

ORDINANCE NUMBER 2022-18

TEXT AMENDMENTS ADDING DEFINITIONS OF LANDSCAPING BUSINESS AND EXCAVATING BUSINESS TO THE KENDALL COUNTY ZONING ORDINANCE

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, the Kendall Planning, Building and Zoning Committee, hereinafter be referred to as “Petitioner” desires to create clarity on the attributes that constitute a landscaping business and an excavating business; and

WHEREAS, on January 25, 2022, the Petitioner submitted text amendments to the Kendall County Zoning Ordinance amending Sections 3:02 of the Kendall County Zoning Ordinance by adding definitions for “landscaping business” and “excavating business” in the appropriate places alphabetically to the list of definitions contained in the Kendall County Zoning Ordinance; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on March 3, 2022, the Kendall County Zoning Board of Appeals conducted a public hearing on March 28, 2022, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner’s representative 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 March 28, 2022; 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 Zoning Ordinance be amended as follows:

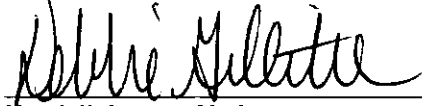
- I. Recitals: The recitals set forth above are incorporated as if fully set forth herein.
- II. Amended Text: Section 3:02 Definitions is amended by adding the following terms in the appropriate places alphabetically:

“LANDSCAPING BUSINESS. A business engaged in providing landscape care and maintenance services and/or installing trees, shrubs, plants, lawns, or gardens and businesses primarily engaged in providing these services along with the design of landscape plans and/or the construction and installation of walkways, retaining walls, decks, fences, ponds, and similar structures.”


“EXCAVATING BUSINESS. A business engaged in site preparation activities including grading, earthmoving, and land clearing and businesses that rent equipment for such purposes. For the purposes of this Ordinance, an excavating business shall be considered a contractors’ office or shop.”

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 19th day of July, 2022.

Attest:



Kendall County Clerk
Debbie Gillette



Kendall County Board Chairman
Scott R. Gryder

