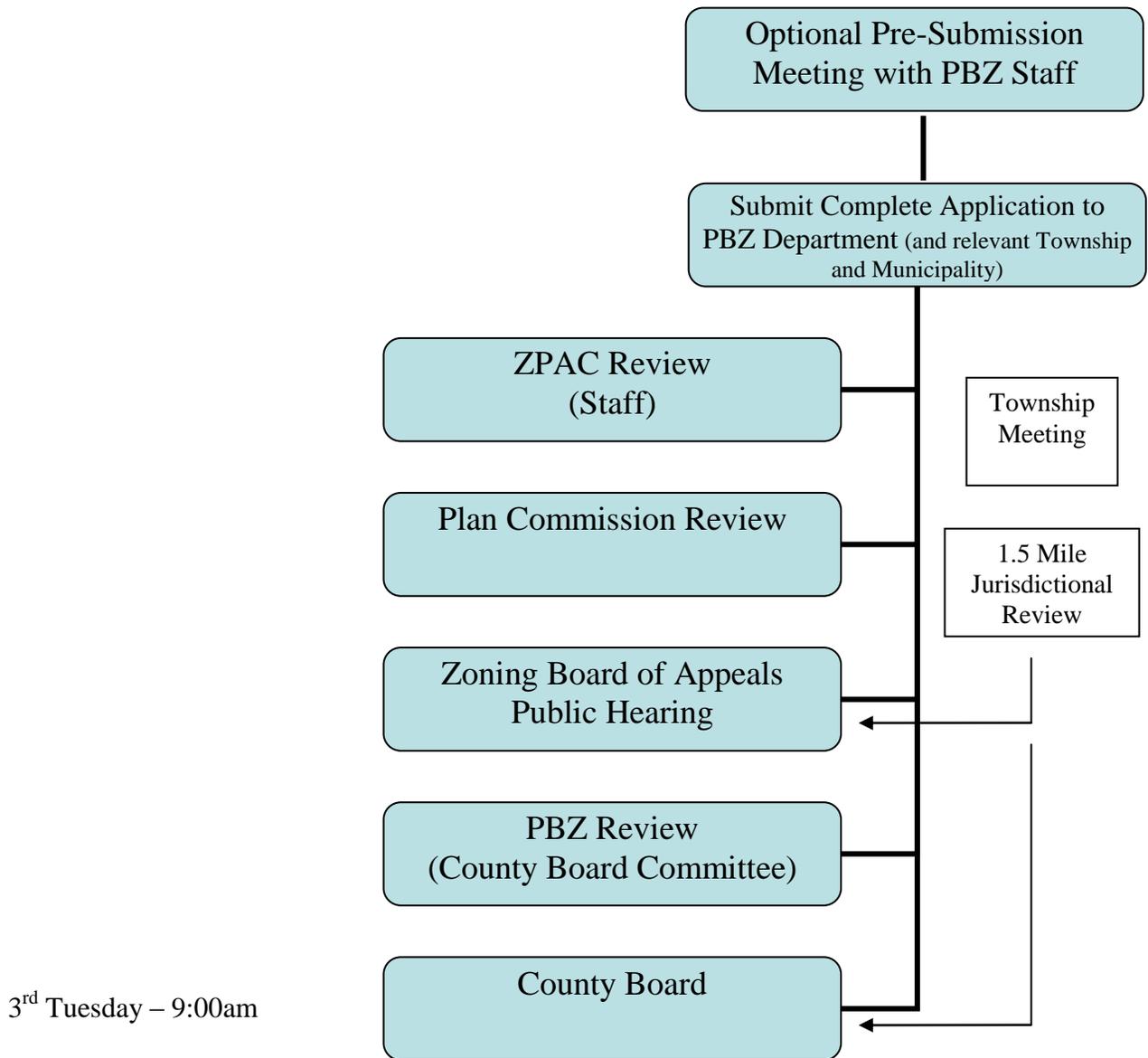


Kendall County Major Amendment to an Existing Special Use Process



Notes:

1. Timeline assumes application submittal is complete, and no major changes are requested during the review process.
2. The Plan Commission, Zoning Board of Appeals, and County Board may continue or table an item if it is determined that additional time or information is needed for review. Such actions will extend the review process.
3. Major amendments to an approved Special Use would also follow this process.

KENDALL COUNTY TIMETABLE 2020

**for TEXT AMENDMENTS, MAP AMENDMENTS, RPD's (Residential Planned Developments), NON-RESIDENTIAL PUDS,
SPECIAL USES AND MAJOR AMENDMENTS TO A SPECIAL USE**

Application Deadline	ZPAC	COMBINED KCRPC, HEARING OFFICER & ZBA PUBLICATIONS**		Deadline to submit proof of publication to PBZ Dept.***	KCRPC	ZBA	PBZ	CB
		BEGIN	END					
By 4:30 p.m.	(9:00 A.M.)	BEGIN	END		(7:00 P.M.)	(7:00 P.M.)	(6:30 P.M.)	(9:00 A.M.)
11/19/19	12/03/19	11/16/19	12/01/19	12/04/19	12/11/19	12/16/19	01/13/20	01/21/20
12/24/19	01/07/20	12/28/19	01/12/20	01/15/20	01/22/20	01/27/20	02/10/20	02/18/20
01/21/20	02/04/20	02/01/20	02/16/20	02/19/20	02/26/20	03/02/20	03/09/20	03/17/20
02/18/20	03/03/20	02/29/20	03/15/20	03/18/20	03/25/20	03/30/20	04/13/20	04/21/20
03/24/20	04/07/20	03/28/20	04/12/20	04/15/20	04/22/20	04/27/20	05/11/20	05/19/20
04/21/20	05/05/20	05/02/20	05/17/20	05/20/20	05/27/20	06/01/20	06/08/20	06/16/20
05/19/20	06/02/20	05/30/20	06/14/20	06/17/20	06/24/20	06/29/20	07/13/20	07/21/20
06/23/20	07/07/20	06/27/20	07/12/20	07/15/20	07/22/20	07/27/20	08/10/20	08/18/20
07/21/20	08/04/20	08/01/20	08/16/20	08/19/20	08/26/20	08/31/20	09/14/20	10/20/20
08/18/20	09/01/20	08/29/20	09/13/20	09/16/20	09/23/20	09/28/20	10/19/20	11/17/20
09/22/20	10/06/20	10/03/20	10/18/20	10/21/20	10/28/20	11/02/20	11/09/20	11/17/20
10/20/20	11/03/20	11/14/20	11/29/20	12/02/20	12/09/20	12/14/20	01/11/21	01/19/21
11/17/20	12/01/20	11/14/20	11/29/20	12/02/20	12/09/20	12/14/20	01/11/21	01/19/21
12/22/20	01/05/21	01/02/21	01/17/21	01/20/21	01/27/21	02/01/21	02/08/21	02/16/21

TIMELINE IS SUBJECT TO CHANGE-REVIEW BY TOWNSHIPS, MUNICIPALITIES AND ADVISORY BOARDS COULD DELAY THE ADOPTION PROCESS

**** Petitioners must adhere to KCRPC & ZBA publication timeframe as listed. All notifications must be given to property owners and published in the newspaper no earlier than the "begin" date listed and no later than the "end" date listed for the appropriate KCRPC & ZBA meeting. Notices submitted to the paper for publication must also include the legal description of the property that is the subject of the hearing. The "Kendall County Record" and "Beacon News" are the preferred papers for publication of notices. The "Beacon News" is published daily. The Kendall County Record is a weekly publication issued each Thursday. Please check with each publication regarding publication deadlines. For further information regarding the cost and deadlines related to each paper, contact the "Kendall County Record" at (630) 553-7034 (publicnotice@kendallcountynow.com) or the "Beacon News" (suburban.legal@tribpub.com)**

***** Proof of notification must be submitted to the Planning, Building & Zoning Department prior to the KCRPC meeting. The deadline is specified above.**

PROCEDURE FOR SPECIAL USE PETITIONS

ZPAC

The Zoning and Platting Advisory Committee is held for the purpose of inviting the various county departments and some outside agencies to review and comment on a petition. A copy of the petition (including the application, staff report and attachments) is sent a week before the meeting to departments such as: Health and Human Services, County Highway, WBK (County engineering consultant), the Soil and Water Conservation District, Forest Preserve, and the Sheriff. The petitioner and Township clerks will also receive a copy.

The petitioner (or a designated representative) should plan to attend the meeting. A staff member of the Planning, Building and Zoning Department will present the staff report. The petitioner will then be asked to speak about their petition in addition to answering questions raised by ZPAC. If all issues and concerns are met satisfactorily, staff will indicate that the petition will move forward in the process, to the next KCRPC meeting. However, if issues are not adequately addressed, the petition will be continued to the next ZPAC meeting or tabled until additional information is provided.

KCRPC

The role of the Regional Planning Commission is to hold meetings on issues pertaining to county planning. Such issues include review of zoning amendments, new subdivision plats to ensure conformance with subdivision regulations, and aspects relating to conformance with the County's Land Resource Management Plan. The Commission is comprised of 10 appointed members who each represent one of the townships in the County, plus there is one "at large" member. A week before the meeting all KCRPC members receive a copy of the petition to review and prepare for the meeting. The petitioner also receives a copy. (The petition includes ZPAC comments.)

It is the policy of the KCRPC to hear petitions that have been heard by the township and/or municipal planning commissions and boards (when applicable). If the Planning, Building and Zoning Department has not received information from the township and/or municipality regarding the petition, the KCRPC will decide whether or not to table it until such information is submitted.

The petitioner (or a designated representative) must attend the Kendall County Regional Planning Commission meeting. First a staff member of the Planning, Building and Zoning Department will present the staff report. Then the petitioner will be asked to speak about their petition and answer questions raised by the KCRPC. Persons present who wish to speak on the petition may also have an opportunity to voice support or opposition, at the discretion of the KCRPC Chair. After discussing all issues and concerns, the KCRPC will vote to recommend approval or denial of the petition and move it forward to the next Zoning Board of Appeals meeting. If the Regional Planning Commission believes more information is needed or that all issues have not been adequately addressed, they may move to continue the petition to the next KCRPC meeting or table it until additional information is provided.

PROPER NOTIFICATION MUST BE GIVEN PRIOR TO THE PLAN COMMISSION MEETING (SEE CHECKLIST AND REQUEST A HEARING TIMETABLE). PROOF OF BOTH NOTIFICATION AND OF PUBLICATION MUST BE SUBMITTED TO THE PLANNING, BUILDING AND ZONING DEPARTMENT PRIOR TO THE PLAN COMMISSION MEETING.

ZONING BOARD OF APPEALS (ZBA):

See attachment

PROPER NOTIFICATION MUST BE GIVEN PRIOR TO THE PUBLIC HEARING (SEE CHECKLIST AND REQUEST A HEARING TIMETABLE). PROOF OF BOTH NOTIFICATION AND OF PUBLICATION MUST BE SUBMITTED TO THE PLANNING, BUILDING AND ZONING DEPARTMENT PRIOR TO THE PUBLIC HEARING.

PBZ

The Planning, Building and Zoning Committee is comprised of five members of the elected County Board. Their primary function is to hear petitions before they approach the entire County Board and to make recommendations to the County Board. This Committee is intended to help expedite the work of the County Board by giving petitioners and other interested parties a final opportunity to be heard. The PBZ also performs other functions such as reviewing the Planning, Building and Zoning Department functions. A week before the meeting all PBZ members receive a copy of the petition to review and prepare for the meeting. The petitioner also receives a copy. (The petition includes ZPAC, KCRPC, and ZBA comments.)

Similar to the previous meetings, the petitioner (or a designated representative) must attend the PBZ meeting. First, a staff member of the Planning, Building and Zoning Department will present the staff report. Then, the petitioner will be asked to speak about their petition and answer questions raised by the PBZ. Persons present who wish to speak on the petition have an opportunity to voice support or opposition once the petitioner has spoken. After hearing and discussing all issues and concerns, the Planning, Building and Zoning Committee will vote to recommend approval or denial of the petition and move it forward to the next County Board meeting. If the PBZ believes more information is needed or that all issues have not been adequately addressed, they may vote to continue the petition to the next PBZ meeting or table it until additional information is provided.

County Board

The County Board is comprised of ten elected officials, who represent the citizens of Kendall County. These members represent all the County Board Districts; the Board appoints one of these members as the Chair. This body makes the final decision to grant approval or denial of a petition for a Special Use Permit. The PBZ may instruct you whether or not you need to attend this meeting.

The Chair of the PBZ presents the ordinance and attachments to the County Board. The County Board then holds a final vote to approve or deny the petition.

Zoning Board of Appeals

**Guidelines Regarding the Scheduling and Conduct for
Special Use Hearings**

Schedule: The Zoning Board of Appeals normally meets the Monday following the 4th Wednesday of the month.

Time: Hearings for will start at **7:00PM** unless otherwise scheduled earlier.

Location: Kendall County Board Room unless otherwise specified.

Fees: The minimum **\$350.00 fee** must be supplied prior to scheduling the hearing.

=====

COUNTY STAFF RESPONSIBILITIES

PBZ Staff will coordinate with the petitioner and Zoning Board of Appeals in scheduling cases to be heard, will collect the base fee of \$350.00 prior to finalizing the agenda, and will prepare the agenda for the meeting.

PBZ Staff will prepare their normal staff report and submit it to the Zoning Board of Appeals and petitioner approximately one week prior to the meeting. This report will include a preliminary finding of fact for consideration by the Zoning Board of Appeals as well as recommendations on conditions to be included for approval of a special use permit.

At the hearing, PBZ staff will provide a presentation regarding the petition and will offer their position on the petition and summarize any recommendations and findings. Other interested County staff may also attend to provide additional testimony and will be available for cross-examination by the petitioner’s legal representation. When required due to the nature of the case, a representative of the Kendall County States Attorney’s Office may attend to represent the County in conducting cross-examination.

Staff may also cross-examine or ask follow-up questions as necessary of the petitioner, the petitioner’s legal representation, and other experts.

PETITIONER RESPONSIBILITIES

The petitioner(s) shall be available to provide input and information regarding the requested special use. Please be prepared to present your rationale for how the specific request qualifies and meets the findings of fact. Experts may be available for cross examination by staff, the hearing officer, attorneys, or to respond to questions raised by the public.

MEMBERS OF THE PUBLIC WHO WISH TO SPEAK

If members of the public wish to speak, they shall be invited to be sworn in to provide testimony regarding issues of concern or support and to ask questions concerning information presented. Participants should be encouraged to raise issues, questions or provide information that is new or not previously raised or presented by other speakers. If their issues were addressed by other members of the public, they should be encouraged to state that they concur with the issues raised by previous speakers.

GENERAL PROCEDURES

All attendees who wish to provide testimony shall be sworn in. This includes staff, attorneys, experts and any members of the public who wish to provide testimony.

All attorneys representing either a petitioner or individuals or groups opposed to a request shall be identified and acknowledged at the beginning of the proceedings.

An audio recording of the proceedings will be kept and filed with the case materials and shall be retained for a period of one year from the date of the hearing after which the recording may be discarded. A general summary of the proceedings shall be prepared following the hearing, a copy of which shall be included in the permanent case file. If the petitioner so desires, they may provide a court reporter at their own expense to prepare a transcript of the meeting. A copy of the transcript will be supplied by the petitioner to the county for inclusion as part of the permanent case record.

Any additional exhibits, photographs, video tapes or similar materials submitted in addition to materials received prior to the hearing, shall be copied and included as supporting documentation for inclusion in the case file.

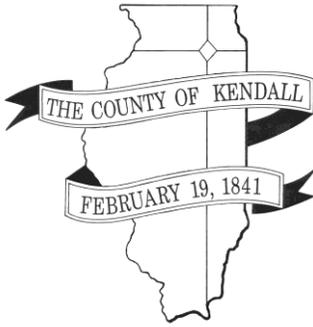
The Zoning Board of Appeals shall provide PBZ staff with an accounting of the hours spent in reviewing the materials, conducting the hearing and rendering a decision. A copy of said accounting shall be forwarded to the petitioner with a request for payment of any charges owed above and beyond the initial \$350.00 hearing fee.

CONTINUANCES

A continuance may be granted at the discretion of the Zoning Board of Appeals in one or more of the following circumstances:

- a) The length of the hearing and the amount of testimony presented requires that the meeting be continued to another day in order to complete the process.
- b) The petitioner supplies just cause to the hearing officer that the hearing cannot proceed (death in family, illness, defective notice, etc.).
- c) A request for additional information that cannot be supplied the night of the hearing.
- d) When the Zoning Board of Appeals determines there is "good cause" for postponement (i. e. adverse weather conditions, etc.)

If a continuance is granted, the date, time, and location at which the hearing will be continued shall be announced to all individuals present prior to adjourning the meeting. Every effort shall be made to re-convene the hearing within one to two weeks of its originally scheduled date.



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Yorkville, IL • 60560
 (630) 553-4141 Fax (630) 553-4179

APPLICATION

PROJECT NAME _____ **FILE #:** _____

NAME OF APPLICANT		
CURRENT LANDOWNER/NAME(s)		
SITE INFORMATION		
ACRES	SITE ADDRESS OR LOCATION	ASSESSOR'S ID NUMBER (PIN)
EXISTING LAND USE	CURRENT ZONING	LAND CLASSIFICATION ON LRMP
REQUESTED ACTION (Check All That Apply):		
<input type="checkbox"/> SPECIAL USE	<input type="checkbox"/> MAP AMENDMENT (Rezone to _____)	<input type="checkbox"/> VARIANCE
<input type="checkbox"/> ADMINISTRATIVE VARIANCE	<input type="checkbox"/> A-1 CONDITIONAL USE for: _____	<input type="checkbox"/> SITE PLAN REVIEW
<input type="checkbox"/> TEXT AMENDMENT	<input type="checkbox"/> RPD (<input type="checkbox"/> Concept; <input type="checkbox"/> Preliminary; <input type="checkbox"/> Final)	<input type="checkbox"/> ADMINISTRATIVE APPEAL
<input type="checkbox"/> PRELIMINARY PLAT	<input type="checkbox"/> FINAL PLAT	<input type="checkbox"/> OTHER PLAT (Vacation, Dedication, etc.)
<input checked="" type="checkbox"/> AMENDMENT TO A SPECIAL USE (<input checked="" type="checkbox"/> Major; <input type="checkbox"/> Minor)		
¹PRIMARY CONTACT	PRIMARY CONTACT MAILING ADDRESS	PRIMARY CONTACT EMAIL
PRIMARY CONTACT PHONE #	PRIMARY CONTACT FAX #	PRIMARY CONTACT OTHER #(Cell, etc.)
²ENGINEER CONTACT	ENGINEER MAILING ADDRESS	ENGINEER EMAIL
ENGINEER PHONE #	ENGINEER FAX #	ENGINEER OTHER # (Cell, etc.)
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	DATE	

FEE PAID:\$ _____
 CHECK #: _____

¹Primary Contact will receive all correspondence from County

²Engineering Contact will receive all correspondence from the County's Engineering Consultants



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

- _____ Completed Application Form
 - _____ Application Fee
 - _____ Detailed description of proposed use including business plan (hours of operation, number of employees, etc.)
 - _____ Legal Description of Property Involved (submitted either on CD or email to PBZ Dept.)
 - _____ Proof of Ownership (Deed or Title Insurance Policy)
 - _____ A Beneficiary Disclosure Statement for Property, if held in trust
 - _____ Proof of Application to Soil and Water Conservation District for Natural Resource Inventory
 - _____ Endangered Special Consultation Report if Zoned A-1 (<http://dnrecocat.state.il.us/ecopublic/>)
 - _____ Special Use Findings of Fact (To be completed by petitioner)
 - _____ Engineering Consultants Fee Deposit Form (if engineering review is needed)
 - _____ **15** Copies of a Plat of Survey less than five years old depicting the following items*:
 - _____ Title
 - _____ Scale of Drawing
 - _____ "North Arrow" showing north at top of the drawing
 - _____ Location Map
 - _____ Date of drawing (as well as dates of any and all revisions)
 - _____ Names of Developer/Owner
 - _____ Names of Designer/Surveyor
 - _____ All existing structures on the property and all structures on adjacent properties within 100' of property line
 - _____ Utilities on the property and adjacent properties
 - _____ Existing easements (location, width and purpose)
 - _____ Existing streets and other rights-of-way
 - _____ Topography at 1 or 2 foot contours
 - _____ Wooded areas (if present)
 - _____ Natural drainage to, from and on the property
 - _____ Base Flood Elevation (if present on the property)
 - _____ Wetlands (if present on the property)
 - _____ Present zoning classification and PIN on subject property and all adjacent properties on plat or separate plan
- *if submitting copies of 11"x17" or smaller, one additional 24"x36" copy is requested for display purposes.

_____ Copy of the Plat of Survey must be submitted in PDF format on CD or emailed to PBZ Dept.

_____ **15** Copies of a Site Plan for the property involved depicting the following*:

_____ Title/Project name

_____ Scale of Drawing

_____ "North Arrow" showing north at top of the drawing

_____ Location and dimensions of all proposed structures (including square footage, seating capacity, etc.)

_____ Proposed parking including stall dimensions as well as width of circulation aisles, driveways

_____ Location of proposed signage (If applicable)

_____ Location and details of proposed fencing (If applicable)

_____ Location and details of proposed screening of proposed refuse area (if applicable)

_____ Copy of the proposed Site Plan must be submitted in PDF format on CD or emailed to PBZ Dept.

_____ Site data including the following:

_____ Total Acres

_____ Number of proposed parking stalls

_____ Number of required parking stalls

_____ Number of proposed handicap parking stalls

_____ Number of required handicap parking stalls

(*if submitting copies of 11"x17" or smaller, one additional 24"x36" copy is requested for display purposes.)

_____ **2** Copies of a Photometric Plan (if proposed parking exceeds 30 stalls) including fixture details and pole mounting heights

_____ **3** Copies of a Landscape Plan including existing and proposed vegetation

_____ Phasing Plan (if applicable)

_____ Building Elevations showing all four sides indicating height, building materials, and colors

_____ Any other information requested by the Planning, Building and Zoning Department (i.e. Traffic Studies, Tree Surveys, Wetland Delineation, Pedestrian Circulation Plan, etc.)

THE FOLLOWING ITEMS MUST BE SUBMITTED PRIOR TO THE REGIONAL PLAN COMMISSION MEETING AND THE SPECIAL USE HEARING:

_____ Copy of Letter of Notification (staff will help put together

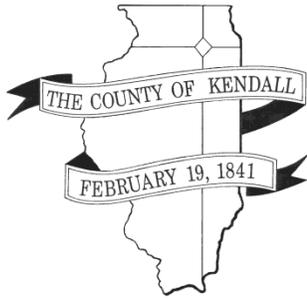
_____ Proof of publication 15 to 30 days before the public hearing

_____ Proof of notification to recipients (i.e. green/white receipts)

_____ List of notice recipients

(Within 750' excluding existing road R.O.W. if property is zoned as A-1 Agricultural, surrounding properties if existing zoning is other than A-1)

NOTE: PRIOR TO BEING PLACED ON THE REGIONAL PLAN COMMISSION AGENDA, THE PETITION MUST BE HEARD AND DISCUSSED BY THE AFFECTED TOWNSHIP AND MUNICIPALITY AT THEIR RESPECTIVE BOARD MEETINGS.



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Yorkville, IL • 60560
 (630) 553-4141 Fax (630) 553-4179

ZONING APPLICATION FEES

MAP AMENDMENTS

Any amount of acreage \$500.00

SPECIAL USE PERMITS, PLANNED UNIT DEVELOPMENTS/ RESIDENTIAL PLANNED DEVELOPMENTS AND MAJOR AMENDMENTS TO SPECIAL USES

The following fees include a processing fee, a fee for recording the special use in the recorder's office for 10 pages and a cost for the Zoning Board of Appeals at a rate of \$350.00 shall be imposed on ALL Special Uses

All acreage zoned as A-1 \$1,155

All Other Zoning Districts

0.0-5.00 acres \$1,155

5.01-10.00 acres \$1,905

10.01-50.00 acres \$2,255 + \$50/acre or part thereof over 10 acres

50.01-100.00 acres \$4,755 + \$35/acre or part thereof over 50 acres

100.01-500.00 acres \$6,505 + \$20/acre or part thereof over 100 acres

500.01+ \$14,505 + \$15/acre or part thereof over 500 acres

MINOR AMENDMENT TO SPECIAL USE *(includes a processing fee and a fee for recording the minor amendment to the special use in the recorder's office)*

Any amount of acreage \$150.00

VARIANCE *(includes a processing fee and a fee for recording the variance in the recorder's office)*

As part of Special Use \$100

Not part of Special Use \$425 for first Variance Request of petition and \$50 for each additional request to be included in the same petition

ADMINISTRATIVE VARIANCE *(includes a processing fee and a fee for recording the minor amendment to the special use in the recorder's office)*

Any amount of acreage \$150.00

PRELIMINARY PLAT

Residential \$1,000.00 + \$50.00/acre or part of an acre

Other \$1,000.00 + \$100.00/acre or part of an acre

FINAL PLAT

All Final Plats \$50.00/acre or part of an acre (\$500.00 minimum)

OTHER PLAT (Vacation, Dedication, etc.)	
All Other Plat Actions	\$50.00/acre or part of an acre (\$500.00 minimum)
ADMINISTRATIVE APPEAL	\$1,000.00 ¹
TEXT AMENDMENT	\$500.00
SITE PLAN REVIEW	\$375.00
CONDITIONAL USE	\$100.00
TEMPORARY USES	\$100.00

No waiver and no refund shall be made for any fee paid pursuant to this Ordinance without the approval of the Planning Building and Zoning Committee of the County Board

All fees for actions or activities by Kendall County or the Kendall County Forest Preserve District are hereby waived and all fees for non-profit organizations shall be charged half of the normal fees for zoning petitions; provided they show proof of non-profit status and that the permit be used only by the organizations itself*

¹In the event that ruling by the Zoning Board of Appeals favors the appealing party, the submitted fee for an administrative appeal shall be refunded to the applicant.

ZONING FEES ESTABLISHED BY KENDALL COUNTY ORDINANCE EFFECTIVE
4/17/2018

KENDALL COUNTY
DISCLOSURE OF BENEFICIARIES FORM

1. Applicant _____
Address _____
City _____ State _____ Zip _____

2. Nature of Benefit Sought _____

3. Nature of Applicant: (Please check one)

- Natural Person (a)
- Corporation (b)
- Land Trust/Trustee(c)
- Trust/Trustee (d)
- Partnership (e)
- Joint Venture (f)

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

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

VERIFICATION

I, _____, 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 read 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 _____ day of _____, A.D. _____

(seal)

Notary Public

Welcome to **EcoCAT** - the **Ecological Compliance Assessment Tool**

IMPORTANT INFORMATION FOR FIRST TIME USERS

- You must use Microsoft's **Internet Explorer** browser. The MapTool will not work with other browsers (FireFox, Safari, Opera, Netscape, etc.).
- Your screen resolution must be set at **1024 x 768** or higher, and your browser window must be maximized. If not, you will not be able to use the MapTool.
- EcoCAT data entry must be completed within 20 minutes. If not, the information you have entered will be lost.
- You must complete all questions that are marked with an asterisk.
- To enter your project, you must have the County, Township, Range, and Section of its proposed location.
- EcoCAT generates a public record that is subject to disclosure under the Freedom of Information Act.
- If bookmarking this site, please bookmark THIS page, using this url: <http://dnrecocat.state.il.us/ecopublic/>
- If you have questions or comments, send an e-mail to DNR.EcoCAT@illinois.gov

EcoCAT was developed to help state agencies, units of local government, and the public (as project proponents) initiate natural resource reviews for:

- [Illinois Endangered Species Protection Act](#) [520 ILCS 10/11(b)] and [Illinois Natural Areas Preservation Act](#) [525 ILCS 30/17] as set forth in procedures under [Title 17 Ill. Admin. Code Part 1075](#).
- [Interagency Wetland Policy Act of 1989](#) [20 ILCS 830] as set forth in procedures under [Title 17 Ill. Admin. Code Part 1090](#) when state agencies provide funding (including federal pass-through funding) or technical assistance.

These laws require state agencies and units of local governments to consider the potential adverse effects of proposed actions on Illinois endangered and threatened species and sites listed on the Illinois Natural Areas Inventory.

EcoCAT can also accept Information Requests for natural resource reviews that do not trigger government consultation. An information request **DOES NOT** fulfill the requirements of Part 1075 or 1090.

How EcoCAT Works

EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if your proposed action may be in the vicinity of protected natural resources. You receive a natural resource review report that either:

- Terminates consultation if no resources are in the vicinity; or
- Lists resources that may be in the vicinity and identifies the staff member who will review the action. After review, staff will either:
 - Terminate consultation because adverse effects are unlikely,
 - Request additional information, or
 - Recommend methods to minimize potential adverse effects.

A species may appear on the resource list more than once when it occurs in several locations within the project's vicinity. Also, many INAI Sites are Nature Preserves, Land and Water Reserves, or Natural Heritage Landmarks. The sites may overlap, but the legal protections of each designation differ. Apart from Natural Areas, the boundaries of the other designations are based on property ownership and may extend beyond the location of the natural resources.

Keep in mind that "in the vicinity" does not necessarily mean "in the footprint" or that a resource will be adversely affected by the action. However, the potential is there and will be evaluated further. By the same token, because the resource buffers are very general, IDNR may evaluate resources located farther away if the proposed action or the life history requirements of a species warrant doing so.

The actual distribution of endangered and threatened species can never be known with certainty. Because some species are migratory, require very large territories, or are highly mobile, a natural resource review showing no protected resources does not guarantee that no T & E species are in the vicinity of a project. An EcoCAT 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 any protected resources are encountered during a project's implementation, compliance with applicable statutes and regulations is required.

How to Use EcoCAT

Information that must be completed in EcoCAT is indicated with a red asterisk (*).

EcoCAT first asks a series of **General Information** questions. How you answer the questions ensures that your project receives the appropriate environmental review and is assigned to the correct staff member. If you do not answer all of the questions, the program will not allow you to proceed to the mapping tool. The questions, with explanations, are provided below.

Q1. Why are you submitting the project to EcoCAT?

- To initiate consultation with IDNR (*Title 17 Ill. Admin. Code Part 1075*) to determine potential impacts to Illinois Natural Area Inventory sites or state-listed threatened or endangered species.
- To obtain information on Illinois T&E species or INAI sites for **project planning**.
- To obtain information on Illinois T&E species or INAI sites for **federal agency** actions (including NEPA compliance).

If you select the 1st option you are fulfilling the consultation requirements of the Illinois Endangered Species Protection Act and the Illinois Natural Areas Preservation Act.

If you select the 2nd option, you are only requesting information, not consultation. The submittal is considered an 'information request.' The EcoCAT report will state whether or not state-protected resources may be in the vicinity and will list any that are. The project will not be assigned for review.

The 3rd option should only be selected by federal agencies that are required to seek comments from state fish & wildlife agencies before authorizing, funding, or performing a federal action. EcoCAT processes most of these submittals as information requests, not as consultations. Only submittals for FERC and USEDA will be assigned to staff if resources are flagged.

If you select the 2nd or 3rd option, you will skip questions 2 and 3 on the General Information page and proceed directly to the Applicant Information page.

Q2. Indicate the government unit and type of action that has prompted consultation.

- **LOCAL GOVERNMENT**
 - Authorization (a unit of local government must issue a permit or other authorization)
 - Funding (a unit of local government will provide a grant, loan, or other direct support)
 - Performance (a unit of local government is performing the action, such as construction)
- **STATE AGENCY**
 - Authorization (a state agency must issue a permit or other authorization)
 - Funding (a state agency will provide a grant, loan, or other direct support)
 - Performance (a state agency is performing the action, such as construction)

Only one jurisdictional agency or government can be selected, even though multiple units of government may be involved. Note that consultation with IDNR is **NOT** an authorization. Select "IDNR" **ONLY** if IDNR is the agency issuing a permit, providing funding, or performing the proposed action.

If you choose **Local Government** you will be asked to identify the government, e.g. the City of Champaign, and to enter a local government contact name, address and phone number. There is also a box to check if the local government is a county highway or local roads department.

If you select **State Agency**, there will be a drop-down box for you to identify which agency and, if applicable, which bureau. You will also be asked to enter an agency contact name, address and phone number.

Information about the unit of government and the type of action required from that government ensures that the project receives the applicable review and is assigned to the appropriate staff.

Q3. Will state technical assistance or funding (including federal funding through a state agency) support the project?

- Yes
- No
- Don't Know

If you choose "Yes" or "Don't know," the project will be reviewed for wetland impacts to comply with the Interagency Wetland Policy Act of 1989 (IWPA). You will not receive technical assistance or funding without this review. Note: compliance with Sections 401 and 404 of the federal Clean Water Act does not assure compliance with the IWPA.

After you answer the three general information questions, you will move to the section on **Applicant Information**. First, you need to indicate the applicant category to which you belong:

- Non-governmental/Individual
- Local Government
- State Agency
- Federal Agency

The individual or organization submitting the project to EcoCAT is considered the Applicant. Required information includes applicant (your company, agency, etc.), and applicant address. Phone and fax numbers for the applicant are optional.

After you have submitted a project to EcoCAT for the first time, you can click the Lookup button to automatically fill in the applicant address. However, you must enter the applicant name exactly the same way each time. For example, if you previously entered "ABC Engineering Company", remember to enter the company name in an identical manner each time. If you enter "ABC Eng. Co." or "ABC Engineers" a new entry will be made and you will have to enter the address again.

The same is true for Contact Person. The first time you enter a project you will select:

- Add New Contact

Required information includes your name, phone number and e-mail address. Any communication from IDNR (such as requests for additional information or correspondence terminating consultation) will be directed to the Contact Person at the address listed for the Applicant or the phone number listed for the Contact Person. For subsequent submittals you can choose:

- Select Existing Contact

Click your name and the information you previously entered will automatically be entered in the form.

The section on **Project Information** asks you to provide a project name, a brief description of the project, and the project address. You can also enter a non-IDNR project number here (this number will display on the EcoCAT report along with the IDNR project number). This section also asks you to indicate if the project has been submitted to IDNR previously. If it has, you should enter that IDNR project number so staff can refer to the previous consultation.

Next is **Project Location**. First you select the County where the project will be located, then the **Section, Township, and Range** of the site – commonly referred to as "TRS". (The correct Meridian will come up automatically when you click the Meridian button.) You can find the TRS - also known as the Public Land Survey System (PLSS) information - on standard legal property descriptions, on USGS topographical maps, and in plat books.

You only need to enter one section number even if the project location lies in several sections. Once you have entered the TRS, click on "Go to Map Tool." When a map of the general location of the project appears, you can either zoom in or out to find the exact location of your project (instructions are on-screen). If the map doesn't appear or is very narrow, check your screen resolution. It must be set at 1024 x 768 or higher.

Click "Draw" to begin outlining the area of your project. If the project lies in more than one section, all the sections included in the polygon will be recorded automatically and listed on the EcoCAT report. When the project is correctly outlined, click "Submit."

EcoCAT will return a report for the project that lists any resources found in the area. If no resources are in the vicinity and you have requested consultation, the report will terminate consultation and you have completed the process. If the project was submitted for consultation and protected natural resources are identified in the area, EcoCAT will assign the project to IDNR staff for further review. In either instance, make sure you have a copy of the report. To do this,

click the "Print Report" button on the left side of the screen. An Acrobat dialog box will appear from which you can print and/or save the report. If the dialog box does not open, turn off all pop-up blockers or enable popups for "dnrecocat.state.il.us".

Once you have a copy of your report, you can either click the "Exit EcoCAT" button or, if you have another project to submit, you can click the "Enter Another Project" button and start the process again without having to re-enter Applicant Information.

How do I submit a large, linear project?

A project area up to five miles (eight kilometers) can be submitted through EcoCAT. If your project is longer than five miles, you should break it up into five-mile segments and submit them as multiple projects. When you are in the mapping tool click the "zoom out" button at the top and then click the map until you are at the map scale needed to encompass the project area. Then click the EcoCAT button and draw a polygon around the project area.

How do I submit a project with multiple sites?

If the proposed action is similar at each site and the sites are within one-half mile, a single polygon can be drawn around the entire area and EcoCAT will treat it as one project. The results should not differ drastically from individually considering each site. If the proposed actions vary from site to site or if the sites are located a long distance from each other, you must submit multiple consultation requests.

Can I submit an action that requires a Clean Air Act permit?

New Source Review and Prevention of Significant Deterioration actions should still be submitted to the Department on an Agency Action Report. However, we encourage those seeking a permit for a major emission source to submit an Information Request during project planning.

What if more than one level of government or more than one agency is involved in a project?

A submission to EcoCAT can indicate only one jurisdictional Agency or Government. However, because every Agency or Government has unique powers and authorities, each unit of government which will authorize, fund, or perform a proposed action has a legal obligation to consult the Department under Part 1075. Therefore an EcoCAT submission should be made for each Agency or Local Government involved in the action when EcoCAT indicates a protected natural resource exists in the vicinity.

When multiple agencies or governments are involved, they have the option, under Part 1075, of designating one of themselves to act as the "lead agency" for purposes of consultation. Even if no "lead agency" is designated, once the Department becomes aware multiple agencies or governments are involved the Department will attempt to coordinate the resulting consultations.

If EcoCAT indicates no protected resources are known in the vicinity, a copy of the EcoCAT report may be accepted by Agencies or Governments as an indication the consultation requirement has been satisfied; however, each Agency or Government may choose to consult directly.

What is "federal agency coordination?"

Many federal agencies are required to seek the comments and opinions of state fish & wildlife agencies before authorizing, funding, or performing a federal action. EcoCAT can provide

information on state-listed endangered or threatened species, wetlands, and Natural Areas. The reviews provided by the U.S. Fish and Wildlife Service are based on historic ranges of species, and are limited to federally listed T&E species.

Who has to consult under the Illinois Endangered Species Protection Act and the Illinois Natural Areas Preservation Act?

State agencies or units of local government must consult the Department about proposed actions that they will authorize, fund or perform. Private parties do not have to consult, but they are liable for prohibited taking of state-listed plants or animals or for adversely modifying a Nature Preserve or a Land & Water Reserve.

Home rule governments may delegate this responsibility, through duly enacted ordinances, to the parties seeking authorization or funding of the action.

Who MAY consult?

Developers, consultants, planners, and others frequently consult regarding tentative projects to determine the presence or absence of natural resource issues. The Department encourages such consultation as most effective, most economical, and least disruptive.

What actions require consultation?

Any action that will change existing environmental conditions, i.e. anything that disturbs the land, water, or air. Examples include:

- construction
- discharge of pollutants or application of chemicals into the air, water, or land
- dredging any naturally occurring materials
- re-zoning from a non-urban classification to an urban classification (e.g. from agricultural to residential) or a change from one urban classification to another on land not used in its entirety for the original classification
- subdivision and other development plans
- infrastructure alterations (utilities, roads, sewers)
- land management
- alteration, removal, excavation or plowing of non-farmed, non-cultivated areas
- altering existing topography
- annexations
- parks, stream, or lake modifications

What actions are exempt from consultation?

Unless it is evident that they could directly or indirectly affect an endangered or threatened species or a Natural Area, the following actions are exempt from consultation:

- mowing within maintained highway rights-of-way
- routine resurfacing and application of oil and gravel to existing roads
- maintenance or repair of existing structures
- actions under a Department-approved management plan undertaken to maintain or improve natural ecosystem conditions or to re-establish pre-settlement vegetation conditions (such as prescribed burns, spot application of herbicides or brush clearing)

- maintenance of existing lawns, yards, and ornamental plantings
- routine cultivation of agricultural lands
- change of zoning requests for land currently zoned, developed, and used in its entirety for commercial, industrial, or residential purposes

How is consultation enforced?

The consultation requirement may be enforced through a writ of mandamus, which may be sought by any "affected" person from the circuit court with jurisdiction.

What are the consequences of NOT consulting?

- destruction of irreplaceable natural resources
- negative public relations and potential civil litigation
- injunctive action, civil penalties, seizure of property, or criminal prosecution

How does IDNR evaluate proposed actions that are in the vicinity of protected resources?

Based on the nature of the proposed action and the nature of the protected resource, staff will assess the character of the potential adverse impacts and whether an adverse impact is likely. For listed species, the assessment is based on the life requirements of the species. The assessment for Natural Areas and Nature Preserves is much broader, based on potential impacts to natural communities and the unique features of the Site or Preserve.

How Can I Make Consultation Effective?

- Plan proactively.
- Coordinate planning and development with other municipalities and governments.
- Know the natural resource issues in your area.
- Modernize zoning and subdivision ordinances to enable your government to impose natural resource protection measures.
- Incorporate resource protection measures into formal and enforceable agreements, permits, contracts, etc.
- Enforce ordinances, regulations, permit terms, and contract provisions.
- Educate officials, developers, consultants, and the general public about natural resources and laws protecting them.

What does consultation NOT do?

- It does not result in permits of any kind. Permits must be obtained from the respective regulatory agency.
- It does not satisfy the requirements of the federal Endangered Species Protection Act of 1972 and implementing regulations.
- It cannot prohibit or prevent a proposed action.
- It does not preempt, override, reduce or interfere with the powers of local governments or State agencies.
- It does not address impacts to natural resources which do not enjoy protected status, except to the extent they entail cumulative indirect adverse effects to protected resources.
- It cannot protect or conserve listed species, Natural Areas, or Nature Preserves without the active participation and cooperation of agency and local officials.

PUBLIC NOTICE
KENDALL COUNTY
****KENDALL COUNTY REGIONAL PLANNING COMMISSION****
****KENDALL COUNTY ZONING BOARD OF APPEALS****

Notice is hereby given that the Kendall County Regional Planning Commission will hold a public meeting on _____ at 7:00 p.m. and the Kendall County Zoning Board of Appeals will hold a public hearing on _____

_____ at 7:00 p.m. at the Kendall County Office Building, Room 209 & 210 at 111 West Fox Street Yorkville, IL. The purpose of this meeting and hearing are to consider comments and make a recommendation regarding Petition # _____.

(Name(s) of Applicant)

is/are seeking a major amendment to the special use permit granted by Ordinance _____ by _____

(Description of Request, Including the Existing Zoning of the Property)

The property is located at _____, is identified by Parcel Identification

Number _____ and is legally described in Exhibit "A" attached.

The petitioner _____ acting for himself or in the capacity of agent, alter ego, or representative of a principal.

The petitioner _____ a corporation.

The petitioner _____ a business or entity doing business under an assumed name.

The petitioner _____ a Partnership, Joint Venture, Syndicate or Unincorporated Voluntary Association.

This petition and related documents may be reviewed at the Planning, Building and Zoning Department, Room 203, 111 West Fox Street, Yorkville, IL 60560 or the Kendall County Website: <http://www.co.kendall.il.us/planning-building-zoning/petitions>. Questions can be directed to the same Department at phone number (630) 553-4139.

All interested persons may attend and be heard. Written testimony should be directed to the Department but shall only be entered as part of the record at the discretion of the Kendall County Regional Planning Commission and Zoning Board of Appeals.

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.

Name(s) of Applicant _____

(ATTACH LEGAL DESCRIPTION ON A SEPARATE PAGE)

(ATTACH NAMES AND ADDRESSES OF ACTUAL AND TRUE PRINCIPALS ON A SEPARATE PAGE)

(ATTACH THE NAMES AND ADDRESS OF OFFICERS, DIRECTORS, AND OF ALL STOCKHOLDERS OR SHAREHOLDERS OWNING ANY INTEREST IN EXCESS OF 20% OF ALL OUTSTANDING STOCK OF SUCH CORPORATION ON A SEPARATE PAGE)

(ATTACH THE NAME AND RESIDENCE OF ALL TRUE AND ACTUAL OWNERS OF THE BUSINESS OR ENTITY ON A SEPARATE PAGE)

(ATTACH THE NAMES AND ADDRESSES OF ALL PARTNERS, JOINT VENTURERS, SYNDICATE MEMBERS OR MEMBERS OF THE UNINCORPORATED VOLUNTARY ASSOCIATION ON A SEPARATE PAGE)