

ORDINANCE NUMBER 2025-04

**TEXT AMENDMENTS PERTAINING TO THE SETBACK OF PIPELINES FROM OCCUPIED  
PRINCIPAL STRUCTURES 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, Section 36-247 (7) (a) of the Kendall County Code requires all pipelines greater than ten (10) inches in diameter which carry/conduct flammable or hazardous material shall be located a minimum of five hundred (500) feet from any occupied principal structure; and

WHEREAS, the Kendall County Regional Planning Commission, hereinafter be referred to as "Petitioner", desires to reduce the setback from pipelines to occupied principal structures; and

WHEREAS, on or about September 25, 2024, the Petitioner submitted text amendments to the Kendall County Code reducing the setback from a minimum of five hundred (500) feet to twenty-five (25) feet; 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 amendment 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 denial 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 with an amendment to the proposal by establishing a setback of twenty-five (25) feet as measured from the edges of a permanent easement to an occupied principal structure; 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: The present language contained in Section 36-247 (7) (a) of the Kendall Code is hereby amended to read as follows:

State of Illinois  
County of Kendall

Zoning Petition  
#24-34

"All pipelines greater than ten (10) inches in diameter which carry/conduct flammable or hazardous material shall be located a minimum of twenty-five (25) five hundred (500) feet as measured from the edges of a permanent easement to from any occupied principal structure."

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

Attest:



Kendall County Clerk  
Debbie Gillette



Kendall County Board Chairman  
Matt Kellogg

