

ORDINANCE NUMBER 2025- 63

**TEXT AMENDMENTS PERTAINING TO ADDING PARKS TO THE LIST OF PERMITTED
USES IN THE R-4, R-5, R-6, AND R-7 ZONING DISTRICTS IN THE ZONING CHAPTER OF
THE KENDALL COUNTY CODE**

WHEREAS, Section 36-42 of the Kendall County Code permits the Kendall County Board to approve text amendments and provides the procedure through which text amendments are granted; and

WHEREAS, parks are presently special uses in the A-1 Agricultural, M-1 Limited Manufacturing, and M-2 Heavy Industrial Zoning Districts and are permitted uses in the R-1 One Family Residential, R-2 One Family Residential, R-3 One Family Residential, RPD-1 Residential Planned Development-One, RPD-2 Residential Planned Development-Two, and RPD-3 Residential Planned Development District-Three Zoning Districts; and

WHEREAS, at least three parks are operating in a legally non-conforming manner in the R-6 One Family Residential and R-7 General Residence Zoning Districts; and

WHEREAS, the Kendall County Zoning Administrator, hereinafter be referred to as "Petitioner", desires to allow parks as permitted uses in all Residential Zoning Districts; and

WHEREAS, on or about October 8, 2024, the Petitioner submitted text amendments to the Kendall County Code adding parks to the list of permitted uses in the R-4 One Family Residential, R-5 One Family Residential, R-6 One Family Residential, and R-7 General Residence Zoning Districts and amending the tables of uses contained in Section 36-1093 of the Kendall County Code to reflect this text amendment; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on November 21, 2024, the Kendall County Zoning Board of Appeals conducted a public hearing on December 16, 2024, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner presented evidence, testimony, and exhibits in support of the requested text amendments and zero members of the public testified in favor or in opposition to the request; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has recommended approval of the text amendments on December 16, 2024; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing, and has forwarded to the Kendall County Board a recommendation approval of the requested text amendments; and

WHEREAS, the Kendall County Board has considered the recommendations of the Planning, Building and Zoning Committee and the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, that the Kendall County Code be amended as follows:

- I. Recitals: The recitals set forth above are incorporated as if fully set forth herein.

II. Amended Text: Section 36-535 of the Kendall County is hereby amended to read as follows:

“The following uses are permitted in the R-4 district:

(1) Accessory uses. See Section 36-971.

(2) Home occupations, provided an affidavit is filled out in the PBZ office stating the zoning conditions are met.

(3) Parks.

(4)~~(3)~~ 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 (10) feet back from the nearest right-of-way line.

(5)~~(4)~~ Single-family detached dwellings.

(6)~~(5)~~ Signs.

(7)~~(6)~~ Temporary buildings or structures for construction offices or storage, on the same zoning lot, for a period not to exceed such construction.

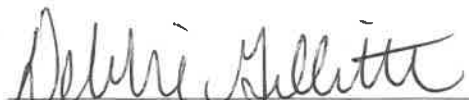
(8)~~(7)~~ Vegetable gardens as defined by the Garden Act (505 ILCS 87/1 et seq.).


III. Amended Text: The table of uses contained Section 36-1093 of the Kendall County Code is hereby amended by adding “P” to the R-4, R-5, and R-6 column and R-7 column in the Parks row as illustrated below:

	A- 1	R- 1	RPD- 1, RPD- 2 and RPD- 3	R- 2	R- 3	R-4, R-5 and R-6	R- 7	B- 1	B- 2	B- 3	B- 4	B- 5	B- 6	M- 1	M- 2	M- 3	Conditions
Parks	S	P	P	P	P	P	P							S	S		

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 21st day of January, 2025.

Attest:


Kendall County Clerk
Debbie Gillette


Kendall County Board Chairman
Matt Kellogg

