

ORDINANCE NUMBER 2024-29

**TEXT AMENDMENTS PERTAINING TO THE REGULATION OF PIPELINE DEPTH IN 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, on or about November 20, 2001, through Ordinance 2001-33, the Kendall County Board established regulations pertaining to pipeline depth in the Kendall County Zoning Ordinance; and

WHEREAS, the Kendall Planning, Building and Zoning Committee, hereinafter be referred to as "Petitioner", desires to increase the minimum amount of top cover for pipelines; and

WHEREAS, on June 10, 2024, the Petitioner submitted text amendments to the Kendall County Zoning Ordinance amending the regulations for pipeline depth by setting a minimum of five feet of top cover for all pipelines in Kendall County; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on July 4, 2024, the Kendall County Zoning Board of Appeals conducted a public hearing on July 29, 2024, 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 July 29, 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 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 6:07.A of the Kendall County Zoning Ordinance is hereby amended by deleting the present text and replacing it with the following:

"A. Pipeline Depth

1. Except for above ground piping facilities, such as mainline block valves, tap valves, meter stations, etc., the pipeline will be buried with:

- a. A minimum of five (5) feet of top cover where it crosses cropland.

b. A minimum of five (5) feet of top cover where it crosses pastureland or other agricultural land comprised of soils that are classified by the USDA as being prime soils.

c. A minimum of five (5) feet of top cover where it crosses pastureland and other agricultural land not comprised of prime soils.

d. A minimum of five (5) feet of top cover where it crosses wooded/brushy land or other sensitive areas.

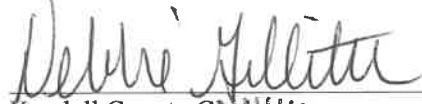
e. Substantially the same top cover as an existing parallel pipeline, but not less than five (5) feet, where the route parallels an existing pipeline within a 100-foot perpendicular offset.

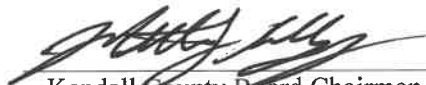
2. Notwithstanding the foregoing, in those areas where rock is in its natural formation and/or a continuous stratum of gravel exceeding 200 feet in length are encountered, the minimum cover will be sixty (60) inches.”

III. Any text contained in the Kendall County Zoning Ordinance in conflict with this Ordinance is hereby amended to reflect the change in topsoil requirements.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 17th day of September, 2024.

Attest:


Kendall County Clerk
Debbie Gillette


Kendall County Board Chairman
Matt Kellogg

