

**KENDALL COUNTY BOARD AGENDA
SPECIAL MEETING**

**Kendall County Office Building, Rooms 209 & 210
Tuesday, November 27, 2018 at 6:00 p.m.**

1. Call to Order
2. Roll Call
3. Determination of a Quorum
4. Approval of Agenda
5. Special Recognition
 - A. Honoring Member Lynn Cullick
 - B. Honoring Newark High School Girls Varsity Volleyball Team
6. Citizens to Be Heard
7. Executive Session
8. New Business
9. Old Business
10. Standing Committee Reports
 - A. Planning, Building & Zoning
 1. Approval of Amended Petition 17-28-Request from the Kendall County Planning, Building and Zoning Committee for Text Amendments to Sections 7.01.D.32 (Specials Uses in A-1 Agricultural District), 7.01.D.33 (Special Uses in A-1 Agricultural District) and 10.03.B.4 (Special Uses in M-3 Aggregate Materials Extraction, Processing and Site Reclamation District) of the Kendall County Zoning Ordinance Pertaining to Regulations of Outdoor Target Practice or Shooting Ranges (Not Including Private Shooting in Your Own Yard)
 2. Approval of Petition 18-04-Request from the Kendall County Regional Planning Commission for Amendments to the Future Land Use Map for Properties Located Near Route 47 in Lisbon Township
 - B. Finance Committee
 1. Approve claims in an amount not to exceed \$ 1,189,673.04
 2. Approve coroner claims in an amount not to exceed \$ 4,371.73
 3. Approval of Kendall County Fiscal Year 2018-2019 Combined Budgets and Appropriations Ordinance for all funds with revenues and transfers-in in an amount not to exceed \$67,000,000 and expenditures and transfers-out not to exceed \$76,100,000
11. Other Business
12. Chairman's Report
13. Citizens to be Heard
14. Questions from the Press
15. Executive Session
16. Adjournment

COUNTY OF KENDALL, ILLINOIS
PROCLAMATION 18 - 32

PROCLAMATION DECLARING NOVEMBER 27, 2018 AS
“LYNN CULLICK DAY”

WHEREAS, Lynn Marie Cullick (nee. Donofrio) was born November 20, 1965, at Bunker Hill Air Force Base in Peru, Indiana, graduated from Lincoln Way Central High School in 1983; and also graduated from Western Illinois University in 1987; and

WHEREAS, Lynn Donofrio was united in marriage in 1991 in Lake Zurich, Illinois and has been happily married for over 27 years to Daniel Cullick; and Lynn and Dan have a daughter, Maddie, at the University of Illinois Springfield, and a son Dylan, at Oswego High School; and

WHEREAS, Lynn Cullick began working right after college in insurance sales, title insurance and the senior services industry in community services and marketing; and

WHEREAS, Lynn Cullick served as a Kendall County Board Member, and Kendall County Forest Preserve Commissioner from December 2012 through November 2018; serving as the County Board Vice Chair, the Chair of the Administration HR Committee, the Judicial Legislative Committee, the Forest Preserve Finance Committee, the Forest Preserve Planning Ad-Hoc, the Vice Chair of the Health & Environment Committee, and the Planning, Building & Zoning Committee, as well as a Committee Member of the Animal Control Committee, Economic Development Committee, Ellis Ad-Hoc Committee, Facilities Management Committee, Budget & Finance Committee, and Forest Preserve Finance Committee; and

WHEREAS, Lynn Cullick also served on the Oswego District 308 School Board from 2005-2012 (Vice-President from 2007-2009; and President from 2008-2011); the Oswego Senior Center Board from 2013-present, where she is currently the Vice-President; the Oswego Youth Tackle Football Board 2007-2014; as the Old Post Elementary PTA President from 2004-2007, and Vice-President 2007-2009; and on the Oswego District 308 Parent Council from 2004-2007;

NOW THEREFORE BE IT RESOLVED BY THE KENDALL COUNTY BOARD, that November 27, 2018 is declared “Lynn Cullick Day”, and the Board further encourages her family, friends, and all who know and love her to give her the highest praise, respect and honor to which she is due.

PRESENTED and ADOPTED by the County Board, this 27th day of November 2018.

Approved

Attest



Scott R. Gryder, County Board Chairman

Debbie Gillette, County Clerk and Recorder



ORDINANCE # 2018-_____

TEXT AMENDMENT TO SECTIONS 7.01.D.32, 7.01.D.33 AND 10.03.B.4 OF THE KENDALL COUNTY ZONING ORDINANCE PERTAINING REGULATIONS OF OUTDOOR COMMERCIAL SPORTING ACTIVITIES AND OUTDOOR TARGET PRACTICE OR SHOOTING RANGES (NOT INCLUDING PRIVATE SHOOTING IN YOUR OWN YARD)

WHEREAS, 55 ILCS 5/5-12001 grants Kendall County the authority to regulate and restrict the location and use of structures and uses for the purpose of promoting the public health, safety, morals, comfort and general welfare throughout the unincorporated areas of the County; and

WHEREAS, gun clubs were a permitted use in the A-1 Agricultural District under the Kendall County Zoning Ordinance adopted January 16, 1940; and

WHEREAS, gun clubs were reclassified as a special use in the A-1 Agricultural District under the Kendall County Zoning Ordinances adopted in 1959 and July 9, 1974; and

WHEREAS, outdoor shooting ranges were classified as a similar use to gun clubs per the hearing of the Kendall County Zoning Board of Appeals on September 30, 1982 and were included as a special use in the A-1 Agricultural District by Ordinance 82-11 adopted November 9, 1982; and

WHEREAS, the restrictions governing target practice or shooting (not including private shooting in your own yard) in the A-1 Agricultural District and M-3 Earth Materials Extraction, Processing and Site Reclamation District were established through Ordinance 2013-14 adopted July 16, 2013; and

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 September 11, 2017, the Kendall County Planning, Building and Zoning Committee, hereinafter be referred to as "Petitioner", submitted a text amendment to the Kendall County Zoning Ordinance pertaining to outdoor target practice and shooting range zoning regulations; and

WHEREAS, on or about June 11, 2018, the Petitioner amended the proposed text amendment;

and

WHEREAS, following due and proper notice by publication in the Kendall County Record on August 9, 2018, the Kendall County Zoning Board of Appeals conducted a public hearing on August 27, 2018, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner and the Petitioner's representative presented evidence, testimony, and exhibits in support of the requested text amendment and four (4) members of the public testified in favor of the request and eleven (11) members of the public testified 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 amendment on August 27, 2018; and

WHEREAS, 55 ILCS 5/5-12014 (c) grants certain townships the right to file formal objections to proposed text amendments; and

WHEREAS, the Township of Na-Au-Say did file a formal objection in a manner permissible by State law; and

WHEREAS, 55 ILCS 5/5-12014 (c) requires the approval of at least three-fourths of a County Board to approve a text amendment over the formal objection of certain townships; 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 Recommendation of the Kendall County Zoning Board of Appeals, and has forwarded to the Kendall County Board 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, the Kendall County Board hereby amends Sections 7.01.D.32, 7.01.D.33 and 10.03.B.4 of the Kendall County Zoning Ordinance as provided:

- I. Recitals: The recitals set forth above are incorporated as if fully set forth herein.
- II. Amended Text: The existing language of Section 7.01.D.32 is hereby deleted and replaced with the following:

“7.01.D.32 Outdoor Commercial Sporting Activities including but not limited to swimming facilities and motocross sports. Appropriate regulations for lighting noise and hours of operation shall be included in the conditions. Outdoor commercial sporting activities shall

exclude outdoor target practice (such exclusion extends to shooting ranges located on property owned by the Kendall County Forest Preserve District or the State of Illinois used for State parks), athletic fields with lights, paintball facilities and riding stables, including but not limited to polo clubs, and similar uses.”

III. Amended Text: The existing language of Section 7.01.D.33 is hereby deleted and replaced with the following:

“7.01.D.33 Outdoor Target Practice or Shooting (but not including private shooting on your own property or shooting ranges located on property owned by the Kendall County Forest Preserve District or the State of Illinois used for State parks) with the following conditions:

- a. At the time of application for a special use permit, petitioners desiring to operate an outdoor target practice or shooting ranges shall submit copies of all of the studies and plans suggested in the National Rifle Association’s Source Book including, but not limited to, a safety plan, a business plan, a public relations plan, a maintenance plan, a noise plan, an environmental stewardship plan, and a closure plan.
 1. The above referenced plans shall contain information as suggested by the National Rifle Association.
 2. Included in the above documents, the petitioner shall submit a detailed written narrative describing the proposed use. This narrative shall, at minimum, describe the type of range (i.e. public, private, or government), the type(s) of firearms and targets expected to be used and the proposed days and hours of operation.
 3. The safety plan shall describe the duties and qualifications of range supervisor(s).
 4. In at least one (1) of the required studies or plans, a hazardous waste plan addressing lead management shall be included. The lead management plan shall conform to either the requirement of the National Rifle Association’s standards, the National Shooting Sports Foundation’s standards, or the United States Environmental Protection Agency’s best management practices standards.
 5. In addition to the above requirements, the petitioner shall submit a water and drainage plan; this plan must be approved by the Kendall County Planning, Building and Zoning Office.
 6. Any changes to the above required studies and plans shall be promptly forwarded to the Kendall County Planning, Building and Zoning Department.
- b. Range layout requires conformity with National Rifle Association standards with regard to layout and dimensions. The petitioner shall submit a site capacity with a calculation and a detailed site plan showing the layout and design of the proposed shooting range, including all

required setbacks and landscaping and the existing and proposed structures, their floor areas and impervious surfaces. The scale of the site plan shall be no greater than one inch equals one hundred feet (1"=100'). A licensed engineer or land surveyor shall prepare the documents.

- c. The site plan for the proposed outdoor target practice or shooting range must show either sufficient berm height with sufficient downrange safety area or baffling that prevents projectiles from leaving the site.
 1. The safety area shall conform to National Rifle Association's standards for the shape and width. The safety area shall have signs posted at intervals stated in the special use permit warning of the potential danger from stray bullets.
 2. For the purposes of this regulation, the term "downrange safety area" shall mean the area away from the launching site towards the target. In cases of shooting ranges where targets are not stationary, appropriate baffling shall be provided.
- d. Public ranges designed for the use of handguns and rifles shall provide berms at least twenty feet (20') high and six feet (6') thick at the top for ranges three hundred feet (300') in length, made of soft earth or other material that is unlikely to cause ricochets, and containing no large rocks. For every thirty feet (30') of firing line distance over twenty feet (20'), the berm height shall increase by ten feet (10') in height as an example. Berms shall be located as follows:
 1. Shotgun ranges – No berming required.
 2. Ranges for handguns and rifles
 - a. Target placement not to exceed twenty feet (20') from the backstop.
 - b. Lateral not closer than thirty feet (30') from the firing line.
 3. All required berms shall be constructed prior to the commencement of operations and shall be maintained for the duration of the special use permit.
 4. In addition to berms, appropriate baffling may be installed over the firing line creating a "no blue sky" to prevent projectiles from overshooting the berm.
- e. The range, including the safety area, must be under the control of the operator of the range, by ownership or lease.
- f. The outdoor target practice or shooting range must have a sign that lists allowed firearm types based on the special use permit, rules of operation; hearing and vision protection required.
- g. At least one (1) designated qualified person must be present at all times when firing is taking place at for-profit outdoor target practice or shooting

ranges. The qualified person shall be knowledgeable of the type of shooting being supervised, shall be approved by the owner of the range, and shall know and enforce all range rules.

- h. At least one (1) range flag flown, a sign, cone, or red light lit at all times that firing is taking place.
- i. Hours and days of operation shall be specified in the special use permit and determined by the County Board.
- j. Access must be controlled by a gated entrance. The range proper shall be gated and fenced in a manner so to prohibit entrance on the property by members of the public and shall have signs posted at one hundred foot (100') intervals warning members of the public of the danger. Berming may substitute for fencing.
- k. Must meet existing setbacks of the zoning district.
- l. No alcohol allowed.
- m. No projectiles shall leave the boundaries of the site.
- n. The outdoor target practice or shooting range allowed by this special use permit shall provide the Kendall County Planning, Building and Zoning Department proof of accident and liability insurance prior to the commencement of operations; the insurance amount shall be at a level standard and customary for an outdoor target practice or shooting range. The insurance policy must be purchased from an A+ rated insurance company. An insurance policy meeting the above requirements must be maintained during the duration of the special use permit.
- o. All applicable Federal, State and local rules and regulations shall be adhered to.
- p. Must adhere to the Performance standards of Section 10.01.F of the Zoning Ordinance (Not more than sixty percent (60%) of the area of the lot may be covered by buildings or structures, including accessory buildings).
- q. No person shall cause or allow the emission of sound from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the residential

property line of the complainant.

- r. Outdoor target practice and public or private shooting ranges in existence prior to the date of the adoption of this ordinance (November 27, 2018) shall be exempt from this sub-section of the Zoning Ordinance, but they shall follow the restrictions on their respective special use permits.
- s. Outdoor target practice and shooting ranges open to the public established after the date of the adoption of this ordinance (November 27, 2018) must comply with the above regulations or secure applicable variance(s).”

IV. Amended Text: The existing language of Section 10.03.B.4 is hereby deleted and replaced with the following:

“10.03.B.4 Outdoor Target Practice or Shooting (not including private shooting on your own property and shooting ranges located on property owned by the Kendall County Forest Preserve District or the State of Illinois used for State parks) with the following conditions:

- a. At the time of application for a special use permit, petitioners desiring to operate an outdoor target practice or shooting ranges shall submit copies of all of the studies and plans suggested in the National Rifle Association’s Source Book including, but not limited to, a safety plan, a business plan, a public relations plan, a maintenance plan, a noise plan, an environmental stewardship plan, and a closure plan.
 - 1. The above referenced plans shall contain information as suggested by the National Rifle Association.
 - 2. Included in the above documents, the petitioner shall submit a detailed written narrative describing the proposed use. This narrative shall, at minimum, describe the type of range (i.e. public, private, or government), the type(s) of firearms and targets expected to be used and the proposed days and hours of operation.
 - 3. The safety plan shall describe the duties and qualifications of range supervisor(s).
 - 4. In at least one (1) of the required studies or plans, a hazardous waste plan addressing lead management shall be included. The lead management plan shall conform to either the requirement of the National Rifle Association’s standards, the National Shooting Sports Foundation’s standards, or the United States Environmental Protection Agency’s best management practices standards.
 - 5. In addition to the above requirements, the petitioner shall submit a water and drainage plan; this plan must be approved by the Kendall County Planning, Building and Zoning Office.

6. Any changes to the above required studies and plans shall be promptly forwarded to the Kendall County Planning, Building and Zoning Department.
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- b. Range layout requires conformity with National Rifle Association standards with regard to layout and dimensions. The petitioner shall submit a site capacity with a calculation and a detailed site plan showing the layout and design of the proposed shooting range, including all required setbacks and landscaping and the existing and proposed structures, their floor areas and impervious surfaces. The scale of the site plan shall be no greater than one inch equals one hundred feet (1"=100'). A licensed engineer or land surveyor shall prepare the documents.
 - c. The site plan for the proposed outdoor target practice or shooting range must show either sufficient berm height with sufficient downrange safety area or baffling that prevents projectiles from leaving the site.
 1. The safety area shall conform to National Rifle Association's standards for the shape and width. The safety area shall have signs posted at intervals stated in the special use permit warning of the potential danger from stray bullets.
 2. For the purposes of this regulation, the term "downrange safety area" shall mean the area away from the launching site towards the target. In cases of shooting ranges where targets are not stationary, appropriate baffling shall be provided.
 - d. Public ranges designed for the use of handguns and rifles shall provide berms at least twenty feet (20') high and six feet (6') thick at the top for ranges three hundred feet (300') in length, made of soft earth or other material that is unlikely to cause ricochets, and containing no large rocks. For every thirty feet (30') of firing line distance over twenty feet (20'), the berm height shall increase by ten feet (10') in height as an example. Berms shall be located as follows:
 1. Shotgun ranges – No berming required.
 2. Ranges for handguns and rifles
 - a. Target placement not to exceed twenty feet (20') from the hackstop.
 - b. Lateral not closer than thirty feet (30') from the firing line.
 3. All required berms shall be constructed prior to the commencement of operations and shall be maintained for the duration of the special use permit.
 4. In addition to berms, appropriate baffling may be installed over the firing line creating a "no blue sky" to prevent projectiles from overshooting the berm.

- e. The range, including the safety area, must be under the control of the operator of the range, by ownership or lease.
- f. The outdoor target practice or shooting range must have a sign that lists allowed firearm types based on the special use permit, rules of operation; hearing and vision protection required.
- g. At least one (1) designated qualified person must be present at all times when firing is taking place at for-profit outdoor target practice or shooting ranges. The qualified person shall be knowledgeable of the type of shooting being supervised, shall be approved by the owner of the range, and shall know and enforce all range rules.
- b. At least one (1) range flag flown, a sign, cone, or red light lit at all times that firing is taking place.
- i. Hours and days of operation shall be specified in the special use permit and determined by the County Board.
- j. Access must be controlled by a gated entrance. The range proper shall be gated and fenced in a manner so to prohibit entrance on the property by members of the public and shall have signs posted at one hundred foot (100') intervals warning members of the public of the danger. Berning may substitute for fencing.
- k. Must meet existing setbacks of the zoning district.
- l. No alcohol allowed.
- m. No projectiles shall leave the boundaries of the site.
- n. The outdoor target practice or shooting range allowed by this special use permit shall provide the Kendall County Planning, Building and Zoning Department proof of accident and liability insurance prior to the commencement of operations; the insurance amount shall be at a level standard and customary for an outdoor target practice or shooting range. The insurance policy must be purchased from an A+ rated insurance company. An insurance policy meeting the above requirements must be maintained during the duration of the special use permit.
- o. All applicable Federal, State and local rules and regulations shall be adhered to.

- p. Must adhere to the Performance standards of Section 10.01.F of the Zoning Ordinance (Not more than sixty percent (60%) of the area of the lot may be covered by buildings or structures, including accessory buildings).
- q. No person shall cause or allow the emission of sound from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the residential property line of the complainant.
- r. Outdoor target practice and public or private shooting ranges in existence prior to the date of the adoption of this ordinance (November 27, 2018) shall be exempt from this sub-section of the Zoning Ordinance, but they shall follow the restrictions on their respective special use permits.
- s. Outdoor target practice and shooting ranges open to the public established after the date of the adoption of this ordinance (November 27, 2018) must comply with the above regulations or secure applicable variance(s)."

V. Any completed application submitted prior to the date of the adoption of this ordinance shall follow the application procedures, requirements and restrictions in effect on the date that the completed application was submitted.

IN WITNESS OF, this amendment to the Kendall County Zoning Ordinance has been enacted by a supermajority vote of the Kendall County Board this 27th day of November, 2018.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

RESOLUTION NUMBER 2018-_____

A RESOLUTION ADOPTING AN AMENDMENT TO THE KENDALL COUNTY LAND RESOURCE MANAGEMENT PLAN TO UPDATE THE FUTURE LAND USE PLAN IN LISBON TOWNSHIP IN THE VICINITY OF ROUTE 47

WHEREAS, 50 ILCS 805 allows Counties to create and adopt Land Resource Management Plans; and

WHEREAS, 55 ILCS 5/5-14001 through 5-14008 specifies how a County may adopt and amend Official Plans; and

WHEREAS, Kendall County adopted a Land Resource Management Plan in March 1994; and

WHEREAS, the Kendall County Board has amended the Land Resource Management Plan on several occasions since its adoption in March 1994; and

WHEREAS, the Kendall County Land Resource Management Plan has adopted a Policy, Framework, Planning Goals & Objectives, Management Goals & Objectives, and Land Resource and Management Area Policies for the County; and

WHEREAS, the Kendall County Land Resource Management Plan has adopted official Future Land Use Maps for each township and for the County as a whole; and

WHEREAS, Illinois State Route 47 was widened to four lanes in Lisbon Township; and

WHEREAS, the Village of Lisbon adopted a Comprehensive Plan in January 2009 which included proposed land uses along a portion of Illinois State Route 47 in Lisbon Township; and

WHEREAS, the Kendall County Regional Planning Commission, hereinafter be referred to as "Petitioner," believes that future land uses along Illinois State Route 47 will change due to the widening of the highway in Lisbon Township and that the Kendall County Land Resource Management Plan should be amended to incorporate portions of the Village of Lisbon's Comprehensive Plan; and

WHEREAS, on February 28, 2018, Petitioner held a public meeting in the Village of Plattville at 6410 Chicago Road, Yorkville, Illinois to obtain input from the residents of Lisbon Township and two members of the public expressed opposition to the proposal; and

WHEREAS, following due and proper notice by publication in the Kendall County Record not less than fifteen days prior thereto, the Kendall County Regional Planning Commission conducted a public hearing on June 27, 2018, 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 amendment and one member of the public asked questions and zero members of the public testified in favor or testified in opposition to the request; and

WHEREAS, following due and proper notice by publication in the Kendall County Record not less than fifteen days prior thereto, the Kendall County Zoning Board of Appeals met on July 30, 2018, 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 map amendment and seven members of the public expressed opposition to the proposal; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has recommended denial of the proposed amendment; 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 meetings, and has forwarded to the Kendall County Board a recommendation of approval of the proposed amendment; and

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee, the recommendation of the Kendall County Zoning Board of Appeals, the record of the public hearing conducted by the Kendall County Regional Planning Commission, the recommendation of the Kendall County Regional Planning, and has determined that said proposed amendment to the Kendall County Land Resource Management Plan is necessary and in the best interests of Kendall County; and

NOW, THEREFORE, BE IT RESOLVED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The revisions to the Future Land Use Plan of the Land Resource Management Plan, attached hereto as Exhibit A, are hereby adopted as an amendment to the Kendall County Land Resource Management Plan.
2. Any text or maps contained in the Kendall County Land Resource Management Plan in conflict with the attached Exhibit A are hereby repealed.

IN WITNESS OF, this resolution has been enacted by a majority vote of the Kendall County Board and is effective this 27th day of November, 2018.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

**Lisbon Future LRMP
Helmar Rd to Sherrill Rd
KENDALL COUNTY**

- 2018 -

<http://www.kc.kent.edu>



Scale: 1 in = 1,000 feet



Legend

- Open Road
 - Proposed Roadways
 - Future LRMP
- Abbreviation**
- Helmar/Sherrill Area
 - Growth/Industrial Business
 - Open Space
 - Urban/Office
 - Rural Use District
 - Public Use Center
 - Public Institutional
 - Mining
 - Rural Residential
 - Commercial
 - Outstand Growth Suburban Residential



Kendall County GIS
111 West Third Street - Ste 200
Kent, OH 44204