

Village of Gilberts

Village Hall: 87 Galligan Road, Gilberts, Illinois 60136

Ph. 847-428-2861 Fax: 847-428-2955

www.villageofgilberts.com

VILLAGE BOARD COMMITTEE OF THE WHOLE MEETING AGENDA

Tuesday, August 14, 2018 - 7:00 p.m. - Village Hall Board Room

ORDER OF BUSINESS

1. CALL TO ORDER / PLEDGE OF ALLEGIANCE

2. ROLL CALL / ESTABLISH QUORUM

3. PUBLIC COMMENT*

Intended for public comment on issues not otherwise on this agenda, those comments offered when individual issues are discussed

4. ITEMS FOR DISCUSSION

A. Concept Presentation of Kanigan Subdivision

B. Presentation of Revised NVR / Ryan Homes Product Elevations (Conservancy Development)

C. Presentation of Smoke Free Parks Survey Data

D. Update on Plan Commission Meeting and Recommendation Concerning the Proposed Amendment to the Unified Development Ordinance Regarding the Keeping of Horses and Farm Animals in the A-1 Agriculture District

5. OTHER BUSINESS

6. STAFF REPORTS

7. TRUSTEES' REPORTS

8. PRESIDENT'S REPORT

9. EXECUTIVE SESSION*

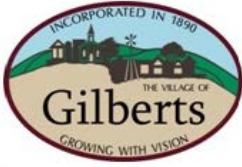
10. ADJOURNMENT

***Executive Session Information**

A portion of the meeting will be closed to the Public, effective immediately as Permitted by 5 ILCS 120/2(c) (1) to discuss the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the Village, and as permitted by 5 ILCS 120/2 (c) (11) to discuss litigation against, affecting, or on behalf of the Village which has been filed and is pending in a court or administrative tribunal of which is imminent and as permitted by 5 ILCS 120/2(c) (21) to review and approve closed session minutes and as permitted by 5 ILCS 120/2 (c) 2 Collective negotiating matters.

***Public Comment Policy**

Anyone indicating a desire to speak during Public Comments portion of the Village Board Meeting will be acknowledged by the Village President. All remarks are to be addressed to the Village President and Board of Trustees as a whole, not to any specific person(s). To ensure that everyone who wishes to speak has the opportunity to do so, please limit your comments to five minutes. Additional time may be granted at the discretion of the Village President. If you have written comments, please provide a copy to the Village President. If there are a number of individuals present to speak on the same topic, please designate a spokesperson that can summarize the issue. During Public Comments, the Village President, Trustees and Staff will listen to comments and will not engage in discussion. The Village President or Trustees may ask questions to better understand your concern, suggestion or request. Please direct any personnel concerns to the Village Administrator before or after the meeting. The Village of Gilberts complies with the Americans Disabilities Act (ADA). For accessibility Assistance, please contact the Village Clerk at the Village Hall, telephone number is 847-428-2861". Assistive services will be provided upon request.



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To: Village President and Board of Trustees
From: Brian Bourdeau, Village Administrator
Date: August 3, 2018 Village Board Meeting
Subject: Item 4A – **Concept Presentation of Kanigan Subdivision**

This is a presentation of a conceptual subdivision plan. George Kanigan is looking for feedback on his conceptual subdivision and rezoning plan. The next step in the process would be filing an application for staff review and scheduling the proposal for Plan Commission review.

Brian Bourdeau

From: gkhawk9757 [gkhawk9757@aol.com]
Sent: Thursday, August 09, 2018 3:49 PM
To: Brian Bourdeau
Cc: Constance Kanagin
Subject: Preliminary ReSubdivision Plat
Attachments: Wastewater Calculation.pdf; BPGS-R2(1).pdf; PHXFM_sht_ease_01.pdf

Mr Brian . On behalf of Constance Kanagin ,Beneficiary owner of said property we are humbly petitioning a review/ comments by Board Members this up coming Tuesday during thier work session of the above .

We recognize this will need to be forwarded to a scheduled Planning and Zoining board for thier review and comments 1st. With that being said we are seeking the folowing .

*Industrial Zoining .

Present zoining and use Agricultural.

Comprehensive plan idenfies C1 .

We believe this was labled C1 prior to the Tyrrel rd Route change by County .

Galligan rd dead ends at or about the proposed acces entry.

Presently areas to the South West and North is adjacent to Koppie Industrial park.

*ESI Drawing Plat.

The attached drawing by ESI identifies what the Industrial zoining requires as associated with set backs and easemnts .

*Drainage and detention .

Has been provided for under the Tyller Creek Regional Storage 2016 .

Lot 6 SW Corner does serve as a sedimentation 1 st flush area .

* Road private.

lots 1,2 ,1 ac the marked not included lot ,lot3 have acces to Galligan rd . The proposed private rd would serve the balance of lots 4,5 and 6 .

*utilities ,

Presently Septic Well serves lots 1,2 Not Included lot ,3 and 4.

The drawing identifes future septic and or expansion on lots 5 and 6 .

We are petitiiong that the lots be able to connect to the existing sanitary located on Galligan rd .

We have provided a smaller verzion of a lift station to service the lots that meet Ill EPA regulations .

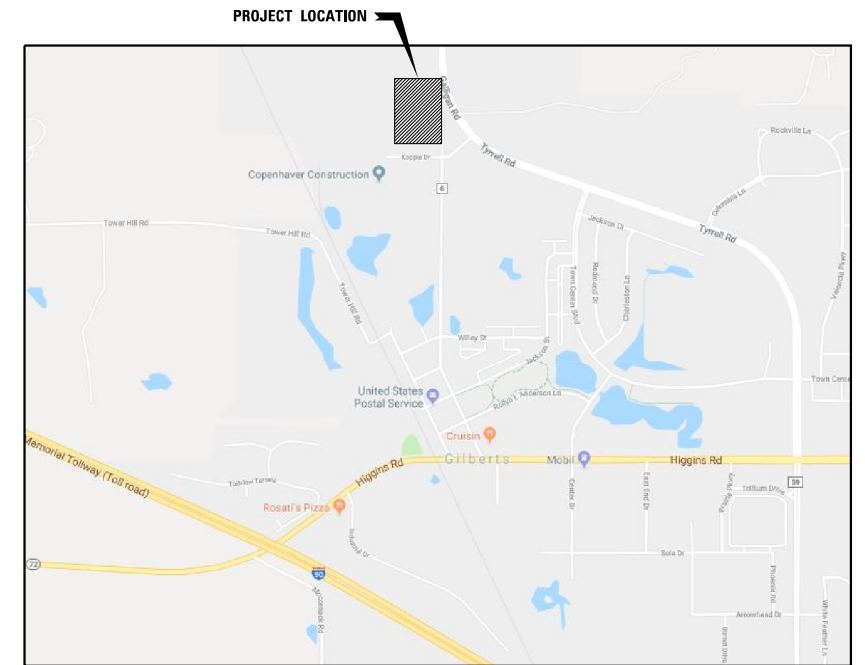
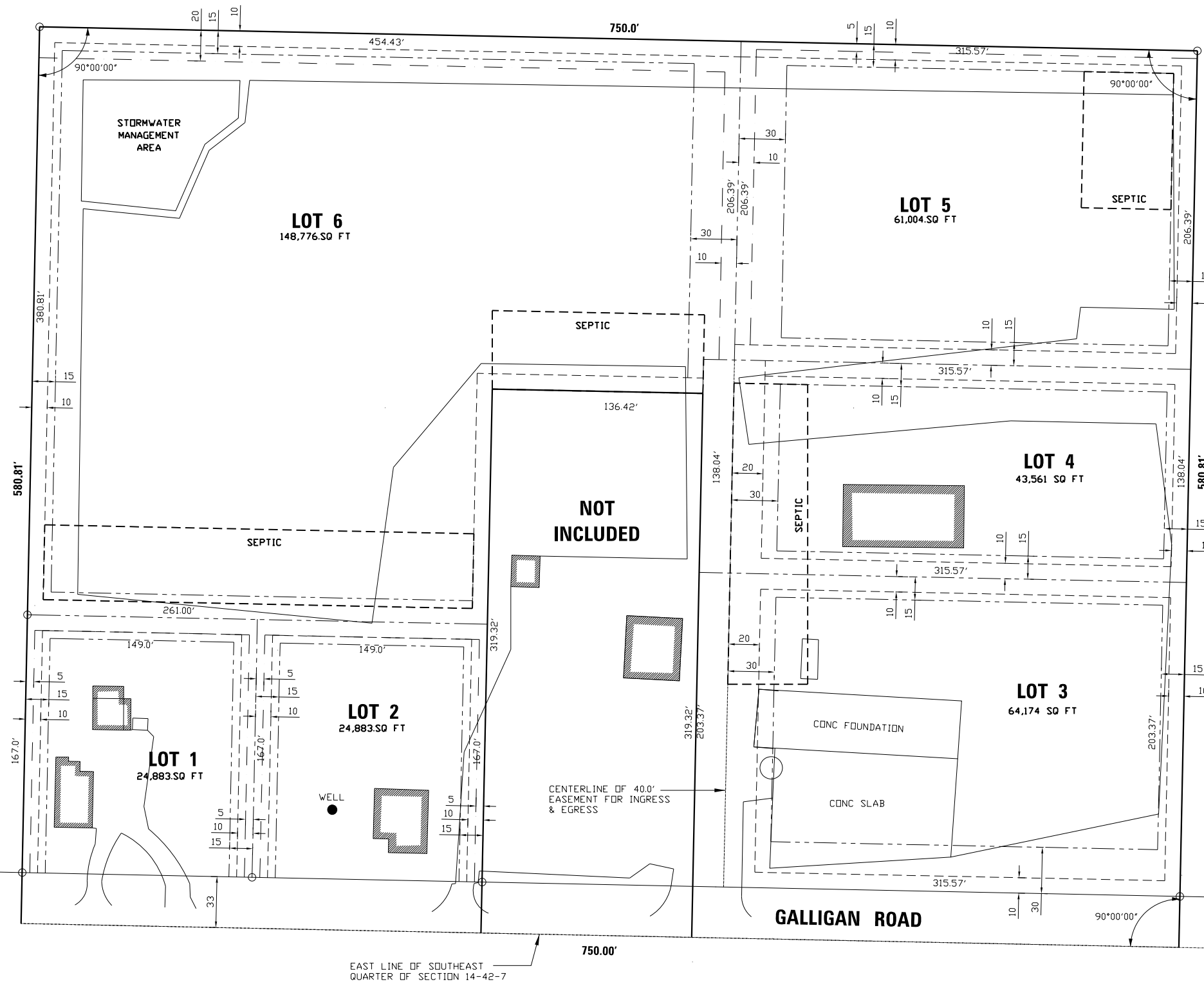
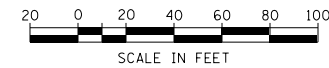
If the Board allows the sanitary hook up we would vacate septic but lots would maintain wells.

I did not attach the Coulson survey to this email but i did leave 12 copies with you at your office .

We would ask that the Board once they respond and comment that they direct the Planning and Zoining Board for a meeting so we can appear .

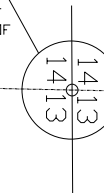
George

Sent via the Samsung Galaxy Note8, an AT&T 4G LTE smartphone



LOCATION MAP

FOUND R.R. SPIKE @
NORTHEAST CORNER OF
SOUTHEAST QUARTER OF
SECTION 14-42-7



LEGEND	
---	LANDSCAPING EASEMENT
---	PUBLIC UTILITY EASEMENT
---	DRAINAGE EASEMENT
---	BUILDING SETBACK
---	SEPTIC FIELDS (APPROX)



NO.	DATE	DESCRIPTION OF REVISIONS	ESI PROJECT NO.	ENGR:
			FILE: PHXFM_sht_ease_01.dgn	TECH:
			DATE:	OAC:

KANIGAN SUBDIVISION
GILBERTS, ILLINOIS

EASEMENT PLAN

DRAWING NO.
1

Determine water and wastewater Demand for the Phoenix Farm in Gr. 1 butts
Demands are based on current and future needs

2 existing and 1 future single family homes = $3 \times 350 = 1,050 \text{ gpd}$

6,000 SF of office space = $6,000 \text{ SF} \times 15 \text{ gpd} / 100 \text{ SF} = 900 \text{ gpd}$
or

20 full time employees = $20 \times 15 \text{ gpd/employee} = 300 \text{ gpd}$

Maximum AVF = $1,050 + 900 \text{ gpd} = 1,950 \text{ gpd}$ or 1.35 gpm

Peak Flow = $4.33 \times 1,950 \text{ gpd} = 8,545 \text{ gpd}$ or 5.93 gpm

TECHNICAL BROCHURE

BPGS R2



TYPICAL SWITCH

TYPICAL GUIDE RAIL BASIN KIT

S10020 NEMA 4X OUTDOOR
CONTROL PANEL

FEATURES

Pump:

Capacities: to 41 GPM, Total Heads: to 95' TDH

Discharge: 1 1/4" NPT

Temperature: 104° F continuous, 140° F intermittent.

Single mechanical seal: silicon carbide rotary/silicon carbide stationary, 300 series stainless steel metal parts, BUNA-N elastomers.

Rotating cutter and cutter ring: 440 C stainless steel, hardened to 55 – 60 Rockwell C.

Motor:

Single phase: 2 HP, 60 Hz, 3450 RPM, 208/230V, capacitor start with on winding thermal protector.

Class F insulation

Shaft: 300 series stainless steel threaded design.

Bearings: ball bearings upper and lower.

Power cord: 20 feet standard 14/3 STOW.

See B12GS pump bulletin for additional data.

AGENCY LISTINGS



Tested to UL 778 and CSA 22.2 108 Standards
By Canadian Standards Association
File #LR38549



12GS

GRINDER PACKAGES



Bell & Gossett
a xylem brand

Pump/Control Kit	Order No.	Description
Simplex	SPGSN4*	(1) 12GS2012 2HP, 230 V, single phase, pump
		(1) S10020 Simplex outdoor control panel
		(3) A2D23W Mechanical level switch
		4K639 Cast iron pump leg (set of 3)
Duplex	DPGSN4*	(2) 12GS2012 2 HP, 230 V, single phase, pump
		(1) D10020 Duplex outdoor control panel
		(3) A2D23W Mechanical level switch
		4K639 Cast iron pump leg (set of 3)

* For indoor panel replace suffix "N4" with "N1", SPGSN1 includes a S10020N1 panel. DPGSN1 includes a D10020N1 panel.

GRINDER PUMP PACKAGES

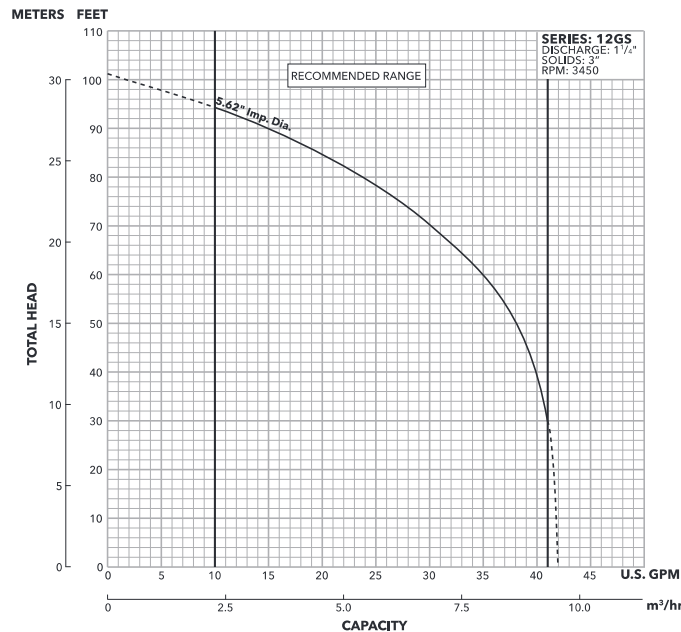
A complete simplex or duplex installation consists of a simplex or duplex pump kit AND a simplex or duplex basin kit.

Choose the simplex or duplex basin kit from the chart on the following pages to best suit your installation needs and make sure it is included in your order.

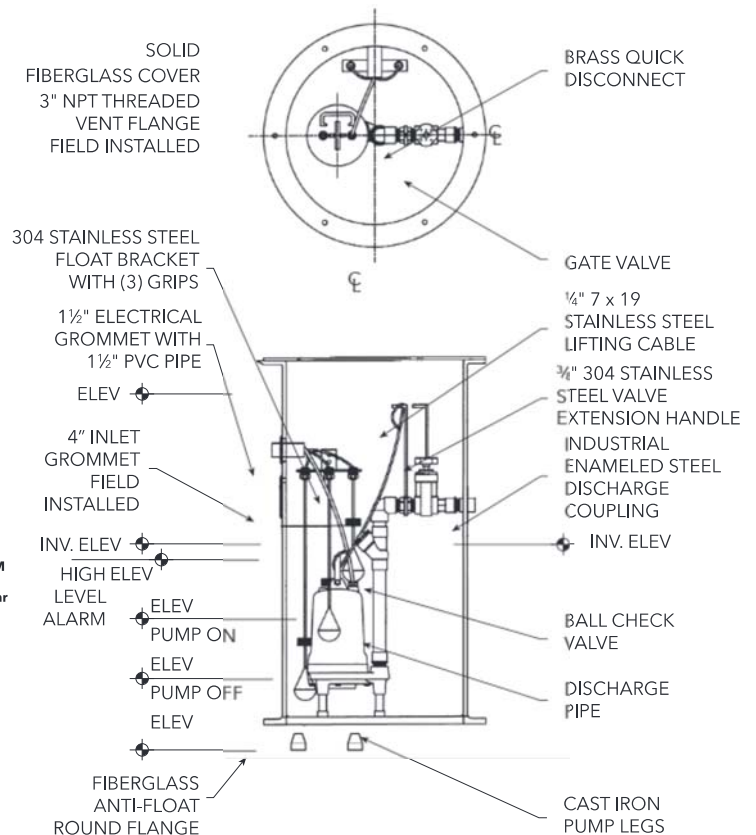
Both pump/control kit and basin kit must be ordered for a complete installation.

PUMP AND CONTROL DATA

Component	HP	Volts	Phase	RPM	Maximum Amps	LRA	Full Load Motor Efficiency	Resistance		Power Cable	Fuse/Circuit Breaker	Weight (lbs.)
								Start	Line-Line			
12GS2012	2	208/230	1	3450	15	59	70	2.47	0.6	14/3	30	75
S10020	Simplex Outdoor N4X Panel							20 Maximum Amps				
S10020N1	Simplex Indoor N1 Panel							20 Maximum Amps				
D10020	Duplex Outdoor N4X Panel							20 Maximum Amps				
D10020N1	Duplex Indoor N1 Panel							20 Maximum Amps				



TYPICAL INSTALLATION



BASIN KITS

* Basins are not pre-drilled for 1.5" electrical grommet or for 4" inlet grommet. Parts are shipped loose. Installer must drill holes for grommets.

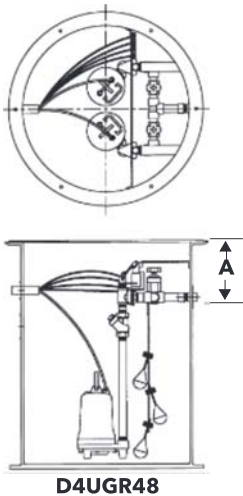
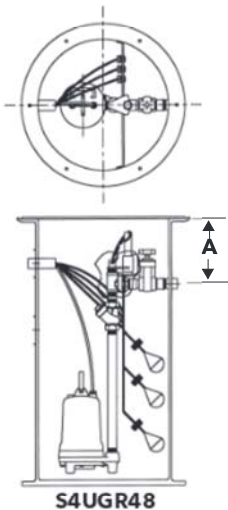
Guide Rail Equipped Basin Installation

Simplex

- 1 GDP HMU, 1 EHJ, 1 W/EDMQZ, 1 K, 1 QMJ, 1 UDDQM, 1 floatation ring.
- 1 6V, 1 QDM, 1 VMH, 1 K, 1 DUGZ, 1 DUH
- 1 * 1 UDW, 1 J, 1 UHQ, 1 V, 1 RCG, 1 EHJ, 1 W/FRYHU
- 1 1 HGF, 1 W, 1 F, 1 DQJ, 1 URP, 1 P, 1 HM
- 1 1 LQDM, 1 URP, 1 P, 1 HM
- 1 1/2 UDW, 1 TX, 1 F, 1 N, 1 GL, 1 FR, 1 Q, 1 F, 1 W, 1 FR, 1 X, 1 S, 1 Q, 1 V
- 1 6FK, 1 H, 1 GX, 1 D, 1 J, 1 D, 1 Y, 1 Q, 1 J, 1 H, 1 G, 1 V, 1 M, 1 H, 1 G, 1 L, 1 F, 1 K, 1 D, 1 J, 1 H, 1 S, 1 L, 1 S, 1 H, 1 V
- 1 & 1 D, 1 W, 1 U, 1 R, 1 Q, 1 E, 1 D, 1 W, 1 S, 1 H, 1 F, 1 K, 1 F, 1 N, 1 Y, 1 D, 1 Y, 1 H, 1 V
- 1 1/2 U, 1 R, 1 Q, 1 H, 1 J, 1 D, 1 M, 1 Y, 1 D, 1 Y, 1 H, 1 V
- 1 1/4" stainless steel pump lifting cable
- 1 3XP, 1 S, 1 V, 1 G, 1 H, 1 U, 1 D, 1 O, 1 X, 1 V, 1 M, 1 P, 1 FRP, 1 S, 1 O, 1 M, 1 Z, 1 K, 1 39, 1 & 1 J, 1 X, 1 L, 1 G, 1 H, 1 V pipe and integral stainless steel guide bracket for 1 K, 1 R, 1 V, 1 H, 1 L, 1 Q, 1 M, 1 D, 1 W, 1 R, 1 Q, 1 U, 1 H, 1 T, 1 X, 1 L, 1 U, 1 Q, 1 D, 1 J, 1 X, 1 L, 1 G, 1 H, 1 U, 1 D, 1 W, 1 S, 1 H, 1 V, 1 M, 1 P

Duplex

- 1 GDP HMU, 1 EHJ, 1 W/EDMQZ, 1 K, 1 QMJ, 1 UDDQM, 1 floatation ring.
- 1 6V, 1 QDM, 1 VMH, 1 K, 1 DUGZ, 1 DUH
- 1 * 1 UDW, 1 J, 1 UHQ, 1 V, 1 RCG, 1 EHJ, 1 W/FRYHU
- 1 1 HGF, 1 W, 1 F, 1 DQJ, 1 URP, 1 P, 1 HM
- 1 1 LQDM, 1 URP, 1 P, 1 HM
- 1 1/2 UDW, 1 TX, 1 F, 1 N, 1 GL, 1 FR, 1 Q, 1 F, 1 W, 1 FR, 1 X, 1 S, 1 Q, 1 V, 1 V
- 1 6FK, 1 H, 1 GX, 1 D, 1 J, 1 D, 1 Y, 1 Q, 1 J, 1 H, 1 G, 1 V, 1 M, 1 H, 1 G, 1 L, 1 F, 1 K, 1 D, 1 J, 1 H, 1 S, 1 L, 1 S, 1 H, 1 V
- 1 & 1 D, 1 W, 1 U, 1 R, 1 Q, 1 E, 1 D, 1 W, 1 S, 1 H, 1 F, 1 K, 1 F, 1 N, 1 Y, 1 D, 1 Y, 1 H, 1 V
- 1 1/2 U, 1 R, 1 Q, 1 H, 1 J, 1 D, 1 M, 1 Y, 1 D, 1 Y, 1 H, 1 V
- 1 1/4" ~ 1 V, 1 Q, 1 DM, 1 V, 1 M, 1 H, 1 O, 1 S, 1 X, 1 P, 1 S, 1 O, 1 W, 1 Q, 1 J, 1 F, 1 D, 1 E, 1 O, 1 M, 1 V
- 1 3XP, 1 S, 1 V, 1 G, 1 H, 1 U, 1 D, 1 O, 1 X, 1 V, 1 M, 1 P, 1 FRP, 1 S, 1 O, 1 M, 1 Z, 1 K, 1 39, 1 & 1 J, 1 X, 1 L, 1 G, 1 H, 1 V stainless steel guide rail system assembly for those 1 L, 1 Q, 1 M, 1 D, 1 W, 1 R, 1 Q, 1 U, 1 H, 1 T, 1 X, 1 L, 1 U, 1 Q, 1 D, 1 J, 1 X, 1 L, 1 G, 1 H, 1 U, 1 D, 1 W, 1 S, 1 H, 1 V, 1 M, 1 P



Kit No.	Discharge Piping (SS)	Slide Rail	Basin Dia.	Basin Depth	"A" Dim.
S4UGR48	1.25"	Stainless steel guide bracket and PVC guide pipe	24"	48" (tall)	20"
S4UGR84	1.25"		24"	84" (tall)	42"

Kit No.	Discharge Piping (SS)	Slide Rail	Basin Dia.	Basin Depth	"A" Dim.
D4UGR48	1.25"	Stainless steel guide bracket and PVC guide pipe	36"	48" (tall)	20"
D4UGR84	1.25"		36"	84" (tall)	42"

BASIN KITS

* Basins are not pre-drilled for 1.5" electrical grommet or for 4" inlet grommet. Parts are shipped loose. Installer must drill holes for grommets.

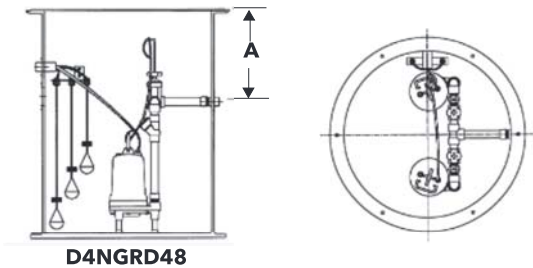
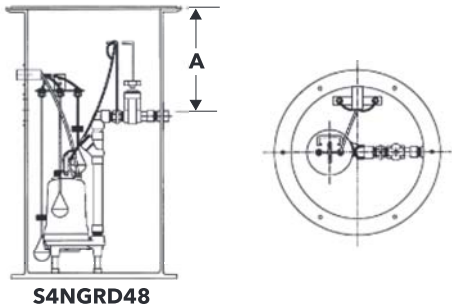
Non-Guide Rail Equipped Basin Installation

Simplex

- GDP HMU EHJ OWEDMQZ LK LQMJ UDDQM floatation ring.
- 6VLQBM VMHCKDUGZ DUH
- * UDWJ UHQVROG EHJ OWFRYHU
- HOFWIFDOJ URP P HM
- LQM URP P HM
- %UDWTXLFNGLFRQHFWRXSQJ Z LK VLQBM VMHCSXO rod.
- 6FKHGXOI 39 & GLVKDJ HSLSH
- 39 & EDOMSHFKHFNYYOH
- 39 & JDMYYOH
- VLQBM VMHCSXP S QWJ FDEO

Duplex

- GDP HMU EHJ OWEDMQZ LK LQMJ UDDQM floatation ring.
- 6VLQBM VMHCKDUGZ DUH
- * UDWJ UHQVROG EHJ OWFRYHU
- HOFWIFDOJ URP P HM
- LQM URP P HM
- EUDWTXLFNGLFRQHFWRXSQJ VZ LK VLQBM VMHO pull rods.
- 6FKHGXOI 39 & GLVKDJ HSLSHV
- 39 & EDOMSHFKHFNYYOHV
- 39 & JDMYYOHV
- VLQBM VMHCSXP S QWJ FDEO

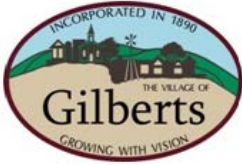


Kit No.	Discharge Piping (PVC)	Basin Diam.	Basin Depth	"A" Dim.
S4NGRD48	1.25"	24"	48" (tall)	20"
S4NGRD84	1.25"	24"	84" (tall)	42"
S2NGRD48	2.00"	24"	48" (tall)	20"
S2NGRD84	2.00"	24"	84" (tall)	42"

Kit No.	Discharge Piping (PVC)	Basin Diam.	Basin Depth	"A" Dim.
D4NGRD48	1.25"	36"	48" (tall)	20"
D4NGRD84	1.25"	36"	84" (tall)	42"
D2NGRD48	2.00"	36"	48" (tall)	20"
D2NGRD84	2.00"	36"	84" (tall)	42"



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To: Village President and Board of Trustees
From: Brian Bourdeau, Village Administrator
Date: August 3, 2018 Village Board Meeting
Subject: Item 4A – **Presentation of Revised NVR / Ryan Homes Product Elevations (Conservancy Development)**

This is a presentation of the revised NVR / Ryan Homes product elevations in the Conservancy Development submitted by Ryan Homes.

As the Board may recall, staff reviewed the revised product and noted several observations. In considering the Ryan plans, staff looked toward the list of criteria/concerns that were of importance to the Village when reviewing the originally approved product elevations. For reference, included below is a list of the Village's observations:

A. Front Elevations

- a. On the front elevations the detail options are much more refined in the previously approved product with more options offered on the elevations (e.g. metal roof entries, extended entries, eyebrow architectural features) as compared to the submitted Ryan product; and
- b. There appears to be a greater variety of materials in the previously approved plans;
- c. The roof lines appear to be flatter in the Ryan product with a greater use of 12/12 roof pitches in the previously approved product;
- d. Not all Ryan elevations appear to contain the option for shutters;
- e. The use of siding only on the front elevation should be minimized as far as the number of homes;

B. Side Elevations

- a. The previously approved plans contain more definition on the side elevations;
- b. No service door options on the Ryan product;

C. Rear Elevations

- a. The Ryan product contains very straight back elevations with few relief features;
- b. Morning rooms do not appear to be offered in the Ryan product;

D. In General

- a. Ryan submitted a model with a total square footage of approximately 1,823 sq/ft, which is around 557 sq/ft smaller than the smallest previously approved model at 2,380; and

- b. Ryan submitted an additional model with a total square footage of approximately 3,656 sq/ft, or 406 sq/ft larger than the largest previously approval model at 3,250.

Included as an attachment to this item, is a letter from Scott Shelton (Ryan Homes) dated August 10, 2018 with comments regarding the Village's observations.

Additionally, staff is preparing a visual presentation highlighting the various observations noted above for the Committee of the Whole Meeting.

It is anticipated that Scott Shelton (Ryan Homes) will be present on Tuesday to answer any specific questions or concerns regarding the elevations.

August 10, 2018
Dear Village Board:

Thank you for giving me the opportunity to discuss and review comments related to the new product submitted by Ryan Homes. After several years, the new product is a refresh of our old Renaissance product line (Florence, Venice, Milan, Naples, Rome) which has been selling in Gilberts for some time. Periodically, Ryan Home's design team looks at the customer selection rates of each home's upgrade options, sales of various model types, national trends in the market, feedback from our national suppliers, and makes a product refresh. This is a refresh of those homes and is a national rollout for Ryan Homes, not specific to Chicago or the Conservancy.

Let me attempt to comment on some of the items below and I will be glad to discuss further at the Village Board meeting.

A) Front Elevations

- a. On the front elevations the detail options are much more refined in the previously approved product with more options offered on the elevations (e.g. metal roof entries, extended entries, eyebrow architectural features) as compared to the submitted Ryan product; and
 1. The eyebrow features and pediments over the doors were replaced with more covered entries and updated architectural features. The metal roof purchase rates were extremely low in this product series and therefore eliminated. Windows still have decorative headpieces or trim depending on the architectural style.
- b. There appears to be a greater variety of materials in the previously approved plans;
 1. Each product generally follows the same pattern as follows: 2 traditional elevations, a transitional elevation, and 2 craftsmen elevations. The traditional elevations typically have options for full masonry. The transitional elevations has partial masonry and the craftsman often use stone and/or brick along with a shake or vertical board. These are similar elements used in the existing elevations.
- c. The roof lines appear to be flatter in the Ryan product with a greater use of 12/12 roof pitches in the previously approved product;
 1. I was unable to find the 12/12 roof pitch referenced. The primary roof pitches on each of the submitted product was either 8/12 or 6/12 with an optional 8/12 available.
- d. Not all Ryan elevations appear to contain the option for shutters;
 1. That is correct as shutters are offered per plan. The more traditional style elevations tend to have shutters and there is a craftsman style shutter elevation as well. This is similar to the existing Renaissance line which some had shutters and some did not, for example the Florence Elev K did not.
- e. The use of siding only on the front elevation should be minimized as far as the number of homes;

B) Side Elevations

- a. The previously approved plans contain more definition on the side elevations;
 1. The primary side options available were occasionally bay windows. Our customer selection rate of those was extremely low and they were also eliminated from these designs in this series.

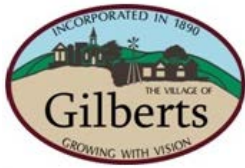
- b. No service door options on the Ryan product;
 - 1. The service door option has been eliminated due to a very low customer selection rate.

C) Rear Elevations

- a. The Ryan product contains very straight back elevations with few relief features;
 - 1. See next response. However, the plans offer a covered porch option which provides relief. The marketplace has seen a considerable increase in demand for outdoor living.
- b. Morning rooms do not appear to be offered in the Ryan product;
 - 1. A significant change to the new product line was the incorporation of the morning room into the primary space of the home. The feedback from the marketplace was that the dining spaces were too small, the morning room became a required purchase for a good dining space and the market was demanding large islands and open floor plans. Thus, the square footage of our plans increased due to adding the morning space back into the kitchen/dining/living area of the main floor. First floor plans offer now larger islands, enhanced open living and better in-kitchen dining space.
 - 2.

D) In General

- a. Ryan submitted a model with a total square footage of approximately 1,823 sq/ft, which is around 557 sq/ft smaller than the smallest previously approved model at 2,380; and
 - 1. Correct. As approved in a previous ordinance, a smaller ft² product was allowed.
- b. Ryan submitted an additional model with a total square footage of approximately 3,656 sq/ft, or 406 sq/ft larger than the largest previously approval model at 3,250.
 - 1. Correct. We have submitted a larger product as well as continue to look to capture a range of purchasers.



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Memorandum

TO: President Zirk and the Village Board of Trustees
CC: Brian Bourdeau, Village Administrator
FROM: Anne Marie Gaura, Village of Gilberts
DATE: August 9, 2018
SUBJECT: Smoke Free Parks Survey

At the June 26, 2018 Village Board Meeting, resident Megan Fischer proposed an ordinance to make the Village's parks smoke free. The Village Board directed staff to coordinate a survey and to provide additional information on the topic.

As a result of this direction, staff has: 1) provided information on municipalities and park districts that have and do not have smoke free parks; 2) conducted and summarized the results of a Smoke Free Parks Survey; and 3) collected and summarized municipal and park district Smoke Free Parks Ordinances. Attached as part of this memorandum are the following exhibits for reference:

- Exhibit A: Illinois Park and Recreation Organizations that have and have not Enacted Smoke Free Parks Policies
- Exhibit B: Smoke Free Parks Policy Survey
- Exhibit C: Smoke Free Parks Policy Survey Results
- Exhibit D: Smoke Free Ordinances Submitted
- Exhibit E: Smoke Free Parks Ordinances Results

Survey

A total of 12 municipalities and 16 park districts with smoke free parks policies were surveyed. Of the 28 combined organizations surveyed, seven organizations responded with information. Four filled out the survey and three others just provided their Smoke Free Parks Ordinances. Therefore, the response rate for filling out the survey was 14.3%.

The four organizations that filled out the survey are as follows: Buffalo Grove Park District, Crystal Lake Park District, Hanover Park Park District and the Village of Lake in the Hills. On the issue as to whether the smoke free ban applies to special events, three out of four of the respondents indicated it does. Of the survey responses, in three out of four organizations, enforcement was provided by the Police Department. For those organizations, the number of complaints totaled less than 10 or none.

Ordinances

As part of the survey process, the Village received five Smoke Free Parks Ordinances and they were from the following organizations: Buffalo Grove Park District; Hoffman Estates Park District; Prospect Heights Park District; Vernon Hills Park District; and Village of Lake in the Hills. In addition, the Health Initiatives Coordinator for the Kane County Health Department contacted the Village and provided two other Ordinances from the City of Elgin and the St. Charles Park District.

The types of products banned range from your typical cigarettes, cigars and pipes to include the latest in electronic cigarettes (e-cigs), including personal vaporizers and electronic nicotine delivery systems (ENDS). Some entities include other types of products that can be smoked and a variety of smokeless tobacco.

Three out of the seven entities have their ordinances cover all park district property and the four others are more area specific. One municipality specifically exempts special events or festivals while the other municipality provides flexibility by exempting festival park lawn areas. The penalties for violation range from warnings to revocation of permits and fines from \$25 to \$250.

Signage

Two park districts require signage for enforcement as part of their ordinance. In the Village's Smoke Free Parks Policy survey, if an organization required signage in the parks regarding the smoke free ban, a photograph of the sign was requested. The Village had one organization send a photo of their signs and it was the Village of Lake in the Hills (photo to the right).

The sign reads "Proud to be Tobacco Free: The Use of Tobacco Products is Prohibited within 15 Feet of Play Areas and Shelters". The fine print states, "We Choose Health: This project is part of the Illinois Department of Public Health's We Choose Health Initiative, which is made possible by funding from the Centers for Disease Control and Prevention".



Next Step

Village Board direction is requested as to whether to stay with the status quo or whether to draft a Smoke Free Parks Ordinance for further consideration. If Ordinance direction is provided, feedback on five key policy areas is desired on: the specific areas the Ordinance covers (all park areas or site specific), any areas or events exempted (Community Days), types of products banned (traditional tobacco products and electronic cigarettes), penalties for violation (warnings to level of fines) and whether signage is desired.

Exhibit A: Illinois Parks and Recreation Organizations

Organizations Surveyed with Smoke Free Parks Policies

Municipalities with Parks and Recreation

- | | |
|----------------------|---------------------|
| ▪ Antioch | ▪ Lake Forest |
| ▪ Country Club Hills | ▪ Lake in the Hills |
| ▪ Evanston | ▪ Lake Villa |
| ▪ Glendale Heights | ▪ Orland Park |
| ▪ Hinsdale | ▪ Park Forest |
| ▪ Homer Glen | ▪ Romeoville |

Park Districts

- | | |
|-------------------|--------------------|
| ▪ Buffalo Grove | ▪ Marengo |
| ▪ Crystal Lake | ▪ Palatine |
| ▪ Deerfield | ▪ Park Ridge |
| ▪ Geneva | ▪ Prospect Heights |
| ▪ Glenview | ▪ Vernon Hills |
| ▪ Hanover Park | ▪ Waukegan |
| ▪ Hoffman Estates | ▪ Wheeling |
| ▪ Lake Bluff | ▪ Zion |

Area Organizations Where Smoking is Not Prohibited in Parks*

Municipalities with Parks and Recreation

- | | |
|--------------------------|-------------------------|
| ▪ Algonquin (Chapter 11) | ▪ Lake Zurich (4-2-1-1) |
| ▪ Beach Park (8.20.010) | ▪ Lincolnshire (8-1-5) |
| ▪ Fox Lake (5-2-5) | ▪ South Elgin (92.11) |

Park Districts

- | | |
|--------------|------------|
| ▪ Barrington | ▪ Wauconda |
|--------------|------------|

*The information is based upon data found on the organizations' web sites. No reference to smoke free regulations for parks can be found in their Municipal Codes and/or Ordinances listed online. Municipal Code Chapter and/or Section referenced in parentheses. References to smoking prohibitions within buildings are included on the web sites.

**Exhibit B: Village of Gilberts
Smoke Free Parks Policy Survey**

1) Does your organization have a smoke free policy for your parks?

_____ Yes

_____ No

If yes, please attach a copy to your reply.

2) If no, you are done with this survey. Please go to #17 and fill out your contact information.

3) If yes, what types of tobacco products does your policy ban? (Check all that apply)

_____ Cigarettes/Cigars/Pipes _____ Electronic Cigarettes _____ Personal Vaporizers

_____ Electronic Nicotine Delivery Systems (ENDS) _____ All Tobacco Products

4) If you answered yes to #1, does your policy cover all areas of your parks system?

_____ Yes

_____ No

5) If no, what areas does your smoke free policy cover? (Check all that apply)

_____ Playgrounds _____ Athletic Fields _____ Seating _____ Splash Pad

_____ Dog Park _____ Skate Park _____ Disc Golf Park _____ Golf Course

_____ Other (Please specify) _____

6) Please share any specific restrictions that have been applied to your parks (i.e., such as smoking is banned within 15 feet of play areas).

7) Does your smoke free policy apply to special events in the parks, such as community fests?

_____ Yes

_____ No

8) If you answered no, what smoking restrictions apply to the special events?

9) If you have a smoke free policy, what department enforces it?

_____ Parks

_____ Police

_____ Other (Please specify) _____

10) Do you actively enforce your smoke free policy?

_____ Yes _____ No

11) If yes, how do you enforce your smoke free policy?

_____ Verbal Warnings _____ Written Warnings _____ Tickets with a Fine

12) Do you require signage in the parks regarding the smoke free ban?

_____ Yes _____ No If yes, please attach a photo/schematic of the sign.

13) What challenges have you faced with enforcement? (Check all that apply)

_____ Ban ignored _____ Repeat offenders _____ Other (Please specify) _____

14) How many complaints regarding the smoke free ban do you receive annually on average?

_____ None _____ 1 – 10 _____ 11 – 20 _____ More than 20

15) How did you initially communicate the smoke free ban? (Check all that apply)

_____ Newsletter _____ Web Site _____ Facebook _____ Twitter
_____ Other (Please specify) _____

16) Please add any other comments or advice you would like to share on your smoke free ban.

17) Would you like a copy of the survey results?

_____ Yes _____ No If yes, please make sure to include your email below.

Name: _____ Title: _____

Municipality: _____ Telephone #: _____

Email Address: _____

Please return the survey by Wednesday, August 1st to Village Clerk Courtney Nicholas at cnicholas@villageofgilberts.com. Thank you for taking the time to complete the survey.

Exhibit C: Smoke Free Parks Policy Survey Results

Questions	Buffalo Grove Park District	Crystal Lake Park District	Hanover Park Park District	Village of Lake in the Hills
Policy	Yes	Yes	Yes	Yes
Type of products banned				
All tobacco	X	X	X	X
Cigarettes/Cigars/Pipes	X	X		X
Electronic Cigarettes	X	X		X
Personal Vaporizers	X	X		X
Elect. Nic. Del. Systems	X	X		X
All aspects of parks system	Yes	No	Yes	No
Areas policy covers				
Playgrounds				
Athletic fields				X
Seating				
Splash pad				
Dog park				X
Skate park				X
Disc golf park				X
Golf course				
Other		Beach facilities		Public fests/events
Specific restrictions	All property		No smoking	Within 15 feet
	including		within 15 feet of	
	parking lots		any entrance	
Policy apply to special events	Yes	Yes	No	Yes
Enforcement department				
Parks				
Police	X	X		X
All staff			X	
Other		Staff		
Active enforcement of policy	Yes	No	Yes	Yes
Method of enforcement				
Verbal warnings	X		X	X
Written warnings				X
Tickets with a fine				X
Park signage required	No	Yes	No	Yes
Enforcement challenges faced				
Ban ignored		X	X	X
Repeat offenders				
Other	Informing people			

Exhibit C: Smoke Free Parks Policy Survey Results

Questions	Buffalo Grove Park District	Crystal Lake Park District	Hanover Park Park District	Village of Lake in the Hills
Number of annual complaints				
None	X		X	
1 - 10		X		X
11 - 20				
More than 20				
Method of communication				
Newsletter	X			
Web site	X			
Facebook	X			
Twitter				
Other	Program guides	Signs	Brochures/signs	Unknown
Ordinance attached	Yes	No	Yes	Yes
Sign photo attached	No	No	No	Yes

Exhibit D: Smoke Free Parks Ordinances Submitted

Buffalo Grove Park District

SECTION ONE: Tobacco smoking prohibited within parks: It shall be unlawful to smoke tobacco within any parks and other property under the jurisdiction of the Park District. "Smoking" means the act of inhaling the smoke from or possessing a lighted cigarette, cigar, pipe or any other form of tobacco or similar substance used for smoking. This includes electronic cigarettes (e-cigs or e-cigarettes), personal vaporizers (PV) or electronic nicotine delivery systems (ENDS) or any other device that simulates tobacco smoking by producing an aerosol that resembles smoke.

SECTION TWO: PENALTY FOR VIOLATION: Any person violating the provisions of Section Two hereof shall be given a warning. A person found guilty of further violations shall be subject to revocation of any permit issued by the Park District and, in addition, shall be fined for any subsequent violations during the calendar year (see Section 2.02 Adjudication Fees).

City of Elgin

DEFINITIONS: Words or phrases in this chapter shall be defined as provided in the Smoke Free Illinois Act at 410 ILCS 82/1, et seq., as amended, except as otherwise provided herein.

PARKS: A park, conservation area, playground, recreation facilities or other area in the city that is owned or operated by the City of Elgin for such purposes of which is designated by the city council as a park, including, without limitation, unenclosed exterior areas, buildings and parking lots located on the same property as the park. Notwithstanding the foregoing, for the purposes of this chapter, parks shall not include city golf courses, the festival park lawn area and city sports complex athletic fields during such times the sports complex athletic fields are programmed for organized adult athletic events.

TOBACCO PRODUCT: Any lighted or unlighted cigarette, electronic nicotine delivery systems (ENDS), cigarillos, pipes, hookah products, marijuana, herbs and any other smoking product, including smokeless, spit or spitless, dissolvable, or inhaled tobacco, including but not limited to dip, chew, snuff or snus, and all nicotine delivery devices that are not FDA approved as cessation products.

ADOPTION OF THE SMOKE FREE ILLINOIS ACT: The provisions of the Smoke Free Illinois Act 410 ILCS 82/1, et seq., as amended, are hereby adopted. No person shall smoke, or use an e-cigarette, in any place within the City of Elgin within which smoking is prohibited pursuant to the Smoke Free Illinois Act, as amended. In the event of a conflict between the Smoke Free Illinois Act and the provisions of this chapter, the most restrictive provision shall control.

PROHIBITION ON USE OF TOBACCO PRODUCTS IN CITY PARKS: No person shall smoke, chew, snuff, inhale, ingest or otherwise use any tobacco products in city parks.

VIOLATION AND POLICY:

- A. It is unlawful for any person to smoke in an area where smoking is prohibited by the provisions of this chapter. It is unlawful for any person to use tobacco in any area where tobacco use is prohibited by the provisions of this chapter. It is unlawful for any person who owns, operates or otherwise controls a public place or place of employment to fail to comply with any provision of this chapter.
- B. A person who smokes in an area where smoking is prohibited under Section 15 of the smoke Free Illinois Act shall be fined in an amount that is One Hundred Dollars (\$100.00) for a first offense and Two Hundred and Fifty dollars (\$250.00) for each subsequent offense. A person who owns, operates or otherwise controls a public place of employment that violates Section 15 or Section 20 of the Smoke Free Illinois Act shall be fined (1) Two Hundred and Fifty Dollars (\$250.00) for the first violation, (2) Five Hundred dollars (\$500.00) for the second violation within one year after the first violation, and (3) Two Thousand and Five hundred Dollars (\$2,500.00) for each additional violation within one year after the first violation. A person who uses a tobacco product in a city park in violation of this chapter shall be fined in an amount that is One Hundred Dollars (\$100.00) for a first offense and Two Hundred and fifty Dollars (\$250.00) for each subsequent offense.

SEVERABILITY: If any provision, clause, sentence, paragraph, section or a part of the smoke Free Illinois Act or this chapter or the application thereof to any person or circumstance, shall be for any reason be adjudged by a court of competence jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair or otherwise invalidate the remainder of this chapter and the application of such provision to other persons or circumstances, but shall be confined in its operation to the provision, clause, sentence, paragraph, section, or a part thereof directly involving the controversy in which said judgment shall have been rendered and to the person or circumstances involved. It is hereby declared to be the legislation intent of the city council that this chapter would have been adopted had such unconstitutional or invalid provision, clause, sentence, paragraph, section or part that have not been included.

Hoffman Estates Park District

- 1. With the exception of the Bridges of Poplar Creek Country Club, Hoffman Estates Park district is entirely smoke-free. No person shall smoke, burn, or exhale any cigar, cigarette, pipe, electronic cigarette or any other device designed to inhale and/or exhale tobacco or any vaporizer related products (hereinafter "smoking") while on District property other than Bridges of Poplar Creek Country Club.
- 2. While at the Bridges of Poplar Creek Country Club, no person shall engage in smoking within a building, in violation of the "Smoke Free Illinois Act" 410 ILCS 82/1 et seq., as may be amended from time to time. All buildings, enclosed areas, and facilities will have a designated smoking area. The designated smoking area will not be within fifty feet (50') of any public entrance/exit to the building, enclosed area or facility, not including designated

emergency exits. Except for the designated smoking area, smoking shall be prohibited within fifteen feet (15') of all public sidewalks, walkways or plaza area adjacent to an enclosed area, and within fifteen feet (15') of mechanical air intakes at any building or facility or which would serve as a means of public ingress or egress to an enclosed area, building or facility.

3. Smoking is prohibited within fifteen feet (15') of any outdoor eating or facility at the Bridges of Poplar Creek Country Club.
4. Smoking is prohibited within fifty feet (50') of all designated program or special event areas at the Bridges of Poplar Creek Country Club.
5. Smoking is prohibited in/on any park district equipment or vehicle.
6. All personnel (staff, vendors, outside contractors, volunteers) are prohibited from smoking while working directly with the public.

Prospect Heights Park District

No person shall be allowed to smoke in playground areas, athletic courts, at swimming pools or while spectating or participating in any organized athletic programs or special events.

St. Charles Park District

In light of the finding that tobacco is a harmful and dangerous carcinogen to human beings and a hazard to public health, the board believes that tobacco use in the proximity of youth and adults, indoors or outdoors, is detrimental to their health and can be offensive. The Board has determined that it is in the best interest of the health, safety and welfare of all persons using Park District property, including all outdoor parks, facilities, buildings and vehicles, that tobacco be prohibited. This prohibition on tobacco in outdoor parks shall not apply to parking lots, personally owned vehicles, and the Pottawatomie Golf Course.

Signs shall be conspicuously posted providing notice to the general public that tobacco use is prohibited pursuant to this Ordinance and subject to penalty for violation.

Any person who uses tobacco in an area where tobacco is prohibited by the provisions of this Ordinance shall be guilty of infraction punishable by a fine not exceeding FIFTY DOLLARS (\$50.00). Violation of this Ordinance by a person may result in the suspension or revocation of that person's rights to use Park District property.

"Tobacco" includes any cigarettes, cigars, e-cigarettes, pipes, hookah products, and any other smoking product, whether lit or unlit; and any smokeless, dissolvable or inhaled tobacco products, including but not limited to dip, chew, or snuff in any form; and all nicotine delivery devices that are non-FDA approved as cessation products.

Vernon Hills Park District

- (a) No person under the age of 21 may possess or use Tobacco products while on District Property.
- (b) The use of Tobacco products is prohibited: (i) on or within 15 feet of all district Property, which is defined as all of the property, real and personal, of every kind and description located within the jurisdiction of, or owned, administered, leased or licensed by, or otherwise in the possession or under the control of the District including without limitation every building, shelter, street, sidewalk, trail, path, beach, park, playground wilderness or open space, or other public or proprietary place or facility and all District Waters located on or adjacent to or flowing over property located within the jurisdiction of, or owned, administered, leased or licensed by, or otherwise in the possession or under the control of the District; and (ii) in any vehicle, machinery, or equipment owned, leased, operated by, or otherwise under the control of the district.
- (c) A Person who violates any provision of this Section 2.34 shall be given a warning for the first offense within any 12-month period. A Person who violates this section 2.34 on two or more occasions within any 12-month period shall be subject to revocation of any Permit issued to that Person by the district and, in addition, shall be fined as follows: 2nd offense: Twenty Five dollars (\$25.00); 3rd offense Fifty Dollars (\$50.00); 4th offense Seventy Five Dollars (\$75.00); 5th or any subsequent offense within any 12-month period One Hundred Dollars (\$100.00). The maximum fine for any single violation of this Section 2.34 shall be One Hundred Dollars (\$100.00).
- (d) Signs indicating “No Smoking” shall be appropriately posted in accordance with the smoke free Illinois Act (410 ILCS 82/20) and the Village of Vernon Hills Municipal Code Section 26-10 (Ord. No. 2006-42, 2). Other signs indicating awareness of this Ordinance may be posted as determined by the District.

Village of Lake in the Hills

The smoking of tobacco and the use of smokeless tobacco products is prohibited on or within 15 feet of any sports field, athletic court, skate park, recreation shelter or structure, public beach, disc golf course, splash pad, and dog park within the Village. The Director of Parks and Recreation may waive this provision for a special event or festival for the period of time the special event and/or festival is taking place. The term smoking shall be defined as the use of any type of cigarette, cigar, pipe, or any other smoking equipment, whether filled with tobacco or any type of consumable plant material. The term smokeless tobacco products shall be defined as snuff, chewing tobacco, smokeless pouches and other forms of loose-leaf tobacco.

Exhibit E: Smoke Free Parks Ordinances Summary

Ordinance Elements	Buffalo Grove Park District	City of Elgin	Hoffman Estates Park District	Prospect Heights Park Dist.	St. Charles Park District	Vernon Hills Park District	Village of Lake in the Hills
Type of products banned							
Cigarettes	X	X	X		X		X
Cigarillos		X					
Cigars	X		X		X		X
Pipes	X	X	X		X		X
Other form of tobacco or similar substance used for smoking	X						
Electronic Cigarettes (e-cigs or e-cigarettes)	X		X		X		
Personal Vaporizers (PV)	X						
Electronic Nicotine Delivery Systems (ENDS)	X	X					
Other products that simulate smoking	X						
Hookah products		X			X		
Marijuana		X					
Herbs		X					
Smokeless tobacco		X			X		
Spit tobacco		X					
Spitless tobacco		X					
Dissolvable tobacco		X			X		
Inhaled tobacco		X			X		
Dip		X			X		
Chew		X			X		
Snuff		X			X		X
Snus		X					
Chewing tobacco							X
Smokeless pouches							X

Exhibit E: Smoke Free Parks Ordinances Summary

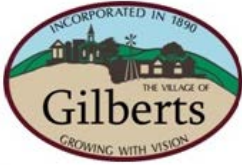
Ordinance Elements	Buffalo Grove Park District	City of Elgin	Hoffman Estates Park District	Prospect Heights Park Dist.	St. Charles Park District	Vernon Hills Park District	Village of Lake in the Hills
Type of products banned (continued)							
Other forms of loose-leaf tobacco							X
All nicotine delivery devices that are not FDA approved as cessation products		X			X		
Any other device designed to inhale and/or exhale tobacco or any vapor related products		X					
Any other smoking product, whether lit or unlit					X		
Tobacco					X		
Tobacco products						X	
Other smoking equipment, filled with tobacco or any type of consumable plant material							X
Areas ordinance covers							
District property	X		X			X	
Parks		X					
Conservation areas		X					
Playgrounds		X		X			
Recreation facilities		X					
Sports field							X
Athletic courts				X			X
Swimming pools				X			
Skate parks							X
Recreation shelter or structure							X
Public beach							X
Disc golf course							X
Splash pad							X

Exhibit E: Smoke Free Parks Ordinances Summary

Ordinance Elements	Buffalo Grove Park District	City of Elgin	Hoffman Estates Park District	Prospect Heights Park Dist.	St. Charles Park District	Vernon Hills Park District	Village of Lake in the Hills
Areas ordinance covers (continued)							
Dog park							X
Other designated areas		X					
Parking lots		X					
At organized athletic programs or special events				X			
Outdoor parks					X		
Facilities					X		
Buildings					X		
Vehicles					X		
Areas or events exempted							
Golf courses		X	X		X		
Festival park lawn area		X					
Sports complex athletic fields		X					
(programmed for adult athletic events)							
Parking lots					X		
Personally owned vehicles					X		
Special event or festival							X
Penalty for Violation							
First violation	Warning	\$100 fine			\$50 fine	Warning	
Second violation	Revocation	\$250 fine			\$50 fine	Revocation	
	of permit					of permit	
	and fine					and \$25 fine	
Third violation	Revocation	\$250 fine			\$50 fine	Revocation	
	of permit					of permit	
	and fine					and \$50 fine	

Exhibit E: Smoke Free Parks Ordinances Summary

Ordinance Elements	Buffalo Grove Park District	City of Elgin	Hoffman Estates Park District	Prospect Heights Park Dist.	St. Charles Park District	Vernon Hills Park District	Village of Lake in the Hills
Penalty for violation (continued)							
Fourth violation	Revocation	\$250 fine			\$50 fine	Revocation	
	of permit					of permit	
	and fine					and \$75 fine	
Fifth violation	Revocation	\$250 fine			\$50 fine	Revocation	
	of permit					of permit	
	and fine					and \$100 fine	
Signs required to be posted					X	X	



Village of Gilberts
Village Hall
87 Galligan Road, Gilberts, Illinois 60136
Ph. 847-428-2861 Fax: 847-428-2955
www.villageofgilberts.com

To: Village President and Board of Trustees
From: Brian Bourdeau, Village Administrator
Date: August 3, 2018 Village Board Meeting
Subject: Item 4D – **Update on Plan Commission Meeting and Recommendation Concerning the Proposed Amendment to the Unified Development Ordinance Regarding the Keeping of Horses and Farm Animals in the A-1 Agriculture District**

One Wednesday, August 8, 2018, the Plan Commission met to consider revisions to the Unified Development Ordinance (UDO) regarding the keeping of horses and farm animals in the A-1 Agriculture District.

The recommendation of the Plan Commission was to allow the keeping of horses and farm animals in the A-1 Agriculture District on lots greater than 5 acres.

Included in your packet is the memorandum and draft ordinance that was considered by the Plan Commission. If the Board desires, staff will prepare the necessary Ordinances to incorporate the amendment to the UDO and Village Code for consideration at the August 21, 2018 Village Board Meeting.



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& KRAFTHEFER

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(F) 312.782.0943

MEMORANDUM

To: Village of Gilberts Plan Commission

CC: Brian Bourdeau, Village Administrator

From: Julie A. Tappendorf
Kurt S. Asprooth

Subject: UDO Amendment- Horses and Farm Animals in the A-1 District

Date: July 30, 2018

The Plan Commission will be meeting on August 8, 2018 to hold a public hearing to consider a proposed amendment to the Gilberts Unified Development Ordinance (“**UDO**”) regarding the keeping of horses and farm animals in the A-1 Agriculture District.

Currently, the UDO allows the keeping of farm animals and private stables as permitted uses in the A-1 Agriculture District. However, section 5-2-3B of the Village Code prohibits the keeping of livestock, including horses, on any property in the Village. The Village Board desires to eliminate this conflict between the UDO and the Village Code.

The Village Board considered three options to amend the Village Code and/or the UDO to bring these ordinances into consistency with one another, and decided to proceed with an amendment that would allow farm animals and horses in the A-1 District with a 5 acre minimum lot requirement.

This approach requires an amendment to both the Village Code and the UDO. The Village Code will need to be amended to allow horses and farm animals as permitted in the UDO. That Ordinance will be passed by the Village Board, and is not within the purview of the Plan Commission.

The Village Board has asked the Plan Commission to consider the following amendment to the UDO to modify the A-1 District regulations that currently state that farm animals and private stables are allowed on all properties in the A-1 district. The Village Board seeks to add a property size restriction for horses and farm animals as follows:

2. Breeding, keeping, and grazing of livestock, poultry, and other farm animals, **but only on a lot consisting of more than 5 acres.**
4. Private stables, **but only on a lot consisting of more than 5 acres.**

ANCEL, GLINK, DIAMOND, BUSH, DICIANNI & KRAFTHEFER, P.C.

July 30, 2018

Page 2

A draft Ordinance amending the UDO to impose these restrictions on the keeping of horses and farm animals in the A-1 District is enclosed with this memorandum.

Under the UDO, there are no specific standards for text amendments that must be satisfied. Instead, the Plan Commission is directed to evaluate the proposed text amendment against the intent of the UDO, the recommendations of the Comprehensive Plan, and the public health, safety, and general welfare. As always, the Plan Commission is only a recommending body, and the Village Board has final authority to approve any amendment to the UDO.

4815-7882-3022, v. 1

Ordinance No. _____

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE OF THE VILLAGE OF GILBERTS, KANE COUNTY, ILLINOIS, REGARDING THE KEEPING OF HORSES AND FARM ANIMALS IN THE A-1 DISTRICT

WHEREAS, on January 7, 2014, the Village Board of the Village of Gilberts adopted the Gilberts Unified Development Ordinance (“*UDO*”), which sets forth the zoning and development standards and procedures for the Village; and

WHEREAS, the Village Board has determined that it is in the best interests of the Village to amend certain provisions of the UDO to require lot acreage requirements for the keeping of horses and farm animals in the A-1 Agriculture District (the “*Proposed Amendment*”); and

WHEREAS, the Plan Commission conducted a public hearing, pursuant to notice published in accordance with Illinois state law, on the Proposed Amendment at its meeting held on August 8, 2018, at which time the Plan Commission recommended approval of the Proposed Amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF GILBERTS, KANE COUNTY, ILLINOIS, as follows:

SECTION 1. RECITALS The recitals set forth above are incorporated into Section 1 as set forth herein.

SECTION 2. AMENDMENT TO SECTION 10-2-2 OF THE UDO. That Section 10-2-2 of the UDO, entitled “Permitted Uses,” is hereby amended as follows (deletions in ~~strike through~~, additions in **bold** and underline):

10-2-2 PERMITTED USES

The following uses and no other are permitted as of right in ~~all residential districts~~ **the A-1 Agriculture District:**

* * *

2. Breeding, keeping, and grazing of livestock, poultry, and other farm animals, **but only on a lot consisting of more than 5 acres.**

* * *

4. Private stables, **but only on a lot consisting of more than 5 acres.**

SECTION 3. AMENDMENT TO SECTION 10-2-3 OF THE UDO. That Section 10-2-3 of the UDO, entitled “Special Uses,” is hereby amended as follows (deletions in

~~striketrough~~, additions in **bold** and underline):

10-2-3 SPECIAL USES

The following uses may be permitted in ~~all residential districts~~ **the A-1 Agriculture District**, subject to the issuance of a special use permit as provided in section 10-11-11 of this code and subject to the additional standards set forth in this section.

SECTION 4. SEVERABILITY. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect. If any part of this Ordinance is found to be invalid in any one or more of its several applications, all valid applications shall remain in effect.

SECTION 5. REPEAL AND SAVINGS CLAUSE. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however that nothing in this Ordinance shall affect any rights, actions, or causes of action which shall have accrued to the Village of Gilberts prior to the effective date of this Ordinance.

SECTION 6. EFFECTIVE DATE. This Ordinance shall only be effective upon the passage, approval, and publication in the manner required by law.

PASSED BY THE BOARD OF TRUSTEES this ____ day of _____, 2018 by roll call vote as follows:

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Dan Corbett	_____	_____	_____	_____
Trustee Elissa Kojzarek	_____	_____	_____	_____
Trustee Nancy Farrell	_____	_____	_____	_____
Trustee Jeanne Allen	_____	_____	_____	_____
Trustee Lou Hacker	_____	_____	_____	_____
Trustee Guy Zambetti	_____	_____	_____	_____
President Rick Zirk	_____	_____	_____	_____

APPROVED THIS ____ DAY OF _____, 2018

Village President, Rick Zirk

(SEAL)

ATTEST: _____
Village Clerk, Courtney Nicholas