

ORDINANCE NUMBER 2020-24

TEXT AMENDMENTS TO THE KENDALL COUNTY ZONING ORDINANCE PERTAINING TO RECREATIONAL VEHICLE PARK AND CAMPGROUND ZONING REGULATIONS

WHEREAS, Section 13:07 of the Kendall County Zoning Ordinance permits the Kendall County Board to approve text amendments and provides the procedure through which text amendments are granted; and

WHEREAS, on or about August 31, 2020, the Kendall County Planning, Building and Zoning Committee, hereinafter be referred to as "Petitioner", submitted text amendments to the Kendall County Zoning Ordinance by repealing the Kendall County Recreational Vehicle Park and Campground Regulations dated June 14, 1983, amending Section 3:02 of the Kendall County Zoning Ordinance by adding or amending certain terms and definitions associated with recreational vehicle parks and campgrounds, amending Section 7:01.D of the Kendall County Zoning Ordinance by amending the conditions of recreational vehicle parks and campgrounds as special uses on A-1 Agricultural District, B-4 Commercial Recreation District, M-1 Limited Manufacturing District, and M-2 Heavy Industrial District zoned property; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on September 3, 2020, the Kendall County Zoning Board of Appeals conducted a public hearing on September 28, 2020, at 7:00 p.m., in the Third Floor Courtroom, at the Kendall County Historic Courthouse, located 109 W. Ridge Street in Yorkville, at which the Petitioner's representative presented evidence, testimony, and exhibits in support of the requested text amendment and zero members of the public testified in favor of the request or in opposition to the request, and one member of the public provided general comments and questions on the request; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has recommended approval of the text amendment on September 28, 2020; 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 of approval of the requested text amendment; 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 Zoning Ordinance be amended as follows:

- I. Recitals: The recitals set forth above are incorporated as if fully set forth herein.
- II. The Kendall Recreational Vehicle and Campground Regulations, adopted by the Kendall County Board on June 14, 1983, are hereby deleted in its entirety.

III. Amended Text: Section 3:02 is amended by adding the following terms in the appropriate places alphabetically to the list of Definitions:

“CAMPER. Any person or persons occupying a recreational vehicle and/or tent for recreational purposes.

CAMPGROUND AND RECREATIONAL VEHICLE PARK COLLECTOR STREETS OR COLLECTOR ROADS. Any park street which extends from a park entrance street and intersects with three or more other streets or any street which intersects with five or more streets or any street which extends for more than one thousand two hundred feet (1200') feet.

CAMPGROUND AND RECREATIONAL VEHICLE PARK MINOR STREETS. Any park street which is not a collector street.

CAMPGROUND AND RECREATIONAL VEHICLE PARK SANITARY STATION. Facility used for removing and disposing of wastes from RV holding tanks.

CAMPGROUND AND RECREATION VEHICLE PARK SERVICE BUILDINGS. Those required in all parks or campground, including those which house sanitary facilities, shelters.

PICNICKER. Any person or persons that visits the recreational vehicle park or campground, but does not stay overnight and is not employed by the recreational vehicle park or campground.

RECREATIONAL VEHICLE PARK OR CAMPGROUND. A contiguous parcel of land which has been developed for the non-permanent placement of recreational vehicles and/or tents. Recreational Vehicle Parks may not be operated in whole or in part for the lease or rent of such vehicles by the park owner(s) or operator(s), nor can any such vehicle be inhabited as a permanent place of abode as defined in Section 7:01.D.

REGISTER. In cases of recreational vehicle parks and campgrounds, a listing of the names, make of car, and license plate number of all campers and picnickers. Said list shall identify each person as a camper or a picnicker, the date the person arrived on the property, and the date that the person left the property. In the case of campers, the register shall also list which lot(s) the person camped.

TENT. Collapsible shelter of canvas or other material stretched and sustained by poles fixed in the ground and used for a temporary outdoor camping shelter.”

IV. Amended Text: Section 3:02 is amended by deleting the definitions of Accessory Buildings or Use, Lot, Recreational Areas, and Recreational Vehicle (RV) and replacing them with the following:

“ACCESSORY BUILDINGS OR USE. An "accessory building or use" is one which:

1. Is subordinate to the principal building or principal use served in terms of area and function; and

2. Contributes to the comfort, convenience, or necessity of occupants of the principal use served.

In cases of recreational vehicle parks and campgrounds, accessory buildings or accessory structures are those buildings which house facilities or services relating to recreational uses at the park or campground.

LOT. A parcel of land legally described as a distinct portion or piece of land of record. In cases of recreational vehicle parks and campgrounds, a lot is a parcel of land designated on the official plot plan for the placement of a single recreational vehicle or tent and for the exclusive use of its occupants.

RECREATIONAL AREAS. Parks and open space devoted primarily to the pursuit of outdoor recreational activities such as golf courses, fishing lakes, playgrounds, trails and nature preserves; does not include outdoor commercial sporting activities. In cases of recreational vehicle parks and campgrounds, areas which are set aside for non-camping use. Recreational areas may include space for service buildings and/or accessory buildings as well as natural open space, children's playgrounds and other recreational facilities.

RECREATIONAL VEHICLE (RV). A vehicular portable structure designed as a temporary dwelling for travel, recreational or vacation uses, and to be used without a permanent foundation or a vehicle that is built on a single chassis, designed to be self-propelled or permanently towable by a light duty vehicle, and designed primarily for recreation, camping, travel or seasonal use. For purposes of regulation in this code, jet skis, boats, snowmobiles, or similar vehicles shall also be considered to be recreational vehicles for the purposes of parking regulations.”

V. Amended Text: Section 7:01.D is amended by deleting the regulations and conditions pertaining to recreational vehicle parks and campgrounds and adding the following language to the appropriate place alphabetically to the list of special uses in the A-1 Agricultural Zoning District:

“Recreational camps and recreational vehicle parks subject to the following conditions:

- a. All applications for a permit to operate a recreational vehicle park or campground shall contain the following:
 1. Name, address and telephone number of applicant.
 2. Percentage of interest of the applicant and/or owners in the proposed campground.
 3. Name and address of all persons holding an interest or having an interest in the proposed campground.
 4. Location, address and legal description of the entire proposed campground.
 5. Existing zoning of subject property and all adjacent properties.
 6. Complete engineering plans and specifications of the proposed campground showing:
 - i. The area and dimensions of the entire tract of land;
 - ii. The number, location and size of all lots intended for use by recreational vehicles or tents;

- iii. The number, location and size of all unimproved, partially improved and fully improved lots;
 - iv. The location, right-of-way and surfaced roadway width and surfacing materials of roadways and walkways;
 - v. The location of proposed interior vehicular and pedestrian circulation patterns;
 - vi. The location of service buildings, sanitary stations and any other existing or proposed structures;
 - vii. The location of water and sewer lines;
 - viii. Plans and specifications of all buildings constructed or to be constructed within the campground;
 - ix. Plans and specifications of the water supply, refuse and sewage disposal facilities, pet exercise and sanitation areas;
 - x. The location and details of lighting and electrical systems;
 - xi. The location of fire hydrants, if provided;
 - xii. Location of all drainage easements to comply with County drainage plans.
 - xiii. Quantity and point or area of departure of storm water runoff prior to and subsequent to construction of the proposed RV park.
 - xiv. Erosion control and landscaping plans;
 - xv. Kendall County Soil and Water Conservation District soils report;
 - xvi. The calendar months of the year during which the applicant will operate the proposed campground.
- b. Where a campground development is proposed for construction in a series of stages, a master plan for the development of the entire tract of land shall be submitted along with the detailed plans and specifications for the initial stage, as well as any subsequent stages.
- c. Every application for the construction, operation, maintenance and occupancy for a campground shall be accompanied with plans and specifications, fully setting out the trailer spaces, the position of each RV, motor vehicle parking spaces, the driveway giving access thereto and a plan of landscaping. Before any permit is issued for a campground and the use thereof, the plans and specifications shall first be approved by the PBZ Department and the Kendall County Health Department, taking into account all the provisions as set out herein, as well as such special conditions as may be imposed by the Kendall County Board or its specified subcommittee, and provided further that said plans and specifications are in accordance with State regulations governing campgrounds.
- d. After completing the necessary zoning requirements and when upon review of the application, the PBZ Department has determined that the proposed plan meets all requirements of this Ordinance, a permit shall be issued.
- e. The minimum parcel size must be twenty (20) acres.
- f. The park or campground must be screened from nearby agricultural and other land uses by a vegetative buffer other than multiflora rose or Honeysuckle. The width of the buffer should vary in proportion to the maximum campground or park population up to a maximum of three hundred feet (300').

- g. The periphery of the park or campground, except at designated access roads, must be completely enclosed and maintained by a fence which will not permit people or farm animals to pass through it;
- h. The park or campground must maintain litter control and refuse collection so as to prevent litter or refuse from blowing onto or otherwise being deposited on nearby lands.
- i. Traffic from the park or campground must not seriously impair the movement of or cause hazard to agricultural and vehicular traffic.
- j. All lands classified as floodplains shall remain in permanent open space.
- k. No more than twenty percent (20%) of any forest shall be cleared or developed and the remaining eighty percent (80%) shall be retained in permanent open space or a tree study with a tree mitigation plan approved by the PBZ Committee may be submitted. General maintenance shall be exempt from the requirements of this section and this provision does not apply to the clearing of invasive species. Invasive species shall be defined by the Illinois Department of Natural Resources.
- l. All ponds, wetlands, and watercourses shall be left in permanent open space and no dredging, filling, or diversion of water shall be permitted.
- m. Storm water runoff shall be limited to the rate which would occur under natural conditions.
- n. All ponds, wetlands, and watercourses are to be protected from erosion and sedimentation in accordance with the Kendall County Stormwater Management Ordinance.
- o. Areas with slopes greater than fifteen percent (15%) are to be retained in permanent open space.
- p. Scenic views from public highways or adjoining lands must be maintained.
- q. The park or campground should provide separate circulation systems for vehicles and pedestrians.
- r. Access to the park must be safe and convenient.
- s. To insure adequate open space and protection of resource areas, lots within the park or campground should be clustered.
- t. Internal roads, except one main collector road, should be one way and no wider than eighteen feet (18').
- u. Collector roads should be no wider than twenty-four feet (24').
- v. Recreation facilities within the park should be in proportion to the maximum park population.

- w. Recreational space within the park should be in proportion to the maximum park population and may include up to sixty percent (60%) of the park or campground.
- x. Water supply and waste disposal facilities shall be designed, constructed and maintained in accordance with Health Department regulations.
- y. The storage, collection and disposal of refuse shall be performed as to minimize accidents, fire hazards, air pollution, odors, insects, rodents or other nuisance conditions.
- z. No parking is permitted on interior roads.
- aa. All outdoor cooking facilities shall be located, constructed, and maintained to minimize fire hazard and smoke nuisance.
- bb. All accessory uses should be limited to park residents.
- cc. There shall be no indication of retail accessory uses visible from any public road or street.
- dd. Lots in the park or campground must be at least one thousand five hundred (1500) square feet and clearly marked on the ground with landmarks on the lot corners and lot signage approved by the local fire protection district.
- ee. Trailers and accessory structures must be separated from one another by at least ten feet (10') in all directions.
- ff. Traffic generated by the maximum park or campground population must not exceed capacities of the local traffic network or cause public funds to be used for traffic safety or control improvements.
- gg. Demands for public water or sanitary waste disposal must not overburden current facilities.
- hh. No recreational vehicle tent, or location within a recreational vehicle park or campground shall be used as a permanent place of abode. If the address of the recreational vehicle park or campground is listed as a person's address on any government issued document, including, but not limited to, any government roll or registry (such as a voter roll or registry), or any application or enrollment information for a public, private, or parochial educational institution, the recreational vehicle park or campground shall be considered that person's permanent place of abode, regardless of the length of that person's occupancy. This provision shall not apply to campground caretakers.
- ii. Inspections
 - 1. The PBZ Department and the Health Department are hereby authorized and directed to make such inspections as are necessary to determine satisfactory compliance with this Ordinance, but in no case shall such inspection take place less than once per year.
 - 2. The PBZ Department and the Health Department shall have the power to enter at reasonable times and upon reasonable notice upon any private property for the

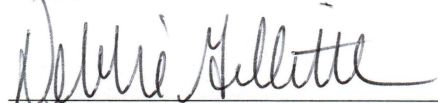
purpose of inspecting and investigating conditions relating to the enforcement of this Ordinance.

3. The owner of the recreational vehicle park or campground, or his agent or employee, shall be required to maintain a register containing a record of all campers, picnickers, and visitors registered in the park or campground. The PBZ Department, Health Department, law enforcement agency with jurisdiction, and the local fire protection district shall have the power to inspect the register upon request. The register shall be updated daily at minimum.
 4. It shall be the duty of the park management to give the PBZ Department and the Health Department free access to all lots and other areas at reasonable times and upon reasonable notice for the purpose of inspection.
 5. It shall be the duty of every camper or picnicker in the park to give the owner thereof or his agent or employee access to any part of such recreational vehicle park at reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with this Ordinance and to facilitate inspections.
- jj. All standards of the Health Department shall be met.
- kk. Must seek approval from the fire and police departments at the time of application submittal for the special use permit.
- ll. Adequate directional signage must be throughout the property, including street signs. All trails shall be marked at their beginnings and ends.
- mm. A map of the recreational vehicle park or campground shall be supplied to KenCom. At minimum, the map shall show the location and names or numbers of all lots and trails in the recreational vehicle park or campground and the location and names of all streets and trails. Changes to the map or any identification information on the map shall be reported to KenCom within thirty (30) days of the change.”

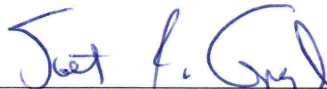
VI. If any provision of this Ordinance or application thereof to any person or circumstances is ruled unconstitutional or otherwise invalid, such invalidity shall affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 17th day of November, 2020.

Attest:



Kendall County Clerk
Debbie Gillette



Kendall County Board Chairman
Scott R. Gryder

