluded by the district regulations;
5. Incinerators incidental to residential use;
6. A non-paying guest house (without kitchen facilities) or rooms for guests within an "accessory building" provided such facilities are used for the occasional housing of guests of the occupancy of the principal building and not for permanent occupancy by others. (Only permitted on parcels of 3 acres or more in the A-1 district or R-1 district)
7. Swimming pool, private, for use by the occupant and his guests;
8. Off-street parking and loading facilities;
9. Signs (other than advertising signs) as permitted and regulated in each district incorporated in this Ordinance;
10. Carports as a separate structure;
11. Towers for personal use, i.e. radio towers, towers to receive internet service.
12. Small wind energy system (Permitted as Conditional Use only in the A-1, R-1, R-2, and all Business and Manufacturing Districts – may also be approved as part of

a Residential Planned Development) subject to the conditions of Section 4:17 *(Amended 2/16/2010)*

13. Solar panels *(Amended 2/16/2010)*
14. Home Occupations; (see Section 4:06 – 4:07)
15. **Short-Term Rental provided the property is annually registered with the Kendall County Planning, Building and Zoning Department.**

B. PERMITTED OBSTRUCTIONS IN REQUIRED YARDS. The following table identifies accessory buildings, structures and uses that are permitted as obstructions in required yards (setbacks) subject to the following restrictions.

1. No structure shall be placed within a recorded easement.
2. No other obstruction shall occur within a recorded easement unless the sole purpose of the easement is for service to only the subject property.
3. No obstruction shall adversely impact drainage.
4. Unless otherwise indicated in the table listed below, no obstruction shall be closer than five feet from a property line.
5. No obstruction shall encroach onto a private septic system or private water wells.

In the following table, an (x) indicates the obstruction is permitted:

Permitted Obstruction	Front	Side	Rear
Awnings or canopies, which may project not more than three (3) feet into a required yard	X	X	X
Arbors or trellises, and where trellises are attached to the principal building they may also project into front yards or side yards			X
Air conditioning equipment			X
Architectural entrance structures on a lot or at entrance roadways into subdivisions provided they comply with the setbacks established in Section 12:00 herein.	X	X	X
Balconies			X
Bay windows - projecting not more than three (3) feet into a yard.	X	X	X
Chimneys, attached - projecting not more than three (3) feet into a yard.	X	X	X

Permitted Obstruction	Front	Side	Rear
Decks, attached to a principal structure, when constructed entirely or partially around a swimming pool, for the sole purpose of providing a connection of the swimming pool to the principal structure. Such decks shall be removed from the required side and/or rear yard within thirty (30) days of the removal of the swimming pool they are providing a connection for. *(Amended 11/15/11; Ord. 11-31)*		X	X
Eaves and gutters on principal buildings ~~**or attached accessory buildings**~~ projecting not more than four (4) feet into a front and rear yard nor more than twenty-four (24) inches into a side yard.	X	X	X
Fallout shelters, attached or detached, when conforming also with other **County** codes and ordinances ~~**of the County**~~			X
Fire escapes, open or enclosed, or fire towers - may project into a required front yard or side yard adjoining a street not more than five (5) feet and into a required interior side yard not more than three and one-half (3½) feet	X	X	X
Flagpoles, within two and one-half feet (2.5') of a property line	X	X	X
Garages or carports, detached		X	X
Growing of farm and garden crops in the open is allowed in all yards up to property line.	X	X	X
Lawn furniture, such as sun dials, bird baths, and similar architectural features may encroach to within two and one-half feet (2.5') of a lot line.	X	X	X
Open off-street parking and loading spaces may encroach to within two and one-half feet (2.5') of a lot line unless otherwise permitted in Section 11:00 herein.			X
Ornamental light standards to within two and one-half feet (2.5') of a property line	X	X	X

Permitted Obstruction	Front	Side	Rear
Playground and laundry-drying equipment		X	X
Playhouse and open sided summer houses		X	X
Sheds and storage buildings for garden equipment and household items as accessory to dwellings.		X	X
Sills, belt courses, cornices, and ornamental features of the principal buildings, projecting not more than eighteen (18) inches into a yard.	X	X	X
Steps, open or ramps - necessary for access to and from the dwelling or an accessory building, steps or ramps as access to the lot from the street, and in gardens or terraces, up to the property line.	X	X	X
Swimming pools, private - when conforming also with other codes or ordinances of the County.		X	X
Swimming pools, above or below ground, detached or attached to a principal structure, when also conforming with the setback regulations of well and septic systems. *(Amended 11/15/11; Ord. 11-31)*		X	X
Terraces, patios, and outdoor fireplaces		X	X
Tennis courts, private		X	X
Trees, shrubs, and flowers up to property line except as otherwise regulated per Section 4.04.~~F~~ E Corner Clearance.	X	X	X
Other accessory buildings, structures, and uses as herein permitted in district regulations as accessory to a specific permitted use.		X	X

C. LOCATION. Except as otherwise provided for under Section 4:05 no part of any accessory building shall be located closer than five (5) feet from any side or rear property line, nor closer than ten (10) feet to any main buildings, unless attached and made a part of such main building. In the A-1 Agricultural District accessory structures must be ten (10) feet from all property lines dividing lots held in separate ownership. If an accessory structure is the first building on a A-1 Agricultural lot it

must meet principle building setbacks as set forth in section ~~7.01.H.2.a~~ **7:01.G.2.a** of the Zoning Ordinance.

4:06 HOME OCCUPATION- AGRICULTURAL provided:

1. It is conducted entirely within the dwelling or permitted accessory building by a member or members of the family residing in the dwelling and when such home occupation is clearly incidental and secondary to the use of the dwelling as a residence. **Research and development related businesses shall be exempt from the requirement that the home occupation be conducted entirely within the dwelling or permitted accessory structure, unless otherwise prohibited by law.**

2. A maximum sign of **eight** (8) square feet will be permitted but must meet setback requirements in ~~s~~**S**ection 11**:00** of the Zoning Ordinance and be unlit.

3. No article shall be sold or offered for sale on the premises except as is produced by the occupation on the premises except that items incidental to the home occupation may be sold, i.e., hair products may be sold at a salon.

4. No person shall be employed on site other than members of the family residing on the premises and two persons outside the family, providing that additional persons outside of the family may be permitted by the ~~**Zoning Board of Appeals**~~ **ZBA** pursuant to an application for special use filed in accordance with the provisions of this ordinance.

5. The number of off-street parking spaces for that use is provided as required by the ~~**Off-Street Parking, Loading, and Landscape Requirements**~~ **Section 11:00** of this Ordinance.

6. No mechanical equipment is used which may generate obnoxious fumes, excessive noise or other such related nuisances. No offensive noise, vibration, smoke, dust, odors, heat, glare, or electrical disturbance shall be produced which is perceivable at or beyond the lot lines, **unless otherwise permitted by law**.

4:07 HOME OCCUPATION- RESIDENTIAL provided:

1. It is conducted entirely within the dwelling by a member or members of the family residing in the dwelling and when such home occupation is clearly incidental and secondary to the use of the dwelling as a residence. **Research and development related businesses shall be exempt from the requirement that the home occupation be conducted entirely within the dwelling, unless otherwise prohibited by law.**

2. There are no signs, display or activity that will indicate from the exterior of the dwelling that it is being used for any use other than a dwelling except as allowed by the sign regulations for the district in which such "home occupation" is located.

3. No article shall be sold or offered for sale on the premises except as is produced by the occupation on the premises, except that items incidental to the home occupation may be sold, i.e., hair care products sold at a salon.

4. No more than ten (10) vehicle trips ~~**by either**~~ **(**customers, delivery persons or employees**)** may be made throughout a day to and from the home occupation.

5. No person shall be employed on site other than members of the family residing on the premises and one person outside the family in all residential districts.

6. The number of off-street parking spaces for that use is provided as required by the Off-Street Parking, Loading, and Landscape Requirements of this Ordinance.

7. No mechanical equipment is used which may generate obnoxious fumes, excessive noise or other such related nuisances. No offensive noise, vibration, smoke, dust, odors, heat, glare, or electrical disturbance shall be produced which is perceivable at or beyond the lot lines, **unless otherwise permitted by law.**

8. Instruction in music, crafts and dance shall be limited to one student at a time with a maximum of eight per day. ~~**To exceed**~~ **Exceeding** this limit requires a variance.

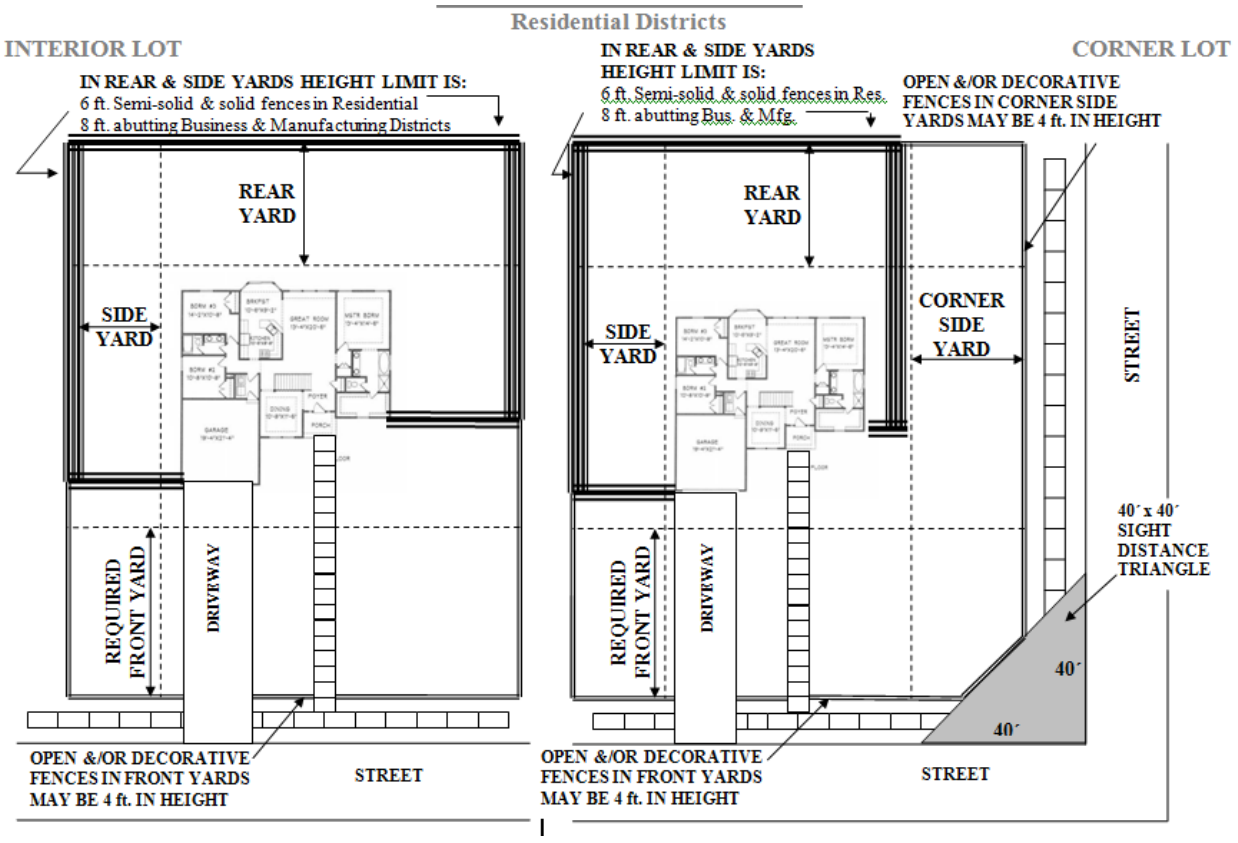
9. Salons shall be limited to one **station (**chair or nail table**)**, **commonly referred to as a station**.

4:14 FENCES

A. GENERAL. Fences that are open, semi-solid or solid are allowed in all districts and yards with the following conditions, unless otherwise regulated herein:

1. Fences located in the A-1 District shall be excluded from any fence height restriction or fence type restriction specified in this section below.

2. Only decorative or open fences, which do not exceed four feet (4') in height, are allowed in a front yard. (The front yard is a yard lying between the roadway right-of-way line and the nearest line of the building)



3. Semi-solid and solid fences shall be regulated as follows:

   a. In Residential districts, solid and semi-solid fences are permitted up to six feet (6') in height in required side and rear yards with the finished side out provided they do not extend into a required front or corner side yard. Where a side yard or rear lot line of a residentially zoned lot abuts property located in a Business or Manufacturing district, a solid or semi solid fence of up to eight feet (8') in height may be permitted in the required side and rear yards with the finished side out provided they do not extend into a required front or corner side yard. (Amended 6/20/2006)

   b. In Business and Manufacturing districts, solid and semi-solid fences are permitted up to eight feet (8') in height, and may be placed along the lot line in required side and rear yards with the finished side out provided they do not extend into a required front or corner side yard.

4. Fences may be placed up to a property line provided that fences shall not encroach into rights-of-way.

5. Fences on corners of vehicular intersections shall comply with Section 4.04~~F~~**FE**, Corner Clearance, of this ordinance.

6. Except in the A-1 District & R-1 District, barbed-wire and aboveground electric fences shall not be located in any Residential District or residential platted subdivision. The use of underground electric fences to contain domestic pets is permitted in any District.

4:17 SMALL WIND ENERGY SYSTEMS (Amended 2/16/2010)

A. Total Height: There is no limitation on tower height, except as imposed by setback, clear one and FAA regulations.

B. **Set-back Setback**: The wind energy system shall be set back a distance equal to one hundred ten (110) percent of the hub height from all adjacent property lines. Additionally, no portion of the small wind energy system, including guy wire anchors, may extend closer than ten (10) feet to the property line.

C. Clear Zone: The wind energy system shall maintain a circular clear zone that has a radius which is equivalent to one hundred and ten (110) percent of the hub height. This clear zone shall be maintained free of any occupied structures on adjoining properties, tanks containing combustible/ flammable liquids, and above ground utility/electrical lines.

D. Noise: Wind energy systems shall not exceed **sixty (**60**)** dBA, as measured at the closest property line. The level, however, may be exceeded during short-term events such as utility outages and/or severe wind storms.

E. Tower Security: Any climbing apparatus must be located at least **twelve (**12**)** feet above the ground, and the tower must be designed to prevent climbing within the first **twelve (**12**)** feet.

F. Lighting: Wind energy systems shall not be artificially lighted with accent lighting. For the protection of the flight patterns of aircraft and the protection of heliports, airports and landing strips, wind energy systems must be lighted in accordance to the regulations and guidelines of the Federal Aviation Administration (FAA) regulations or appropriate authorities.

G. Signs/Advertising: No tower should have any sign, writing, or picture that may be construed as advertising.

H. Visual Effects and Safety. All reasonable visual and safety concerns of adjacent property owners must be resolved before Construction/Use Permit will be issued. When an applicant intends to submit a Construction/Use Permit Application to the ~~**Planning, Building and Zoning**~~ **PBZ** Department, he/she must also submit a copy of the completed conditional use application form to each adjacent neighbor at least 15 days prior to the issuance of a conditional use permit. If there are negative comments from neighbors, staff will attempt to resolve these negative neighbor comments with the applicant. If staff is unsuccessful in resolving concerns of the neighbors with the applicant, staff will schedule and provide notice of a public hearing before the Kendall County Planning Commission to review and make a determination on the pending application and unresolved issues. At this public hearing the Kendall County Planning Commission will take testimony from staff, the neighbors and the applicant, and then will make a determination, based on the evidence presented, to approve, conditionally approve or deny the application. Any decision by staff or the Planning Commission may be appealed to the County Board.

I. Multiple wind energy systems: Multiple wind energy systems are allowed on a single parcel as long as the owner/operator complies with all non-commercial wind farm regulations contained in these regulations. Units shall be installed in compliance with minimum setback and clear zone requirements, as defined by these regulations. The minimum distance between wind energy systems shall be equivalent to one hundred ten (110) percent of the hub height.

J. Approved Wind Turbines: At the time of application, the applicant must present a certification from the manufacturer that the system's turbine and other components equal or exceed the standards of one of the following national certification programs such as the: California Energy Commission, National Electrical Code (NEC), American National Standards Institute (ANSI), Underwriters Laboratories (UL), or any other small wind certification program recognized by the American Wind Energy Association.

K. Onsite Electrical Use: On the Construction/Use Permit Application, the applicant must certify that the proposed system will be used primarily to reduce onsite consumption of electricity.

~~**M**~~ **L**. Compliance with the National Electrical Code: Construction/Use Permit applications for small wind energy systems shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the National Electrical Code. This information is frequently supplied by the manufacturer.

~~N~~ **M**. Removal of Defective or Abandoned Wind Energy Systems: Any wind energy system found to be unsafe by an authorized county official shall be repaired by the owner to meet federal, state and local safety standards or removed within six months. If any wind energy system is not operated for a continuous period of **twelve** (12**)** months, the county will notify the landowner by registered mail and provide **forty-five (**45**)** days for a response. In such a response, the landowner shall set forth reasons for the operational difficulty and provide a reasonable timetable for corrective action. If the county deems the timetable for corrective action as unreasonable, they must notify the landowner and such landowner shall remove the turbine within **one hundred twenty (**120**)** days of receipt of notice from the county.

4:18 SOLAR PANELS (Amended 11/20/2018)

L. Building Permit Requirements and Fees. All solar energy systems will be required to have a Kendall County Building Permit before any work can be started. A written plan and a plat/drawing for the proposed solar energy system shall be provided with the Building Permit Application. The plat/drawing must show the location of the system on the building or on the property, (for a ground-mount system show arrangement of panels), with all property lines and set back footages indicated. Fees for processing the applications for building permits shall be **established by the County Board.** ~~**submitted to and collected by the Kendall County Planning, Building and Zoning Department as follows:**~~

~~**0- 10 kilowatts (kW) $150.00**~~
~~**11- 50 kilowatts (kW) $300.00**~~
~~**51- 100 kilowatts (kW) $600.00**~~
~~**101- 500 kilowatts (kW) $1,200.00**~~
~~**501- 1,000 kilowatts (kW) $2,750.00**~~
~~**1,001- 2,000 kilowatts (kW) $6,000.00**~~
~~**Over 2,000 kilowatts (kW) $6,000.00 + $200.00 for each additional 0-100 kilowatts**~~

Any solar energy system that construction has started before a Building Permit has been applied and paid for will be charged double the permit fee. The above fees do not apply to solar energy systems used to generate energy for on-site consumption of energy for agricultural purposes.

4:19 TEMPORARY USES PERMITTED (Amended 3/21/18)

An owner seeking an approval of a permitted temporary use shall ~~**submit an application**~~ **apply** for a temporary use to be acted upon by the Zoning Administrator. The Zoning Administrator may, at his or her discretion, refer the request for a temporary use to the

~~**Planning, Building and Zoning**~~ **PBZ** Committee of the County Board for recommendation prior to taking action. In addition, the petitioner may appeal the decision of the Zoning Administrator or his/her deputies in the review of a temporary use to the PBZ Committee. In such instances the PBZ Committee shall be the final authority in deciding upon such requests. Any permitted temporary use may be treated as a special use (per the procedures contained in Section 13:00) if the stated time limit is to be exceeded.

Teska underlined Temporary Uses.

2. Concrete ready-mix or asphalt 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 its original 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 pP**~~Plants constructed to support a major road project, ~~**the plant**~~ shall be located adjacent to the roadway.
   e. Hours of operation must be 7am-5:30pm Monday thru Saturday unless otherwise permitted.
   f. Before the issuance of the temporary use permits, the septic field shall be roped off and the water well shall be clearly staked to allow for the protection of both of these utilities. The areas shall remain marked or roped off through the duration of the project.

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.

c. Before the issuance of the temporary use permits, the septic field shall be roped off and the water well shall be clearly staked to allow for the protection of both of these utilities. The areas shall remain marked or roped off through the duration of the project.

d. 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. **(was 4; remaining section renumbered)**

5. Temporary Stockpiling of dirt on private property when necessary and incidental to a major construction project:

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.

c. Hours of operation must be 7am-5:30pm Monday thru Saturday unless otherwise permitted.

d. Before the issuance of the temporary use permits, the septic field shall be roped off and the water well shall be clearly staked to allow for the protection of both of these utilities. The areas shall remain marked or roped off through the duration of the project. **(was a second b; typo corrected)**

PART A NON-CONFORMING USES

5:02 CONTINUANCE OF NON-CONFORMING USES

PART B NON-CONFORMING STRUCTURES

5:09 CONTINUANCE OF NON-CONFORMING STRUCTURES

PART C NON-CONFORMING LOTS

5:15 DEVELOPMENT OF NON-CONFORMING LOTS

SECTION 6:00 ZONING DISTRICTS

6:01 DISTRICTS

For the purpose and provisions herein Kendall County, Illinois is hereby organized into ~~nineteen (19)~~ **twenty (20)** districts. The minimum area that may constitute a separate or detached part of any zoning district shall be as follows:

SECTION	ZONING DISTRICT	MINIMUM AREA
7:01	A-1 Agricultural District	
8:02	R-1 One Family Residential District	130,000 sq. ft.
8:03	RPD-1 Residential Planned Development-One	20,000 sq. ft.
8:04	RPD-2 Residential Planned Development-Two	20,000 sq. ft.
8:05	RPD-3 Residential Planned Development-Three	20,000 sq. ft.
~~8:07~~ **8:06**	R-2 One Family Residential District	90,000 sq. ft.
~~8:08~~ **8:07**	R-3 One Family Residential District	45,000 sq. ft.
~~8:09~~ **8:08**	R-4 One Family Residence District	30,000 sq. ft.
~~8:10~~ **8:09**	R-5 One Family Residence District	15,000 sq. ft.
~~8:11~~ **8:10**	R-6 One Family Residence District	7,000 sq. ft.
~~8:12~~ **8:11**	R-7 General Residence District	Varies
~~9:02~~ **9:01**	B-1 Local Shopping District	10,000 sq. ft.
~~9.03~~ **9:02**	B-2 General Business District	10,000 sq. ft.
~~9.04~~ **9:03**	B-3 Highway Business District	10,000 sq. ft.
~~9.05~~ **9:04**	B-4 Commercial Recreation District	20,000 sq. ft.
~~9.06~~ **9:05**	B-5 Business Planned Development District	Varies
~~9.07~~ **9:06**	B-6 Office and Research Park District	150,000 sq. ft.
10:01	M-1 Limited Manufacturing District	
10:02	M-2 Heavy Industrial District	
10:03	M-3 ~~Earth~~ **Aggregate** Materials Extraction, Processing and Site Reclamation	

SECTION 6:00 ZONING DISTRICTS

6:02 ZONING MAPS

The boundaries of the aforesaid zoning districts are hereby established as shown on the map~~s~~ entitled ~~"Zoning Map of Kendall County, Illinois, dated July 9, 1974"~~ **"Official Zoning Map of Kendall County, Illinois" found in the office of the Kendall County PBZ Department. A link entitled "Official Zoning Map of Kendall County, Illinois" found on the Kendall County PBZ Department's website shall be a secondary source to view the Official Zoning Map. The paper map found in the Kendall County PBZ Department shall be the Official Zoning Map in cases of conflict between the paper and online maps. A paper copy of this map can be obtained in the Kendall County PBZ Department Office.** ~~which maps accompany and are made a part of this amended ordinance, and~~ Said map shall have the same force and effect as if the Zoning Map, together with all notations, references, and other information shown thereon were fully set forth and described herein.

6:06 UTILITIES

B. Telecommunications carrier facilities shall be allowed in all zoning districts if they conform to the following standards.

2. Location Guidelines

a. A non-residentially zoned lot is the most desirable location.
b. A residentially zoned lot that is not used for residential purposes is the second most desirable location.
c. A residentially zoned lot that is 2 acres or more in size and is used for residential purposed is the third most desirable location.
d. Residentially zoned lot that is less than 2 acres in size and is used for residential purposes is the least desirable location.
e. The size of a lot shall be the lot's gross area in square feet without deduction of any unbuildable or unusable land, any roadway, or any other easement. **(changed e from separate paragraph to subparagraph)**

SECTION 7:00 AGRICULTURAL DISTRICTS Updated on 11.19.19

7:01 A-1 Agricultural District

A. PURPOSE

It is recognized that the public health and welfare of the citizens of Kendall County are greatly dependent upon the sustenance and economic benefits provided by a viable agricultural industry. This district is intended to ensure that lands within the county which are well suited for agricultural production of food and fiber are retained for such production, unimpeded by the establishment of incompatible uses which would hinder farm operations and irretrievably deplete agricultural lands. **Specific purposes for this district are to:**

~~**Specific purposes for this district are: (Changed from bullets to numbers)**~~

1. ~~**To establish**~~ **Establish** a zoning district in which agriculture and certain related uses are encouraged as principal uses of the land.
2. ~~**To preserve**~~ **Preserve** fertile, tillable soils as a valuable natural resource.
3. ~~**To enhance**~~ **Enhance** and maintain the sound economic base that agricultural pursuits provide the county and region.
4. ~~**To provide**~~ **Provide** open areas which contribute to the stability of the environment and enhancement of air and water quality.
5. ~~**To preserve**~~ **Preserve** woodlands and wetlands associated with farms which, because of their natural physical features, are useful as water retention and groundwater recharge areas, and as habitat for plant and animal life, but may not be conducive to the agricultural uses cited in this ordinance.
6. ~~**To prevent**~~ **Prevent** scattered, indiscriminate urban development within areas zoned agricultural.
7. ~~**To generally limit**~~ **Limit** residential development of agriculturally zoned properties or those areas identified as agricultural uses in the County's ~~**Land Resource Management Plan**~~ **LRMP** to not more than one dwelling unit per each 40 acres of land. *(AMENDED 12/16/03)*

B. POLICY

~~**To achieve the purposes of the agricultural district it**~~ **It** shall be the policy of the county **to**: **(Changed from bullets to numbers)**

1. ~~**To allow**~~ **Allow** only those uses of land which are clearly and primarily best suited for agricultural purposes within the A-1 zoning district.
2. ~~**To prevent**~~ **Prevent** mixtures of urban and rural land uses which ~~**create or tend to**~~ create conflicts and incompatibilities which directly or indirectly impose unbalanced tax loads on agriculture and which require urban services which, in turn, contribute to the premature termination and eventual elimination of agricultural uses.
3. That allowance of farm residences under this section shall not change the general character of agricultural use.

4. **Kendall County has a long, rich tradition in agriculture and respects the role that farming and agricultural related businesses continue to play in shaping the economic viability of the county. Property that supports this industry is indicated by a zoning indicator -- A-1 or A-1 Special Use. Anyone constructing a residence or facility near this zoning should be aware that normal agricultural practices may result in occasional smells, dust, sights, noise, and unique hours of operations that are ARE NOT TYPICAL IN OTHER ZONING AREAS. Please be aware that certain special and permitted uses are in existence and can continue operations as approved.**

C. USES PERMITTED

18. Single Family Residential Use, provided:

a. *Standard Lot* - A new residence shall be permitted on a zoning lot forty (40) acres or larger. Prior to the construction of any new residence, the property owner shall file with the Kendall County ~~**Planning, Building and Zoning**~~ **PBZ** Department a legal description detailing the location of the parcel, along with a sketch identifying the location of the proposed residence. The County will maintain records of parcels that have been allocated for single-family residences. *(AMENDED 12/16/03)*

b. *Allocation* –Parcels of forty (40) acres or more in size shall be entitled to one allocation for a single-family residence for each forty acres of available land within the overall zoning lot. Available land shall be determined as the total acreage of any parcel regardless of the number of existing residences on the premises or replacement homes for which the parcel may be eligible. The available allocations shall be registered in accordance with the procedures outlined in subsection ~~**7.01.C.16.e**~~. **7:01.C.18.e** below. Prior to the construction of any new residence, the property owner shall file with the Kendall County ~~**Planning, Building and Zoning**~~ **PBZ** Department a legal description detailing the location of the acreage to which the allocation(s) is/are being assigned. All parcels upon which a single-family residence is to be constructed utilizing a building permit allocation shall be a minimum of 130,000 square feet with a minimum lot width of 200 feet at the front building setback line. The County will maintain records of parcels that have been registered for single-family residences, and record the dimensions of the parcels upon which the single-family residences are built upon. *(AMENDED – 7/17/07)*

c. *Existing Approved Lots* - Single Family Dwellings on zoning lots approved pursuant to the applicable regulations prior to 8th day of March, 1977, which are as follows:

i. Any three-quarter (3/4) acre lot, or larger, existing prior to July 17, 1959.

ii. Any vacant three (3) acre parcel or larger that existed prior to August 8, 1971.
iii. Any vacant five (5) acre parcel or larger that existed prior to August 28, 1972.
iv. Any vacant twenty (20) acre parcel or larger that existed prior to March 8, 1977.
v. Any lot in a subdivision or group of lots combined to meet the minimum area requirements of a zoning lot except as otherwise permitted under Section 5:15.B of this ordinance. *(AMENDED – 12/16/03)* ***(MOVED FROM END OF SECTION)***

Parcels classified as "Existing Approved Lots" under subsection ~~**16.c above**~~ **18.c** shall be registered on or before be December 29th, 2005. If an owner declines to register a parcel by this date, the burden of proof of the availability of a permit will shift to the owner, who shall be required to prove, by clear and convincing evidence, that a building permit allocation is applicable to the parcel in question. After December 29th, 2005, the owner of a zoning lot meeting the standards of 16c above shall file a petition with the Kendall County ~~**Planning, Building and Zoning**~~ **PBZ** Department to construct a new single family dwelling on an unregistered prior zoning lot. The petition shall be reviewed by the Zoning Administrator and approved, denied, or referred to the Planning, Building, and Zoning Committee of the County Board (*Amended 1/18/11)*. In considering the petition, the Zoning Administrator shall consider the following findings of fact:

- The petitioner must have purchased the property prior to May 1, 2000;
- The petitioner must demonstrate that the property was buildable under the applicable zoning regulations at the time it was purchased. *(AMENDED – 12/16/03)*

d. *Replacement Home* – A replacement home is defined as a residence intended to replace a pre-existing home destroyed or damaged to the extent that it was demolished. *(AMENDED – 12/16/03)*

i. A replacement home shall be permitted in those instances where the owner can supply physical evidence documenting the prior existence of a residence on the property and further provided that it is registered in accordance with the procedures and deadlines established below in subsection 7.01.C.~~**16**~~ **18**.e. Evidence shall be submitted to the Kendall County ~~**Planning, Building and Zoning**~~ **PBZ** Department and may include historic aerial photographs, tax records, plat maps or other legal documentation verifying the prior existence of a residential dwelling. *(AMENDED – 12/16/03)*

ii. Except for those parcels of land created prior to December 16, 2003 which are improved with existing residences or are eligible for a replacement home, all replacement home lots shall have a minimum area of 130,000 square feet. *(AMENDED – 12/16/03)*

iii. Lots created prior to December 16, 2003 which are less than 130,000 square feet in area and are improved with existing residences or are eligible for a replacement home shall be considered legally non-conforming and shall not be further reduced in size except as may result from the required dedication of additional right-of-way for an adjoining roadway. *(AMENDED – 12/16/03)*

iv. If the ~~**Planning, Building and Zoning**~~ **PBZ** Department determines that adequate evidence is not provided to support a replacement home, the applicant may appeal the decision to the ~~**Planning, Building and Zoning**~~ **PBZ** Committee of the County Board. Appeals of the Board's decision shall be reviewed by the ~~**Zoning Board of Appeals**~~ **ZBA** in accordance with Section 13:00 of this ordinance. *(AMENDED – 12/16/03)*

e. All existing zoning lots which meet the requirements of ~~**16a, 16b, 16c or 16d**~~ **18a, 18b, 18c, or 18d** above shall be registered by the property owner with the Kendall County ~~**Planning, Building and Zoning**~~ **PBZ** Department prior to the issuance of a building permit. One single-family residence shall be permitted for each registered allocation. All parcels upon which a single-family residence is to be constructed utilizing a building permit allocation shall be a minimum of 130,000 square feet with a minimum lot width of 200 feet at the front building setback line. The County will maintain records of parcels that have been registered for single-family dwellings in the A-1 zoning district along with the number of permit allocations available to each tract. As each available permit allocation is used, the Planning, Building, and Zoning Department shall record the location and dimensions of the parcels upon which the single-family residences are built upon and shall update the records to track the number of available allocations remaining. *(Amended 7/17/2007)*

f. *Allocations Registered Prior to December 16, 2003.*
Parcels in excess of 60 acres in size which were registered for a single allocation prior to December 16, 2003, may register for additional allocations for each 40 acres of available land for any zoning lot in excess of 40 acres in size that remains within the original parent parcel. These additional allocations will be registered in the

same manner as outline in subsection 7.01.C.~~16~~ **18**.e. *(Amended 7/17/2007)*

~~**Parcels classified as "Existing Approved Lots" under subsection 16.c above shall be registered on or before be December 29th, 2005. If an owner declines to register a parcel by this date, the burden of proof of the availability of a permit will shift to the owner, who shall be required to prove, by clear and convincing evidence, that a building permit allocation is applicable to the parcel in question. After December 29th, 2005, the owner of a zoning lot meeting the standards of 16c above shall file a petition with the Kendall County Planning, Building and Zoning Department to construct a new single family dwelling on an unregistered prior zoning lot. The petition shall be reviewed by the Zoning Administrator and approved, denied, or referred to the Planning, Building, and Zoning Committee of the County Board (*Amended 1/18/11*). In considering the petition, the Zoning Administrator shall consider the following findings of fact:~~

~~**The petitioner must have purchased the property prior to May 1, 2000;**~~
~~**The petitioner must demonstrate that the property was buildable under the applicable zoning regulations at the time it was purchased.** *(AMENDED – 12/16/03)*~~

D. SPECIAL USES PERMITTED

The following special uses may be permitted only if specifically authorized by the County Board as allowed in Section 13:00. (*Amended 11/19/19)*

4. Agency Licensed Family Residential Care Homes - Transitional ~~**Halfway house**~~.
7. Airports and heliports including aircraft hangers, tie downs and aircraft service and repair subject to the following restrictions:
   a. Site shall be a minimum of fifty (50) acres for a Basic Utility Stage 1 airport with a two thousand two hundred (2,200') foot runway. More area is required for larger airports. Airport size and layout shall conform to current FAA and IDOT Division of Aeronautics requirements.
   b. There shall be a minimum three hundred (300') foot distance between airport property and the nearest residence.
   c. Security fencing shall be provided ~~**sufficient**~~ to control access to runways and taxiways. The fencing shall be a minimum six (6') feet in height.
   d. ~~**Other requirements as noted in Section 4.13 of this zoning ordinance.**~~ *(Amended 6/20/2006)*
   e. Airports and surrounding territory are subject to the rules and regulations of the State of Illinois Department of Aeronautics and to the following: **(Changed to Roman numerals**)

i. Height of structures in areas surrounding the boundaries of airports having an established approach plan that has been approved by the State of Illinois Department of Aeronautics shall be in accordance with the requirements set forth in the approach plan.

ii. Height of structures, in areas ten thousand lineal feet beyond the boundaries of airports that do not have an established approach plan shall be governed by the following:

i. For an airport having the longest runway less than thirty-nine hundred and fifty lineal feet in length, structures located just beyond the boundaries of the airport shall not be in excess of fifteen feet in height, and for every two hundred lineal feet of additional distance from the airport boundaries the height of structures may be increased by not more than ten feet.

ii. For an airport having a runway of thirty-nine hundred and fifty lineal feet or more in length, structures just beyond the boundaries of the airport shall not be in excess of fifteen feet in height; and for every two hundred lineal feet of additional distance from airport boundaries, the height of structures may be increased by not more than five feet and where a runway has been designated as an instrument runway, the height of structures may be increased by not more than four feet in every two hundred lineal feet of additional distance from airport boundaries, for the first ten thousand lineal feet, and for the area covered in the next forty thousand lineal feet, the height of structures may be increased by not more than five feet in every additional two hundred lineal feet.

iii. Structures exceeding the limiting heights shall be considered obstruction to air navigation unless found not to be objectionable after special aeronautical study. Such structures may be specifically authorized as a variation after public hearing by the Zoning Board as provided by law.

12. 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~~ LRMP.
    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)~~ Redundant

~~**d. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11:00 of the zoning ordinance.**~~

~~**e. All signage shall comply with the provisions of Section 12:00 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 regulations are as follows:

Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.

Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.

EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.

13. Bed and breakfast establishments are permitted subject to the following conditions:

a. Shall have no more than five (5) guest rooms for rent.

b. Shall be in operation for not less ~~than six (6) nights in a six (6) month period~~. than ten (10) nights in a twelve (12) month period.

c. Shall maintain a guest register which shall be available at all times for inspections.

d. Shall be located in a single family detached dwelling, not an accessory building or garage.

e. Shall satisfy all requirements of the Kendall County Health Department in accordance with the requirements set forth in the most recent version of the Kendall County Food Establishment Sanitation Ordinance and Building Department prior to the issuance of occupancy permits.

f. In addition to the parking requirements for a single family detached dwelling, the bed and breakfast establishment shall provide one (1)

additional space for each guest room. The off-street parking for a bed and breakfast establishment shall not be located in any required yard, but it shall be screened from adjacent properties by a landscape screen of at least fifty (50) percent capacity.

g. Only one (1) sign shall be permitted for each bed and breakfast establishment. The maximum size of such sign shall be four (4) square feet per sign face.
h. Each guest room may have its own private bath. No guest room shall have any kitchen facilities.
i. Guest room shall mean sleeping room intended to serve no more than two (2) adult transient guests per night.
j. Accommodations shall be provided in guest rooms only. The length of stay in a bed and breakfast establishment shall be a maximum of One (1) week.
k. Any application for a special use shall include, in addition to all other documents required for a special use application, floor plans drawn to scale accurately showing the guest rooms in relation to the rest of the single family detached dwelling.

18. Composting of landscape waste and food waste, subject to the following:
    a. The facility shall meet all Illinois Environmental Protection Agency requirements as identified in Title 35, Subtitle G, Chapter 1, Sub-chapter 1, ~~**Park**~~ **Part** 830, Standards for compost facilities.
    b. Operational personnel shall be present on site during all hours which the facility is open for the receipt of landscape waste.
    c. The hours during which landscape waste may be received shall be 7:00am to 4:00pm Monday through Friday and 7:00am to 12:00 noon Saturday. Processing operations shall cease after each day's receipts have been processed and placed in windrows, not to exceed three (3) additional hours.
    d. The decibel levels at the property line shall not exceed Illinois Pollution Control Board standards.
    e. A locked gate shall restrict vehicle access during closed hours except that a "lock-box" shall allow access to emergency vehicles.
    f. Water samples shall be taken by an independent testing service and analyzed by an independent laboratory. The locations, methods and frequency of sampling and testing shall be approved by the Kendall County Environmental Health Department Director. The test results shall be sent to the Environmental Health Department within forty-five (45) days of sampling.
    g. Soil samples shall be taken by an independent testing service and analyzed by an independent laboratory. The locations, methods and frequency of sampling and testing shall be approved by the Kendall County Environmental Health Department Director. The test results shall be sent to the Environmental Health Department within forty-five (45) days of sampling.

h. Authorized Kendall County personnel shall be allowed on site during business hours for inspection and testing.
i. The facility operator shall send up-to-date copies of the State permit and related documents including Operational Plan, Surface water management Plan, Pest Control Plan, Site Drawing, and an Annual Report to the County Solid Waste Coordinator.
j. Truck weights shall be limited to 73,280 pounds.
k. The operator shall provide weight receipts to Kendall County.
l. Off-site debris and trash generated by the site must be cleaned-up ~~on a~~ daily ~~basis~~ on surrounding properties with the owner's permission.
m. Other conditions as appropriate for the particular facility. *(Amended 6/20/2006)*

25. Halfway house must be located a minimum of one thousand (1,000) feet ~~of~~ **from** any dwelling.
41. Places of Worship subject to the following conditions:
    a. The height for the towers and steeples shall not exceed seventy-five (75) feet and not more than forty-five (45) feet for the main structure.
    b. Other related uses, such as school, child day care services, kindergartens, meeting facilities shall be permitted to the extent that the activity is otherwise permitted, and shall be subject to all applicable regulations, including parking.
    ~~c. Off-street parking, lighting and loading shall be provided as required or permitted in Section 11:00.~~

~~46. Riding Stables including, but not limited to: polo clubs, rodeo clubs and similar uses subject to the following:~~
~~i. All such facilities shall meet all State Animal Management Statutes.~~
~~ii. Not more than twenty-four (24) horses can be housed in said stable or on the premises at any one time, unless otherwise approved in the special use permit.~~
~~iii. All signage shall comply with the provisions of Section 12:00 of the Kendall County Zoning Ordinance.~~
~~iv. Except for security lighting at low wattage, there shall be no outside lighting of the riding arena. All lighting shall be directed away from surrounding properties to prevent glare or the migration of light onto adjoining or surrounding properties.~~
~~v. Submissions of a manure management plan for review and approval by the Kendall County Health Department.~~
~~vi. Hours of operation for the indoor arenas shall be restricted to 6:00 am – 10:00 pm daily. Outdoor use of the property for riding horses shall be permitted from dawn to dusk daily.~~
~~vii. Off-street parking and loading at a ratio of not less than one parking space per stall. Additional parking may be required as determined by the Zoning Administrator for employees and any related accessory or special uses (i.e. storage of horse trailers used in conjunction with the~~

~~**stable operation, blacksmith shop, on-site stable manager, tack shop, etc.)**~~

~~**viii. Provision of handicapped accessible bathroom facilities for customers and employees.**~~

~~**ix. Compliance with basic life safety requirements for building ingress and egress. *(Amended 6/20/2006)***~~

Following Terms should be renumbered

47. Schools: Elementary, junior high, and high school, including playgrounds, garages for school buses, and athletic field auxiliary thereto.
48. Service Clubs.
49. Small Poultry & Small animal Processing Plant subject to the following conditions:
    a. A maximum of 21,000 units a week. All animals are counted as 1 (one) animal unit except turkeys and geese are counted as 4.5 animal units.
    b. Facilities (the unloading area) must be located at least 400' from any principle structure.
    c. No rendering may take place on the site.
    d. Live animals may be held on the site for no more than twenty-four (24) hours.
    e. All slaughtering/processing permitted only in an enclosed building.
    f. The number of hours and days of operation as specified in Special Use Permit to be determined by the County Board.
    g. Poultry processed to be sold for retail or wholesale sale shall be specified in the special use permit as a condition.
    h. Parking shall be in accordance with Section 11:00 of the Zoning Ordinance including lighting.
    i. All Applicable Federal, State and County rules and regulations shall apply.
    j. Other such conditions as approved by the County Board.
    k. Waste, by-products or any decomposable residue which results from the slaughtering of animals must be kept in a sealed container and picked up within 48 hours.
    l. All signage shall comply with the provisions of Section 12:00 of the Kendall County Zoning Ordinance (Sign Regulations)
    m. Shall satisfy all requirements of the Kendall County Health Department and Building Department prior to the issuance of occupancy permits.
    n. Performance Standards. All activities shall conform to the performance standards set forth in ~~**section 10.01.G.**~~ **Section 4:12.**
50. Solar Gardens subject to the provisions of Section 4:**18.D of the Kendall County Zoning Ordinance**. *(Amended 11/20/2018)* ***(Moved to the correct place alphabetically)***
51. Solar Farms subject to the provisions of Section 4:**18.C** ~~**of the Kendall County Zoning Ordinance**~~. *(Amended 11/20/2018)* ***(Moved to the correct place alphabetically).***

55. Wind Farms, Commercial, subject to the following:
    a. Location Guidelines - The following guidelines shall be considered in evaluating the appropriateness of proposed locations for Wind Farms and the proposed project components. The purpose of these guidelines is to assist decision-makers in uniformly analyzing the site-specific impacts of each proposed project and thereby arrive at consistent and balanced decisions.
        i. *Natural and Biological Resources* - Wind Farms should not be located in areas that have a large potential for biological conflicts. Wind Farms should not be located in large impact areas such as wilderness study areas, areas of critical environmental concern, county and state parks, historic trails, and special management areas. Wind Farms should not significantly impact important wildlife habitat.
        ii *Visual Impacts* - Wind Farms should avoid those visual corridors that are designated by the County as essential view sheds or scenic areas. Essential view sheds or scenic areas are those areas designated in the County's LRMP or in other locations determined by the County Board after analyzing the applicant's wind farm visual simulations and considering public hearing comments. A Wind Farm project should maintain visual unity among clusters of turbines. To promote visual uniformity, the rotors, nacelles and towers of all turbines in an array should appear similar. To avoid visual clutter, intra-project power lines having a voltage of 34,500 volts or less, should be buried unless the applicant can sufficiently demonstrate that burying the lines will violate other guidelines/standards, violate applicable law, render the project economically infeasible or be hidden from public view. To avoid cluttering the skyline, transformers and other electric equipment should be hidden from view or otherwise constructed in harmony with the surrounding landscape.
        iii *Soil Erosion & Water Quality* - Wind Farms should avoid erosion. Disturbance and construction on erodible slopes should be minimized. The number of improved roads and construction staging areas should be kept to a minimum. The grading width of roads should be minimized. One-lane roadways with ~~turn-outs~~ **turnouts** are recommended. The number and size of staging areas and crane pad sites should be minimized.
        iv. *Historical, Cultural & Archeological Resources* - Wind Farms should avoid sites with known sensitive historical, cultural or archeological resources.
        v. *Public Safety* – Wind Farms shall be developed in a manner that utilizes sound engineering practices and considers public safety ~~in regard to~~ **regarding** the potential hazards to adjacent properties,

public roadways, communities, aviation, etc. that may be created.

b. Performance Standards - The following standards are to be achieved by each Wind Farm project without exception. Because they are standards, they are ~~considered to be~~ requirements of any Wind Farm project. The final decision on whether or not a particular standard is achieved by a Wind Farm project shall be made by the County Board after considering the recommendations of all advisory bodies.

i. *Noise Management* - The noise level caused by the operation of the project, measured at five (5) feet above ground level at the property line coincident with or outside the project boundary, shall not exceed 65 decibels (A-weighted) and shall not exceed 50 decibels (A-weighted) if it is determined that a pure tone noise is generated by the project. The level, however, may be exceeded during short-term events such as utility outages and/or severe ~~wind storms~~ **windstorms**.

ii. *Wind Farm Design*: Wind Farms that are not designed in "accordance with proven good engineering practices" or not purchased from a national manufacturer with a proven track record shall be prohibited. Wind Farms designed with the following characteristics shall be deemed in "accordance with proven good engineering practices":

1. at least 3 blades.
2. upwind rotor.
3. no furling, where "furling" means that the wind turbine is designed to limit its power output in high winds by changing the rotor's plane of rotation to a plane that is not perpendicular to the prevailing wind direction.
4. tapered and twisted blades.
5. a well-designed braking system.

iii. *Visual Impacts* - To provide visual order to a Wind Farm project, all individual turbines shall have the same number of rotor blades and all rotor blades shall spin in the same direction (i.e., clockwise or counter-clockwise) in relation to the wind. To promote visual uniformity, all turbines at a similar ground elevation shall have the same height from blade tip to the ground. Except during construction, re-construction or removal, outdoor storage is not permitted within the project boundary except at locations that are screened from view. To avoid cluttering the skyline, inverters and pendant power cables shall be located inside the wind turbine tower, nacelle or structure. No telecommunications dishes, antennas, cellular telephone repeaters or other similar devices shall

be attached to wind turbine towers. Aircraft obstruction markings of the turbines by use of alternating red and white bands shall be prohibited. No Billboards, logos and advertising signs of any kind shall be located on the turbines.

iv. *Soil Erosion & Water Quality* - Construction and maintenance shall be done in strict accordance with the erosion and sediment control plan submitted with the Building Permit so as to minimize soil erosion and damage to existing vegetation. If vegetation is damaged during construction, in areas not occupied by the Wind Farms and related facilities and roads, it shall be restored after construction is complete. Disturbed areas shall be reseeded to the ~~**land owner's**~~ **landowner's** or manager's requirements. Dust control on the project site is required.

v. *Setback* - Individual wind turbines shall be set back from all property lines coincident with or outside of the project boundary a distance equal to 1.1 times the turbine hub height. Individual wind turbines shall be set back from all public roads a distance equal to at least 1.1 times the turbine hub height. *(Amended 2/16/2010)*

Drawing of the rotor and blades of a wind turbine, courtesy of ESN

vi. *Lighting* - Individual wind turbine heights and markings shall comply with Federal Aviation Administration (FAA) regulations. Approval from the FAA stating that the turbines will not pose a hazard to aviation must be obtained prior to final recommendation by the Kendall County Regional Plan Commission. If lighting of turbines,

or other structures, is required, “daytime white-nighttime red” shall be the only type of lighting allowed unless prohibited by law. All required lighting effects shall be in synchronization with each turbine located on the same or contiguous zoning lot and under the same ownership of a single wind energy system organization. All turbines and towers shall be a shade of white in color. *(Amended 2/16/2010)*

c. Roads - All routes on either County or Township roads that will be used for the construction and maintenance purposes shall be identified on the site plan. All routes for either ingress or egress need to be shown. The routing shall be subject to the approval of the Kendall County Highway Engineer in coordination with the Township Road Commissioner(s). The developer shall provide and complete a pre-construction baseline survey to determine existing road conditions for assessing potential future damage due to development related traffic. The developer shall provide a road repair plan to improve any and all damage, installation or replacement of roads that might be required by the developer. The developer shall provide a letter of credit or a surety bond in amount and form approved by the highway official(s).

d. Fees - All applications for a Commercial Wind Farm shall be accompanied by a fee for a Commercial Wind Farm Special use in accordance with fee structure as established by the County Board and as amended from time to time. The County Board may, at its discretion, retain the services of attorneys and professional consultants to assist the Board and County staff in the amendment and zoning process. The application fee shall serve as an initial deposit from which any costs and expenses incurred by the county as a result of the application for amendment and the hearing process set forth herein shall be deducted. Such costs shall include, but not be limited to, the fees and costs of: County employees or staff review time, attorney’s fees, expert witnesses, scientific testing, records or other investigations, data searches, notices, court reporters, transcription costs, consultants, the ~~**Zoning Board of Appeals**~~ **ZBA**, and other expenses incurred by the County in reviewing the application, the public hearing, and decision, or any issues raised at any time during any hearings up to and including the County Board decision. If the actual costs incurred by the County in conducting its review and recommendation of the requested map amendment exceed the amount of the application fee deposit, the applicant shall be billed and shall be required to pay any and all additional costs incurred by the County in the completion of their review and recommendation of the special use. Costs in excess of the application

fee deposit are required to be paid in full by the applicant prior to scheduling the matter for action by the County Board. (*Amended 3/21/18)*

e. Removal of Defective Wind Energy Systems: Any wind energy system found to be unsafe by an authorized county official shall be repaired by the owner to meet federal, state and local safety standards or removed within sixty (60) days. If any wind energy system is not operated for a continuous period of 12 months, the county will notify the landowner by registered mail and provide 45 days for a response. In such a response, the landowner shall set forth reasons for the operational difficulty and provide a reasonable timetable for corrective action. If the county deems the timetable for corrective action as unreasonable, they must notify the operator and such operator shall remove the turbine within 120 days of receipt of notice from the county.

f. Decommissioning Plan: A Commercial Wind Farm shall submit a decommissioning plan to ensure it is properly decommissioned upon the end of the project life or facility abandonment. Facility abandonment shall include the ceasing of operations for a period of not less than one (1) year. Decommissioning shall include: removal of all structures (including transmission equipment and fencing) and debris to a depth of four (4) feet, restoration of the soil, and restoration of vegetation within six (6) months of the end of the project life or facility abandonment. At the time of decommissioning, an Alta Survey shall be submitted to the County. The decommissioning plan shall state how the facility will be decommissioned, a professional engineer's estimated cost of decommissioning, the financial resources to be used to accomplish decommissioning, and the escrow agent with which the resources shall be deposited. The decommissioning plan shall also include an agreement between the applicant and the County which states:

i. The financial resources for decommissioning which shall be in the form of a surety bond, or shall be deposited in an escrow account with an escrow agent acceptable to the County.

ii. If the Applicant chooses an escrow agreement: **(changed to Roman numerals)**
   i. A written escrow agreement will be prepared, establishing upon what conditions the funds will be disbursed; and

   ii. The County shall have access to the escrow account funds for the express purpose of completing decommissioning if decommissioning is not completed by the applicant within sixty (60) days of the end of the project life or facility abandonment.

iii. The County is granted the right of entry onto the site, pursuant to reasonable notice, to effect or complete decommissioning.

iv. The County is granted the right to seek injunctive relief to effect or complete decommissioning, as well as the County's right to seek reimbursement from applicant or applicant's successor for decommissioning costs in excess of the amount deposited in escrow and to file a lien against any real estate owned by the applicant or applicant's successor, or in which they have an interest, for the amount of excess, and to take all steps allowed to enforce said lien.

Financial provisions shall not be so onerous as to make Commercial Wind Farm projects unfeasible.

56. ~~Solar Gardens subject to the provisions of Section 4.00 of the Kendall County Zoning Ordinance. *(Amended 11/20/2018)*~~

57. ~~Solar Farms subject to the provisions of Section 4.00 of the Kendall County Zoning Ordinance. *(Amended 11/20/2018)*~~

E. CONDITIONAL USES. The following Conditional Uses may be permitted only if specifically authorized by the Zoning Administrator. **(changed from letters to numbers)**

1. Accessory agricultural services such as a Black smith; Sale of farm supplies by farmers as agents, where grain elevators or similar commercial facilities are not maintained on the farm premises; or similar accessory use to a farm residence provided: **(changed from Roman numerals to letters)**

   a) The applicant shall send notice to all owners of property within five hundred (500) feet of the subject site by certified mail within five (5) days of filing the applications of the intent and location of the service. If any owner receiving notice as described above shall, within ten (10) days after the date of the notice, file a written objection with the Zoning Administrator thereto, the question of whether such application shall be granted shall be referred to the **~~Zoning Board of Appeals~~ ZBA** which shall consider the matter at its next regular or special meeting. A report summarizing the findings of fact and a recommendation of the **~~Zoning Board of Appeals~~ ZBA** shall be forwarded to the County Board for a determination.
   b) Such use shall be operated and storage maintained entirely within an enclosed building or screened on all sides by a solid fence not less than six (6) feet in height.

c) Such use shall not utilize more that twenty-five (25%) percent of the lot area or two (2) acres, whichever is less.
d) On-site employees shall consist of immediate family members, and not more ~~that~~ **than** three (3) other persons.
e) Said business shall be owned by the owner of the residence.
f) Such businesses shall provide a parking area to accommodate at least two (2) cars in addition to one parking space for each on-site employee. Such off-street parking area shall be appropriately landscaped so that it does not detract from the residential character of the property or its surroundings.
g) No more than one business shall be permitted on a site.
h) Such businesses shall produce no offensive noise, vibration, smoke, electrical interference, dust, odors, or heat on or off the premises of such use.

9. Riding Stables including, but not limited to: polo clubs, rodeo clubs and similar uses, provided:

i. The lot is not located nearer than five hundred (500) feet from an existing dwelling other than the owners residence or a Residential District.
~~**ii. All such facilities shall meet all State Animal Management Statutes.**~~
iii. Not more than twenty-four (24) horses can be housed in said stable or on the premises at any one time.
~~**iv. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance (Sign Regulations).**~~
v. Except for security lighting at low wattage, there shall be no outside lighting of the riding arena. All lighting shall be directed away from surrounding properties to prevent glare or the migration of light onto adjoining or surrounding properties.
vi. Submission of a manure management plan for review and approval by the Kendall County Health Department.
vii. Hours of operation for the indoor arenas shall be restricted to 6:00 am – 10:00 pm daily. Outdoor use of the property for riding horses shall be permitted from dawn to dusk daily.
viii. Off-street parking and loading at a ratio of not less than one parking space per stall. Additional parking may be required as determined by the Zoning Administrator for employees and any related accessory or special uses (i.e. storage of horse trailers used in conjunction with the stable operation, blacksmith shop, on-site stable manager, tack shop, etc.)
ix. Provision of handicapped accessible bathroom facilities for customers and employees.

x. Compliance with basic life safety requirements for building ingress and egress. *(Amended 6/20/2006)*

11. Single Family Dwellings may be authorized under the following conditions: **(changed Roman numerals to letters)**

a) Each such dwelling shall be located on a zoning lot that meets the standards of single-family residential lots, one hundred and thirty thousand (130,000) sq. ft. minimum.
b) Septic suitability is approved by the Health Department.
c) It is the intent to limit such usage, and if, in the judgment of the County Board, contiguous parcels requesting approval hereunder represent an unwarranted expansion of this usage, then denial is warranted.
d) That application shall be made on forms provided by the Zoning Administrator and shall include ~~**specific**~~ written and graphic ~~**statements and illustrations**~~ **evidence** establishing ~~**evidence**~~ that the site meets the **following** standards ~~**as follows**~~:

That the site for the proposed use must be incompatible with agricultural use that may be evidenced by establishment of one or more of the following criteria: **(changed numbers to Roman numerals)**

i. Existing woodland coverage of a substantial portion of the site containing trees in excess of 6" in diameter measured at breast height;
ii. Soils which have a land evaluation ranking from the Kendall County Soil & Water Conservation District of seventy-five (75) or less;
iii. Excessive slopes;
iv. Other physical features which serve as barriers to farm operations such as streams, rock outcroppings and property configuration in relationship to wetlands, flood-prone areas or buildings.

e) That such application shall be acted upon by the Zoning Administrator. The Zoning Administrator may, at his or her discretion, refer the application to the ~~**Planning, Building and Zoning**~~ **PBZ** Committee of the County Board for recommendation prior to taking action.

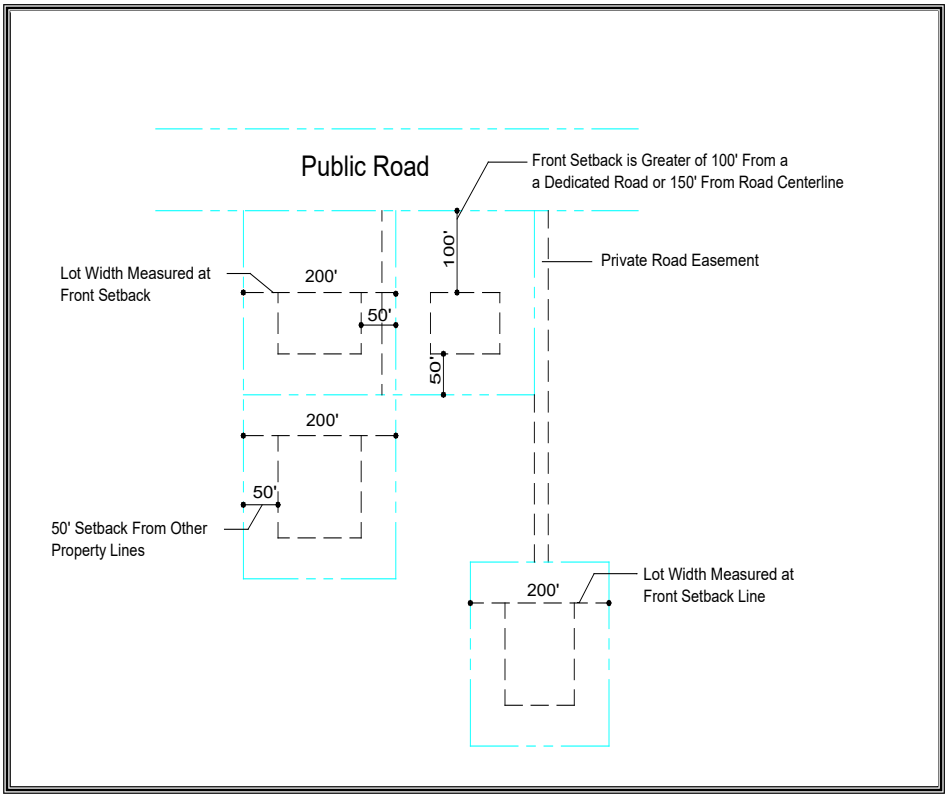
It is the policy that allowance of dwellings under this section shall not change the general character of agricultural use in the surrounding area.

G. SITE AND STRUCTURE REQUIREMENTS - *(AMENDED – 12/16/03)*

1. Minimum Lot Area and Minimum Lot Width **(measured at the front building setback line)** per the following table:

Type of Use	**Minimum Lot Area**	**Minimum Lot Width** ~~**(measured at the front building setback line)**~~
New Residence	Forty (40) acres	200 feet
Existing Residences or Replacement Homes that are subdivided from a larger agricultural parcel	130,000 square feet	200 feet
Other Permitted Residences	As provided in Section 7:01C.~~**16**~~ **18**.c	No minimum.
Special or Conditional Uses	No minimum, unless specifically listed	200 feet or as approved for the special or conditional use
All Other Permitted Agricultural Uses	No minimum	200 feet measured from the front building setback line

2. Setbacks
   a. *Principal buildings* - One hundred (100) feet from a dedicated road right-of-way or one hundred and fifty (150) feet from the center line of all adjacent roads~~, **whichever is greater.**~~ Also, fifty (50) feet from all property lines dividing lots held in separate ownership.
   b. *Accessory structures* - One hundred (100) feet from a dedicated road right-of-way or one hundred and fifty (150) feet from the center line of all adjacent roads, ~~**whichever is greater**~~ and ten (10) feet from all property lines dividing lots held in separate ownership.



~~**H.**~~

~~**SPECIAL PROVISIONS**~~

1. ~~**Parking requirements – in accordance with the applicable regulations set forth in Section 11:00.**~~
2. ~~**Sign Requirements - in accordance with the applicable regulations set forth in Section 12:00.**~~
3. ~~**Variances to the 40-acre minimum lot size requirement – the Zoning Administrator shall have the authority to administratively grant a variance of less than 10% to the minimum 40 acre lot size requirement for an allocation as set forth in paragraph 7:01.A.16 18.b. above. Said variance shall be processed in accordance with the terms of the administrative authority as provided for under the ILCS as amended.**~~ ~~***(AMENDED – 12/16/03)***~~

SECTION 8:00 RESIDENTIAL DISTRICT Amended 11.20.18

8:01 Purpose, Goals and Objectives

The purpose of this section is to establish zoning parameters for residential projects which encourage creative development within designated growth areas of unincorporated Kendall County, while preserving open space and protecting the rural character and natural environments within those areas. The open space and un-congested character of Kendall County are major reasons why residents move to this area. Thus, protection of the County's rural character is critical to maintaining the **resident's** quality of life ~~**within Kendall County**~~. This can be accomplished through clustering housing sites on portions of the land to be developed and retaining unbroken open space on the remaining portions of the land.

The regulations of this section also ~~**attempt to**~~ balance residential development with Kendall County's commitment to maintain a viable agribusiness sector, because such residential development can impact the continued viability of agriculture. The increased population can make it difficult for farmers to move equipment to their lands. ~~**Without sufficient buffers between homes and farmland, tensions can occur over noise and odors attendant with agricultural operations.**~~

This section also ensures that residential projects are designed ~~**in such a way as**~~ to protect water resources from contamination and protect natural drainage areas, floodplains and wetlands to avoid costly man-made storm water projects. Residential development creates additional demands on natural resources such as water (for irrigation of lawns, gardens and consumption). The goal is a safe, ample and reliable source of potable water available throughout the County, and the protection of all surface and ground water resources for recreation and preservation.

Overall, the goal of this section is economically viable development which respects the inherent environmental limitations of Kendall County's natural resources and of the specific land to be developed.

There are four residential zoning districts for all new residential developments proposed after the effective date of this ordinance, R-1, RPD-1, RPD-2, and RPD-3. The RPD or Residential Planned Development Districts are distinguished based on the maximum gross residential density of the development and the location within Kendall County's ~~**Land Resource Management Plan**~~ **LRMP**. The R-1 District has been retained to provide property owners with a simple alternative for very low density residential developments. All other prior residential districts are maintained solely to permit regulation of developments approved under those prior districts.

Private streets are prohibited unless for limited access on unique sites with unusual topography, woodlands, or configuration.

Kendall County has a long, rich tradition in agriculture and respects the role that farming and agricultural related businesses continue to play in shaping the economic viability of the county. Property that supports this industry is indicated by a zoning indicator -- A-1 or A-1 Special Use. Anyone constructing a residence or facility near this zoning should be aware that normal agricultural practices may result in occasional smells, dust, sights, noise, and unique hours of operations that are ARE NOT TYPICAL IN OTHER ZONING AREAS. Please be aware that certain special and permitted uses are in existence and can continue operations as approved.

8:02 R-1 ONE-FAMILY ESTATE RESIDENCE DISTRICT

~~**R-1.**~~ This district may be appropriate in any area suggested for residential use on the ~~**Land Resource Management Plan**~~ **LRMP**. Such development must meet the following standards.

A. Permitted Uses. The following uses are permitted:

4. Home occupation**s** provided ~~**it they follows the definition in Section 3:02, meets the conditions in Section 4:07 and**~~ an affidavit is filled out in the Planning, Building and Zoning office stating you meet ~~**those**~~ **the** conditions **of the Zoning Ordinance**.

11. Farm type animals - shall be permitted in accordance with the following: (**added letters**)

    a. On lots less than ~~**once**~~ **one** (1) acre, no farm-type animals shall be permitted.

    b. On lots at least one acre but less than three acres in size, a maximum of one horse and a maximum combined total of five ducks, rabbits, chickens, or goats, with the following exception: The number of horses permitted on lots less than three acres in size created prior to October 17, 2000, shall be determined in accordance with the methodology as specified below (follow the formula).

    c. On lots three acres or more in size, one horse per acre shall be permitted provided that 21,780 square feet of contiguous land is dedicated as pasture for each horse permitted on a lot. Any lot with more than three horses shall submit a manure management plan to PBZ Staff for review. In addition, for lots over 3 acres but less than 5 acres, maximum combined

total of ten ducks, rabbits, chickens, or goats is allowed. Additional farm type animals may be permitted temporarily for 4-H projects.

d. Lots at least one (1) acre in size but less than five (5) acres shall be permitted to keep up to twelve (12) chickens.

e. On lots of 5 acres or more, the following animals are permitted in any combination provided **that** there shall not be in excess of two-thirds of an animal unit per acre in accordance with the following table. The animal unit permitted for any animal not listed shall be determined by the Director of Planning, Building and Zoning and shall as nearly as possible approximate one of the listed animals:

NUMBER OF ANIMAL UNITS PER ANIMAL	TYPE OF ANIMAL **(OR SIMILAR)**
1.4	Dairy Cattle
1.0	Beef Cattle
0.66	Horses
0.8	**L**Lamas or **Alpacas**
0.4	Ostrich
0.4	Goats
0.4	Hogs
0.2	Ducks
0.1	Sheep
0.02	Turkeys
0.02	Rabbits
0.01	Chickens

The formula for calculating the number of animals allowed on parcels in excess of five acres in size shall be as follows:

(Acreage of the property x 0.66) = Total Number of Animal units allowed.
Example: 5.0 Acres x 0.66 = 3.33 Animal Units. Based on the Table above, the following mix of animals would be permitted:

(2 Dairy Cattle = 2.8 Animal Units) + (1 Goat = 0.4 animal Units) + (1 Sheep = 0.10 Animal Units) + (3 Chickens = 0.03 Animal Units) = 3.33 Total Animal Units. *(AMENDED 9/15/09)*

B. Conditional Uses. The following uses shall be allowed:

1. Beekeeping with the following conditions: **(changed Roman numerals to letters)**
   a) Beekeeping and the honey produced from beekeeping shall be for personal use only.
   ~~**b) Annual**~~ permit required with fee ~~**of $50 the first year the permit is issued and $25 each year after.**~~ **set by the County Board.**
   c) Minimum lot size of 1 acre (43,560 square feet) with a maximum of 2 colonies.
   d) No colony shall be permitted within a front yard setback.
   e) All colonies must be setback at least 30' from any rear or side yard lot line except when abutting a right of way of a street or railroad the colony must be a minimum of 5' from the rear or side yard lot line (as long as there is no sidewalk or pathway).
   f) All colonies within 100' of an adjoining home shall require a flyway barrier with a 6' minimum height.
   g) All colonies shall require a minimum 4' fence surrounding the perimeter of the colonies or surrounding the perimeter of the entire property. Fencing must have a locking gate with caution signage on each gate.
   h) Notification shall be sent by permit applicant to all adjacent property owners. Notification shall be sent via certified mail or certificate of mail and proof of mailing shall be submitted to the PBZ Department. Any property owner who receives notification shall have 14 calendar days from the postmarked date to send written objection to the Planning, Building, and Zoning Department. If any such objection is received, no colony shall be located within 100' of the adjoining home of objecting property owner.
   i) During the application submittal there must be documentation from the Homeowners Association (HOA) stating they approve or deny the proposal. If there is no HOA that must be submitted in writing and signed by the applicant.
   j) Prior to submitting a renewal application, an applicant is permitted to resend notification to a property that has previously objected. If the property owner does not object within 14 calendar days after receiving the resent notification, the applicant may locate a colony within 100' of the residence of the previously objecting property but shall maintain a distance of at least 30' from all property lines at all times unless abutting a right of way in which the colony can be placed with 5' of the property line.

k) The Zoning Administrator has authority to approve all new and renewal permits. If the Zoning Administrator~~s~~ receives information that a renewal applicant has violated any of these requirements, caused injury to the public, impacted the safety and health of the public, or has had an adverse ~~affect~~ **effect** on surrounding properties as a result of keeping bees on the subject property, the Zoning Administrator may, at his or her discretion, deny the renewal application.

l) Any decision made by the Zoning Administrator may be appealed in writing to the ~~Planning, Building, and Zoning~~ **PBZ** Committee~~, with the appropriate administrative appeal fee~~.

m) A site plan indicating the location and distance to property lines and adjacent residences shall be submitted to the PBZ Department with the application.

n) Proof of Apiary Registration with the Illinois Department of Agriculture shall be submitted to the PBZ Department within 30 days of the application submittal.

o) All approved permits shall comply with the *Bees and Apiaries Act* of Illinois (510 ILCS 20)

2. Home-based retail and/or wholesale food operation ~~providing it meets all applicable county, state and federal public health requirements~~

3. Model homes, with the following restrictions: (**Changed from Roman numerals to letters)**

a) Limited to one (1) year duration, with annual one (1) year renewal periods at the discretion of the Planning, Building and Zoning **(PBZ)** Department.

b) Must have ownership of a minimum of four (4) lots which are being sold in the subdivision where the model home is located.

c) Cannot advertise or sell lots or homes exclusively in other subdivisions with this model home.

d) ~~All signs must conform to the standards set forth in Section 12:00 of this ordinance.~~ **Redundant**

C. Special Uses. The following uses may be allowed by special use permit in accordance with the provisions of Section 13:00 (*Amended 3/21/18)*:

1. Agency Licensed Family Residential Care Homes – Transitional ~~Halfway House. (A single housekeeping unit of three (3) or fewer persons receiving care in a family-like atmosphere where the residents are residing in the home on a transitional or temporary basis where the length of residency is not expected to be more than one (1) year. Oversight and supervisory personnel shall be on the premises in addition to this number.)~~

4. Bed and breakfast establishments are permitted subject to the ~~following~~ conditions **stated in Section 7:01.D.**
   - ~~a. Shall have no more than five (5) guest rooms for rent.~~
   - ~~b. Shall be in operation for not less than six (6) nights in a six (6) month period. B&B Act says more than ten (10) nights in a twelve (12) month period.~~
   - ~~c. Shall maintain a guest register which shall be available at all times for inspections.~~
   - ~~d. Shall be located in a single family detached dwelling, not an accessory building or garage.~~
   - ~~e. Shall satisfy all requirements of the Kendall County Health Department and Building Department prior to the issuance of occupancy permits.~~
   - ~~f. In addition to the parking requirements for a single family detached dwelling, the bed and breakfast establishment shall provide one (1) additional space for each guest room. The off street parking for a bed and breakfast establishment shall not be located in any required yard, but it shall be screened from adjacent properties by a landscape screen of at least fifty (50) percent capacity.~~
   - ~~g. Only one (1) sign shall be permitted for each bed and breakfast establishment. The maximum size of such sign shall be four (4) square feet per sign face.~~
   - ~~h. Each guest room may have its own private bath. No guest room shall have any kitchen facilities.~~
   - ~~i. Guest room shall mean sleeping room intended to serve no more than two (2) adult transient guests per night.~~
   - ~~j. Accommodations shall be provided in guest rooms only. The length of stay in a bed and breakfast establishment shall be a maximum of One (1) week.~~
   - ~~k. Any application for a special use shall include, in addition to all other documents required for a special use application, floor plans drawn to scale accurately showing the guest rooms in~~

~~relation to the rest of the single family detached dwelling.~~

12. Philanthropic ~~and eleemosynary~~ institutions

13. Places of Worship subject to the ~~following~~ conditions **contained in Section 7:01.D.**

~~a. The height for the towers and steeples shall not exceed seventy-five (75) feet and not more than forty-five (45) feet for the main structure.~~

~~b. Other related uses, such as school, child day care services, kindergartens, meeting facilities shall be permitted to the extent that the activity is otherwise permitted, and shall be subject to all applicable regulations, including parking.~~

~~c. Off-street parking, lighting and loading shall be provided as required or permitted in Section 11.00.~~

15. Rest homes, nursing homes and sanitariums~~, for human beings only~~

18. Solar Gardens subject to the provisions of Section 4:00 of the Kendall County Zoning Ordinance. (Amended 11/20/2018)

~~**20. Solar Gardens subject to the provisions of Section 4:00 of the Kendall County Zoning Ordinance. (Amended 11/20/2018)**~~

E. Yard Areas.

1. Front Yard. Every building hereafter erected or enlarged shall provide and maintain a front yard of as follows:

a. One hundred and fifty feet (150') from the roadway centerline when fronting on a Federal, State or County roadway or one hundred (100') feet from the right-of-way, whichever is greater.

b. Fifty feet (50') from the right-of way or access easement on all township or private roadways, with the following exception:

Where lots comprising fifty percent **(50%)** of the frontage on the same side of the street within the same block as the subject property are developed, and the developed properties have front yards that vary from one another not more than **ten feet** (10') ~~feet~~ in depth, the average of such front yards shall establish the minimum front yard

depth for the entire frontage of the subject property. However, in no case shall a front yard of more than fifty feet be required. *(AMENDED 8/17/04)*

2. Side Yard. A side yard on each side of the zoning lot of not less than fifty feet **(50')**~~, and where a side yard adjoins a street, the minimum width shall be fifty feet~~.

3. Rear Yard. A rear yard of not less than fifty feet (50').

G. Maximum Building Height. No building or structure shall be erected or structurally altered to exceed the following heights:

1. One-family detached dwellings: Forty (40) feet and not more than two and one-half stories ~~providing such maximum may be waived through the normal variation procedure as provided in Section 13.04 of this Zoning Ordinance~~.

8:03 RPD-1 RESIDENTIAL PLANNED DEVELOPMENT - ONE

RPD-1. This district applies to ~~all developments~~ **development** lying within the Contiguous Growth Area or Rural Transition identified in the ~~Land Resource Management Plan~~ **LRMP**. Such development~~s~~ must meet the following standards:

B. MAXIMUM DENSITY. Maximum density, including all density bonuses as provided in Section 8:03.C, shall not exceed 0.45 dwelling units per acre of buildable land (0.33 dwelling units per buildable acre base density, plus maximum incentive of 0.12 dwelling units per buildable acre, **subject to approval of the County Board**). Provision of multiple amenities shall not entitle the applicant to a density which exceeds the maximum density of 0.45 dwelling units per buildable acre. Regardless of the application of density bonuses, at least 30% of the total acreage must ~~still~~ be designated as open space.

C. DENSITY INCENTIVES. The following density incentives may be used to increase development density up to the permitted maximum density in each RPD District. Provision of multiple amenities shall not entitle the applicant to a density which exceeds the maximum density for the applicable RPD District. Regardless of the application of density bonuses, at least 30% of the total acreage must ~~still~~ be designated as open space.

1. Provision of public access to open space areas (bonus not to exceed 0.03 dwelling units per buildable acre, **subject to approval by the County Board**). Some examples would include trails (walking or bike), sidewalks, etc.

2. Innovative detention/retention facilities or sewage disposal methods (bonus not to exceed 0.04 dwelling units per buildable acre, **subject to approval by the County Board**). The following are examples of improvements which may qualify for a density bonus:

    a. Significant use of native vegetation such as prairies and wetlands ~~**to retain water**~~.
    b. Integration of natural ~~**land forms**~~ **landforms**, existing soil filtration characteristics and natural landscaping into the drainage plan, in order to enhance water quality while reducing or eliminating stormwater runoff and the attendant flooding and erosion.
    c. Provision of alternatives to detention basins such as stormwater infiltration in naturalized swales, native prairie landscapes and gently sloped depressional areas through the development.

3. Secondary open space that is substantially more than the minimum size otherwise required for stormwater detention or through park dedication requirements (bonus not to exceed 0.07 dwelling units per buildable acre, **subject to approval by the County Board**).

4. Provision of recreational amenities, beyond minimum standards established in the subdivision ordinance, including but not limited to: a golf course, ball fields, playground equipment, tennis courts, basketball courts, swimming pool, hiking and bicycling paths (beyond those ~~**designated**~~ on the County Transportation Plan), community centers, and exceptional landscape improvements such as native or natural plantings (bonus not to exceed 0.01 dwelling units per buildable acre, **subject to approval by the County Board**).

5. Offsite and perimeter road improvements or an ownership and maintenance fund for management of open space in addition to those needed to provide adequate access solely for the proposed development (bonus not to exceed 0.03 dwelling units per buildable acre, **subject to approval by the County Board**).

6. Conservation of traditional rural architecture reminiscent of Kendall County's agricultural heritage, preservation of historical structures, or design of new structures which reflect these architectural themes (bonus not to exceed 0.01 dwelling units per buildable acre, **as determined by the County Board or as identified in a local historic preservation plan**).

7. Enhancement or expansion of an existing wetland or creation of a new wetland beyond that required for compliance with Army Corps of Engineers Section 404 Permit requirements (bonus not to exceed 0.01dwelling units per buildable acre, **subject to approval by the County Board**).

F. PERMITTED USES.

10. Parks, forest preserves and recreational areas, when publicly owned ~~**and operated**~~

14. Roadside stands for the display~~**, sale**~~ or offering for sale of agricultural products grown or produced on the property, provided that the stands and produce on display are located ten feet back from the nearest right-of-way line.

15. Signs, as permitted and regulated by Section 12:00. However, no part of a sign in ~~**a**~~ **an** RPD District shall be greater than 10' above ground level and no larger than 30 square feet

G. CONDITIONAL USES. In residential planned developments containing over fifty (50) dwelling units, the following uses shall be allowed, provided that the general conditions and use-specific conditions are met.

1. General Conditions.

a. Conditional uses shall not occupy more than fifteen percent of the buildable acreage of the development.
b. Conditional uses, shall front arterial or major collector level streets, as defined in the County Transportation Plan. Model homes shall be excluded from this provision.

2. Specific Conditions

a. Home based retail and/or wholesale food operation ~~providing it meets all applicable county, state and federal public health requirements.~~

b. Model homes, with the following restrictions:

(i) Limited to one (1) year duration, with annual one (1) year renewal periods at the discretion of the ~~Planning, Building and Zoning~~ PBZ Department.
(ii) Must have ownership of a minimum of four (4) lots which are being sold in the subdivision where the model home is located.
(iii) Cannot advertise or sell lots or homes exclusively in other subdivisions with this model home.
(iv) ~~All signs must conform to the standards set forth in Section 12.00 of this ordinance.~~

c. Places of Worship subject to the following:

(i) The maximum lot coverage of structures may not exceed 35%; total impervious surfaces may not exceed 70% of the lot area.
(ii) Buildings shall maintain a minimum setback of eighty (80) feet from the center of the road and 30' from all other property lines
(iii) The height for the towers and steeples shall not exceed seventy-five (75) feet and not more than forty-five (45) feet for the main structure.
~~(iv) Off-street parking, lighting and loading facilities shall be provided as required or permitted in Section 11.00.~~
(v.) Other related uses, such as schools, child day care services, kindergartens shall be permitted to the extent that the activity is otherwise permitted, and shall be subject to all applicable regulations, including parking.

d. Schools: Elementary, junior high, and high school, including playgrounds, garages for school buses, and athletic fields auxiliary thereto, subject to the following:

(i) The minimum lot area shall be one (1) acre.
(ii) The minimum lot width requirement shall be one hundred and twenty (120) feet.

(iii) A front setback of eighty (80) feet from the center of the road shall be required.

(iv) Side and rear yards of no less than twenty-five (25) feet shall be provided. Where any outdoor activity area, swimming pool, ball field or court adjoins a residential land uses, such yards shall be buffered with landscaping across 50% of the lot width.

~~**(v) Off-street parking and loading facilities shall be provided as required or permitted in section 11.00.**~~

(vi) Hours of operation shall be limited to the following:

(1) Outdoor group activities shall not be allowed after 10 PM.

(2) The facility may not be used as a regular overnight domicile or shelter. ~~**This provision does not limit**~~ **However**, the school ~~**from being**~~ **may be** used for overnight retreats or events for school members and guests.

(3) Lighted outdoor recreation facilities, parking lots and lighting shall be designed to avoid excessive light and glare impacts on adjacent properties. Restrictions on light pole height and types, deflectors and other such measures may be required ~~**as necessary**~~ to prevent overspill and excessive intensity of light.

e. Small Wind Energy Systems subject to the conditions of Section 4:17

H. SPECIAL USES.

1. The following uses may be allowed by a special use permit in accordance with the provisions of Section 13:00 if approved with the Planned Development or as an amendment to a Planned Development (*Amended 3/21/18)*.

~~**b.**~~ Airport, private airstrip, heliports and aircraft landing fields provided airports and surrounding territory are subject to the rules and regulations of the State of Illinois Department of Aeronautics and must comply with all Illinois Department of Transportation (IDOT) Division of Aeronautic and Federal Aviation Administration (F.A.A.) requirements **detailed in Section 8:02.C.3** ~~**and provisions as follows:**~~

~~**i. Height of structures in areas surrounding the**~~

~~boundaries of airports having an established approach plan that has been approved by the State of Illinois Department of Aeronautics shall be in accordance with the requirements set forth in the approach plan.~~

~~ii. Height of structures, in areas ten thousand lineal feet beyond the boundaries of airports that do not have an established approach plan shall be governed by the following:~~

~~1. For an airport having the longest runway less than thirty-nine hundred and fifty lineal feet in length, structures located just beyond the boundaries of the airport shall not be in excess of fifteen feet in height, and for every two hundred lineal feet of additional distance from the airport boundaries the height of structures may be increased by not more than ten feet.~~

~~2. For an airport having a runway of thirty-nine hundred and fifty lineal feet or more in length, structures just beyond the boundaries of the airport shall not be in excess of fifteen feet in height; and for every two hundred lineal feet of additional distance from airport boundaries, the height of structures may be increased by not more than five feet and where a runway has been designated as an instrument runway, the height of structures may be increased by not more than four feet in every two hundred lineal feet of additional distance from airport boundaries, for the first ten thousand lineal feet, and for the area covered in the next forty thousand lineal feet, the height of structures may be increased by not more than five feet in every additional two hundred lineal feet.~~

~~iii. Structures exceeding the limiting heights shall be considered obstruction to air navigation unless found not to be objectionable after special aeronautical study. Such structures may be specifically authorized as a variation after public hearing by the Zoning Board as provided by law.~~

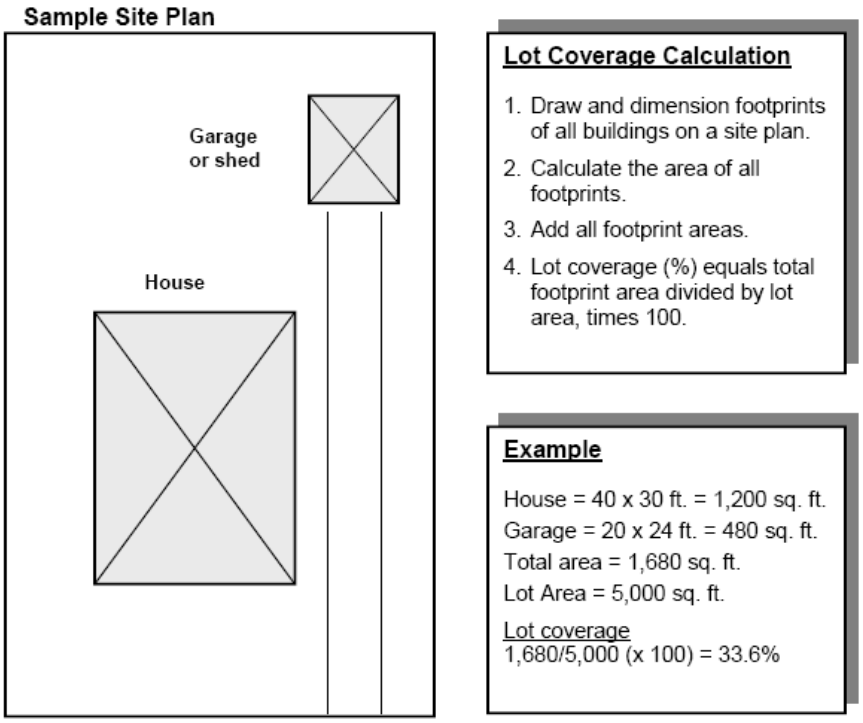
f. Convenience Establishments consistent with the permitted uses as specified in the B-1 district subject to the following:

(i) The area, size, and uses to be included in Convenience Establishments shall be established and regulated in the Planned Development Ordinance passed pursuant to Section 8:06. ~~**B.6(g).**~~

(ii) When one or more convenience establishment is proposed, they shall be grouped, arranged and designed for maximum pedestrian convenience.

(iii) Convenience establishments shall not have substantial adverse effects on residential uses within the RPD or adjoining uses by reason of their location, design, construction, manner or timing of operation, signs, lighting, parking or access arrangements. Signage and lighting requirements may be more restrictive than the signage requirements of Section 12:00 and the Kendall County Subdivision Ordinance.

(iv) The maximum parcel size: 100,000 square feet. No convenience establishment shall have a gross floor area in excess of 5,000 square feet per building. Lot coverage of all buildings shall not exceed thirty percent (30%) of the area of the parcel, exclusive of rights-of-way of adjoining streets.



(v) Landscaped open space shall be utilized to protect the residential character of the RPD and surrounding uses, in an amount equal to or at least fifteen percent (15%) of the area of the parcel, exclusive of rights-of-way of adjoining streets. Such space shall be landscaped or otherwise appropriately improved to provide convenient pedestrian circulation, play areas for children, passive recreation areas, and the like. Pedestrian sidewalks intended for circulation between parking areas and convenience establishments shall not be included as the improved open space required by this paragraph.

(vi) Convenience establishments shall have a front setback of at least thirty-five (35) feet, and rear setbacks of at least fifty (50) feet, or equal to the adjoining lot setbacks, whichever is greater. Side setbacks shall be at least ten (10) feet, or equal to the side setback of an adjacent residential use, whichever is greater.

(vii) Transition landscaping shall be provided where the convenience establishment parcel abuts residential areas. Continuous landscaping shall be provided across one hundred (100%) percent of the yard to a minimum mature

height of six (6') feet. Plant material shall consist of approximately fifty (50%) percent evergreen plants and fifty (50%) percent deciduous material. Shrubs shall be spaced at a maximum of four feet (4') on center. A solid screen may be achieved by clustering shrubs beneath shade or ornamental trees, by using evergreen trees, or any mix thereof, or by providing a six (6') foot high solid commercial grade wood fence along the length of the property. Any fence shall be of one material and one color, and shall have shade trees placed on the side of the fence closest to the commercial use, at the equivalent of one (1) tree for every fifty lineal feet (50').

i. Golf courses, Club House, Country Clubs and Membership Riding Clubs **including "par 3" golf courses, unlit commercially operated driving ranges, unlit miniature golf courses and planned unit development for conventional golf courses.**

j. ~~**Golf courses, including "par 3" golf courses, unlit commercially operated driving ranges, unlit miniature golf courses and planned unit development for conventional golf courses.**~~

l. Riding Stables including, but not limited to: polo clubs, rodeo clubs and similar uses **subject to Section.7.01.E**:
   - ~~**i. All such facilities shall meet all State Animal Management Statutes.**~~
   - ~~**ii. Not more than twenty-four (24) horses can be housed in said stable or on the premises at any one time, unless otherwise approved in the special use permit.**~~
   - ~~**iii. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance.**~~
   - ~~**iv. Except for security lighting at low wattage, there shall be no outside lighting of the riding arena. All lighting shall be directed away from surrounding properties to prevent glare or the migration of light onto adjoining or surrounding properties.**~~
   - ~~**v. Submissions of a manure management plan for review and approval by the Kendall County Health Department.**~~
   - ~~**vi. Hours of operation for the indoor arenas shall be restricted to 6:00 am – 10:00 pm daily. Outdoor use of the property for riding horses shall be permitted from dawn**~~

~~to dusk daily.~~

~~vii. Off-street parking and loading at a ratio of not less than one parking space per stall. Additional parking may be required as determined by the Zoning Administrator for employees and any related accessory or special uses (i.e. storage of horse trailers used in conjunction with the stable operation, blacksmith shop, on-site stable manager, tack shop, etc.)~~

~~viii. Provision of handicapped accessible bathroom facilities for customers and employees.~~

~~ix. Compliance with basic life safety requirements for building ingress and egress.~~

m. Secondary Dwelling Unit as approved on a case by case basis by the County Board, provided the following purpose is served and all of the following conditions are met: (Changed numbers to Roman numerals)

i. Purpose: To provide additional housing on a single parcel for family members and visiting guest of the owners of the single-family dwelling while maintaining and rehabilitating the historically significant structure as the principle or secondary dwelling unit.

ii. Conditions:

(i) At least one of the structures has been identified by the County Board as having historical significance and must incorporate or involve the preservation of an existing structure that can be retrofitted for residential uses or unique buildings which add to the history and heritage of Kendall County.

(ii) The parcel must be greater than 45,000 square feet in size and must be able to demonstrate the ability to provide adequate water and sanitary wastewater treatment facilities to service both the principle residence and secondary residential unit in accordance with all applicable Health Department regulations and guidelines in effect at the time of application for the Special Use.

(iii) The units shall comply with the height bulk regulations and building setbacks of the RPD district.

(iv) The property shall be maintained as a single parcel containing two dwelling units unless otherwise approved by the County Board and provided the resulting lots can demonstrate compliance with all of the requirements of the RPD District and applicable Health Department regulations in effect at the time the parcel is divided.

(v) All secondary dwelling units shall not exceed the height of the main dwelling.

(vi) All secondary dwelling units shall be served by the same address, electrical, water, and gas meters that serve the main single-family dwelling unit. No separate meters shall be allowed.

(vii) Adequate off-street parking shall be available for the secondary dwelling unit.

~~(viii) Covenant or Deed Restrictions: As a condition of securing a Building Permit for construction of a secondary dwelling unit being added to an existing single-family home, the property owner shall record against the deed to the subject property, a covenant or deed restriction which shall prohibit the rental, lease or sale of the secondary dwelling unit separately from the rental, lease or sale of the main dwelling unit. Proof that such a covenant or deed restriction has been recorded shall be provided to the Kendall County Zoning Administrator prior to the issuance of the Building Permit for the secondary dwelling unit.~~

(ix) The materials, colors, and architectural style of the secondary dwelling unit shall be similar to the principal residence

(x) The livable floor area of the secondary dwelling unit shall not exceed fifty percent (50%) of the livable floor area of the principal residence.

(xi) Construction of all secondary dwelling units shall meet applicable building codes.

(xii) There must be a shared driveway between both dwelling units.

iii. Covenant or Deed Restrictions: As a condition of securing a Building Permit for construction of a secondary dwelling unit being added to an existing

single-family home, the property owner shall record against the deed to the subject property, a covenant or deed restriction which shall prohibit the rental, lease or sale of the secondary dwelling unit separately from the rental, lease or sale of the main dwelling unit. Proof that such a covenant or deed restriction has been recorded shall be provided to the Kendall County Zoning Administrator prior to the issuance of the Building Permit for the secondary dwelling unit.

2. The following uses may be allowed by special use permit in accordance with the provisions of Section 13.00 without inclusion in the Planned Development or a subsequent amendment (*Amended 3/21/18)*. **(re-letter after d)**

   a. Agency Licensed Family Residential Care Homes - Transitional ~~**Halfway house. (A single housekeeping unit of three (3) or fewer persons receiving care in a family-like atmosphere where the residents are residing in the home on a transitional or temporary basis where the length of residency is not expected to be more than one (1) year. Oversight and supervisory personnel shall be on the premises in addition to this number.)**~~

   b. Bed and breakfast establishments are permitted subject to the ~~**following**~~ conditions **stated in Section 7:01.D**.
      ~~**a. Shall have no more than five (5) guest rooms for rent.**~~
      ~~**b. Shall be in operation for not less than six (6) nights in a six (6) month period.**~~
      ~~**c. Shall maintain a guest register which shall be available at all times for inspections.**~~
      ~~**d. Shall be located in a single family detached dwelling, not an accessory building or garage.**~~
      ~~**e. Shall satisfy all requirements of the Kendall County Health Department and Building Department prior to the issuance of occupancy permits.**~~
      ~~**f. In addition to the parking requirements for a single family detached dwelling, the bed and breakfast establishment shall provide one (1) additional space for each guest room. The off street parking for a bed and breakfast establishment shall not be located in any**~~

~~required yard, but it shall be screened from adjacent properties by a landscape screen of at least fifty (50) percent capacity.~~

~~g. Only one (1) sign shall be permitted for each bed and breakfast establishment. The maximum size of such sign shall be four (4) square feet per sign face.~~

~~h. Each guest room may have its own private bath. No guest room shall have any kitchen facilities.~~

~~i. Guest room shall mean sleeping room intended to serve no more than two (2) adult transient guests per night.~~

~~j. Accommodations shall be provided in guest rooms only. The length of stay in a bed and breakfast establishment shall be a maximum of One (1) week.~~

~~k. Any application for a special use shall include, in addition to all other documents required for a special use application, floor plans drawn to scale accurately showing the guest rooms in relation to the rest of the single family detached dwelling.~~

c. Child Day Care facilities, subject to the following:

(i) Minimum lot area of 45,000 gross square feet.

~~(ii) Off-street parking and loading facilities shall be provided as required or permitted in Section 11.00.~~

(iii) Provision of appropriate outdoor play areas.

(iv) Other standards as appropriate for the particular location and use such as screening, buffering, and fencing or other provisions to promote the health, safety, and welfare of County residents.

~~d. Home occupation provided it follows the definition in Section 3:02, meets the conditions in Section 4:07 and an affidavit is filled out in the Planning, Building and Zoning office stating you meet those conditions~~

Section should be relettered.

e. Hospice

f. Places of Worship subject to the following conditions:

(i) Must be located on an arterial or major collector street as defined in the County Transportation Plan.

(ii) The height for the towers and steeples shall not exceed seventy-five (75) feet and not more than forty-five (45) feet for the main structure.

~~(iii) Off-street parking, lighting and loading facilities shall be provided as required or permitted in Section 11.00.~~

vi. Other related uses, such as schools, child day care services, kindergartens, meeting shall be permitted to the extent that the activity is otherwise permitted, and shall be subject to all applicable regulations, including parking.

g. Public or Private Utilities and Service uses:

(i) Telecommunications hub

(ii) Filtration plant, pumping station, and water reservoir.

(iii) Sewage treatment plant.

(iv) Electric substations and booster stations.

(v) Other Similar uses

h. Rest homes, nursing homes, hospitals and sanitariums~~, for human beings only~~.

I. DEVELOPMENT STANDARDS. All developments shall be developed according to the standards of the Kendall County Subdivision Ordinance. In addition, the following requirements shall apply:

1. Streets Access. No residential lot shall have direct access to arterial or major collector roads. Private streets and driveways may only be approved to alleviate unusual circumstances. Specifically, private streets may only be approved if there is some desirable feature on the site that would not otherwise be preserved. Such features may include significant trees, topography, water features, historic sites, etc. The design and construction of private driveways and streets shall conform to the standards in Section 10.00.~~G.10~~ H of the Subdivision Control Ordinance.

N. TYPES AND LOCATION OF OPEN SPACE. Open space shall be comprised of two types of land: "Primary Open Space and "Secondary Open Space."

3. The location of open space conserved through compact residential development shall be consistent with the policies contained in the Land

Resource and Management Area Policies of the ~~Land Resource Management Plan~~ **LRMP**, the recommendations contained in this section and the Development Evaluation Criteria of Section 8:03**.O** ~~**P**~~.

4. All lands within both the Primary and Secondary Open Space shall be permanently reserved as open space and protected from being developed for anything other than passive or active open space uses through one or more of the following means:

   a) Through the donation or dedication of the proposed open space parcels to a Forest Preserve or local Park District for use as perpetual open space. In such instances the donation or dedication shall be noted in any accompanying development agreements and the individual parcels planned for dedication or donation shall be noted as "Park Site" or "Forest Preserve" lands on the final plat.
   b) Imposition and ~~**recordation**~~ **recording** of a deed restriction limiting the use of the property to passive or active open space in perpetuity and identifying the maintenance responsibilities of the individuals or entities having ownership of the properties (i.e. individual lot owners and**/**or Homeowner's Associations). Such restrictions ~~**and conditions**~~ shall be noted on the final plat and shall also be referenced in any accompanying development agreements.
   c) Through the recordation of a conservation easement that prohibits further development, and sets other standards safeguarding the site's special resources from negative changes provided:

      i. The property contains significant wetlands, fens, native areas or tree stands that require specialized care and maintenance to insure the preservation of specific natural features; and,

      ii. An established conservation agency, land conservancy foundation, trust or group with the knowledge and skill to manage and oversee the ~~**short and long term**~~ maintenance of these specialized areas has agreed to either take title to the property or enforce the provisions of the easement.

      iii. The easement provisions, restrictions and conditions shall be noted on the final plat and shall also be referenced in any accompanying development agreements. **(added as iii- unnumbered previously)**

O. DEVELOPMENT EVALUATION CRITERIA. In evaluating the layout, amount, and location of lots and open space, the County shall evaluate the extent to which the site plan does the following:

4. Visually buffers development from existing public roads, such as by a planting screen primarily consisting of indigenous trees, shrubs and wildflowers as identified in Appendix **4** ~~6~~ of the Subdivision Control Ordinance.

P. OWNERSHIP AND MANAGEMENT OF OPEN SPACE. The developer may cause to be endowed a permanent fund to offset continuing open space maintenance costs. Spending from this fund should be restricted to expenditure of interest, in order that the principal may be preserved. Assuming an annual average interest rate of 5%, the amount designated for the Endowment Fund should be twenty (20) times the amount estimated to be required on a yearly basis to maintain the open space. This fund shall be transferred by the developer to the designated entity with ownership and maintenance responsibilities (such as a homeowners' association, a land trust, or the County). Applicants may receive a density bonus in accordance with the provisions of Section 8:03.C, Density Incentives, for creation of this fund.

The developer shall agree to create an underlying special service area controlled by the County. This special service area shall be created at the time of final platting of the first phase of the Planned Development, and shall include all phases of the Planned Development. In the event the entity that has ownership and maintenance responsibilities fails to adequately manage the open space, the County may assume maintenance responsibilities until such time as that or another appropriate entity can manage the open space. The County may assess the property of those within the special service area for the County's prior and estimated future cost of maintaining the open space. **(Remove Number 1)**

8:04 RPD-2 RESIDENTIAL PLANNED DEVELOPMENT - TWO

RPD-2. This district applies to all developments lying within Contiguous Growth Area - Rural Transition. Such developments shall meet the following standards:

B. Maximum Density. Maximum density, including all density bonuses as provided in Section 8:03.C, shall not exceed 0.65 dwelling units per acre of buildable land (0.45 dwelling units per buildable acre base density, plus maximum incentive of 0.20 dwelling units per buildable acre). An additional density bonus of 0.20

dwelling units per buildable acre (which would allow up to 0.85 dwelling units per acre of buildable land) may be granted in the case of a proposed development that:

1. Is all or partially located within 100 feet of a Class A Stream as defined by IDNR, (i.e. the Aux Sable Creek and Big Rock Creek) or its tributaries; **and**
2. ~~**and**~~ **Uu**~~**u**~~tilizes both community septic and community water services.

Such bonuses shall be subject to review and approval by the County Board. Examples of additional and significant public amenities may include but shall not be limited to contributions for off-site roadway improvements, construction of road improvements that facilitate the development of planned re-alignment of existing and/or future roads, land contributions to the Forest Preserve District in excess of the minimum amount required under the County's land cash donation ordinance. Density transfers may be considered where land with unique natural features such as woodlands will be dedicated to the Forest Preserve District. Regardless of the application of density bonuses, at least 30% of the total acreage must still be designated as open space. *(Amended 4/18/06)*

C. All other standards **and uses** of the RPD-1 district except the density regulations of Section 8:03.A-B, Density and the Maximum Lot Size under Section 8:03.D. The Maximum Lot Size in the RPD-2 shall be limited to 90,000 sq. ft.

8:05 RPD-3 RESIDENTIAL PLANNED DEVELOPMENT – THREE. This district applies to all developments lying within Contiguous Growth Area - Urban. Such developments shall meet the following standards:

C. All other standards **and uses** of the RPD-1 district except the density regulations of Section 8:03 A-B, the Maximum Lot Size in the RPD-3 shall be limited to 65,000 sq. ft.

~~**8.06 PROCEDURE FOR APPROVAL OF RPD-1, RPD-2 OR RPD-3 DEVELOPMENT.**~~ **(Move This Section to Section 13:00)**

8:0~~7~~**6** R-2 ONE-FAMILY RESIDENCE DISTRICT.

A. PERMITTED USES. The following uses are permitted:

2. Keeping of up to twelve (12) chickens on a zoning lot, provided that:

a. The lot is a minimum one (1) acre
b. No roosters shall be kept on any zoning lot
c. No other poultry, including but not limited to geese, ducks, turkeys shall be kept on the property
d. All chickens shall be confined within a covered enclosure or an uncovered fenced enclosure at all times to prevent chickens from encroaching onto neighboring properties
e All confinements shall be located at least 10' from all residentially zoned lots
f. All uncovered fenced enclosures shall be at least four feet in height.
g. No eggs or chickens shall be offered for sale on the premises
h. ~~**All standards adopted by the Illinois Department of Agriculture and the Kendall County Health Department shall apply**~~ ~~***(Amended 10/19/10)***~~

B. SPECIAL USES. The following uses may be allowed by special use permit in accordance with the provisions of Section 13.00.

1. Any use permitted as a special use in the R-1 One-Family Estate Residence District, Section 8:02.C and that Planned Developments may be considered where the zoning lot proposed for development has a gross area of not less than forty acres.

C. CONDITIONAL USES: The following Conditional Uses may be permitted only if specifically authorized by the Zoning Administrator**:**

1. Beekeeping with ~~**the following**~~ conditions **as detailed in Section 8:02.B.1**.
   ~~**i. Beekeeping and the honey produced from beekeeping shall be for personal use only**~~
   ~~**ii. Annual permit required with fee of $50 the first year the permit is issued and $25 each year after**~~
   ~~**iii. Minimum lot size of 1 acre (43,560 square feet) with a maximum of 2 colonies.**~~
   ~~**iv. No colony shall be permitted within a front yard setback**~~
   ~~**v. All colonies must be setback at least 30' from any rear or side yard lot line except when abutting a right of way of a street or railroad the colony must be a minimum of 5' from the rear or side yard lot line (as long as there is no sidewalk or pathway).**~~
   ~~**vi. All colonies within 100' of an adjoining home shall require a flyway barrier with a 6' minimum height**~~

~~vii. All colonies shall require a minimum 4' fence surrounding the perimeter of the colonies or surrounding the perimeter of the entire property. Fencing must have a locking gate with caution signage on each gate.~~

~~viii. Notification shall be sent by permit applicant to all adjacent property owners. Notification shall be sent via certified mail or certificate of mail and proof of mailing shall be submitted to the PBZ Department. Any property owner who receives notification shall have 14 calendar days from the postmarked date to send written objection to the Planning, Building, and Zoning Department. If any such objection is received, no colony shall be located within 100' of the adjoining home of objecting property owner.~~

~~ix. During the application submittal there must be documentation from the Homeowners Association (HOA) stating they approve or deny the proposal. If there is no HOA that must be submitted in writing and signed by the applicant.~~

~~x. Prior to submitting a renewal application, an applicant is permitted to resend notification to a property that has previously objected. If the property owner does not object within 14 calendar days after receiving the resent notification, the applicant may locate a colony within 100' of the residence of the previously objecting property but shall maintain a distance of at least 30' from all property lines at all times unless abutting a right of way in which the colony can be placed with 5' of the property line.~~

~~xi. The Zoning Administrator has authority to approve all new and renewal permits. If the Zoning Administrators receives information that a renewal applicant has violated any of these requirements, caused injury to the public, impacted the safety and health of the public, or has had an adverse affect on surrounding properties as a result of keeping bees on the subject property, the Zoning Administrator may, at his or her discretion, deny the renewal application.~~

~~xii. Any decision made by the Zoning Administrator may be appealed in writing to the Planning, Building, and Zoning Committee, with the appropriate administrative appeal fee.~~

~~xiii. A site plan indicating the location and distance to property lines and adjacent residences shall be submitted to the PBZ Department with the application.~~

~~xiv. Proof of Apiary Registration with the Illinois Department of Agriculture shall be submitted to the PBZ Department within 30 days of the application submittal.~~

~~xv. All approved permits shall comply with the *Bees and Apiaries Act* of Illinois (510 ILCS 20)~~

2. Home-based retail and/or wholesale food operation ~~providing it meets all applicable county, state and federal public health requirements~~.

3. Model homes, with the following restrictions: (**changed from letters to Roman numerals**)

a) Limited to one (1) year duration, with annual one (1) year renewal periods at the discretion of the ~~Planning, Building and Zoning~~ **PBZ** Department.

b) Must have ownership of a minimum of four (4) lots which are being sold in the subdivision where the model home is located.

c) Cannot advertise or sell lots or homes exclusively in other subdivisions with this model home.

~~d) All signs must conform to the standards set forth in Section 12.00 of this ordinance.~~

4. Small Wind Energy Systems ~~subject to the conditions of Section 4:17~~

H. **NO REZONING**. No parcel originally larger than ten (10) acres in size shall qualify for rezoning to this category after January 16, 2001, unless an application has been submitted for such rezoning prior to that date.

8:0~~7~~8 R-3 ONE-FAMILY RESIDENCE DISTRICT

A. PERMITTED USES. The following uses are permitted;

2. Keeping of up to twelve (12) chickens on a zoning lot, **provided that the conditions contained in Section 8:06.A. are met**.

~~a. The lot is a minimum one (1) acre~~

~~b. No roosters shall be kept on any zoning lot~~

~~c. No other poultry, including but not limited to geese, ducks, turkeys shall be kept on the property.~~

~~d. All chickens shall be confined within a covered enclosure or an uncovered fenced enclosure at all times to prevent chickens from encroaching onto neighboring properties~~

~~e All confinements shall be located at least 10' from all residentially zoned lots~~

~~f. All uncovered fenced enclosures shall be at least four feet in height.~~

~~g. No eggs or chickens shall be offered for sale on the premises~~

~~h. All standards adopted by the Illinois Department of Agriculture and the Kendall County Health Department shall apply~~ ~~*(Amended 10/19/10)*~~

B. SPECIAL USES. The following uses may be allowed by a special use permit in accordance with the provisions of Section 13.00:

2. Retail shops/office use that can satisfy the following requirements:

a. The site must have direct access onto an arterial roadway as designated on the Transportation Plan.
b. No outside storage of any materials or outdoor display.
c. No sign, other than one identification sign, non-illuminated, non-flashing and 32 square feet shall be allowed. All other regulations with regards to height and location must be followed as outlined in ~~Chapter~~ **Section** 12.**0009**.
~~d. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Chapter 11 of this ordinance.~~
e. No more than 3 employees are allowed to work on-site at one time.
f. Contact the Health Department to make sure the septic system is adequate for the proposed use.
g. The office or retail use shall not generate noise, vibration, glare, fumes, odors, or electrical interference beyond that which normally occurs in the R-3 district.
h. Expansion of a residential building, structure, or of any accessory building in which an office or retail use is proposed to be situated may be permitted upon the submission of a site plan and accurate drawings showing all elevations of such proposed building or structure to the plan commission for its review and recommendation, and upon approval by the County Board. The current structures and any new structures must maintain a residential appearance and match the surrounding neighborhood architecture.

i. The standards are intended to ensure compatibility with other permitted uses and maintain the residential character of the surrounding residential uses.

C. CONDITIONAL USES: The following Conditional Uses may be permitted only if specifically authorized by the Zoning Administrator

1. Beekeeping with the ~~following~~ conditions **in Section 8:02.B.**.

~~i. Beekeeping and the honey produced from beekeeping shall be for personal use only~~

~~ii. Annual permit required with fee of $50 the first year the permit is issued and $25 each year after~~

~~iii. Minimum lot size of 1 acre (43,560 square feet) with a maximum of 2 colonies.~~

~~iv. No colony shall be permitted within a front yard setback~~

~~v. All colonies must be setback at least 30' from any rear or side yard lot line except when abutting a right of way of a street or railroad the colony must be a minimum of 5' from the rear or side yard lot line (as long as there is no sidewalk or pathway).~~

~~vi. All colonies within 100' of an adjoining home shall require a flyway barrier with a 6' minimum height~~

~~vii. All colonies shall require a minimum 4' fence surrounding the perimeter of the colonies or surrounding the perimeter of the entire property. Fencing must have a locking gate with caution signage on each gate.~~

~~viii. Notification shall be sent by permit applicant to all adjacent property owners. Notification shall be sent via certified mail or certificate of mail and proof of mailing shall be submitted to the PBZ Department. Any property owner who receives notification shall have 14 calendar days from the postmarked date to send written objection to the Planning, Building, and Zoning Department. If any such objection is received, no colony shall be located within 100' of the adjoining home of objecting property owner.~~

~~ix. During the application submittal there must be documentation from the Homeowners Association (HOA) stating they approve or deny the proposal. If there is no HOA that must be submitted in writing and signed by the applicant.~~

~~x. Prior to submitting a renewal application, an applicant is permitted to resend notification to a property that has previously objected. If the property owner does not object~~

~~within 14 calendar days after receiving the resent notification, the applicant may locate a colony within 100' of the residence of the previously objecting property but shall maintain a distance of at least 30' from all property lines at all times unless abutting a right of way in which the colony can be placed with 5' of the property line.~~

~~xi. The Zoning Administrator has authority to approve all new and renewal permits. If the Zoning Administrators receives information that a renewal applicant has violated any of these requirements, caused injury to the public, impacted the safety and health of the public, or has had an adverse affect on surrounding properties as a result of keeping bees on the subject property, the Zoning Administrator may, at his or her discretion, deny the renewal application.~~

~~xii. Any decision made by the Zoning Administrator may be appealed in writing to the Planning, Building, and Zoning Committee, with the appropriate administrative appeal fee.~~

~~xiii. A site plan indicating the location and distance to property lines and adjacent residences shall be submitted to the PBZ Department with the application.~~

~~xiv. Proof of Apiary Registration with the Illinois Department of Agriculture shall be submitted to the PBZ Department within 30 days of the application submittal.~~

~~xv. All approved permits shall comply with the *Bees and Apiaries Act* of Illinois (510 ILCS 20)~~

2. Home-based retail and/or wholesale food operation ~~providing it meets all applicable county, state and federal public health requirements~~.

3. Model homes, with the ~~following~~ restrictions in Section 8:07.C.

~~(i) Limited to one (1) year duration, with annual one (1) year renewal periods at the discretion of the Planning, Building and Zoning Department.~~

~~(ii) Must have ownership of a minimum of four (4) lots which are being sold in the subdivision where the model home is located.~~

~~(iii) Cannot advertise or sell lots or homes exclusively in other subdivisions with this model home.~~

~~(iv) All signs must conform to the standards set forth in Section 12.00 of this ordinance.~~

The following districts shall not be considered for re-zoning classifications after February 15, 2000:

8:0~~98~~ R-4 ONE-FAMILY RESIDENCE DISTRICT

A. PERMITTED USES. The following uses are permitted:

~~1.~~ Accessory uses – **See Section 4:05.** ~~**Accessory uses, structures, and buildings shall be permitted provided such uses, structures or buildings comply with the regulations of Section 4.05.**~~

2. Home occupation provided ~~**it follows the definition in Section 3.02, meets the conditions in Section 4.07 and**~~ an affidavit is filled out in the ~~**Planning, Building and Zoning**~~ **PBZ** office stating you meet ~~**those**~~ **the zoning** conditions.

4. Signs~~**, as permitted and regulated by Section 12.00.**~~

B. SPECIAL USES. The following uses may be allowed by special use permit in accordance with the provisions of Section 13:00:

3. Places of Worship subject to the ~~**following**~~ conditions **contained in Section 7:01.D**.
   ~~**a. The height for the towers and steeples shall not exceed seventy-five (75) feet and not more than forty-five (45) feet for the main structure.**~~
   ~~**b. Other related uses, such as school, child day care services, kindergartens, meeting facilities shall be permitted to the extent that the activity is otherwise permitted, and shall be subject to all applicable regulations, including parking.**~~
   ~~**c. Off-street parking, lighting and loading shall be provided as required or permitted in Section 11.00.**~~

6. Rest homes, nursing homes and sanitariums~~**, for human beings only**~~.

9. Solar Gardens – **See Section 4:00**. ~~**subject to the provisions of Section 4.00 of the Kendall County Zoning Ordinance**~~

C. Conditional Uses: The following Conditional Uses may be permitted only if specifically authorized by the Zoning Administrator

1. Home-based retail and/or wholesale food operation ~~providing it meets all applicable county, state and federal public health requirements~~.

8:~~10~~09 R-5 ONE-FAMILY RESIDENCE DISTRICT

A. PERMITTED USES. The following uses are permitted: Any permitted use in the R-4 One-Family Residence District, Section 8:0~~9~~8.A.

B. SPECIAL USES. The following uses may be allowed by special use permit in accordance with the provisions of Section 13:00. Any use permitted as a special use in the R-4 One-Family Residence District, Section 8:0~~9~~8.B, except that Planned Development may be considered where the zoning lot proposed for development has a gross area of not less than twenty (20) acres.

C. CONDITIONAL USES: ~~The following Conditional Uses may be permitted only if specifically authorized by the Zoning Administrator~~ Home-based retail and/or wholesale food operation ~~providing it meets all applicable county, state and federal public health requirements~~ **if specifically authorized by the Zoning Administrator**.

8:~~11~~10 R-6 ONE-FAMILY RESIDENCE DISTRICT

A. PERMITTED USES. The following uses are permitted: Any permitted use in the R-4 One-Family Residence District, Section 8:0~~9~~8.A.

B. SPECIAL USES. The following uses may be allowed by special use permit in accordance with the provisions of Section 13:00: Any use permitted as a special use in the R-4 One-Family Residence District, Section 8.0~~9~~8.B, except that Planned Development may be considered where the zoning lot proposed for development has a gross area of not less than twenty (20) acres.

C. CONDITIONAL USES: ~~The following Conditional Uses may be permitted only if specifically authorized by the Zoning Administrator~~ Home-based retail and/or wholesale food operation ~~providing it meets all applicable county, state and federal public health requirements~~ **if specifically authorized by the Zoning Administrator**.

D. LOT SIZE.
1. **One family detached dwellings~~:~~.**

a. Lot: 7,000 square feet minimum with a width at the established building line equal to forty (40) percent of the depth.
b. Density: Shall not exceed three and one-half (3.5) dwelling units per each one (1) gross acre.
c. Utilities: All lots in this district shall be served by public sewerage and water facilities.

2. Non-residential: All non-residential principal uses of building as permitted in this section shall be located on a tract of land having an area of not less than five (5) acres and a width at the established building line of not less than forty (40) percent of the depth of the lot, except municipal projects and developments.

3. Special uses: Lot size for special uses shall be specified in the special use permit, unless specified as minimum herein.

8:~~12~~11 R-7 GENERAL RESIDENCE DISTRICT

A. PERMITTED USES. The following uses are permitted:
1. Any of the permitted uses in the R-4 One-Family Residence District, Section 8:0~~9~~8.A.

2. Multiple-family dwellings.

3. Single-family semi-detached dwellings.

4. Single-family attached dwellings, but not more than one hundred eighty (180) feet in length.

5. Two-family detached dwellings.

B. SPECIAL USES. The following uses may be allowed by special use permit in accordance with the provisions of Section 13:00:

1. Any use permitted as a special use in the R-4 One-Family Residence District, Section 8:0~~9~~8.B, except that Planned Development may be considered where the zoning lot proposed for development has a gross area of not less than twenty (20) acres.

2. Mobile home park, on a lot not less than (10) acres in area.

C. CONDITIONAL USES: ~~**The following Conditional Uses may be permitted only if specifically authorized by the Zoning Administrator**~~ Home-based retail and/or wholesale food operation ~~**providing it meets all applicable county, state and federal public health requirements if specifically authorized by the Zoning Administrator**~~. The following Conditional Uses may be permitted only if specifically authorized by the Zoning Administrator

G. YARD AREA~~s~~.

1. All yard areas for single family and two-family buildings shall be the same as the regulations required in the R-6 One-Family Residence District, Section 8:~~11~~**10**.D.

SECTION 9:00 BUSINESS DISTRICTS Updated on 11.19.19

9:00 PURPOSE

The purpose of this section is to encourage the orderly development of commercial properties to serve and meet the needs of the citizens of Kendall County. The establishment of new commercial districts shall follow the guidelines of the Kendall County ~~Land Resource Management Plan (~~LRMP~~)~~. In general, areas designated as Commercial/Industrial or Transportation Corridors on the ~~Resource Management Concept Plan~~ **LRMP** are appropriate for commercial development. Where properties proposed for commercial development are contiguous to existing municipalities, the County encourages the annexation of these properties.

More specifically, the commercial zoning districts are intended to provide for groupings of business and commercial establishments that are compatible in scope of services, methods of operation, and traffic generation.

Kendall County has a long, rich tradition in agriculture and respects the role that farming and agricultural related businesses continue to play in shaping the economic viability of the county. Property that supports this industry is indicated by a zoning indicator -- A-1 or A-1 Special Use. Anyone constructing a residence or facility near this zoning should be aware that normal agricultural practices may result in occasional smells, dust, sights, noise, and unique hours of operations that are ARE NOT TYPICAL IN OTHER ZONING AREAS. Please be aware that certain special and permitted uses are in existence and can continue operations as approved.

9:01 B-1 LOCAL SHOPPING DISTRICT

B. PERMITTED USES. The following uses are permitted:

1. Accessory uses. Accessory uses, structures, and buildings shall be permitted provided ~~such uses, structures or buildings~~ **they** comply with the regulations of Section 4:05.

16. Nano Breweries, subject to the ~~following~~ conditions **in Section 7:01.D.** *(Amended 11/15/11; Ord. 11-29)*

~~a. The facility shall have direct access to a road designated as a major collector (or higher) on the County Land Resource Management Plan.~~

~~b. All applicable Federal (including the Alcohol and Tobacco Tax and Trade Bureau), State (including the Illinois Liquor Control Commission), and County rules and regulations shall apply.~~

~~c. Locally grown inputs shall be used to the greatest extent possible, with production utilizing crops grown on the same property or in combination with crops grown off-site.~~

~~d. Any tasting or sale of beer shall be subject to the Kendall County Liquor Control regulations.~~

C. SPECIAL USES. The following uses may be allowed by special use permit in accordance with the provisions of Section 13.00:

11. Places of Worship subject to the ~~following~~ conditions **contained in Section 7:01.D.**
   ~~a. The height for the towers and steeples shall not exceed seventy-five (75) feet and not more than forty-five (45) feet for the main structure.~~
   ~~b. Other related uses, such as school, child day care services, kindergartens, meeting facilities shall be permitted to the extent that the activity is otherwise permitted, and shall be subject to all applicable regulations, including parking.~~
   ~~c. Off-street parking, lighting and loading shall be provided as required or permitted in Section 11.00~~

12. Public or Private Utilities and Service uses:
   a. Telecommunications hub **or telecommunication stations (was separate number)**
   b. Filtration plant, pumping station, and water reservoir.
   c. Sewage treatment plant.
   d. Electric substations and booster stations.
   e. Other Similar uses

~~13. Telecommunications Stations~~

14. Solar Gardens. (Amended 11/20/2018)

~~16. Solar Gardens subject to the provisions of Section 4:00 of the Kendall County Zoning Ordinance. (Amended 11/20/2018)~~

D. CONDITIONAL USES. The following Conditional Uses may be permitted only if specifically authorized by the Zoning Administrator:

4. Small Wind Energy Systems ~~subject to the conditions of Section 4.18~~

~~I. Signs. In accordance with the regulations set forth in Section 12.00.~~

~~J~~ I. OFF-STREET PARKING AND LOADING. In accordance with the regulations set forth in Section 11:00. Parking shall not encroach upon the required front or side yard. Parking may encroach upon the required rear yard, provided that a landscaped buffer yard of at least 10' from the rear property line is maintained.

~~K~~ **J**. OTHER PROVISIONS.

1. Performance Standards. All activities shall conform with the performance standards set forth in ~~**section 10.01.G.**~~ **Section 4:12.**

9:02 B-2 GENERAL BUSINESS DISTRICT

C. SPECIAL USES. The following uses may be allowed by special use permit in accordance with the provisions of Section 13:00:

13. Indoor Target Practice with the ~~**following**~~ conditions **found in Section 7:01.D**.
   ~~**a. The indoor shooting range shall meet all applicable standards established in the NRA Range Source Book. Documentation indicating compliance with the aforementioned standards shall be submitted with the site plan. Plans require engineer certification for soundproofing and appropriate design.**~~
   ~~**b. Must be at least 150' from existing dwellings and property lines of schools, daycares, and places of worship.**~~
   ~~**c. Hours of operation from 7am to 10pm**~~
   ~~**d. No alcohol allowed.**~~
   ~~**e. Must meet all requirements of the Kendall County Health Department.**~~
   ~~**f. All applicable Federal, State, EPA and County rules and regulations shall be adhered to.**~~

22. Places of Worship subject to the ~~**following**~~ conditions **contained in Section 7:01.D.**
   ~~**a. The height for the towers and steeples shall not exceed seventy-five (75) feet and not more than forty-five (45) feet for the main structure.**~~
   ~~**b. Other related uses, such as school, child day care services, kindergartens, meeting facilities shall be permitted to the extent that the activity is otherwise permitted, and shall be subject to all applicable regulations, including parking.**~~
   ~~**c. Off-street parking, lighting and loading shall be provided as required or permitted in Section 11.00**~~

23. Public or Private Utilities and Service uses:
   a. Telecommunications hub **and telecommunication stations**
   b. Filtration plant, pumping station, and water reservoir.
   c. Sewage treatment plant.
   d. Electric substations and booster stations.

e. Other Similar uses

24. Solar Gardens (Amended 11/20/2018)

~~**27. Telecommunications Stations**~~

~~**28. Solar Gardens subject to the provisions of Section 4.00 of the Kendall County Zoning Ordinance. (Amended 11/20/2018)**~~

D. CONDITIONAL USES. The following Conditional Uses may be permitted only if specifically authorized by the Zoning Administrator: (Renumbered)

7. Outdoor Display may be permitted subject to the following:

a. Temporary Seasonal Displays

(i) Seasonal displays not exceeding 60 days per calendar year may be conducted on the same zoning lot as the principal business.

(ii) A site plan must be submitted by the applicant and approved by the Zoning Administrator showing the location of the seasonal display, the items to be displayed and the duration of the display.

(iii) Seasonal display areas shall be located at least 10 feet from any property line, shall not use required parking spaces, and shall not encroach into any required vision triangle areas.

~~**All signage for seasonal display areas shall conform with Section 12.00 of the Kendall County Zoning Ordinance.**~~

b. Permanent Outdoor Displays

(i) Shall only be permitted on the same zoning lot as the principal business, and shall only display merchandise which is sold at the subject premises. Items which are not sold on the premises or which are general outdoor storage are not permitted.

(ii) Shall not exceed 10% of the subject area or 1,000 square feet in area, whichever is smaller.

(iii) Shall be subject to site plan review and approval by the Zoning Administrator.

(iv) Shall be located at least 10 feet from any property line, shall not use required parking spaces, and shall not encroach into any required vision triangle areas.

(v) Displays shall not be higher than 15 feet in height.

~~**(vi) All signage for outdoor display areas shall conform with Section 12.00 of the Kendall County Zoning Ordinance.**~~

(vii) A zoning certificate and fee are required for approval of an outdoor display area.

(viii) Any outdoor display area shall be subject to review by the Planning, Building and Zoning Committee and may be rescinded if deemed necessary.

(ix) Any outdoor display area which does not meet these requirements may be permitted as a special use.

9. Small Wind Energy Systems ~~**subject to the conditions of Section 4.18**~~

~~**I. Signs. In accordance with the regulations set forth in Section 12.00.**~~

~~**J**~~ **I**. OFF-STREET PARKING AND LOADING. In accordance with the regulations set forth in Section 11:00. Parking shall not encroach upon the required front or side yard. Parking may encroach upon the required rear yard, provided that a landscaped buffer yard of at least 10' from the rear property line is maintained.

~~**K**~~ **J**. OTHER PROVISIONS.

1. Performance Standards. All activities shall conform with the performance standards set forth in ~~**section 10.01.G.**~~ **Section 4:12.**

9:03 B-3 HIGHWAY BUSINESS DISTRICT

B. PERMITTED USES. The following uses are permitted:

4. Banquet Halls are permitted subject to the ~~**following**~~ conditions **contained in Section 7:01.D**.

~~**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 regulations are as follows:~~

~~Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.~~

~~Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.~~

~~EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.~~

8. Clean up and restoration services with the ~~following~~ conditions **contained in Section 7:01.D**.

~~a. If zoned A-1 Agricultural the facility shall have direct access to a road designated as a major collector (or higher) on the County Land Resource Management Plan.~~

~~b. All commercial vehicles are to be stored inside an accessory structure when not in use unless outdoor storage is screened from adjacent and surrounding properties and screening and storage is shown on the approving site plan.~~

~~c. All operations are to take place inside an enclosed structure.~~

~~d. A waste management plan must be submitted for approval and included as an exhibit to the approving ordinance~~
~~e. A material management plan must be submitted including where items will be stored on site including but not limited to chemicals and belongings.~~
~~f. No materials that are brought in can be burned on this site.~~
~~g. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance (Sign Regulations).~~
~~h. Shall satisfy all requirements of the Kendall County Health Department and Building Department prior to the issuance of occupancy permits.~~

C. SPECIAL USES. The following uses may be allowed by special use permit in accordance with the provisions of Section 13:00.

12. Indoor Target Practice with the ~~following~~ conditions **contained in Section 7:01.D**.
~~a. The indoor shooting range shall meet all applicable standards established in the NRA Range Source Book. Documentation indicating compliance with the aforementioned standards shall be submitted with the site plan. Plans require engineer certification for soundproofing and appropriate design.~~
~~b. Must be at least 150' from existing dwellings and property lines of schools, daycares, and places of worship.~~
~~c. Hours of operation from 7am to 10pm~~
~~d. No alcohol allowed.~~
~~e. Must meet all requirements of the Kendall County Health Department.~~
~~f. All applicable Federal, State, EPA and County rules and regulations shall be adhered to.~~

15. Landscaping business~~, provided that:~~ **with the conditions contained in Section 7:01.D.**
~~a. All vehicles equipment and materials associated with a landscaping business shall be stored entirely within an enclosed structure, unless otherwise permitted under the terms of this Special Use Permit.~~
~~b. The business shall be located on, and have direct access to, a State, County or Collector Highway as identified in the County's LRMP, having an all-weather surface, designed to accommodate loads of at least 73,280 lbs, unless otherwise approved in writing by the agency having jurisdiction over said Highway. Such approvals shall establish limitations as to the number of employees and types of vehicles coming to and from the site that~~

~~are engaged in the operation of the use (including delivery vehicles). These restrictions shall be included as controlling conditions of the Special Use.~~

~~c. No landscape waste generated off the property can be burned on this site.~~

19. Micro Distillery ~~subject to the following conditions:~~ **with the conditions contained in Section 7:01.D.**

~~a. If zoned A-1 Agricultural the facility shall have direct access to a road designated as a major collector (or higher) on the County Land Resource Management Plan.~~

~~b. Locally grown inputs shall be used to the greatest extent possible~~

~~c. The number of hours permitted to operate shall be on the approving ordinance.~~

~~d. Parking shall be in accordance with Section 11 of the Zoning Ordinance including lighting.~~

~~e. All applicable Federal (including the Alcohol and Tobacco Tax and Trade Bureau), State (including the Illinois Liquor Control Commission), and County rules and regulations shall apply.~~

~~f. Shall contact & meet all requirements of the Kendall County Health Department.~~

~~g. A waste management plan should be submitted to the Kendall County Health Department~~

23. Performing arts center subject to the ~~following~~ conditions **contained in Section 7:01.D.**

~~a. The site shall have frontage on and access to a collector or arterial road, provided that the highway authority with jurisdiction over the subject road may approve alternative access.~~

~~b. The site shall be shown as a commercial area on the Land Resource Management Plan.~~

~~c. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance (Sign Regulations)~~

~~d. The amount of students and type of events are listed in the approving ordinance.~~

~~e. Shall satisfy all requirements of the Kendall County Health Department and Building Department prior to the issuance of occupancy permits.~~

~~f. Must meet applicable Fire Protection District codes.~~

24. Places of Worship subject to the ~~following~~ conditions **contained in Section 7:01.D.**
    ~~**a. The height for the towers and steeples shall not exceed seventy-five (75) feet and not more than forty-five (45) feet for the main structure.**~~
    ~~**b. Other related uses, such as school, child day care services, kindergartens, meeting facilities shall be permitted to the extent that the activity is otherwise permitted, and shall be subject to all applicable regulations, including parking.**~~
    ~~**c. Off-street parking, lighting and loading shall be provided as required or permitted in Section 11.00**~~

26. Public or Private Utilities and Service uses:
    a. Telecommunications hub **and telecommunication stations**
    b. Filtration plant, pumping station, and water reservoir.
    c. Sewage treatment plant.
    d. Electric substations and booster stations.
    e. Other Similar uses

29. Solar Gardens ~~**subject to the provisions of Section 4.00 of the Kendall County Zoning Ordinance.**~~ (Amended 11/20/2018)

30. ~~**Telecommunications Stations**~~

34. ~~**Solar Gardens subject to the provisions of Section 4.00 of the Kendall County Zoning Ordinance. (Amended 11/20/2018)**~~

D. CONDITIONAL USES. All conditional uses outlined in the B-2 General Business District (Section 9:0~~3~~**2**.D) may be permitted only if specifically authorized by the Zoning Administrator **except self-storage facilities**.

~~**I. Signs. In accordance with the regulations set forth n Section 12.00.**~~

J. **RE-LETTER** OFF-STREET PARKING AND LOADING. In accordance with the regulations set forth in Section 11:00. Parking shall not encroach along the required front or side yard. Parking may encroach upon the required rear yard, provided that a landscaped buffer yard of at least ten (10) feet from the rear property line is maintained.

K. OTHER PROVISIONS.

1. Performance Standards. All activities shall conform to the performance standards set forth in ~~**section 10.01.G.**~~ **Section 4:12.**

9:04 B-4 COMMERCIAL RECREATION

B. Permitted Uses. The following uses are permitted:

1. Accessory uses. ~~**Accessory uses, structures, and buildings shall be permitted provided such uses, structures or buildings comply with the regulations of Section 4.05.**~~

3. Banquet Halls are permitted subject to the ~~**following**~~ conditions **contained in Section 7:01.D**:

~~**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 regulations are as follows:**~~

~~**Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.**~~

~~**Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.**~~

~~**EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the**~~

~~maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.~~

14. Performing arts center subject to the ~~following~~ conditions **contained in Section 7:01.D**:
   ~~a. The site shall have frontage on and access to a collector or arterial road, provided that the highway authority with jurisdiction over the subject road may approve alternative access.~~
   ~~b. The site shall be shown as a commercial area on the Land Resource Management Plan.~~
   ~~c. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance (Sign Regulations)~~
   ~~d. The amount of students and type of events are listed in the approving ordinance.~~
   ~~e. Shall satisfy all requirements of the Kendall County Health Department and Building Department prior to the issuance of occupancy permits.~~
   ~~f. Must meet applicable Fire Protection District codes.~~

18. Seasonal Festivals ~~provided that the following conditions and restrictions are met:~~ **subject to the conditions contained in Section 7:01.E.**

   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. ~~Petting Zoos shall provide adequate hand sanitation devices as determined by the Department of Health and Human Services~~
   v. ~~All food prepared or sold on site shall comply with the Department of Health and Human Services requirements~~
   vi. ~~Noise levels generated from non-agricultural sources shall not exceed 60 dBA as measured at the nearest occupied residential structure on an adjoining property~~
   vii. ~~The operator shall provide adequate crowd control and parking direction as reasonably determined by the Kendall County Sheriff's Department~~

viii. ~~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~~

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

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

xi. ~~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.~~

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

xiii. ~~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.~~

20. Truck and Tractor Amusement Competition Events, ~~provided that the following conditions and restrictions are met:~~ **subject to the conditions contained in Section 7:01.E**

i. ~~Event tracks, stands, booths, parking and other uses and facilities appurtenant to the site shall not be located within 500 feet of a residential district, or residential structure located off the subject property unless written consent from the effected residents is provided to the Planning, Building and Zoning Office.~~

ii. ~~The operator shall provide adequate parking on the site, such that no on-street parking will be required.~~

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 without a Kendall County liquor license.~~
~~v. All food prepared or sold on site shall comply with the Department of Health and Human Services requirements.~~
~~vi. Events shall not exceed six (6) consecutive days in duration.~~
~~vii. Events shall not exceed two (2) times per calendar year on any particular property.~~
~~viii. Noise levels shall not exceed 90 dB as measured at the nearest property line, not including any residences located on the subject property.~~
~~ix. The operator shall provide adequate crowd control and parking direction as reasonably determined by the Kendall County Sheriff's Department.~~
~~x. Any event activities shall start no earlier than 9:00 A.M., and shall end no later than 9:00 P.M., any day of the week.~~
~~xi. Any truck and tractor amusement competition event which cannot meet these standards may still be permitted via a special use.~~

C. SPECIAL USES. The following uses may be allowed by special use permit in accordance with the provisions of Section 13:00:

2. Athletic Fields with Lights~~, provided that the following conditions are met:~~ **subject to the conditions contained in Section 7:01.D**

~~a. The minimum site area shall be 140,000 square feet.~~

~~b. All structures, viewing, parking, and seating areas shall be set back at least 100 feet from any street or property line.~~

~~c. Photometric lighting plans will be submitted and approved by the County. All lighting shall be directed downward, and should minimize glare and light trespassing on adjacent property.~~

8. Indoor Target Practice with the ~~following~~ conditions **contained in Section 7:01.D**.

~~a. The indoor shooting range shall meet all applicable standards established in the NRA Range Source Book. Documentation indicating compliance with the aforementioned standards shall be submitted with the site plan. Plans require engineer certification for soundproofing and appropriate design.~~
~~b. Must be at least 150' from existing dwellings and property lines of schools, daycares, and places of worship.~~
~~c. Hours of operation from 7am to 10pm~~

~~d. No alcohol allowed.~~
~~e. Must meet all requirements of the Kendall County Health Department.~~
~~f. All applicable Federal, State, EPA and County rules and regulations shall be adhered to.~~

11. Places of Worship subject to the ~~following~~ conditions **contained in Section 7:01.D.**:
~~a. The height for the towers and steeples shall not exceed seventy-five (75) feet and not more than forty-five (45) feet for the main structure.~~
~~b. Other related uses, such as school, child day care services, kindergartens, meeting facilities shall be permitted to the extent that the activity is otherwise permitted, and shall be subject to all applicable regulations, including parking.~~
~~c. Off-street parking, lighting and loading shall be provided as required or permitted in Section 11.00~~

14. Racetrack provided that the following minimum standards are met:

e. If an animal racetrack is proposed all facilities for housing and maintaining equine shall comply with the following requirements:

(i) An approval for such facility from the Kendall County Health Department must accompany the application for a Special Use Permit.

(ii) A 100 foot wide area of vegetation cover, exclusive of pasture area, shall be maintained between any corral, un-vegetated exercise area, manure pile, or application area and any surface water or well, in order to minimize runoff, prevent erosion, and promote quick nitrogen absorption.

~~(iii) All facilities for housing and maintaining other animals shall meet the conditions specified in the Special Use Permit.~~

15. Recreational camps and recreational vehicle parks subject to the ~~following~~ conditions **contained in Section 7:01.D.**
~~a. The minimum lot size must be 20 acres~~
~~b. All standards of the Health Department are met.~~
~~c. Must seek approval from the Fire and Police Departments~~
~~d. Adequate directional signage must be throughout the property.~~

~~e. Maximum continuous stay shall not exceed 90 days.~~

16. Riding Stables including, but not limited to: polo clubs, rodeo clubs and similar uses subject to the **conditions in Section 7.01.E.**
~~a. All such facilities shall meet all State Animal Management Statutes.~~
~~b. Not more than twenty-four (24) horses can be housed in said stable or on the premises at any one time, unless otherwise approved in the special use permit.~~
~~c. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance.~~
~~d. Except for security lighting at low wattage, there shall be no outside lighting of the riding arena. All lighting shall be directed away from surrounding properties to prevent glare or the migration of light onto adjoining or surrounding properties.~~
~~e. Submissions of a manure management plan for review and approval by the Kendall County Health Department.~~
~~f. Hours of operation for the indoor arenas shall be restricted to 6:00 am – 10:00 pm daily. Outdoor use of the property for riding horses shall be permitted from dawn to dusk daily.~~
~~g. Off-street parking and loading at a ratio of not less than one parking space per stall. Additional parking may be required as determined by the Zoning Administrator for employees and any related accessory or special uses (i.e. storage of horse trailers used in conjunction with the stable operation, blacksmith shop, on-site stable manager, tack shop, etc.)~~
~~h. Provision of handicapped accessible bathroom facilities for customers and employees.~~
~~i. Compliance with basic life safety requirements for building ingress and egress.~~

18. Solar Gardens ~~subject to the provisions of Section 4.00 of the Kendall County Zoning Ordinance~~. (Amended 11/20/2018)

~~21. Solar Gardens subject to the provisions of Section 4.00 of the Kendall County Zoning Ordinance. (Amended 11/20/2018)~~

D. CONDITIONAL USES. ~~The following Conditional Uses may be permitted only if specifically authorized by the Zoning Administrator:~~ **Small Wind Energy Systems only if specially authorized by the Zoning Administrator.**
~~1. Small Wind Energy Systems subject to the conditions of Section 4.18~~

G. YARD AREAS. No building shall be erected or enlarged unless the following yards are provided and maintained in connection with such building:

2. Side Yard **and Rear Yard**. Ten feet from the property line. Where a side yard abuts a setback in an agricultural or residential district or a municipality, the required side yard **and rear yard** shall be ten feet, or equivalent to said adjacent setback, whichever is greater.

3. ~~**Rear Yard. Ten feet from the property line. Where a rear yard abuts a setback in an agricultural or residential district or a municipality, the required rear yard shall be ten feet, or equivalent to said adjacent setback, whichever is greater.**~~

~~**J. Signs. In accordance with the regulations set forth in Section 12.00.**~~

~~**K**~~ . ~~**Off-Street Parking and Loading. In accordance with the regulations set forth in Section 11.00.**~~

~~**L**~~ **J**. Other Provisions.

1. Performance Standards. All activities shall conform with the performance standards set forth in ~~**section 10.01.G.**~~ **Section 4:12.**

9:05 B-5 BUSINESS PLANNED DEVELOPMENT

~~**D. Signs. In accordance with the regulations set forth in Section 12.00.**~~

~~**E**~~ **D**. Off-Street Parking and Loading. In accordance with the regulations set forth in Section 11:00. Parking may encroach upon the required side or rear yard, provided that a landscaped buffer yard of at least 10' from the side or rear property line is maintained. Trucks and semitrailer shall not be parked or stored out-of-doors overnight, in the parking lot or on the premises, except within an area screened from adjacent properties by a walled and gated sight screen enclosure, fence or landscaped berm. However, temporary parking, overnight, not to exceed a 24-hour time period, may be permitted for delivery vehicles which arrive after normal business hours.

~~**F**~~ **E**. Other Provisions. **(Numbered)**

1. Performance Standards. All activities shall conform with the performance standards set forth in ~~**section 10.01.G.**~~ **Section 4:12.**

9:06 B-6 OFFICE AND RESEARCH PARK DISTRICT

A. PERMITTED USES. The following uses are permitted:

1. Accessory uses. ~~**Accessory uses, structures, and buildings shall be**~~

~~permitted provided such uses, structures or buildings comply with the regulations of Section 4.05.~~

B. SPECIAL USES. The following uses may be allowed by special use permit in accordance with the provisions of Section 13:00:

17. Indoor Target Practice with the ~~following~~ conditions **contained in Section 7:01.D.**
    - ~~a. The indoor shooting range shall meet all applicable standards established in the NRA Range Source Book. Documentation indicating compliance with the aforementioned standards shall be submitted with the site plan. Plans require engineer certification for soundproofing and appropriate design.~~
    - ~~b. Must be at least 150' from existing dwellings and property lines of schools, daycares, and places of worship.~~
    - ~~c. Hours of operation from 7am to 10pm~~
    - ~~d. No alcohol allowed.~~
    - ~~e. Must meet all requirements of the Kendall County Health Department.~~
    - ~~f. All applicable Federal, State, EPA and County rules and regulations shall be adhered to.~~

11. Places of Worship subject to the ~~following~~ conditions **contained in Section 7:01.D.**
    - ~~a. The height for the towers and steeples shall not exceed seventy-five (75) feet and not more than forty-five (45) feet for the main structure.~~
    - ~~b. Other related uses, such as school, child day care services, kindergartens, meeting facilities shall be permitted to the extent that the activity is otherwise permitted, and shall be subject to all applicable regulations, including parking.~~
    - ~~c. Off-street parking, lighting and loading shall be provided as required or permitted in Section 11.00~~

12. Private clubs such as soccer, ~~ect.~~ **etc.** ~~provided all other sections of the Zoning Ordinance and Health Department regulations are met.~~

17. Solar Gardens ~~subject to the provisions of Section 4.00 of the Kendall County Zoning Ordinance.~~ (Amended 11/20/2018)

~~20. Solar Gardens subject to the provisions of Section 4.00 of the Kendall County Zoning Ordinance. (Amended 11/20/2018)~~

C. Conditional Uses. ~~**The following Conditional Uses may be permitted only if specifically authorized by the Zoning Administrator:**~~ **Small Wind Energy Systems only if specially authorized by the Zoning Administrator.**
~~**1. Small Wind Energy Systems subject to the conditions of Section 4.18**~~

~~**I. Signs. In accordance with the regulations set forth in Section 12.00**~~.

~~**J**~~ **I**. OFF-STREET PARKING AND LOADING. In accordance with the regulations set forth in section 11.00. Parking may encroach upon the required side or rear yard, provided that a landscaped buffer yard of at least 10' from the side or rear property line is maintained. Trucks and semi-trailers shall not be parked or stored out-of-doors overnight, in the parking lot or on the premises, except within an area screened from adjacent properties by a walled and gated sight screen enclosure, fence or landscaped berm. However, temporary parking, overnight, not to exceed a 48-hour time period, may be permitted for delivery vehicles which arrive after normal business hours.

~~**K**~~ **J**. Other Provisions.

1. Performance Standards. All activities shall conform with the performance standards set forth in ~~**section 10.01.G.**~~ **Section 4:12.**

SECTION 10:00 MANUFACTURING DISTRICTS Updated 11.19.19

10:01 M-1 LIMITED MANUFACTURING DISTRICT

A. CONDITIONS OF USE. All permitted uses are subject to the following conditions:

1. Any production, processing, cleaning, servicing, testing, repair or storage of goods, materials or products shall conform with the performance standards set forth in ~~s~~**S**ection 4:12.

2. All business, production, servicing and processing shall take place within completely enclosed buildings, unless otherwise specified. Within one hundred and fifty feet of a Residential District, all storage shall be in completely enclosed buildings or structures; and storage located elsewhere in this district may be open to the sky but shall be enclosed by solid walls or fences (including solid doors or gates thereto) at least eight feet high, but in no case lower in height than the enclosed storage; and suitably landscaped. However, open off-street loading facilities and open off-street parking of motor vehicles under one and one-half ton capacity may be un-enclosed throughout the district, except for such screening of parking and loading facilities as may be required under the provisions of Section 11:00.

3. Uses established on the effective date of this amended ordinance and by its provisions are rendered non-conforming, shall be permitted to continue, subject to the regulations of Section 5:00.

4. Uses established after the effective date of this amended ordinance shall conform fully to the performance standards hereinafter set forth for the district.

B. PERMITTED USES. The following uses are permitted:

1. Accessory uses. Accessory uses, structures, and buildings shall be permitted provided ~~such uses, structures or buildings~~ **they** comply with the regulations of Section 4:05.

5. Banquet Halls are permitted subject to the ~~following~~ conditions **in Section 7:01.D**.

~~a. 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)~~

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

~~c. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance.~~
~~d. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.~~
~~e. The noise regulations are as follows:~~

~~Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.~~

~~Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.~~

~~EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.~~

8. Clean up and restoration services ~~with the following~~ **subject to the** conditions **in Section 7:01.D**.
   ~~i. If zoned A-1 Agricultural the facility shall have direct access to a road designated as a major collector (or higher) on the County Land Resource Management Plan.~~
   ~~ii. All commercial vehicles are to be stored inside an accessory structure when not in use unless outdoor storage is screened from adjacent and surrounding properties and screening and storage is shown on the approving site plan.~~
   ~~iii. All operations are to take place inside an enclosed structure.~~
   ~~iv. A waste management plan must be submitted for approval and included as an exhibit to the approving ordinance~~
   ~~v. A material management plan must be submitted including where items will be stored on site including but not limited to chemicals and belongings.~~
   ~~vi. No materials that are brought in can be burned on this site.~~

~~vii. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance (Sign Regulations).~~

~~viii. Shall satisfy all requirements of the Kendall County Health Department and Building Department prior to the issuance of occupancy permits.~~

12. Dwelling units for watchmen and their families including caretakers when located on the premises where they are employed in such capacity.

15. Micro Distillery subject to the ~~following~~ conditions **in Section 7:01.D**.

~~i. If zoned A-1 Agricultural the facility shall have direct access to a road designated as a major collector (or higher) on the County Land Resource Management Plan.~~

~~ii. Locally grown inputs shall be used to the greatest extent possible~~

~~iii. The number of hours permitted to operate shall be on the approving ordinance.~~

~~iv. Parking shall be in accordance with Section 11 of the Zoning Ordinance including lighting.~~

~~v. All applicable Federal (including the Alcohol and Tobacco Tax and Trade Bureau), State (including the Illinois Liquor Control Commission), and County rules and regulations shall apply.~~

~~vi. Shall contact & meet all requirements of the Kendall County Health Department.~~

~~vii. A waste management plan should be submitted to the Kendall County Health Department~~

16. ~~Miscellaneous uses - as follows:~~

~~**Accessory uses. Accessory uses, structures, and buildings shall be permitted provided such uses, structures or buildings comply with the regulations of Section 4.05.**~~

~~**Signs.**~~

~~**Temporary buildings for construction purposes for a period not to exceed the duration of such construction.**~~

18. Nano Breweries, subject to the ~~following~~ conditions **contained in Section 7:01.D.** *(Amended 11/15/11; Ord. 11-29)*

~~a. The facility shall have direct access to a road designated as a major collector (or higher) on the County Land Resource Management Plan.~~
~~b. All applicable Federal (including the Alcohol and Tobacco Tax and Trade Bureau), State (including the Illinois Liquor Control Commission), and County rules and regulations shall apply.~~
~~c. Locally grown inputs shall be used to the greatest extent possible, with production utilizing crops grown on the same property or in combination with crops grown off-site.~~
~~d. Any tasting or sale of beer shall be subject to the Kendall County Liquor Control regulations.~~

21. Public and community service uses - as follows: (**re-lettered**)

a) Bus terminals, bus **storage (indoor and outdoor)** ~~**garages, bus lots, street railway terminals, or street car houses.**~~

23. Retail and services as follows (**re-lettered**):

e) Catering Establishments ~~**as long as it conforms to the regulations of the Kendall County Health Department and the Kendall County Liquor Control Ordinance**~~.

24. ~~**Residential uses - as follows:**~~

~~**Dwelling units for watchmen and their families including caretakers when located on the premises where they are employed in such capacity.**~~

25. Signs.

27. Temporary buildings for construction purposes for a period not to exceed the duration of such construction.

C. SPECIAL USES. The following uses may be allowed by special use permit in accordance with the provisions of Section 13:00:

2. Any use permitted in the M-2 ~~**Heavy Manufacturing**~~ **District, provided the performance standard set forth in Section 4:12. can be met in their entirety.**

3. Adult Regulated uses; the following uses are deemed to be regulated uses (**re-lettered**):

a) Adult Book Store.
b) Adult Motion Picture Theater.
c) Adult Mini-Motion Picture Theater.
d) Adult Entertainment Facilities.
e) Adult Use.
f) Adult Massage Parlors or Spas.
g) Tattoo Parlors and Permanent Body Art Establishments.
h) Striptease Club or Gentlemen's Club.
i) Adult Video Store.

For the purposes of determining when a regulated use is allowed as a permitted or special use under this Ordinance, no regulated use shall be considered to be a retail business, service businesses, recreational or social facility, school, accessory use, or general land use.

RESTRICTIONS ON LOCATION OF REGULATED USES. No regulated use, either as a permitted use or as a special use, shall be maintained; **(re-numbered)**

i. Within 1,000 feet of the ~~**property line of another**~~ **area to be zoned**;
ii. ~~**500**~~ **1,000** feet of any of the following zoning districts or provided for under this ordinance: ~~**R-1, R-2, R-3, B-1, B-2, B-3, B-4**~~ **A-1 SU PUD, All Residential Zoning Districts, and all Business Zoning Districts**; nor
iii. Within 1,000 feet of a zoned area or district lying within a municipality and zoned for any kind of residential, business or commercial office, or office-research use under an ordinance of that municipality.

In addition to the preceding requirements, Adult Entertainment Facilities shall also comply with the separation requirements as established under 55 ILCS 5/5-1097.5 from the property line of any school, Child Day Care facility, cemetery, public park, forest preserve, public housing, and place of religious worship. These requirements shall supersede any less restrictive requirements set forth in this Ordinance.

7. Airports and heliports including aircraft hangers, tie downs and aircraft service and repair subject to the following restrictions (**re-lettered**):
   a) Site shall be a minimum of fifty (50) acres for a Basic Utility Stage 1 airport with a two thousand two hundred (2,200') foot runway. More area is required for larger airports. Airport size and layout shall conform to current FAA and IDOT Division of Aeronautics requirements.
   b) There shall be a minimum three hundred (300') foot distance between

airport property and the nearest residential property line.

c) Security fencing shall be provided sufficient to control access to runways and taxiways. The fencing shall be a minimum six (6') feet in height.

~~d) Other requirements as noted in Section 4.13 of this Zoning Ordinance.~~

11. Indoor Target Practice with the ~~following~~ conditions **contained in Section 7:01.D.**

~~a. The indoor shooting range shall meet all applicable standards established in the NRA Range Source Book. Documentation indicating compliance with the aforementioned standards shall be submitted with the site plan. Plans require engineer certification for soundproofing and appropriate design.~~

~~b. Must be at least 150' from existing dwellings and property lines of schools, daycares, and places of worship.~~

~~c. Hours of operation from 7am to 10pm~~

~~d. No alcohol allowed.~~

~~e. Must meet all requirements of the Kendall County Health Department.~~

~~f. All applicable Federal, State, EPA and County rules and regulations shall be adhered to.~~

13. Kennels with the condition**s contained in Section 7:01.D**. ~~that the kennels must be located inside and must be located a minimum of 250' from the lot line of lots zoned residential or shown as Residential on the Land Resource Management Plan (LRMP) map and 150' from lots zoned other than residential or shown on the LRMP map as non-residential. The animals must be indoors by sunset.~~

18. Paintball Facilities subject to the ~~following~~ conditions **contained in Section 7:01.D.**

~~a. Minimum lot size of 20 acres;~~

~~b. Hours and days of operation as specified in Special Use Permit to be determined by the County Board~~

~~c. All safe and spectator areas must be protected by special paintball netting, and participants and spectators must wear approved paintball goggles; and~~

~~d. No paintball activity shall leave the boundaries of the site, including fired paintballs.~~

~~e. Requirement of netting to be installed around the property shall be determined by the County Board~~

~~f. Paintball guns shall only be powered by carbon dioxide (CO2), high~~

~~pressured air (HPA) or Nitrogen (N2).~~

~~g. All signage shall comply with the provisions of Section 12 of the Kendal County Zoning Ordinance.~~

~~h. Ammo for such paintball guns shall only include paintball pellets made of non-toxic, biodegradable water soluble substances.~~

~~i. All applicable State and County rules and regulations pertaining to wastewater treatment and disposal, potable water supply, and food service shall be adhered to.~~

22. Private clubs such as soccer, ~~ect~~. **etc**. provided ~~all other sections of the Zoning Ordinance and Health Department regulations are met and~~ an event parking plan is provided with the application.

23. Racetrack ~~provided that the following minimum standards are met~~ **subject to the conditions of Section 9:04.C**.

~~1. The minimum site area shall be 20 acres.~~

~~2. The racetrack and all building, viewing areas, seating areas, and structures for housing animals shall be located no closer than 275 feet from any public road right-of-way or property line.~~

~~3. If night racing is to be conducted, all parking areas and access ways shall be adequately lit; provided that such lighting, as well as lighting for the racetrack shall meet the lighting standards set forth in section 11.02.~~

~~4. If a vehicle racetrack is proposed a noise study shall be prepared by a trained professional addressing anticipated noise levels during races or practice sessions. This study shall also address how excessive noise will be mitigated. The County shall reserve the right to obtain an independent review of this study, and require additional noise mitigation beyond that outlined in the noise study.~~

~~5. If an animal racetrack is proposed all facilities for housing and maintaining other animals shall comply with the following requirements:~~

~~a. An approval for such facility from the Kendall County Health Department must accompany the application for a Special Use Permit.~~

~~b. A 100 foot wide area of vegetation cover, exclusive of pasture area, shall be maintained between any corral, un-vegetated exercise area, manure pile, or application area and any surface water or well, in order to minimize runoff, prevent erosion, and promote quick nitrogen absorption.~~

~~6. The accessory uses may be permitted as incidental to and limited to patrons of the principal use:~~

~~a. refreshment stands or booths~~
~~b. souvenir stands or booths~~
~~c. wagering facilities~~
~~d. restaurants or lounges~~
~~e. playgrounds or Child Day Care facilities~~
~~f. vehicle fuel and supplies sales limited to owners or operators of vehicles to be raced~~
~~g. temporary campgrounds~~
~~h. any other customary and incidental uses which are deemed appropriate by the County Board.~~

30. Wind Farms, Commercial, subject to the ~~following~~ **conditions in Section 7:01.D.**

a~~. Location Guidelines - The following guidelines shall be considered in evaluating the appropriateness of proposed locations for Wind Farms and the proposed project components. The purpose of these guidelines is to assist decision-makers in uniformly analyzing the site-specific impacts of each proposed project and thereby arrive at consistent and balanced decisions.~~

~~i. Natural and Biological Resources - Wind Farms should not be located in areas that have a large potential for biological conflicts. Wind Farms should not be located in large impact areas such as wilderness study areas, areas of critical environmental concern, county and state parks, historic trails, and special management areas. Wind Farms should not significantly impact important wildlife habitat.~~

~~ii Visual Impacts - Wind Farms should avoid those visual corridors that are designated by the County as essential view sheds or scenic areas. Essential view sheds or scenic areas are those areas designated in the County's LRMP or in other locations determined by the County Board after analyzing the applicant's wind farm visual simulations and considering public hearing comments. A Wind Farm project should maintain visual unity among clusters of turbines. To promote visual uniformity, the rotors, nacelles and towers of all turbines in an array should appear similar. To avoid visual clutter, intra-project power lines having a voltage of 34,500 volts or less, should be buried unless the applicant can sufficiently demonstrate that burying the lines will violate other guidelines/standards, violate applicable law, render the project economically infeasible or be hidden from public view. To avoid cluttering the skyline, transformers and other electric equipment should be hidden from view or otherwise~~

~~constructed in harmony with the surrounding landscape.~~

~~iii. Soil Erosion & Water Quality - Wind Farms should avoid erosion. Disturbance and construction on erodible slopes should be minimized. The number of improved roads and construction staging areas should be kept to a minimum. The grading width of roads should be minimized. One-lane roadways with turn-outs are recommended. The number and size of staging areas and crane pad sites should be minimized.~~

~~iv. Historical, Cultural & Archeological Resources - Wind Farms should avoid sites with known sensitive historical, cultural or archeological resources.~~

~~v. Public Safety – Wind Farms shall be developed in a manner that utilizes sound engineering practices and considers public safety in regard to the potential hazards to adjacent properties, public roadways, communities, aviation, etc. that may be created.~~

~~b. Performance Standards - The following standards are to be achieved by each Wind Farm project without exception. Because they are standards, they are considered to be requirements of any Wind Farm project. The final decision on whether or not a particular standard is achieved by a Wind Farm project shall be made by the County Board after considering the recommendations of all advisory bodies.~~

~~i. Noise Management - The noise level caused by the operation of the project, measured at five (5) feet above ground level at the property line coincident with or outside the project boundary, shall not exceed 65 decibels (A-weighted) and shall not exceed 50 decibels (A-weighted) if it is determined that a pure tone noise is generated by the project. The level, however, may be exceeded during short-term events such as utility outages and/or severe wind storms.~~

~~ii. Wind Farm Design: Wind Farms that are not designed in "accordance with proven good engineering practices" or not purchased from a national manufacturer with a proven track record shall be prohibited. Wind Farms designed with the following characteristics shall be deemed in "accordance with proven good engineering practices":~~

~~1. at least 3 blades.~~

~~2. upwind rotor.~~

~~3. no furling, where "furling" means that the wind turbine is designed to limit its power output in high winds by changing the~~

~~rotor's plane of rotation to a plane that is not perpendicular to the prevailing wind direction.~~

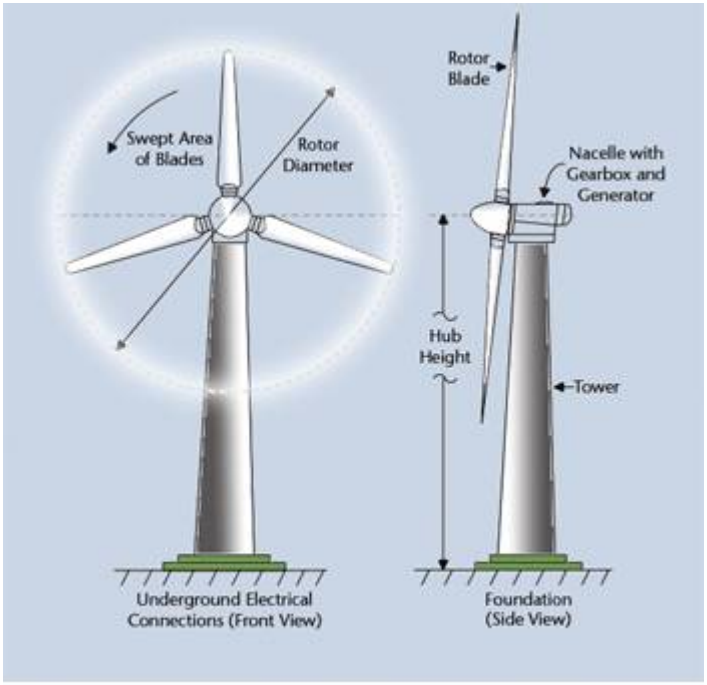
~~4. tapered and twisted blades.~~

~~5. a well-designed braking system.~~

~~iii. Visual Impacts - To provide visual order to a Wind Farm project, all individual turbines shall have the same number of rotor blades and all rotor blades shall spin in the same direction (i.e., clockwise or counter-clockwise) in relation to the wind. To promote visual uniformity, all turbines at a similar ground elevation shall have the same height from blade tip to the ground. Except during construction, re-construction or removal, outdoor storage is not permitted within the project boundary except at locations that are screened from view. To avoid cluttering the skyline, inverters and pendant power cables shall be located inside the wind turbine tower, nacelle or structure. No telecommunications dishes, antennas, cellular telephone repeaters or other similar devices shall be attached to wind turbine towers. Aircraft obstruction markings of the turbines by use of alternating red and white bands shall be prohibited. No Billboards, logos and advertising signs of any kind shall be located on the turbines.~~

~~iv. Soil Erosion & Water Quality - Construction and maintenance shall be done in strict accordance with the erosion and sediment control plan submitted with the Building Permit so as to minimize soil erosion and damage to existing vegetation. If vegetation is damaged during construction, in areas not occupied by the Wind Farms and related facilities and roads, it shall be restored after construction is complete. Disturbed areas shall be reseeded to the land owner's or manager's requirements. Dust control on the project site is required.~~

~~v. Setback - Individual wind turbines shall be set back from all property lines coincident with or outside of the project boundary a distance equal to 1.1 times the turbine hub height. Individual wind turbines shall be set back from all public roads a distance equal to at least 1.1 times the turbine hub height.~~ ~~*(Amended 2/16/2010)*~~



Drawing of the rotor and blades of a wind turbine, courtesy of ESN

~~vi. Lighting - Individual wind turbine heights and markings shall comply with Federal Aviation Administration (FAA) regulations. Approval from the FAA stating that the turbines will not pose a hazard to aviation must be obtained prior to final recommendation by the Kendall County Regional Plan Commission. If lighting of turbines, or other structures, is required, "daytime white-nighttime red" shall be the only type of lighting allowed unless prohibited by law. All required lighting effects shall be in synchronization with each turbine located on the same or contiguous zoning lot and under the same ownership of a single wind energy system organization. All turbines and towers shall be a shade of white in color.~~ ~~*(Amended 2/16/2010)*~~

~~c. Roads - All routes on either County or Township roads that will be used for the construction and maintenance purposes shall be identified on the site plan. All routes for either ingress or egress need to be shown. The routing shall be subject to the approval of the Kendall County Highway Engineer in coordination with the Township Road Commissioner(s). The developer shall provide and complete a pre-construction baseline survey to determine existing road conditions for assessing potential future damage due to development related traffic. The developer shall provide a road~~

~~repair plan to improve any and all damage, installation or replacement of roads that might be required by the developer. The developer shall provide a letter of credit or a surety bond in amount and form approved by the highway official(s).~~

~~d. Fees - All applications for a Commercial Wind Farm shall be accompanied by a fee for a Commercial Wind Farm Special use in accordance with fee structure as established by the County Board and as amended from time to time. The County Board may, at its discretion, retain the services of attorneys and professional consultants to assist the Board and County staff in the amendment and zoning process. The application fee shall serve as an initial deposit from which any costs and expenses incurred by the county as a result of the application for amendment and the hearing process set forth herein shall be deducted. Such costs shall include, but not be limited to, the fees and costs of: County employees or staff review time, attorney's fees, expert witnesses, scientific testing, records or other investigations, data searches, notices, court reporters, transcription costs, consultants, the Zoning Board of Appeals, and other expenses incurred by the County in reviewing the application, the public hearing, and decision, or any issues raised at any time during any hearings up to and including the County Board decision. If the actual costs incurred by the County in conducting its review and recommendation of the requested map amendment exceed the amount of the application fee deposit, the applicant shall be billed and shall be required to pay any and all additional costs incurred by the County in the completion of their review and recommendation of the special use. Costs in excess of the application fee deposit are required to be paid in full by the applicant prior to scheduling the matter for action by the County Board. (*Amended 3/21/18)*~~

~~e. Removal of Defective Wind Energy Systems: Any wind energy system found to be unsafe by an authorized county official shall be repaired by the owner to meet federal, state and local safety standards or removed within sixty (60) days. If any wind energy system is not operated for a continuous period of 12 months, the county will notify the landowner by registered mail and provide 45 days for a response. In such a response, the landowner shall set forth reasons for the operational difficulty and provide a reasonable timetable for corrective action. If the county deems the timetable for corrective action as unreasonable, they must notify the operator~~

~~and such operator shall remove the turbine within 120 days of receipt of notice from the county.~~

~~f. Decommissioning Plan: A Commercial Wind Farm shall submit a decommissioning plan to ensure it is properly decommissioned upon the end of the project life or facility abandonment. Facility abandonment shall include the ceasing of operations for a period of not less than one (1) year. Decommissioning shall include: removal of all structures (including transmission equipment and fencing) and debris to a depth of four (4) feet, restoration of the soil, and restoration of vegetation within six (6) months of the end of the project life or facility abandonment. At the time of decommissioning, an Alta Survey shall be submitted to the County. The decommissioning plan shall state how the facility will be decommissioned, a professional engineer's estimated cost of decommissioning, the financial resources to be used to accomplish decommissioning, and the escrow agent with which the resources shall be deposited. The decommissioning plan shall also include an agreement between the applicant and the County which states:~~

~~i. The financial resources for decommissioning which shall be in the form of a surety bond, or shall be deposited in an escrow account with an escrow agent acceptable to the County.~~

~~ii. If the Applicant chooses an escrow agreement:~~
~~1. A written escrow agreement will be prepared, establishing upon what conditions the funds will be disbursed; and~~

~~2. The County shall have access to the escrow account funds for the express purpose of completing decommissioning if decommissioning is not completed by the applicant within sixty (60) days of the end of the project life or facility abandonment.~~

~~iii. The County is granted the right of entry onto the site, pursuant to reasonable notice, to effect or complete decommissioning.~~

~~iv. The County is granted the right to seek injunctive relief to effect or complete decommissioning, as well as the County's right to seek reimbursement from applicant or applicant's successor for decommissioning costs in excess of the amount deposited in escrow and to file a lien against any real estate owned by the applicant or applicant's successor, or in which they have an~~

~~interest, for the amount of excess, and to take all steps allowed to enforce said lien.~~

~~Financial provisions shall not be so onerous as to make Commercial Wind Farm projects unfeasible.~~

D. Conditional Uses. ~~The following Conditional Uses may be permitted only if specifically authorized by the Zoning Administrator:~~ **Small Wind Energy Systems only if specially authorized by the Zoning Administrator.**
~~1. Small Wind Energy Systems subject to the conditions of Section 4.18~~

10:02 M-2 HEAVY INDUSTRIAL DISTRICT

A. CONDITION OF USE. Permitted uses are subject to the ~~following~~ conditions **listed in Section 10:01.A.1 and Section 10:01.A.2.**

~~1. All production, processing, cleaning, servicing, testing, repair, or storage of goods, materials, or products shall conform with the performance standards set forth in Section 4:12.~~

~~2. All business, production, servicing and processing shall take place within completely enclosed buildings unless otherwise specified.~~

~~Within one hundred and fifty feet of a Residence District, all storage shall be in completely enclosed buildings or structures; and storage located elsewhere in this district may be open to the sky but shall be enclosed by solid walls or fences (including solid doors or gates thereto) at least eight feet high, but in no case lower in height than the enclosed storage; and suitably landscaped.~~

~~However, open off-street loading facilities and open off-street parking of motor vehicles under one and one-half ton capacity may be un-enclosed throughout the district, except for such screening of parking and loading facilities as may be required under the provisions of Section 11.00.~~

C. SPECIAL USES. The following uses may be allowed by special use permit in accordance with the provisions of Section 13:00:

3. Correctional Facilities subject to the ~~following~~ **conditions in Section 7:01.D**.
   ~~a. The facility shall be at least 650 feet from the nearest property which is residentially zoned or used.~~
   ~~b. The facility shall not be established within 1,320 feet of a public or private school, Child Day Care or place of worship.~~

~~**The County may deny the permit when the use would be detrimental to nearby properties or may add conditions or safeguards to the approval in order to protect the health and welfare of citizens.**~~

~~**7. Miscellaneous uses as follows:**~~

Railroad freight terminals, motor freight terminals, railroad switching and classification yards, repair shops and roundhouses.

D. CONDITIONAL USES. ~~**The following Conditional Uses may be permitted only if specifically authorized by the Zoning Administrator:**~~ **Small Wind Energy Systems only if specially authorized by the Zoning Administrator.**
~~**1. Small Wind Energy Systems subject to the conditions of Section 4.18**~~

SECTION 10:03 M-3 AGGREGATE MATERIALS EXTRACTION, PROCESSING AND SITE RECLAMATION (**Re-lettered**)

C. SPECIAL USES.

4. Outdoor Target Practice or Shooting (not including private shooting in your own yard) with the ~~**following**~~ **conditions in Section 7:01.D**.
   ~~**a. At the time of application for a special use permit, petitioners desiring to operate an outdoor target practice or shooting range shall submit copies of all of the studies and plans suggested in the 2012 NRA Range Source Book including, but not limited to, a safety plan, a business plan, a public relations plan, a maintenance plan, a noise plan, an environmental stewardship plan, and a closure plan. Two (2) copies of the 2012 NRA Range Source Book shall be available for public access in the Kendall County Planning, Building and Zoning Department. One (1) of the copies of the 2012 NRA Range Source Book shall be made available for rent to members of the public.**~~
      ~~**1. The above-referenced plans shall contain information as suggested by the National Rifle Association.**~~
      ~~**2. Included in the above documents, the petitioner shall submit a detailed written narrative describing the proposed use. The narrative shall, at a minimum, describe the type of range (i.e. public, private, or government), the type(s) of firearms and targets expected to be used and the proposed days and hours of operation.**~~
      ~~**3. The safety plan shall describe the duties and qualifications of the range supervisors.**~~
      ~~**4. In at least one (1) of the required studies or plans, a hazardous waste plan addressing lead management shall be included. The**~~

~~lead management plan shall conform to either the requirements of the National Rifle Association's standards, the standards of the National Shooting Sports Foundations standards, or the United States Environmental Protection Agency's best management practices standards.~~

~~5. In addition to the above requirements, the petitioner shall submit a water and drainage plan; this plan must be approved by the Kendall County Planning, Building and Zoning Office.~~

~~6. Any changes to the above-required studies and plans shall be promptly forwarded to the Kendall County Planning, Building and Zoning Department.~~

~~7. A bond shall be provided for site remediation. The specific dollar amount shall be determined by the County Board.~~

~~b. Range layout requires conformity with the 2012 National Rifle Association standards with regard to layout and dimensions. The petitioner shall submit a site capacity a calculation and a detailed site plan showing the layout and design of the proposed shooting range, including all required setbacks and landscaping and the existing and proposed structures, their floor areas and impervious surfaces. The scale of the site plan shall be no greater than one inch equals one hundred feet (1"=100').~~

~~c. The site plan for the proposed outdoor target practice of shooting range must show either sufficient berm height with sufficient downrange safety area or baffling that prevents projectiles from leaving the site.~~

~~1. The safety area shall conform to 2012 NRA Range Source Book for the shape and width. The safety area shall have signs posted at intervals stated in the special use permit warning of the potential danger from stray bullets.~~

~~2. For the purposes of this regulation, the term "downrange safety area" shall mean the area away from the launching site towards the target. In case of shooting ranges where targets are not stationary, appropriate baffling shall be provided.~~

~~d. Public ranges designed for the use of handguns and rifles shall provide berms at least twenty feet (20') high and six feet (6') thick at the top for ranges three hundred feet (300') in length, made of soft earth or other material that is unlikely to cause ricochets, and containing no large rocks. For every thirty (30') feet of firing line distance over twenty feet (20'), the berm height shall increase by ten feet (10') in height as an example. Berms shall be located as follows:~~

~~1. Shotgun ranges – No berming required.~~

~~2. Ranges for handguns and rifles~~

~~a. Target placement not to exceed twenty feet (20') from the backstop.~~

~~b. Lateral not closer than thirty feet (30') from the firing line.~~

~~3. All required berms shall be constructed prior to the commencement of operations and shall be maintained for the duration of the special use permit.~~

~~4. In addition to berms, appropriate baffling may be installed over the firing line creating a "no blue sky" to prevent projectiles from overshooting the berm.~~

~~5. The range shall be located on site where an uninhabited downrange safety area is available. The required length of the safety area shall be as follows:~~

a. ~~Shotgun ranges – one thousand five hundred feet (1500'), provided that shot size is limited to #4 or smaller.~~

b. ~~Ranges for handguns and rifles not more powerful than .22 long rifle – seven thousand feet (7,000').~~

c. ~~Ranges for rifles more powerful than a .22 long rifle – thirteen thousand five hundred feet (13,500').~~

d. ~~The downrange safety area requirement for handgun and rifle ranges may be waived if the firing line is provided with overhead baffling, berming, or a combination thereof, meeting the standards of the 2012 National Rifle Association's Source Book or appropriate baffling may be installed over the firing line creating a "no blue sky" to prevent projectiles from overshooting the berm.~~

~~e. The range, including the safety area, must be under the control of the operator of the range, by ownership or lease.~~

~~f. The firing line must be at least one thousand feet (1,000') from existing residential dwellings and property lines of schools, daycares, places of worship, airstrips, and residentially zoned property.~~

~~g. The outdoor target practice or shooting range must have a sign that lists allowed firearm types based on the special use permit, rules of operation; hearing and vision protection required~~

~~h. At least one (1) designated range safety officer must be present during operational hours when discharging of firearms is taking place. A "range safety officer" means a person who is certified under the National Rifle Association's Range Safety Officer Program or other equivalent state or nationally-recognized range safety officer certification program as approved by the County Board, for the type of shooting being supervised. The range safety officer shall enforce all range rules.~~

i. At least one (1) range flag flown, a sign, cone, or red light lit at all times that firing is taking place.
j. Everyone on the firing line is required to wear hearing protection and safety glasses.
k. The range shall provide public bathroom facilities.
l. The range shall require a minimum parcel size of twenty (20) acres.
m. Hours and days of operation shall be specified in the special use permit and determined by the County Board. However, between October 1st and March 31st, no firing shall take place prior to 10:00 a.m. or after 5:00 p.m. and between April 1st and September 30th, no firing shall take place prior to 10:00 a.m. or after 8:30 p.m. However, not withstanding the aforementioned hours of operation, up to twelve (12) night shoots per year shall be allowed ending no later than 10:00 p.m.
n. Access must be controlled by a gated entrance. The range proper shall be gated and fenced in a manner so to prohibit entrance on the property by members of the public and shall have signs posted at one hundred foot (100') intervals warning members of the public of the danger. Berming may substitute for fencing.
o. Must meet the existing setbacks of the zoning district.
p. No alcohol, marijuana, or other illicit drugs allowed.
q. No projectiles shall leave the boundaries of the site.
r. The outdoor target practice or shooting range allowed by this special use permit shall provide the Kendall County Planning, Building and Zoning Department proof of accident and liability insurance prior to the commencement of operations; the insurance shall be at a level standard and customary for outdoor target practice or shooting range. An insurance policy meeting the above requirements must be maintained during the duration of the special use permit and the special use permit holder shall supply a copy of the insurance policy to the Kendall County Planning, Building and Zoning Department annually on or before February 1st of each year.
s. All applicable Federal, State and County rules and regulations shall be adhered to.
t. Must adhere to the Performance standards of Section 10.01.F of the Zoning Ordinance (Not more than sixty percent (60%) of the area of the lot may be covered by buildings or structures, including accessory buildings).
u. Not withstanding the hours of operations set in the special use permit, the range shall abide by the following noise regulations, so as not to exceed allowable residential noise in accordance with the following:

1. **Day Hours:** **No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential use which exceeds sixty (60) dBA when measured at any point within such receiving residential land; provided, however, that point of measurement shall be on the property line of the complainant.**
2. **Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential use which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land; provided, however, that point of measurement shall be on the property line of the complainant.**
3. **EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.**

v. Outdoor target practice and public or private shooting ranges in existence prior to the date of the adoption of this ordinance (May 7, 2019) shall be exempt from this sub-section of the Zoning Ordinance, but they shall follow the restrictions on their respective special use permits.

w. Outdoor target practice and shooting ranges open to the public established after the date of this ordinance (May 7, 2019) must comply with the above regulations or secure applicable variance(s). *(Amended 5/7/19)*

5. Solar Gardens **subject to the provisions of Section 4:00 of the Kendall County Zoning Ordinance**

D. CONDITIONAL USES. **The following Conditional Uses may be permitted only if specifically authorized by the Zoning Administrator: Small Wind Energy Systems only if specially authorized by the Zoning Administrator.**
1. Small Wind Energy Systems subject to the conditions of Section 4.18

E. SETBACK REQUIREMENTS.

1. Unless otherwise specifically provided in an applicable special use permit, production, processing and excavation shall not be conducted closer than two hundred (200) feet to the boundary of any zoning district where such operations are not permitted, nor closer than one hundred (100) feet from

the boundaries of an adjoining property line, nor closer than one hundred fifty (150) feet to the right-of-way of any existing or platted street, road or highway, except in the following situations:

a. The bottom of the slope of the mined face of the excavation shall not be closer to said point above, than a distance equal to one and one-half (1½) times the depth of the excavation (see diagram **at end of Section** 10:03.1);

I. REQUEST FOR LOCATION PROTECTION. Within seven days of filing any application for M-3 zoning or M-3 Special Use, the applicant shall give notice of such filing, and at applicant's expense, sent by registered mail through the ~~**Planning Building and Zoning**~~ **PBZ** Office, a copy of such application as well as a copy of this complete paragraph, to each owner as set forth on the tax assessor's records of all property located within one and one half (1.5) miles of the parcel sought to be permitted. If, within fifteen days of receipt of such notice, any owner or occupant of such property files with the ~~**Planning, Building and Zoning PBZ**~~ Administrator (hereinafter referred to as "Administrator") a "Request for Location Protection," substantially in the form provided in paragraph 2 below, then the following shall occur. Provided however, if the proposed use of the property is for the surface mining of sand and gravel only (and includes no blasting or any special use), and the property is situated wholly within a township having a population in excess of 20,000, then notice shall only be sent to properties located with one thousand (1,000) feet of the parcel sought to be permitted. (Ord. #99-25 August 17, 1999) (**re-numbered)**

2. Any owner or occupant filing for location protection, and/or his agents shall be invited to participate in County staff discussions with the applicants regarding the most effective and appropriate measures required to protect the residence site(s) from adverse impacts. The discussions shall include, but not be limited to: location of processing, ready-mix concrete, asphalt, and/or recycling equipment and plants, material storage and mining operations; size and shape of screening berms as they may interface with the residences; noise and dust abatement; site specific landscaping for both short term and long term visual effect, and data reflecting the quality of aggregate materials to be excavated. The advice of a technically trained person selected by the County Board shall be utilized at the applicant's reasonable expense to review and make recommendations concerning the most effective and appropriate measures to protect the residence site(s) from adverse impact as provided in ~~**Section G below**~~ **Section I above**.

3. The County Board may approve a location for aggregate material processing, ready-mix concrete, asphalt, and/or recycling equipment and

plants, other than a location at a maximum distance from the residence(s) of the owner(s) or Occupant(s) filing for location protection, if the County Board determines, that, because of berming, landscaping, and/or other protections proposed for the property sought to be rezoned, such an alternate location, when compared to the location providing maximum distance, provides the residence site(s) as much or greater protection from adverse effects of such equipment and/or plants. No such alternate location may be approved by the County Board prior to the residence owner(s)/occupant(s) having at least a sixty day period within which to review such alternative location, have it reviewed by the technically trained person provided for in subparagraph ~~(b)~~ **2** above, and make recommendations to the County Board concerning it.

SECTION 10:03~~-~~.1 PERMITTING

A. PERMIT FOR MINING.

3. It shall be unlawful for any owner/operator to engage in surface mining in an area where the overburden shall exceed ten (10) feet in depth or where the operation will affect more than ten (10) acres during the permit year without first obtaining from the Illinois Department of Mines and Minerals a permit to do so, pursuant to the Surface-Mined Land Conservation and Reclamation Act ILCS 715/1 et. seq. as amended.

   All owner/operators shall comply with the Regulations of USEPA and all State of Illinois and Federal regulatory agencies for occupational health and safety and obtain any necessary permits prior to issuance of the mining permit. Before the onset of any operations the ~~Enforcement Officer~~ **Zoning Administrator** must be provided with copies of all necessary permits.

5. Prior to the issuance of a permit, the applicant must obtain the approval by the County of the reclamation plan and map as provided in Section10.03~~-~~**.**1-B. Such plan shall be forwarded to the ~~**Zoning Board of Appeals**~~ **ZBA** for public hearing, review and recommendation in accordance with the procedures provided under Section ~~**13.06**~~ **13:07** "Amendments" of the County Zoning Ordinance. The recommendation of the Zoning Board of Appeals shall be forwarded to the County Board for action. If approved, the Board will enact an ordinance establishing a date by which the permit shall expire.

9. A permit issued hereunder may be revoked or modified by the County Board after due hearing in the event the permittee violates any provision of ~~**10.03-1-C**~~ **Section 10:03.1.C** ~~**of this Ordinance**~~.

E. ENFORCEMENT. The ~~**Enforcement Officer**~~ **Zoning Admininstrator**, in conjunction with other appropriate departments, shall annually review each surface mining permit. In addition to the reclamation plan/map; the owner/operator shall provide the ~~**Planning and Development**~~ **PBZ** Department with an annual aerial photo of his total operation, enlarged to a scale of one (1) inch equals one hundred (100) feet or other scale that would adequately display the property affected on a thirty (30) inch square format. All aerial photos shall meet the ~~**Planning and Development**~~ **PBZ** Department standards. The first photo shall be taken during the first year in operation and subsequent photos shall be taken in the same month of the following years. Each year's photo shall be presented at the same scale for the purpose of comparison. Photos shall be submitted prior to the issuance of the annual operating permit.

The ~~**Enforcement Officer**~~ **Zoning Administrator**, in conjunction with the ~~**Planning, Building and Zoning**~~ **PBZ** Department, shall prepare a report and submit it to the ~~**Planning, Building and Zoning**~~ **PBZ** Committee for their review. If it is determined that the operator is not in compliance with this Ordinance, the

Bonding Requirements, the simultaneous operation and reclamation statement or the reclamation plan/map, the ~~Enforcement Officer~~ **Zoning Administrator** shall issue a stop work order on all operations other than reclamation work needed to bring the operation into compliance.

Every three (3) years, at the time of the annual review, bonding, release of bond and re-bonding shall be checked as specified in the section of Bonds. In addition, the operator shall provide the ~~Enforcement Officer~~ **Zoning Administrator** with a topographic survey with two (2) foot contours, at the same scale as the aerial photo, said topographic survey to show the status of existing conditions on the subject site.

Before release of bond, an on-site inspection of the acreage reclaimed shall be made by the ~~Enforcement Officer~~ **Zoning Administrator** in conjunction with other appropriate departments to check for compliance with the Reclamation Plan and any additional conditions of the Mining Permit. A random count procedure shall be used to check seeding, plantings and depth of topsoil.

G. ~~SEVERABILITY~~

~~If any Section, subdivision, clause sentence or paragraph in this Ordinance shall be held to be unconstitutional, the unconstitutionality thereof shall not affect the remaining parts of this Ordinance.~~

~~H.~~**G.** EXEMPTIONS

Any mining operation legally commenced prior to ~~the adoption of this Section~~ **April 14, 1992,** shall be exempt from the requirements hereof, except that said operations shall not be exempt from the requirements hereof pertaining to the hours of operation, the operation of motor vehicles, safety and noise regulations as defined in Sections 10.03.1.C.15 and 10.03.1C.24.

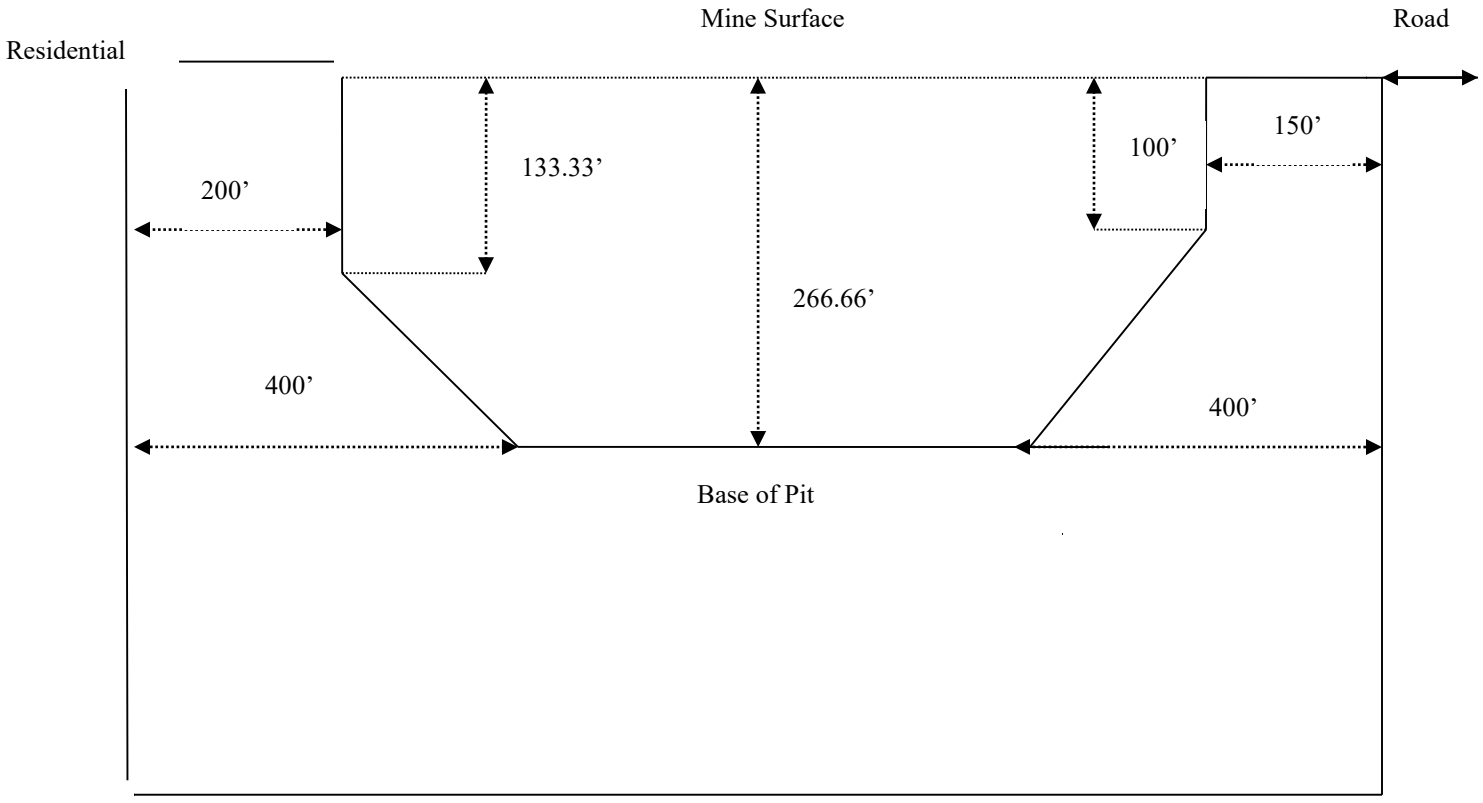


DIAGRAM 10.03.1

11:01 SCOPE OF REGULATIONS

A. APPLICABILITY. The off-street parking and loading provisions herein shall apply as follows:

1. For all buildings and structures erected and all uses of land established after May 20, 2008 ~~**(date of Ordinance approval)**~~, accessory parking and loading facilities shall be provided as required by the regulations of the district in which such buildings or uses are located.

3. Whenever the existing use of a building or structure shall hereafter be changed to a new use, parking or loading facilities shall be provided as required for such new use. However, if the said building or structure was erected prior to May 20, 2008 ~~**(date of Ordinance approval)**~~, additional parking or loading facilities are mandatory only in the amount by which the requirements for the new use would exceed those for the existing use if the latter were subject to the parking and loading provisions herein.

11:02 ADDITIONAL REGULATIONS - PARKING

C. SHARED PARKING FACILITIES. Shared parking may be permitted upon written documentation submitted to the Plan Commission and County Board demonstrating evidence that parking spaces will be shared at specific times of the day (where one activity uses the spaces during daytime hours and another activity uses the spaces during evening hours.) ~~**The Shared Parking report published by the Urban Land Institute may be used as a guideline in the estimation of parking demand for mixed-use buildings and sites.**~~

F. DESIGN AND MAINTENANCE**.**

2. Surfacing. All required open off-street parking areas and access drives constructed or re-constructed after May 20, 2008 ~~**(effective date of this amendment)**~~ in all zoning districts shall be improved with a permanent, concrete, unit paver, asphalt surface or some other environmentally friendly surface or green design practices. Asphalt paving shall include a 9” compacted gravel base and 3” asphalt covering, or equivalent. When more than 4 parking spaces are required, pavement marking shall be provided to clearly identify each parking space. (Amended 7/18/2006)

The Zoning Administrator may grant an exception to ~~**agricultural (**~~A-1~~**);,**~~ R-1, R-2, and R-3 single family~~**;,** and community service uses from this provision where such uses generate low traffic volume. Handicapped parking stalls within the A-1 district shall be improved with a permanent, concrete, unit paver or asphalt surface and shall also provide a hard surface to the entrance of the structure a minimum of 6 feet wide. Such decisions made by the Zoning Administrator may be appealed to the Planning, Building and Zoning Committee of the County Board. (Amended 7/19/2011)

6. Accessible Parking. **Please consult the Illinois Accessibility Code and the Americans with Disabilities Act for Parking Regulations.** ~~**In any**~~

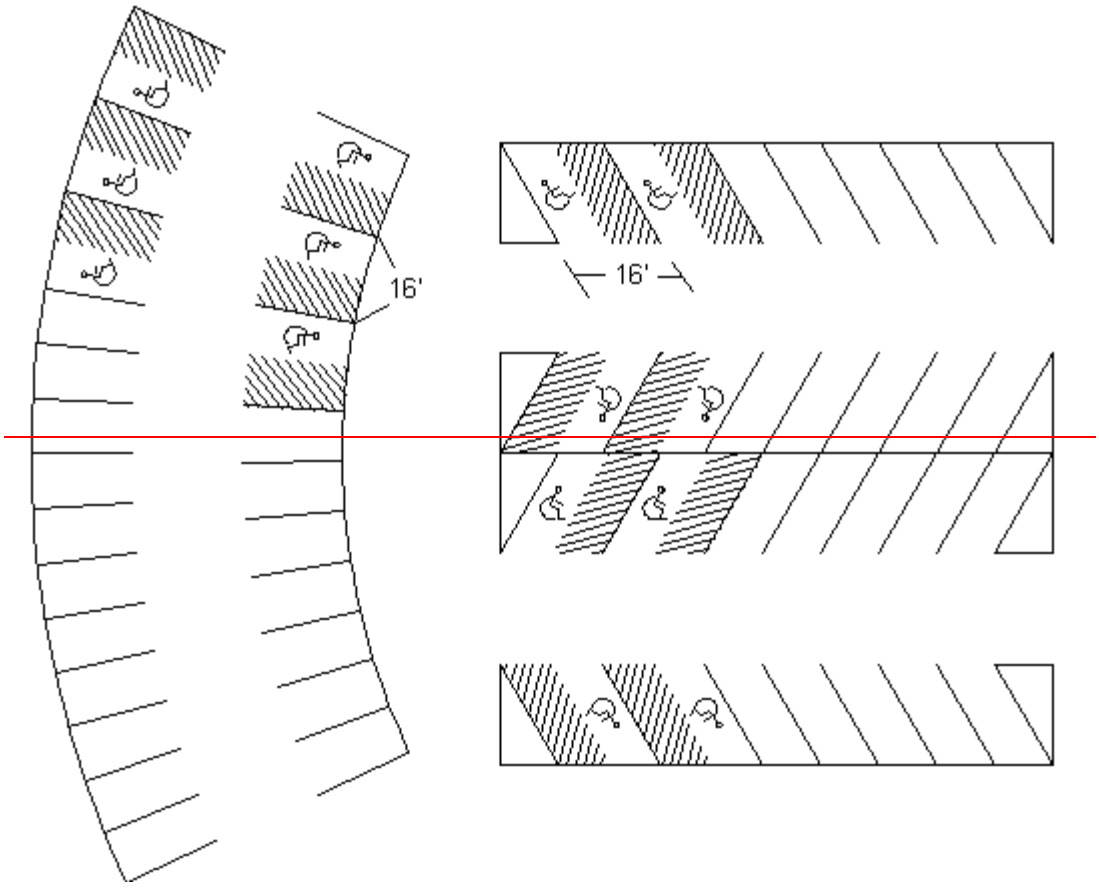
~~off-street parking facility, a certain number of spaces must be set aside for handicapped accessible parking as summarized in the following table:~~

~~Total Spaces~~	~~Minimum Accessible Spaces~~
~~1 to 25~~	~~1~~
~~26 to 50~~	~~2~~
~~51 to 75~~	~~3~~
~~76 to 100~~	~~4~~
~~101 to 150~~	~~5~~
~~151 to 200~~	~~6~~
~~201 to 300~~	~~7~~
~~301 to 400~~	~~8~~
~~401 to 500~~	~~9~~
~~501 to 1000~~	~~2% of total~~
~~1001 and over~~	~~20 plus 1 per 100 over 1000 spaces~~

~~Exceptions to the requirements of paragraph 1 above:~~

- ~~Outpatient units at medical care facilities: 10% of total spaces for that facility.~~
- ~~Medical Care Facilities specifically for treatment of the mobility impaired: 20% of the total spaces for that facility.~~

~~A. Accessible parking spaces for mobility impaired persons shall be at least sixteen (16) feet wide including an eight (8) foot wide access aisle, and adjacent parking spaces shall not share a common access aisle. All access aisles shall be diagonally striped and shall be provided with a gradual transition to an accessible route to the on-site destination. Such spaces shall measure twenty (20) feet in length.~~



~~**B. Location of Accessible Spaces**~~

~~**1. Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel to an accessible entrance.**~~

~~**2. Accessible parking spaces may be provided on one level of a multi-level parking structure located closest to the elevator and a hard surfaced walkway shall be provided from the handicapped parking stalls to the nearest entrance/elevator.**~~

~~**C. Where any conflicts between these regulations and State or Federal Legislation may exist, the State and Federal Standards shall control.**~~

8. Screening/ Perimeter Landscaping. All required open automobile parking areas containing more than twenty (20) parking spaces shall be effectively screened as follows:

a) On each side adjacent to any property situated in a residential district**, business district, manufacturing district, or**

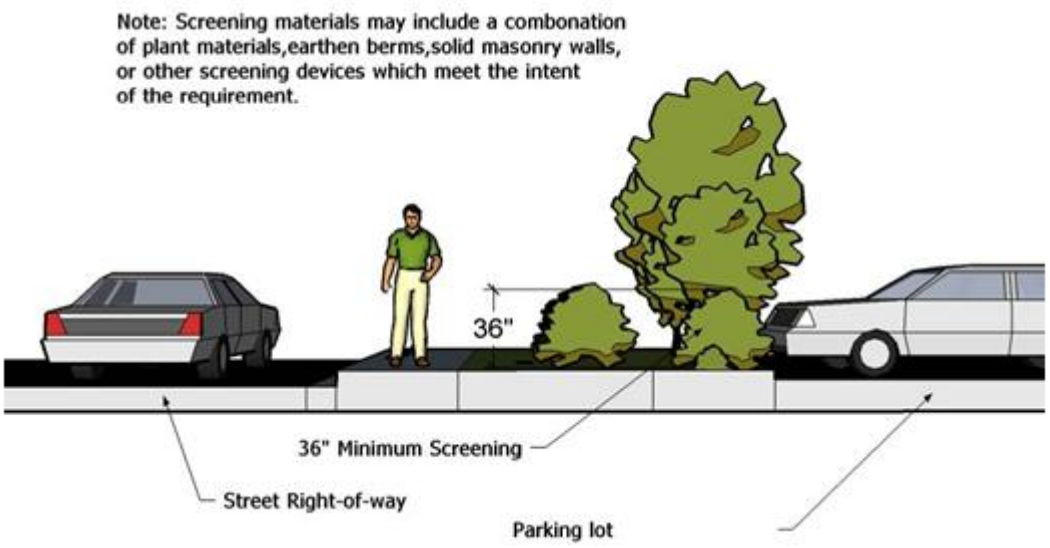
agricultural zoned property with a special use permit unless otherwise approved as part of the special use permit, ~~or on any institutional premises~~, a wall, fence, or densely planted compact hedge no less than three (3) feet in height across 100% of the length of the parking area is required. **However, if the property owner can provide clear evidence indicating that less screening is required, the Regional Planning Commission may approve a reduction in the requirements of this section. Such decisions may be appealed to the Planning Building and Zoning Committee.**

b) On each side across a public right-of-way from any property situated in a residential district, **business district, manufacturing district, or agricultural zoned property with a special use permit unless otherwise approved as part of the special use permit, ~~or on any institutional premises~~**, the landscaping shall consist of one of the following options:

i. A berm that is at least two (2) feet higher than the finished elevation of the parking lot (at the nearest point) and a minimum of one (1) tree and ten (10) shrubs for every thirty feet of frontage shall be provided. Shrubs shall be placed on the property such that parking or vehicular uses are screened from view as seen from the street or neighboring properties. Perennials and groundcovers are encouraged to compliment the site design. All berms shall maintain a 10 foot setback from the edge of the existing or future R.O.W. whichever is greater.

ii. A minimum two foot (2') grade drop from the right-of-way line to the parking lot and a minimum one (1) tree and 10 shrubs for every thirty (30) feet of frontage shall be provided. Shrubs shall be placed on the property such that a parking or vehicular areas are screened from view as seen by the street or neighboring properties. Perennials and groundcovers are encouraged to compliment the site design.

iii. A wall, fence or natural vegetative screening no less than **~~3 (three)~~ three** feet **(3')** in height along the length of the parking area.



iv. **However, if the property owner can provide clear evidence indicating that less landscaping is required, the Regional Planning Commission may approve a reduction in the requirements of this section. Such decisions may be appealed to the Planning Building and Zoning Committee.**

a) The minimum size for plant materials (at time of installation) shall be as follows: (**separated trees**)

i. Shade Tree – 2-1/2" caliper
ii. Evergreen Tree – 6' height
iii. Ornamental tree – 2" caliper single trunk or 6' height multi-trunk
iv. Shrubs – 24" height

11:04 SCHEDULE OF PARKING REQUIREMENTS

For the following uses, accessory off-street parking spaces shall be provided as required hereinafter. However, if the property owner can provide clear evidence indicating that less parking is required, the Regional Planning Commission may approve a reduction in the requirements of this section. Such decisions may be appealed to the Planning Building and Zoning Committee. ~~***Applicants may also file for a variation from theses requirements following the procedures outlined in Section 13.04 of this Zoning Ordinance.***~~ Parking spaces required on an employee basis shall be based on the maximum number of employees on duty or residing, or both on the premises at any one time.

Residential Uses	
One-Family Dwelling, Two-Family Dwellings, and Multiple-Family Dwellings	Two **(2)** parking spaces shall be provided for each dwelling unit (garage spaces or in the driveway behind the front yard setback line).
Bed and Breakfasts	One **(1)** parking space shall be provided for each guest room, plus the spaces required for a single family home. Parking spaces may be stacked in a driveway to prevent the over-paving of the area.
Hotel or Motel	One **(1)** parking space for each guest room, plus one **(1)** space per employee shall be provided.
Lodging or Boarding Houses	One **(1)** parking space shall be provided for each lodging room plus one space for the owner or manager.
Private Clubs and Lodges (with sleeping facilities)	One **(1)** parking space shall be provided for each lodging room plus one **(1)** for each employee, plus parking spaces equal in number to twenty-five percent **(25%)** of the capacity (as determined by the Fire Protection District) in persons (exclusive of lodging-room capacity) of such club or lodge.
Retail and Service Uses	
Automobile Laundry	Five (5) stacking spaces shall be provided for each manual wash rack. Ten (10) stacking spaces shall be provided for each automatic wash lane. For either manual or automatic facilities, one (1) parking space for each employee shall be provided. For automobile laundries associated with a gas station, a bypass lane shall be provided.
Automobile Service Stations	One (1) space shall be provided for each employee plus two (2) spaces per pump station, but not less than five (5) parking spaces.
Bowling Alleys	Four (4) parking spaces shall be provided for each alley, plus such additional spaces as may be required herein for affiliated uses - bars, restaurants and the like as set forth herein for such uses.
Drive-thru restaurant	Stacking of eight (8) vehicles plus one (1) parking stall per one hundred (100) square feet of floor area.
Restaurants	One (1) parking space shall be provided for each seventy-five (75) square feet of floor area **for the entire premises**.

Furniture and Appliance Stores, Household Equipment or Furniture Repair Shops	One (1) parking space shall be provided for each six hundred (600) square feet of floor area **for the entire premises**.
Health Clubs and fitness centers	One (1) parking space shall be provided per each two hundred (200) square feet AND one (1) per employee **for the entire premises.**
Establishments Engaged in Manufacturing, Assembly, Production, Processing, Cleaning, Servicing, Testing or Repair of Materials, Goods, or Products	One (1) parking space shall be provided for each employee plus one (1) parking space for each vehicle used in the conduct of the enterprise.
Motor Vehicle Sales and Machinery and heavy equipment Sales	One (1) parking space shall be provided for each six hundred (600) square feet of sales floor area, plus three spaces (3) for every service bay, plus one (1) space per employee. All required parking shall be in addition to areas reserved for storage and sale of vehicles.
Offices - Business, Professional and Governmental	One (1) parking space shall be provided for each two hundred and fifty (250) square feet of floor area.
Offices – Medical or Dental	One (1) parking space shall be provided for each two hundred (200) square feet of floor area.
Research and Development	One (1) parking space for each two hundred and fifty (250) square feet up to fifty-thousand (50,000) square feet; thence one (1) space for each five hundred (500) square feet over fifty-thousand (50,000) square feet.
Retail Stores and Banks	One (1) parking space shall be provided for each two hundred (200) square feet of gross floor area. Drive-in banks or other similar drive-in establishments shall provide four (4) stacking spaces per teller or customer service window.
Tennis, squash, racquetball facility, indoor or outdoor	Three (3) parking spaces shall be provided per court.
Theaters (indoors)	One (1) parking space shall be provided for each three (3) seats.
Undertaking Establishments, Funeral Parlors	Fifteen (15) parking spaces shall be provided for each chapel or parlor, plus one (1) parking space for each funeral vehicle kept on the premises; in addition there shall be provided stacking space for not less than ten (10) automobiles for funeral procession assembly.

Warehouses and Storage, **Not Including Self Storage Facilities**	One (1) parking space for each one thousand (1,000) square feet of warehouse or storage area, plus one (1) parking space for each two hundred and fifty (250) square feet of office area, plus one (1) space for each vehicle kept on the premises.
Wholesale Establishments (but not including Warehouses and Storage Buildings other than Accessory)	One (1) parking space shall be provided for each six hundred (600) square feet of floor area.
Community Service Uses	
Place of Worship, School, College and Other Auditoriums	One (1) parking space shall be provided for each three (3) auditorium seats. Adequate space shall also be provided for buses used in connection with the activity of the institution and all loading and unloading of passengers shall take place upon the premises.
Colleges, Universities and Business, Professional and Trade Schools	One (1) parking space shall be provided for each employee, and one (1) parking space shall be provided for each three (3) students based on the maximum number of students attending classes on the premises at any one time during any 24 hour period.
Hospitals	One (1) parking space shall be provided for each two (2) hospital beds, plus one (1) parking space for each employee, plus one (1) parking space for each doctor assigned to the staff.
Libraries, Art Galleries and Museums - Public	One (1) parking space shall be provided for each four hundred (400) square feet of gross floor area.
Public Utility and Public Service Uses, including police and fire services	One (1) parking space shall be provided for each employee per shift plus one **(1)** parking space for each vehicle used in the conduct of the enterprise plus spaces adequate in number, as determined by the Zoning Administrator, to serve the visiting public.
Child ~~c~~**C**are ~~f~~**F**acility/ Nursery School	One third (0.33) parking spaces per student capacity (as determined by the Fire Protection District), plus one (1) parking space for each employee. Adequate drop-off and pick-up locations must be provided.
Elementary or Junior High School	One (1) parking space for each employee plus one (1) space for each (20) students plus one (1) space for each vehicle used in the conduct of the school (plus additional parking as required for associated gymnasiums or auditoriums).

High Schools	One (1) parking space for each employee plus one (1) space for each two (2) students and one (1) space for each vehicle used in the conduct of the school. (plus additional parking as required for associated gymnasiums or auditoriums).
Auditoriums, Stadiums, arenas, gymnasiums, convention halls, dance halls, exhibition halls, skating rinks and other similar places of assembly	Parking spaces equal in number to twenty-five percent (25%) of the capacity (as determined by the Fire Protection District) in persons shall be provided.
Miscellaneous Uses	
Fraternities, Sororities and Dormitories	One (1) parking space shall be provided for each three (3) active members plus one (1) parking space for each employee.
Private Clubs and Lodges (without sleeping facilities for guests)	Parking spaces equal in number to twenty-five percent (25%) of the capacity (as determined by the Fire Protection District) in persons
Rest Homes, Convalescent Centers, Assisted Living, or Residential Care Homes	One (1) parking space shall be provided for each five (5) beds, plus one (1) parking space for each employee on duty at one time, plus one (1) parking space for each doctor assigned to the staff.
~~Theatres~~ **Theaters** - Automobile Drive-In	Reservoir parking space equal to ten percent (10%) of the vehicle capacity of such ~~theatres~~ **theaters** shall be provided.
Airports or aircraft landing field Heliports Convents and monasteries Crematories and mausoleums Fraternal institutions Outdoor amusement establishments - fairgrounds, permanent carnivals, kiddy parks and other similar amusement centers Municipal or privately owned recreation buildings, community centers, club houses, or other recreational uses such as ball fields or golf courses Penal and correctional institutions Rectories and parish houses Swimming pools	Parking spaces shall be provided in adequate number as determined by the Regional Plan Commission and approved by the County Board to serve persons employed or residing on the premises as well as the visiting public

~~**Other Uses.**~~ For uses not listed heretofore in this schedule of parking requirements, parking spaces shall be provided on the same basis as required for the most similar listed use, or as determined by the Zoning Administrator. Such determination may be appealed to the Regional Plan Commission **or determined as part of review of an application for special use permit**.

11:05 PARKING AND STORAGE OF RECREATIONAL VEHICLES, RECREATIONAL TRAILERS, TRAILERS AND MOBILE HOMES (Amended 7/18/2006)

A. STORAGE OF UNOCCUPIED RECREATIONAL VEHICLES, TRAILERS AND MOBILE HOMES (Amended 7/18/2006)

1. Unoccupied recreational vehicles, trailers and their contents may be located on lots in any district provided they comply with the following regulations:

b) Recreational vehicles trailers and their contents not stored within a permitted structure shall comply with the following parking requirements:

i. Except for the A-1, R-1, R-2 and R-3 districts, unless otherwise permitted in Section 11:02, such vehicles shall be parked on a hard surfaced all weather pad constructed of concrete, asphalt, brick or stone pavers or comparable material.

ii. Recreational vehicles, trailers and their contents may not encroach into a required front or corner side yard setback, shall not block any portion of a sidewalk or trail and shall not be parked or stored in a way that obstructs the visibility of oncoming traffic so as to create a safety hazard.

iii. Recreational vehicles may be stored or parked within a required rear or interior side yard setback.

Exception: An owner of a recreational vehicle located on property in the R-4, R-5, R-6 or R-7 Residential District which cannot comply with the front yard setback provisions of ~~**Section 4:08.A.1.b.ii above**~~ **of the applicable zoning district** as of June 20, 2006 and that has registered said vehicle with the Kendall County Planning**,** Building and Zoning Department, may be permitted to store such vehicle within the front yard setback provided said encroachment does not obstruct the required sight distance triangle, in the case of a corner lot, or create an obstruction so as to compromise the safety of pedestrians or other vehicles operating within the road right-of-way (R.O.W.) Said exemption shall apply to the original recreational vehicle registered and any replacement of said recreational vehicle.

This exception shall be non-transferable to any subsequent owner(s) or occupants of the property and

shall terminate upon either the sale of the property or change in occupancy of the dwelling unit should the owners chose to maintain it as a rental property.

Owners shall be required to register their properties with the Planning, Building and Zoning Department on a form approved by the Department prior to December 29, 2006. ~~**In addition, the owner shall supply a copy of the plat of survey indicating the approved location for the storage of the vehicle and shall be required to pay a one time registration fee of $75.00.**~~ The Planning**,** Building and Zoning Department shall keep a copy of the registration form and approved parking plan on file. Upon sale of the property, the owner shall be required to notify the Planning, Building and Zoning Department in writing and shall note in the file that the exemption has been terminated.

3. Unoccupied mobile homes can be stored only in commercial and industrial districts ~~**and**~~ only as part of a permitted trailer storage or sales business. (Amended 7/18/2006)

B. OCCUPIED RECREATIONAL TRAILERS AND MOBILE HOMES (Amended 2/16/2010)

1. ~~**Except as provided in Section 4.08.B herein,**~~ ~~**o**~~**O**ccupied recreational trailers and mobile homes may be located in "recreational camps" and subject to the standards and conditions of a special use permit. (Amended 2/16/2010)

2. Occupied recreational trailers and mobile homes may be located in residential districts only if:

   b) The occupants will be the future occupants **of** the home to be repaired or constructed on the same zoning lot.

D. PERMITS.

1. Permits are required for recreational trailers and mobile homes that are to be occupied with the exception of those situations permitted under ~~**s**~~**S**ection ~~**4.08**~~**11.05**.B.2.c. ~~**herein**~~. (Amended 7/18/2006)

2. Occupied recreational trailers and mobile homes subject to permit requirements must show evidence of compliance with federal HUD regulations or the Illinois Mobile Home Safety Act. (Amended 7/18/2006)

3. Permits and annual renewals may be approved by the ~~**Planning, Building and Zoning Director**~~ **Zoning Administrator** as follows: (re-lettered)

   i. Medical care or assistance: Permits may be renewed annually provided a doctor's certification is provided

indicating assistance is still required.

ii. New home construction or repair: Permits may be issued for a period of up to one (1) year, and may be extended by the Planning, Building and Zoning Director by six (6) months if the applicant shows adequate progress in construction.

4. Permits may be rescinded by the ~~**Planning, Building and Zoning**~~ **PBZ** Committee for failure to conform to this ordinance.

5. Recreational trailers and mobile homes must be removed from the zoning lot within **sixty (**60**)** days of notice of the rescinded or expired permit, **unless otherwise allowed by ordinance**.

6. Permits for a temporary mobile home must be renewed annually or as stated above. The Planning, Building and Zoning Committee may extend permits beyond the one (1) year and six (6) month limit as stated in Section ~~**4.08-D-3-b**~~ **11.05.D.3.ii**. When the permit expires or when occupants of the trailer or mobile home do not meet the conditions set forth above, the trailer or mobile home must be removed within **sixty (**60**)** days.

11:06 ADDITIONAL REGULATIONS - OFF-STREET LOADING

F. LANDSCAPING FOR LOADING DOCKS. The landscaping shall consist of one **(1)** of the following options: (**Renumbered**)

3. A wall, fence or natural vegetative screening no less than four ~~**(4)**~~ feet **(4')** in height across the length of the loading dock

The minimum size for plant materials (at time of installation) shall be as follows: (**re-lettered**)

i. ~~**Tree –**~~ Shade tree – 2-1/2" caliper
ii. Evergreen Tree – 6' height
iii. Ornamental tree 2" caliper single trunk or 6' height multi-trunk.
iv. Shrubs – 24" height

G. SCHEDULE OF LOADING REQUIREMENTS. For the uses listed in the following table, off-street loading berths shall be provided on the basis of the gross floor of the building or portions thereof devoted to such uses in the amount shown herein.

~~**SCHEDULE OF LOADING REQUIREMENTS**~~

USE	GROSS FLOOR AREA IN SQUARE FEET	REQUIRED NUMBER AND MINIMUM HORIZONTAL DIMENSIONS OF BERTHS
Auditoriums, convention halls, exhibition halls,	10,000 to 100,000	1 - 12' X 60'

USE	GROSS FLOOR AREA IN SQUARE FEET	REQUIRED NUMBER AND MINIMUM HORIZONTAL DIMENSIONS OF BERTHS
sports arenas, stadiums	For each additional 100,000 or fraction thereof	1 – additional 12' X 60'
Banks and offices - business, professional and governmental	10,000 to 100,000 For each additional 100,000 of fraction thereof to 500,000 For each additional 500,000 or fraction thereof	1 - 12' X 30' 1 additional 12' X 30' 1 additional 12' X 30'
Bowling alleys	10,000 to 100,000 For each additional 100,000 or fraction Thereof	1 - 12' X 30' 1 additional 12' X 30'
Establishments dispensing food or beverages for consumption on the premises	5,000 to 10,000 10,00~~0~~1 to 25,000 25,00~~0~~1 to 40,000 40,00~~0~~1 to 100,000 For each additional 100,000 or fraction thereof	1 - 12' X 30' 2 - 12' X 30' 3 - 12' X 60' 4 - 12' X 60' 1 additional 12' X 60'
Establishments engaged in production, processing, cleaning, servicing, testing or repair of materials, goods or products	5,000 to 40,000 40,00~~0~~1 to 100,000 For each additional 100,000 or fraction thereof	1 - 12' X 30' 2 - 12' X 60' 1 additional 12' X 60'
Hospital, sanitariums, nursing homes, convalescent centers, assisted living, etc., churches and schools	10,000 to 100,000 For each additional 100,000 or fraction thereof	1 - 12' X 30' 1 – additional 12' X 30'
Hotel, clubs, and lodges	10,000 to 100,000 For each additional 100,000 or fraction thereof	1 - 12' X 30' 1 – additional 12' X 30'

USE	GROSS FLOOR AREA IN SQUARE FEET	REQUIRED NUMBER AND MINIMUM HORIZONTAL DIMENSIONS OF BERTHS
Hotels, clubs and lodges, when containing any of the following: retail shops, convention halls, or business or professional offices (other than accessory) auditoriums, or exhibition halls	10,000 to 20,000 20,00~~0~~1 to 150,000 For each additional 150,000 or fraction thereof	1 - 12' X 30' 1 - 12' X 60' 1 additional 12' X 60'
Motor vehicle and machinery sales	5,000 to 25,000 25,00~~0~~1 to 40,000 40,00~~0~~1 to 100,000 For each additional 100,000 or fraction thereof	1 - 12' X 30' 2 - 12' X 60' 3 - 12' X 60' 1 additional 12' X 60'
Retail stores	5,000 to 10,000 10,00~~0~~1 to 25,000 25,00~~0~~1 to 40,000 40,00~~0~~1 to 100,000 For each additional 100,000 or fraction thereof	1 - 12' X 30' 2 - 12' X 30' 3 - 12' X 30' 4 - 12' X 30' 1 additional 12' X 30'
Theaters	8,000 to 25,000 For each additional 50,000 or fraction thereof	1 - 12' X 30' 1 additional 12' X 30'
Wholesale establishments (but not including warehouse and storage buildings other than accessory)	5,000 to 10,000 10,00~~0~~1 to 25,000 25,00~~0~~1 to 40,000 40,00~~0~~1 to 100,000 For each additional 100,000 or fraction thereof	1 - 12' X 60' 2 - 12' X 60' 3 - 12' X 60' 4 - 12' X 60' 1 additional 12' X 60'
Warehouses and storage buildings	For each 100,000 or fraction thereof	1 – 12’x60’

USE	GROSS FLOOR AREA IN SQUARE FEET	REQUIRED NUMBER AND MINIMUM HORIZONTAL DIMENSIONS OF BERTHS
Undertaking establishments	8,000 to 100,000 For each additional 100,000 or fraction thereof	1 - 12' X 30' 1 additional 12' X 30'
Other	Uses not listed in this schedule of loading requirements shall provide loading berths according to the most similar use, as determined by the Zoning Administrator.	

SECTION 12:00 SIGNS

12:03 DEFINITIONS

All signage related definitions can be found in Section 3:02 of this Ordinance.

12:04 EXEMPTIONS

The following signs shall be exempted from all but the maintenance and public safety requirements of this Section. No permit is required for any sign designated as exempt below.

A. PUBLIC OR QUASI-PUBLIC INFORMATIONAL SIGNS. Any public notice, warning, directional, and other instructional or regulatory signs identifying or locating a town, hospital, community center, public building or historic place situated in Kendall County, Illinois, **or other signs approved by a governmental entity**, and also signs identifying or locating a school, college, YMCA, YWCA, church or similar place of worship, service club, soil conservation activity, 4-H Club, or similar public or quasi-public activity for religious, civic, educational or cultural purpose. Such signs shall not exceed an area of six (6) square feet each, nor a total of 24 square feet for all signs, shall not be illuminated, shall contain no advertising matter, and shall be set back not less than 5 feet from the fronting highway right-of-way.

J. REAL ESTATE SIGNS. One (1) real estate sign per street frontage of a zoning lot, advertising the sale or lease of premises within said zoning lot. Such signs may not be located in the public right-of-way, nor be directly illuminated. ~~**Such signs shall be removed within five days following the date of closing or lease initiation.**~~ Signs shall not exceed six (6) square feet for residential districts, and thirty-two (32) square feet for all other districts. The maximum height for all Real Estate Signs is 8 feet. **Real Estate Signs shall be removed within seven (7) days after the real estate closing, or lease or rental transaction is completed, except that "Open House" Signs shall be erected and removed on the day of the event.**

12:06 GENERAL STANDARDS *(Amended 8/17/2004)* **(Needs to be Renumbered after old D)**

~~**D. REPLACEMENT BONUS. The replacement of non-conforming signs shall be encouraged through a bonus of 10% applied to the allowable area for individual signs if permits for the replacement of all legal non-conforming signs on a premises are requested and approved prior to December 31, 1999.**~~

12:08 AGRICULTURAL DISTRICT

A. PERMITTED SIGNS. In all agricultural districts the following classes of signs are permitted in accordance with regulations set forth herein:

1. Non-flashing Non-illuminated Signs, as follow:

c. Free-standing and ~~political~~ Temporary Signs as regulated in ~~s~~Section 12:14.

3. Changeable Copy Signs. Changeable Copy Signs are permitted as a part of Wall or Free-Standing Signs for places of worship, schools and government uses, subject to the following standards:

a. The size of the Changeable Copy Sign shall be counted towards the total sign area permitted for each sign type, ~~and shall not exceed 60% of the total permitted sign area~~.
b. Anything displayed on the changeable copy sign shall remain illuminated and visible ~~for a minimum of 5 minutes~~ **for a time period stated in the special use permit**. ~~No scrolling is permitted.~~
c. The message shall not flash **or pulsate**. Any message that remains visible for less than ~~5 minutes~~ **2 seconds** shall be considered flashing.
d. Changeable Copy signs are prohibited within 100 feet of a principal residential structure if any part of the sign face could be visible from the principal residential structure.
e. The hours of illumination shall be limited to between 6:00am and 11:00pm for signs located less than 500 feet from any principal residence except on those days of the year when special services or events are held for the observance of religious holidays.
f. When adjacent to residential properties light levels shall not exceed 0.05 foot candles as measured along the residential property line.
g. All content shall only be permitted for the place of worship, school or government use and their events and functions only.
h. The changeable copy sign shall be equipped with an automatic dimming feature capable of adjusting the brightness of the sign according to ambient light levels at the install location.

12:09 RESIDENTIAL DISTRICTS

A. PERMITTED SIGNS. In all residential districts, the following signs are permitted in accordance with the regulations set forth hereinafter:

3. Changeable Copy Signs. Changeable Copy Signs are permitted as a part

of Wall or Free-Standing Signs for places of worship~~,~~ **and** schools ~~**and government**~~ uses, subject to the following standards:

a. The size of the Changeable Copy Sign shall be counted towards the total sign area permitted for each sign type,~~ **and shall not exceed 60% of the total permitted sign area.**~~
b. Anything displayed on the changeable copy sign shall remain illuminated and visible ~~**for a minimum of 5 minutes**~~ **for a time period stated in the special use permit**. ~~**No scrolling is permitted.**~~
c. The message shall not flash **or pulsate**. Any message that remains visible for less than~~ **5 minutes 2 seconds** shall be considered flashing.
d. Changeable Copy signs are prohibited within 100 feet of a principal residential structure if any part of the sign face could be visible from the principal residential structure.
e. The hours of illumination shall be limited to between 6:00am and 11:00pm for signs located less than 500 feet from any principal residence except on those days of the year when special services or events are held for the observance of religious holidays.
f. When adjacent to residential properties light levels shall not exceed 0.05 foot candles as measured along the residential property line.
g. All content shall only be permitted for the place of worship~~,~~ **and** school ~~**or government**~~ use and their events and functions only.
h. The changeable copy sign shall be equipped with an automatic dimming feature capable of adjusting the brightness of the sign according to ambient light levels at the install location.
i. The location of the sign shall be in accordance with ~~**s**~~**S**ection 12:06 of the Zoning Ordinance.

12:10 BUSINESS DISTRICTS.

B. OTHER REQUIREMENTS.

7. Changeable Copy Signs. Changeable Copy Signs are permitted as a part of Wall or Free-Standing Signs. The size of the Changeable Copy Sign shall be counted towards the total sign area permitted for each sign type~~,~~ ~~**and shall not exceed 40% of the total permitted sign area**~~.

8. Electronic Message Board Display. Electronic Message Board Displays are permitted in all Business and Manufacturing Districts subject to the following standards *(Amended 10/19/10)*:
a. The electronic message board must be located along an arterial or major collector roadway.
~~**b. The electronic message board component of a sign shall**~~

~~comprise no more than 80% of the sign's total allowed sign face area~~

c. Any individual letter scrolling or otherwise displayed on the electronic message board shall remain illuminated and visible for at least 2 seconds

d. The message shall not flash **or pulsate**. Any message that remains visible for less than 2 seconds shall be considered flashing

e. Electronic message board signs are prohibited within 100 feet of a principal residential structure if any part of the sign face could be visible from the principal residential structure

f. The hours of illumination shall be limited to between 6:00am and 11:00pm for signs located less than 500 feet from any principal residence

g. When adjacent to residential properties light levels shall not exceed 0.05 foot candles as measured along the residential property line

h. All advertising content shall only be permitted for tenants of the subject property and community events

i. The electronic message board shall be equipped with an automatic dimming feature capable of adjusting the brightness of the sign according to ambient light levels at the install location

j. Location of the sign shall be in accordance with **~~s~~S**ection 12:06 of the Zoning Ordinance.

12:14 TEMPORARY SIGNS

A. GENERAL PROVISIONS. Unless otherwise specified elsewhere in this Section **~~12.14~~**, the following general provisions shall apply to all Temporary Signs (Amended 7/19/2011):

B. TEMPORARY SIGN TYPES. Temporary Signs shall be limited in use to the following types of signs:

4. *Special Events Signs*. Special Events Signs **may** only be permitted within the B-4 (Commercial Recreation) district and only in association with a special event occurring on the property on which the special event sign is located. (Amended 7/19/11)

12:15 LEGAL NONCONFORMING SIGNS

A. LEGAL NONCONFORMING SIGNS. Any legal sign located within the County **~~on (insert date of adoption)~~ prior to the adoption of signage regulations, as amended, and** which does not conform with the provisions for permitted signs of this Section, is considered a "legal non-conforming" sign.

12:17 PROHIBITED SIGNS (Amended 10/17/2000)

All signs not expressly permitted under this ordinance or exempt from regulation under Section 12:04, are prohibited in Kendall County. Such signs include, but are not limited to:

K. Outdoor advertising structures which display commercial messages, **unless otherwise allowed by a special use permit**.

~~**12.20 AMORTIZATION (Amended 10/17/2000)**~~

~~**All outdoor advertising structures which display a commercial message shall be removed no later than seven (7) years from the date of this amendatory ordinance. Outdoor advertising structures which display a non-commercial message may remain provided that the sign meets the size, setback, height and bulk standards of the district. Signs may also be reconstructed to meet this requirement provided that building permits are issued to complete such reconstruction.**~~

13:01 ADMINISTRATIVE OFFICERS

A. THE ZONING ADMINISTRATOR.

2. Powers and Duties. The Zoning Administrator shall administer and enforce this ordinance, and in addition thereto and in furtherance of said authority he shall:

f. Maintain permanent and current records of this ordinance, including, but not limited to, maps, amendments, the rules or practice and procedure of the ~~Zoning Board of Appeals~~ **ZBA**, special use, variations, appeals and applications therefore, and records of hearings thereon - including the recording of district amendments and special uses on the ~~Zoning district map~~ **Official Zoning Map**.

l. Publish periodically this ordinance, including the ~~zoning district map~~ **Official Zoning Map**.

B. ZONING BOARD OF APPEALS

2. Terms of Office. The member**s** of the ~~Zoning Board of Appeals~~ **ZBA** shall be appointed ~~for the following terms:~~

~~One for a term of one year.~~
~~One for a term of two years.~~
~~One for a term of three years.~~
~~One for a term of four years.~~
~~One for a term of five years.~~

~~Thereafter, as their terms expire, each new appointment shall be~~ for a term of five years. If a vacancy occurs, by resignation or otherwise among the members of the Board, the County Board shall appoint a member for the unexpired term. The County Board shall also have the power to remove any member of the ~~Zoning board of Appeals~~ **ZBA** for cause, after public hearing.

9. All meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine. ~~There shall be at least fifteen days but not more than thirty days notice of the time and place of such meetings published in a paper of general circulation in Kendall County; said notice to contain a statement of the particular purpose of such meeting and a legal description of the location of the property or properties under consideration at such meeting.~~

Notice of said meetings shall occur in a manner defined by applicable law. All meetings of the Board shall be open to the public.

C. KENDALL COUNTY REGIONAL PLANNING COMMISSION. The Planning Commission shall have the following duties under this ordinance:

3. To initiate, direct and review a study of the provisions of this Ordinance and the **Official** ~~**zZ**~~oning ~~**mM**~~ap ~~**attached hereto**~~ and to make reports on its recommendation to the County Board not less frequently than annually.

4. To establish bylaws governing the calling and procedures of the RPC's meetings provided such bylaws are not in conflict with applicable law.

13:03 CERTIFICATES OF OCCUPANCY **OR COMPLETION**

A. SCOPE OF PERMITS.

1. No building or addition thereto, constructed after the effective date of this amended ordinance and no addition to a previously existing building shall be occupied, and no land vacant on the effective date of this amended ordinance shall be used for any purpose, until a certificate of occupancy **or completion** has been issued by the office of the Zoning Administrator. No change in use to the production, processing, or storage of materials or goods, and no change is used from the production, processing, or storage of one kind of materials or goods to another kind shall be made until a certificate of occupancy **or completion** has been issued by the office of the Zoning Administrator. Every certificate of occupancy **or completion** shall state that the use or occupancy complies with all the provisions of this amended ordinance.

2. Application for Occupancy **or Completion** Certificate. Every application for a building permit shall be deemed to be an application for an occupancy **or completion** certificate. Every application for an occupancy **or completion** certificate for a new use of land where no building is required shall be made directly to the office of the Zoning Administrator.

3. Issuance of Occupancy **or Completion** Certificate. No occupancy **or completion** certificate shall be issued until construction has been completed or the use established and has been inspected and certified by the office of the Zoning Administrator to be in compliance with all the provisions of this amended ordinance; provided that pending the issuance of an occupancy **or completion** certificate, a temporary occupancy

certificate may be issued to be valid for a period not to exceed six months from its date during the completion of any addition or during the partial occupancy of the premises. An occupancy **or completion** permit shall be issued or written notice shall be given to the applicant stating the reasons why a certificate cannot be issued not later than fifteen days after the office of the Zoning Administrator is notified in writing that the Building or premises is ready for occupancy.

4. Fees. The County Board may establish by ordinance the fee to be charged for an occupancy **or completion** permit.

13:04 VARIATIONS (*AMENDED 03/21/2000; 01/18/11)*

A. PURPOSE AND CONDITIONS.

1. In order that the spirit of this ordinance may be observed and substantial justice done, the ~~**Zoning Board of Appeals**~~ **ZBA** shall upon application or appeal determine and vary the terms thereof, **other than** ~~**permitted or special use restrictions**~~ **use the variance of which shall not be permitted,** upon making a finding of fact that, owing to special conditions, a literal enforcement of the provisions of this amended ordinance would result in a particular hardship or practical difficulty.

13.07 AMENDMENTS (*Amended 01.18.11)*

B. INITIATION OF AMENDMENTS. Amendments may be proposed by the County Board, a Committee designated by the County Board, the ~~**Zoning Board of Appeals**~~ **ZBA**, the Regional Plan Commission, **the Zoning Administrator**, or by a person, firm or corporation having a possessory interest which is specifically enforceable on the land which is described in the application for an amendment.

D. HEARING ON APPLICATIONS. The ~~**Zoning Board of Appeals**~~ **ZBA** shall hold a public hearing on each application for an amendment ~~**and on each proceeding initiated by the Zoning Board of Appeals of its own motion**~~. Hearings on map amendments shall be held in the township affected by the terms of such proposed amendments or in the County Office Building. Provided, that if the owner of any property affected by such proposed map amendment so requests in writing, such hearing shall be held in the township affected by the terms of such proposed amendment. Hearings on text amendments shall be held in the County Office Building. The hearing shall be conducted and a record of such proceedings shall be preserved in such manner as the ~~**Zoning Board of Appeals**~~ **ZBA** shall, by rule, prescribed from time to time.

F. FINDING OF FACT AND RECOMMENDATION OF THE ~~**ZONING BOARD OF APPEALS**~~ **ZBA**. Within ~~**a reasonable time**~~ **thirty (30) days** after the close of the hearing on a proposed amendment, the ~~**Zoning Board of Appeals**~~ **ZBA**

shall make written findings of fact and shall submit same together with its recommendation to the County Board of Kendall County. Where the purpose and effect of the proposed amendment is to change the Zoning classification of particular property, the Zoning Board of Appeals shall make findings based upon evidence presented to it in each specific case with respect to the following matters:

G. DECISIONS.

1. ZBA findings shall be forwarded to the County ~~**Planning, Building and Zoning**~~ **PBZ** Committee of the County Board for review and recommendation to the full Board. The County Board, upon report of the County ~~**Zoning Board of Appeals**~~ **ZBA** and without further public hearing, may grant or deny any proposed amendment, or may refer it back to the County ~~**Zoning Board of Appeals**~~ **ZBA** or ~~**Planning, Building and Zoning**~~ **PBZ** Committee for further consideration.

2. In case of written protest against any proposed **map** amendment, **signed by the owner or owners of at least twenty percent of the land to be rezoned or** signed ~~**and acknowledged**~~ by the **owner or** owners of twenty percent of the frontage proposed to be altered, or by the **owner or** owners of twenty percent of the frontage immediately adjoining or across an alley, **street or public right-of-way** there from, or by the owners of twenty percent of the frontage directly opposite the frontage proposed to be altered, or in cases where the land affected lies within one and one-half mile of the limits of a zoned municipality with a recorded comprehensive plan, by the city council or president and board of trustees of the zoned municipality with limits nearest adjacent, filed with the Clerk of Kendall County, such amendment shall not be passed except by the favorable vote of three-fourths of all the members of the County Board of Kendall County.

13:08 SPECIAL USES & PLANNED DEVELOPMENTS *(Amended 3.21.18)*

M. AMENDMENTS TO APPROVED SPECIAL USES. Unless amended, a special use shall be constructed/established in accordance with the terms and conditions as stated in the approving ordinance and any controlling site plans attached to or referenced in the ordinance which granted the special use ~~**(if applicable)**~~. Modifications of the terms and conditions specified in the approving ordinance granting the special use or changes to any controlling site plans attached to or referenced in the ordinance which granted the special use (if applicable) shall require the processing and approval of either a minor or major change to a Special Use.

O. MAJOR AMENDMENTS: A change to a special use that alters the intent or substantially violates the terms of compliance as specified in the approving ordinance granting the Special Use and which is not otherwise defined above as a minor amendment shall constitute a major amendment to a Special Use. Major Amendments shall be processed in accordance with the provisions of 13:08.C (Processing of Special Uses) of this ordinance. Notice that a major change is

being sought shall be provided by the applicant in the manner provided for in ~~55 ILCS 5/5-12009.5~~ **State law governing the issuance of special use permits** and additional requirements as specified in the By-Laws of the ~~Zoning Board of Appeals (~~ZBA~~)~~. (*Amended 9.15.2009*)

P. PLANNED DEVELOPMENTS.

7. Agricultural Planned Developments. For planned developments located in the agricultural district A-1, exceptions may be made in the regulations of such district as follows:

~~d. Signs. In accordance with the regulations set forth in Section 12.00.~~

~~e. Off-street Parking and Loading. In accordance with the regulations set forth in Section 11.00~~

8. Residential Planned Developments. After August 18, 1998, all new residential planned developments shall be zoned R-1 PUD unless the property is already zoned R-2 or R-3. For planned developments located in one or more residence districts, exceptions may be made in the regulations of such districts, as follows:

~~e. Signs. In accordance with the regulations set forth in Section 12.00.~~

~~f. Off-Street Parking and Loading. In accordance with the regulations set forth in Section 11.00.~~

9. Business Planned Developments. For planned development located in one or more business districts, exceptions may be made in the regulations of such districts, as follows:

~~c. Signs. In accordance with the regulations set forth in Section 12.00.~~

~~d. Off-Street Parking and Loading. In accordance with the regulations set forth in Section 11.00.~~

~~e~~ c. Performance Standards. In accordance with the standard of the district in which the development is located.

10. Industrial Planned Developments. For planned developments located in one or more industrial districts, exceptions may be made in the regulations of such districts, as follows:

~~c. Signs. In accordance with the regulations set forth in Section 12.00.~~

~~d. Off-Street Parking and Loading. In accordance with the~~

~~regulations set forth in Section 11.00.~~

~~e~~ c. Performance Standards. In accordance with the requirements of the prevailing district.

Moved Section 8:06 PROCEDURE FOR APPROVAL OF RPD-1, RPD-2 OR RPD-3 DEVELOPMENT INTO 13:09

13:09 PROCEDURE FOR APPROVAL OF RPD-1, RPD-2 OR RPD-3 DEVELOPMENT.

A. PRELIMINARY PLAN PROCESS. **(Renumbered and Relettered)**

1 Pre-Application Discussion. The purpose of this informal meeting is:

a. To introduce the applicant and the site designer(s) to the County's zoning and subdivision regulations and procedures

b. Discuss the applicant's objectives in relation to the County's official policies and ordinance requirements

c. Identify early on using, the four step process, the specific issues that will need to be addressed in designing the site. The meeting will include the applicant, the site designer(s) as well as members of the County's Concept Plan Committee and additional representatives as may be required from the affected school and/or park districts, emergency service providers and representatives of any municipality within 1.5 miles of the proposed development.

2. Existing Features (Site Analysis) Plan. Plans analyzing each site's special features are required for all proposed subdivisions, as they form the basis of the design process for greenway lands, house locations, street alignments, and lot lines. The applicant or his/her representative shall bring to the Pre-Application Discussion a copy of the Existing Features (Site Analysis) Plan. Detailed requirements for Existing Features (Site Analysis) Plans are contained in another section of this ordinance, but at the minimum must include

a. A contour map based at least upon topographical maps published by the U.S. Geological Survey;

b. The location of severely constraining elements such as steep slopes (over 25%), wetlands, watercourses, intermittent streams and 100-year floodplains, and all rights-of-way and easements;

c. Soil boundaries as shown on USDA Natural Resources Conservation Service medium intensity maps and supplemental soils surveys of the property based on a 200-foot grid;

d. The location of significant features such as woodlands, ~~treelines~~ **tree lines**, open fields or meadows, scenic views into or out from the property, watershed divides and drainage ways, fences or stone walls, rock outcrops, and existing structures, roads, tracks and trails and any sites listed on the Critical Trends Assessment Program of the Illinois Department of Natural Resources; and

e. A drain tile study.

In order to adequately prepare the Existing Features (Site Analysis) Plan, an NRI report shall be prepared, and shall be submitted as part of the pre-application materials supplied along with any additional studies as recommended in said report including but not limited to a wetland delineation report or other similar studies.

The Existing Features (Site Analysis) Plans shall identify both Primary Open Space and Secondary Open Space. Together, these Primary and Secondary Open Space Areas comprise the development's proposed open space, the location of which shall be consistent with the Planning Goals and Objectives for Natural Resources of the Land Resource Management Plan. The Existing Features (Site Analysis) Plan shall form the basis for the Concept Plan, which shall show the tentative location of houses, streets, lot lines, and greenway lands in new subdivisions, according to the four-step design process described in Section 8:06.C ~~A5~~ below.

3. On-Site Inspection. After the Existing Features (Site Analysis) Plan has been prepared, the Director of Planning, Building and Zoning or his designated representative shall, if possible, schedule a mutually convenient date to walk the property with the applicant and his/her site designer. The purpose of this visit is to familiarize County officials with the property's special features, and to provide them an informal opportunity to offer guidance to the applicant regarding the tentative location of the Secondary Conservation Areas and potential house locations and street alignments. Separate on-site inspections are encouraged if a convenient date cannot be established for a group visit. If this visit is not scheduled before submission of the sketch plan or the Concept Plan, it should occur soon thereafter.

B. CONCEPT PLAN PROCESS. After the pre-application discussion**,** a sketch plan or a Concept Plan shall normally be submitted to the Concept Plan Committee for review and comment for all proposed subdivisions. The Concept Plan Committee shall at a minimum be composed of the Director of Planning, Building and Zoning, County Highway Engineer, the County's Consulting Engineer, Director of Environmental Health, Director of the County Forest Preserve, one

representative from each of the County Board, Building and Zoning Committee, Plan Commission, Zoning Board of Appeals and a representative from the municipalities ~~with in~~ **within** 1.5 miles or **other** ~~the~~ affected districts.

The purpose of the Concept Plan is to obtain the County's early sense on the appropriateness of the project as well as the overall pattern of streets, house lots, Primary and Secondary Open Space Areas, and potential trail linkages (where applicable), prior to any significant expenditure on engineering costs in the design of streets, stormwater management, or the accurate delineation of internal lot boundaries.

As used in this ordinance, the term "Concept Plan" refers to a preliminarily engineered sketch plan drawn to illustrate initial thoughts about a conceptual layout for greenway lands, house sites, and street alignments. This is the stage where drawings are tentatively illustrated, before heavy engineering costs are incurred in the design of any proposed subdivision layout. For any project of ten (10) acres or more, these drawings shall be prepared by a team that includes a landscape architect and a civil engineer.

The Concept Plan shall include, at a minimum, the following:

1. A site plan of the Planned Development. This plan will be at a scale of not less than one inch equals one hundred feet which shall show all proposed streets (public and private), rights-of-way, preliminary lot locations and sizes, open space areas and any other information as determined by the Director of Planning, Building and Zoning.
2. How the plan follows the four-step process.
3. A topographic survey with two-foot contour intervals.
4. A preliminary tree preservation plan, that identifies all significant trees proposed to be preserved or removed.
5. A rendered plan of the Planned Development area showing in contrasting colors or by other means the respective location of all categories of land use.
6. A map of the general area showing the location of the Planned Development site and its relation to the existing roads and streets and use districts within the immediately adjacent and surrounding area.
7. Preliminary specifications of the following: **(changed from Roman numerals to letters)**

    a. Sequence of phases or stages of development of the Planned Development. Common open space areas shall generally be provided in each phase consistent with the phasing of dwelling units.

b. A general landscape planting plan prepared by a landscape architect, which meets the approval of the Plan Commission.

8. The following shall be provided by either graphic exhibits or written statement: **(changed from Roman numerals to letters)**
   a. The density of residential uses and the number of dwelling units by type.
   b. The ancillary and non-residential uses to be provided in a Residential Planned Development.
   c. The calculation of buildable acreage, the estimated percent and acreage of land used for each of Primary and Secondary Conservation purposes, and the projected type and acreage of passive and recreational open space.

A Concept Plan shall be submitted by the applicant to the Director of Planning, Building and Zoning for referral to the Concept Plan Committee, the applicable Township, and any municipality within 1 ½ miles of the proposed development, for their review and comment. If requested by an effected municipality or township, the developer shall present their concept plan at an appropriate local government meeting. After a complete submission has been received, the Planning, Building and Zoning Department prepare a report describing how the Plan conforms to the requirements of the County's ordinances, including the Development Evaluation Criteria of Section 8:03.**O** ~~**P**~~, and the ~~**Land Resource Management Plan**~~ **LRMP** and will discuss with the applicant and review their recommendations. The report shall include a copy of any correspondence received from local municipalities or townships.

If in the opinion of the Concept Review Committee, the proposed design and layout of the project does not adequately preserve protect or incorporate the significant natural features of the site as identified in the four step process with regard to wetlands, fens, seeps, high quality streams or significant trees as defined in the County's Subdivision Control Ordinance or if there is a difference of opinion between the committee and the developer regarding the quality of the features being recommended for preservation by the Concept Review Committee, the Committee may designate a consultant experienced in development design and in the protection of natural features and greenway lands to meet with the applicant and the committee to provide an independent assessment of the proposal. All reasonable costs associated with use of the consultant shall be paid by the applicant.

In reviewing the proposal, the consultant shall provide the applicant and the committee with comments as to how the proposed plan sensitively incorporates and maximizes the preservation of the significant natural

resources and features of the site and how these proposed plans and documents conform with the: **(changed from numbers to Roman numerals)**

i. Goals and objectives of the Kendall County ~~**Land Resource Management Plan**~~ **LRMP**;
ii. Intent and rules of the Residential Planned Development Ordinance;
iii. Principles and practices of conservation design.

In addition, the consultant shall supply an assessment of the quality of the natural resources and features present on the property along with input as to which features are significant enough to warrant preservation or enhancement. As part of this assessment, the consultant shall also present recommendations on how the concept plan should be revised to accomplish these objectives.

After receiving the input from the consultant, the developer may prepare a revised Concept Plan for presentation to the Concept Review Committee for review and recommendation to the ~~**p**~~**P**lan Commission or request a recommendation on the original plan submitted. The Concept Plan Committee shall schedule a meeting within 15 days of submission of a revised plan to the Director of Planning, Building & Zoning. After review of the submitted plan, the Committee shall provide their recommendation.

The Director of Planning, Building and Zoning or his designated representative shall then submit the Concept Plan and report to the Plan Commission, for review and recommendation within 45 days of the original submission of the Concept Plan. The Concept Plan, report, and the minutes of the applicable Plan Commission meeting shall then be transmitted to the ~~**Planning, Building, and Zoning**~~ **PBZ** Committee for their review. Each body shall review the proposal and provide their recommendation. Alternatively, the ~~**Planning, Building, and Zoning Committee**~~ **PBZ** may recommend further review by the Concept Plan Committee. If the ~~**Planning, Building, and Zoning Committee**~~ **PBZ** recommends further review by the Concept Plan Committee, the application shall be forwarded to that body, along with the report and the minutes of the applicable meetings of the Plan Commission and the Planning, Building, and Zoning Committee. The Concept Plan Committee shall schedule a meeting within 15 days of the recommendation by the ~~**Planning, Building, and Zoning Committee**~~ **PBZ**.

The Concept Plan Committee shall meet with the applicant on one or more occasions and shall recommend approval, approval with conditions,

or denial. Such recommendation shall be transmitted to the Planning, Building, and Zoning Committee of the County Board for final action.

C. FOUR STEP PROCESS. Each sketch plan or Concept Plan shall follow a four-step design process, as described below. When the Concept Plan is submitted, applicants shall be prepared to demonstrate to the Concept Plan Committee and Kendall County Board that these four design steps were followed by their site designers in determining the layout of their proposed streets, house lots, and greenway lands.

1. Designating the Open Space. During the first step, all potential conservation areas (both primary and secondary) are identified, using the Existing Features (Site Analysis) Plan **and the 200 foot grid soil survey**. Primary Conservation Areas shall consist of wetlands, floodplains, slopes over 25%, ~~**and**~~ soils susceptible to slumping, **and soils classified as unsuitable for conventional septic systems in the Kendall County Subdivision Control Ordinance**. Secondary Conservation Areas shall include all remaining open space areas and shall strive to include the most sensitive and noteworthy natural, scenic, and cultural resources on the property.

   Guidance on which parts of the remaining land to classify as Secondary Conservation Areas shall be based upon:

   a. the procedures described in Conservation Design for Subdivisions: A Practical Guide to Creating Open Space Networks, produced by Natural Lands Trust and published by Island Press,
   b. on-site visits or inspections,
   c. the open space location criteria contained in Section 8:03.N above,
   d. the evaluation criteria listed in Section 8:03.P above, and
   e. information from published data and reports.

Step 1: Developing a "yield plan" to determine the maximum allowable density for the site.

The site is 120 acres, which includes 10 acres devoted to wetlands. At 90,000 square feet per lot, the 110 buildable acres yield 47 total lots. In addition, the 120-acre site provides for about 15% open space.

2. Location of House Sites. During the second step, potential house sites are tentatively located. Because the proposed location of houses within each lot represents a significant decision with potential impacts on the ability of the development to meet the evaluation criteria contained in Section 8:03.**O** ~~**P above**~~, subdivision applicants shall identify tentative house sites on the Concept Plan and proposed house sites on the detailed Final Plan. House sites should generally be located not closer than 100 feet from Primary Open Space Areas, but may be situated within 50 feet of Secondary Open Space Areas, in order to enjoy views of the secondary open space without negatively impacting the primary open space. The building "footprint" of proposed residences may be changed by more than fifty feet in any direction with majority approval from the members of the Kendall County Board. Changes involving less than fifty feet do not require approval.

Step 2: Identifying and analyzing key environmental features such as woodlands, topography, wetlands, and natural drainage.

This site has extensive environmental features, including large woodlands (shown as the green area) with natural drainage ways (shown as the blue dotted line). One of the natural drainage ways leads to a river on the west side of the graphic. Wetlands are shown as light blue shapes.

3. Street and Lot Layout. The third step consists of aligning proposed streets to provide vehicular access to each house in the most reasonable and economical way. When lots and access streets are laid out, they shall be located in a way that avoids or at least minimizes adverse impacts on both the Primary and Secondary Conservation Areas. To the greatest extent practicable, wetland crossings and streets traversing existing slopes over 15% shall be strongly discouraged. Street connections shall generally be encouraged to minimize the number of new cul-de-sacs to be maintained by the County or Township and to facilitate easy access to and from homes in different parts of the property (and on adjoining parcels). Cul-de-sacs serving more than six homes shall generally be designed with a central island containing indigenous trees and shrubs (either conserved on site or planted).

<u>Step 3:</u> Identifying "development opportunities" and "conservation opportunities."

Illustrated in green, conservation opportunities are formed by the environmental features identified in Step 2. The yellow shapes represent development opportunities, offering sites for residential lots.

The County generally encourages the creation of single-loaded residential access streets, in order that the maximum number of homes in new developments may enjoy views of open space.

Note that in situations where more formal, "neo-traditional," or village-type layouts are proposed, Steps Two and Three may be reversed, so that the location of house sites follows the location of streets and squares.

4. Lot Lines. The fourth step is simply to draw in the lot lines (where applicable). These are generally drawn midway between house locations.

Step 4: Preparing a site design with residential lots, a road network, and conservation areas.

At 40,000 square feet per lot, the 110 buildable acres yield 59 total lots in this conservation design plan. The 120-acres site provides about 60% open space, which is much greater than the yield plan from Step 1. The existing farm structure along the eastern edge was also preserved as its own lot (light orange area). The higher lot count and greater open space coverage emphasize the benefits of using the conservation design approach.

D. PRELIMINARY SITE PLAN/PLAT APPROVAL.

1. **Preliminary Site Plan**. Prior to approval of the Concept Plan, the applicant shall submit to the Plan Commission a "Preliminary Site Plan/Preliminary Plat" that shows the approximate layout of proposed streets, ~~**houselots**~~ **house lots**, and open space lands complies with the zoning and subdivision ordinances of the County and any municipalities within 1 ½ miles of the development, particularly those sections governing the design of subdivision streets and stormwater management facilities. This site plan requirement is meant to provide the County with assurance that the proposed plan is able to be accomplished within the current regulations of the County. The site plan shall also note any variations needed to implement the plan as drawn. At his or her own risk, an applicant may skip the Preliminary Plat stage and proceed directly to Final Plan Approval or may combine Preliminary and Final Plat approval.

2. Content of Petition. The formal petition shall contain, in addition to all other requirements, the following:

   a. A site plan of the Planned Development. This plan will be at a scale of not less than one inch equals one hundred feet which shall show all proposed streets (public and private), street classification, rights-of-way, pavement width of street and driveways, all principal buildings, lot sizes, building lines, easements for utility services, off-street parking, service areas, open space recreation facilities and any other information necessary to clearly show the proposed elements of the Planned Development.

   b. Preliminary architectural plans for all residential buildings proposed to contain more than one dwelling unit shall be submitted in sufficient detail to show the basic planning, the number of units per building and the estimated number of bedrooms per dwelling unit. Building elevations shall be required only for structures containing more than one dwelling unit. Preliminary architectural plans for business or other non-residential buildings shall illustrate elevations and proposed exterior materials.

   c. A topographic survey with two-foot contour intervals and the boundary survey of the subject area, prepared and certified by a registered Illinois surveyor.

   d. A rendered plan of the Planned Development area showing in contrasting colors or by other means the respective location of all categories of land use.

   e. A map of the general area showing the location of the Planned Development site and its relation to the existing roads and streets and use districts within the immediately adjacent and surrounding area.

   f. Preliminary engineering plans and specifications for the following improvements:

      (i) Roads and streets, including classifications, width of right-of-way, widths of paved surfaces and construction details.

(ii) Sidewalks and trails, including widths of paved surfaces and construction details.

(iii) Sanitary and storm sewer system.

(iv) Water supply system.

(v) Street lighting and public area lighting system.

(vi) Recommended installations for electric, gas and telephone facilities and distribution.

(vii) Sequence of phases or stages of development of the Planned Development.

(viii) A general landscape planting plan and tree removal and preservation plan, prepared by a landscape architect which meets the approval of the Plan Commission.

g. The following shall be provided by either graphic exhibits or written statement:

(i) The density of residential uses and the number of dwelling units by type.
(ii) The ancillary and non-residential uses to be provided in a residential planned development.
(iii) The off-street parking and other service facilities proposed.
(iv) The exception or variations to the Kendall County zoning or subdivision requirements being requested as part of the Planned Development application.
(v) The calculation of buildable acreage, the percent and acreage of land used for each of Primary and Secondary Open Space purposes, and the type and acreage of passive and recreational open space.
(vi) Other submittals as requested by the County ~~**Planning, Building and Zoning**~~ **PBZ** Department (including but not limited to traffic studies, ground water studies, etc.).

3. Procedures for Approval.

a. The applicant shall request the Preliminary Plan/Plat Approval in addition to a petition for a zoning map amendment, by letter addressed to the ~~**Director of Planning Building and Zoning**~~ **PBZ** or his/her designee, to be placed on the agenda of the next regular meeting of the Zoning, Platting Advisory Committee (ZPAC) for a preliminary discussion of the proposed Planned Development. The applicant shall present such exhibits and written information as may be necessary to fully acquaint the ZPAC with the proposed development.

b. A copy of the petition shall also be submitted to the applicable Township and any municipality within 1 ½ miles of the proposed development, **with extra-territorial jurisdictional control**. The applicant shall present the application at a regularly scheduled meeting of the Plan Commission (or other applicable body) of the township or municipality. The Township and/or municipality may submit comments to the County regarding the petition within 30 days.

c. The Director of Planning, Building and Zoning or his designated representative shall review the submission to ensure that it complies with the preliminary plan and any comments and conditions governing approval of the preliminary plan.

d. The petition shall be reviewed by the ~~**Zoning, Platting Advisory Committee**~~ **ZPAC** within 30 days of the date of the complete original submission of the final plan, and a recommendation shall be made, accompanied by such plats, exhibits and supporting documents as shall have been presented by the petitioner, each identified for reference by letter or number, together with any suggested changes therein. The director or staff shall submit minutes of the ZPAC meeting containing such recommendation shall be submitted to the Plan Commission for review and recommendation, along with any written correspondence received from any municipality or township.

e. The petition shall be heard by the Plan Commission within 60 days of the ZPAC meeting provided any necessary revisions or supplemental information requested by ZPAC have been supplied at least 30 days in advance the Plan Commission meeting. Upon completion of their review of the preliminary plan or plat, a recommendation shall be made, accompanied by such plats, exhibits and supporting documents as shall have been presented by the petitioner, each identified for reference by letter or number, together with any suggested changes therein. The minutes of the Plan Commission meeting containing such recommendation shall be submitted to the ~~**Zoning Board of Appeals**~~ **ZBA**, along with and written correspondence received from any municipality or township.

f. The Chairman of the ~~**Zoning Board of Appeals**~~ ~~(~~ZBA~~)~~ shall set a hearing date on the zoning map amendment to be held within 30 days of the submission of the Plan Commission report provided any necessary revisions or supplemental information requested by the Plan Commission have been supplied at least 15 days in advance the hearing. The Chairman shall cause notice of the hearing to be published at least once, not more than thirty days nor less than fifteen days before said hearing date in one or more newspaper of general circulation in the County. Written notice shall be given by the applicant to all property owners as prescribed by the ZBA by-laws.

g. Upon completion of their review of the map amendment and preliminary plan or plat, the ZBA shall make a recommendation. The Director of Planning, Building and Zoning or his designated representative shall forward a copy of the petition, the minutes of the applicable meetings containing the recommendations of the Plan Commission and the Zoning Board of Appeals accompanied by such plats, exhibits and supporting documents as shall have been presented by the petitioner, each identified for reference by letter or number, together with any suggested changes therein. to the Planning Building and Zoning Committee of the County Board. The ~~**Planning Building and Zoning**~~ **PBZ** Committee shall review the petition within 30 days of the public hearing, **unless a legal objection is eligible for filing in which case the PBZ Committee shall review the petition within 60 days.**

h. The Director of ~~Planning, Building and Zoning~~ **PBZ** or his designated representative shall forward a copy of the petition and the minutes of the applicable meetings of the Plan Commission, Zoning Board of Appeals and Planning Building and Zoning Committee to the County Board. The County Board shall review the petition within 30 days of the ~~Planning Building and Zoning Commission's~~ **PBZ Committee's** meeting.

i. The County Board may grant an ordinance approving a map amendment for the Planned Development as well as any related special use permits. A separate ordinance approving the Concept Plan and Preliminary Plan/Plat may also be granted including plats, landscape plans, and the like. The Concept Plan and Preliminary Site Plan or Plats required by Section ~~8:06~~**13:09**.B.4 and ~~8.06~~ **13:09**.**D** ~~C.2.~~ shall be explicitly made a part of the Planned Development Ordinance.

4. Zoning Map Approved Residential Planned Developments shall be delineated and designated by a number on the zoning district map. A file, available for inspection by the public, shall be maintained by the Director of ~~Planning, Building and Zoning~~ **PBZ** for each Planned Development so designated. The file shall contain a record of the approved development plan and all exceptions authorized therein.

E. FINAL PLAN APPROVAL

1. **Request**. The applicant shall request the Final Plan Approval, by letter addressed to the Director of ~~Planning Building and Zoning~~ **PBZ** or his/her designee, to be placed on the agenda of the next regular meeting of the Plan Commission for a preliminary discussion of the proposed Planned Development at such meeting, which may be continued from time to time. The applicant shall present such exhibits and written information as may be necessary to fully acquaint the Plan Commission with the proposed development.

2. Content of Petition. The formal petition shall contain, in addition to all other requirements, the following:

a. A site plan of the Planned Development. This plan will be at a scale of not less than one inch equals one hundred feet which shall show all proposed streets (public and private), street classification, rights-of-way, pavement width of street and driveways, all principal buildings, lot sizes, building lines easements for utility services, off-street parking, service areas,

open space recreation facilities and any other information necessary to clearly show the proposed elements of the Planned Development.

b. Preliminary architectural plans for all residential buildings proposed to contain more than one dwelling unit shall be submitted in sufficient detail to show the basic planning, the number of units per building and the estimated number of bedrooms per dwelling unit. Building elevations shall be required only for structures containing more than one dwelling unit. Preliminary architectural plans for business or other non-residential buildings shall illustrate elevations and proposed exterior materials.

c. A topographic survey with two-foot contour intervals and the boundary survey of the subject area, prepared and certified by a registered Illinois surveyor.

d. A rendered plan of the Planned Development area showing in contrasting colors or by other means the respective location of all categories of land use.

e. A map of the general area showing the location of the Planned Development site and its relation to the existing roads and streets and use districts within the immediately adjacent and surrounding area.

f. Specifications of the following improvements:

i. Roads and streets, including classifications, width of right-of-way, widths of paved surfaces and construction details.
ii. Sidewalks, including widths of paved surfaces and construction details.
iii. Sanitary and storm sewer system.
iv. Water supply system.
v. Street lighting and public area lighting system.
vi. Recommended installations for electric, gas and telephone facilities and distribution.
vii. Sequence of phases or stages of development of the Planned Development.
viii. A general landscape planting plan, prepared by a landscape architect which meets the approval of the Plan Commission.

g. The following shall be provided by either graphic exhibits or written statement:

i. The density of residential uses and the number of dwelling units by type.
ii. The ancillary and non-residential uses to be provided in a residential planned development.
iii. The off-street parking and other service facilities proposed.
iv. The exception or variations to the Kendall County zoning or subdivision requirements being requested as part of the Planning Development application.
v. The calculation of buildable acreage, the percent and acreage of land used for each of Primary and Secondary Conservation purposes, and the type and acreage of passive and recreational open space.
vi. Estimates of cost of installation of all proposed improvements, confirmed by a registered Illinois engineer.
vii. Petitioner's proposed development agreement, covenants, restrictions and conditions, special service district and home owner's association by-laws to be established as a part of the Planned Development.
viii. Open Space Maintenance and Monitoring Plan that complies with the standards set forth in Appendix ~~n~~**N**ine of the Kendall County Subdivision Control Ordinance.
ix. Other submittals as requested by the County ~~**Planning, Building and Zoning**~~ **PBZ** Department.

i. Construction of Improvements. The petitioner shall construct and install the required improvements in accordance with the County Subdivision Regulations and the Special Use Ordinance.

ii. Street Classification. Street classifications, definitions, and specification, shall be in accord with the regulations pertaining to same as established in the Subdivision Regulations and the Comprehensive Plan of Kendall County, as may be amended from time to time, as may be modified by the special use permit.

iii. Standards. No Planned Development shall be authorized by the County Board unless the Plan Commission shall find and recommend that the following standards will be met:

a. The uses permitted by such exceptions as may be requested or recommended are necessary or desirable and appropriate to the purpose of the development.
b. The uses permitted in such development are not of such nature or so located as to exercise an undue detrimental influence or effect upon the surrounding neighborhood.
~~c.~~ That all minimum requirements pertaining to commercial, residential, institutional, or other uses established in **the** Planned Development ~~developments are met.~~ **(c should not be crossed out)**
d. When private streets and common driveways are made a part of the Planned Development or private common open space or recreation facilities are provided, the applicant shall submit as a part of the application, the method and arrangement whereby these private facilities shall be operated and maintained. Such arrangements for operating and maintaining private facilities shall be subject to the approval of the County Board.

3. Procedures for Approval.

a. A copy of the petition shall be filed with the ~~Planning, Building and Zoning~~ **PBZ** Department, and ten copies of the petition shall be filed with the Director of ~~Planning Building and Zoning~~ **PBZ** or his/her designee. Attached to each copy shall be copies of the supporting documents and exhibits provided for herein.

b. A copy of the petition shall also be submitted to the applicable Township and any municipality within 1 ½ miles of the proposed development. The applicant shall present the application at a regularly scheduled meeting of the Plan Commission (or other applicable body) of the township or municipality. The Township and/or municipality may submit comments to the County regarding the petition within 30 days.

c. The Director of ~~Planning, Building and Zoning~~ **PBZ** or his designated representative shall review the submission to ensure that it complies with the preliminary plan and any comments and conditions governing approval of the preliminary plan.

d. The Petition will be placed on the agenda of the next regular meeting of the ~~Zoning, Platting Advisory Committee (~~ZPAC~~)~~ for a preliminary discussion of the proposed Planned Development. The applicant shall present such exhibits and written information as may be necessary to fully acquaint the ZPAC with the final plat for the proposed development.

e. The petition shall be reviewed by Zoning, Platting Advisory Committee within 30 days of the date of the complete original submission of the final plan, and a recommendation shall be made, accompanied by such plats, exhibits and supporting documents as shall have been presented by the petitioner, each identified for reference by letter or number, together with any suggested changes therein. The minutes of the ZPAC meeting containing such recommendation shall be submitted to the Plan Commission for review and recommendation, along with any written correspondence received from any municipality or township

f. The petition shall be reviewed by the Plan Commission within 60 days of the of the ZPAC meeting provided any necessary revisions or supplemental information requested by ZPAC have been supplied at least 30 days in advance the Plan Commission meeting. Upon completion of their review of the Final Plat, a recommendation shall be made, accompanied by such plats, exhibits and agreements as shall have been presented by the petitioner, each identified for reference by letter or number, together with any suggested changes therein. The minutes of the Plan Commission meeting containing such recommendation shall be submitted to the ~~Planning Building and Zoning~~ **PBZ** Committee of the County Board~~,~~ for review and recommendation to the County Board.

g. The Chairman of the ~~Planning Building and Zoning~~ **PBZ** Committee shall review the matter within 30 days of the submission of the Plan Commission report and ~~reciept~~ **receipt** of the required approvals for the final engineering plans and supporting documents by all applicable reviewing agencies.

h. Following review and recommendation by the PBZ Committee, the Director of ~~Planning, Building and Zoning~~ **PBZ** or his designated representative shall forward a copy of the petition and the minutes of the applicable meetings of the Plan Commission and the Planning Building and Zoning Committee to the County

Board. The County Board shall review the petition within 30 days of the ~~Planning Building and Zoning Commission's~~ **PBZ Committee's** meeting.

i. The County Board may grant an ordinance for the Planned Development which shall be by specific ordinance and which shall contain or to which shall be appended all terms and conditions of the special use permit, including covenants and agreements, guarantees, performance bonds, plats, and the like. The site development plan required by Section ~~8.06B.2.a~~ **8:06.C.2.a** shall be explicitly made a part of the Planned Development Ordinance.

13:10 SITE PLAN REVIEW *(Amended 9.18.2001)*

D. SITE DESIGN STANDARDS. The following development standards are established as criteria for the review of Site Plans.

1. Responsive to Site Conditions.~~—~~ Site plans should be based on an analysis of the site. Such site analysis shall examine characteristics such as site context; geology and soils; topography; climate and ecology; existing vegetation, structures and road network; visual features; and current use of the site. In addition to the standards listed below, petitioners must also follow the regulations outlined in this Zoning Ordinance.

To the fullest extent possible, improvements shall be located to preserve the natural features of the site, to avoid areas of environmental sensitivity, and to minimize negative effects and alteration of natural features. Fragile areas such as wetlands ~~shall~~ and flood plains should be preserved as open space. Slopes in excess of 20 percent as measured over a 10-foot interval also should remain as open space, unless appropriate engineering measures concerning slope stability, erosion and safety are taken.

F. Procedure. A written application for site plan review shall be submitted to the ~~Planning Building and Zoning~~ **PBZ** Department, which will schedule the item for review. Consultation with the appropriate County staff and consultants is encouraged throughout this process to insure a minimum delay. If requested by the applicant, the County will review applications for Site Plan review concurrently with separate requests for rezoning or platting. The review process will include the following:

1. *Zoning and Planning Advisory Committee*. One copy of the complete application, along with eight (8) copies of the site plan shall be submitted by the property owner or his certified agent to the Zoning Administrator at least ~~seven (7)~~ **fourteen (14)** days prior to the ZPAC meeting. The purpose of the ZPAC meeting will be to evaluate the completeness of the application and to provide the applicant with feedback/input on the proposed site plan. Prior to the ZPAC meeting, the Zoning Administrator shall distribute copies of the Site Plan to Committee members. After

discussion on a proposed site plan, the ZPAC may approve, deny, or approve with modifications, or request that the applicant revise the plan and return to a future ZPAC meeting for further review.

Appendix 1 Lot Size Guide--Agriculture and Residential Districts

This is a guide only. For exact requirements refer to provisions in Section which applies.

	A-1	R-1	R-2	R-3	R-4	R-5	R-6	R-7	RPD-1	RPD-2
Minimum Single-Family Residential Lot Size -- sq. ft.	130,000*	130,000	90,000	45,000	30,000	15,000	7,000	7,000	20,000	20,000
Minimum Lot Width -- ft.	200'*	200'	40% of lot depth	40% of lot depth	40% of lot depth	40% of lot depth	40% of lot depth	40% of lot depth	100'	100'
Maximum Building Height -- ft.										
--Single-Family Residential		40'	40'	40'	40'	40'	40'	40'	40'	40'
--Churches		45'	45'	45'	45'	45'	45'	24'	45'	45'
--Other Non-Residential Uses	N/A	45'	45'	45'	45'	45'	45'	24'	45'	45'
Front Yard Setback - ft. (minimum)										
--Freeway & Arterial Roads					40'	40'	40'	50'		
--Major & Minor Collector Roads	**See				30'	30'	30'	40'		
--All other roads	Below	150' or 50'	50'	50'	25'	25'	25'	30'	30'	30'
Side Yard Setback - ft. (minimum)	50'	50'	25'	10% of lot width	10% of lot width	10% of lot width	10% of lot width	10'	10% of lot width	10% of lot width
Side Yard Setback - Corner Lot - ft. (minimum)	150'	50'	50'	30'	30'	30'	30'	30'	10% of lot width	10% of lot width
Rear Yard Setback - ft. (minimum)	50'	50'	50'	50'	30'	30'	30'	30'	50'	50'
Public Utilities Required W-Water; S-Sewer	N/A	N/A	N/A	N/A	S	S	W, S	S	N/A	N/A
Minimum Non-Residential Lot Size - Acres	N/A	N/A	5	5	5	5	5	5	***See Below	***See Below
Lot Coverage - Maximum Percent	N/A	10%	12%	20%	20%	40%	40%	40%	See Ordinance	See Ordinance
Density - No. of Units per Acre	N/A	N/A	N/A	0.8	1.2	2.2	3.5	15	.45(max) .33 (min.)	.65 (max) .45 (min.)
Gross Acres Required	N/A	Not Specified	<10	<10	N/A	N/A	N/A	N/A	Not Specified	Not Specified

*Minimum listed is for existing and replacement homes or A-1 conditional home permits. See A-1 District Regulations for specifics.

**A-1 Front Yard Requirements--100' from a dedicated road right-of-way or 150' from the center line of all adjacent roads~~, whichever is greater~~.

***Minimum RPD non-residential lot sizes are specific to use. Please refer to the RPD regulations.

All "Special Use" lot sizes shall be specified in the Special Use Permit.

Appendix 2 Lot Size Guide--Other Districts

This is a guide only. For exact requirements refer to provisions in the Section which applies.

	B-1	B-2	B-3	B-4	B-5	B-6	M-1	M-2	M-3
Minimum Lot Size - sq. ft.	10,000	10,000	~~150000~~ 10,000	20,000	As approved by the County Board	150,000	Not Specified	Not Specified	Not Specified
Minimum Lot Width - ft.	100'	100'	~~250'~~ 100'	100'	As approved by the County Board	250'	Not Specified	Not Specified	Not Specified
Maximum Building Height - ft.	35'	35'	~~75'*****~~ 35'	50'	As approved by the County Board	75'	Not Specified	Not Specified	Not Specified
Front Yard--ft. --Arterial Roadways --Major or Minor Collector Roadways --All Other Streets	 50'* 40'** 30'***	 50'* 40'** 30'***	 ~~75'~~ 50' ~~50'**~~ ~~40'**~~ ~~40'***~~ 30' ***	 50'* 50'** 40'***	 As approved by the County Board	 75'* 50'** 40'***	 50' 40' 30'	 50' 40' 30'	 N/A
Side Yard--ft. (minimum)	10'****	10'****	~~30'~~ ~~20'~~****	10'****	As approved by the County Board	30'	10% of lot width (up to 20')	10% of lot width (up to 20')	TBD by ZBA
Rear Yard--ft. (minimum)	20'****	20'****	~~40'~~ ~~20'~~****	10'****	As approved by the County Board	40'*****	40'	40'	TBD by ZBA
Lot Coverage - Maximum Percent	75%	70%	70%	75%	As approved by the County Board	70%	60%	~~75%~~ 70%	Not Specified
Floor Area Ratio - Maximum	0.5	0.5	0.5	0.2	As approved by the County Board	0.5	~~0.8~~ N/A	~~0.85~~ N/A	Not Specified
Distance from Other Zoning Districts - ft.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	200'
Distance from Property Lines - ft.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	100'
Distance from any Street or Road - ft.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	150'
Gross Acres Required	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**	**10**

*or 100' **in B-1, B-2, B-3, B-4 or 125' in B-6** from the center line of all adjacent roads, whichever is greater
or 90' **in B-1, B-2, and B-3 or 100' in B-4 and B-6 from the center line of all adjacent roads, whichever is greater
***or 70' from the center line of all adjacent roads, whichever is greater; 75' in the B-1~~; 90' in the~~ **and** B-3; and 80' in the B-4; and 90' in B-6

****When adjoining property in an A-1 or R district or a municipality, a side yard equal to that required on the adjacent property shall be provided, but in no event shall the setback be less than the minimum listed above.

*****No building within 300' of a Residential district shall exceed 40' in height.

	A-1	R-1	RPD-1; 2 & 3	R-2	R-3	R-4, R-5 & R-6	R-7	B-1	B-2	B-3	B-4	B-6	M-1	M-2	M-3	Conditions
Health Clubs (public or private)			P							P	P	S				See Ordinance
Home based retail and/or wholesale food operation	C	C	C	C	C	C	C									See Ordinance
Home Occupation	P	P	P~~/S~~	P	P	P	P									See Ordinance
Horse Breeding and Raising	P															
Hospice	S	S	S	S	S											
Hospital			S						S	S		P	S	S		
Hotel and/or Motel										P	S	S	S	S		
Indoor Business Sales and Service (under 10,000 sq. ft.)								P	P	P						
Indoor Business Sales and Service (in excess of 10,000 sq. ft.)									P	P						
Indoor Entertainment and Recreation									S	P	S		S	S		
Indoor Retail Sales of Goods (under 10,000 sq.ft.) – Includes Repairs of Goods Sold on Premises								P	P	P						
Indoor Retail Sales of Goods (10,000 sq.ft. and over) – Includes Repairs of Goods Sold on Premises									P	P						
Indoor Target Practice	S								S	S	S	S	S	S		See Ordinance
Junk Yards and Automobile Wrecking Yards														S		See Ordinance
Kendall County Sheriff's Office shooting range															S	See Ordinance
Kennels	S									S	S		S	S		See Ordinance

	A-1	R-1	RPD-1; 2 & 3	R-2	R-3	R-4, R-5 & R-6	R-7	B-1	B-2	B-3	B-4	B-6	M-1	M-2	M-3	Conditions
Photography Studios								P	P	P						
Places of Worship	S	S	C/S	S	S	S	S	S	S	S	S	S	S	S		See Ordinance
Planned Unit Development			P			S	S	S			S	P	S	S		See Ordinance
Plumbing, Heating, and Roofing Supply Shops									P	P			P	P		
Police Stations			P					P	P	P	P	P	P	P		
Portable Concrete Crushing, Screening, & Stockpiling of dirt, crushed concrete and RAP (incidental to a major construction project)	T							T	T	T	T	T	T	T	T	See Ordinance
Postal Substation			P					P	P	P	P					
Private Clubs or Lodges	S												S	S		See Ordinance
Private Clubs- soccer, etc.												S	S	S		See Ordinance
Processing or Assembly									C	C			P	P		See Ordinance
Production and sale of sweet cider, hard cider, wine, jams, etc. Also tasting and retail of items produced on site and ancillary items	S									S	S		S	S		See Ordinance
Production, Processing, Cleaning, Testing, or Repair Services (Limited uses)													P	P		See Ordinance
Public or Private Utilities and Service Uses	S	S	S	S	S	S	S	S	S	S		S	P	P		See Ordinance
Public 911 Safety Towers	C															See Ordinance
Racetrack											S		S	S		See Ordinance

	A-1	R-1	RPD-1; 2 & 3	R-2	R-3	R-4, R-5 & R-6	R-7	B-1	B-2	B-3	B-4	B-6	M-1	M-2	M-3	Conditions
Railroad Freight Terminals, Railroad Switching and Classifications Yards, Repair Shops and Roundhouses														S		
Recreational Areas			P								P		S	S		See Ordinance
Recreational Camps or RV Parks	S										S		S	S		See Ordinance
Research Laboratories including testing												P				See Ordinance
Rest Homes, Nursing Homes and sanitariums		S	S	S	S	S	S									
Restaurants, Cafes, Cafeterias, and Like Uses								P	P	P		S	S	S		See Ordinance
Restaurants including drive-in type of establishments										P						
Retail shops or office use with conditions					S											See Ordinance
Retail or Wholesales sale of pottery, art, or home décor products	S															See Ordinance
Retail or Wholesale Sales Yards for Agricultural Products	S									S			S	S		See Ordinance
Riding Stables including polo clubs, rodeo clubs and similar uses	~~S/~~C		S								S		S	S		See Ordinance
Roadside Stands	P	P	P													See Ordinance
Schools (elementary, junior high and high school)	S	S	C	S	S	S	S									See Ordinance
Schools (music, dance, business, commercial, or trade)									P	P		P	S	S		See Ordinance
School bus garages	S	S	C	S	S	S	S						P	P		See Ordinance
Seasonal Festivals	C										P					See Ordinance

	A-1	R-1	RPD-1; 2 & 3	R-2	R-3	R-4, R-5 & R-6	R-7	B-1	B-2	B-3	B-4	B-6	M-1	M-2	M-3	Conditions
Secondary Dwelling Unit			S													See Ordinance
Self Service Storage Facilities									C	~~C~~/S		S	S	S		See Ordinance
Seminaries, Convents, Monasteries (and like uses)		S	S	S	S	S	S				S		S	S		See Ordinance
Service or Commercial uses for immediate convenience												S				See Ordinance
Service Clubs	S															
Single-Family Attached Dwelling Units			P				P									See Ordinance
Single-Family Detached Dwelling		P	P	P	P	P	P									
Single-Family Semi-Detached Dwelling							P									
Single-Family Dwelling (130,00 square foot minimum and evidence that it is incompatible with agricultural uses)	C															See Ordinance
Single-Family Residential use (40 acres, allocated, approved lot or replacement home)	P															See Ordinance
Slaughter House														S		
Slaughtering of Poultry or Rabbits													P	P		
Sod Farms	P															
Solar Gardens	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	See Ordinance
Solar Farms	S															See Ordinance
Sports Arena and Stadiums											S		S	S		See Ordinance
Storage Facilities (for motor vehicles, boats, trailers and other recreational vehicles)	S												P	P		See Ordinance

ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
July 7, 2020 – Unapproved Meeting Minutes

PBZ Chairman Matthew Prochaska called the meeting to order at 9:01 a.m.

Present Via Teleconference:
Meagan Briganti – GIS (Attended Remotely)
Brian Holdiman – PBZ Department
Commander Jason Langston – Sheriff's Department (Attended Remotely)
Matthew Prochaska – PBZ Committee Chair
Alyse Olson – Soil and Water Conservation District (Attended Remotely)
Aaron Rybski – Health Department

Absent:
Matt Asselmeier – PBZ Department
Greg Chismark – WBK Engineering, LLC
David Guritz – Forest Preserve
Fran Klaas – Highway Department

Audience:
Scott Koeppel – County Administration

AGENDA

Mr. Rybski made a motion, seconded by Mr. Holdiman, to approve the agenda as presented.

The votes were as follows:

Ayes (6):	Briganti, Holdiman, Langston, Olson, Prochaska, and Rybski
Nays (0):	None
Present (0):	None
Absent (4):	Asselmeier, Chismark, Guritz, and Klaas

The motion passed.

MINUTES

Mr. Rybski made a motion, seconded by Mr. Holdiman, to approve the May 5, 2020, and June 29, 2020, meeting minutes.

The votes were as follows:

Ayes (6):	Briganti, Holdiman, Langston, Olson, Prochaska, and Rybski
Nays (0):	None
Present (0):	None
Absent (4):	Asselmeier, Chismark, Guritz, and Klaas

The motion passed.

PETITIONS

Petitions 20-14 Kendall County Regional Planning Commission
Chairman Prochaska summarized the request.

Mr. Rybski proposed the following amendment to Section 13:09.C.1:

"Designating the Open Space. During the first step, all potential conservation areas (both primary and secondary) are identified, using the Existing Features (Site Analysis) Plan and the 200 foot grid soil survey. Primary Conservation Areas shall consist of wetlands, floodplains, slopes over 25%, soils susceptible to slumping and soils classified as unsuitable for conventional septic systems in the Kendall County Subdivision Control Ordinance. Secondary Conservation Areas shall include all remaining open space areas and shall strive to include the most sensitive and noteworthy natural, scenic, and cultural resources on the property."

Lots that meet the above criteria would be held as open space with no construction.

Mr. Rybski made a motion, seconded by Mr. Holdiman, to approve the amended text.

The votes were as follows:

Ayes (6): Briganti, Holdiman, Langston, Olson, Prochaska, and Rybski
Nays (0): None
Present (0): None
Absent (4): Asselmeier, Chismark, Guritz, and Klaas

The motion passed.

Mr. Rybski made a motion, seconded by Mr. Holdiman, to recommend approval of the requested text amendments with the amendment to Section 13:09.C.1.

The votes were as follows:

Ayes (6): Briganti, Holdiman, Langston, Olson, Prochaska, and Rybski
Nays (0): None
Present (0): None
Absent (4): Asselmeier, Chismark, Guritz, and Klaas

The motion passed. The proposal will go to the Kendall County Regional Planning Commission on July 22, 2020.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

Chairman Prochaska reported that Petition 20-12, regarding an easement in the Whitetail Ridge Subdivision was approved by the County Board.

OLD BUSINESS/NEW BUSINESS

None

CORRESPONDENCE

None

PUBLIC COMMENT

None

ADJOURNMENT

Mr. Rybski made a motion, seconded by Mr. Holdiman, to adjourn.

The votes were as follows:

Ayes (6): Briganti, Holdiman, Langston, Olson, Prochaska, and Rybski
Nays (0): None
Present (0): None
Absent (4): Asselmeier, Chismark, Guritz, and Klaas

The motion passed.

The ZPAC, at 9:10 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP
Senior Planner