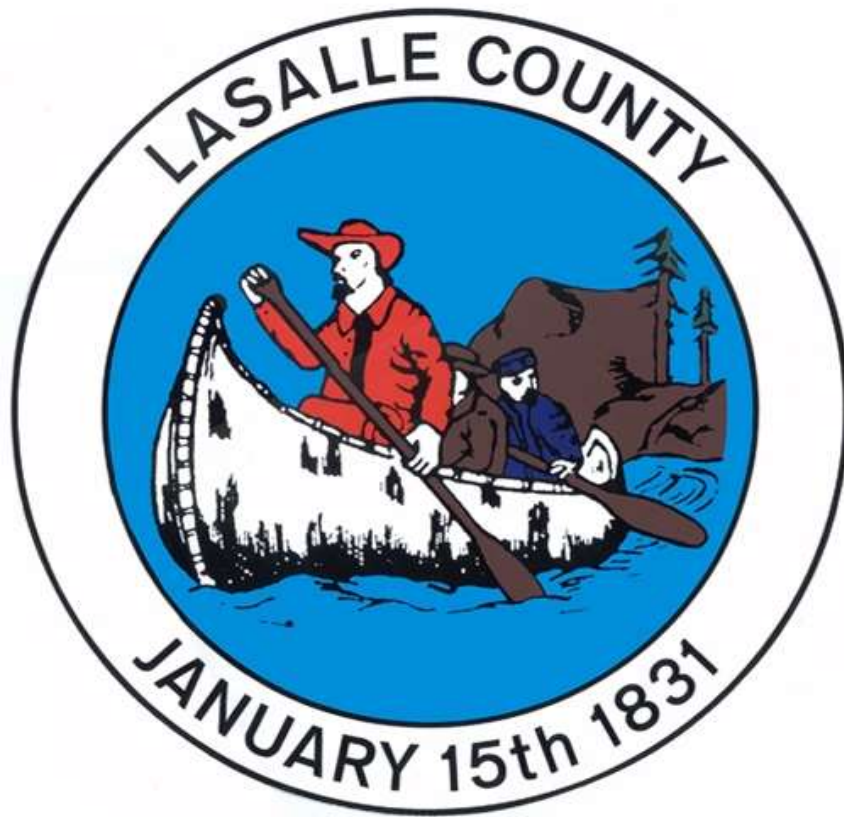


LaSalle County Zoning Ordinance



MAY 2024

LaSalle County Zoning Ordinance

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MAY 2024 Revision 22

LASALLE COUNTY ZONING ORDINANCE

This, the LaSalle County Zoning Ordinance was adopted by the full County Board of LaSalle County on February 9, 2006 and became effective on April 1, 2006. This, the LaSalle County Zoning Ordinance has been amended by the County Board of LaSalle County on the following dates:

September 11, 2006	(Resolution # 06-122)
May 8, 2008	(Ordinance # 08-69)
June 9, 2008	(Ordinance # 08-88)
August 13, 2011	(Ordinance # 11-110)
August 9, 2012	(Ordinance # 12-103)
February 14, 2013	(Ordinance # 13-12)
May 9, 2013	(Ordinance # 13-51 and 13-52)
May 8, 2014	(Ordinance # 14-43)
July 10, 2014	(Ordinance # 14-89)
October 9, 2014	(Ordinance # 14-123)
December 29, 2014	(Ordinance # 14-164)
October 13, 2016	(Ordinance # 16-125)
October 12, 2017	(Ordinance # 17-133)
April 18, 2018	(Ordinance # 18-57)
June 11, 2018	(Ordinance # 18-102)
March 11, 2019	(Ordinance # 19-35)
January 9, 2020	(Ordinance # 20-3)
July 8, 2021	(Ordinance # 21-72)
May 12, 2022	(Ordinance # 22-53)
May 11, 2023	(Ordinance # 23-84)
June 12, 2023	(Ordinance # 23-96)
May 9, 2024	(Ordinance # 24-69)

The attached *LaSalle County Zoning Ordinance* contains all amendments approved by the LaSalle County Board. Copies of such amendments can be researched and tracked at:

LaSalle County Clerk's Office
707 East Etna Road
Ottawa, IL 61350

TABLE OF CONTENTS

CHAPTER 1	TITLE	PAGE
	Sec. 1.0 TITLE.....	11
CHAPTER 2	PURPOSE AND INTENT	
	Sec. 2.0 PURPOSE AND INTENT.....	13
CHAPTER 3	RULES AND DEFINITIONS	
	Sec. 3.0 RULES.....	15
	Sec. 3.1 DEFINITIONS.....	15
CHAPTER 4	GENERAL PROVISIONS	
	Sec. 4.0 INTERPRETATION.....	35
	Sec. 4.1 SEVERABILITY.....	35
	Sec. 4.2 SCOPE OF REGULATIONS.....	36
	Sec. 4.3 BULK AND USE REGULATIONS.....	38
	Sec. 4.4 LOT COVERAGE.....	40
	Sec. 4.5 EXCEPTIONS TO YARD REQUIREMENTS- ALLOWABLE PROJECTIONS.....	40
	Sec. 4.6 FENCES AND WALLS.....	41
	Sec. 4.7 SPECIAL EVENTS AND TENTS.....	41
	Sec. 4.8 SEWAGE DISPOSAL AND WATER SUPPLY.....	43
	Sec. 4.9 ACCESSORY BUILDINGS AND STRUCTURES.....	43
	Sec. 4.10 REGULATIONS GOVERNING AIRPORTS AND THEIR SURROUNDINGS.....	43
	Sec. 4.11 DEVELOPMENT OF AIR RIGHTS.....	43
	Sec. 4.12 GROUP HOMES.....	44
	Sec. 4.13 SITE PLAN REVIEW.....	44
	Sec. 4.14 ADULT BUSINESS USES.....	45
	Sec. 4.15 ACCESSORY DWELLING UNIT.....	46
	Sec. 4.16 HOME OCCUPATIONS.....	46
	Sec. 4.17 DAY CARE HOMES.....	47
	Sec. 4.18 MINING.....	48
	Sec. 4.19 BED AND BREAKFASTS.....	51
	Sec. 4.20 OPEN SPACE.....	51
	Sec. 4.21 ROADSIDE STANDS.....	51
	Sec. 4.22 RECREATIONAL VEHICLES.....	52
	Sec. 4.23 CCDD and USFO FACILITY.....	52
	Sec. 4.24 SOLAR ENERGY SYSTEMS, PRIVATE.....	53
	Sec. 4.25 SOLAR ENERGY FACILITY, COMMERCIAL.....	53
	Sec. 4.26 PROHIBITED ADULT-USE CANNABIS ACTIVITIES.....	56
	Sec. 4.27 WIND ENERGY FACILITY, COMMERCIAL.....	56
	Sec. 4.28 BATTERY ENERGY STORAGE SYSTEM (BESS).....	59
CHAPTER 5	NONCONFORMING BUILDINGS, STRUCTURES & USES	
	Sec. 5.0 PURPOSE.....	61
	Sec. 5.1 AUTHORITY TO CONTINUE NONCONFORMING BUILDINGS.....	61
CHAPTER 6	ZONING DISTRICTS AND MAPS	
	Sec. 6.0 ZONING DISTRICTS.....	65
	Sec. 6.1 ZONING MAPS.....	65
	Sec. 6.2 BOUNDARIES OF DISTRICTS.....	65
	Sec. 6.3 DISCONNECTED TERRITORY.....	66
	Sec. 6.4 EXEMPTIONS.....	66
	Sec. 6.5 FACILITIES OF TELECOMMUNICATIONS CARRIER.....	66

CHAPTER 7	AGRICULTURE DISTRICTS	
	Sec. 7.0	PURPOSE AND GENERAL CONDITIONS.....67
	Sec. 7.1	A-1 AGRICULTURE DISTRICT.....71
	Sec. 7.2	A-C AGRICULTURE CONSERVATION DISTRICT.....79
CHAPTER 8	RESIDENCE DISTRICTS	
	Sec. 8.0	PURPOSE AND GENERAL CONDITIONS.....83
	Sec. 8.1	RR RURAL RESIDENCE DISTRICT.....87
	Sec. 8.2	R-2 SINGLE FAMILY RESIDENCE DISTRICT..... 93
	Sec. 8.3	R-3 GENERAL RESIDENCE DISTRICT..... 99
CHAPTER 9	BUSINESS DISTRICTS	
	Sec. 9.0	PURPOSE AND GENERAL CONDITIONS.....105
	Sec. 9.1	B-1 LOCAL BUSINESS DISTRICT.....109
	Sec. 9.2	B-2 GENERAL BUSINESS DISTRICT.....115
CHAPTER 10	INDUSTRIAL DISTRICT	
	Sec. 10.0	PURPOSE AND GENERAL CONDITIONS..... 121
	Sec. 10.1	INDUSTRIAL DISTRICT.....127
CHAPTER 11	SIGN REQUIREMENTS	
	Sec. 11.0	PURPOSE..... 129
	Sec. 11.1	DEFINITIONS.....129
	Sec. 11.2	GENERAL PROVISIONS.....131
	Sec. 11.3	EXEMPT AND TEMPORARY SIGNS.....132
	Sec. 11.4	SPECIFIC SIGN REQUIREMENTS..133
CHAPTER 12	OFF STREET PARKING AND LOADING REQUIREMENTS	
	Sec. 12.0	GENERAL PROVISIONS, PARKING & LOADING.....135
	Sec. 12.1	OFF STREET PARKING.....136
	Sec. 12.2	SCHEDULE OF OFF STREET PARKING REQUIREMENTS..139
	Sec. 12.3	OFF STREET PARKING CHART.....145
	Sec. 12.4	OFF STREET LOADING REQUIREMENTS..... 145
CHAPTER 13	STORM WATER MANAGEMENT (RESERVED) 149
CHAPTER 14	ADMINISTRATION AND ENFORCEMENT	
	Sec. 14.0	ORGANIZATION.....151
	Sec. 14.1	COUNTY LAND USE DEPARTMENT.....151
	Sec. 14.2	ZONING BOARD OF APPEALS.....152
	Sec. 14.3	COUNTY BOARD.....153
	Sec. 14.4	ZONING CERTIFICATES.....153
	Sec. 14.5	AGRICULTURAL LAND EVALUATION SITE ASSESSMENT SYSTEM.....153
	Sec. 14.6	APPEALS.....154
	Sec. 14.7	PETITION APPLICATION PROCEDURES.....154
	Sec. 14.8	VARIATIONS..... 155
	Sec. 14.9	AMENDMENTS.....157
	Sec. 14.10	SPECIAL USES.....159
	Sec. 14.11	PLANNED UNIT DEVELOPMENT.....152
	Sec. 14.12	PUBLIC HEARINGS.....167
	Sec. 14.13	ENFORCEMENT AND PENALTIES-GENERAL.....168
	Sec. 14.14	FEES..... 169
	Sec. 14.15	ADOPTION CLAUSE-EFFECTIVE DATE.....170

APPENDIX	PAGE
ILLUSTRATION OF YARDS.....	171 (A-1)
ILLUSTRATION OF TYPES OF LOTS.....	172 (A-2)
ACCESSORY STRUCTURE AND PRINCIPAL BUILDING ILLUSTRATION.....	173 (A-3)
ILLUSTRATION - ALLOWABLE YARD PROJECTION.....	174 (A-4)
GUIDE TO HEIGHT DEFINITIONS.....	175 (A-5)
ILLUSTRATION OF SIGHT TRIANGLES.....	176 (A-6)
PARKING LOT DIAGRAM.....	177 (A-7)
AIRPORT AND RESTRICTED LANDING AREA.....	178 (A-8)

CHAPTER 1
TITLE

SECTION 1.0. TITLE

This Ordinance shall be known, cited and referred to as the LaSalle County Zoning Ordinance.

CHAPTER 2

PURPOSE AND INTENT

SECTION 2.0 PURPOSE AND INTENT

The LaSalle County Zoning Ordinance adopted pursuant to the provision of “An Act in Relation to County Zoning” (Chapter 55, Illinois Compiled Statutes, Div. 5/5 - 12001 through 5/5 -12019), as amended, is intended to serve the following:

For the purpose of promoting the public health, safety, morals, comfort and general welfare, conserving the values of property throughout the County, lessening or avoiding congestion in the public streets and highways, and lessening or avoiding the hazards to persons and damage to property resulting from the accumulation or runoff of storm or flood waters, the County Board shall have the power to regulate and restrict the location and use of buildings, structures and land for trade, industry, residence and other uses which may be specified by the Board, to regulate and restrict the intensity of such uses, to establish building or setback lines on or along any street, traffic way, drive, parkway or storm or floodwater runoff channel or basin outside the limits of cities, villages and incorporated towns which have in effect municipal zoning ordinances; to divide the entire County outside the limits of such cities, villages and incorporated towns into districts of such number, shape, area and of such different classes, according to the use of land and buildings, the intensity of such use (including height of buildings and structures and surrounding open space) and other classification, as may be deemed best suited to carry out the purposes of this Ordinance: to prohibit uses, buildings or structures incompatible with the character of such districts respectively; and to prevent additions to and alteration or remodeling of existing buildings or structures in such a way as to avoid the restrictions and limitations lawfully imposed hereunder.

LaSalle County recognizes the importance of agriculture as an industry and a way of life for many of LaSalle County's citizens. The intent of this Ordinance is to preserve and protect the most fertile land for agriculture pursuits and to prevent premature development of such land by non-agricultural uses. The provisions of this Ordinance are designed to prevent conflict between agricultural and urban land uses and direct those urban land uses to areas able and willing to service them.

CHAPTER 3 RULES AND DEFINITIONS

SECTION 3.0 RULES

The language set forth in the text of this Ordinance shall be interpreted in accordance with the following rules of construction:

- A. Words used in the singular number shall include the plural number and the plural shall include the singular.
- B. Words used in the present tense shall include the past tense and the future tense.
- C. The word “shall” is mandatory while the word “may” is permissive.
- D. The masculine gender includes the feminine and neuter.
- E. The word “person” shall include a firm, association, organization, partnership, trust, company or corporation as well as an individual.
- F. All measured distances and values shall be to the nearest integral number. If a fraction is one-half (1/2) number or more, the integral number next above shall be taken.
- G. All distances, unless otherwise stated, shall be measured horizontally.

SECTION 3.1 DEFINITIONS

Within the context of this Ordinance, the following words and terms shall have the meaning set forth, except where otherwise specifically indicated. Words and terms not defined shall have the meaning indicated by common dictionary definition.

Accessory Building, Structure, or Use: An accessory building, structure or use is one which is located on the same zoning lot as the principal building, structure or principal use served, with the single exception of accessory off street parking facilities which are permitted to locate elsewhere than on the same zoning lot with the building, structure or use served.

It also:

- A. Is subordinate to and serves a principal building, structure or principal use, and/or
- B. Is subordinate in building area, intensity of use or purpose to the principal building, structure or principal use served, and/or
- C. Contributes to the comfort, convenience, or necessity of occupants of the principal building, structure or principal use served.

Accessory Unit: A group of rooms which has complete, permanently installed kitchen and bath facilities and which constitutes a dwelling within either a converted dwelling within any zoning district or within a separate mobile home within the Agriculture District that is separate from the primary unit.

Adjacent: The terms adjacent and contiguous are used as synonymous terms, and mean lots located with the same street frontage in contact with or touching another parcel of land, in contradistinction to lying across a Street or alley there from.

Adult Bookstore and/or Video Store: An establishment having as a significant or substantial portion of its stock in trade books, magazines, or periodicals or other printed matter, and/or photographs, films, motion pictures, video cassettes, slides, tapes, records or other forms of visual or audio representations which are distinguished or characterized by their emphasis on matter depicting, describing or relating to Specified Sexual Activities or Specified Anatomical Areas.

Adult Business Use: The use of property for the operation of a Massage Parlor and/or Bathhouse, Massage School, or any use of which a significant or substantial portion involves an activity distinguished or characterized by its emphasis on matters depicting, describing or relating to Specified Sexual Activities or Specified Anatomical Areas, including but not limited to the operation of Adult Bookstore and/or Video Store, Adult Mini-Motion Picture Theater, Adult Motion Picture Theater, Adult Motion Picture Arcade, Adult Motel, Adult Card and Gift, or Novelty Store. For the purposes of this Ordinance an Adult Business Use shall not be deemed a retail business, recreational or social facility, accessory use or general use.

Adult Card, Gift, or Novelty Store: An establishment having a significant or substantial portion of its stock in trade items, such as cards, games, articles of clothing and novelties, which are distinguished or characterized by an emphasis on depicting or describing Specified Sexual Activities or Specified Anatomical Areas.

Adult Mini-Motion Picture Theater: An enclosed building or any portion or portions thereof having a capacity from six (6) to fifty (50) persons, where, for any form of consideration (including a coin or token inserted into a coin or token operated projector, video screen, or other image producing device), patrons may view films, motion pictures, video cassettes, slides or similar photographic electronic reproductions in which a significant or substantial portion of the total presentation time is devoted to the showing of materials that are distinguished by an emphasis on matter depicting, describing or relating to Specified Sexual Activities or Specified Anatomical Areas.

Adult Motel: A hotel, motel or similar commercial establishment which:

- A. Offers accommodations to the public for any form of consideration; provides patrons with closed circuit television transmissions, films, motion pictures, video cassettes, slides, or other electronic or photographic reproductions which are characterized by the depiction or description of Specified Sexual Activities or Specified Anatomical Areas; and has a sign visible from the public right-of-way which advertises the availability of such transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions; or
- B. Offers a sleeping room for rent for a period of time that is less than eight (8) hours; or
- C. Allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than eight (8) hours.

Adult Motion Picture Arcade: An establishment in which electronic, electrical, or mechanical still or slide projectors, motion picture projectors, video screens, closed circuit television transmissions or other image-producing devices operable by insertion of a coin or token or for other consideration are maintained for presentation of images to five (5) or fewer persons at a single time per such device and where images presented are distinguished or characterized by an emphasis on depicting or describing Specified Sexual Activities or Specified Anatomical Areas.

Adult Motion Picture Theater: An enclosed building with a capacity of fifty (50) or more persons where, for any form of consideration, patrons may view closed circuit television transmissions, films, motion pictures, video cassettes, slides or similar electronic or photographic reproductions in which a significant or substantial portion of the total presentation time is devoted to the showing of materials which are distinguished or characterized by an emphasis on matter depicting or relating to Specified Sexual Activities or Specified Anatomical Areas.

Adult- Use Cannabis Business Establishment: An adult-use cannabis cultivation center, craft grower, processing organization, infuser organization, dispensing organization or transporting organization.

Adult- Use Cannabis Craft Grower: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, dry, cure and package cannabis and perform other necessary activities to make cannabis available for sale at a dispensing organization or use at a processing organization, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

Adult- Use Cannabis Cultivation Center: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, process, transport and perform necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishments, per the Cannabis

Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

Adult- Use Cannabis Dispensing Organization: A facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation to acquire cannabis from licensed cannabis business establishments for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies to purchasers or to qualified registered medical cannabis patients and caregivers, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

Adult- Use Cannabis Infuser Organization or Infuser: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to directly incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis-infused product, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

Adult- Use Cannabis Processing Organization or Processor: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

Adult- Use Cannabis Transporting Organization or Transporter: An organization or business that is licensed by the Illinois Department of Agriculture to transport cannabis on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

Agriculture: The growing of farm crops, truck garden crops, animal and poultry husbandry, apiculture, aquaculture, dairying, floriculture, horticulture, nurseries, tree farms, sod farms, pasturage, viticulture, and wholesale greenhouses, and accessory uses customarily incidental to agricultural activities. Agriculture also includes the growing, developing, processing, conditioning, or sale of hybrid seed corn, seed beans, seed oats, or other farm seeds. Agriculture does not include the extraction of sand, gravel or limestone, even if such activities are related to an agricultural purpose. AGRICULTURE, AS DEFINED HEREIN, IS EXEMPT FROM THE REGULATIONS OF THIS ORDINANCE AS PROVIDED IN SECTION 6.4 EXEMPTIONS.

Airport-Heliport, Private Commercial: An area of land or water that is used or designed for the landing and takeoff of aircraft, of any type, that is used for commercial purposes and includes its areas, buildings and/or facilities for the shelter, servicing or repair of aircraft and the areas, buildings and/or facilities used for crop dusting/spraying, skydiving, hang gliding, glider flying or flying of experimental aircraft of any kind.

Airport-Heliport, Private Restricted Landing Areas: Any area of land, water, or both, which is used or is made available for landing and takeoff of aircraft, but is restricted by the owner/occupant and not used for commercial purposes.

Airport-Heliport, Public Commercial--Any area of land, water, or both, used for the landing and take-off of aircraft, used for commercial purposes, which facilities have one or both of the following characteristics: 1) an unrestricted landing area open to the public and/or 2) receives or discharges passengers or cargo. Areas, buildings and/or facilities for the shelter, servicing or repair of aircraft are included.

Air Rights: Air Rights for the purpose of this Ordinance shall mean the ownership or control of all land or property, and that area of space at and above, a horizontal plane over the ground surface of land utilized for railroad or street rights-of-way. The horizontal plane shall be established at a height, which is reasonably necessary or legally required for the full and free use of the ground surface.

Amusement Arcade (Game Room): Any establishment containing more than four (4) mechanical, electronic, and/or coin operated amusement devices and/or games operated on the premises for the amusement of the general public whether or not operated as a principal use.

Amusement Device: Any machine, game, table, or device which is designed, intended or used as entertainment, and may be operated by the public upon the insertion of a coin or token, or the use of which is made available for any valuable consideration and is not considered a gambling device by the Illinois Compiled Statutes. Amusement device shall include, but not be limited to, devices commonly known as pinball machines, pool tables, video games, electronic games, kiddie rides, mini-theaters projection devices and video screens, and all games or operations similar thereto, whether or not registering a score under whatever name they may be indicated. Not included within the definition of amusement device are video gaming terminals and such devices as food, soft drink and cigarette vending machines.

Animal Hospital: Any building or portion thereof designed or used for the care, observation, or treatment of domestic animals or pets.

Area, Gross: The gross area of a parcel or development site is the area in square feet/acres, in fee ownership, excluding all peripheral rights-of-way.

Automobile Laundry (Car Wash): Any drive-in or drive-through facility where motor vehicles are washed with the use of a conveyor and blower, or other cleaning devices, or a facility providing space, water and equipment for the hand washing of motor vehicles, whether by customer or the operator.

Automobile Service Station (Gas Station): Any building or premises used for dispensing or offering for sale of automotive fluids or oils having pumps and underground storage tanks: also, where battery, tire and other similar services are rendered, but only if rendered wholly within a building. When dispensing, sale or offering for sale of any fluids or oils is incidental to the conduct of an automobile repair garage, the premises shall be classified as an automobile repair garage. Automobile service stations shall not include the sales or storage (new or used) of automobiles, trailers, or other vehicles.

Automobile Wrecking Yard: Any place where one (1) or more motor vehicles not in operating condition or the parts thereof are stored in the open and are not being restored to operation: or any land, building or structure used for the wrecking or storing of such automobiles or the parts thereof.

Barge Fleeting Operations: Facility for transloading and hauling of grain, sand, gravel or other non-hazardous granular material, including equipment and buildings or silos for storage and shipping of such for market, not including manufacturing.

Basement: That portion of a building having one-half (1/2) or more of its height above the average grade of the adjoining ground. A basement shall be counted as a story for the purpose of height measurement.

Basement (Sub): That portion of a building having more than one-half (1/2) of its height below the average grade of the adjoining ground. A subbasement shall not be counted as a story for the purpose of height measurement.

Bed and Breakfast Establishment: An owner occupied residence providing overnight accommodations available to the general public for compensation. Bed and breakfast establishments shall not include hotels, motels, boarding houses, lodging rooms, or food service establishments as defined in this Ordinance.

Battery Energy Storage System (BESS): means an energy storage system that can store and deploy generated energy, typically a group of batteries that charge (i.e., collect energy) and store electrical energy from the grid or energy generation facility and then discharge that energy at a later time to provide electricity or other grid services when needed. BESS generally consist of batteries, battery storage containers, on-site switchyard, inverters, associated interconnection transmission line, and supervisory control and data acquisition system.

Bay: A principal compartment of the walls, roof or other main structural component of a building or of the whole building.

Bay Window: A window, or series of windows, unsupported by a full foundation projecting outward from the wall of a building used to enhance the beauty, not size, of the building.

Blending Facility: Facility that acquires inedible by-products of bodies or parts of bodies of dead animals (but excludes the use of entire bodies of dead animals), poultry or fish, or used cooking oils, for the purpose of

blending them to obtain a desired percentage of protein, degree of quality or color for use in animal feed, poultry feed, or fertilizers.

Buildable Area: The area remaining on a lot after all yard requirements have been complied with.

Building: Any structure constructed partially or wholly above ground with a permanent roof separated on all sides from adjacent open space by walls, built for the shelter or enclosure of persons, animals, chattels, or property of any kind. The term includes both the above ground and below ground portion of the structure.

Building, Attached: A building is considered attached to another building only when the attachment satisfies the following minimum criteria:

- A. Is constructed on a forty-two (42) inch deep foundation, and
- B. Is enclosed by a roof and permanent walls, and
- C. Is at least six (6) feet wide.

Building, Detached: A building surrounded by open space on the same lot as a principal building.

Building Height: The vertical distance measured from average grade level at the front elevation of such building to:

- A. The highest point of the roof surface or the parapet, whichever is the greater, of a flat roof.
- B. The decline of a mansard roof, and
- C. The mean level between the eaves and ridge of a gabled hip, gambrel roof or other type of pitched roof.

In calculating the height of a building, any construction used as an ornament or for the mechanical operation of the building such as a penthouse, or a chimney, tower, cupola or steeple shall not be included. For illustration, refer to the appendix of this document.

Building or Structure, Nonconforming: Any lawfully constructed building or structure which, on the effective date of this Ordinance, does not comply with all of the applicable regulations of the Zoning District in which such building or structure shall be located.

Building, Principal: A non-accessory building which the primary use of the lot on which it is located is conducted.

Building, Structure or use, Nonconforming (Special flood Hazard Area): Any lawfully established building, structure or use which, on the effective date of this Ordinance, does not comply with all of the applicable storm water regulations.

Bulk: The term used to indicate the size and setbacks of buildings or structures and the location of same with respect to one another and includes the following:

- A. Size and height of buildings and structures.
- B. Location of exterior walls at all levels in relation to lot lines, streets or to other buildings.
- C. All open spaces allocated to buildings.
- D. Amount of lot area provided per dwelling unit.
- E. Lot width and area.

Campground: is a recreational area where 3 or more tents, cabins, recreational vehicles or other permanent or non-permanent type shelters are erected and maintained for camping or where space is provided for camping, temporary parking of recreational vehicles or placing of such tents, cabins, recreational vehicles or other permanent or non-permanent type shelters of any kind for 10 or more persons for 6 or more camping days during a calendar year. It shall include any structure, tent, vehicle, enclosure, appurtenances or recreational equipment related to or used or intended for use as a part of such campground.

Cemetery: A parcel of land or structure dedicated to, and at least a portion of which is being used for internment of human remains. A cemetery may include administrative buildings, columbariums and maintenance shops.

Cemetery, Pet: A parcel of land or structure dedicated to, and at least a portion of which is being used for the internment of animal or pet remains. A pet cemetery may include an administrative building, chapel, crematory and maintenance shop.

Child Care Services: (See Definitions, “Residential Care”)

Clean Construction and Demolition Debris (CCDD) Facility: A facility as defined in Title 35 of the Illinois Administrative Code Part 1100.103

Clinic: A building containing an individual practitioner or an association or groups of physicians, dentists, clinical psychologists, or similar professional health care practitioners, including assistants. The clinic may include apothecary, dental and medical laboratories, and/or X-ray facilities, but shall not include inpatient care or operating rooms for major surgery.

Club or Lodge, Private: A group or association of persons who are bona fide members paying dues, and owns, hires, or leases a building or portion thereof; the use of such premises being restricted to members and their guests. A board of directors, executive committee, or similar body chosen by the members conducts the affairs and management of private clubs or lodges. It shall be permissible to serve food and meals on the premises, provided adequate dining room space and kitchen facilities are available. The sale of alcoholic beverages to members and their guests shall be allowed provided it is secondary and incidental to the promotion of some other common objective of the organization, and further provided that the sale of alcoholic beverages is in compliance with applicable federal, state, and county laws.

Cluster Development: An alternative development technique for single family homes where individual lot size is reduced in direct ratio to areas set aside within the development for water, other natural features and common open space.

Commercial Shooting Range: means a shooting range used as part of the process in selling firearms as a business.

Commercial use/Establishment: Any use or establishment is considered “Commercial” when goods, products or services are provided for remuneration, whether to the consuming public (retail) or to other businesses (wholesale) or to farmers, but does not include agricultural uses which are exempt from the zoning regulations, except for setback regulations as provided herein.

Composting Facility: A location for altering the organic materials in yard waste, leaves, grass clippings, shredded tree limbs, and other similar materials.

Comprehensive Plan: A plan for LaSalle County including graphic and written proposals including any unit or part of such plan separately adopted, and any amendment to such plan and parts thereof, adopted by the LaSalle County Board.

County: The County of LaSalle, Illinois.

County Board: The governing body of LaSalle County. Illinois.

County Clerk: The Clerk for the County of LaSalle

County Land Use Committee: The County Land Use Committee is a standing Committee of the County Board.

Converted Dwelling: A single family dwelling which has been converted into one (1) primary unit and one (1) accessory unit.

Cultivation center: means a facility operated by an organization or business that is registered by the Department of Agriculture to perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis. (*Compassionate Use Of Medical Cannabis Pilot Program Act*)

Density, Gross: The numerical value used as a measurement for the general intensity of a residential development. Gross density is obtained by dividing the total number of dwelling units in a development by the gross area (in acres) within the development; the result is the number of dwelling units per gross acre of land.

Density, Net: The numerical value used as a measurement for the specific intensity of that portion of a development upon which buildings are placed. Net density is obtained by dividing the total number of dwelling

units in a development by the net area (in acres) within the development: the result is the number of dwelling units per net acre of land.

Developmental Disability: A disability attributable to mental retardation, cerebral palsy, epilepsy, autism, dyslexia, or similar physical or mental conditions which is manifested in the early stages of life and is expected to continue indefinitely.

Director, County Land Use Department: The official appointed by the County Board as the Director, Land Use, and being also the administrative official charged with the administration and enforcement of the LaSalle County Zoning Ordinance.

Drive-In or Drive-Through Establishment: Any place of business operated for the sale and purchase at retail of food and other goods, or the rendering of services which facility is designed and equipped so as to allow its patrons to be served or accommodated while remaining in their motor vehicle.

Driveway: A pathway for motor vehicles from a street to a building, structure or parking area.

Dwelling: A building, or portion thereof, designed or used exclusively for residential occupancy including single family dwellings, two family dwellings, and multiple family dwellings, but not including mobile homes, hotels, motels, or lodging houses.

Dwelling Unit, Accessory. A detached structure or portion of a principal structure with living and cooking facilities designed to be occupied as a residence by a household, but not constituting the principal use on the property.

Dwelling Unit, Group Home: A dwelling unit shared by no more than eight (8) persons not related by blood, marriage, adoption or guardianship, plus their resident staff, who live together as a single housekeeping unit and in a long-term family-like environment in which staff persons assist in providing support, education and participation in community activities for the residents with the primary goal of enabling residents to live as self-sufficiently as possible in order to function at their maximum potential. A group home may be shared by groups such as, but not limited to, the handicapped or persons fifty-five (55) years of age or older, but shall not include halfway houses, hospices, or living quarters which serve persons as an alternative to incarceration for a criminal offense. Facilities in which the total occupancy exceeds the limits set in Sec. 4.12. shall be considered group quarters. (Additional requirements for group homes are found in Sec. 4.12.)

Dwelling, Group Quarters: Group quarters, not a "family" as defined herein, are living arrangements for groups of people containing more than five (5) persons not related by blood, marriage, adoption, or guardianship. Group quarters shall not include group homes for the handicapped or persons fifty-five (55) years of age or older which have eight (8) persons or less plus their resident staff. Group quarters are most frequently contained within the following terms and phrases:

GROUP QUARTERS

Church Oriented Schools — Boarding	Orphanages
Colleges, Universities — Dormitories	Primary/Secondary Schools - Boarding
Convents	Rehabilitation Centers - Boarding
Drug Abuse Centers — Boarding	Religious Retreats
Emergency Shelter (family)	Seminaries
Fraternity Houses	Sorority Houses
Monasteries	YMCA -- Residence Rooms

Dwelling, Multiple Family: A building, or portion thereof, consisting of three (3) or more dwelling units of any type. **Dwelling, Single Family:** A building containing a single dwelling unit only, which is separated from all other dwellings by open space.

Dwelling, Two Family: A building consisting of two (2) dwelling units either attached, side by side, or one above the other, with each dwelling unit having a separate entrance.

Dwelling Unit: One (1) or more rooms designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household.

Easement: An authorization or grant by a property owner to a third party, for use by the third party for one (1) or more specific purposes, of any designated part of the owner's property.

Event Center: A facility located on private property that primarily functions to provide a facility for any type of social gathering and consisting of multipurpose meeting and/or recreational facilities, typically consisting of one or more meeting or multipurpose room, kitchen, outdoor barbecue facilities, and/or restroom facilities available for use by various private groups for such activities as meetings, parties, weddings, receptions, and dances.

Excavating/Filling: Except as hereinafter provided, excavation and/or filling shall mean any changing of the grade or sub-grade of a tract of land by cutting, scraping, grading, trenching, digging, filling-in, or otherwise reshaping the natural contour of the ground. The following shall not be construed as excavating/filling:

- A. Any cutting, grading, trenching, digging, or backfilling of any foundation of a building or structure approved for construction.
- B. Top dressing in an area of existing homes, which top dressing does not change the drainage patterns, does not disturb an area greater than five (5) percent of the lot area or 2,000 square feet, whichever is smaller, and does not exceed five (5) cubic yards of fill.

Cutting, grading, trenching, digging or backfilling of any septic site as part of new construction shall be reviewed for drainage as part of the building permit application, but shall not require drainage review by the County Building Division when the area of ground disturbed is 2,000 square feet or less.

Explosive Hazard: Materials which decompose by detonation including, but not limited to, all primary explosives such as lead azide, lead styphnate, fulminates and tetracene; all high explosives such as TNT, TNX, EMM, PETN and picric acid; propellants and components thereof, such as dry nitrocellulose, black powder, boron hydrides, hydrazine and its derivatives; pyrotechnics and fireworks such as magnesium powder, potassium chlorate and potassium nitrate; blasting explosives such as dynamite and nitroglycerine; unstable organic compounds such as acetylides, tetrazoles and ozonides; unstable oxidizing agents such as perchloric acid, perchlorates, chlorates, and hydrogen peroxide in concentrations greater than thirty-five (35) percent; and nuclear fuels, fissionable materials and products, and reactor elements such as Uranium 235 and Plutonium 239. Materials which are included above will not be considered an explosive hazard so long as they are used solely by the property owner/occupant for the loading of gun shells for property owner/occupant's personal use.

Facility Owner: means a person with a direct ownership interest in a commercial wind energy facility or a commercial solar energy facility, or both, regardless of whether the person is involved in acquiring the necessary rights, permits, and approvals or otherwise planning for the construction and operation of the facility, and (ii) at the time the facility is being developed, a person who is acting as a developer of the facility by acquiring the necessary rights, permits, and approvals or by planning for the construction and operation of the facility, regardless of whether the person will own or operate the facility.

Family: One (1) or more persons related by blood, marriage, adoption, or guardianship, or a group of not more than five (5) persons not so related, including their domestic workers, maintaining a common household in a dwelling unit.

Family Farm Operation: A form of business enterprise in which a family or more than one family, either as individuals, or through a formal or informal partnership, corporation or other entity engage in agriculture for attempted profit.

Fence: A structure used as a boundary, screen, separation, and means of privacy, protection or confinement:

FENCE, OPEN: An open fence is one where visibility at right angles to any surface thereof is not reduced by more than fifty (50) percent.

FENCE, SOLID: A fence including gates which conceals from view of adjoining properties, open storage of materials, and/or operations conducted behind the fenced area.

Floor Area, Gross (Building or Buildings): The floor area of a building or buildings shall be the sum of the gross horizontal areas of the several floors of such building or buildings, as measured from the exterior faces of exterior walls, or from the centerline of party walls separating two (2) buildings. In particular "gross floor area" shall include:

- A. Basement as defined herein.
- B. Floor space used for mechanical equipment where the ceiling height exceeds seven and one-half (7-1/2) feet, except equipment open or enclosed located on the roof, i.e., bulkheads, water tanks and cooling towers.
- C. Attic floor space where the ceiling height exceeds seven and one-half (7-1/2) feet.
- D. Interior balconies and mezzanines.
- E. Enclosed porches, but not terraces and breezeways.
- F. Accessory buildings used for other than off street parking.

The enclosed horizontal area in each floor of a principal building devoted to off street parking and loading facilities shall not be included in the "floor area".

Food Service Establishment: Any place where food is prepared and intended for, though not limited to, individual portion service, and includes the site at which individual portions are provided. The term includes any such place regardless of whether consumption is on or off the premises and regardless of whether there is a charge for the food. The term also includes delicatessen type operations that prepare foods intended for individual portion service. The term does not include lodging facilities serving only a continental breakfast, (a continental breakfast is one limited to only coffee, tea, and/or juice and commercially prepared sweet baked goods), private homes or a closed family function where food is prepared or served for individual family consumption, retail food stores or the location of food vending machines.

Freight Terminal-A building or area in which freight is brought by truck, rail, or air is processes for continued shipment by truck, rail, or air.

Garage, Automotive Repair: Any building, premises or zoning lot in which or upon which a business, service or industry involving the maintenance, servicing, repair or painting of vehicles is conducted or rendered.

Garage, Public: A building or portion thereof, other than a private garage, used primarily for the parking or storage of vehicles and available to the general public for compensation.

Golf Courses: Public, semipublic or private golf courses where the game of golf is played, including accessory buildings and land uses incidental thereto, and consisting of at least sixty (60) acres for each standard nine (9) hole course; and thirty (30) acres for each nine (9) hole Par-3 course.

Grade: A reference plane representing the average finished ground level adjoining the building at all exterior walls. When the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest point(s) within the area between the building and the lot line or, when the lot line is more than six (6) feet from the building, between the building, and a point located six (6) feet from the building.

Greenhouse/Nursery: An establishment where flowers, trees, and other products that are commonly used as landscaping in and around buildings are grown and sold.

Guest Accommodations: Any facility containing two (2) or fewer units, used as sleeping accommodations, which are made available to the public on a transient basis, for a charge. A transient basis shall be any period of time less than thirty (30) consecutive days. "Guest accommodations" shall include, but are not limited to, lodging houses, rooming houses, resorts, guest house/home, apartment, and cabins.

Habitable Building/Space: Any structure with electric/hvac that contains a bathroom with toilet, sink, and shower or tub; kitchen with sink; and bedroom. For the purposes of this definition; the bathroom shower/tub may be removed to render the structure non-habitable.

Handicapped: Having a physical, mental or emotional impairment which substantially limits one or more of such person's major life activities; a record of having such impairment; or being regarded as having such impairment. The term shall include, but not be limited to; persons who are developmentally or physically disabled, the mentally ill, recovering alcoholics, and those who are suffering from AIDS and other diseases. Such term shall not include current, illegal use of or addiction to a controlled substance (as defined in Section 102 of the Controlled Substances Act, as amended (21 U.S.C. 802)) nor shall it include any person whose residency in the home would constitute a direct threat to the health or safety of other individuals or would result in substantial physical damage to the property of others.

Health Department: The Department of Health for the County of LaSalle

Helicopter Landing Pad: A designated area on the ground or on a building meeting the specifications of the Federal Aviation Administration for the exclusive use of landing and takeoff of helicopters, excluding any service buildings and refueling facilities.

Home Occupation: A Home Occupation is a small-scale business that is owned and managed by a sole proprietor primarily residing in the dwelling on the property. Such business shall be incidental and secondary to the use of the dwelling for living purposes and conducted entirely within the dwelling or approved accessory building. Other requirements for Home Occupations are contained in Chapter 4 — (See Sec. 4.16).

Household: An individual; a family of individuals related by blood, marriage, adoption, or guardianship, or a group of not more than five (5) persons not so related, including their domestic workers- who function as a single housekeeping unit.

Housekeeping unit: Cohabitation involving the sharing of living space, meals, recreation, social activities, and other aspects of residential living.

Hospice: A temporary residential living arrangement for persons with a life-threatening illness that requires full-time support, therapy and/or treatment.

Hospital: Any institution, place, building or agency, public or private, organized for profit or not, devoted primarily to the operation and maintenance of facilities for the diagnosis and treatment or care of two (2) or more persons admitted for overnight stay or longer to obtain medical (including obstetric, psychiatric and nursing) care of illness, disease, injury, infirmity, or deformity. The term "hospital", without regard to length of stay shall also include:

- A. Any facility devoted primarily to provide psychiatric and related services and programs for the diagnosis and treatment or care of two (2) or more persons suffering from emotional or nervous disease.
- B. A place where pregnant females are received, housed, treated or cared for, during delivery irrespective of the number of patients received.

The term "hospital" also includes general and specialized hospitals, tuberculosis sanitarium, mental or psychiatric hospitals and sanatoria, and includes maternity homes, and homes for unwed mothers where aid is given during delivery.

Hotel: An establishment which is open to transient guests and which provides customary hotel services such as maid service, the furnishing and laundering of linen, telephone desk service, and the use and upkeep of furniture.

Household Domestic Animal: An animal that is customarily kept for personal use and enjoyment and which may spend the majority of the time in the living area of the dwelling unit. Household domestic animals shall include, but not be limited to, pets, such as dogs and cats. Such pets as canaries, parakeets, goldfish, tropical fish, hamsters, gerbils and the like shall not be counted in the number of household domestic animals allowed on a residential lot. The term shall not include dangerous animals as defined herein or animals commonly found on a farm such as pigs, chickens, cows or goats. The Director, Land Use Department; shall determine what animals, exotic, unusual or otherwise, do or do not qualify as household domestic animals.

Inoperable Motor Vehicle: Any motor vehicle from which, for a period of at least 15 days; the engine, wheels or other parts have been removed, or on which the engine, wheels or other parts have been altered, damaged or otherwise so treated that the vehicle is incapable of being driven under its own motor power. The term shall not include any motor vehicle that is kept within a building when not in use, any historic vehicle over twenty five (25) years of age, a motor vehicle on the premises of a place of business engaged in the wrecking or junking of motor

vehicles, or a motor vehicle which has been rendered temporarily incapable of being driven under its own power in order to perform ordinary service or repair operations.

Integrated Shopping Center: Any group of two (2) or more business uses designed as a single business group, whether or not located on the same lot; connected by party walls, partitions, canopies or other structural members to form one (1) continuous structure, or if located in separate buildings, are interconnected by walkways and access ways designed to facilitate customer interchange between the uses; share a common parking area; or otherwise present the appearance of one (1) continuous business area.

Junk and Debris: An accumulation of waste, scrap, discarded or salvaged materials, and or garbage and refuse including, but not limited to, unusable or discarded appliances and home furnishings, auto parts, rubber tires and landscape debris.

Junk Yard: An open area where junk, waste, scrap, discarded or salvaged materials are brought, sold, exchanged, stored, baled, packed, disassembled, or handled, including but not limited to, scrap iron and other metals, papers, rags, rubber tires, and bottles. A junkyard includes automobile wrecking or salvage yards, used lumberyards and places or yards for storage of salvaged structural steel materials and equipment and machinery.

Kennel: Any premises or portion thereof on which five (5) household domestic animals over six (6) months of age are kept, maintained, boarded, bred, or cared for in return for remuneration or are kept for the purpose of sale.

Landfill, Mono Site: A landfill approved by the Illinois Environmental Protection Agency (IEPA) which allows the acceptance of wastes bearing the same United States Environmental protection Agency (USEPA) hazardous wastes identification (ID), which includes both non-hazardous special waste or non-hazardous waste generated from a manufacturing process.

Landscaping Business: A commercial operation, along with its associated vehicles, equipment and materials, which designs, installs and maintains landscapes on public and private properties.

Lodging Room: A room rented as sleeping and living quarters, but without cooking facilities and with or without an individual bathroom. In a suite of rooms without cooking facilities, each room that provides sleeping accommodations shall be counted as one (1) lodging room.

Lot: A tract of land, or portion of a subdivision or other parcel of land, intended as a unit for the purpose, whether immediate or future, for transfer of ownership or for building development.

Lot Area: The area of a horizontal plane bounded by a vertical projection of the property lines of a lot including any street, easement for street purposes, or right-of-way, if part of the deeded legal description.

Lot, Corner: A lot situated at the intersection of two (2) or more streets. The interior angle of such intersection shall not exceed 135 degrees.

Lot Coverage: That portion of a lot permitted to be covered by structures.

Lot Depth: The mean horizontal distance between the front lot line and the rear lot line of a lot, measured within the lot boundaries.

Lot, Interior: A lot, which is any lot other than a corner lot.

Lot Line: A property boundary line of any lot, including any portion of the lot extending into the abutting street or alley, if part of the deeded legal description.

Lot Line, Front: The lot line abutting and most nearly parallel to the Street in front of the principal structure on the property. On corner lots where the traffic classification is unequal on the two streets, the Street with the higher traffic classification shall be considered the front lot line. On residential corner lots bounded by two (2) or more streets of equal traffic classification, the property owner may select the front lot line. On nonresidential corner lots bounded by two (2) or more streets of equal classification, the Director, Land Use Department, shall select the front lot line. On lots served by reserve strips the front lot line shall be that lot line which is most nearly parallel with the dedicated street from which the reserve strip originates.

Lot Line, Rear: The lot line most nearly parallel to, and most distant from, the front line. If the rear lot line is less than ten (10) feet in length, such rear lot line for building setback purposes shall be determined to be a line which is not less than ten (10) feet in length, which line shall be parallel to, and at the maximum distance from, the front lot line.

Lot Line, Side: That boundary of a lot that is not a front lot line or a rear lot line.

Lot Of Record: A lot which is part of a subdivision, the plat of which, has been recorded in the office of the Recorder of LaSalle County; or a parcel of land, the deed to which was recorded in the office of said Recorder pursuant to chapter 765 Illinois Compiled Statutes Act 205 (Plat Act) and the LaSalle County Subdivision Control Ordinance.

Lot, Through: A through lot is any interior lot which has a pair of opposite lot lines along two (2) more or less parallel streets and which is not a corner lot. On a through lot, both street lines shall be designated front lot lines shall be provided as required.

Lot Width: The mean or average horizontal distance between the side lot lines of a lot, measured within the lot boundary. The lot width shall be measured perpendicular to the LOT DEPTH.

Lot, Zoning: A single tract of land located within a single block, which is designated by its owner or developer as a tract to be used, developed or built upon as a unit, under single ownership or control. Therefore, a "zoning lot" may or may not coincide with a lot of record.

Manufactured Home: A dwelling unit where all or parts of the dwelling unit are built off-site from the location where the home is to be erected and then brought to the housing location and erected on site.

Massage or Practice of Massage: Any method of applying pressure on or friction against or stroking, kneading, rubbing, tapping, pounding or vibrating or stimulating the external soft parts of the body with the hands or the aid of any mechanical or electrical apparatus or appliance, with or without such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotions, ointments or other similar preparations.

Massage Parlor and/or Bathhouse: Any massage parlor; Turkish, steam, sauna, or other bathhouse; magnetic healing institute; room; place; establishment; or institution where Massage is given or offered by a Masseur or Masseuse.

Masseur or Masseuse: Any person who, for any kind of consideration, engages in the practice of massage. The following persons, however, shall not be considered to be Masseurs or Masseuses when practicing Massage within the scope of their vocation, employment, course of study or volunteer services:

- A. Physicians, physicians' assistants, surgeons, podiatrists, chiropractors, osteopaths, chiropractors, registered nurses, practical nurses, physical therapists, barbers and cosmetologists licensed, registered or certified to practice in the State of Illinois.
- B. Athletic trainers for any athletic program of a private or public school, college or university or for any athletic team regularly organized and engaging in competition.
- C. Massage Therapists.
- D. Any person enrolled in a school or program, licensed by the State of Illinois, or accredited by a national accrediting association, in medicine, osteopathy, chiropractic, podiatry, nursing, physical therapy, massage therapy, barbering or cosmetology.
- E. Any counselor, instructor, employee, or volunteer of the Young Men's Christian Association, Young Men's Hebrew association, Young Woman's Christian Association and Young Woman's Hebrew Association.

Massage School: Any establishment providing instruction in the theory, method and practice of Massage. Excluded from the definition of Massage School shall be any establishment having a course of study in massage therapy approved by a nationally recognized therapy association and providing at least 500 hours of instruction in anatomy, physiology, practice of massage, theory of massage, hydrotherapy and business practices.

Massage Therapist: A practitioner of massage therapy who holds a degree, diploma or certificate in massage

therapy from any school or course of study approved by a nationally recognized massage therapy association or who is certified or otherwise recognized by such an association to practice massage therapy.

Meat-Processing Plant (small and large): Any building or premises used for killing or dressing of cattle, sheep, swine, goats, deer, poultry or ostrich and the storage, freezing and curing of meat and preparation of meat products. A “small meat processing plant” shall have a cooler capacity of less than 5,000 square feet and shall be permitted to sell the processed products on site. A “large meat processing plant” shall have a cooler space of greater than 5,000 square feet.

Medical cannabis dispensing organization, or dispensing organization, or dispensary organization: means a facility operated by an organization or business that is registered by the Department of Financial and Professional Regulation to acquire medical cannabis from a registered cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered quality patients. (*Compassionate Use Of Medical Cannabis Pilot Program Act*)

Mini-Mart: A convenience shopping establishment selling a limited stock of food and related items to the general public. A mini-mart may be located in an automobile service station as a Special Use or may be free standing (such as 7-11, White Hen Pantry, etc.).

Mini-Warehouse: A building or group of buildings, located not less than twenty (20) feet apart, in a controlled access and fenced compound that contains varying sizes of individual, compartmentalized, and controlled access stalls for storage of goods or wares, excluding toxic or corrosive substances. A mini-warehouse may have an office and a dwelling unit for the person providing security services for the property, but shall not have other uses such as repair, manufacturing, retail, service or similar uses.

Mining, Surface: The extracting and/or processing of any minerals or earth materials by removing the overburden lying above natural deposits thereof, and extracting from the natural deposits thereby exposed or the deposition of overburden therefrom for commercial purposes. Surface mining shall not include extraction of minerals for property owners’ own noncommercial use.

Mobile Home: Any dwelling unit not built on a full, permanent foundation or a structure designed for permanent habitation, and so constructed as to permit its transport on wheels, temporarily or permanently attached to its frame, from the place of its construction to the location, or subsequent locations, at which it is intended to be a permanent home and designed to permit the occupancy thereof as a dwelling place for one (1) or more persons. Even if the structure rests on a permanent foundation, with wheels, tongue, hitch and axle or lug bolts permanently removed, it shall be construed as a mobile home.

Mobile Home, Independent: An independent mobile home is a mobile home which has self contained toilet and bath or shower facilities and is connected to public sanitary sewer and water facilities.

Mobile Home Park: One or more tracts of land upon which two (2) or more independent mobile homes are located for permanent habitation either free of charge or for lease, rental or other revenue purposes and shall include any building, structure, vehicle, open space or enclosure used, or intended for use, as part of the property and equipment of such mobile home park. A mobile home park shall not include an open sales lot.

Motel: An establishment consisting of a group of attached or detached living or sleeping accommodations with bathroom and closet space, located on a single zoning lot and designed for use by transient automobile tourists. A “motel” furnishes services such as maid service and laundering of linen, telephone or desk service and the use and upkeep of furniture.

Motor Freight Terminal: A building or premise in which freight, brought by motor truck or railroad is received, sorted, or stored for routing for local, intrastate and/or interstate shipment by motor truck.

Motor Sports Park: Any property or part thereof used for driving, riding or racing of motor vehicles, race cars, go carts, motorcycles, All Terrain Vehicles (ATVs), snowmobiles or any such similar vehicles which requires the participants in the driving, riding or racing to pay remuneration or admission for participation in said activities or a

club or group that owns or maintains property or a part thereof for Motor Sports Park activities and requires individuals to be a member of said club or group in order to participate in said activities.

Nano Brewery A brewery that produces less than 1,000 barrels (31,000 gallons) of beer per year with 100% of its beer sold off-site.

Nonconforming Building or Structure: (See Building or Structure, Nonconforming).

Nonconforming Use: (See Use, Nonconforming).

Nonparticipating Property: means real property that is not a participating property.

Nonparticipating Residence: means a residence that is located on nonparticipating property and that is existing and occupied on the date that an application for a permit to develop the commercial wind energy facility or the commercial solar energy facility is filed with the county.

Not For Profit Corporation: Any chartered corporation where no part of the income is distributable to its members, directors, or officers: provided, however, that the payment of reasonable compensation for services rendered and the making of distributions upon dissolution or final liquidation, as permitted by the General Not for Profit Corporation Act of 1986 of the Illinois Compiled Statutes, as amended, shall not be deemed a distribution of income.

Nursery/Greenhouse: An establishment where flowers, trees, and other products that are commonly used as landscaping in and around buildings are grown and sold.

Occupied community building: means any one or more of the following buildings that is existing and occupied on the date that the application for a permit to develop the commercial wind energy facility or the commercial solar energy facility is filed with the county: a school, place of worship, day care facility, public library, or community center.

Off Street loading Space or Berth: An open or enclosed area other than a street, used for the loading and unloading of goods or materials from motor vehicles and trailers. Design of such space shall comply with Chapter 12 of this Ordinance.

Off Street Parking Space: A space within a public or private parking area designed in accordance with the requirements set forth in Chapter 12 of this Ordinance.

Open Sales Lot: A lot or parcel of land used or occupied for the purpose of buying, selling, renting, or trading of goods and commodities, including the storage of same prior to rental, sale or exchange.

Open Space: All land or water areas not occupied by buildings, roads, parking, or private open areas. It includes parkland and play areas, community garden plots, and service areas dedicated to the public or designated or reserved for the sole use and enjoyment of the people having a common proprietary interest in the development.

Open Space, Public: Any publicly owned open area, including, but not limited to the following: playgrounds, forest preserves, beaches, waterways, parkways, and streets.

Overburden: All of the earth and other materials which lie above natural deposits of coal, clay, stone, sand, gravel, or other minerals, and also means such earth and other materials disturbed from their natural state in the process of surface mining.

Parking, Reservoir: An area allocated to motor vehicles awaiting entrance to a drive-in establishment.

Participating Property: means real property that is the subject of a written agreement between a facility owner and the owner of the real property that provides the facility owner an easement, option, lease, or license to use the real property for the purpose of constructing a commercial wind energy facility, a commercial solar energy facility, or supporting facilities. "Participating property" also includes real property that is owned by a facility owner for the purpose of constructing a commercial wind energy facility, a commercial solar energy facility, or supporting facilities.

Participating Residence: means a residence that is located on participating property and that is existing and occupied on the date that an application for a permit to develop the commercial wind energy facility or the commercial solar energy facility is filed with the county.

Planned Unit Development: A parcel of land or contiguous parcels of land totally under the ownership of one (1) landowner or a group of landowners in common agreement with respect to development as a single entity compatible with the development of adjacent parcels. Notwithstanding ownership, any property developed under a planned unit development ordinance shall remain in conformance with the approved planned unit development concept except as may be modified by ordinance of the County Board.

Primary Unit: That portion of a converted dwelling that is not part of the accessory unit.

Private Shooting Range

A specialized facility designed for firearms practice and is not open for public use.

Protected lands: means real property that is:

(1) subject to a permanent conservation right consistent with the Real Property Conservation Rights Act; or

(2) registered or designated as a nature preserve, buffer, or land and water reserve under the Illinois Natural Areas Preservation Act.

Public Shooting Range: A specialized facility designed for firearms practice which is open to the public

Public Use (area or building/structure): A public use is a building, structure or parcel of land owned and operated for the benefit of the people at large.

Public Utility: Any person, firm corporation, or municipal department duly authorized to furnish under public regulation to the public, electricity, gas steam, telephone, sewers, transportation, or water.

Recreational Center: A building or use of land operated with or without membership requirements, for entertainment or sport, delivered directly to the consumer; including but not limited to, skating rink, bowling alley, pool hall, racquet club, swim club, indoor or outdoor golf center, miniature golf course, amusement arcade, or indoor archery, pistol or rifle range.

Recreational Vehicle: A vehicle which is built on a single chassis and is 400 square feet or less in size. Such vehicle is designed to be self-propelled or permanently towable by a light duty truck and designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreation, camping, travel, or seasonal use.

Recycling Facility: A facility, that is not a junkyard, in which recoverable resources from used materials and products are purchased, collected, processed to a condition for reuse, or temporarily stored prior to sale to others who will use the recovered resources to manufacture new products.

Rendering Facility: Facility which, for other than human consumption, collects, cooks and processes entire bodies or parts of bodies of dead animals, poultry or fish, or used cooking grease and oils, for the purpose of salvaging hides, wool, skins, or feathers, and for the production of animal, poultry, or fish protein, blood meal, bone meal, grease or tallow.

Rent and Subrent: When used in reference to an Adult Motel, shall mean the act of permitting a sleeping room to be occupied for any form of consideration.

Repairs (Nonconforming Buildings, Structures and Uses): Repairs shall include the replacement of storage tanks required for the operation of the principal building, where safety of operation of the installation requires such replacement, and other replacements of, or substitutions for, machinery or equipment not involving structural alterations to the building or structure, except as herein provided.

Residential Care:

DAY CARE CENTER: Any child care facility that regularly provides day care for less than twenty-four (24) hours a day for:

1. More than three (3) children in a family home, or,
2. More than sixteen (16) children in a facility other than a family home.

DAY CARE CENTER - ADULT: A facility designed to care for more than five (5) adults, primarily elderly, who do not need institutional care but who, because of their advanced age, require assistance during the day in order to remain active in their community.

DAY CARE HOME: A family home which receives more than three (3) up to maximum of eight (8) children for less than twenty-four (24) hours per day as permitted, between nine (9) and twelve (12) children will require a special use approval. The maximum of twelve (12) children includes the family's natural or adopted children and all other persons under the age of twelve (12). The term does not include facilities that receive only children from a single household.

GROUP DAY CARE HOME: A family home which receives more than three (3) up to a maximum of sixteen (16) children as determined by the Department of Children and Family Services for less than twenty-four (24) hours per day. The number counted includes the family's natural, adopted and foster children under the age of twelve (12).

All residential care facilities shall comply with all licensing requirements of the State of Illinois, Department of Children and Family Services.

Reserve Lot (flag Lot): A buildable lot where access is obtained by way of a narrow strip of land (reserve strip) from a dedicated Street.

Roadside Stand: A structure for the display and sale of agricultural products, at least a part of which are raised or grown on the property where such structure is located.

Rural Specialty Facility: Establishments that offer recreational, cultural, social and/or educational activities for the purpose of attracting the public for the enjoyment of the agricultural nature of the area, such as weddings or other similar social or commercial gatherings. A Rural Specialty Facility may also offer or allow limited retail sales in conjunction with or in relation to activities of the facility.

Sanitary Landfill: A facility permitted by the Illinois Environmental Protection Agency (I.E.P.A.) for the disposal of waste, on land meeting the requirements of the Resource Conservation and Recovery Act. (P.1. 94-580) and regulations thereunder, and shall operate in such a manner as to minimize nuisances or hazards to the public health, safety, and welfare by confining the refuse to the smallest practical volume and covering it with a layer of earth at the conclusion of each day's operation, or by such other methods and at such intervals as the County Board may provide by regulations.

Sewage System: A sewage system in LaSalle County shall be defined as follows:

- A. **COMMUNITY PUBLIC SEWAGE SYSTEM:** A sewage system operated by a public agency or public utility and is subject to regulations by the Illinois Environmental Protection Agency (I.E.P.A.).
- B. **PRIVATE SEWAGE SYSTEM - NONRESIDENTIAL:** A sewage system privately owned, nonresidential, which discharges effluent to a public sewage system, a watercourse, or on-site.
- C. **PRIVATE SEWAGE SYSTEM RESIDENTIAL:** A sewage system, privately owned, residential, which discharges effluent on-site or to a watercourse.

Shooting Range: A premise used for target shooting with rifles, muskets or pistols; or for skeet or trap shooting. Such shooting range may include as an accessory use a clubhouse, maintenance building, facilities for serving food and refreshments and the sale of shooting supplies for use on the range. A shooting range does not include a premise used for such purposes by the individual owner, members of the household and non-paying guests when accompanied by the individual owner or a member of the household.

Signs: See Chapter. 11.0.

Single Family, Attached Dwelling: The use of a lot for one dwelling unit that is attached to at least one other dwelling unit by common or abutting walls and with each dwelling unit located on its own separate lot. Typical uses include duplexes, townhouses and condominiums. This definition shall exclude mobile homes.

Single Family, Detached Dwelling: The use of a lot for only one principal dwelling unit that is not connected to any other dwelling unit. This definition shall exclude mobiles homes.

Solar Energy Facility, Commercial: means any device or assembly of devices that (i) is ground installed and (ii) uses solar energy from the sun for generating electricity for the primary purpose of wholesale or retail sale and not primarily for consumption on the property on which the device or devices reside.

Solar Energy Systems - Private: A ground-mounted or roof-mounted photovoltaic system that converts sunlight to generate electricity primarily for use on site or for net metering. A private solar energy system is an accessory use for the parcel on which it is located.

Special Event: Any temporary occurrence involving a display, demonstration, performance, exhibition or amusement lasting (30) days or less or is otherwise being held for a commercial purpose which includes, but is not limited to, festivals, concerts, carnivals, arts and crafts shows, circuses, sporting events, and any other such similar occurrence or event. A Special Event shall not include, and no permit is required for; 4-H fairs or 4-H gathering, family reunions/weddings, auctions, 4th of July firework stands, or charitable fund raising events.

Specified Anatomical Areas:

- A. Less than completely or opaquely covered human genitals, pubic region, buttock, anus or female breast below a point immediately above the top of the areola; and
- B. Human male genitals in a discernibly turgid state even if completely or opaquely covered.

Specified Sexual Activities:

- A. Human genitals in a state of sexual stimulation or arousal;
- B. Acts of human masturbation, sexual intercourse, fellatio or sodomy;
- C. Fondling, kissing or other erotic touching of Specified Anatomical Areas;
- D. Flagellation or torture in the context of a sexual relationship;
- E. Masochism, erotic or sexually oriented torture beating or the infliction of pain;
- F. Erotic touching, fondling or other such contact with an animal by a human being; or
- G. Human excretion, urination, menstruation or vaginal or anal irrigation as part of or in connection with any of the activities set forth in A. through F. above

Stable, Private: An accessory building located on a single-family residential lot to be used for housing horses for the private use of the resident of the lot.

Storage, Open Bulk: Shall mean storage of material or goods on the ground or platforms outside of a building.

Street: An improved public or private right-of-way or easement affording primary means of vehicular access to abutting properties designated as a street, avenue, highway, road, boulevard, lane, or throughway.

Street Frontage: All that property fronting on one (1) side of a Street: (a) lying between two (2) intersecting streets, (b) lying between one (1) intersecting street and the center line extended of the nearest street connecting with but not intersecting such street, or (c) lying between the center lines extended of the nearest streets connecting with, but not intersecting such Street, provided however, the minimum distance between the center lines of any such streets shall be 150 feet.

Structural Alteration: Any change in either the supporting members of a building, such as bearing walls, columns, beams and girders, or in the dimensions or configurations of the roof or exterior walls and does not include an addition to the building.

Structure: Anything constructed or erected requiring location on or in the ground, or is attached to something having location on or in the ground, including a fence or freestanding wall. A sign, billboard or other advertising medium, detached or projecting, shall be construed to be a structure.

Structure, Completely Enclosed: A building enclosed by a permanent roof and solid exterior walls with preplanned constructed windows, doors and other appropriate openings.

Structure, Detached: Any structure having no party wall or common wall with another structure. Bridges,

tunnels, breezeways and other similar means of connecting one (1) structure to another shall not, for the purposes of this Ordinance, be considered to constitute a party wall or a common wall.

Structure, Temporary: Except as hereinafter provided, a temporary structure is a structure designed for a limited period of time or tenure on a zoning lot.

Supporting facilities: means the transmission lines, substations, access roads, meteorological towers, storage containers, and equipment associated with the generation and storage of electricity by the commercial wind energy facility or commercial solar energy facility.

Taxidermy: The art of preparing, preserving, and mounting the skins of fish, birds, or mammals to make them appear lifelike.

Trailer/Conveyance Structure: Any vehicle, or any portable or mobile vehicle on wheels, skids or rollers, or blocks, either self-propelled or propelled by any other means, which is used or designed to be used for dwelling, lodging, commercial, storage, or agricultural purposes, including but not limited to truck trailers, railroad cars, rail piggy-back container units, travel trailers, mobile or manufactured homes and other similar units.

Transfer Facility/Transfer Station: A facility which receives waste materials (recyclables), landscape waste, construction/demolition and/or municipal solid waste and which prepares the material(s) for shipment to another site for final disposal or use. The term shall include, but not be limited to, such facilities as "recycling transfer station", "solid waste transfer facility", and "mixed solid waste processing facility".

Truck Unit: Means combined tractor and trailer unit. For the purposes of this definition, the sum of individual tractors and trailers shall equal double the allowed number of truck units. (Example. If the maximum number of truck units allowed is 10; you may have 10 tractors and 10 trailers, or 3 tractors and 17 trailers, etc.....)

Uncontaminated Soil Fill Operation (USFO) Facility: A facility as defined in Title 35 of the Illinois Administrative Code Part 1100.103

Unit (Guest Accommodation): Any standalone structure used for sleeping accommodations.

Use: The purpose or activity for which the land, or building thereon, is designed, arranged or intended, or for which it is occupied or maintained.

Use, Nonconforming: Any lawfully established use of a building or premises which, on the effective date of this Ordinance, does not comply with all of the applicable use regulations of the zoning district in which such building or premises shall be located. For the purpose of this Ordinance, any single family dwelling located within a Business or Industrial District that was lawfully established on the effective date of this Ordinance and which is nonconforming solely by virtue of use shall not be deemed a nonconforming use, it shall be a permitted use.

Use, Principal: The main use of land or buildings as distinguished from a subordinate or accessory use. The principal use may be either a Permitted, or a Special Use.

Use, Special: A use either public or private having some special impact that requires a careful review of the location, design, configuration, and the desirability of permitting its establishment on any given site. Its use may or may not be appropriate in a particular location depending on a weighing, in each case, of the local impact and effect.

Use, Temporary: Any activity or use designed, built, conducted, erected or occupied for short and/or intermittent periods of time and shall include but not be limited to tents, lunch wagons, dining cars, trailers, and other roofed structures on wheels or other supports used for business, storage, industrial, institutional, assembly, educational or recreational purposes.

Use, Unlisted: (See Sec. 4.2-5, "Interpretation of Use Lists".)

Variation: A relaxation of the terms of the Zoning Ordinance where such Variation will be in harmony with the general purpose and intent and not contrary to the public interest, and where, due to conditions peculiar to the property and not the direct result of the actions of the owner, a literal enforcement of the Ordinance would result in practical difficulties or a particular hardship.

Vehicle: Every device, in, upon or by which a person or property is or may be transported or drawn upon a highway, except devices moved by human power, devices used exclusively upon stationary rails or tracks and snowmobiles as defined in the Snowmobile Registration and Safety Act, of the Illinois Compiled Statutes, as amended.

Video Gaming Café: An establishment whose primary and major focus (at least 60% of projected annual revenue) is the operation of video gaming terminals and the service of alcohol and food is incidental to the operation of video gaming terminals.

Video Gaming Terminals: Any electronic video game machine that, upon insertion of cash, electronic cards or vouchers, or any combination thereof, is available to play or simulate the play of a video game, including but not limited to video poker, line up, and blackjack, as authorized by the Illinois Gaming Board utilizing a video display and microprocessors in which the player may receive free games or credits that can be redeemed for cash. The term does not include a machine that directly dispenses coins, cash, or tokens or is for amusement purposes only.

Video Gaming, Accessory Use: The operation of video gaming terminals as an accessory use in an establishment whose primary and major focus (at least 60% of projected annual revenue) is not the operation of video gaming terminals.

Warehouse: A building or structure or part thereof, used principally for the storage of goods and merchandise.

Warehouse, Mini: A structure or structures designed and used exclusively for the storage of personal property, including a caretaker's residence and office.

Water Supply: A water supply in LaSalle County shall be defined as follows:

- A. **PUBLIC WATER SYSTEM:** A system for the provision to the public of piped water for human consumption, if such system has at least fifteen (15) service connections or regularly serves an average of at least twenty-five (25) individuals daily, for at least sixty (60) days out of the year. Such term includes: (1) any collection treatment, storage, and distribution facilities under control of the operator of such system and used primarily in connection with such system, and (2) any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system. A public water system is either a community water system or a non-community water system.
- B. **COMMUNITY PUBLIC WATER SYSTEM:** A water supply which has at least fifteen (15) service connections used by permanent residents, or regularly serves twenty-five (25) or more permanent residents daily for at least sixty (60) days a year and is regulated by the Illinois Environmental Protection Agency.
- C. **NON COMMUNITY PUBLIC WATER SUPPLY:** A public water supply which is not a community water supply, that has at least fifteen (15) service connections used by non-residents, or regularly serves twenty-five (25) or more non-resident individuals daily for at least sixty (60) days per year.
- D. **SEMI- PRIVATE WATER WELL:** A water well which is not a public water supply, yet which serves a segment of the public other than an owner occupied single family residence.
- E. **PRIVATE WATER WELL:** A water well which serves an owner occupied single family residence or dwelling.
- F. **PRIVATE WATER SYSTEM NON POTABLE:** Any water system providing water for non-potable uses.

Wind Energy Facility, Commercial: means a wind energy conversion facility of equal or greater than 500 kilowatts in total nameplate generating capacity.

Wind Tower: includes the wind turbine tower, nacelle, and blades.

Wind Turbine (Personal Use): A wind energy conversion system consisting of a wind turbine, a tower or mounting, and any associated control or conversion electronics, which has a rated capacity of not more than

500 kW and which is exclusively used for on-site power generation.

Yard: An open space on the same zoning lot with a building, structure or use, unoccupied and unobstructed from its lowest level to the sky, except by landscaping and as otherwise permitted in Sections 4.4 and 4.5. A yard extends along a lot line and to a depth or width specified in the yard requirements for the zoning district in which such zoning lot is located.

YARD, FRONT: A yard extending along the full length of the front lot line between the side lot lines to a depth specified in the yard requirements for the zoning district.

YARD, REAR: A yard extending along the full length of the rear lot line between the side lot lines to a depth specified in the yard requirements for the zoning district.

YARD, SIDE: A yard extending along a side lot line between the front and rear yards to a width specified in the yard requirements for the zoning district.

Zoning Board or Appeals: The LaSalle County Zoning Board of Appeals.

Zoning Certificate: A certificate issued by the Director, County Land Use Department, certifying that any proposed use, building, or structure to be located on a lot is in accordance with all of the regulations of this Ordinance.

Chapter 4

GENERAL PROVISIONS

Sec. 4.0. INTERPRETATION

Sec. 4.0-1 Minimum Requirements

The provisions of this Ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, morals, comfort, convenience, prosperity and general welfare and to effectuate the purposes of this Ordinance and enabling legislation.

Sec. 4.0-2 Conflicting Provisions

Where the conditions imposed by any provision of this Ordinance are either more restrictive or less restrictive than comparable conditions imposed by any other applicable statute, law, ordinance, regulation, or rule, the provision that is most restrictive or imposes the higher standards or requirements shall apply.

Sec. 4.0-3 Available Relief

Although the requirements of this Ordinance are written in very specific terms, reasonable flexibility is offered through such devices as appeals, variations, special uses and special use - planned unit development.

Sec. 4.0-4. Existing Agreements

This Ordinance is not intended to abrogate any easement, covenant, or any other private agreement, provided, that where the regulations of this Ordinance are more restrictive or impose higher standards or requirements than such easements, covenants, or other private agreements, the requirements of this Ordinance shall govern.

Sec. 4.0-5. Existing Violations

No building, structure, or use not lawfully existing at the time of the adoption of this Ordinance shall become or be made lawful solely by reason of the adoption of this Ordinance; and to the extent that, in any manner that said unlawful building, structure, or use is in conflict with the requirements of this Ordinance, said building, structure, or use shall remain unlawful under the provisions of this Ordinance.

Sec. 4.0-6. Permits Required

Nothing contained in this Ordinance shall be deemed to consent to, license, or permit to use any property or to locate, construct, or maintain any building, structure, site, facility, or operation, or to carry on any trade, industry, occupation, or activity without first obtaining an appropriate building permit, Health Department permit and/or zoning certificate, Mobile Home Park Permit, or any other county, municipal, township, state or federal permit.

Sec. 4.0-7. Provisions Are Cumulative

The provisions of this Ordinance shall be interpreted to be cumulative of, and to impose limitations in addition to all other ordinances, laws, codes, and regulations in existence or which may be passed governing any subject matter of this Ordinance.

To the greatest extent possible, the provisions of this Ordinance shall be construed to be consistent with, and not in conflict with, the provisions of such other ordinances, laws, codes, and regulations, and with each other, to the end that all such provisions may be given their fullest application.

Sec. 4.1 SEVERABILITY

A. The several provisions of this Ordinance shall be severable in accordance with the following rules:

1. If any court of competent jurisdiction shall adjudge any provision of this Ordinance invalid, such judgment shall not affect any other provision of this Ordinance.

2. If any court of competent jurisdiction shall adjudge the application of any provision of this Ordinance to a particular parcel of land, a particular structure, or a particular development, such judgment shall not effect the application of said provisions to any other land, structure, or development.

B. All such unaffected provisions of this Ordinance shall remain in full force and effect.

Sec. 4.1-1 Judgment

If any court of competent jurisdiction shall adjudge any provision of this Ordinance or any amendments thereto, to be invalid, such judgment shall not affect any other provisions of this Ordinance or any amendments thereto, not specifically included in said judgment.

Sec. 4.1-2 Individual Properties

If any court of competent jurisdiction shall adjudge invalid the application of any provision of this Ordinance or any amendments thereto, to a particular property, building, or other structure, such judgment shall not affect the application of said provision to any other property, building or structure not specifically included in said judgment.

Sec. 4.2 SCOPE OF REGULATIONS

It is hereby declared that the provisions of this Ordinance shall apply to all properties in unincorporated LaSalle County as hereinafter specifically provided:

Sec. 4.2-1 Building, Structure or Use

- A. All buildings or structures erected hereafter, all uses of land or buildings and structures established hereafter, and all structural alteration or relocation of existing buildings and structures occurring hereafter shall be subject to all regulations of this Ordinance applicable to the zoning districts in which such buildings, structures, uses, or land shall be located.
- B. Where a lot is to be occupied for a permitted use without buildings or structures, all yards required for such lot shall be provided and maintained unless otherwise stipulated in this Ordinance, except that side yards shall not be required on lots used for agricultural purposes without buildings or structures and no side or front yards shall be required on lots used for public recreation areas except for buildings.

Sec. 4.2-2 Building Permits Issued

Where a building permit for a building or structure has been issued in accordance with the law prior to the effective date of this Ordinance and provided that construction is begun within nine (9) months after such effective date and diligently prosecuted to completion (completion to be accomplished within twenty-four (24) months of the adoption of this Ordinance), said building or structure may be completed in accordance with the approved plans on the basis of which the building permit has been issued, subject thereafter to the provisions of Chapter 5.

Sec. 4.2-3 Nonconforming Buildings, Structures and Uses

Any legal building, structure or use existing at the time of the enactment of the Zoning Ordinance may be continued, even though such building, structure or use does not conform to the provisions herein for the district in which it is located, and whenever a district shall be changed hereafter, the then existing legal use may be continued, subject to the provisions in Chapter 5.

Sec. 4.2-4 Special Uses

No Special Use shall be changed to any other use unless such new use is a Permitted Use in the district in which the property is located; nor shall such Special Use be altered or expanded in any manner, except when in compliance with the following:

1. Application amending the Special Use filed in accordance with Sec. 14.10
2. The use shall comply with all other requirements of the district in which the property is located.
3. The use shall comply with all requirements established under Sec. 4.3.

4. The use may expand to areas/buildings depicted in the plans and specifications included in the approved special use application (including future phases on the same property).
5. If the Land Use Director determines that proposed improvements will not increase the intensity of the special use; he/she may permit accessory structures (garages, maintenance buildings, and accessory storage uses) and additions/replacement of principal structures (not to exceed 1,000 square feet) without requiring the existing special use to be amended.

Sec. 4.2-5 Uses Not Specifically Permitted in District/Prohibited

Except as hereinafter provided when a use is not specifically listed as a Permitted or Special Use in any specific zoning district such use shall be expressly prohibited.

Sec. 4.2-6 Interpretation of Use Lists

- A. DETERMINATIONS CONCERNING USE NOT SPECIFIED. When a particular use or uses, or class of uses is not specifically identified in this Zoning Ordinance but which is of the same general character as those listed as permitted principal or accessory uses or, permissible by Special Use, the Director, County Zoning Department, shall make a determination in the matter. The Director shall give due consideration to the intent of this Zoning Ordinance concerning the district involved, the character of uses specifically identified, and the character of the use or uses in question.
- B. NOTIFICATIONS CONCERNING DETERMINATIONS. Upon making a determination, the Director, County Land Use Department, shall notify the Zoning Board of Appeals and the County Board Chairperson of that determination. The Zoning Board of Appeals or the LaSalle County Board upon its own initiative reserves the right to reverse the Director's decision if, within 10 days of being notified, either or both the Chairperson of the Zoning Board of Appeals or the Chairperson of the LaSalle County Board give written notice to the Director that said Board will consider reversal of the Director's decision at its next regularly scheduled meeting or a special meeting called for that purpose and either of said Boards vote to reverse the Director's decision at said meeting. In the event of a conflict between the two Boards' decisions, the County Board shall make the final binding decision.
- C. FINDING BY DIRECTOR, RIGHT TO APPEAL. The Director shall include the particular use or class of use in the next forthcoming proposed text amendment to rectify the omission. Any person, office, department, board or bureau aggrieved by the determination of the Director may appeal that determination to the Zoning Board of Appeals pursuant to Sec. 14.6 APPEALS.

Sec. 4.2-7 Compatibility Standards for Classifying New and Unlisted Uses

The new or unlisted uses shall be similar in impact, function and characteristics to uses listed in the district. Other standards for determination of compatibility are as follows:

- A. Volume and type of sales, retail or wholesale, size and type of items sold, and the nature of the inventory on the premises.
- B. Any processing done on the premises - assembly, manufacturing, smelting, warehousing, shipping and distribution – and any dangerous, hazardous, toxic or explosive materials used in processing.
- C. The nature and location of storage and outdoor display of merchandise - enclosed, open, inside or outside the principal building - and predominant types of storage, i.e., business vehicles, work-in-progress, inventory and merchandise, construction materials, scrap and junk, and bulk ores, powders and liquids.
- D. The type, size and nature of buildings and structures supporting the use.
- E. The number and density of employees and customers and the per unit area of site and buildings in relation to business hours and employment shifts.
- F. The business hours, the use is in operation or open for business.
- G. Transportation requirements, including mode of transportation, by volume, type and characteristics of traffic generated to and from the site, trip purposes, and whether trip purposes can be shared with other uses on

the site.

- H. Parking characteristics, turnover and generation, ratio of the number of spaces required per unit area or activity, and potential for shared parking with other uses.
- I. Predilection for attracting or repelling criminal activities to, from, or on the premises.
- J. Amount and nature of nuisances generated on the premises-noise, smoke, odor, glare, vibration, radiation, and fumes.
- K. Any special public utility requirements for serving the use-water supply, wastewater output, pre-treatment of wastes and emissions recommended or required-and any significant power structures and communication towers or facilities required.

Sec. 4.3 BULK AND USE REGULATIONS

Sec. 4.3-1 Use

No building, structure or land shall hereafter be used or occupied and no building or part thereof or other structure shall be erected, raised, moved, reconstructed, extended, enlarged or altered except in conformity with the regulations herein specified for the district in which it is located.

Sec. 4.3-2 Continued Conformity with Bulk Regulations

The maintenance of yards and other open space and minimum lot area legally required for a building shall be a continuing obligation of the property owner as long as the building is in existence. Further, no legally required yards, open space, or minimum lot area allocated to any building shall, by virtue of a change in ownership or for any other reason be used to satisfy yard, open space, or minimum lot area requirements for any other building

Sec. 4.3-3 Bulk

All new buildings shall conform to the building regulations established herein for the district in which each building shall be located. Further, no existing building shall be enlarged, reconstructed, structurally altered, converted or relocated in such a manner as to conflict or to further conflict with the bulk regulations of this Ordinance for the district in which such buildings shall be located.

Sec 4.3-4 Access to Public Streets

Except as provided for in the LaSalle County Subdivision Control Ordinance, every building shall be constructed upon a lot or parcel of land which abuts upon a public street.

Sec. 4.3-5 Minimum lot Size (Lots of Record)

- A. Every lot or zoning lot created by subdivision or deed division from a larger lot or parcel after the effective date of this Ordinance shall be in accordance with the lot size requirements of the zoning district in which such lot is located.
- B. Any lot of record which legally exists ON THE EFFECTIVE DATE (April 1, 2006) of this Ordinance situated within the A-1 Agriculture or A-C Agriculture Conservation Districts or the (RR) Rural, (R-2) Single Family or (R3) General Residence Districts may be improved with any permitted or special use that is identified for that zoning district, herein the LaSalle County Zoning Ordinance, where such lot or lots meet all of the standards of the zoning district in which such lot is located except such lot or lots shall not be required to meet minimum lot width or lot size (acreage requirement) for the purposes of this Ordinance. All construction for such uses, building, or structures shall comply with all other codes and ordinances of the County of LaSalle and any township or municipality with jurisdiction. This paragraph will not allow use of a lot for the construction of a single family home under this exception if such use has been previously denied by valid action of a previous zoning authority's governing body. In such case the applicant would not be permitted as a matter of right but would be required to utilize a variance, special use or amendment procedure as specified in Chapter 14.

- C. All lots of record may not be adjusted in size or shape to increase the extent of nonconformity for lot area, lot frontage, setback or other applicable lot and building standards. Lot area or shape adjustments that decrease the extent of nonconformity are allowed with the following provisions:
1. Transfer or exchange between adjoining property owners of less than one (1) acre will be permitted with a plat of survey. The Director of Land Use's signature of approval shall be required on the survey prior to recording. An approval letter from the Director may be recorded with the survey, in lieu of signature on plat.
 2. Transfer or exchange between adjoining property owners of greater than one (1) acre will be permitted by Special Use.
 3. All lot area or shape adjustments will be subject to the Subdivision Ordinance and may also require a subdivision variance.
- D. All lots of record containing two or more contiguous nonconforming lots held in common ownership and one or more of the lots is not occupied by a principal use, the lots will be deemed a single zoning lot and must be used as a single lot in order to meet or come closer to meeting applicable lot area and lot frontage requirements.

Sec. 4.3-6 Farmstead Split

A lot created by subdivision or deed division from a larger lot or parcel after the effective date of this Ordinance that is created for the purpose of the sale or transfer of ownership of one lot, containing an existing residential structure, agricultural buildings or structures, or foundations or structural elements of any such residences, buildings or structures constructed prior to the effective date of this Ordinance, and has not been converted to agricultural crop use and being not less than one acre in area but does not contain 2.0 acres or greater of tillable/pasture ground, may be approved by the subdivision enforcement officer, without review or approval by the Zoning Board of Appeals or the County.

This provision is intended to allow for the division of a lot with existing or previously existing farm residences, buildings or structures from the fields used for agricultural activities. For the purpose of required minimum zoning lot size, such subdivision, if approved by the subdivision enforcement officer as not being in violation of the LaSalle County Subdivision Control Ordinance and the Illinois Plat Act, is not a violation of this Ordinance. The lot which results from such subdivision or deed division shall be a legal residential lot in the A-1 district and the balance of the parcel from which the lot is divided shall not be buildable for future residences unless the remaining area conforms to the minimum lot size of the A-1 district.

For the purposes of review, a plat of survey shall be required for said division. The Director of Land Use's signature of approval shall be required on the survey prior to recording. An approval letter from the Director may be recorded with the survey, in lieu of signature on plat.

Where two residences existed on one parcel prior to the effective date of this Ordinance, this provision may be used twice in order to individually divide out the existing residences from the fields used for agricultural activities.

Sec. 4.3-7 Two Uses on a Zoning Lot

Where two (2) or more Permitted or Special Uses, each requiring a minimum lot area, are provided on the same zoning lot, the required lot area for such uses shall be the sum of the areas required for each use individually.

Sec. 4.3-8 Division of Zoning Lots

No zoning lot shall hereafter be divided into two (2) or more lots unless all lots resulting from each such division shall conform with all the applicable bulk regulations of the Zoning District where the property is located. In addition, a corner lot shall, in all cases, be twenty-five (25) feet wider than the minimum lot width required in the district. Such lots, created by subdivision or deed division, shall be required to make land/cash donations in accordance with the LaSalle County Subdivision Control Ordinance.

Sec. 4.4 LOT COVERAGE

Sec. 4.4-1 Location of Required Yards

All required yards allocated to a building, structure or use shall be located on the same zoning lot as such building, structure or use being served.

Sec. 4.4-2 Yards

- A. **REQUIRED YARDS FOR EXISTING BUILDINGS:** No yards allocated to a building, structure or use existing on the effective date of this Ordinance shall be subsequently reduced, or be further reduced below the yard requirements of this Ordinance except a yard adjoining a street may be reduced in depth or width in the event and to the extent that the right-of-way width of such street adjoining such yard is subsequently increased.
- B. **AVERAGE FRONT YARD LESS THAN MINIMUM SETBACK:** On streets where a front yard setback has heretofore been maintained by buildings situated on lots or tracts comprising not less than fifty (50) percent of the total street frontage on one side of that portion of any street including: (a) lying between two intersecting streets, (b) lying between one intersecting street and the center line extended of the nearest street connecting with, but not intersecting such street, or (c) lying between the center lines extended or the nearest streets connecting with, but not intersecting such street, buildings shall maintain a front yard (building setback) as required in the zoning district in which such property is located, or may maintain a lesser front yard, as determined by the average front yard (building setback) provided by existing buildings. The final decision on the distance for any front yard setback shall be made by the Director of the Land Use Department.

Sec. 4.4-3 Vision Clearance - Corner Lots/Service Drives

At the intersection of all streets and/or the intersection of any service entrance drive from a street to a zoning lot line, sight easements shall be established within the triangular area formed by the intersection of any two (2) street right-of-way lines and/or the intersection of any street right-of-way line with any service entrance drive (both sides of such drive). Such easement shall be a distance along such lines of twenty-five (25) feet from the point of intersection thereof.

Within the above vision clearance easements, no obstruction shall be permitted which exceeds three (3) feet in height above grade, including, but not limited to buildings, fences and walls, loading and open storage, plant material, play equipment parking and structures.

Sec 4.5 EXCEPTION TO YARD REQUIREMENTS - ALLOWABLE PROJECTIONS into required yards

The following features are permitted and may project into the required yard setbacks of a given zoning district.

Features	Maximum Projections
Awnings, bay windows, chimneys, cornices, planters or similar architectural features.	Three (3) feet
Balconies, open roofed or unroofed entrances, stoops and porches and fire escapes	Four (4) feet
Compressors for central air conditioning or heat pumps	Five (5) feet
Decks and stairways (detached or attached)	Five (5) feet
Patios and terraces	Up to within three (3) feet of the property line
Ramps to accommodate required handicap access to a building or facility	Unlimited
Support Wires for noncommercial radio and television towers or antennas	Ten (10) feet

EXAMPLE: If the required rear yard setback for a single family detached dwelling has a minimum rear yard of 10 feet required, the deck may project 5 feet out into the required setback, and the dwelling will be considered 10 feet from the rear lot line. This does not mean a deck can only project out 5 feet from the house. If the house is 15 feet from the rear lot line, a deck could project 10 feet from the house, as 5 feet of the deck is permitted to project into the rear yard setback. For an illustration, see the Appendix A-4.

Where there is a question regarding a feature not listed, the Director of Land Use Department shall have authority to determine the appropriate projection, if any. Any person, office, department, board or bureau aggrieved by the determination of the Director may appeal that determination to the Zoning Board of Appeals pursuant to Sec. 14.6 APPEALS. Upon making a determination, the Director, Environmental Services and Land Use Department, shall notify the Zoning Board of Appeals and the County Board Chairperson of that determination. The Zoning Board of Appeals or the LaSalle County Board upon its own initiative reserves the right to reverse the Director's decision if, within 10 days of being notified, either or both the Chairperson of the Zoning Board of Appeals or the Chairperson of the LaSalle County Board give written notice to the Director that said Board will consider reversal of the Director's decision at its next regularly scheduled meeting or a special meeting called for that purpose and either of said Boards vote to reverse the Director's decision at said meeting. In the event of a conflict between the two Boards' decisions, the County Board shall make the final binding decision.

Sec. 4.6 FENCES AND WALLS

Sec. 4.6-1 Agricultural Districts

- A. FRONT YARDS: Except as provided in Section 4.4-3, an open fence or open wall along any lot line forming a part of the front yard may be erected to a height not to exceed four (4) feet above grade. A fence or wall shall be considered open for the purposes of Section 4.6 if it does not reduce visibility through the fence when viewed at right angles to any surface thereof, by more than fifty (50) percent. These requirements do not apply to fences included in a special use.
- B. SIDE/REAR YARDS: An open or solid fence or wall may be erected to a height not to exceed six (6) feet above grade. Where a side or rear lot line abuts a Business or Industrial District, fences may be erected to a height not to exceed eight (8) feet above grade. A corner side yard fence shall follow the requirements of a front yard fence, unless installed behind the front yard setback and will not cause a nuisance. These requirements do not apply to fences included in a special use.

Sec. 4.6-2 Residence Districts

- A. FRONT YARDS: Except as provided in Section 4.4-3, an open fence or open wall along any lot line forming a part of the front yard may be erected to a height not to exceed four (4) feet above grade. A fence or wall shall be considered open for the purposes of Section 4.6 if it does not reduce visibility through the fence when viewed at right angles to any surface thereof, by more than fifty (50) percent.
- B. SIDE/REAR YARDS: An open or solid fence or wall may be erected to a height not to exceed six (6) feet above grade. Where a side or rear lot line abuts a Business or Industrial District, fences may be erected to a height not to exceed eight (8) feet above grade. A corner side yard fence shall follow the requirements of a front yard fence, unless installed behind the front yard setback and will not cause a nuisance.

Sec. 4.6-3 Business Districts

- A. FRONT YARDS: A fence/wall not more than six (6) feet in height is permitted, as long as such fence/wall is located within property boundaries and is not located within any right of way, easement, or other land prohibiting fences/walls.
- B. SIDE/REAR YARDS: An open or solid fence or wall may be erected to a height not to exceed eight (8) feet above grade. A corner side yard fence shall follow the requirements of a front yard fence, unless installed behind the front yard setback and will not cause a nuisance.

Sec. 4.6-4 Industrial Districts

- A. FRONT YARDS: A fence/wall not more than six (6) feet in height is permitted, as long as such fence/wall is located within property boundaries and is not located within any right of way, easement, or other land prohibiting fences/walls.
- B. SIDE/REAR YARDS: An open or solid fence or wall may be erected to a height not to exceed eight (8) feet

above grade. A corner side yard fence shall follow the requirements of a front yard fence, unless installed behind the front yard setback and will not cause a nuisance.

Sec. 4.7 SPECIAL EVENTS AND TENTS

Special events are temporary uses (See Chapter 3 Definitions) which may be allowed in any zoning district provided that they satisfy the following requirements.

Sec. 4.7-1 General Restrictions

Special events shall be subject to the following restrictions:

- A. Special events shall be limited to no more than four (4) occurrences per calendar year for each zoning lot.
- B. An applicant for a special event must apply for and obtain a special events permit from the County Land Use Department.

Sec. 4.7-2 Application Requirements and Procedure

All persons desiring to conduct a Special Event shall first submit an application to the County Zoning Department no later than ninety (90) days prior to the special event.

Such application shall contain the following:

- A. Site Plan-A detailed site plan must be submitted demonstrating how the site will be utilized for the event, including any signage or banners for the event.
- B. Parking and Circulation Plan-must show stalls, circulation paths, access locations and traffic control devices.
- C. Sanitary Facilities-report from LaSalle County Health Department, if necessary, confirming compliance with all applicable Health and Sanitation Codes.
- D. **Certificate of Insurance:** A Certificate of Insurance naming LaSalle County as an additional primary, non-contributory insured in the general aggregate amount of \$1,000,000 is required for events, as deemed necessary by LaSalle County. In addition, the event that is covered by the insurance must be named on the certificate. An **original copy** of the certificate of insurance will be due at least **90 days** prior to event date. LaSalle County reserves the right to request additional insurance for the event as deemed necessary by the County. A hold harmless document shall be executed separately or be part of the insurance policy. This document shall indemnify LaSalle County against any and all actions arising from, during, or as a result of the event.
- E. An executed Traffic Control and Security Contract must be secured and submitted to the County as part of the application of a special event. This contract will provide for off-duty police officers or trained security personnel to deliver traffic control and security for the event.
- F. Owner Authorization-when the applicant for a Special Event is not the owner of the lot on which the event will occur, the applicant shall submit proof of the owner's authorization which shall be in writing, dated, signed by owner and contain sufficient information so as to identify the property and the proposed Special Event.
- G. Bond or Letter of Credit-a cash bond or irrevocable standby letter of credit shall be placed with the LaSalle County Land Use Department to guarantee removal of all temporary structures, tents, junk and debris from the site upon termination of a Special Event. The amount of the cash bond or irrevocable standby letter of credit shall be 100 percent of the estimated cost of removal of the Special Events items from the lot.
- H. Highway Department acknowledgment and event authorization
- I. Alcohol-If alcohol is served or sold at the event, a permit may be required from the LaSalle County Liquor Commissioner.
- J. EMS Support-Certain events may require medical support on-site or on call to supplement the jurisdictional EMS team responsible for the event. In these instances, the event organizer will be notified in writing of the required medical personnel for which they will be responsible to provide.
- K. Food and Beverage Health Inspections-Food and beverages shall not be sold or given away at an event, unless approved and licensed, if necessary, by the LaSalle County Health Department. Event organizers are

responsible for arranging health inspections for their events.

- L. Resident and/or Business Notification- For events that require street closures, or may cause disruption for LaSalle County residences or businesses, mailed or hand delivered notification must be provided to the affected parties 15 days prior to the event.

- M. Compliance with any other Law/Ordinance: The applicant shall comply with all applicable local, state, or federal ordinances, codes, conditions and requirements.

The Director of Land Use may, at his/her discretion, require additional information or waive any of the above specific requirements as he/she determines necessary.

Sec.4.8 SEWAGE DISPOSAL AND WATER SUPPLY

Regardless of other provisions of this Ordinance, in all classifications and in all districts there shall always be sufficient ground area left unoccupied by a structure or a paved area for, a proper system of sewage disposal and water supply conforming with the standards and requirements of the LaSalle County Health Department and the Health Department of the State of Illinois. Plot plans accompanying construction permit applications shall show clearly the proposed sewage disposal system and well location, if any.

Sec. 4.9 ACCESSORY BUILDINGS AND STRUCTURES

Sec. 4.9-1 Height

In the R-2 Single Family Residence District and the R-3 General Residential District, no accessory building or structure shall exceed fifteen feet (15) feet in height. Notwithstanding the above provisions, noncommercial radio and television towers and antennas and accessory buildings containing hangar space shall conform to the height requirements of the residential zoning districts.

Sec. 4.10 REGULATIONS GOVERNING AIRPORTS & THEIR SURROUNDINGS

Airports and their surroundings are subject to all rules and regulations of the Federal Aviation Administration (FAA) and the State of Illinois, Division of Aeronautics and the following:

Sec. 4.10-1 Height of Structures Within Boundaries

Height of structures in areas surrounding the boundaries of airports having established approach plans approved by the State of Illinois, Division of Aeronautics shall be in accordance with requirements set forth in the approach plans.

Sec. 4.10-2 Airports Without Established Approach Plans

- A. Height of structures, in areas 2,000 lineal feet beyond the boundaries of airports that do not have established approach plans, shall be in accordance with requirements established by the State of Illinois, Division of Aeronautics, for each type of airport (e.g., restricted landing areas and residential airports.)
- B. All structures within subdivisions surroundings airports without established approach plans or within 1,000 lineal feet of the end of the runways of such airports shall be certified by a registered engineer or surveyor for compliance with height restrictions of the State of Illinois, Division of Aeronautics, prior to the issuance of building permits.

Sec. 4.11 DEVELOPMENT OF AIR RIGHTS

The development of air rights above land located in any zoning district and utilized for public or private use, shall be treated as a Special Use and shall be required to meet the standards of the underlying zoning district where such development is located. However, plans for all such air right developments shall be submitted to the Zoning Board of Appeals, in the same manner as applications for Special Uses, for its recommendations as to the appropriateness of the development in regard to the location of buildings and structures, traffic control, placement of utilities and all other matters related to the physical development of said air rights. Such recommendations shall be forwarded to, and shall be subject to the approval of the County Board.

Sec. 4.12 GROUP HOMES

Sec. 4.12-1 Purpose

The provisions of this Section provide further clarification of the definition of Group Home (See Chapter 3 Definitions) by setting minimum requirements for the location and operation of such homes. It is the policy of LaSalle County that group homes meeting the requirements of this Section are considered as permitted uses in all residential districts.

Sec. 4.12-2 Requirements for Group Homes

In addition to satisfying the definition of group homes, group homes shall comply with the following requirements:

- A. The group home shall not be located less than 600 feet, measured horizontally in any direction, from any other building used as a group home pursuant to this ordinance or defined as a group home pursuant to any adjacent jurisdiction's zoning ordinance.
- B. The operator of the group home shall have a license and/or certificate as required by appropriate federal, state, or local agencies, if any are required, demonstrating the operator's qualifications to operate the group home.
- C. The total occupancy of the group home shall be limited to no more than eight (8) persons not related by blood, marriage, adoption or guardianship, plus no more than two (2) resident staff.
- D. No services including, but not limited to, counseling and other treatment shall be permitted for persons other than the residents of the group home.

Sec. 4.12-3 Certification of Compliance

Prior to occupancy of a group home, the operator of the home shall obtain a letter from the Director of the Land Use Department certifying that the provisions of this Ordinance have been met. This certification letter shall be reviewed by the County Land Use Committee before it is issued to the operator of the group home. It must state that the group home meets the definition of group home as stated in Chapter 3, meets the requirements for group homes as stated in Sec. 4.12, and meets all other applicable standards and criteria of the LaSalle County Zoning Ordinance.

Sec. 4.13 SITE PLAN REVIEW

Sec. 4.13-1. Purpose

The provisions of this Section establish criteria for submission and approval of site plans, for access control, lighting and signage for new commercial, industrial or multi-family types of development or redevelopment, including planned unit development, but it is NOT INTENDED for the construction of a single and two family dwellings, home occupations or agricultural uses. Further this Section is not intended to duplicate any of the requirements of the LaSalle County Subdivision Control Ordinance.

Sec. 4.13-2 Scope of Regulations

Site plan review shall be required for any new commercial, industrial, planned unit development, multiple family dwelling (3 or more dwelling units) development or redevelopment, but is NOT REQUIRED for single family and two-family dwellings or home occupations or agricultural uses which are exempt from regulation pursuant to Sec. 6.4 B. Development for the purposes of this section shall mean a change of land use practice or activity which occurs on a zoning lot that has been previously undeveloped (without buildings, structures or premises). Redevelopment for the purposes of this section shall mean any change in activity or increased intensity or use of any zoning lot which has been previously developed with any building, structure or premises through the addition of dwelling units, gross floor area, seating capacity, or similar units of measure.

Sec. 4.13-3 Site Plan Criteria

- A. **ACCESS CONTROLS:** The following specifications shall be addressed in the submission of a site plan for approval by the LaSalle Land Use Department.
1. Driveway design and geometrics including curb return radius, width of driveway at the property line, curbed or uncurbed, dimension of any channelizing island or medians, length of driveway (measured parallel to driveway between edge of street and building line) and change in grade between driveway and street (measured where driveway meets the Street).
 2. A drawing to scale showing distance between proposed driveways and existing driveways on both sides of the street, within 200 feet each direction from subject property line, with distances to be measured parallel to the street. Sketch shall also show the name and type of land use currently served by these existing driveways.
 3. Identification of proposed driveway, signing/markings/stripping for intersection control, inbound/outbound movements, turn prohibitions (if any).
 4. Based on a review of site topography, street alignment and other factors, the Director, County Land Use Department may require a survey to establish the sight distance to any intersecting street as measured from the driveway.
- B. **LIGHTING:** A lighting plan shall be submitted for approval by the Land Use Department that shall address the following:
1. Size, setback and height of all free-standing lights and wall lights attached to buildings.
 2. Type of lighting on all portions of the site, shielding to prevent off-site glares, and levels of lighting in foot candles at all property lines.
- C. **SIGNAGE:** (See Chapter 11)
1. Size, setback and height of all freestanding business and industrial signs.
 2. Type of lighting for signage.

Sec. 4.13-4 Approval Procedure

Site plans subject to Sec.4.13 shall be submitted to the Director, County Land Use Department. No building permits requiring site plan review shall be issued until the site plans have been approved by the County Land Use Department of LaSalle County.

Sec. 4.14 ADULT BUSINESS USES

Sec. 4.14-1 Declaration of Policy

In the development and execution of these sections regulating and limiting the location of adult business uses, it is recognized that adult business uses, by virtue of their nature, have serious objectionable operational characteristics which can have a deleterious effect upon areas adjacent to them. Special regulation of these uses is necessary to insure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhood. The primary purpose of these regulations is to control the concentration or location of these uses to the fullest extent allowable by law, in order to eliminate such adverse effects. It is not the intent of these sections to deny adults access to sexually oriented materials and services or the providers of such materials and services their market in a manner that is inconsistent with the law.

Sec. 4.14-2 Restrictions on the Location of Adult Business Uses

No adult business use shall be maintained: (1) within 3,000 feet of the property line of another adult business use, (2) within 3,000 feet of any of the following zoning districts as provided for under this Ordinance: A-1, A-C, R-R,

R-2 and R-3: (3) within 3,000 feet of a zoned residential district lying within a municipality; or (4) within 3,000 feet of a church, school, library, park or other publicly operated recreational facility. The distances provided for in this section shall be measured by following a straight line, without regard to intervening structures, from a point on the property or the land use district boundary line from which the proposed use is to be separated.

Sec. 4.15 ACCESSORY DWELLING UNIT

- A. An accessory dwelling unit may be attached to the principal dwelling unit or detached as a standalone structure with a permanent foundation.
- B. Properties already containing a two-family or multifamily dwelling will not be allowed an accessory dwelling unit.
- C. The accessory dwelling unit shall meet all building code requirements and LaSalle County Health Department requirements regarding well and septic.
- D. The accessory dwelling unit shall be limited to no more than 2 bedrooms.
- E. The accessory dwelling unit shall not exceed the size and scope of the principal residence. If accessory dwelling unit is part of a larger accessory building, the habitable space square footage shall be used for this calculation.
- F. Lots or parcels containing an accessory dwelling unit shall be owner occupied. The owner may reside in either the principal residence or the accessory dwelling unit. No one else shall occupy the owner's unit when the owner is not residing on the property. The homestead exemption per 35 ILCS 200/15-175 could be used as evidence for this requirement.
- G. Only one accessory dwelling unit is allowed per lot or parcel.
- H. Two (2) parking spaces shall be provided for an accessory dwelling unit in addition to that required for the principal dwelling.
- I. A detached accessory dwelling unit shall be no more than thirty-five (35) feet in height.
- J. A detached accessory dwelling unit shall meet all of the same side and rear yard setback requirements as a principal structure.
- K. The maximum square footage of the footprint of an accessory dwelling unit shall not exceed 900 square-feet.
- L. Mobile homes may be allowed on a permanent foundation as specified in special use.
- M. A deed restriction shall be recorded by the petitioner that requires at least one of the structures on the property remain owner-occupied.

Sec. 4.16 HOME OCCUPATIONS

Sec. 4.16-1 Home Occupations

A home occupation shall be treated as an accessory use and shall be incidental and secondary to the principal use of the residence as a dwelling.

- A. Home occupations in the A-1 Agriculture District, the A-C Agriculture-Conservation District, RR Rural Residence District, R-2 Single Family Residence District and the R-3 General Residence District, shall meet all of the following requirements:

1. Shall be operated only by the primary resident (s) of the dwelling on the property.
2. Shall not produce noise, obnoxious odors, vibrations, glare, fumes or electrical interference detectable to normal sensory perception outside the structure.
3. No more than two (2) home occupations shall be permitted on any zoning lot.
4. Home Occupations in accessory buildings of any square footage (or any home occupation that does not meet the requirements of this section)_will require a special use approval.
5. Shall not display outside the building any evidence of the home occupation except for the signs which are permitted in the zoning district in accordance with Chapter 11. SIGN REQUIREMENTS.
6. Shall not utilize more than 25% of the footprint (or a maximum of 1000 square feet) of a dwelling unit.
7. Shall not be open to the public at times earlier than 8:00a.m. nor later than 8:00 p.m.
8. Shall not permit the on-site storage of explosive hazards or other hazardous substances without a special use.
9. Two (2) parking spaces shall be required in addition to that required for the principal dwelling.

Sec. 4.17 DAY CARE HOMES

A home day care use shall comply with the following standards and criteria:

- A. The home day care use shall not:
 1. Be operated in an accessory building or detached garage.
 2. Contain a separate entrance from outside the building to serve the home day care use.
 3. Permit the conduct of retail business, manufacturing business or repair shop of any kind.
 4. Display outside the building any evidence of the home day care use except those signs which are allowed in residence districts in accordance with Chapter 11, SIGN REQUIREMENTS.
 5. Permit delivery of mail by other than private passenger vehicles, parcel service or letter carrier.
 6. Permit any other home occupation within the same dwelling unit.
- B. All vehicles owned by the residents and by outside employees of the home day care use shall be parked on the lot in areas as allowed for parking in residence districts. Adequate space shall be provided on the driveway of the home day care use for the temporary parking of client vehicles while the children are being dropped off and picked up.
- C. The outside play area utilized for the home day care use shall be separated from neighboring properties by a solid fence or wall.
- D. The day care home operator shall reside in the home as their principal residence. If the operator resides elsewhere than in the day care home, it shall be considered a day care center and shall require a Special Use permit from the County Board.
- E. Where a day care home is served by a private sewage disposal system rather than by public sewers, the day care operator shall have the sewage disposal system inspected by the LaSalle County Health Department to assure safe, sanitary operation thereof prior to establishing the use on the property.

Sec. 4.18 MINING

It is the purpose of this section to establish regulations and standards for surface mining operations that are not subject to the requirements of the Surface-Mined Land Conservation and Reclamation Act, 225 ILCS 715/1 et.seq. and the administrative regulations promulgated by the Department of Natural Resources pursuant to said Act. This Section provides for conservation and reclamation of lands affected by surface mining in order to restore them to optimum future productive use. Surface mining, processing and site reclamation for those mines that are not subject to the requirements of the Surface-Mined Land Conservation and Reclamation Act et.seq. and the administrative regulations promulgated by the Department of Natural Resources pursuant to said Act, shall be determined and permitted in compliance with standards as set forth herein.

This section also provides that all surface mining operations in existence on or before, August 17, 2005, including any tract or tracts of land owned, leased or optioned that are part of the surface mining operation's inventory and constitute an integral part of said mining operation on or before August 17, 2005, shall be legal non-conforming uses that are not subject to the Special Use or Zoning District requirements of this Ordinance.

- A. **SETBACK REQUIREMENTS.** Unless otherwise specifically provided in an applicable Special Use permit, surface mining and/or processing shall be conducted in compliance with the Surface Mined Land Conservation and Reclamation Act 225 ILCS 715/1 et. seq. as amended and the administrative regulations promulgated by the Department of Natural Resources pursuant to said Act. The setback requirements of said Act shall apply to all mining not withstanding the fact that said Act and regulations do not normally apply when the overburden does not exceed 10 feet or where the operator will not affect more than 10 acres during a year. Any surface mining operation that operates or has overburden along or adjacent to a highway or road designated by the State or Federal government as a Scenic By-Way shall provide a written landscape and visual buffering plan to the Director, County Land Use, at the cost of the operator no later than sixty (60) days prior to the start of mining on said tract(s). Said plan shall provide that reasonable action will be taken by the operator on or before beginning to mine and completed no later than one (1) year after the start of mining to mitigate adverse visual effects of the mining operation along the designated Scenic By-Way. Said plan shall include detailed landscaping and visual buffering plans along the designated Scenic By-Way and the proposed completion dates of said plans. Said surface mining operation shall also maintain any State or Federal setback or other requirements for surface mining along a designated Scenic By-Way that are more restrictive than the requirements of this Ordinance.
- B. **ANNUAL REPORT.** On an annual basis, but not later than January 31 of each year all surface mining operations that are required to file an annual report to the Department of Natural Resources, shall file a copy of said report with the County Land Use Department.
- C. **PERMIT FOR MINING.**
 - 1. All operators extracting and/or processing earth materials that are not subject to the permit requirements of the Surface Mined Land Conservation and Reclamation Act 225 ILCS 715/1 et. seq. as amended and the administrative regulations promulgated by the Department of Natural Resources pursuant to said ACT because the overburden does not exceed 10 feet in depth or where the operation does not affect more than 10 acres during a permit year shall apply for a permit jointly with the owner and any person who is entitled to legal possession of the property to be affected and shall comply with the operation and reclamation regulations in this Ordinance. Application for permit shall be made upon a form furnished by the County Land Use Department. Such application shall be accompanied by a fee of \$50.00 plus \$25.00 for every acre and fraction of an acre of land to be affected during the life of the permit.
 - 2. An operator desiring to have his or her permit amended to cover additional land may file an amended application with the County Land Use Department with such additional fee and bond or \ security as may be required under the provisions of this Act. Such amendment shall comply with all requirements of this Ordinance.
 - 3. An operator may withdraw any land covered by a permit and upon which no extraction has taken place, excepting affected land, by notifying the County Land Use Department thereof, in which case the amount, of the bond or security filed by such operator pursuant to the provisions of this Ordinance shall be reduced proportionately.

4. Every application, and every amendment to an application, submitted under this Ordinance shall contain the following, except that the Director may waive the requirements of this subsection for amendments if the affected acreage is similar in nature to the acreage stated in the permit to be amended:
 - a) Ownership of land.
 - b) Minerals to be mined.
 - c) Character and composition of vegetation and wildlife on land to be affected.
 - d) The proposed equipment to be used.
 - e) The current assessed valuation of the lands to be affected and the assessed valuation shown by two quadrennial assessments next preceding the currently effective assessment.
 - f) The nature, depth and proposed disposition of the overburden.
 - g) The location of the existing roads, and anticipated access and haulage roads planned to be used or constructed in conducting surface mining.
 - h) The technique to be used in surface mining.
 - i) Drainage on and away from the lands to be affected including directional flow of water, natural and artificial drainways and waterways, and streams or tributaries receiving the discharge.
 - j) The current location of existing buildings and utility lines and easements within the lands to be affected.
 - k) Practices and methods proposed to be used to minimize noise, dust, air contaminants and vibration and to prevent pollution of surface or underground water.
 - l) The recycling of water used for washing and grading.
 - m) The simultaneous reclamation plan including methods of accomplishment, phasing and timing.
 - n) A detailed map of the land drawn at a scale of one inch equals (=) one hundred (100) feet showing at least the following specifics:
 - i) Existing topographical features at two (2) foot contour intervals, up to and including seven (7) percent grade. Greater than seven (7) percent grade would require five (5) foot contours.
 - ii) Location and names of all streams, creeks, bodies of water, underground water resources, (which are readily ascertainable from sources such as Illinois State Geological Survey well drilling logs) and drainage systems within the lands to be affected.
 - iii) Outline of area to be excavated
 - iv) The proposed location of sorting, grading, crushing and similar equipment necessary to the operation and initial distribution of the excavated products.
 - v) The proposed location of any buildings, scale house, equipment storage areas, and equipment repair sheds or areas.
 - vi) The current location of buildings, utility lines and easements within the lands to be affected.
 - vii) "Affected Lands" or "Affected Land" shall be defined as real property described within the application filed herein whenever said terms are used in this Ordinance.
5. Prior to the issuance of a permit, the applicant must obtain the approval by the Department of Land Use for the reclamation plan and map as provided.
 6. All permits issued hereunder shall expire ten (10) years from the date of issuance, unless the County Board extends such expiration date.
 7. Annual Inspections

An examination of the premises shall be made by the Director, County Land Use, at least annually during the term of the permit. The Director shall subsequently complete a Mining Inspection Report, mailing to the operator one copy by certified mail return receipt requested and retaining one copy in the permanent files at the County.
 8. A permit issued hereunder may be revoke by the County Board in the event the permittee violates any provision of 4.18.

C. RECLAMATION

1. At the County's discretion, the advice of technically trained experts will be utilized at a reasonable cost

to the owner/operator(s) to review the reclamation plan for its appropriateness on the affected land.

2. The Department of Land Use shall consider the short and long term impact of the proposed mining on vegetation, wildlife, fish, land use, land values, local tax base, the economy of the county, employment opportunities, air pollution, water pollution, soil contamination, noise pollution and drainage.
 3. The operator shall provide with the application for permit a detailed reclamation plan and map drawn at a scale of one inch equals (=) one hundred (100) feet designation which parts of the land shall be reclaimed for forest, pasture, crop, horticultural, homesite, recreational, industrial, or other uses including food, shelter and ground cover for wildlife. The reclamation plan and map shall specify progress and completion dates of the reclamation plan; provided, however, the reclamation is to be completed prior to the expiration of three (3) years after the termination of the mining operation on the land. In the event the operator and the County shall mutually determine that characteristics of the area concerned have been found to be present during the conduct of mining, changes may be made in the original reclamation plan by mutual consent of the operator and the County Board, which change shall preserve, as substantially as possible, the original reclamation plan, and shall also provide for the previously unknown variables. Contours shall conform to requirements of development proposed, but not less than required for existing original topography.
 4. The reclamation plan shall contain a written statement containing an explanation of the character of the site to be mined and of the character of the surrounding territory, and an explanation of the schedule of development.
 5. All reclamation provided for hereunder shall be carried to completion by the operator prior to the expiration of three years after the termination of the mining operation, except that no other reclamation of any kind shall be required to be made within depressed haulage roads or final cuts or any other area where pools or lakes, capable of supporting aquatic life, may be formed by rainfall or drainage runoff from adjoining land or where the Director of Land Use determines that a road, dry pit bottom or ditch is consistent with and necessary to the conservation and reclamation plan. All mines areas which in the reclamation plan call for vegetation, shall be covered with whatever topsoils and other materials from the overburden which will support acceptable plant growth in accordance with the standards adopted by the County Land Use Department. The Director of Land Use, shall have authority to require darkened surface soil be segregated from other overburden in the stripping process so as to accomplish the requirements of this subparagraph.
 6. Extension of the reclamation period may be granted by the Director of Land Use as is necessary to accomplish acceptable reclamation. Such extension shall be made at the discretion of the Department, however, the Department shall not deny a reasonable extension when the operator shows that acts of God, strikes, inability to receive ordered equipment or extended periods of unseasonable weather have made completion within time limits impossible.
 7. The County shall declare forfeiture of the surety, bond, or security on such land not satisfactorily reclaimed, and shall use such funds to complete the reclamation. Any excess funds shall be remitted to the permittee.
 8. Any reclamation plan must require that viable ground cover or similar vegetation will be placed on the site within one year of final production.
 9. Disposal areas shall be reclaimed within one year from final production.
 10. The reclamation plan shall protect persons against hazards remaining on the property.
- D. SURFACE MINING OPERATIONS CURRENTLY IN EXISTENCE, INVENTORIED LAND. All surface mining operations in existence on or before August 17, 2005, and any tract or tracts of land owned, leased or optioned that are part of the surface mining operation's inventory and constitute an integral part of the mining operations on or before August 17, 2005, shall be legal non-conforming uses that are not subject to the Special Use or Zoning District requirements of this Ordinance. In order for leased or optioned tracts to qualify as legal non-conforming under this Section, said lease or option agreement must have been in writing on or before August 17, 2005, be currently valid and enforceable, provide for a full transfer of

property rights to the surface mining operation allowing said operation to conduct surface mining on said tract and be signed by all parties with authority to transfer such rights. The burden to establish that a tract(s) meet(s) all the requirements of a legal non-conforming use under this Section shall be on the surface mining operator/owner.

Sec. 4.19 BED AND BREAKFASTS

A bed and breakfast shall meet all of the following requirements:

- A. Shall have no more than five (5) guestrooms for rent.
- B. Shall be in operation for not less than six (6) nights in a six-(6) month period.
- C. Shall maintain a guest register which shall be available at all times for inspection.
- D. Shall be located in a single family detached dwelling, not an accessory building or garage.
- E. Shall be located on a zoning lot with a minimum width of 165 feet and a minimum area of 43,560 square feet in all other districts where allowed.
- F. Shall satisfy all requirements of the LaSalle County Health Department
- G. In additions to the parking requirements for a single-family detached dwelling, the bed and breakfast establishment shall provide one (1) additional space for each guestroom. The off-street parking for a bed and breakfast establishment shall not be located in any required yard.
- H. Each guestroom may have its own private bath. No guestroom, however, shall have any kitchen facilities.
- I. Guestroom shall mean sleeping room intended to serve no more than two (2) transient guests per night.
- J. Accommodations shall be provided in guestrooms only. The length of stay in a bed and breakfast establishment shall be a maximum of one (1) week.
- K. Any application for a Special Use shall include, in addition to all other documents required for a Special Use application, floor plans drawn to scale accurately showing the guest rooms in relation to the rest of the single-family detached dwelling.
- L. By January 31st of each year after the operation of the bed and breakfast begins, the owner/resident of the property shall file an affidavit along with an annual renewal fee (if any), with the Director of Land Use, that the property complies with the preceding subparagraphs (A. through K.) on the date of the filing.

Sec 4.20 OPEN SPACE

Land required by this Ordinance to remain as open space may be used for recreation, resource protection, underground utility, and amenity and buffer area purposes. Where open space is part of a park and/or school dedication, the entire parcel so dedicated shall be considered as open space.

Sec. 4.21 ROADSIDE STANDS

A roadside stand shall be located on a lot containing not less than one (1) acre of land area where the principal use is agriculture. The stand including all off-street parking facilities, shall be located not less than forty (40) feet from any right-of-way line of any public street, shall not have a building height exceeding one (1) story, shall not contain space for customers in the structure, and shall not exceed 600 feet of floor area. The farm products sold in the stand may include trees, shrubs, flowers, vegetables, fruits, poultry and poultry products and other similar farm products.

Section 4.22 RECREATIONAL VEHICLES

A recreational vehicle, as defined in Chapter 3, may be used for living or sleeping purposes for a period not exceeding 180 days in a calendar year.

A recreational vehicle shall not be used for living or sleeping purposes for any period of time when located in a subdivision, unincorporated platted town, or on a parcel with an existing residence; unless otherwise permitted by this ordinance.

Section 4.23 Clean Construction and Demolition Debris (CCDD) Facility and Uncontaminated Soil Fill Operation (USFO) Facility:

CCDD and USFO Facilities: are subject to the regulations of this section, in addition to any state or federal permitting/ reporting requirements and applicable sections of 35 IAC Part 1100.

- A. Prior to the acceptance of CCDD or uncontaminated soil for disposal, the site must have a CCDD permit from the IEPA or be registered as a USFO site with the IEPA and a copy of the permit or registration shall be filed with the LaSalle County Land Use Department.
- B. CCDD and USFO facilities must implement methods and an operating procedure to minimize the tracking of dirt, dust, mud, and debris onto any public roadway by vehicles leaving the site. Any costs for road cleaning shall be the sole responsibility of the applicant. A copy of the standard operating procedure shall be filed with the LaSalle County Land Use Department.
- C. The borders of the CCDD or USFO facility shall be screened with a solid fence, wall, or landscaped berm at least six feet in height, or other natural screen barrier capable of providing 100% screening when the property is adjacent to a residentially zoned area or abuts a public right-of-way.
- D. Copies of any rejected load certificates required to be sent to the IEPA shall also be sent to the LaSalle County Land Use Department within 24 hours of the load being rejected per 35 IAC Part 1100.
- E. CCDD and USFO Facilities must provide the LaSalle County Land Use Department with current and complete IEPA permit applications, IEPA Permits, closure/ reclamation plans and NPDES permits as well as relevant correspondence relating to the site.
- F. The owner/operator is required to provide and maintain an annual surety bond (or other county-approved financial guarantee) in an amount equal to the estimated cost to close the current operating area. The estimate is subject to annual review and approval by LaSalle County. The financial guarantee must be maintained for a minimum of five years after IEPA has issued a certificate of closure. The Surety bond naming LaSalle County as beneficiary (or proof of other approved financial guarantee) shall renewed, and provided to LaSalle County Land Use Department by January 1st of each year.
- G. A minimum of \$1 million dollars in liability insurance must be maintained by the owner/operator until five years after the IEPA has issued a certificate of closure. The level of insurance will be reviewed by the county on a case-by-case basis, depending on site factors.
- H. No CCDD or USFO facility shall accept CCDD or Soil Fill within 200 feet of any potable water well or within 500 feet of any community water service potable water well. CCDD and USFO fill operations shall test water being discharged from the fill operation quarterly for the eight (8) Resource Conservation Recovery Act (RCRA) Metals and Semi Volatile Organic Compounds (SVOC) per ASTM D6564 or any other standard approved by the IEPA

LaSalle County shall be notified at least 72 hours prior to the collection of samples and shall be given the opportunity to split the same for testing at their own expense if they should choose to do so.

All testing results shall be submitted to LaSalle County each quarter. If any two samples in a year exceed Illinois Environmental Protection Agency (IEPA) Class 1 Groundwater Standards, then the samples shall be evaluated by a mutually agreed upon third party consultant who shall be an Illinois-licensed Professional Engineer or Professional Geologist. The Consultant may require additional testing and sampling including installation of groundwater wells to determine the following parameters:

1. Is the detected compound a drinking water parameter at a concentration that is a threat to human health or the environment; and

2. Is the detected compound a result of the operations of the facility, a third party, or is it a naturally occurring compound present in upgradient wells. The Cost to engage the consultant and perform additional testing shall be the responsibility of the CCDD or USFO facility.

If the Illinois Environmental Protection Act is amended to require groundwater testing by CC&DD or USFO facilities, and that amendment becomes operational, this provision (H) shall be deemed to have been repealed by operation of law

Section 4.24 SOLAR ENERGY SYSTEMS - PRIVATE

Private solar energy systems shall meet the following requirements:

Ground mounted systems:

- Shall not be permitted in front yards. If sited in the front yard; the panels shall have at least 175' setback from center of road.
- Shall have a 20' side and rear yard setback
- Shall not exceed 15' above grade

Roof Mounted Systems:

- Shall not exceed the maximum Zoning District building height, or 5' above the roof surface.

Section 4.25 SOLAR ENERGY FACILITY-COMMERCIAL

Section 4.25-1 Siting of Commercial Solar Energy Facility

A special use permit will be required for siting of a commercial solar energy facility. The special use requirements/conditions shall comply with 55 ILCS 5/5-12020 and this ordinance.

A. Application Requirements

1. Site plan with existing conditions showing the following:
 - a.) Existing property lines and property lines extending 100 feet from the exterior boundaries
 - b.) Existing public and private roads, showing widths of the roads and any associated easements.
 - c.) Existing buildings and any impervious surfaces.
 - d.) A contour map showing topography
 - e.) Waterways, watercourses, lakes and public water wetlands.
 - f.) FEMA delineated floodplain/floodway, if applicable
2. Site plan of proposed conditions showing the following:
 - a.) Location and spacing of solar panels
 - b.) Locations of access roads and access points
 - c.) Planned location of underground and overhead lines
 - d.) Location of substation facilities, battery storage, or other facilities
3. A report that indicates that the project is in compliance with sound limitations established by the Illinois Pollution Control Board under 35 Ill. Adm. Code Parts 900, 901, and 910.
4. An ECOCAT report from the Illinois Department of Natural Resources which includes the results and recommendations of their examination and a plan for executing any and all recommendations. Including a plan demonstrating the avoidance of protected lands as identified by the Illinois Department of Natural Resources and the Illinois Preserve Commission and compliance with recommend setbacks from protected lands recommended by the Illinois Department of Natural Resources including areas identified by the Illinois Nature Preserve Commission.

5. The results of the United States Fish and Wildlife Service's Information for Planning and Consulting environmental review or a comparable successor tool that is consistent with the "U.S. Fish and Wildlife Service's Land-based Wind Energy Guidelines" and any applicable United States Fish and Wildlife Service solar wildlife guide lines that have been subject to public review.
6. An executed Agricultural Impact Mitigation Agreement (AIMA) with the Illinois Department of Agriculture
7. Evidence of consultation with the Illinois State Historic Preservation Office and an assessment of potential impacts on State-registered historic sites under the Illinois State Agency Historic Resource Preservation Act.
8. A plan for the decommissioning of the facility when it becomes obsolete shall accompany the application. This plan shall be in compliance with the standards and requirements set forth in Illinois Department of Agriculture's standard solar farm agricultural impact mitigation agreement (AIMA), version 8.19.19 or its successor and identical to the facilities in the AIMA executed with the Illinois Department of Agriculture. The financial assurance in accordance with the AIMA shall be filed with LaSalle County Land Use Department showing LaSalle County as the beneficiary prior to the issuance of a building permit for the project. This financial assurance shall be updated at intervals as prescribed in the AIMA
9. Proof of compliance with all federal, state and other applicable requirements.
10. All commercial solar energy facility applications shall be accompanied by a preliminary map and plan showing the roads and rights-of-way that will be utilized by the commercial solar energy facility. Prior to the issuance of the special use building permit, the applicant shall submit an executed agreement between the commercial solar energy facility owner/operator and all road district authorities with infrastructure affected by the commercial solar energy facility to the county.

B. Hearing Requirements

1. A public hearing in front of the Zoning Board of Appeals shall be scheduled not more than 45 days from the submittal date of a complete application.
2. The County Board shall act on the special use petition within 30 days of the conclusion of the public hearing.

Section 4.25-2 Design Standards

- A. Height. A commercial solar energy facility shall be sited so that no component of a solar panel shall have a height of more than twenty feet (20') above ground when the solar energy facility's arrays are at full tilt.
- B. Setbacks. All setback distances for commercial solar energy facility shall be measured from the nearest edge of any component of the facility. The following setback requirements may be waived subject to the written consent of the owner of each affected nonparticipating property.
 1. Commercial solar energy facilities shall be setback a minimum distance of 150' from the nearest point on the outside wall of the structure of an occupied community building or a dwelling on nonparticipating property.
 2. Commercial solar energy facilities shall have a zero setback from the boundary line of participating property.
 3. Commercial solar energy facilities shall have a 50-foot (50') setback from the nearest edge of a public road right-of-way.
 4. Commercial solar energy facilities shall be setback a minimum of 50-feet (50') from the nearest point on the property line of any nonparticipating property.

- C. Fencing. A commercial solar energy facilities entire perimeter shall be enclosed by a fence constructed of a type suitable for security purposes. The fence must be a minimum of 6 feet (6') high but no more than twenty-five feet (25') in height.
- D. Screening. Vegetative screening provided along the outside perimeter of the fence at a suitable height and density to minimize the view of the facility from nonparticipating properties and public rights-of way may be added as a condition of the special use. Earthen berms or similar structures shall not be required.
- E. Ground Cover. Vegetative ground cover must be established on all commercial solar energy facilities. A plan that is consistent with the goals of the Pollinator-Friendly Solar Site Act and a vegetation management plan shall be required to accompany an application for a special use permit for the establishment of a commercial solar energy facility. The vegetation management plan must be consistent with the guidelines developed by the Illinois Department of Natural Resources for these types of plans which must include both short-term and long-term property management practices that provide and maintain native and non-native-invasive naturalized perennial vegetation to protect the health and well-being of pollinators. Alternative ground cover allowing for the use of the land under or adjacent to the panels to be used for agriculture may be permitted. The vegetative ground cover and management plan shall comply with the AIMA if the vegetative ground cover and vegetation management plan comply with the underlying agreement with the landowner or landowners where the facility will be constructed.
- F. Drainage Systems. Notwithstanding any other provision of law, a facility owner with siting approval from a county to construct a commercial solar energy facility is authorized by the State of Illinois to cross or impact a drainage system, including, but not limited to, drainage tiles, open drainage ditches, culverts, and water gathering vaults, owned or under the control of a drainage district under the Illinois Drainage Code without obtaining prior agreement or approval from the drainage district in accordance with the farmland drainage plan. The facility developer shall file a farmland drainage plan with the county and impacted drainage districts outlining how surface and subsurface drainage of farmland will be restored during and following construction or deconstruction of the facility. The plan is to be created independently by the facility developer and shall include the location of any potentially impacted drainage district facilities to the extent this information is publicly available from the county or drainage district, plans to repair any subsurface drainage affected during construction or deconstruction using procedures outlined in the AIMA entered into by the facility developer or facility owner, and the procedures for repair and restoration of surface drainage affected during construction or deconstruction. All surface and subsurface damage shall be repaired as soon as reasonably practicable. The facility owner shall also compensate landowners for crop losses or other agricultural damages resulting from damage to the drainage system caused by construction of the facility. The facility owner shall repair or pay for the repair of all damage to the subsurface drainage system caused by construction of the facility in accordance to the AIMA requirements for repair of drainage. The facility owner shall repair or pay for the repair and restoration of the surface drainage caused by the construction or deconstruction of the facility as soon as reasonably practicable.

Section 4.25-3 Coordination with Emergency Responders

- A. The Applicant shall submit to the local emergency responders a copy of the Site Plan, Standard Operating Procedures (SOPs) and Standard Operating Guidelines (SOGs), and any amendments to such documents, for the Commercial Solar Energy Facility so that the local law enforcement, fire protection district and rescue units, emergency medical service providers and emergency management service providers that have jurisdiction over each tower site may evaluate and coordinate their emergency response plans with the Applicant of the Commercial Solar Energy Facility.
- B. The Applicant, at its expense, shall provide annual training for, and the necessary equipment to, the Operator and local emergency response authorities and their personnel so that they can properly respond to a potential emergency at the Commercial Solar Energy Facility.
- C. The Applicant and the Operator shall cooperate with all local emergency responders to develop an emergency response plan. The plan shall include, at a minimum, 24-hour contact information (names,

titles, email addresses, cell phone numbers) for the Applicant and the Operator and at least three (3) designated Commercial Solar Energy Facility representatives (a primary representative with two (2) alternate representatives, each of whom are on-call "24 hours per day / 7 days per week / 365 days per year"). Any change in the designated Commercial Solar Energy Facility representative or his/her contact information shall be promptly communicated to the County. The content of the emergency response plan, including the 24-hour contact information, shall be reviewed and updated on an annually basis.

Section 4.26 PROHIBITED ADULT-USE CANNABIS ACTIVITIES

- A.** Adult-Use Cannabis Business Establishments are prohibited as a use within any of the zoning districts for the unincorporated areas of LaSalle County. No person shall locate, operate, own, allow to be operated or aide, abet, or assist in the operation within the unincorporated areas of LaSalle County any of the following land uses:

Adult-Use Cannabis Craft Grower Organization.
Adult-Use Cannabis Cultivation Organization.
Adult-Use Cannabis Dispensing Organization.
Adult-Use Cannabis Infuser Organization.
Adult-Use Cannabis Processing Organization.
Adult-Use Cannabis Transporting Organization.

Section 4.27 WIND ENERGY FACILITY, COMMERCIAL

Section 4.27-1 Siting of Commercial Wind Energy Facility

A special use permit will be required for siting of a commercial wind energy facility. The special use requirements/conditions shall comply with 55 ILCS 5/5-12020 and this ordinance.

A. Application Requirements

1. Site plan depicting the following information:
 - a.) Project boundary lines and parcel lines clearly depicted
 - b.) Existing structures on the site(s)
 - c.) Location of all non-participating existing structures within 1,500 feet of the site(s)
 - d.) General location of all existing and proposed utilities and transmission lines on the site(s)
 - e.) The names of the owners, addresses, and parcel numbers of all the participating properties.
 - f.) Proposed location of all the wind towers
 - g.) Location of proposed operation and maintenance facilities or other support facilities.
 - h.) Applicant shall own, have lease agreement, or other proof of authorization from all participating properties.
2. A report that indicates that the project is in compliance with sound limitations established by the Illinois Pollution Control Board under 35 Ill. Adm. Code Parts 900, 901, and 910.
3. An ECOCAT report from the Illinois Department of Natural Resources which includes the results and recommendations of their examination and a plan for executing any and all recommendations. Including a plan demonstrating the avoidance of protected lands as identified by the Illinois Department of Natural Resources and the Illinois Preserve Commission and compliance with recommend setbacks from protected lands recommended by the Illinois Department of Natural Resources including areas identified by the Illinois Nature Preserve Commission.
4. The results of the United States Fish and Wildlife Service's Information for Planning and Consulting environmental review or a comparable successor tool that is consistent with the "U.S. Fish and

Wildlife Service's Land-based Wind Energy Guidelines" and any applicable United States Fish and Wildlife Service solar wildlife guide lines that have been subject to public review.

5. An executed Agricultural Impact Mitigation Agreement (AIMA) with the Illinois Department of Agriculture
6. Evidence of consultation with the Illinois State Historic Preservation Office and an assessment of potential impacts on State-registered historic sites under the Illinois State Agency Historic Resource Preservation Act.
7. A plan for the decommissioning of the facility when it becomes obsolete shall accompany the application. This plan shall be in compliance with the standards and requirements set forth in Illinois Department of Agriculture's standard wind farm agricultural impact mitigation agreement (AIMA), version 81818 or its successor and identical to the facilities in the AIMA executed with the Illinois Department of Agriculture. The financial assurance in accordance with the AIMA shall be filed with LaSalle County Land Use Department showing LaSalle County as the beneficiary prior to the issuance of a building permit for the project. This financial assurance shall be updated at intervals as prescribed in the AIMA.
8. The results of an industry standard computer modeling program that indicates that any occupied community building or nonparticipating residence will not experience more than 30 hours per calendar year of shadow flicker under planned operating conditions.
9. Proof of compliance with all federal, state and other applicable requirements.
10. All wind energy conversion system commercial wind energy facility applications shall be accompanied by a preliminary map and plan showing the roads and rights-of-way that will be utilized by the commercial wind energy facility. Prior to the issuance of the special use building permit, the applicant shall submit an executed agreement between the commercial wind energy facility owner/operator and all road district authorities with infrastructure affected by the commercial wind energy facility to the county.

B. Hearing Requirements

1. A public hearing in front of the Zoning Board of Appeals shall be scheduled not more than 45 days from the submittal date of a complete application.
2. The County Board shall act on the special use petition within 30 days of the conclusion of the public hearing.

Section 4.27-2 Design Standards

A. *Setbacks. All setback distances for commercial wind energy facilities shall be measured from the center of the base of the wind tower. The following setback requirements may be waived subject to the written consent of the owner of each affected nonparticipating property.*

1. Occupied Community Building: minimum 2.1 times the maximum blade tip height of the wind tower to the nearest point on the outside wall.
2. Participating residences: minimum 1.1 times the maximum blade tip height of the wind tower to the nearest point on the outside wall
3. Nonparticipating residences: minimum 2.1 times the maximum blade tip height of the wind tower to the nearest point on the outside wall

4. Boundary Lines of participating property: None
5. Boundary Lines of nonparticipating property: minimum 1.1 times the maximum blade tip height of the wind tower to the nearest point on the property line of the nonparticipating property.
6. Public Road Rights-of-Way: minimum 1.1 times the maximum blade tip height of the wind tower to the center point of the public road right-of-way.
7. Overhead communication and electric transmission/distribution facilities (not including overhead utility service lines to individual homes or outbuildings): minimum 1.1 times the maximum blade tip height of the wind tower to the nearest edge of the property line, easement, or right of way containing the overhead line.
8. Overhead utility service to individual homes out outbuildings: None
9. Fish and Wildlife Areas and Illinois Nature Preserve Protected Lands: 2.1 times the maximum blade tip height of the wind tower to the nearest point on the property line of the Fish and Wildlife Area or Protected Area.

This section does not exempt or excuse compliance with electric facility clearances approved or required by the National Electrical Code, the National Electrical Safety Code, Illinois Commerce Commission, Federal Energy Regulatory Commission, and their designees or successors.

- B. Minimum Lot Size. There is no minimum lot size for commercial wind energy facilities providing that all setbacks and other requirements of this ordinance are met.
- C. Height. The blade tip height for wind towers in commercial wind energy facilities shall be determined by a "Determination of No Hazard to Air Navigation" by the Federal Aviation Administration under 14 CFR Part 77.
- D. Vegetative Screening and Fencing. Vegetative screening and fencing may be added, as a condition for the special use, around the perimeter of any supporting facilities used for storage, maintenance, parking, or staging. Fences shall be a minimum of six feet (6') in height and shall be constructed of a type suitable for security purposes. Vegetative screening may be added, as a condition of the special use, along the outside perimeter of the fence at a suitable height and density to minimize the view of the facility from nonparticipating properties and public rights-of way. Earthen berms or similar structures shall not be required.
- E. Drainage Systems. Notwithstanding any other provision of law, a facility owner with siting approval from a county to construct a commercial wind energy facility is authorized by the State of Illinois to cross or impact a drainage system, including, but not limited to, drainage tiles, open drainage ditches, culverts, and water gathering vaults, owned or under the control of a drainage district under the Illinois Drainage Code without obtaining prior agreement or approval from the drainage district in accordance with the farmland drainage plan. The facility developer shall file a farmland drainage plan with the county and impacted drainage districts outlining how surface and subsurface drainage of farmland will be restored during and following construction or deconstruction of the facility. The plan is to be created independently by the facility developer and shall include the location of any potentially impacted drainage district facilities to the extent this information is publicly available from the county or drainage district, plans to repair any subsurface drainage affected during construction or deconstruction using procedures outlined in the AIMA entered into by the facility developer or facility owner, and the procedures for repair and restoration of surface drainage affected during construction or deconstruction. All surface and subsurface damage shall be repaired as soon as reasonably practicable. The facility owner shall also

compensate landowners for crop losses or other agricultural damages resulting from damage to the drainage system caused by construction of the facility. The facility owner shall repair or pay for the repair of all damage to the subsurface drainage system caused by construction of the facility in accordance to the AIMA requirements for repair of drainage. The facility owner shall repair or pay for the repair and restoration of the surface drainage caused by the construction or deconstruction of the facility as soon as reasonably practicable.

Section 4.27-3 Coordination with Emergency Responders

- A. The Applicant shall submit to the local emergency responders a copy of the Site Plan, Standard Operating Procedures (SOPs) and Standard Operating Guidelines (SOGs), and any amendments to such documents, for the Commercial Wind Energy Facility so that the local law enforcement, fire protection district and rescue units, emergency medical service providers and emergency management service providers that have jurisdiction over each tower site may evaluate and coordinate their emergency response plans with the Applicant of the Commercial Wind Energy Facility.
- B. The Applicant, at its expense, shall provide annual training for, and the necessary equipment to, the Operator and local emergency response authorities and their personnel so that they can properly respond to a potential emergency at the Commercial Wind Energy Facility.
- C. The Applicant and the Operator shall cooperate with all local emergency responders to develop an emergency response plan. The plan shall include, at a minimum, 24-hour contact information (names, titles, email addresses, cell phone numbers) for the Applicant and the Operator and at least three (3) designated Commercial Wind Energy Facility representatives (a primary representative with two (2) alternate representatives, each of whom are on-call "24 hours per day / 7 days per week / 365 days per year"). Any change in the designated Commercial Wind Energy Facility representative or his/her contact information shall be promptly communicated to the County. The content of the emergency response plan, including the 24-hour contact information, shall be reviewed and updated on an annually basis.

Section 4.28 BATTERY ENERGY STORAGE SYSTEM (BESS)

Section 4.28-1 Siting of Battery Energy Storage Systems

A BESS may be included with a special use permit for a Commercial Solar Energy Facilities and Wind Energy Facilities; or when stand-alone, it will require an individual special use. All BESSs shall comply with the following requirements:

- A. Setbacks:
 - 1. BESSs shall be setback a minimum distance of 150' from the nearest point on the outside wall of the structure of an occupied community building or a dwelling on nonparticipating property.
 - 2. BESSs shall have a zero setback from the boundary line of participating property.
 - 3. BESSs shall have a 50-foot (50') setback from the nearest edge of a public road right-of-way.
 - 4. BESSs shall be setback a minimum of 50-feet (50')
from the nearest point on the property line of any nonparticipating property.
- B. Vegetative Screening and Fencing. Vegetative screening and fencing may be added, as a condition for the special use, around the perimeter of the BESS. Fences shall be a minimum of six feet (6') in height and shall be constructed of a type suitable for security purposes. Vegetative screening may be added, as a condition of the special use, along the outside perimeter of the fence at a suitable height and density to minimize the view of the facility from nonparticipating properties and public rights-of way.
- C. Any lights used to illuminate the facility shall be so arranged as to direct the light away from the adjoining properties and the public roads

- D. If the BESS is included with or amended to a special use for a Commercial Solar Energy Facility or Commercial Wind Energy Facility the decommissioning costs shall follow the decommissioning/bonding requirements for those facilities. If the BESS is an independent special use; a decommissioning plan and engineer's estimate shall be provided. The BESS owner/operator shall provide sufficient security for decommissioning of the facility prior to issuance of the building permit. The decommissioning cost shall be approved by the County, considering the engineer's estimate.
- E. The BESS shall be installed per the most recent National Fire Protection Association and National Electric Code standards.
- F. Concrete bollards shall be installed protecting the BESS when the BESS is adjacent to interior roadways/parking or adjacent to perimeter fence.

Section 4.28-2 Coordination with Emergency Responders

- A. The Applicant shall submit to the local emergency responders a copy of the Site Plan, Standard Operating Procedures (SOPs) and Standard Operating Guidelines (SOGs), and any amendments to such documents, for the BESS Facility so that the local law enforcement, fire protection district and rescue units, emergency medical service providers and emergency management service providers that have jurisdiction over each tower site may evaluate and coordinate their emergency response plans with the Applicant of the BESS Facility.
- B. The Applicant, at its expense, shall provide annual training for, and the necessary equipment to, the Operator and local emergency response authorities and their personnel so that they can properly respond to a potential emergency at the BESS Facility.
- C. The Applicant and the Operator shall cooperate with all local emergency responders to develop an emergency response plan. The plan shall include, at a minimum, 24-hour contact information (names, titles, email addresses, cell phone numbers) for the Applicant and the Operator and at least three (3) designated BESS Facility representatives (a primary representative with two (2) alternate representatives, each of whom are on-call "24 hours per day / 7 days per week / 365 days per year"). Any change in the designated Commercial Solar Energy Facility representative or his/her contact information shall be promptly communicated to the County. The content of the emergency response plan, including the 24-hour contact information, shall be reviewed and updated on an annually basis.

CHAPTER 5

NONCONFORMING BUILDINGS, STRUCTURES AND USES

Sec 5.0 PURPOSE

The purpose of this Chapter is to provide for the regulation of nonconforming buildings, structures, and uses and to specify those circumstances and conditions under which such nonconforming buildings, structures, and uses may be continued and/or redeveloped.

This Ordinance establishes separate districts for the location of uses permitted in those districts, it is necessary and consistent with the establishment of those districts that nonconforming buildings, structures, and uses which substantially and adversely affect the orderly development and taxable value of other property in the district not be permitted to continue without restriction.

Sec. 5.1 AUTHORITY TO CONTINUE NONCONFORMING BUILDINGS, STRUCTURES AND USES

Any nonconforming building, structure, or use existing lawfully at the time of the adoption of this Ordinance and which remains nonconforming, and any building, structure or use rendered nonconforming by the adoption of this Ordinance, or by any subsequent amendments thereto, may be continued subject to the regulations that follow.

The burden of establishing that any nonconformity is a legal nonconformity as defined by this Ordinance shall, in all cases, be the responsibility of the owner or user of the nonconformity.

Sec. 5.1-1 Repairs and Alterations

A nonconforming building, structure or use shall not be enlarged upon, expanded, or extended in any manner unless the alteration conforms with the regulations of the district within which it is located. Any nonconforming building or structure is eligible for nonstructural repairs including the replacement of roof covering, veneering or outer walls and incidental repairs which do not extend or intensify the non-conformities.

- A. Repairs and alterations may be made to return a building or structure to a safe condition in accordance with an order by a public official who is charged with protecting the public safety and who declares such building or structure to be unsafe and orders its restoration to a safe condition, provided that such restoration does not otherwise violate the provisions of Sec. 5.1-4.
- B. A building containing a nonconforming residential use may be altered to increase the livability of the building, provided that no structural alteration shall be made which would increase the number of dwelling units in the building.

Sec. 5.1-2 Structural Alterations, Additions & Enlargements

- A. **BUILDINGS OR STRUCTURES DESIGNED OR USES NOT CURRENTLY ALLOWED IN THE ZONING DISTRICT:** Additions or enlargements may be made only to make the building, structure or use conform to the regulations of the district in which it is located. Structures that are occupied by a nonconforming use (established prior to the adoption of the ordinance), including any new structures, may be expanded on the same tract of property by means of a special use, as long as the expansion will have no greater adverse impact on the surrounding neighborhood than the existing nonconforming use.

No building or structure which is considered nonconforming with respect to this Ordinance shall be altered or expanded in any manner which would increase the degree or extent of the nonconformity.

- B. **ADDITIONS AND ENLARGEMENTS:** Except for required yards, any nonconforming building or structure, which is nonconforming as to bulk only, and is designed or intended for a use permitted in the district, shall not be added to or enlarged in any manner unless such additions or enlargements thereto conform to all the regulations of the district where such building or structure is located, and unless such nonconforming building or structure, including all additions and enlargements thereto, shall conform to the following:
 - 1. Regulations concerning the amount of lot area per dwelling unit, as provided in this Ordinance.
 - 2. The permitted height as provided in this Ordinance.

3. The allowable gross floor area per building or structure as provided in this Ordinance.
4. That no required yard shall be encroached upon or further encroached upon where such required yard is already nonconforming.

Sec. 5.1-3 Relocation and joint use of buildings, structures, and/or land

No nonconforming building, structure or use shall be moved in whole or in part to any other location on the same or any other zoning lot unless every portion of such building or structure, and the use thereof, conforms to all of the regulations of the district where it is to be located. Where a nonconforming use exists, and a conforming use is proposed, the nonconforming use must cease upon initiation of the conforming use. No joint use of either buildings, structures, and/or land shall be permitted.

Sec. 5.1-4 Restoring Damaged Buildings

In the event that a nonconforming building, structure or use is damaged or destroyed by any means, such building, structure, or use may be restored or reconstructed, provided such restoration is on the existing footing or is the same square footage of such building, structure or use. If such restoration or reconstruction is not on the existing footing or is not the same square footage, then such building, structure or use shall not be restored unless it shall thereafter conform to the regulations for the district in which it is located. In the event the nonconforming building, structure or use is rebuilt pursuant to this provision, said building, structure or use must conform to the front/side/rear yard requirements of the district in which it is located to the extent that it is possible and does not cause a hardship.

If the restoration is not started within one (1) year from date of destruction and completed within one year after starting restoration, the building or structure shall be removed and the area cleared by the owner and the building shall not be restored unless it shall thereafter conform to the regulations for the district in which it is located. In the event restoration is not able to be started within one (1) year or completed within one year after starting construction because of insurance delays, legal issues or any other practical hardship the property owner may apply for a variance extending the time.

Sec. 5.1-5 Change of Ownership or Tenancy

Provided there is no change in the nature or character, extent or intensity of such nonconforming use, building or structure, other than signage, there may be a change of ownership, tenancy, or management of an existing nonconforming use, building or structure.

Sec 5.1-6. Use of Land

A non-conforming open air use, not involving a structure or building or in connection with any building or structure thereon, which is incidental or accessory to the principal use of the land, may be continued subject to the following.

- A. A nonconforming open air use shall not be expanded or extended beyond the area included in the ownership existing at the time the use of land became nonconforming.
- B. If the nonconforming open air use is discontinued for a period of twelve (12) consecutive months, it shall not thereafter be renewed, and any subsequent use of land shall conform to the regulations of the district in which the land is located.
- C. The nonconforming open air use shall not be changed to any other use except to a use permitted in the district in which the land is located.
- D. Any lot of record or tract of land which existed legally at the time of adoption of this Ordinance and is made nonconforming by this Ordinance due to bulk requirements by the acquisition (by negotiation or condemnation) of a portion of said tract for public purposes by any public agencies shall be considered a buildable lot for any Permitted or Special Use in the district in which the lot is located, provided that the use meets the requirements of the other codes and ordinances of LaSalle County.

Sec 5.1-7 Abandonment of Non-Conforming Use

A nonconforming use is presumed abandoned when the use is discontinued or ceases for a continuous period of one year or more.

- A. The presumption of abandonment may be rebutted upon showing, to the satisfaction of the Zoning Administrator, that during such period the owner of the land or structure has been:
 - 1. Maintaining the land and structure in accordance with all applicable county requirements and did not intend to discontinue the use;
 - 2. Actively and continuously marketing the land or structure for sale or lease for that particular nonconforming use; or
 - 3. Engaged in other activities that affirmatively prove there was not intent to abandon.
- B. Any period of discontinued use caused by government action, unintended fire or natural disaster will not be counted in calculating the length of discontinuance.
- C. No court decreed land use will be considered to have been abandoned due to discontinuance.

Sec. 5.1-8 Change to Conforming Use

If a nonconforming use is changed to a conforming use, no matter how short the period of time, all nonconforming use rights are lost and re-establishment of the nonconforming use is prohibited.

Sec. 5.1-9 Continued Farming of Rezoned Land

The nonconforming use provisions of this section are not intended and will not be interpreted to prohibit continued agricultural use on vacant land that has been rezoned for residential, commercial, industrial or other purposes. This provision is intended to clarify that previously established agricultural uses may continue on property that has been rezoned prior to the time that the property is actually developed.

Sec. 5.1-10 Conversion to Special Use

A nonconforming use may be converted to a special use by the granting of a special use permit, in accordance with the special use permit procedures of Section 14.10. This conversion may occur only when it is shown that the nonconforming use is providing a particular service to the residents of LaSalle County and that the use is not detrimental to the county as a whole or to surrounding properties.

CHAPTER 6

ZONING DISTRICTS AND MAPS

Sec. 6.0 ZONING DISTRICTS

In order to carry out the purpose and intent of this Ordinance, the unincorporated area of the County is hereby divided into the following districts:

AGRICULTURE DISTRICTS

- A-1 Agriculture District
- AC Agriculture-Conservation District

RESIDENCE DISTRICTS

- R-1 Rural Residence District
- R-2 Single Family Residence District
- R-3 General Residence District

BUSINESS DISTRICTS

- B-1 Local Business District
- B-2 General Business District

INDUSTRIAL DISTRICTS

- 1-1 Industrial District

Sec. 6.1 ZONING MAPS

The location and boundaries of the districts established by this Ordinance are as shown on the Zoning District Map of each township of the County, which together with all explanatory matter thereon, are hereby adopted by reference and declared to be a part of this Ordinance. The said zoning maps, together with everything shown thereon and all amendments thereto, shall be as much a part of this Ordinance as if fully set forth and described verbally herein.

Sec. 6.2 BOUNDARIES OF DISTRICTS

When uncertainty exists with respect to the boundaries of the various districts as shown on the Zoning District Maps, the following rules shall apply:

- A. District boundary lines are either the center lines of railroads, highways, streets, alleys, waterways or easements, or the boundary lines of sections, quarter sections, division of sections, tracts or lots, or such lines extended unless otherwise indicated.
- B. In areas not subdivided into lots and blocks: wherever a district is indicated as a strip adjacent to and paralleling a street or highway, the depth of such strips shall be in accordance with dimensions shown on the maps measured at right angles from the street or highway, and the length of the frontage shall be in accordance with dimensions shown on the maps from section, quarter-section, or division lines or center lines of streets, highways, or railroad rights-of-way unless otherwise indicated.
- C. Where a district boundary line divides a lot as defined herein, the regulations for either portion of the lot may, in the owner's discretion, extend to the entire lot, but not more than twenty-five (25) feet beyond the boundary line of the district.
- D. The Director, County Land Use Department shall interpret questions concerning the exact locations of zoning district boundary lines.

Sec. 6.3 DISCONNECTED TERRITORY

Any additions to the unincorporated area of the County, resulting from disconnection by municipalities shall be classified as A-1 Agriculture District until otherwise reclassified by amendment.

Sec. 6.4 EXEMPTIONS

The following uses are exempted by this Ordinance and permitted in any district as provided by the Illinois Compiled Statutes:

- A. Cables, conduits, laterals, poles, towers, vaults, wires or any other similar distribution equipment of a public utility as defined in an act entitled, "An Act Concerning Public Utilities", of the Illinois Compiled Statutes.
- B. Agricultural uses as previously defined, Section 3.1, except that agricultural buildings and structures shall conform to minimum setbacks and lot sizes, even if used for agricultural purposes.
- C. Temporary use of land for the installation, maintenance and operation of facilities used by contractors in the ordinary course of construction activities, provided such facilities shall be located not less than 1,000 feet from any building used for residential purposes, and provided that the period of such temporary use shall not exceed the duration of the construction contract.
- D. Agricultural Experiences: any agriculture-related activity, as a secondary use in conjunction with agricultural production, on a farm which activity is open to the public with the intended purpose of promoting or educating the public about agriculture, agricultural practices, agricultural activities, or agricultural products. (Public Act 102-0492)

Sec. 6.5 FACILITIES OF TELECOMMUNICATIONS CARRIER

The facilities of a telecommunications carrier in any zoning district shall be governed by and procedures followed as provided in Section 5-ILCS 12,001.1 of the Counties Code, 55 ILCS 5/5-12,001.1 as amended.

CHAPTER 7

AGRICULTURE DISTRICT

SECTION 7.0 PURPOSE AND GENERAL CONDITIONS

The Agriculture District is provided to support and complement the LaSalle County Comprehensive Plan. Agriculture District requirements are further established to govern location, intensity and development of agricultural land in LaSalle County. The long-range goal for agricultural land use in LaSalle County is to preserve and protect the most fertile land for agricultural pursuits and to prevent premature development of nonagricultural activities. The Agriculture District regulations are therefore designed to regulate the use of land and structures within the County where soil and topographic conditions are best suited for farming and related activities and to prevent conflict between agricultural and urban land uses. AGRICULTURE, AS DEFINED IN CHAPTER 3, IS EXEMPT FROM THE REGULATIONS OF THIS ORDINANCE AS PROVIDED IN SECTION 6.4B.- EXEMPTIONS.

Sec. 7.0-1 Permitted Uses

Buildings, structures, or uses of land as hereinafter listed shall be permitted in the district under the conditions specified. Except as hereinafter provided, no building shall be used and no lot or tract of land shall be devoted to any use other than a Permitted Use or Special Use where such building, lot or tract of land shall be located with the exception of the following:

- A. Uses lawfully established on the effective date of this Ordinance.
- B. Special Uses allowed in accordance with the provisions of Sec. 7.0-2 hereunder.
- C. Buildings, structures or uses already established on the effective date of this Ordinance and rendered nonconforming by the provisions hereof shall be subject to the regulations of Chapter 5 of this Ordinance.

Sec. 7.0-2 Special Uses

Special Uses, as hereinafter listed in the zoning district, may be allowed subject to the granting of a Special Use in accordance with the provisions of Sec. 14.10.

Sec. 7.0-3 Lot Size Requirements

Lot size requirements shall be as specified under each zoning district. In addition, the following regulations shall be complied with:

- A. No buildings shall be converted so as to conflict with the lot size requirements of the district where such buildings are located.
- B. Except as provided in Sec. 4.3-5, no building shall be constructed on a zoning lot after the effective date of this Ordinance when such lot contains less area or less lot width than prescribed for such use in the zoning district where such use is to be located.

Sec. 7.0-4 Yard Requirements

Yards shall be required as specified under the zoning district. In addition, all yards shall be maintained in accordance with the definitions in Chapter 3.

Sec. 7.0-5 Building Bulk Requirements

Building bulk requirements shall be expressed in terms of minimum yard requirements as prescribed in the zoning district.

Sec. 7.0-6 Signs

Signs shall be permitted in Agriculture District in accordance with the provisions set forth in Chapter 11 of this Ordinance.

Sec. 7.0-7 Required Conditions

Permitted or Special Uses established in the Agriculture District shall comply with the following required conditions:

- A. Not more than one (1) principal building, structure or use shall be located on a zoning lot within this district, except by a subdivision of land. Non-dwelling buildings or structures used for agriculture may have more than one building or structure located on a zoning lot and are exempt from this requirement pursuant to Sec. 6.4.B. Two single family dwellings on a zoning lot will be allowed on a temporary basis if property owner/occupant is constructing another dwelling on the same zoning lot and intends to destroy, abandon or otherwise fails to occupy the existing dwelling. A temporary mobile home may also be allowed if the property owner/occupant is constructing, remodeling or reconstructing the existing dwelling or building a new dwelling. The mobile home must be removed when the property owner/occupant occupies the newly remodeled or reconstructed dwelling.
- B. Lot area or other criteria used to satisfy one (1) use cannot be counted again, or be used to satisfy an additional use, except by a subdivision of land.

Sec. 7.0-8 Commercial Tower Provisions

The provisions of this subsection apply to all commercial towers in the Agricultural District. All commercial towers and/or antennas shall be subject to and comply with the following provisions.

- 1. The applicant proposing to construct an antenna and/or tower is required to demonstrate, using technological evidence:
 - a. The location area to satisfy its function in the provider's coverage system.
 - b. That the height requested is the minimum height with a necessary allowance for the potential co- location by other potential uses.
 - c. That the proposed antenna and/or tower is designed to accommodate antennas for more that one (1) user, unless the applicant demonstrates why such design is not feasible for economic, technical or physical reasons.
 - d. That the proposed antenna and/or tower complies with applicable setbacks and where possible the fall zone of the antenna and/or tower lies within the applicable setbacks. In no event shall the fall zone of an antenna and/or tower include a residential structure.
 - e. That the proposed antenna and/or tower and related facility complies with all F.C.C. and F.A.A. standards and applicable standards of any other governmental agency and the applicable standards for the antenna and/or tower that are published by the Electronic Industries Association ("EIA").
 - f. That a maintenance and improvement plan exists to assure ongoing compliance with applicable standards including compliance with amendments to standards made more stringent.
 - g. That the proposed antenna and related equipment will not cause localized interference with the reception or transmission of any other communication signals including, but not limited to, public safety signals, television and radio broadcast signals, and telephone usage.
 - h. That required lease and license agreements have been secured with private parties and/or governmental regulators including but not limited to the F.C.C.
 - i. The Zoning Board of Appeals or County Board may request the services of a third-party expert to review technological evidence presented by the applicant and the applicant shall be liable for the

costs of such third-party expert. The Zoning Board of Appeals or County Board may secure the services of an independent safety consultant to conduct periodic inspections and the applicant or current owner/operator shall be liable for the costs of such inspections.

- j. The tower/antenna must comply with the provisions of appendix A-8 found in this ordinance
2. The applicant must demonstrate that the antenna and/or tower and related facilities will not have an adverse affect on nearby property values. When an antenna and/or tower exceeds 100 feet in height and where the equalized assessed value of improvements as determined for property tax assessment purposes on property, excluding improvements within an industrial district, within one mile of the proposed antenna and/or tower exceeds \$1,000,000.00, the antenna and/or tower shall be presumed to have a significant adverse affect on nearby property values.
3. The applicant must demonstrate reasonable steps will be taken to mitigate the adverse visual effect of the antenna and/or tower. This shall include minimal antenna and/or tower lighting, consideration of antenna and/or tower paint of finishing, architectural and aesthetic compatibility to adjoining locality and structures, screening and vegetation.
4. The applicant must demonstrate that the antenna and/or tower is protected for security purposes. Security shall include ground level visual buffering, fencing, anti-climbing devices, physical and electronic security.
5. In the event the use of any antenna and/or tower facility has been discontinued for a period of sixty (60) consecutive days, the facility shall be deemed to be abandoned. Determination of the site of abandonment shall be made by the Zoning Board of Appeals which shall have the right to request documentation and/or affidavits from the antenna and/or tower owner or operator regarding the issue of the antenna and/or tower usage. Upon such abandonment, the owner or operator of the antenna and/or tower shall have an additional sixty (60) days within which to reactivate the use of the antenna and/or tower to another owner or operator who make actual use of the antenna and/or tower or dismantle and remove the facilities. A bond or other security shall insure funds are available to dismantle an abandoned facility.
6. Additional notice of a Special Use hearing involving a proposed antenna or tower which exceeds 100 feet in height shall be provided to all land owners within 1 mile. Notice shall be provided either in person or by registered mail, return receipt requested and by publication in newspaper of general circulation.

Sec. 7.0-9. Garage/Yard Sales

Garage/yard sales. No more than four (4) garage/yard sales are permitted in one (1) year and each garage/yard sale may last no longer than three (3) days at a time. All sale items must be removed from public view during inactive periods.

Sec. 7.0-10 Additional Conditions

Permitted or Special Uses established in the Agricultural District shall be required to observe all additional regulations as specified within the zoning district.

A-1 Agriculture District

SEC. 7.1 A-1 AGRICULTURE DISTRICT

The A-1 Agriculture District is designed to encourage farming practices and related agricultural uses on those lands which are uniquely situated for farming uses due to type of soils, location and/or topography.

Sec. 7.1-1 Lot Size Requirements

Except as otherwise provided herein, a separate ground area herein called the zoning lot, shall be designated, provided and continuously maintained for each building, structure or use containing a Permitted or Special Use:

A. MINIMUM LOT AREA:

1. Single Family Detached Dwellings: The zoning lot shall be not less than thirty-five (35) acres.
2. All other Permitted or Special Uses: Not less than thirty-five (35) acres except as otherwise required herein.

B. MINIMUM LOT WIDTH:

1. Single Family Detached Dwellings: Not less than 150 feet.
2. All other Permitted or Special Uses: Not less than 150 feet, except as otherwise required herein.

Sec. 7.1-2 Yard Requirements

Except as otherwise provided herein, each principal building located in the A-1 District shall provide for one (1) front yard, two (2) side yards, and one (1) rear yard; or, if on a corner, two (2) front yards, one (1) side yard and one (1) rear yard.

A. MINIMUM YARD REQUIREMENTS

	Front Yard	Side Yard	Rear Yard
1. Agriculture	a.) 70 feet *	10 feet	10 feet
	b.) 85 feet *	10 feet	10 feet
	c.) 100 feet *	10 feet	10 feet
2. Single Family Detached Dwelling	a.) 70 feet *	10 feet	10 feet
	b.) 85 feet *	10 feet	10 feet
	c.) 100 feet *	10 feet	10 feet
3. All other Permitted or Special Uses	a.) 70 feet *	10 feet	10 feet
	b.) 85 feet *	10 feet	10 feet
	c.) 100 feet *	10 feet	10 feet

* Yard requirements for the front yard vary depending on the classification of the roadway that the property is facing. Properties facing township roadways have a seventy (70) foot setback from the centerline of the roadway. Properties facing county roadways have an eighty (85) foot setback from the centerline of the roadway. Properties facing a state roadway have a one hundred (100) foot setback from the centerline of the roadway. In all cases the setback shall be a minimum of 30 feet from the edge of the road right-of-way or edge of the roadway easement. All yard requirements for the front yard are measured from the centerline of the roadway. All other yard requirements are measured from the respective property line.

B. USE OF YARDS

All non-agricultural and non-single family detached uses shall utilize required yards for the purpose of providing site access, fire access, landscaping and fences.

Sec. 7.1-3 Permitted Uses

- A. AGRICULTURE and GREENHOUSES and NURSERIES including all buildings, structures and uses for agriculture as defined.
- B. AGRICULTURAL IMPLEMENT SALES AND/OR SERVICE
- C. DAY CARE HOMES which receive no more than eight (8) children under the age of twelve (12) (including the provider's own children) and which do not have any outside employees.
- D. DWELLINGS, SINGLE FAMILY
- E. EXCAVATION and/or FILLING: The excavation and/or filling of any land, where the excavation and/or filling operation meets all the requirements of any applicable Storm Water Management Ordinance.
- F. Mobile or Manufactured (doublewide) Home with a permanent foundation, 1000 square feet or greater, and less than 10 years old.
- G. PRIVATE RESTRICTED LANDING AREA, AIRPORT-HELIPORT
- H. TEMPORARY BUILDINGS and USES:
 - 1. Temporary Construction Yard: The temporary use of land for the installation, maintenance and operation of facilities used by contractors in the ordinary course of construction related to a zoning lot for which the temporary construction yard is an integral part. Provided such facilities shall be located not less than 500 feet from any building used for residential purposes and provided that the period of such temporary use shall not exceed the duration of construction for the development site.
 - 2. Other Temporary Uses: Temporary uses shall be reviewed by and approved by the Director, County Land Use Department, prior to being established on a zoning lot. The Director shall have authority to establish reasonable terms and conditions for the temporary use including, but not limited to, location on the lot, parking and time limit.
- I. ACCESSORY BUILDINGS, STRUCTURES AND USES shall be permitted as follows:

Except by Special Use, in legally platted subdivisions that are in compliance with the LaSalle County Subdivision Ordinance (including platted unincorporated towns/villages), a house construction permit must be approved prior to submitting applications for any accessory building, structures, or uses.

 - 1. Garages, carports, hangers, stables or other accessory buildings.
 - 2. Roadside Stands (See Chapter 3 Definitions)
 - 3. Private stables for the keeping of horses.
 - 4. Noncommercial radio and television towers and antennas, including the structure thereto, shall be permitted subject to the following conditions:
 - a) Shall comply with applicable Federal Communications Commission (F.C.C.) height restrictions, if any.
 - b) No portion of any tower, antenna or support wires may be located within any of the yard requirements of Sec. 7.1-2.A.

- c) All yard requirements of Sec. 7.1-2.A. shall be increased by one (1) foot for each additional two (2) feet by which the tower or antenna height exceeds thirty (30) feet in height.
 - d) In no event shall the tower or antenna exceed 100 feet in height except by Special Use permit.
 - e) One wind turbine for personal use—must be used exclusively for energy generation for property owner's personal use and is 100 feet in height or less. Said personal use wind turbine shall be setback a minimum of 1.1 times the height of the tower from any property line(s) and public road(s) (from right-of-way). Total height is measured from the ground at the base of the tower (or support structure) to the highest point of the tower (including the blade).
- J. OWNER-OPERATOR AGRICULTURAL PRODUCTS TRUCKING FACILITY WITH 15 OR LESS TRUCK UNITS.
- K. TRAILER/CONVEYANCE STRUCTURE-Non-habitable for bona fide agricultural use. Trailers/Conveyance Structures intended for habitation fall under the definition of mobile homes and require special use approval in the A-1 district.
- L. SOLAR ENERGY SYSTEM, PRIVATE (Less than the cumulative square footage of buildings on site and no greater than 1 acre)

Sec. 7.1-4 Special Uses

The following Special Uses require prior approval after public hearing in accordance with the requirements of Chapter 14.

A. ACCESSORY DWELLING UNIT

- B. USES (permitted and special uses within the A1 District) on lots less than thirty-five (35) acres of land area but at least one (1) acre in size when meeting one or more of the following criteria:
1. The soil type(s) of the property as defined by the Natural Resources Conservation Service of LaSalle County are not prime or otherwise have low productivity ratings making them impractical for agricultural use. The Land Evaluation and Site Assessment System (LESA) shall be required as part of the Special Use hearing.
 2. The proposed site is not currently used for the raising of crops or livestock and the length of time the site has not been used for said purposes.
 3. Topographic, slope or other geographic considerations make the active farm use of the property impractical.
 4. The owner of the new lot is related to the owner of the larger tract and will be actually engaged in part of an existing family farm operation and earn a part of their livelihood from that family farm operation.
 5. The proposed use (excluding single family homes) is not directly related to the agricultural land surrounding it.
 6. Other hardships

Additional conditions:

1. The division of the proposed lot must meet the requirements of the Illinois Plat Act and the LaSalle County Subdivision Control Ordinance.

2. If the division of the proposed lot leaves less than thirty-five acres remaining, the remaining acreage will require an additional special use to be buildable; if special use is not specified for both lots less than 35 acres.
3. The Special Use Hearing fee under this Section will be \$300 regardless of the proposed lot size
4. A special use approved under this Section is not subject to Section 14.10-10 Time Limit for Special Use.

C. RESERVED

D. BARGE FLEETING OPERATIONS

E. CAMPGROUNDS

F. CEMETERIES, provided all buildings shall be located not less than fifty (50) feet from any property line.

G. COMMERCIAL BLENDING FACILITY.

H. COMMERCIAL FARM CHEMICALS, FERTILIZERS AND EXPLOSIVE HAZARDS SALES AND/OR STORAGE.

I. COMMERCIAL FEED MILLS.

J. COMMERCIAL GRAIN STORAGE FACILITIES.

K. COMMERCIAL TOWERS

L. COMPOSTING FACILITY.

M. DWELLING GROUP QUARTERS.

N. EXPLOSIVE HAZARDS, SALES AND/OR STORAGE.

O. FUEL DISTRIBUTION, GASOLINE, L-P GAS, LIQUID NATURAL GAS, need not be enclosed.

P. GROUP HOMES.

Q. GUEST ACCOMMODATIONS

Any modification to a structure under such "guest accommodation" special use is subject to the current LaSalle County Building Permit Ordinance's adopted codes. Any interior remodeling or modification to such structures must meet all adopted building code requirements.

Health Code Requirements: Structures must adhere to any applicable local, state, or federal health code or requirement

Access Roads: All access roads serving any guest facility shall be of sufficient width and be constructed to accommodate emergency vehicles. Local fire departments may designate minimum acceptable width required for access roads, but in no case shall the width be less than ten feet (10').

Parking: Each and every facility shall provide no less than one parking place for every two (2) persons for which the licensed facility provides occupancy. Overnight parking on township, county or state roads adjacent to the facility is prohibited.

Hotel Motel Tax Compliant: Each and every facility shall report and submit the hotel motel tax to the LaSalle County Treasurers office as required by law. Failure to do so, may result in the revocation of the owner's license pursuant to section 4-6-14 of this chapter.

Occupancy: The occupancy of any single building used for guest accommodations shall be limited to no more than: 1) two (2) persons per bedroom, plus two (2) additional persons per building, not to exceed a maximum of twelve (12) occupants per unit; or 2) no more than one person for every one hundred (100) gallons of water per day that the building's septic system is designed to handle, whichever number is smaller. The occupant load of each guestroom, lodging or rooming house or rental home shall be posted in a prominent location, and the occupant load shall not be exceeded. Children of all ages shall be included in the occupancy count.

R. KENNELS.

S. LANDSCAPING BUSINESS

T. MEAT PROCESSING PLANTS (small).

U. MEAT PROCESSING PLANTS (large).

V. MINING, LOADING AND HAULING OF SAND, GRAVEL OR OTHER AGGREGATE, including equipment, buildings, or structures for screening, crushing, washing or storage or other processing, for shipping for market, not including manufacturing.

W. MINI-WAREHOUSES

X. MOBILE HOMES or MANUFACTURED HOMES with a permanent foundation (See Chapter 3 Definitions). If less than 1000 square feet in size and/or greater than 10 years old).

Y. Nano Brewery

a. Is subject to all applicable Federal (including the Alcohol and Tobacco Tax and Trade Bureau), State (including the Illinois Liquor Control Commission), and County rules and regulations.

b. Locally grown inputs shall be used to the greatest extent possible, with production utilizing crops grown on the same property or in combination with crops grown off-site.

c. Any tasting of beer shall be subject to the LaSalle County Liquor Control regulations.

Z. NONCOMMERCIAL RADIO AND TELEVISION TOWERS AND ANTENNAS, which exceed the maximum height permitted in the A-1 District.

AA. OWNER-OPERATOR AGRICULTURAL PRODUCTS TRUCKING FACILITY WITH 16 OR MORE TRUCK UNITS.

BB. OTHER AGRICULTURAL RELATED BUSINESSES. When applying for a Special Use permit, the petition must show proof that the business activity is legitimately related to agriculture.

CC. PUBLIC LAND AND BUILDINGS OCCUPIED AND ERECTED BY A GOVERNMENTAL BODY on lots of less than thirty-five (35) acres of land area. If the lot from which a division is to be made is less than 35 acres and said lot was in existence prior to the effective date of the *LaSalle County Zoning Ordinance* (April 1, 2006) then the parcel remaining after division for this use shall remain a buildable lot.

DD. PRIVATE COMMERCIAL, AIRPORT-HELIPORT.

EE. PRIVATE SHOOTING RANGE

FF. PUBLIC AUCTION FACILITY.

GG. PUBLIC SHOOTING RANGE

HH. PUBLIC SERVICE USES.

II. RELIGIOUS INSTITUTIONS: chapels, churches, synagogues, temples and other religious institutions including parsonages and rectories.

JJ. RESIDENTIAL CARE USES:

1. Day Care Centers.
2. Day Care Centers, Adult.
3. Day Care Homes which receive from nine (9) to twelve (12) children under the age of twelve (12) (including the provider's own children) or which have one (1) or more outside employees (See Chapter 3, Definitions and Sec. 4.17).
4. Group Day Care Homes.

KK. SCHOOLS, public and private elementary, junior high and high schools, boarding or non-boarding. This term shall not apply to private schools in the home with twelve (12) or less unrelated children.

LL. SEPARATE LIVING QUARTERS for domestic workers employed on the premises.

MM. RESERVED

NN. SOLAR ENERGY FACILITY, COMMERCIAL

OO. STABLES, NON-PRIVATE and RIDING ACADEMIES.

PP. TAXIDERMY FACILITY

Such facilities must adhere to the provisions of the Fish and Aquatic Life Code [515 ILCS 5 et. Seq.], the Wildlife Code [520 ILCS 5 et. Seq.], the Endangered Species Protection Act [520 ILCS 10 et. Seq.], and any other applicable local, state, or federal regulation.

QQ. TRUCKING COMPANIES-Owner/Operator of five (5) truck units or less

RR. WIND ENERGY FACILITY, COMMERCIAL

SS. WIND TURBINE FOR PERSONAL USE (Greater than 100 feet)--Used exclusively for energy generation for property owner's use and is greater than 100 feet in height--Said personal use wind turbine shall be setback a minimum of 1.1 times the height of the tower from any property line(s) and public road(s)(from right-of-way).

TT. STABLES, NON-PRIVATE and RIDING ACADEMIES.

UU. HOME OCCUPATIONS in accessory buildings of any size.

V V. METEOROLOGICAL TEST TOWER (Temporary towers shall be removed within 5 years)

WW. RURAL SPECIALTY FACILITY

XX. Clean Construction and Demolition Debris (CCDD) and Uncontaminated Soil Fill Operation (USFO) Facilities in conformance with the state statutes governing the siting location, approval, notice, study and fees of such facilities. In addition, CCDD and USFO facilities shall conform to Section 4.23 of this ordinance.

YY. SOLAR ENERGY SYSTEM, PRIVATE (greater than 1 acre and/or the cumulative square footage of buildings on site).

ZZ. BATTERY ENERGY STORAGE SYSTEM

Sec 7.1-5 Building Bulk Requirements

MAXIMUM HEIGHT OF BUILDINGS: On zoning lots of one (1) acre of land area or greater, no height limitations on non-dwelling unit buildings. On zoning lots with less than one (1) Acre of land area, and on all buildings used as dwelling units the building height shall not exceed thirty-six (36) feet in height.

Sec. 7.1-6 Signs

See Chapter 11

A-C Agriculture Conservation District

SEC. 7.2 A-C AGRICULTURE CONSERVATION DISTRICT

The A-C/Agriculture Conservation District is designed to regulate the use of land, building, and structures within areas of the County where soil and topographic conditions, excessive high water tables and other natural and physical characteristics are best adapted to recreation oriented uses, to conservation purposes and for preservation of open space. This district is established to conserve the natural and scenic areas of the County, to protect the rivers, streams and woodlands and to encourage efficient use and orderly development of these lands.

SEC. 7.2-1 Lot Size Requirements

A. MINIMUM LOT AREA:

All Permitted or Special Uses: Not less than 1 Acre except as otherwise required herein.

B. MINIMUM LOT WIDTH:

All Permitted or Special Uses: Not less than 150 feet except as otherwise required herein.

SEC. 7.2-2 Yard Requirements

Except as otherwise provided herein, each principal building located in the A-C District shall provide for one (1) front yard, two (2) side yards. and one (1) rear yard: or, if on a corner, two (2) front yards, one (1) side yard and one (1) rear yard.

A. MINIMUM YARD REQUIREMENTS

	<u>Front Yard</u>	<u>Side Yard</u>	<u>Rear Yard</u>
(a)	70 ft.*	10 ft.	10 ft.
(b)	85 ft.*	10 ft.	10 ft.
(c)	100 ft.*	10 ft.	10 ft.

*Yard requirements for the front yard vary depending on the classification of the roadway that the property is facing. Property facing township roadways have a seventy (70) foot setback from the centerline of the roadway. Properties facing a County roadway have an eighty-five (85) foot setback from the centerline of the roadway. Properties facing a state roadway have a one hundred (100) foot setback from the centerline of the roadway. In all cases the setback shall have a minimum of thirty (30) feet from the edge of the road right-of-way or edge of the roadway easement. All yard requirements for the front yard are measured from the centerline of the roadway. All other yard requirements are measured from the prospective property line.

B. USE OF YARDS

All non-agricultural and non-single family detached uses shall utilize required yards for the purpose of providing site access, fire access, landscaping and fences.

Sec. 7.2-3 Permitted Uses

The following uses are permitted:

A. AGRICULTURE and GREENHOUSES and NURSERIES including all buildings, structures and uses for agriculture as defined.

B. COUNTRY CLUB and GOLF COURSES EXCEPT MINIATURE GOLF and DRIVING RANGE. All buildings

shall be located not less than 100 feet from any residential lot line and the course shall not be lighted for night operations.

C. CEMETERY.

D. PRIVATE RESTRICTED LANDING AREA, AIRPORT-HELIPORT.

E. PUBLIC and PRIVATE PARKS, PLAYGROUNDS, PICNIC GROVES, PLAY FIELDS and OTHER OPEN SPACES.

F. WOODLAND PRESERVATION AREAS and FORESTS.

G. WILDLIFE HABITATS and FISH HATCHERIES.

H. TEMPORARY BUILDINGS and USES.

1. Temporary Construction Yard: The temporary use of land for the installation, maintenance and operation of facilities used by contractors in the ordinary course of construction related to a zoning lot for which the temporary construction yard is an integral part. Such facilities shall be located not less than 500 feet from any building used for residential purposes and provided that the period of such temporary use shall not exceed the duration of construction for the development site.
2. Other Temporary Uses: Temporary uses shall be reviewed by and approved by the Director of the County Land Use Department prior to being established on a zoning lot. The Director shall have the authority to establish reasonable terms and conditions for the temporary use, including, but not limited to, location on the lot, parking, and time limit.

I. ACCESSORY BUILDINGS, STRUCTURES AND USES shall be permitted as follows:

Except by Special Use, in legally platted subdivisions that are in compliance with the LaSalle County Subdivision Ordinance (including platted unincorporated towns/villages), a house construction permit must be approved prior to submitting applications for any accessory building, structures, or uses.

1. Garages, carports, hangers, private stables or other accessory buildings.
 2. Roadside Stands (See Chapter 3 Definitions)
 3. Private stables for the keeping of horses.
 4. Noncommercial radio and television towers and antennas, including the structure thereto, shall be permitted subject to the following conditions:
 - a) Shall comply with applicable Federal Communications Commission (F.C.C.) height restrictions, if any.
 - b) No portion of any tower, antenna or support wires may be located within any of the yard requirements of Sec. 7.1-2.A.
 - c) All yard requirements of Sec. 7.1-2.A. shall be increased by one (1) foot for each additional two (2) feet by which the tower or antenna height exceeds thirty (30) feet in height.
 - d) In no event shall the tower or antenna exceed 100 feet in height except by Special Use permit.
- J. SOLAR ENERGY SYSTEM, PRIVATE (Less than the cumulative square footage of buildings on site and no greater than 1 acre.)

Sec. 7.2-4 Special Uses

The following Special Uses require prior approval after a public hearing in accordance with the requirements of Chapter 14.

- A. ACCESSORY DWELLING UNIT.
- B. RESERVED
- C. BED and BREAKFAST.
- D. COMMERCIAL TOWERS
- E. GUEST ACCOMMODATIONS

Any modification to a structure under such “guest accommodation” special use is subject to the current LaSalle County Building Permit Ordinance’s adopted codes. Any interior remodeling or modification to such structures must meet all adopted building code requirements.

Health Code Requirements: Structures must adhere to any applicable local, state, or federal health code or requirement

Access Roads: All access roads serving any guest facility shall be of sufficient width and be constructed to accommodate emergency vehicles. Local fire departments may designate minimum acceptable width required for access roads, but in no case shall the width be less than ten feet (10').

Parking: Each and every facility shall provide no less than one parking place for every two (2) persons for which the licensed facility provides occupancy. Overnight parking on township, county or state roads adjacent to the facility is prohibited.

Hotel Motel Tax Compliant: Each and every facility shall report and submit the hotel motel tax to the LaSalle County Treasurers office as required by law. Failure to do so, may result in the revocation of the owner’s license pursuant to section 4-6-14 of this chapter.

Occupancy: The occupancy of any single building used for guest accommodations shall be limited to no more than: 1) two (2) persons per bedroom, plus two (2) additional persons per building, not to exceed a maximum of twelve (12) occupants per building; or 2) no more than one person for every one hundred (100) gallons of water per day that the building’s septic system is designed to handle, whichever number is smaller. The occupant load of each guestroom, lodging or rooming house or rental home shall be posted in a prominent location, and the occupant load shall not be exceeded. Children of all ages shall be included in the occupancy count.

F. MOTOR SPORTS PARKS.

G. RECREATIONAL AND SOCIAL FACILITIES:

1. Community center buildings, community theaters (amateur), day camps (boarding or non-boarding), clubhouses, recreation buildings, swim clubs, indoor pools, tennis, racquetball and handball facilities on not less than two (2) acres of land area.
2. Golf Courses (par 3) on not less than thirty (30) acres of land area, golf courses lighted for night operation, golf learning centers, driving ranges and miniature golf courses as follows:
 - a) All buildings or structures shall be located not less than fifty (50) feet from any residential property line.

b) Lighting for night operation of recreational uses shall be directed away from surrounding properties.

3. Polo fields, fishing ponds, hunt and gun clubs, conservation clubs, archery ranges, picnic grounds, private saddle clubs and swimming pools.
4. Private clubs, lodges and fraternal organizations.
5. Public and Private libraries, museums, and art galleries.
6. Public and private parks, playgrounds, picnic groves, play fields, and other open spaces.
7. Stables, non-private and riding academies.

H. PLANNED UNIT DEVELOPMENTS.

I. PRIVATE COMMERCIAL, AIRPORT-HELIPORT.

J. MARINA, YACHT CLUB, BOATHOUSE, or BAIT SHOP.

K. MOTEL, RESORT, and INCIDENTAL FACILITIES, INCLUDING SWIMMING POOL, RESTAURANT, INCIDENTAL RETAIL SALES and SERVICE, and PERSONAL SERVICES ON SITE OF NOT LESS THAN 5 ACRES, PROVIDED THEY ARE PROTECTED FROM FLOODING.

L. 4-H CLUBS, FFA, GIRL SCOUTS, BOY SCOUTS, and RELATED EDUCATIONAL PROGRAMS.

M. PRIVATE SHOOTING RANGE

N. PUBLIC LAND AND BUILDINGS OCCUPIED AND ERECTED BY A GOVERNMENTAL BODY

O. PUBLIC SHOOTING RANGE

P. RELIGIOUS INSTITUTIONS: Chapels, churches, synagogues, temples, and other religious institutions, including parsonages and rectories.

Q. SINGLE FAMILY DETACHED DWELLING

R. SHOOTING RANGES (Private and Public).

S. TRANSIENT OR TRAVEL TRAILERS, MOTOR HOMES and other CAMPING FACILITIES.

T. WIND TURBINE (Personal Use)

U. HOME OCCUPATIONS in accessory buildings of any size.

V. CAMPGROUNDS

W. RURAL SPECIALTY FACILITY

X. SOLAR ENERGY SYSTEM, PRIVATE (greater than 1 acre and/or the cumulative square footage of buildings on site).

Sec. 7.2-5 Building Bulk Requirements

MAXIMUM HEIGHT OF BUILDINGS: No height limitations on non-dwelling unit buildings.

Sec. 7.2-6 Signs

See Chapter 11.

CHAPTER 8

RESIDENCE DISTRICTS

SECTION 8.0 PURPOSE AND GENERAL CONDITIONS

The Residence Districts are provided to support and complement the LaSalle County Comprehensive Plan. Residence District requirements are further established to govern location, intensity and method of development of residential areas in LaSalle County and to provide for and encourage construction of a full range of residential developments on land topographically and locationally suited for residential purposes. The regulations for each district are designed to provide protection to existing developments while allowing new construction in accordance with current design standards and density objectives. AGRICULTURE, AS DEFINED IN CHAPTER 3, IS EXEMPT FROM THE REGULATIONS OF THIS ORDINANCE AS PROVIDED IN SECTION 6.4-EXEMPTIONS.

Sec. 8.0-1 Permitted Uses

Buildings, structures, or uses of land as hereinafter listed, shall be permitted in the districts indicated under the conditions specified. Except as hereinafter provided, no building shall be used and no lot or tract of land shall be devoted to any use other than a Permitted Use or Special Use as provided in the zoning district where such building, lot or tract of land shall be located with the exception of the following:

- A. Uses lawfully established on the effective date of this Ordinance.
- B. Special Uses allowed in accordance with the provisions of Sec. 8.0-2 hereunder.
- C. Buildings, structures or uses already established on the effective date of this Ordinance and rendered nonconforming by the provisions hereof shall be subject to the regulations of Chapter 5.

Sec. 8.0-2 Special Uses

Special Uses, as hereinafter listed in the zoning districts, may be allowed subject to the granting of a Special Use in accordance with the provisions of Chapter 14.

Sec. 8.0-3 Lot Size Requirements

Lot size requirements shall be as specified under each zoning district. In addition, the following regulations shall be complied with:

- A. No buildings shall be converted so as to conflict with the lot size requirements of the district where such buildings are located.
- B. Except as provided in Sec. 4.3-5, no building shall be constructed on a zoning lot after the effective date of this Ordinance when such lot contains less area or less lot width than prescribed for such use in the zoning district where such use is to be located.

Sec. 8.0-4 Yard Requirements

Yards shall be required as specified under each zoning district. In addition, the following regulations shall be complied with:

- A. All yards shall be maintained in accordance with the definitions in Chapter 3.
- B. In single family residential developments, the yard requirements may be altered in order to encourage innovative design. Such alteration of yard requirements shall be affected only by variation pursuant to Chapter 14.

Sec. 8.0-5 Building Bulk Requirements

Building bulk requirements shall be expressed in terms of minimum yard requirements and maximum building height as prescribed in each zoning district.

Sec. 8.0-6 Signs

Signs shall be permitted in Residence Districts in accordance with the provisions set forth in Chapter 11.

Sec. 8.0-7 Off Street Parking

Any and all motor vehicles parked or stored on a zoning lot shall at all times comply with the LaSalle County Inoperable Motor Vehicle Ordinance as amended.

Sec. 8.0-8 Required Conditions

Permitted or Special Uses established in the Residence Districts shall comply with the following required conditions:

- A. Not more than one (1) principal building, structure or use shall be located on a zoning lot within these districts, except by a subdivision of land or a planned unit development.
- B. Lot area or other criteria used to satisfy one (1) use cannot be counted again, or be used to satisfy an additional use, except by a subdivision of land or a planned unit development.
- C. The storage of junk and debris (see Chapter 3 Definitions) shall be prohibited on all residential lots.
- D. Not more than five (5) accessory structures shall be located on a zoning lot within these districts, except by planned unit development and shall not exceed any of the maximum square footage requirements of the district.

Sec. 8.0-9 Additional Conditions

Permitted or Special Uses established in the Residence Districts shall be required to observe all additional regulations as specified within each zoning district.

Sec. 8.0-10. Household Domestic Animals

All household domestic animals in the Residence Districts shall be kept on the property owner/occupant's property or if off owner/occupant's property within the owner/occupant's control.

Sec. 8.0-11 Commercial Tower Provisions

The provisions of this subsection apply to all commercial towers in the Residential District. All commercial towers and/or antennas shall be subject to and comply with the following provisions.

1. The applicant proposing to construct an antenna and/or tower is required to demonstrate, using technological evidence:
 - a. The location area to satisfy its function in the provider's coverage system.
 - b. That the height requested is the minimum height with a necessary allowance for the potential co- location by other potential uses.
 - c. That the proposed antenna and/or tower is designed to accommodate antennas for more that one (1) user, unless the applicant demonstrates why such design is not feasible for economic, technical or physical reasons.
 - d. That the proposed antenna and/or tower complies with applicable setbacks and where possible the fall zone of the antenna and/or tower lies within the applicable setbacks. In no event shall the fall zone of an antenna and/or tower include a residential structure.

- e. That the proposed antenna and/or tower and related facility complies with all F.C.C. and F.A.A. standards and applicable standards of any other governmental agency and the applicable standards for the antenna and/or tower that are published by the Electronic Industries Association ("EIA").
 - f. That a maintenance and improvement plan exists to assure ongoing compliance with applicable standards including compliance with amendments to standards made more stringent.
 - g. That the proposed antenna and related equipment will not cause localized interference with the reception or transmission of any other communication signals including, but not limited to, public safety signals, television and radio broadcast signals, and telephone usage.
 - h. That required lease and license agreements have been secured with private parties and/or governmental regulators including but not limited to the F.C.C.
 - i. The Zoning Board of Appeals or County Board may request the services of a third-party expert to review technological evidence presented by the applicant and the applicant shall be liable for the costs of such third-party expert. The Zoning Board of Appeals or County Board may secure the services of an independent safety consultant to conduct periodic inspections and the applicant or current owner/operator shall be liable for the costs of such inspections.
 - j. The tower/antenna must comply with the provisions of appendix A-8 found in this ordinance
2. The applicant must demonstrate that the antenna and/or tower and related facilities will not have an adverse effect on nearby property values. When an antenna and/or tower exceeds 100 feet in height and where the equalized assessed value of improvements as determined for property tax assessment purposes on property, excluding improvements within an industrial district, within one mile of the proposed antenna and/or tower exceeds \$1,000,000.00, the antenna and/or tower shall be presumed to have a significant adverse effect on nearby property values.
 3. The applicant must demonstrate reasonable steps will be taken to mitigate the adverse visual effect of the antenna and/or tower. This shall include minimal antenna and/or tower lighting, consideration of antenna and/or tower paint of finishing, architectural and aesthetic compatibility to adjoining locality and structures, screening and vegetation.
 4. The applicant must demonstrate that the antenna and/or tower is protected for security purposes. Security shall include ground level visual buffering, fencing, anti-climbing devices, physical and electronic security.
 5. In the event the use of any antenna and/or tower facility has been discontinued for a period of sixty (60) consecutive days, the facility shall be deemed to be abandoned. Determination of the site of abandonment shall be made by the Zoning Board of Appeals which shall have the right to request documentation and/or affidavits from the antenna and/or tower owner or operator regarding the issue of the antenna and/or tower usage. Upon such abandonment, the owner or operator of the antenna and/or tower shall have an additional sixty (60) days within which to reactivate the use of the antenna and/or tower to another owner or operator who make actual use of the antenna and/or tower or dismantle and remove the facilities. A bond or other security shall insure funds are available to dismantle an abandoned facility.
 6. Additional notice of a Special Use hearing involving a proposed antenna or tower which exceeds 100 feet in height shall be provided to all land owners within 1 mile. Notice shall be provided either in person or by registered mail, return receipt requested and by publication in newspaper of general circulation.

Sec. 8.0-12. Garage/Yard Sales

Garage/yard sales. No more than four (4) garage/yard sales are permitted in one (1) year and each garage/yard sale may last no longer than three (3) days at a time. All sale items must be removed from public view during inactive periods.

RR Rural Residence District

SEC. 8.1 RR RURAL RESIDENCE DISTRICT

The RR Rural Residence District is established to preserve and maintain existing single family areas of the County primarily where public utilities are not readily available and permit the continued development of residential uses in those areas.

Sec. 8.1-1 Lot Size Requirements

Except as otherwise provided herein, a separate ground area herein called the zoning lot, shall be designated, provided and continuously maintained for each building containing a Permitted or Special Use:

A. MINIMUM LOT AREA:

1. Single Family Detached Dwellings: The zoning lot shall not be less than one (1) acre in size.
2. Planned Unit Developments: Minimum lot area not required.
3. All other Permitted or Special Uses: Not less than one (1) acre.

B. MINIMUM LOT WIDTH

All Permitted or Special uses: Not less than 150 feet except as otherwise required herein.

Sec. 8.1-2 Yard Requirements

Notwithstanding Sec. 8.0-4 and except as otherwise provided herein, each principal building located in the RR District shall provide for one (1) front yard, two (2) side yards, and one(1) rear yard; or, if on a corner, two (2) front yards, one (1) side yard and one (1) rear yard.

A. MINIMUM YARD REQUIRED

			<u>Front Yard</u>	<u>Side Yard</u>	<u>Rear Yard</u>
1.	Single Family Detached Dwelling	a)	70 ft.*	10 ft.	10 ft.
		b)	85 ft.*	10 ft.	10 ft.
		c)	100 ft.*	10 ft.	10 ft.
2.	All Other Permitted or Special Uses	a)	70 ft.*	10 ft.	10 ft.
		b)	85 ft.*	10 ft.	10 ft.
		c)	100ft.*	10 ft.	10 ft.

* Yard requirements for the front yard vary depending on the classification of the roadway that the property is facing. Properties facing township roadways have a seventy (70) foot setback from the centerline of the roadway. Properties facing county roadways have an eighty (85) foot setback from the centerline of the roadway. Properties facing a state roadway have a one hundred (100) foot setback from the centerline of the roadway. In all cases the setback shall be a minimum of 30 feet from the edge of the road right-of-way or edge of the roadway easement. All yard requirements for the front yard are measured from the centerline of the roadway. All other yard requirements are measured from the respective property line.

B. USE OF YARDS

All non-single family detached uses shall utilize required yards in the following manner:

Front Yards shall be maintained for the purpose of providing site access, fire access, landscaping and fences. Accessory off-street parking and on-site circulation shall be prohibited in Front Yards.

Side Yards and Rear Yards shall be maintained for the purpose of providing site access, fire access, landscaping and fences. Accessory off-street parking and on-site circulation shall be prohibited in Side and Rear Yards.

C. EXCEPTION - REDUCTION OF FRONT YARD REQUIREMENT

This Ordinance is not intended to present a hardship to the owners of single family detached dwellings within the small unincorporated communities with established residential areas. Therefore, in any residential areas within those communities, the required depth of the front yard may be reduced to the average of the existing front yards of the buildings on the same side of the street between two (2) intersecting streets (one block) but in no case less than forty-five (45) feet from the centerline of the street, and in no case less than fifteen (15) feet from the right-of-way line.

Sec.8.1-3 Permitted Uses

The following uses are permitted:

- A. AGRICULTURE and GREENHOUSES and NURSERIES including all buildings, structures and uses for agriculture as defined.
- B. SINGLE FAMILY DETACHED DWELLINGS
- C. DAY CARE HOMES which receive no more than eight (8) children under the age of twelve (12) (including the provider's own children) and which do not have any outside employees. (See Chapter 3, Definitions and Sec. 4.17).
- D. GROUP HOMES
- E. Mobile or Manufactured (doublewide) Home with a permanent foundation, 1000 square feet or greater, and less than 10 years old.
- F. PUBLIC LAND and BUILDINGS
- G. TEMPORARY BUILDINGS and USES:
 - 1. Model Home/Temporary Office: A model home including a temporary office for sale or rental of units within the development or other subdivided land adjoining such development may be constructed as an integral part of the development site (subdivision or planned development). Such model home and/or temporary office shall be permitted for a period of time not to exceed sixty (60) days after the sale of the last unit within the development site. One (1) identification sign shall be permitted. (See Chapter 11.)
 - 2. Temporary Construction Yard: The temporary use of land for the installation, maintenance and operation of facilities used by contractors in the ordinary course of construction related to a zoning lot for which the temporary construction yard is an integral part, provided such facilities shall be located not less than 500 feet from any building used for residential purposes (buildings not being a part of the development site, Subdivision, or Planned Unit Development), and provided that the period of such temporary use shall not exceed the duration of construction for the development site. An existing principal building or accessory structure located upon the development site may be utilized for office space or for the enclosed storage of equipment and/or building supplies associated with the development of the site, provided such temporary use of existing buildings shall not exceed the duration of the construction for the development site.
 - 3. Other Temporary Uses: Temporary uses shall be reviewed by and approved by the Director, County Land Use Department, prior to being established on a zoning lot. The Director shall have the authority to establish reasonable terms and conditions for the temporary use including, but not limited to, location on the lot, parking and time limit.

H. ACCESSORY BUILDINGS, STRUCTURES AND USES shall be permitted as follows:

Except by Special Use, in legally platted subdivisions that are in compliance with the LaSalle County Subdivision Ordinance (including platted unincorporated towns/villages), a house construction permit must be approved prior to submitting applications for any accessory building, structures, or uses.

1. Garages, carports, hangers, stables or other accessory buildings or structures.
2. Roadside Stands. (See Chapter 3 Definitions).
3. Private stables for the keeping of horses.
4. Noncommercial radio and television towers and antennas, including the structure thereto, shall be permitted subject to the following conditions:
 - a) Shall comply with applicable Federal Communications Commission (F.C.C.) height restrictions, if any.
 - b) No portion of any tower, antenna or support wires may be located within any of the yard requirements of Sec. 8.1-2 A.
 - c) All yard requirements of Sec. 8.1-2.A. shall be increased by one (1) foot for each additional two (2) feet by which the tower or antenna height exceeds thirty (30) feet in height.
 - d) In no event shall the tower or antenna exceed 50 feet in height except by Special Use permit.

I. SOLAR ENERGY SYSTEM, PRIVATE (Less than the cumulative square footage of buildings on site and no greater than 1 acre.)

Sec. 8.1-4 Special Uses

The following Special Uses require prior approval after public hearing in accordance with the requirements of Sec. 14.10.

- A. RESERVED
- B. BED AND BREAKFAST ESTABLISHMENTS.
- C. GOLF COURSES, except as regulated elsewhere in this section, provided that all buildings shall be located not less than 100 feet from any residential lot line and the course shall not be lighted for night operations.
- D. CEMETERIES, provided all buildings shall be located not less than fifty (50) feet from any line.
- E. COMMERCIAL TOWER
- F. DWELLING GROUP QUARTERS.
- G. PRIVATE AIRPORTS.
- H. HELIPORTS, provided that the heliport is located on a parcel of land at least ten (10) acres in area.
- I. MOBILE HOMES and MANUFACTURED HOMES with a permanent foundation (See Chapter 3 Definitions). If less than 1000 square feet in size and/or greater than 10 years old).
- J. NONCOMMERCIAL RADIO AND TELEVISION TOWERS AND ANTENNAS, which exceed the maximum height permitted in the R-I District.

K. PLANNED UNIT DEVELOPMENTS. (See Sec. 14.11).

L. PUBLIC SERVICE USES

M. RECREATIONAL and SOCIAL FACILITIES:

1. Community center buildings, community theaters (amateur), day camps (boarding or non-boarding), clubhouses, recreation buildings, swim clubs, indoor pools, tennis, racquetball and handball facilities on not less than two (2) acres of land area.
2. Golf Courses (par 3) on not less than thirty (30) acres of land area, golf courses lighted for night operation, golf learning centers, driving ranges and miniature golf courses as follows:
 - a) All buildings or structures shall be located not less than fifty (50) feet from any residential property line.
 - b) Lighting for night operation of recreational uses shall be directed away from surrounding properties.
3. Polo fields, fishing ponds, hunt and gun clubs, conservation clubs, archery ranges, picnic grounds, private saddle clubs and swimming pools on lots containing not less than five (5) acres of land area.
4. Private clubs, lodges and fraternal organizations.
5. Public and private libraries, museums, and art galleries.
6. Public and private parks, playgrounds, picnic groves, play fields and other open spaces.
7. Stables, non-private, and riding academies.

N. RELIGIOUS INSTITUTIONS: chapels, churches, synagogues, temples and other religious institutions including parsonages and rectories.

O. RESIDENTIAL CARE USES:

1. Day Care Centers.
2. Day Care Centers, Adult.
3. Day Care Homes which receive from nine (9) to twelve (12) children under the age of twelve (12) (including the provider's own children) or which have one (1) or more outside employees.
4. Group Day Care Homes.

P. ROADSIDE STANDS where less than 100 percent of the farm products are grown or raised on said lot. (See Chapter 3, Definitions).

Q. SCHOOLS, public and private elementary, junior high and high schools, boarding or non-boarding. This term shall not apply to private schools in the home with twelve (12) or less unrelated children.

R. SCHOOLS, public and private colleges, universities and other institutions of higher learning.

S. SEPARATE LIVING QUARTERS for domestic workers employed on the premises.

T. ACCESSORY DWELLING UNIT

U. WIND TURBINE (Personal Use)

V. HOME OCCUPATION in accessory buildings of any size.

W. SOLAR ENERGY SYSTEM, PRIVATE (greater than 1 acre and/or the cumulative square footage of buildings on site).

Sec 8.1-5 Building Bulk Requirements

MAXIMUM HEIGHT OF BUILDINGS: Single family detached dwellings shall not exceed thirty-six (36) feet in height. All other structures shall have no height limitation.

Sec. 8.1-6 Signs See Chapter 11

R-2 Single Family Residence Districts

SEC. 8.2 R-2 SINGLE FAMILY RESIDENCE DISTRICT

The R-2 Single Family Residence District is established to preserve and maintain existing single family areas of the County and permit the continued development of residential uses in areas where public sanitary sewer and water utilities are available.

Sec. 8.2-1 Lot Size Requirements

Except as otherwise provided herein, a separate ground area herein called the zoning lot, shall be designated, provided and continuously maintained for each building containing a Permitted or Special Use:

A. MINIMUM LOT AREA:

1. Single Family Detached Dwellings: The zoning lot shall be not less than Ten Thousand (10,000) square feet in size for properties that are served by public sanitary sewer and water and the zoning lot shall not be less than one (1) acre in size for properties served by private sanitary or private water systems.
2. Planned Unit Developments: Minimum lot area not required.
3. All other Permitted or Special Uses: Not less than one (1) acre except as otherwise required herein.

B. MINIMUM LOT WIDTH:

1. Single Family Detached Dwellings: Not less than 75 feet when served by public sewer and water systems and not less than 150 feet when served by private sewer or water systems.
2. Planned Unit Developments: Minimum lot width not required.
3. All other Permitted or Special Uses: Not less than 150 feet, except as otherwise required herein.

Sec. 8.2-2. Yard Requirements.

Notwithstanding Sec. 8.0-4 and except as otherwise provided herein, each principal building located in the R-2 District shall provide for one (1) front yard, two (2) side yards, and one (1) rear yard; or, if on a corner, two (2) front yards, one (1) side yard and one (1) rear yard.

A. MINIMUM YARD REQUIRED

			Front Yard	Side Yard	Rear Yard
1.	Single Family Detached Dwelling	a)	70 ft.*	10 ft.	10 ft.
		b)	85 ft.*	10 ft.	10 ft.
		c)	100 ft.*	10 ft.	10 ft.
2.	All Other Permitted or Special Uses	a)	70 ft.*	10 ft.	10 ft.
		b)	85 ft.*	10 ft.	10 ft.
		c)	100 ft.*	10 ft.	10 ft.

* Yard requirements for the front yard vary depending on the classification of the roadway that the property is facing. Properties facing township roadways have a seventy (70) foot setback from the centerline of the roadway. Properties facing county roadways have an eighty (85) foot setback from the centerline of the roadway. Properties facing a state roadway have a one hundred (100) foot setback from the centerline of the roadway. In all cases the setback shall be a minimum of 30 feet from the edge of the road right-of-way or edge of the roadway easement. All yard requirements for the front yard are measured from the centerline of the roadway. All other yard requirements are measured from the respective property line.

B. USE OF YARDS

All non-single family detached uses shall utilize required yards in the following manner:

1. Front Yards shall be maintained for the purpose of providing site access, fire access, landscaping and fences. Accessory off-street parking and on-site circulation shall be prohibited in Front Yards.
2. Side Yards and Rear Yards shall be maintained for the purpose of providing site access, fire access, landscaping and fences. Accessory off-street parking and on-site circulation shall be prohibited in Interior Side and Rear Yards.

Sec.8.2-3 Permitted Uses

The following uses are permitted:

- A. AGRICULTURE and GREENHOUSES and NURSERIES including all buildings, structures and uses for agriculture as defined.
- B. SINGLE FAMILY DETACHED DWELLINGS: Shall require public sanitary sewer and public water systems for all lot sizes less than one (1) acre.
- C. DAY CARE HOMES which receive no more than eight (8) children under the age of twelve (12) (including the provider's own children) and which do not have any outside employees. (See Chapter 3 Definitions and Sec. 4.17)
- D. GROUP HOMES.
- E. Mobile or Manufactured (doublewide) Home with a permanent foundation, 1000 square feet or greater, and less than 10 years old.
- F. PUBLIC LAND and BUILDINGS
- G. TEMPORARY BUILDINGS and USES:
 1. Model Home/Temporary Office: A model home including a temporary office for sale or rental of units within the development or other subdivided land adjoining such development may be constructed as an integral part of the development site (subdivision or planned unit development). Such model home and/or temporary office shall be permitted for a period of time not to exceed sixty (60) days after the sale of the last unit within the development site. One (1) identification sign shall be permitted (See Chapter 11).
 2. Temporary Construction Yard: The temporary use of land for the installation, maintenance and operation of facilities used by contractors in the ordinary course of construction related to a zoning lot for which the temporary construction yard is an integral part, provided such facilities shall be located not less than 500 feet from any building used for residential purposes (buildings not being a part of the development site, Subdivision, or Planned Unit Development), and provided that the period of such temporary use shall not exceed the duration of construction for the development site.

Any existing principal building or accessory structure located upon the development site may be utilized for office space or for the enclosed storage of equipment and/or building supplies associated with the development of the site, provided such temporary use of existing buildings shall not exceed the duration of the construction for the development site.
 3. Other Temporary Uses: Temporary uses shall be reviewed by and approved by the Director, County Land Use Department, prior to being established on a zoning lot. The Director shall have the authority to establish reasonable terms and conditions for the temporary use including, but not limited to, location on the lot, parking and time limit.

H. ACCESSORY BUILDINGS, STRUCTURES AND USES shall be permitted as follows:

Except by Special Use in legally platted subdivisions that are in compliance with the LaSalle County Subdivision Ordinance (including platted unincorporated towns/villages), a house construction permit must be approved prior to submitting applications for any accessory building, structures, or uses.

1. Except by Special Use, garages, carports, hangers, stables or other accessory buildings or structures shall not exceed the maximum amount of floor area as hereinafter set forth:

- a) On lots containing one (1) acre or less of lot area, accessory buildings and structures shall contain not more than 1,300 square feet of floor area.
- b) On lots containing more than one (1) acre of lot area, permissible area for accessory buildings and structures shall contain not more than 2,600 square feet of floor area.
- c) If the principal building is constructed without an attached garage, an additional 200 square feet of gross floor area may be added to the accessory buildings or structures permitted herein.
- d) In addition to (c) above, if horses are maintained in this district, 275 square feet of stable space shall be permitted for each permitted horse. Regardless of the number of horses maintained on any zoning lot, at least 550 square feet of stable space shall be permitted.
- e) In addition (a), (b), (c) and (d) above, on lots adjacent to airports, hanger space, whether attached or detached, shall contain not more than 3,600 square feet of floor area. Detached buildings containing hanger space shall not exceed thirty (30) feet in height.

2. Roadside Stands where all the farm products are grown or raised on said lot (see Chapter 3 Definitions).

3. Private stables for the keeping of horses are permitted subject to the following conditions:

- a) That the total number of horses permitted on any given lot shall be determined by use of the following formula:

One (1) horse for the first 87,120 square feet of land area, and one (1) additional horse for each additional 21,780 square feet of land area.

- b) Stable buildings and/or structures shall be located not less than 150 feet from the front lot line and not less than thirty (30) feet from any side or rear lot line.

4. Noncommercial radio and television towers and antennas, including the structure thereto, shall be permitted subject to the following conditions:

- a) Shall comply with applicable Federal Communications Commission (F.C.C.) height restrictions, if any.
- b) No portion of any tower, antenna or support wires may be located within any of the yard requirements of Sec. 8.2-2 A.
- c) All yard requirements of Sec. 8.2-2.A. shall be increased by one (1) foot for each additional two (2) feet by which the tower or antenna height exceeds thirty (30) feet in height.
- d) In no event shall the tower or antenna exceed 50 feet in height except by Special Use permit.

- I. SOLAR ENERGY SYSTEM, PRIVATE (Less than the cumulative square footage of buildings on site and no greater than 1 acre.)

Sec. 8.2-4 Special Uses

The following Special Uses require prior approval after public hearing in accordance with the requirements of Sec. 14.10.

- A. BED AND BREAKFAST ESTABLISHMENTS.
- B. GOLF COURSES, except as regulated elsewhere in this section, provided that all buildings shall be located not less than 100 feet from any residential lot line and the course shall not be lighted for night operations.
- C. CEMETERIES, provided all buildings shall be located not less than fifty (50) feet from any line.
- D. DWELLING GROUP QUARTERS.
- E. PRIVATE AIRPORTS.
- F. HELIPORTS, provided that the heliport is located on a parcel of land at least ten (10) acres in area.
- G. MOBILE HOMES or MANUFACTURED HOMES with a permanent foundation. If less than 1000 square feet in size and/or greater than 10 years old.
- H. NONCOMMERCIAL RADIO AND TELEVISION TOWERS AND ANTENNAS, which exceed the maximum height permitted in the R-2 District.
- I. PLANNED UNIT DEVELOPMENTS. (See Sec. 14.11.).
- J. PUBLIC SERVICE USES
- K. RECREATIONAL and SOCIAL FACILITIES:
 - 1. Community center buildings, community theaters (amateur), day camps (boarding or non-boarding), clubhouses, recreation buildings, swim clubs, indoor pools, tennis, racquetball and handball facilities on not less than two (2) acres of land area.
 - 2. Golf Courses (par 3) on not less than thirty (30) acres of land area, golf courses lighted for night operation, golf learning centers, driving ranges and miniature golf courses as follows:
 - a) All buildings or structures shall be located not less than fifty (50) feet from any residential property line.
 - b) Lighting for night operation of recreational uses shall be directed away from surrounding properties.
 - 3. Polo fields, fishing ponds, hunt and gun clubs, conservation clubs, archery ranges, picnic grounds, private saddle clubs and swimming pools on lots containing not less than five (5) acres of land area.
 - 4. Private clubs, lodges and fraternal organizations.
 - 5. Public and private libraries, museums, and art galleries.
 - 6. Public and private parks, playgrounds, picnic groves, play fields and other open spaces.
 - 7. Stables, non-private, and riding academies.
- L. RELIGIOUS INSTITUTIONS: chapels, churches, synagogues, temples and other religious institutions including parsonages and rectories.
- M. RESIDENTIAL CARE USES:

1. Day Care Centers.
 2. Day Care Centers, Adult.
 3. Day Care Homes which receive from nine (9) to twelve (12) children under the age of twelve (12) (including the provider's own children) or which have one (1) or more outside employees (See Chapter 3, Definitions and Sec. 4.17).
 4. Group Day Care Homes.
- N. ROADSIDE STANDS where less than 100 percent of the farm products are grown or raised on said lot. (See Chapter 3, Definitions).
- O. SCHOOLS, public and private elementary, junior high and high schools, boarding or non-boarding. This term shall not apply to private schools in the home with twelve (12) or less unrelated children.
- P. SCHOOLS, public and private colleges, universities and other institutions of higher learning.
- Q. SEPARATE LIVING QUARTERS for domestic workers employed on the premises.
- R. ACCESSORY DWELLING UNIT (see Chapter 3, Definitions).
- S. WIND TURBINE (Personal Use)
- T. Home Occupations in accessory buildings of any size.
- U. SOLAR ENERGY SYSTEM, PRIVATE (greater than 1 acre and/or the cumulative square footage of buildings on site).

Sec 8.2-5 Building Bulk Requirements

MAXIMUM HEIGHT OF BUILDINGS: All single family detached dwellings shall not exceed thirty-six (36) feet in height. All other structures shall not have a height limitation.

Sec. 8.2-6 Signs See Chapter 11

R-3 General Residence District

SEC. 8.3 R-3 GENERAL RESIDENCE DISTRICT

The R-3 General Residence District is established to provide for a range of low density residential accommodations and life styles representing a compatible mixture of single family detached, two family dwelling units and multiple family dwellings. This district provides for dwellings plus certain public facilities that serve residents living within the district. Public sanitary sewers and public water supply are required to serve all uses within this district.

Sec. 8.3-1 Lot Size Requirements

Except as otherwise provided herein, a separate ground area herein called the zoning lot, shall be designated, provided and continuously maintained for each building containing a Permitted or Special Use.

A. MINIMUM LOT AREA:

1. Single Family Detached Dwellings: The zoning lot shall be not less than 10,000 square feet.
2. Two Family Dwellings: The zoning lot for each two (2) family dwelling shall be not less than 10,000 square feet.
3. Multiple Family Dwellings: The zoning lot for each multiple family dwelling shall be not less than 5,000 square feet of land area for each dwelling unit within the building, provided such zoning lot shall contain not less than 15,000 square feet of land area.
4. Cemeteries: Not less than two (2) acres.
5. Mobile Home Parks: Not less than seven and one-half (7.5) acres, and not less than 6,000 square feet of land area for each mobile home.
6. Planned Unit Developments: Minimum lot area not required.
7. Religious Institutions: one(1) acre of land area.
8. All Other Permitted or Special Uses: Not less than 10,000 square feet or as otherwise required herein.

B. MINIMUM LOT WIDTH:

The minimum width of zoning lots shall be as follows:

1. Single Family Detached Dwellings: Not less than seventy-five (75) feet.
2. Two Family Dwellings: Not less than seventy-five (75) feet.
3. Multiple Family Dwellings: Not less than 100 feet.
4. Cemetery: Not less than 150 feet.
5. Mobile Home Park: Not less than 300 feet.
6. Planned Unit Developments: Minimum lot width not required.
7. Religious Institutions: Not less than 150 feet.
8. All other Permitted or Special Uses: Not less than seventy-five (75) feet in width.

Sec. 8.3-2 Yard Requirements

Notwithstanding Sec. 8.0-4 and except as otherwise provided herein, each principal building located in the R-3 District shall provide for one (1) front yard, two (2) side yards, and one (1) rear yard; or, if on a corner, two (2) front yards, one (1) side yard and one (1) rear yard.

A. MINIMUM YARD REQUIRED

			<u>FrontYard</u>	<u>Side Yard</u>	<u>Rear Yard</u>
1.	Single Family Detached Dwelling	a)	70 ft.*	10 ft.	10 ft.
		b)	85 ft.*	10 ft.	10 ft.
		c)	100 ft.*	10 ft.	10 ft.
2.	Two Family and Multiple Family Dwelling	a)	70 ft.*	10 ft.	10 ft.
		b)	85 ft.*	10 ft.	10 ft.
		c)	100 ft.*	10 ft.	10 ft.
3.	All Other Permitted or Special Uses	a)	70 ft.*	10 ft.	10 ft.
		b)	85 ft.*	10 ft.	10 ft.
		c)	100 ft.*	10 ft.	10 ft.

* Yard requirements for the front yard vary depending on the classification of the roadway that the property is facing. Properties facing township roadways have a seventy (70) foot setback from the centerline of the roadway. Properties facing county roadways have an eighty (85) foot setback from the centerline of the roadway. Properties facing a state roadway have a one hundred (100) foot setback from the centerline of the roadway. In all cases the setback shall be a minimum of 30 feet from the edge of the road right-of-way or edge of the roadway easement. All yard requirements for the front yard are measured from the centerline of the roadway. All other yard requirements are measured from the respective property line.

B. USE OF YARDS

All non-single family detached uses shall utilize required yards in the following manner:

1. Front Yards shall be maintained for the purpose of providing site access, fire access, landscaping and fences. Accessory off-street parking and on-site circulation shall be prohibited in Front Yards and Corner Side Yards.
2. Side Yards and Rear Yards shall be maintained for the purpose of providing site access, fire access, landscaping and fences. Accessory off-street parking and on-site circulation shall be prohibited in Side and Rear Yards.

Sec. 8.3-3 Permitted Uses

The following uses are permitted:

- A. SINGLE FAMILY DETACHED DWELLINGS.
- B. TWO FAMILY DWELLINGS.
- C. MULTIPLE FAMILY DWELLINGS.
- D. DWELLING, GROUP QUARTERS (no more than sixteen [16] persons, including domestic workers and resident staff).
- E. GOLF COURSES, except as regulated elsewhere in this section, provided that all buildings shall be located not less than 100 feet from any residential lot line and the course shall not be lighted for night operations.

F. DAY CARE HOMES which receive no more than eight (8) children under the age of twelve (12) (including the provider's own children) and which do not have any outside employees. (See Chapter 3, Definitions and Sec. 4.17)

G. GROUP HOMES.

H. PUBLIC LAND and BUILDINGS

I. TEMPORARY BUILDINGS and USES:

1. Model Home/Temporary Office: A model home including a temporary office for the sale or rental of units within a development or other subdivided land adjoining such development may be constructed as an integral part of the development site (subdivision or planned unit development). Such model home and/or temporary office shall be permitted for a period of time not to exceed sixty (60) days after the sale of the last unit within the development site. One (1) identification sign shall be permitted. (See Chapter 11).
2. Temporary Construction Yard: The temporary use of land for the installation, maintenance and operation of facilities used by contractors in the ordinary course of construction related to a zoning lot for which the temporary construction yard is an integral part. Provided such facilities shall be located not less than 500 feet from any building used for residential purposes (buildings not being a part of the development site, Subdivision, or Planned Unit Development), and provided that the period of such temporary use shall not exceed the duration of the construction for the development site. An existing principal building or accessory structure located upon the development site may be utilized for office space or for the enclosed storage of equipment and/or building supplies associated with the development of the site, provided such temporary use of existing buildings shall not exceed the duration of the construction for the development site.
3. Other Temporary Uses: Temporary uses shall be reviewed by and approved by the Director, County Land Use Department, prior to being established on a zoning lot. The Director shall have the authority to establish reasonable terms and conditions for the temporary use including, but not limited to, location on the lot, parking and time limit.

J. ACCESSORY BUILDINGS, STRUCTURES AND USES shall be permitted as follows:

Except by Special Use, in legally platted subdivisions that are in compliance with the LaSalle County Subdivision Ordinance (including platted unincorporated towns/villages), a house construction permit must be approved prior to submitting applications for any accessory building, structures, or uses.

1. Except by Special Use, garages, carports, hangers, stables or other accessory buildings or structures shall not exceed the maximum amount of floor area as hereinafter set forth:
 - a) On lots containing one (1) acre or less of lot area, accessory buildings and structures shall contain not more than 1,300 square feet of floor area.
 - b) On lots containing more than (1) acre of lot area, permissible area for accessory buildings and structures shall contain not more than 2,600 square feet of floor area.
 - c) If the principal building is constructed without an attached garage, an additional 200 square feet of gross floor area may be added to the accessory buildings or structures permitted herein
2. Noncommercial radio and television towers and antennas, including the structure thereto, shall be permitted subject to the following conditions:
 - a) Shall comply with applicable Federal Communications Commission (F.C.C.) height restrictions, if any.
 - b) No portion of any tower, antenna or support wires may be located within any of the yard requirements of Sec. 8.3-2 A.

- c) All yard requirements of Sec. 8.3-2.A. shall be increased by one (1) foot for each additional two (2) feet by which the tower or antenna height exceeds thirty (30) feet in height.
- d) In no event shall the tower or antenna exceed 50 feet in height except by Special Use permit.

K. SOLAR ENERGY SYSTEM, PRIVATE (Less than the cumulative square footage of buildings on site and no greater than 1 acre.)

Sec. 8.3-4 Special Uses

The following Special Uses require prior approval after a public hearing in accordance with the requirements of Sec. 14.10.

- A. CEMETERIES, provided all buildings shall be located not less than fifty (50) feet from any residential lot line.
- B. DETACHED ACCESSORY BUILDINGS OR STRUCTURES having a gross floor area exceeding the maximum accessory building floor area permitted in the R-3 District.
- C. DWELLING, GROUP QUARTERS (seventeen (17) or more persons, including domestic workers or residential staff).
- D. MOBILE HOME PARKS
- E. NONCOMMERCIAL RADIO AND TELEVISION TOWERS AND ANTENNAS, which exceed the maximum height permitted in the R-3 District.
- F. PLANNED UNIT DEVELOPMENTS. (See Sec. 14.11)
- G. PUBLIC SERVICE USE
- H. RECREATIONAL and SOCIAL FACILITIES;
 - 1. Community center buildings, community theaters (amateur), day camps (boarding or non-boarding). clubhouses, recreation buildings, swim clubs, indoor pools, tennis, racquetball and handball facilities on not less than two (2) acres of land area.
 - 2. Golf Courses on not less than thirty (30) acres of land area, golf courses lighted for night operation, golf leaning centers, driving ranges and miniature golf courses as follows:
 - a) All buildings or structures shall be located on not less than fifty (50) feet from any residential property line.
 - b) Lighting for night operation of recreational uses shall be directed away from surrounding properties.
 - 3. Polo fields, fishing ponds, hunt and gun clubs, conservation clubs, archery ranges, picnic grounds, private saddle clubs and swimming pools on lots containing not less than five (5) acres of land area.
 - 4. Private clubs, lodges and fraternal organizations.
 - 5. Public and private libraries, museums and art galleries.
 - 6. Public and private parks, playgrounds, picnic groves, play fields and other open spaces.
- I. RELIGIOUS INSTITUTIONS: chapels, churches, synagogues, temples and other religious institutions including parsonages and rectories.

J. RESIDENTIAL CARE USES.

1. Day Care Centers.
2. Day Care Centers, Adult.
3. Day Care Homes which receive from nine (9) to twelve(12) children under the age of twelve (12) (including the provider's own children) or which have one (1) or more outside employees (See Chapter 3 Definitions and Sec. 4.17).
4. Group Day Care Homes.

K. ROADSIDE STANDS.

L. SCHOOLS, public and private elementary, junior high and high schools, boarding or non-boarding. This term shall not apply to private schools in the home with twelve (12) or less unrelated children.

M. SCHOOLS, public and private colleges, universities and other institutions of higher learning.

N. SEPARATE LIVING QUARTERS for domestic workers employed on the premises.

O. MOBILE HOME, See Chapter 3, Definitions.

P. ACCESSORY DWELLING UNIT

Q. Home Occupations in accessory buildings of any size.

R. SOLAR ENERGY SYSTEM, PRIVATE (greater than 1 acre and/or the cumulative square footage of buildings on site).

Sec. 8.3-5 Building Bulk Requirements

MAXIMUM HEIGHT OF BUILDINGS

Single Family Detached Dwellings: Not to exceed thirty-six (36) feet in height.

Two Family Dwellings, Mobile Home Parks, and Single Family Attached Dwellings (Town Homes) not less than twenty (20) feet in width per unit containing not more than six (6) dwelling units in any building: Not to exceed thirty-six (36) feet in height.

Sec. 8.3-6 Signs See Chapter 11

Sec. 8.3-7 Off-Street Parking and Loading Requirements

In addition to the requirements of Sec 8.0-4. Residence Districts see Chapter 12.

Sec. 8.3-8 Required Conditions

Uses allowed in the R-3 General Residence District (Permitted or Special Uses) are subject to the following:

A. MULTIPLE BUILDINGS:

Not including mobile home parks, any development containing more than one (1) principal building on a zoning lot shall be approved only by planned unit development.

B. MAXIMUM ZONING LOT COVERAGE:

The sum total of the ground area coverage by buildings and structures shall be as follows:

1. Single Family Detached Dwellings: Forty (40) percent.
2. Two Family and Multiple Family Dwellings: Fifty (50) percent.
3. Mobile Home Park: Forty (40) percent.
4. All Others: Sixty (60) percent.

C. ENCLOSED BUILDINGS:

Except as otherwise provided herein, all uses except off-street parking or loading facilities shall be conducted within completely enclosed buildings.

Sec. 8.3-9 Additional Conditions

A. PUBLIC SEWER and/or WATER FACILITIES:

All developments within this district shall be served with public sewer and water facilities.

B. TRASH CONTAINERS:

All outside trash containers located in the R-3 General Residence District shall be enclosed with fences, masonry walls or landscaping.

CHAPTER 9 BUSINESS DISTRICTS

SECTION 9.0 PURPOSE AND GENERAL CONDITIONS

The Business Districts are provided to support and compliment the LaSalle County Comprehensive Plan and are provided to guide the compatible shaping and development of present and future land use needs in LaSalle County. Business District requirements are further established to govern location, intensity and method of development of business areas in LaSalle County.

The regulations for each district are designed to provide protection to existing developments while allowing new construction in accordance with current design standards. The regulations further provide for groupings of business establishments, compatible in scope of services and methods of operation. The districts are designed to create a compatible transition between agriculture uses, residence uses and business districts. AGRICULTURE, AS DEFINED IN CHAPTER 3, IS EXEMPT FROM THE REGULATIONS OF THIS ORDINANCE AS PROVIDED IN SECTION 6.4-EXEMPTIONS.

Sec. 9.0-1 Permitted Uses

Buildings, structures, or uses of land as hereinafter listed, shall be permitted in the districts indicated under the conditions specified. Except as hereinafter provided, no building shall be used and no lot or tract of land shall be devoted to any use other than a Permitted Use or Special Use as provided in the zoning district where such building, structure, lot or tract of land shall be located with the exception of the following:

- A. Uses lawfully established on the effective date of this Ordinance.
- B. Special Uses allowed in accordance with the provisions of Sec. 9.0-2.
- C. Buildings, structures or uses already established on the effective date of this Ordinance and rendered non conforming by the provisions hereof, shall be subject to the regulations of Chapter 5.

Sec. 9.0-2 Special Uses

Special Uses, as hereinafter listed in the zoning districts, may be allowed subject to the granting of a Special Use in accordance with the provisions of Sec. 14.10.

Sec. 9.0-3 Lot Requirements

Lot size requirements shall be as specified in each business district.

Sec. 9.0-4 Yard Requirements

Yards shall be required as specified under each zoning district. In addition, the following regulations shall be complied with:

- A. Except as provided in Sec. 4.5, and except as hereinafter provided, all yards shall be open and unobstructed from the ground level to the sky.
- B. Where a lot has frontage abutting two roadways the side facing the busier roadway shall be the front lot line.
- C. Where a lot has frontage abutting two streets having identical levels of traffic, the Director, County Land Use Department, shall determine the location of the front lot line.

Sec. 9.0-5 Building Bulk Requirements

Building bulk requirements shall be expressed in terms of minimum yard requirements and maximum building heights, as prescribed in each zoning district.

Sec. 9.0-6 Signs

Signs shall be permitted in Business Districts in accordance with the provisions set forth in Chapter 11.

Sec. 9.0-7 Off Street Parking and Loading Requirements

Off Street parking and loading facilities accessory to uses allowed in the Business Districts shall be provided in accordance with the regulations established in Chapter 12.

Sec. 9.0-8 Required Conditions

Permitted or Special Uses established in the Business Districts shall comply with the following Required Conditions:

- A. Except for mini-warehouses, integrated shopping centers, or individual incubator business or office buildings, not more than one (1) principal building, structure or use shall be located on a zoning lot within these districts except by a Planned Unit Development.
- B. Every use, unless expressly exempted by this Ordinance shall be operated in its entirety within a completely enclosed structure; the exemption of a use from the requirement of enclosure will be indicated by the phrase "need not be enclosed" appearing after any use exempted.
- C. Except for open sales lots, all outdoor storage areas for goods, products, materials, supplies, machinery, equipment or commercial vehicles, and outdoor trash containers shall be enclosed with a fence or a landscaping screen or any combination thereof, which shall result in a full landscape screen to a height of not less than eight (8) feet above grade.
- D. Buildings existing on the date of adoption of this Ordinance may be converted to Permitted or Special Uses in compliance with the Zoning Ordinance and any other applicable state or county ordinances after review and approval by the County Land Use Committee of the County Board.

Sec. 9.0-9 Commercial Tower Provisions

The provisions of this subsection apply to all commercial towers in the Business District. All commercial towers and/or antennas shall be subject to and comply with the following provisions.

- 1. The applicant proposing to construct an antenna and/or tower is required to demonstrate, using technological evidence:
 - a. The location area to satisfy its function in the provider's coverage system.
 - b. That the height requested is the minimum height with a necessary allowance for the potential co- location by other potential uses.
 - c. That the proposed antenna and/or tower is designed to accommodate antennas for more that one (1) user, unless the applicant demonstrates why such design is not feasible for economic, technical or physical reasons.
 - d. That the proposed antenna and/or tower complies with applicable setbacks and where possible the fall zone of the antenna and/or tower lies within the applicable setbacks. In no event shall the fall zone of an antenna and/or tower include a residential structure.
 - e. That the proposed antenna and/or tower and related facility complies with all F.C.C. and F.A.A. standards and applicable standards of any other governmental agency and the applicable standards for the antenna and/or tower that are published by the Electronic Industries Association ("EIA").
 - f. That a maintenance and improvement plan exists to assure ongoing compliance with applicable standards including compliance with amendments to standards made more stringent.

- g. That the proposed antenna and related equipment will not cause localized interference with the reception or transmission of any other communication signals including, but not limited to, public safety signals, television and radio broadcast signals, and telephone usage.
 - h. That required lease and license agreements have been secured with private parties and/or governmental regulators including but not limited to the F.C.C.
 - i. The Zoning Board of Appeals or County Board may request the services of a third-party expert to review technological evidence presented by the applicant and the applicant shall be liable for the costs of such third-party expert. The Zoning Board of Appeals or County Board may secure the services of an independent safety consultant to conduct periodic inspections and the applicant or current owner/operator shall be liable for the costs of such inspections.
 - j. The tower/antenna must comply with the provisions of appendix A-8 found in this ordinance
2. The applicant must demonstrate that the antenna and/or tower and related facilities will not have an adverse effect on nearby property values. When an antenna and/or tower exceeds 100 feet in height and where the equalized assessed value of improvements as determined for property tax assessment purposes on property, excluding improvements within an industrial district, within one mile of the proposed antenna and/or tower exceeds \$1,000,000.00, the antenna and/or tower shall be presumed to have a significant adverse effect on nearby property values.
 3. The applicant must demonstrate reasonable steps will be taken to mitigate the adverse visual effect of the antenna and/or tower. This shall include minimal antenna and/or tower lighting, consideration of antenna and/or tower paint of finishing, architectural and aesthetic compatibility to adjoining locality and structures, screening and vegetation.
 4. The applicant must demonstrate that the antenna and/or tower is protected for security purposes. Security shall include ground level visual buffering, fencing, anti-climbing devices, physical and electronic security.
 5. In the event the use of any antenna and/or tower facility has been discontinued for a period of sixty (60) consecutive days, the facility shall be deemed to be abandoned. Determination of the site of abandonment shall be made by the Zoning Board of Appeals which shall have the right to request documentation and/or affidavits from the antenna and/or tower owner or operator regarding the issue of the antenna and/or tower usage. Upon such abandonment, the owner or operator of the antenna and/or tower shall have an additional sixty (60) days within which to reactivate the use of the antenna and/or tower to another owner or operator who make actual use of the antenna and/or tower or dismantle and remove the facilities. A bond or other security shall insure funds are available to dismantle an abandoned facility.
 6. Additional notice of a Special Use hearing involving a proposed antenna or tower which exceeds 100 feet in height shall be provided to all land owners within 1 mile. Notice shall be provided either in person or by registered mail, return receipt requested and by publication in newspaper of general circulation.

Sec. 9.0-10. Additional Conditions (Reserved)

B-1 Local Business District

SEC. 9.1 B-1 LOCAL BUSINESS DISTRICT

The B-1 Local Business District is intended to provide areas for retail or service establishments supplying convenience items or personal services for the daily needs of residents. The B-1 Local Business District is also intended to include established business areas in the small unincorporated communities throughout the County which supply goods and personal services for the communities' daily needs.

Sec. 9.1-1 Lot Size Requirements

Except as otherwise provided herein, a separate ground area, herein called the zoning lot, shall be designated, provided and continuously maintained for each building containing a Permitted or Special Use.

- A. MINIMUM LOT AREA: Not less than one (1) acre unless served by public sewer and water services and then not less than 21,780 square feet.
- B. MINIMUM LOT WIDTH: Not less than 150 feet.

Sec. 9.1-2 Yard Requirements

Notwithstanding Sec. 9.0-4, and except as otherwise provided herein, yards shall be required in the B-1 District as follows.

- A. YARDS FACING EXISTING OR PROPOSED STREETS (not including interior private circulation drives).
 - 1. Front Yards Abutting Residence and Agriculture Districts: The required yard shall be not less than fifty (50) feet.
 - 2. Front Yards Abutting Non-residence Districts: The required yard shall be not less than forty (40) feet.
- B. YARDS FACING INTERIOR PRIVATE CIRCULATION STREETS: The required yard shall be not less than twenty (20) feet.
- C. YARDS ADJACENT TO INTERIOR SIDE/REAR PROPERTY LINES:
 - 1. Abutting Residence and Agriculture Districts: The required yard shall be not less than forty (40) feet.
 - 2. Abutting Non-residence District: The required yard shall be not less than twenty (20) feet.
- D. YARDS ADJACENT TO TOLLWAYS, FREEWAYS, & LIMITED ACCESS HIGHWAYS: All buildings shall be set back not less than fifty (50) feet from any property line adjoining a tollway, freeway or limited access highway. The setback shall be measured from the established right-of-way line of such tollway, freeway or limited access highway.
- E. USE OF REQUIRED YARDS
 - 1. Yards Facing Existing or Proposed Streets: Yards facing existing or proposed streets may be utilized for site access, fire access, site identification and landscaping.
 - 2. Yards Adjacent to Interior Side/Rear Property Lines: Yards adjacent to interior side/rear property lines may be utilized for site access, fire access, site identification and landscaping.
 - 3. Yards Facing Interior Private Circulation Streets: Any yard facing an interior private circulation street shall be maintained for site access, fire access, site identification and landscaping.
 - 4. Yards Adjacent to tollway, freeway and limited access highways: All yards required along tollways, freeways and limited access highways shall be maintained for landscaping. Parking and circulation shall maintain a minimum of a ten (10) foot setback.

- F. REDUCTION OF REQUIRED YARDS FOR PARKING: Accessory off-street parking, on-site circulation and loading shall maintain a minimum twenty-five (25) foot setback from the front property line regardless of the neighboring zoning district. If the neighboring zoning district facing the side yard of a property is a non-residential zoning district, parking and circulation are permitted to the property line but not within the front twenty-five (25) feet of the property.

Sec. 9.1-3 Permitted Uses

A. GENERAL BUSINESSES:

1. Amusement arcades.
2. Bed and breakfast establishments
3. Event Center
4. Funeral Homes
5. Hospitals
6. Mini-marts in conjunction with automobile service stations
7. Mini-warehouses
8. Parking of vehicles, need not be enclosed, provided that any part of such use conducted outside a completely enclosed building shall comply with all specifications for maintenance hereinafter required for off-street parking space.
9. Public garages.
10. Public Utility and/or Service Type Uses
11. Recreation centers.

B. RETAIL BUSINESSES:

1. Agricultural Implement Sales and/or Service
2. Antique shops.
3. Art and school supply stores.
4. Art shops or galleries, including picture framing.
5. Automobile accessory stores, including sale of packaged auto parts only.
6. Bakery stores where the manufacture of bakery goods is limited to quantity goods sold at retail on the premises only.
7. Bicycle sales, rental and repairs.
8. Book and stationery stores.
9. Business machine stores.
10. Camera and photographic supply stores.
11. Candy and ice cream stores.
12. Car radios and mobile telephones, installation.
13. Car radios and mobile telephones, sales only.
14. China and glassware stores.
15. Coin and philatelic stores.
16. Dairy products establishments, no processing.
17. Department stores, including tire, battery and accessories which are included as an integral part of the principal building.
18. Discount stores.
19. Drive-in or drive-through establishments.
20. Drug stores.
21. Dry goods stores.
22. Electric and household appliance stores, including radio and television sales and repair.
23. Electric showrooms.
24. Firearms and ammunition sales
25. Florist shops.
26. Flower shops with conservatories.
27. Food stores, delicatessens, fish and seafood stores, grocery stores, meat markets and package liquor stores.
28. Frozen food stores, including locker rental in conjunction therewith.
29. Fruit markets.
30. Furniture stores, including upholstery repair when conducted as part of the retail operation and

accessory to the principal use.

31. Furrier shops, including the incidental storage and conditioning of furs.
32. Garden supply stores (bulk fertilizer sales prohibited).
33. Gift shops.
34. Hardware stores.
35. Hobby shops for retail sales of items to be assembled or used away from the premises.
36. Household appliance stores.
37. Interior decorating shops, including the repairing and making of draperies, slip covers and other similar articles, when conducted as part of the retail operation and accessory to the principal use.
38. Jewelry stores, including repairing of jewelry, watches, and clocks.
39. Leather goods and luggage stores.
40. Live bait shops.
41. Lock smith shops.
42. Machinery sales.
43. Mail order.
44. Meat market
45. Mini marts.
46. Motorcycle sales.
47. Motor vehicle sales.
48. Music stores, including the sale of sheet music, records, tapes, compact discs and videos, and the sales and repair of musical instruments.
49. Office machine sales and service.
50. Office supply stores.
51. Orthopedic and medical appliance stores and the assembly of such articles.
52. Paint, glass and wallpaper stores.
53. Pet shops.
54. Photography studios, including the development of film and pictures conducted as part of the retail business on the premises.
55. Prepared food delivery stores.
56. Restaurants.
57. Sewing machines, sales and service, (household machines only).
58. Shoe stores.
59. Sporting goods stores.
60. Taverns.
61. Telephone stores.
62. Tile stores.
63. Tobacco shops.
64. Toy shops.
65. Travel bureaus and transportation ticket offices.
66. Wearing apparel shops.

C. SERVICE BUSINESSES:

1. Agriculture service/lawn and garden service.
2. Animal grooming.
3. Animal hospitals
4. Automobile repair garages.
5. Automobile service stations (including minor services customarily incidental thereto, and facilities for chassis and gear lubrication, but not including the sale, storage or rental of vehicles, new or used.)
6. Automobile rental including washing and servicing, need not be enclosed.
7. Automobile laundry.
8. Banks and financial institutions (including drive thru)
9. Barber shops.
10. Beauty parlors.
11. Blueprinting and Photostating services.
12. Car radios and mobile telephones installation.
13. Clinics.
14. Clothes pressing establishments.
15. Clothing and costume rental stores.
16. Clubs and lodges.

17. Currency exchanges.
18. Day care centers or night care facilities.
19. Dry cleaning and Laundromats.
20. Hotels and motels.
21. Laboratories, medical and dental research and testing.
22. Offices (business, professional, governmental or medical).
23. Physical culture and health services, masseurs.
24. Quick print shops.
25. Repair, rental and servicing of any product the sale of which is permitted in this district.
26. Restricted production and repair limited to the following: Art, needlework, clothing, custom Manufacturing and alterations for retail only, jewelry from precious metals, watches, dentures and optical lenses.
27. Schools, music, dance or business.
28. Shoe and hat repair shops.
29. Telephone booths.
30. Video rental stores.

D. DWELLING UNITS: Dwelling units and lodging rooms provided that they are located above the first floor of the building.

E. RELIGIOUS INSTITUTIONS: Chapels, churches, synagogues, temples and other religious institutions including parsonages and rectories

F. TEMPORARY USES:

Temporary uses must be reviewed and approved by the Director, County Land Use Department, prior to being established on a zoning lot. The Director shall have the authority to establish reasonable terms and conditions for the temporary use, including, but not limited to, location on the lot, parking and time limit. Need not be enclosed.

G. OTHER RETAIL AND SERVICE BUSINESS uses similar in nature and intensity to those permitted uses listed.

H. SOLAR ENERGY SYSTEM, PRIVATE (Less than the cumulative square footage of buildings on site and no greater than 1 acre.)

I. VIDEO GAMING, ACCESSORY USE

Sec. 9.1-4 Special Uses

The following Special Uses require prior approval after a public hearing in accordance with the requirements of Sec. 14.10.

A. COMMERCIAL TOWER

B. Crematorium

C. Dwelling group quarters

D. Planned unit developments (See Sec. 14.11)

E. Single family detached dwelling.

F. SOLAR ENERGY SYSTEM, PRIVATE (greater than 1 acre and/or the cumulative square footage of buildings on site).

G. Indoor manufacturing and assembly uses similar in nature and intensity to the permitted uses listed.

H. Video Gaming Cafe

Sec. 9.1-5 Signs See Chapter 11.

Sec. 9.1-6 Off Street Parking and Loading Requirements See Chapter 12.

Sec. 9.1-7 Required Conditions

- A. All business establishments shall be retail, public or recreational service establishments dealing directly with consumers. All goods produced on the premises shall be sold at retail on the premises.
- B. All outdoor lighting on the zoning lot shall be directed away from abutting properties.

Sec 9.1.8 Additional Conditions. (Reserved)

B-2 General Business District

SECTION 9.2 B-2 GENERAL BUSINESS DISTRICT

The B-2 General Business District is intended to accommodate the needs of a larger consumer population. A wider range of uses is permitted for both daily and occasional shopping.

Sec. 9.2-1 Lot Size Requirements

Except as otherwise provided herein, a separate ground area, herein called the zoning lot, shall be designated, provided and continuously maintained for each building containing a Permitted or Special Use.

- A. MINIMUM LOT AREA: Not less than one (1) acre unless served by both public sanitary sewer and public water services and then not less than 21,780 square feet.
- B. MINIMUM LOT WIDTH: Not less than 150 feet.

Sec. 9.2-2 Yard Requirements

Notwithstanding Sec. 9.0-4, and except as otherwise provided herein, yards shall be required in the B-2 District as follows:

- A. YARDS FACING EXISTING OR PROPOSED STREETS (not including interior private circulation drives):
 - 1. Front Yards Abutting Residence and Agriculture Districts: The required yard shall be not less than fifty (50) feet.
 - 2. Front Yards Abutting Non-residence Districts: The required yard shall be not less than forty (40) feet.
- B. YARDS FACING INTERIOR PRIVATE CIRCULATION STREETS: The required yard shall be not less than twenty (20) feet.
- C. YARDS ADJACENT TO INTERIOR SIDE/REAR PROPERTY LINES:
 - 1. Abutting Residence and Agriculture Districts: The required yard shall be not less than forty (40) feet.
 - 2. Abutting Non-residence District: The required yard shall be no less than twenty (20) feet.
- D. YARDS ADJACENT TO TOLLWAYS, FREEWAYS, & LIMITED ACCESS HIGHWAYS: All buildings shall be set back not less than fifty (50) feet from any property line adjoining a tollway, freeway or limited access highway. The setback shall be measured from the established right-of-way line of such tollway, freeway or limited access highway.
- E. USE OF REQUIRED YARDS
 - 1. Yards facing Existing or Proposed Streets: yards facing existing or proposed streets may be utilized for site access, fire access, site identification and landscaping.
 - 2. Yards adjacent to Interior Side/Rear Property Lines: yards adjacent to interior side/rear property lines may be utilized for site access, fire access, site identification and landscaping.
 - 3. Yards facing Interior Private Circulation Streets: any yard facing an interior private circulation Street shall be maintained for site access, fire access, site identification and landscaping.
 - 4. Yards adjacent to tollway, freeway & limited access highways: all yards required along tollways, freeways and limited access highways shall be maintained for landscaping. Parking and circulation shall maintain a ten (10) foot setback.

- F. REDUCTION OF REQUIRED YARDS FOR PARKING: Accessory off-street parking, on-site circulation and loading shall maintain a minimum twenty-five (25) foot setback from the front property line regardless of the neighboring zoning district. If the neighboring zoning district facing the side yard of a property is a non-residential zoning district, parking and circulation are permitted to the property line but not within the front twenty-five (25) feet of the property.

Sec. 9.2-3 Permitted Uses

The following Uses are permitted:

A. GENERAL BUSINESSES:

1. Amusement arcades.
2. Bed and breakfast establishments.
3. Event Center.
4. Funeral homes.
5. Hospitals.
6. Mini-marts in conjunction with automobile service stations.
7. Mini warehouses.
8. Parking of vehicles, need not be enclosed, provided that any part of such use conducted outside a completely enclosed building shall comply with all specifications for maintenance hereinafter required for off-street parking space.
9. Public utility and/or service type utilities.
10. Recreation centers.
11. Theaters, automobile drive-in.

B. RETAIL BUSINESSES:

1. Antique shops.
2. Art and school supply stores.
3. Art shops or galleries, including picture framing.
4. Automobile accessory stores, including sale of packaged auto parts.
5. Automobile, light truck, sales and service.
6. Automobile service stations.
7. Bakery stores where the manufacture of bakery goods is limited to goods sold at retail on the premises only.
8. Bicycle sales, rental and repairs.
9. Boats, campers, mobile homes and recreational van sales, need not be enclosed.
10. Book and stationery stores.
11. Business machine stores, sales, rental and service.
12. Camera and photographic supply stores.
13. Candy and ice cream stores.
14. Car radios and mobile telephones, sales only.
15. Carpet and rug stores.
16. China and glassware stores.
17. Coin and philatelic stores.
18. Dairy products establishments, no processing.
19. Department stores, including tire, battery and accessories, which are included as an integral part of the principal building.
20. Discount stores.
21. Drug stores.
22. Drive-in or drive-through establishment.
23. Dry goods stores.
24. Electric and household appliances stores, including radio and television sales and repair.
25. Electric showrooms.
26. Florist shops.
27. Flower shops with conservatories.
28. Food stores, delicatessens, fish and seafood stores, grocery stores, meat markets and package

- liquor stores.
29. Frozen food stores, including locker rental in conjunction therewith.
 30. Fruit markets.
 31. Furniture stores, including upholstery repair when conducted as part of the retail operation and accessory to the principal use.
 32. Furrier shops, including the incidental storage and conditioning of furs.
 33. Garden supply stores (bulk fertilizer sales prohibited).
 34. Gift shops.
 35. Hardware stores.
 36. Hobby shops for retail sales of items to be assembled or used away from the premises.
 37. Household appliance stores.
 38. Ice sales and storage limited to five- (5) ton capacity.
 39. Interior decorating shops, including repair and making of draperies, slip covers and other similar articles, when conducted as part of the retail operations and accessory to the principal use.
 40. Jewelry stores, including repairing of jewelry, watches, and clocks.
 41. Leather goods and luggage stores.
 42. Live bait shops.
 43. Locksmith shops.
 44. Machinery sales.
 45. Mail order and catalog sales stores.
 46. Meat markets, including the sale of meats and meat products to restaurants, hotels, clubs or other similar establishments when conducted as a part of the retail business on the premises.
 47. Mini marts.
 48. Motorcycle sales and service.
 49. Motor vehicle sales and service.
 50. Music stores, including the sale of sheet music, records, tapes, compact discs and videos, and the sales and repair of musical instruments.
 51. Offices: Business, Professional, Governmental or Medical.
 52. Office machine sales and service.
 53. Office supply stores.
 54. Open sales lots, need not be enclosed.
 55. Orthopedic and medical appliance stores and the assembly of such articles.
 56. Paint, glass and wallpaper stores.
 57. Pet shops.
 58. Photography studios, including the development of film and pictures conducted as part of the retail business on the premises.
 59. Prepared food delivery stores.
 60. Plumbing showrooms.
 61. Restaurants.
 62. Sewing machines sales and service, (household machines only).
 63. Shoe stores.
 64. Sporting goods stores.
 65. Telephone stores.
 66. Tile stores.
 67. Tobacco shops.
 68. Toy shops.
 69. Wearing apparel shops.
 70. The sale of firearms and ammunition.

C. SERVICE BUSINESSES:

1. Animal hospitals.
2. Automobile laundry.
3. Automobile rentals including washing and servicing, need not be enclosed.
4. Automobile repair garages.
5. Automobile, truck, and trailer laundry (water and soap only)
6. Banks and financial institutions (including drive thru)
7. Barber shops.
8. Beauty parlors.

9. Blueprinting and Photostating services.
10. Car radios and mobile telephones, installation.
11. Catering establishments.
12. Clinics.
13. Clothing and costume rental stores.
14. Clothes pressing establishments.
15. Currency exchanges.
16. Day care centers or night care facilities.
17. Dry cleaning and laundromats.
18. Hotels and motels.
19. Laboratories, medical and dental research or testing.
20. Landscaping Business
21. Physical culture and health services, masseurs and public baths.
22. Quick print shops limited to five (5) employees.
23. Repair, rental and servicing of any product the sale of which is permitted in this district.
24. Restricted production and repair limited to art, needlework, clothing, custom manufacturing and alterations for retail only; jewelry from precious metals, watches, dentures and optical lenses.
25. Schools, music, dance or business.
26. Shoe and hat repair stores.
27. Telephone booths.
28. Video rental stores.

D. GENERAL SERVICES.

1. Animal pounds.
2. Auction facilities.
3. Building material establishments, dimension lumber, millwork, cabinets and other building materials; provided that no milling, planing, jointing, manufacture of millwork shall be conducted on the premises, need not be enclosed.
4. Cartage and express facilities providing storage of goods, motor truck, and other equipment, if in enclosed structures.
5. Caskets and cemetery vault assembly and sales.
6. Clubs and lodges, private, fraternal or religious.
7. Contractors or construction offices and shops such as, but not limited to, building, concrete, electrical, masonry, printing, plumbing, refrigeration and roofing, need not be enclosed.
8. Employment agencies.
9. Exterminating shops.
10. Greenhouses and nurseries.
11. Linen, towels, diapers and similar supply services.
12. Mail order and catalog stores.
13. Packaging and crating.
14. Parking of vehicles, need not be enclosed, provided that any part of such use conducted outside a completely enclosed building shall comply with all specifications for maintenance hereinafter required for off-street parking spaces.
15. Pawn shops.
16. Plumbing showrooms.
17. Printing and publishing establishments having not more than twenty-five (25) employees.
18. Public garages.
19. Recording studios.
20. Research laboratories.
21. Storage, warehousing and wholesale establishments.
22. Taverns.
23. Theaters, indoor.
24. Travel bureaus and transportation ticket offices.

E. RELIGIOUS INSTITUTIONS: chapels, churches, synagogues, temples and other religious institutions including parsonages and rectories.

F. TEMPORARY USES: Temporary uses must be reviewed by and approved by the Director, County Land Use Department. prior to being established on a zoning lot. The Director shall have the

authority to establish reasonable terms and conditions for the temporary use including, but not limited to, location on the lot, parking and time limit. Need not be enclosed.

- G. DWELLING UNITS: Dwelling units and lodging rooms provided that they are located above the first floor of the building.
- H. SOLAR ENERGY SYSTEM, PRIVATE (Less than the cumulative square footage of buildings on site and no greater than 1 acre.)
- I. VIDEO GAMING, ACCESSORY USE

Sec. 9.2-4 Special Uses

The following Special Uses require prior approval after a public hearing in accordance with the requirements Sec. 14.10.

- A. COMMERCIAL TOWER
- B. Dwelling group quarters.
- C. Kennels.
- D. Medical Cannabis Dispensary
- E. Pet cemeteries.
- F. Planned unit developments. (See Sec. 14.11.)
- G. Public Commercial, Airport-heliport
- H. Other retail and service business uses similar in nature and intensity to those permitted uses listed.
- I. SOLAR ENERGY SYSTEM, PRIVATE (greater than 1 acre and/or the cumulative square footage of buildings on site).
- J. Indoor manufacturing and assembly uses similar in nature and intensity to the permitted uses listed
- K. Video Gaming Café

Sec. 9.2-5. Signs See Chapter 11

Sec. 9.2-6 Off Street Parking and Loading Requirements See Chapter 12

Sec. 9.2-7 Required Conditions

- A. All business establishments shall be retail, public or recreational service establishments dealing directly with consumers. All goods produced on the premises shall be sold at retail on the premises.
- B. All outdoor lighting on the zoning lot shall be directed away from abutting properties.

Sec. 9.2-8 Additional Conditions Reserved

CHAPTER 10 INDUSTRIAL DISTRICT

SECTION 10.0 PURPOSE AND GENERAL CONDITIONS

The Industrial District is provided to support and complement the LaSalle County Comprehensive Plan. The Industrial District requirements are further intended to govern the location, intensity and methods of development of industrial areas in LaSalle County. The regulations are designed to provide protection for existing developments while allowing new construction in accordance with current design standards.

The regulations further provide for groupings of industrial buildings, which are compatible with each other in scope of services and methods of operation. The Districts are designed to create yards and open space to create a transition between Residence and Industrial Districts and to provide reasonable compatibility between uses. AGRICULTURE, AS DEFINED IN CHAPTER 3, IS EXEMPT FROM THE REGULATIONS OF THIS ORDINANCE AS PROVIDED IN SECTION 6.4-EXEMPTIONS.

Sec. 10.0-1 Permitted Uses

Buildings, structures, or uses of land as hereinafter listed, shall be permitted in the Industrial District indicated under the conditions specified. Except as hereinafter provided, no building shall be used and no lot or tract of land shall be devoted to any use other than a Permitted Use or Special Use as provided in the zoning district where such building, structure, use, lot or tract of land shall be located with the exception of the following:

- A. Use lawfully established on the effective date of this Ordinance
- B. Special Uses allowed in accordance with the provisions of Sec. 10.0-2.
- C. Buildings, structures or uses already established on the effective date of this Ordinance and rendered nonconforming by the provisions hereof, shall be subject to the regulations of Chapter 5.

Sec. 10.0-2 Special Uses

Special Uses, as hereinafter listed in the zoning districts, may be allowed subject to the granting of a Special Use in accordance with the provisions of Sec. 14.10.

Sec. 10.0-3 Lot Size Requirements

Lot size requirements shall be as specified in the industrial district.

Sec. 10.0-4 Yard Requirements

Yards shall be required as specified in the zoning district. In addition, the following regulations shall be complied with:

- A. Except as provided in Sec. 4.5, and except as hereinafter provided, all yards shall be open and unobstructed from the ground level to the sky.
- B. Where a lot has frontage abutting two streets of unequal traffic volume, the frontage facing the street with the higher traffic volume shall be the front lot line.
- C. Where a lot has frontage abutting two (2) streets having an identical traffic volume, the Director, County Land Use Department, shall determine the location of the front line of the zoning lot.

Sec. 10.0-5. Building Bulk Requirements.

Building bulk requirements shall be expressed in terms of minimum yard requirements as prescribed in the zoning district.

Maximum height of Buildings: Shall not exceed thirty-six (36) feet height.

Sec. 10.0-6 Signs

Signs shall be permitted in accordance with the provisions set forth in Chapter 11.

Sec. 10.0-7 Off Street Parking and Loading Requirements

Off Street parking and loading facilities accessory to uses allowed in the Industrial District shall be provided in accordance with the regulations established in Chapter 12.

Sec. 10.0-8 Required Conditions

Permitted or Special Uses established in the Industrial District shall comply with the following Required Conditions:

- A. Except for mini-warehouses or individual incubator business or office buildings, no more than one (1) principal building, or principal use shall be located on a zoning lot within these districts except by a Planned Unit Development.
- B. Every use, unless expressly exempted by this Ordinance, shall be operated in its entirety within a completely enclosed structure; the exemption of a use from the requirement of enclosure will be indicated by the phrase "need not be enclosed" appearing after each use exempted.
- C. Except for open sales lots, all outdoor storage areas for goods, products, materials, supplies, machinery, equipment or commercial vehicles, and outdoor trash containers shall be enclosed with a fence or a landscaping screen or any combination thereof, which shall result in a full landscape screen to a height of not less than eight (8) feet above grade.
- D. Buildings existing on the date of adoption of this Ordinance may be converted to a Permitted or Special Uses in compliance with the Zoning Ordinance and any other applicable federal, state or county laws or ordinances.
- E. Temporary buildings, structures and uses shall be reviewed and approved by the Director, County Land Use Department, prior to being established on a zoning lot in these districts. The Director shall have the authority to establish reasonable terms and conditions for the temporary building, structure or use including, but not limited to, location on the lot, parking, time limit and enclosure except as otherwise provided for in Sec. 4.7.

Sec. 10.0-9. Additional Conditions (Reserved)

I-1 Industrial District

SECTION 10.1 I-1 INDUSTRIAL DISTRICT

The I-1 Industrial District is intended to provide areas for the development of manufacturing and industrial uses in close proximity to agricultural, residential and business uses. The district regulations are structured to provide for the operation of a wide range of manufacturing uses, wholesaling and warehousing activities and limited retail and service business uses.

Sec 10.1-1 Lot Size Requirements

Except as hereinafter provided, a separate ground area, herein called the zoning lot, shall be designated, provided and continuously maintained for each building containing a Permitted or Special Use.

- A. MINIMUM LOT AREA: Not less than one (1) acre.
- B. MINIMUM LOT WIDTH: Not less than 150 feet.

Sec. 10.1-2 Yard Requirements

Notwithstanding Sec. 10.0-4, and except as otherwise provided herein, yards shall be required in the 1-1 District as follows:

- A. YARDS FACING EXISTING OR PROPOSED STREETS (not including interior private circulation drives).
 - 1. Front Yards abutting Agriculture and Residence Districts: (See Sec. 10.0-4. for determination of front line.) The required yard shall be not less than sixty (60) feet.
 - 2. Front Yards abutting Non-agriculture and Residence Districts: (See Sec. 10.0-4, for determination of front line.) The required yard shall be not less than forty (40) feet.
- B. YARDS FACING INTERIOR PRIVATE CIRCULATION STREETS: The required yard shall be not less than twenty (20) feet.
- C. YARDS ADJACENT TO INTERIOR SIDE/REAR PROPERTY LINES
 - 1. Abutting Agriculture and Residence District: The required yard shall be not less than sixty (60) feet.
 - 2. Abutting Non-agriculture and Residence District: The required yard shall be not less than twenty (20) feet.
- D. YARDS ADJACENT TO TOLLWAYS, FREEWAYS & LIMITED ACCESS HIGHWAYS: all buildings shall be set back not less than fifty (50) feet from any property line adjoining a tollway, freeway or limited access highway. The setback shall be measured from the established right-of-way line of such tollway, freeway or limited access highway.
- E. USE OF REQUIRED YARDS
 - 1. Yards Facing Existing or Proposed Streets: yards facing existing or proposed streets may be utilized for site access, fire access, site identification and landscaping.
 - 2. Yards adjacent to Interior Side/Rear Property Lines: yards adjacent to interior side/rear property lines may be utilized for site access, fire access, site identification and landscaping.
 - 3. Yards facing Interior Private Circulation Streets: any yard facing an interior private circulation street shall be maintained for site access, fire access, site identification and landscaping.
 - 4. Yards adjacent to tollway, freeway and limited access highways: All yards required along tollways, freeways and limited access highways shall be maintained for landscaping. Parking and circulation

shall maintain a ten (10) foot setback.

- F. REDUCTION OF REQUIRED YARDS FOR PARKING: Accessory off-street parking, on-site circulation and loading shall maintain a minimum twenty-five (25) foot setback from the front property line regardless of the neighboring zoning district. If the neighboring zoning district facing the side yard of a property is a non-residential zoning district, parking and circulation are permitted to the property line but not within the front twenty-five (25) feet of the property.

Sec. 10.1-3 Permitted Uses

The following Uses are permitted:

A. RETAIL BUSINESSES:

1. Agricultural implements sales and service, need not be enclosed.
2. Boats, campers, mobile homes and recreational van sales, need not be enclosed.
3. Building material sales and storage, need not be enclosed.
4. Greenhouses and nurseries, including retail and wholesale, need not be enclosed.
5. Ice sales and storage.
6. Motor vehicles, trucks, and equipment, including new sales and service and/or rental of this equipment.
7. Restaurants.

B. SERVICE BUSINESSES:

1. Animal pounds and shelters.
2. Automobile repair garages.
3. Automobile service stations, need not be enclosed.
4. Banks and financial institutions.
5. Currency exchanges.
6. Fuel distribution, gasoline, L-P gas, liquid natural gas, need not be enclosed.
7. Offices (business, professional, governmental, or medical).
8. Parking garages and lots, for motor vehicles.
9. Quick print shops.

C. GENERAL USES:

1. Any manufacturing, fabricating, processing, packing and storage uses.
2. Bakeries.
3. Beverages, bottling and distribution.
4. Contractors or construction offices and Shops, such as but not limited to building, concrete, electrical, masonry, painting, plumbing, refrigeration and roofing, need not be enclosed.
5. Car and Truck Laundries.
6. Concrete and/or asphalt batching plants, need not be enclosed.
7. Contractors or construction offices and shops.
8. Dairy products processing.
9. Dry cleaning and laundry establishments.
10. Electronic and Scientific Instrument manufacture.
11. Food manufacture, packaging and processing.
12. Fuel distribution, gasoline, L-P gas, liquid natural gas, need not be enclosed.
13. Furniture, bedding and carpet manufacturing.
14. Glass products, production and sales.
15. Laboratories, research and testing establishments.
16. Light machinery production.
17. Machine shops.
18. Mail order houses.
19. Mini-warehouses, including watchman's quarters.
20. Mining, loading and hauling of sand, gravel, topsoil or other aggregate, including equipment, buildings or structures for screening, crushing, washing and storage, need not be enclosed.
21. Open bulk storage: Any open storage of manufactured goods, equipment or materials, including the storage of commercial vehicles, non-commercial vehicles, boats, and equipment, need not

- be enclosed.
- 22. Paper products manufacture.
- 23. Pottery and ceramics.
- 24. Printing and publishing establishments.
- 25. Public Commercial Airport-heliport.
- 26. Public garages.
- 27. Recycling Facility
- 28. Sheet Metal Shop.
- 29. Stone products manufacture.
- 30. Warehousing, storage and distribution facilities not including motor freight terminals.
- 31. Wearing apparel manufacture.
- 32. Wholesale establishments.
- 33. Woodworking.
- 34. Trailer/Conveyance Structure-Non-Habitable.
- 35. Solar Energy System, Private (Less than the cumulative square footage of buildings on site and no greater than 1 acre.)
- 36. Solar Energy System, Private (greater than 1 acre and/or the cumulative square footage of buildings on site).

Sec 10.1-4 Special Uses

The following Special Uses require prior approval after a public hearing in accordance with the requirements of Sec. 14.10.

- A. Automobile wrecking yard
- B. Bulk storage of chemical and petroleum products and explosive hazards as herein defined.
- C. Freight terminals including air, motor and rail.
- D. Junkyards
- E. Planned unit developments. (See Sec. 14.11.)
- F. Solid waste collector transfer stations.
- G. Other uses: Other industrial uses similar in nature and intensity to the permitted uses.
- H. Commercial Towers. The provisions of this subsection H. apply to all commercial towers. All commercial towers and/or antennas shall be subject to and comply with the following provisions.
 - 1. The applicant proposing to construct an antenna and/or tower is required to demonstrate, using technological evidence:
 - a. The location area to satisfy its function in the provider's coverage system.
 - b. That the height requested is the minimum height with a necessary allowance for the potential co- location by other potential uses.
 - c. That the proposed antenna and/or tower is designed to accommodate antennas for more than one (1) user, unless the applicant demonstrates why such design is not feasible for economic, technical or physical reasons.
 - d. That the proposed antenna and/or tower complies with applicable setbacks and where possible the fall zone of the antenna and/or tower lies within the applicable setbacks. In no event shall the fall zone of an antenna and/or tower include a residential structure.
 - e. That the proposed antenna and/or tower and related facility complies with all F.C.C. and F.A.A. standards and applicable standards of any other governmental agency and the applicable standards for the antenna and/or tower that are published by the Electronic Industries Association ("EIA").
 - f. That a maintenance and improvement plan exists to assure ongoing compliance with applicable standards including compliance with amendments to standards made more stringent.

- g. That the proposed antenna and related equipment will not cause localized interference with the reception or transmission of any other communication signals including, but not limited to, public safety signals, television and radio broadcast signals, and telephone usage.
 - h. That required lease and license agreements have been secured with private parties and/or governmental regulators including but not limited to the F.C.C.
 - i. The Zoning Board of Appeals or County Board may request the services of a third-party expert to review technological evidence presented by the applicant and the applicant shall be liable for the costs of such third-party expert. The Zoning Board of Appeals or County Board may secure the services of an independent safety consultant to conduct periodic inspections and the applicant or current owner/operator shall be liable for the costs of such inspections.
 - j. The tower/antenna must comply with the provisions of appendix A-8 found in this ordinance
2. The applicant must demonstrate that the antenna and/or tower and related facilities will not have an adverse effect on nearby property values. When an antenna and/or tower exceeds 100 feet in height and where the equalized assessed value of improvements as determined for property tax assessment purposes on property, excluding improvements within an industrial district, within one mile of the proposed antenna and/or tower exceeds \$1,000,000.00, the antenna and/or tower shall be presumed to have a significant adverse effect on nearby property values.
 3. The applicant must demonstrate reasonable steps will be taken to mitigate the adverse visual effect of the antenna and/or tower. This shall include minimal antenna and/or tower lighting, consideration of antenna and/or tower paint of finishing, architectural and aesthetic compatibility to adjoining locality and structures, screening and vegetation.
 4. The applicant must demonstrate that the antenna and/or tower is protected for security purposes. Security shall include ground level visual buffering, fencing, anti-climbing devices, physical and electronic security.
 5. In the event the use of any antenna and/or tower facility has been discontinued for a period of sixty (60) consecutive days, the facility shall be deemed to be abandoned. Determination of the site of abandonment shall be made by the Zoning Board of Appeals which shall have the right to request documentation and/or affidavits from the antenna and/or tower owner or operator regarding the issue of the antenna and/or tower usage. Upon such abandonment, the owner or operator of the antenna and/or tower shall have an additional sixty (60) days within which to reactivate the use of the antenna and/or tower to another owner or operator who make actual use of the antenna and/or tower or dismantle and remove the facilities. A bond or other security shall insure funds are available to dismantle an abandoned facility.
 6. Additional notice of a Special Use hearing involving a proposed antenna or tower which exceeds 100 feet in height shall be provided to all land owners within 1 mile. Notice shall be provided either in person or by registered mail, return receipt requested and by publication in newspaper of general circulation.
- I. Mono Site Landfill
 - J. Clean Construction and Demolition Debris (CCDD) and Uncontaminated Soil Fill Operation (USFO)
 - K. Facilities in conformance with the state statutes governing the siting location, approval, notice, study and fees of such facilities. In addition, CCDD and USFO facilities shall conform to Section 4.23 of this ordinance.
 - L. Solar Energy Facility, Commercial
 - M. Wind Energy Facility, Commercial
 - N. Battery Energy Storage System
 - O. Medical Cannabis Cultivation Center
 - P. Rendering Facilities
 - Q. Adult Business Uses, subject to the requirements of Sec. 4.14

Sec. 10.1-5 Additional Conditions for Automobile Wrecking Yards and Junkyards

All Automobile Wrecking Yards and Junkyards, of any lot size, shall not allow parking of inoperable motor vehicles within 75 feet of the front lot line and shall be required to enclose the entire operation with a twelve (12) foot high solid screen or fence made of conventional screening or fencing materials.

Sec. 10.1-6 Signs See Chapter 11.

Sec. 10.1-7. Off Street Parking and Loading Requirements
See Chapter 12.

Sec. 10.1-8. Required Conditions Reserved.

CHAPTER 11

SIGN REQUIREMENTS

Sec. 11.0 PURPOSE

The provisions of this Section are intended to provide for the necessary means of identification while maintaining a safe and pleasing environment for the people of LaSalle County.

Sec. 11.1 DEFINITIONS

Advertising Sign: Any advertising device, billboard, poster, notice or display which directs attention to an object, product, place, activity, person, institution, organization or business that is not located on the property where the sign is located, but not including a temporary sign or a sign advertising the activity being conducted upon the property upon which it is located.

Arcade Sign: A wall or projecting sign attached to the roof or wall of an arcade and totally within the outside limits of the structural surfaces which are delineating the arcade.

Area of Sign: The entire area within a single continuous perimeter enclosing the extreme limits of the actual surface of a single faced sign. It does not include any structural element outside the limits of such sign and not forming an integral part of the display.

Building Frontage: The linear length of the outside building wall facing the public right-of-way or the linear length of the outside building wall facing a parking area which serves as the primary access for the subject use.

Building Wall: The wall area in one (1) plane or elevation of a building.

Business Sign: Any sign which directs attention to a business or profession conducted, or to a commodity, service, or entertainment sold or offered, upon the premises where such sign is located, or to which it is affixed.

Canopy Sign: A sign which forms part of a canopy or marquee and does not extend horizontally beyond the limits of such canopy or marquee.

Changeable Copy Sign: A sign on which message copy can be changed through the use of attachable letters and numerals which are changed manually.

Copy Area: The area in square feet of the smallest geometric figure which can be described so as to enclose the actual copy of a sign. For an internally illuminated sign, the entire illuminated face is considered copy area. The copy area of a projecting sign or freestanding ground mounted sign is calculated on one (1) face of the sign only.

Directional Sign: A sign designed and erected solely for the purpose of traffic or pedestrian direction and is placed on the property where the public is directed. Such a sign contains no advertising copy.

Directory Sign: A sign listing the names and location of various activities conducted within a building or group of buildings.

Face of Sign: The entire area of a sign where copy could be placed.

Fascia — Wall Sign: A flat sign which does not project more than eighteen (18) inches from the face of the wall of the building to which it is affixed or attached, running parallel for its entire length to the face or wall of the building, and which does not extend beyond the horizontal width of such building. A fascia- wall sign - shall be an on-premise sign.

Flashing Sign: Any directly or indirectly illuminated sign which exhibits changing natural or artificial light or color effects by any means whatsoever. Time and temperature signs are excluded from the category of flashing signs.

Freestanding Sign: A sign which is ground mounted or supported by one (1) or more columns, uprights, or braces in or upon the ground, not attached to or forming part of a building.

Ground Sign: A freestanding sign designed to be viewed at eye level. The bottom of the sign is no more than three feet above grade.

Grade: The elevation or level of the street closest to the sign to which reference is made, measured at the street's centerline.

Height of Sign: The vertical distance measured from grade to the top of a sign.

Highway Advertising Control Act of 1971: An act relating to the control of signs on lands adjacent to the Federal Aid Primary System and the National System of Interstate and Defense Highways in Illinois, as amended.

Illuminated Sign: A sign which emanates light either by means of exposed tubing or lamps on its surface, or by means of illumination transmitted through the sign faces.

Individual Letter Sign: A wall sign made of self-contained letters that are affixed to the face of a building which does not project above the top of the parapet wall, does not project above any portion of the roof line, and which does not project above or below a marquee.

Message Center Sign: A changeable information display that is electrically activated, such as with light bulbs or mechanical flip discs, to convey information through changing letters, as numbers, figures or similar depictions. Signs that designate only the time and temperature shall not be considered message center signs.

Nameplate: A single-faced sign which does not exceed two (2) square feet in size and is mounted to the principal building or mailbox. A nameplate mounted on the principal building may be illuminated.

Nonconforming Sign: Any sign which was lawfully erected and maintained prior to such time as it came within the purview of this Ordinance and any amendments thereto, and which fails to conform to all the applicable regulations and restrictions of this Ordinance.

Pole Sign: A freestanding sign that is supported by no more than two poles or other structural supports.

Portable Business Sign: A business sign not permanently attached to the ground, building, or any other structure, but not including Exempt and Temporary Signs as regulated by Sec. 11.3.

Portable Sign: A sign not permanently attached to the ground, building, or to any other structure.

Projecting Sign: Any sign other than a fascia wall sign which is attached to, and projects not more than eighteen (18) inches from the face of the wall of the building to which it is affixed. The area of a projecting sign is calculated on all sign faces. No guidelines, braces or secondary supports shall be used. Any angle iron or main support shall be enclosed in a wood, plastic or metal form, such that the angle-iron or main support is not visible.

Public Service Sign: A sign posted on public or quasi-public property, the function of which is to promote items of general interest to the community.

Residential Development Sign: A residential development sign is a permanently ground mounted identification sign constructed at the principal entrance of a residential development.

Sign: Any name, identification, description, illustration or device illuminated or non-illuminated which is visible from any public place or is located on private property and exposed to the public and which directs attention to a product, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise or any emblem, painting, banner, pennant or placard designed to advertise, identify or convey information, with the exception of window displays and national flags. For the purpose of removal, signs shall also include all sign structures. Not included are decorative devices or emblems as may be displayed on a residential mailbox. For the purpose of this Section, definition shall include those signs painted directly upon a building or other structure.

Sign Structure: A structure which supports, has supported, or is capable of supporting a sign, including decorative cover. No guy wire, braces, or secondary supports are to be used. Any angle iron or main support is to be enclosed in a wood, plastic, or metal form, such that the angle iron or main support is not visible.

Temporary Sign: A sign, banner, pennant, valance, or advertising display constructed of cloth, canvas, fabric, cardboard, wallboard, or other light materials, with or without frames, which is not permanently installed or affixed to any sign structure of a building. The one (1) exception is in the case of construction project signs that may be maintained for the duration of construction.

Unlawful Sign: A sign which contravenes this Ordinance.

Vehicle Sign: Any sign painted on, attached to, or mounted upon any operable motor vehicle. This definition does not include signs painted on, attached to, or mounted upon inoperable vehicles or upon trailers.

Window Sign: A sign installed inside a window for purposes of viewing from outside the premises. This term does not include merchandise located in a window.

Sec. 11.2 GENERAL PROVISIONS

A. The following general provisions shall apply in all zoning districts.

1. The requirements of this Ordinance shall govern and control the erection, enlargement, expansion, alteration, operation, maintenance, removal and relocation of all signs within zoning districts in the County. Any sign not expressly permitted by these regulations shall be prohibited. The regulations of this Ordinance relate to the location of signs, by function and type, within the zoning districts.
2. All signs permitted under the Highway Advertising Control Act of 1971, as amended, shall be permitted therein provided such signs conform to the provisions of this Chapter.
3. No sign or sign structure shall be attached to a tree, telephone pole or other utility pole or structure.
4. No sign shall be erected or located in a public right-of-way except as established by the authorized public entity responsible for the right-of-way.
5. Nonconforming Signs: Any sign structure legally established prior to the effective date of this Ordinance which is rendered nonconforming by the provisions herein, and any sign structure which, as a result of subsequent amendments hereto, shall be rendered nonconforming shall be subject to the regulations of Chapter 5.
6. Moving Signs: No sign, or portion thereof, shall rotate, flash, flutter, or appear to move except as otherwise specifically permitted herein.
7. Roof Signs: No sign shall be constructed where such sign projects above any portion of the roof or parapet wall, whichever is higher.
8. Message Center Signs: Message center signs as defined herein shall be allowed as Special Uses only.
9. Permanent Window Signs: Permanent window signs shall conform to the requirements for wall signs under the provisions of the district in which they are located.
10. Flag Poles: In all zoning districts flag poles shall be located not less than ten (10) feet from any property line.
11. Yard Requirement: Signs, unless otherwise provided for in this Ordinance, shall observe the same yard requirements as specified for other buildings and structures.
12. Setback from Street Right-of-way: Except as allowed in Sec. 11.4-2.E all ground and pole signs shall be set back from all street rights-of-way a minimum distance of fifteen (15) feet or one (1) foot for each ten (10) square feet of gross sign area of the largest sign face, whichever is the greater distance.
13. Pole and Ground Signs: Pole signs permitted herein may be double faced, and may be constructed to a height of not more than twenty (20) feet above grade with the lowest edge of a pole sign not less than eight (8) feet above grade. Ground signs permitted herein may be double faced, and may not be

constructed to a height of not more than ten (10) feet above grade.

14. Illumination: the illumination of signs shall be diffused or indirect and shall be so treated that no direct rays shall be reflected: (a) outside the boundary of the zoning lot on which the sign is located: or (b) more than ten (10) feet above grade.
15. Vision Clearance - Corner Lots/Service Drives: in addition to the provisions contained herein on corner lots, all signs shall comply with Sec. 4.4-3.
16. Except as hereinafter provided, when a sign is not specifically listed as permitted in any specific zoning district, such sign shall be expressly prohibited.

B. The following general requirements shall apply in each zoning district hereinafter specified.

Portable Business Signs: portable business signs shall not be permitted in the Residence Districts and in all other Districts shall comply with the following:

1. Number and Size: Not more than one (1) sign, single or double faced shall be permitted on a zoning lot, and shall contain not more than fifty (50) square feet of copy area per face.
2. Type: Only business signs shall be permitted.

Sec. 11.3 EXEMPT AND TEMPORARY SIGNS

The following signs are permitted in all districts subject to requirements hereinafter specified

- A. "For Sale" or "For Rent" Signs for Improved Lots: One(1) sign, containing not more than ten (10) square feet of total copy area for a single face sign and not more than twenty (20) square feet of total copy area for a double face sign shall be permitted. No sign shall exceed twelve (12) feet in height above grade. On corner lots, one (1) additional sign of the same size shall be permitted for the second street. All such signs shall be temporary and shall be permitted for a period of time not to exceed the sale of the subject property. On lots of one (1) acre or more, sixty-four (64) square feet of signage per face is allowed.
- B. "For Sale", "For Rent" and "Construction" Signs for Vacant Property: One (1) sign containing not more than thirty two (32) square feet of total copy area for a single sign face and not more than sixty-four (64) square feet of total copy area for a double face sign shall be permitted. No sign shall exceed twelve (12) feet in height above grade. All such signs shall be temporary and shall be permitted for a period of time not to exceed the sale of the subject property, except construction signs may be maintained for the duration of construction.
- C. Accessory Signs:
 1. Entry/Exit Signs: Not more than one (1) entry/exit sign shall be permitted for each entrance/exit to a multiple-family development or a nonresidential use. Such entry/exit sign shall contain not more than two (2) square feet of total copy area; may be illuminated; shall be constructed not more than three (3) feet in height above grade; and shall be located not less than six (6) feet from any property line.
 2. Parking Area Signs: One (1) parking area sign may be erected for each separate parking area indicating only the terms under which the parking area may be utilized. Such parking area sign may be double faced and shall contain not more than six (6) square feet of total copy area per face. The sign may be illuminated; shall be constructed not more than live (5) feet in height above grade, and shall be located not less than six (6) feet from any property line.
- D. Temporary Political Signs.
- E. Vehicle Signs.

Sec. 11.4 SPECIFIC SIGN REQUIREMENTS

The following sign requirements shall apply within the following zoning districts of this Ordinance.

Sec. 11.4-1 A-1 and A-C AGRICULTURE DISTRICTS

- A. The following signs are allowed in all AGRICULTURE DISTRICTS: Exempt and temporary signs.
- B. Signs measuring up to ten feet by twenty feet (10' x 20') or two hundred (200) square feet are considered a permitted use. Signs greater than ten feet by twenty feet (10' x 20') or two hundred (200) square feet are considered a Special Use and are required to follow the Special Use hearing procedures outlined in this Ordinance.

Sec. 11.4-2 R-R, R-2, R-3 RESIDENCE DISTRICTS

The following signs are allowed in all Residence Districts subject to the requirements hereinafter specified.

- A. Exempt and Temporary Signs. (See Sec. 11.3)
- B. Multiple Family and Planned Unit Development Identification Signs: Identification signs shall be permitted containing only the name of the development and the name, address and telephone number of the management, leasing and sales company, including directional arrows. Such signs may be illuminated; shall contain not more than forty-eight (48) square feet of total copy area, with no single face of such sign containing more than twenty-four (24) square feet of total copy area; and shall be constructed not more than six (6) feet in height above grade. On corner lots, one (1) additional sign of the same size shall be permitted for the second Street.
- C. Multiple Family Accessory Signs:
 - 1. Directional Signs: Additional signs may be permitted after review and approval by the Director, County Zoning Department. Such additional signs shall contain not more than five (5) square feet of total copy area; may be illuminated; shall be constructed not more than four (4) feet in height above grade; shall provide directions to the development project office only and shall be located not less than six (6) feet from any property line.
 - 2. Office Signs: Not more than one (1) office sign shall be permitted. Such sign shall contain not more than four (4) square feet of total copy area; may be illuminated; may be a wall or ground mounted sign and when ground mounted, shall be constructed not more than five (5) feet in height above grade; and shall be located not less than eight (8) feet from any property line.
- D. Residential Development Sign:
 - 1. Location: Residential development signs may be located on a lot or in the road right-of-way if approved by the appropriate highway agency responsible for the right-of-way.
 - 2. Height: At no time may a residential development sign exceed six (6) feet in height.
 - 3. Size: In those locations not within a road right-of-way, a residential development sign may be illuminated and may be double faced; the gross surface area of the largest sign face shall not exceed twelve (12) square feet. For those signs located in a road right-of-way, the size of the sign shall be controlled by the appropriate highway agency responsible for the right-of-way but in no case may the size exceed what is permitted by this Ordinance.

11.4-3 B-1 Business and B-2 Business Districts

The following signs are permitted in the B-1 Business and the B-2 Business Districts subject to the requirements hereinafter specified.

A. Exempt and Temporary Signs. (See Sec. 11.3)

B. Pole or Ground Mounted Signs: Two (2) signs shall be permitted for each zoning lot. Such sign shall be limited to only one (1) of the following: an individual business sign, an integrated shopping center sign or tenant directory, a planned unit development sign and/or tenant directory, an advertising sign, or a multiple use facility sign. Such sign may be pole or ground mounted, may be illuminated, may be double faced, and the total gross surface area of the largest sign face shall not exceed one (1) square foot of signage for every two (2) lineal feet of street frontage, to a maximum of one hundred (100) square feet for any single face.

On corner lots, one (1) additional sign of the same or smaller size may be constructed on the second street.

Sec 11.4-4 I-1 Industrial District

The following signs are permitted in the I-1 Industrial District subject to the requirements hereinafter specified.

A. Exempt and Temporary Signs. (See Sec. 11.3)

B. Pole or Ground Mounted Signs. Two (2) signs shall be permitted for each zoning lot. Such sign shall be limited to only one (1) of the following: an individual business sign, an integrated shopping center sign and tenant directory, a planned unit development sign and/or tenant directory, an advertising sign, or a multiple use facility sign. Such sign may be pole or ground mounted, may be illuminated, may be double faced, and the total gross surface area of the largest sign face shall not exceed one (1) square foot of signage for every two (2) lineal feet of street frontage, to a maximum of 100 square feet for any single sign face.

On corner lots, one (1) additional sign of the same or smaller size may be constructed on the second street.

CHAPTER 12

OFF STREET PARKING & LOADING REQUIREMENTS

Sec. 12.0 GENERAL PROVISIONS

Sec. 12.0-1 Scope of Regulations

The off-street parking and loading provisions of this Ordinance shall apply as follows:

A. OFF-STREET PARKING AND LOADING FACILITIES:

For all buildings and structures erected and for all uses of land established after the effective date of this Ordinance, or any amendment hereto, accessory off street parking and loading facilities shall be provided for each particular type of Permitted or Special Use.

B. INCREASED PARKING AND LOADING FACILITIES:

Where the intensity of use of any building, structure, or premises shall be increased through the addition of dwelling units, gross floor area, seating capacity, or other units of measurement specified herein for required parking or loading facilities, additional parking and loading facilities as required herein shall be provided for such increase in intensity.

C. NEW OFF STREET PARKING AND LOADING FACILITIES:

Whenever the existing use of a building or structure shall hereafter be changed to a new use, parking and loading facilities shall be provided as required for such new use. If the said building or structure was erected prior to the effective date of this Ordinance, additional parking or loading facilities are mandatory only in the amount required for the new use.

D. EXISTING OFF-STREET PARKING AND LOADING FACILITIES:

Accessory off-street parking and loading facilities in existence on the effective date of this Ordinance, or any amendment hereto, and located on the same zoning lot as the building, structure or use served, shall not hereafter be reduced below, or if already less than, shall not be further reduced below the requirements for a similar new building or use under the provisions of this Ordinance.

E. DAMAGE OR DESTRUCTION:

For any building containing a conforming use, legal Special Use, or legal non-conforming use which is in existence on the effective date of this Ordinance, and which building is subsequently damaged or destroyed by fire, collapse, explosion, or other cause, such building may be constructed, reestablished, or repaired provided off street parking and loading facilities in an amount equivalent to that maintained at the time of such damage or destruction shall be restored or continued in operation. In no case, however, shall it be necessary to restore or maintain parking and loading facilities in excess of those required by this Ordinance for equivalent new uses or construction.

F. SUBMISSION OF PLOT PLAN AND PLAT OF SURVEY:

Any application for a building permit, or for a zoning certificate where no building permit is required, shall include therewith, a plot plan and an up-to-date plat of survey drawn to scale and fully dimensioned, showing off-street parking and loading facilities to be provided in compliance with this Ordinance. The Plan shall show:

1. The use of the building, structure, or parcel of land;
2. The number of dwelling units, gross floor area, design capacity, estimated number of employees, or other units of measurement specified herein for determining the number of off-street parking spaces or loading berths required by the Ordinance; and

3. The arrangement, character, extent, width, grade, and location of all parking facilities in relation to existing and planned streets; to reasonable circulation for traffic within and adjacent to parking areas; to topographical conditions and to runoff of storm water; and public convenience and safety.

G. PERMISSIVE OFF-STREET PARKING AND LOADING FACILITIES:

Nothing in this Ordinance shall be deemed to prevent the voluntary establishment of off-street parking or loading facilities to serve an existing use of a building, structure or parcel of land provided that all regulations governing the location, design, and control of such facilities are adhered to.

When off-street parking or loading facilities are established, they may be decreased only when the facilities remaining will at least equal or exceed the off-street parking or loading requirements resulting from application of the standards of this Ordinance to the entire use of the building, structure, or parcel of land as modified.

H. PARKING AREA DESIGN

It shall be the responsibility of the County Land Use Department, to review and approve plans for all parking lots containing more than four (4) spaces located less than forty (40) feet from a Residence or Agriculture Zoning District line. Upon approval of the plans the Director, County Land Use Department shall issue a Zoning Certificate for such parking area.

I. HANDICAPPED PARKING

All uses except single family detached or attached dwellings shall be required to provide off-street parking spaces for handicapped persons in accordance with the standards established by the State of Illinois.

J. TIME OF CONSTRUCTION, OFF-STREET PARKING & LOADING FACILITIES:

Off-street parking and loading facilities, as required by this Ordinance, shall be constructed at the time of erection, establishment, alteration, or enlargement of any building, structure, or use of land. The County Land Use Department shall issue no final approval, until the required parking and loading facilities have been installed.

Sec. 12.1 OFF-STREET PARKING

Sec. 12.1-1 General Requirements

A. EXEMPTION:

When the application of the off-street parking provisions specified in Sec. 12.2 results in a requirement of not more than three (3) spaces on a single zoning lot in any Business or Industrial District, such parking spaces need not be provided where the building is unmanned. However, where two (2) or more uses are located on a single lot, only one (1) of those shall be eligible for the above exemption. In addition, all County and Township facilities shall be exempt from the regulations contained in this section.

B. LOCATION:

All required off-street parking spaces including aisles and driveways shall be located on the same zoning lot as the building or use to which they are accessory, or on a contiguous lot which bears a zoning classification allowing parking as a permitted use and which is under the same ownership or possession as the principal lot. Where there are particular difficulties, or if the public safety and/or public convenience would be better served by a location other than on the same lot or on a contiguous lot, the County Land Use Department, in its discretion, may authorize an alternative location. All off-street parking spaces including aisles and driveways shall be subject to the following conditions:

1. For a single-family dwelling of Categories 1-1 and 1-2, (See Sec. 12.2), if only one (1) of the required parking spaces is provided within a garage, the other required parking space may be located on the garage access driveway and may intrude into a required front yard.
2. Required parking spaces shall be located on the same lot as the use to which they are accessory or on land under the same ownership or control as that of the principal use. In this case, such required spaces shall be located within 300 feet walking distance of a building entrance to the use that the spaces serve. In the case of a collective provision of parking spaces, as provided in Sec. 12.-1.F below, such land shall be in the ownership of not less than one (1) of the participants in the collective provision, and such required space shall be located within 300 feet walking distance of a building entrance to the use that such spaces serve.
3. Off street parking spaces, open to the sky, may be located in any required yard in any zoning district where such parking is not inconsistent with the zoning provisions of that district. Enclosed buildings and carports containing off-street parking spaces shall be subject to the applicable yard requirements in all districts.
4. No accessory off-street parking facility for a building or use located in a Business, or Industrial District shall be located in a Residence or Agriculture Zoning District except upon the granting of a Variation by the County Board.

C. CONTROL OF OFF STREET PARKING FACILITIES

In cases where required off site parking facilities are on land other than the zoning lot on which the building or use served is located, such facilities shall be in the same ownership or possession as the zoning lot occupied by the building or use to which the parking facilities are accessory. Such ownership or possession may be either by deed or other instrument, the term of such instrument to be determined by the County Board, subject to a minimum of thirty (30) years.

D. OFF STREET PARKING CHART:

All other requirements as to parking stall and aisle width shall be as or set forth or interpolated from the "Off-street Parking chart". (Sec. 12.2)

E. ACCESS:

All areas providing for off-street parking facilities shall open directly upon an aisle or driveway not less than ten (10) feet wide for single family, and fifteen (15) feet wide for all other uses, or such additional width and design as shown in the "Off Street Parking Chart". Where there are practical difficulties; where the public safety and convenience would be better served; or where due cause is shown, modification may be granted by the County Land Use Department, for lots of record existing on the date of application of this Ordinance.

F. COLLECTIVE PROVISION:

Off-street parking facilities for separate uses may be provided collectively if the total number of spaces is not less than the sum of the separate requirements for each such use. For those uses which have different hours of operation with no overlap, the number of parking spaces shall be equal to the greatest requirement of any group of uses in operation at the same time. The County Land Use Department shall have the discretion to determine when such reduction in required parking is justified based on appropriate documentation.

G. COMPUTATION:

When determination of the number of off-street parking spaces required by this Ordinance results in a requirement of a fractional space, any fraction of less than one-half ($1/2$) may be disregarded, while a fraction of one-half ($1/2$) or more, shall be counted as one (1) parking space. Where parking spaces are required on an employee basis they shall be based on the maximum number of employees on a shift (duty) at any one (1) time.

H. UTILIZATION:

Except as may otherwise be provided for the parking of trucks where a Special Use has been granted, required accessory off-street parking facilities provided for uses listed in Sec. 12.2 shall be solely for the parking of passenger automobiles in operating condition by patrons, occupants, or employees. No vehicle repair work except emergency service shall be permitted in association with any off-street parking facility.

I. DESIGN AND MAINTENANCE:

1. The creation of new off-street parking facilities and the expansion of existing off-street parking facilities for all non-residential uses shall require the issuance of permits from the County Land Use Department and from the appropriate highway or road district authority, prior to such creation or expansion of parking facilities.
2. Except for residential uses the design for parking lots or areas shall be subject to the approval of the County Land Use Department, in accordance with standards approved by this Ordinance.
3. Accessory parking spaces may be open to the sky or enclosed in a parking structure.
4. All off-street parking spaces, drives and aisles or lanes accessory to any building, structure or use shall be improved with an all weather material in accordance with the following requirements:
 - a) Dwellings, as established under Sec. 12.2, Parking Categories 1-1 and 1-2.
 - I) Except for those uses located in the A-1 Agriculture District access driveways shall be paved from the street traveled way to the property line of the residential lot.
 - II) For any residential zoning lot of Category 1-1 accessing to an unimproved road, no paving shall be required. The minimum requirement for the driveway surface shall be eight (8) inches of compacted aggregate.
 - III) For all other uses, the following standards shall apply: Surfacing shall consist of six (6) inches of compacted aggregate base course and two (2) inches of asphaltic wearing surface, or four (4) inches of aggregate base course with four (4) inches of concrete pavement.
 - b) Apartments and other Residential Uses, as established under Sec. 12.2, Parking Categories 1-3, 1-4, 1-5, and 1-6. Surfacing shall consist of one (1) of the following:
 - I) Six (6) inch un-reinforced concrete pavement.
 - II) Six (6) inch asphaltic concrete base with a two (2) inch asphaltic wearing surface.
 - III) Ten (10) inches compacted aggregate with a two (2) inch asphaltic concrete wearing surface.
 - c) Other Uses, as established under Sec. 12.2, Parking Categories; Number 2 through Number 7, surfacing shall consist of one of the following:
 - I) Six (6) inch un-reinforced concrete pavement.
 - II) Six (6) inch asphaltic concrete base with a two (2) inch asphaltic wearing surface.
 - III) Ten (10) inches compacted aggregate with a two (2) inch asphaltic concrete wearing surface.
5. Other Construction Specifications:
 - a) Entrance drives for business, office and industrial complexes from public rights-of-way shall be a minimum of ten (10) inches of aggregate base course with three (3) inches of bituminous concrete surface course, unless the local political jurisdiction or appropriate highway authority

requires a more restrictive improvement requirement.

- b) Aggregate base course shall be either a crushed stone or crushed gravel.
 - c) Materials and construction methods shall be in accordance with the latest revision of the Illinois Department of Transportation (IDOT) Standard Specifications for Road and Bridge Construction or appropriate highway authority.
 - d) Service drives for business, office and industrial parking areas and access drives to business, office and industrial areas shall be reviewed on an individual basis. Design thickness shall be dependent on the specified use. However, the minimum requirement for a truck service drive shall be twelve (12) inches of aggregate base course with three (3) inches of bituminous concrete surface course.
 - e) Where curbs are hereinafter required, the construction specification shall be as follows:
All curbs shall be Barrier Concrete Curb, Type B, pursuant to the Illinois Department of Transportation (IDOT) Standard Design and Specification. Where such curb(s) are constructed adjacent to flexible pavement, the depth of curb below pavement surface shall be not less than nine (9) inches.
- 6. Curbs: In all cases where off-street parking areas are used for storm water management purposes, such areas shall be improved with permanent Portland Concrete curb(s). Off-street parking areas shall be so located that no part of any parked vehicle shall extend beyond the property line or overhang any adjacent sidewalk or landscaped area.
 - 7. Wheel Guards: All off-street parking spaces within parking lots shall be provided with concrete wheel guards, bumper guards or continuous curbs permanently secured to the finished surface along the perimeter line and abutting the building. Wheel guards, bumper guards or continuous curbs shall be so located that no part of any parked vehicle will extend beyond the property line or encroach upon any adjacent sidewalk, and/or landscaped areas.
 - 8. Striping: All off-street parking spaces, within parking lots, shall be properly marked by a four (4) inch wide painted stripe. All such striping shall be clearly visible at all times.
 - 9. Lighting or Other Equipment: Any lighting used to illuminate off-street parking facilities and circulation drives shall be directed away from residential properties and public streets in such a way as to not create a nuisance.
 - 10. Signs: Accessory signs shall be permitted for parking facilities in accordance with the provisions specified in Chapter 11.
 - 11. Repair and Service: No motor vehicle repair work or service, or selling of gasoline or motor oil of any kind shall be permitted in conjunction with off-street parking facilities located in any District.

J. EXCEPTIONS:

All required off-street parking spaces and their appurtenant aisles and driveways (size of space and aisles) shall be provided on the same lot as the use for which the parking is provided. Areas provided for off-street parking spaces shall not be encroached upon or reduced in any manner.

Sec. 12.2 SCHEDULE OF OFF STREET PARKING REQUIREMENTS

PARKING CATEGORY NUMBER 1 - RESIDENTIAL USES

DWELLINGS AND MOBILE HOMES

1-1 Dwelling:

Single Family Detached	Two (2) parking spaces per dwelling unit
Accessory Dwelling Unit	Two (2) parking spaces per dwelling unit
Domestic Workers,	Two (2) parking spaces per dwelling unit
Mobile Home	Two (2) parking spaces per dwelling unit

1-2 Dwelling:	
Single Family Attached Dwelling, Two Units	Two and one-half (2.5) parking spaces per dwelling unit
Dwelling, Three Units	Two and one-half (2.5) parking spaces per dwelling unit
Quadraplexes	Two and one-half (2.5) parking spaces per dwelling unit
Mobile Home Parks	Two and one-half (2.5) parking spaces per dwelling unit
1-3 Apartments (Multiple Family) except as shown above and except Elderly Housing	
Studio Apartment	One and one half (1.5) parking spaces per dwelling unit
Efficiency Apartment	One and one half (1.5) parking spaces per dwelling unit
One Bedroom Apartment	One and one half (1.5) parking spaces per dwelling unit
Two Bedroom Apartment	One and three quarters (1.75) parking spaces per dwelling unit
Three or more Bedroom Apartment	Two (2) parking spaces per dwelling unit
1-4 Elderly Housing	One (1) parking space per each two (2) dwelling units: plus one (1) space per each employee on the premises: plus not less than ten (10) percent of all spaces to be reserved for the handicapped.

GROUP QUARTERS

1-5 Dormitory	Five (5) parking spaces per each 1,000 square feet of gross floor area
Fraternity	Five (5) parking spaces per each 1,000 square feet of gross floor area
Lodging House	Five (5) parking spaces per each 1,000 square feet of gross floor area

RESIDENTIAL CARE

1-6 Day Care Center-Adult	One (1) parking space per each employee; plus
Day Care Home	one (1) parking space per each three (3) residents
Family Care Home for the Developmentally Disabled	based on rated design capacity
Foster Family Home	
Senior Citizen Home Sharing	
1-7 Day Care Center	One (1) parking space per each employee; plus One (1) parking space
Night Care Facility	per each fifteen (15) children based on rated design capacity.

PARKING CATEGORY NUMBER 2- SCHOOLS

2-1 Business:	Five (5) parking spaces per each 1,000 square feet of floor area
Corporate Training Centers	
Dance School	
Music School	
2-2 Elementary, public or private	One (1) parking space per each classroom plus; One (1) space per
Junior High, public or private	each employee
2-3 Senior High, public or private	One (1) parking space per each employee, plus one (1) parking space
	per each six (6) students based on rated design rated design capacity.
2-4 College or University	One (1) parking space per each one (1) employee, plus one (1) parking
Vocational School	space per Trade School each four (4) students based on rated design
	capacity

PARKING CATEGORY NUMBER 3- HEALTH/MEDICAL

- | | |
|---|--|
| 3-1 Medical or Dental Clinic | Six (6) parking spaces per each 1,000 square feet of gross floor area |
| 3-2 Hospital or Medical Center | A parking study shall be required which analyzes parking demand and supply on the basis of number of beds, employees, ratio of inpatient to outpatient usage, and other pertinent factors. |
| 3-3 Home for the Aged
Intermediate Care Facility
Nursing Home
Sheltered Care Facility
Sheltered Care Home
Skilled Nursing Facility | One (1) parking space per each two (2) beds plus one (1) parking space per each employee |

PARKING CATEGORY NUMBER 4- RECREATIONAL/CIVIC/SOCIAL

- | | |
|---|---|
| 4-1 Art Gallery, private
Club or Lodge
Community Center
Community Theater, amateur
Gymnasium
Health Club
Indoor Arena
Indoor Stadium
Labor Union Halls
Library, public or private
Museum, private
Other Indoor Recreation
Other Meeting Places for
an organization
Physical Culture and
Health Services
Recreation Building | Five (5) parking spaces per each 1,000 square feet of gross floor area. |
| 4-2 Golf Courses | Forty (40) parking spaces per each nine (9) holes, plus one (1) parking space per each two (2) employees, plus additional parking as applicable for any accessory retail or service area in accordance with the provisions of this Ordinance. |
| 4-3 Theater
Race Track | Thirty (30) parking spaces per each 1000 square feet of gross floor area or one space for every four people based on design rated capacity whichever is greater |
| 4-4 Theater, Drive-in | Reservoir spaces as determined by the County Land Use Department. |
| 4-5 Club Houses
Day Camp
Golf Learning Center
Golf Driving Range
Miniature Golf
Outdoor Arena
Outdoor Stadium
Other Outdoor Recreation Facilities
Parks
Playground & Other Open Spaces | Parking spaces as determined by the County Land Use Department |

4-6 Swimming Facilities	One (1) parking space per each seventy-five (75) square feet of water, plus one (1) parking space per each two (2) employees, plus additional parking spaces, as applicable, in accordance with the provisions of this Ordinance.
4-7 Handball Club Racquetball Club Archery	Two (2) parking spaces per each court, plus one (1) parking space per each employee, plus additional parking spaces, as applicable, for any accessory use in accordance with the provisions of this Ordinance.

PARKING CATEGORY NUMBER 5- RELIGIOUS/INSTITUTIONAL

5-1 Cemetery Columbarium Crematory Mausoleum	Two (2) parking spaces per each 1,000 square feet of building area
5-2 Chapels Churches Temples (Including Rectories and Parish Houses) Synagogues Funeral Homes	One (1) parking space per each four (4) seats based on rated design capacity or per each seventy-two (72) lineal inches of seating space in the main auditorium or assembly hall, and one (1) parking space per each five (5) residents; visitor parking to be determined by the County Land Use Department
5-3 Convent Monastery Nunnery Religious Retreat	One (1) parking space per each nonresident employee, plus one (1) parking space per each five (5) residents; visitor parking to be determined by the County Land Use Department

PARKING CATEGORY NUMBER 6- BUSINESS USES

Unless otherwise indicated below all Permitted Uses and Special Uses in the B-1 and B-2 Business Districts require four (4) parking spaces per each 1,000 square feet of gross floor building area.

6-1 Amusement Arcades Auction Facilities Recreation Centers	Ten (10) parking spaces per each 1,000 square feet of gross floor area
6-2 Hotel, Motel Lodging Room	One (1) parking space per each lodging room. Plus one (1) parking space per each employee, plus additional parking spaces as applicable, per the accessory retail service and entertainment area.
6-3 Restaurant	Fifteen (15) parking spaces per each 1,000 square feet of gross floor area plus five (5) reservoir spaces per each drive-in window.
6-4 Automobile Rentals Building Materials & Products, Sales and Storage Contractor or Construction Offices, Shops or Yards Greenhouses and Nurseries Model Homes and Garage Displays	One (1) parking space per each 1,000 square feet of gross floor area

6-5 Integrated Shopping Centers which do not contain uses requiring spaces in excess of five (5) spaces per 1,000 square feet of gross floor area as determined by the County Land Use Department, shall provide parking spaces in accordance with the following:

Shopping Centers with up to 24,000 square feet of gross floor area.	Four (4) parking spaces Per each 1,000 square feet of gross floor area.
Shopping Centers with 24,000 square feet, but less than 400,000 square feet of floor area.	Four and one half (4.5) Parking spaces per each 1,000 square feet of gross floor area.
Shopping Centers with 400,000 square feet or more gross floor area.	Five (5) parking spaces Per each 1,000 square feet of gross floor area.

Where other uses requiring spaces in excess of five (5) spaces per 1,000 square feet of gross floor area are established as a portion of any Integrated Shopping Center, such uses shall provide parking spaces calculated on the basis of the individual use(s) using the schedule of Off-street Parking Requirements in this Ordinance.

PARKING CATEGORY NUMBER 7- INDUSTRIAL USES

7-1 Agricultural Implement Sales and Service Asphalt Products Manufacture Bakeries Beverages. Bottling and Distribution Boiler and Tank Manufacturing Boot and Shoe Manufacturing Concrete Mixing Plants Dairy Products Processing Electronic and Scientific Precision Instruments Mfg. Food Mfg., Packaging & Processing Fuel Distribution, Gasoline, LP gas Furniture, Bedding and Carpet Manufacture General Manufacturing and Industrial Activities Glass Products Production & Sales Laboratories for Engineering and Testing Activities Light Machinery Production & Assembly Machine Shops Mail Order Houses Metal Stamping Mining, Loading, Hauling of Sand, Gravel and other Aggregate Paper Products Manufacture Pottery and Ceramics Manufacture Printing and Publishing Establishment Rendering or Blending Facility Sheet Metal Shops Stone Products Manufacture Woodworking Wearing Apparel Manufacture Other Industrial, Processing, Assembly and Finishing	One (1) parking space per each 1,000 square feet of gross floor area or one (1) parking space per each two (2) employees, whichever is greater.
7-2 Air Freight Terminal Motor Freight Terminal Railroad Freight Terminal Cartage and Express Facility	Two (2) parking spaces per 1,000 feet of gross floor area or two (2) parking spaces per each three (3) employees, whichever is greater.
7-3 Warehouses, Storage and Distribution Facilities Wholesaling	One (1) parking space per each 1,000 square of gross floor area up to 100,000 square feet of gross floor area. Thereafter, one (1) additional parking space per each 2,000 square feet of gross floor area.

7-4 Automobile Graveyard Automobile Salvage Junkyard Sanitary Landfill Solid Waste Collection Transfer Station	Two (2) parking spaces per each employee
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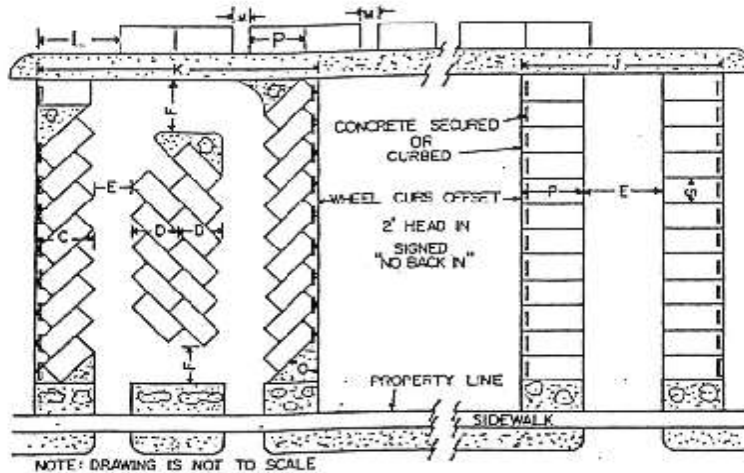
TRANSPORTATION COMMUNICATION PUBLIC UTILITIES

7-5 Airport/Heliport Bus Station Mini-warehouses Essential services, including fully automated gas regulating stations. telephone exchanges and electric substations, Railroad passenger stations when not located on railroad property. Towers and antennas, commercial, for radio, television, and telephone transmitting, receiving or relay stations. Waste water treatment plants. Water works, reservoirs, pumping stations, filtration plants and wells. Other governmental and utility service uses.	Parking spaces as determined by the County Land Use Department
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7-6 Adult Use	Ten (10) parking spaces for each 1,000 square feet of gross floor area.
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Sec. 12.3 OFF STREET PARKING CHART (See Appendix A-7 Page 147)

TABLE OF DIMENSIONS (in feet)											
ANGLE	0	S	P	C	D	E	F	J	K	L	M
PARALLEL PARKING											
		10	22	10	10	15	15	30	60	25	5
ANGLE PARKING											
30		10	20	39	17	15	15	53	94	-	-
45		10	20	22	19	18	15	60	110	-	-
60		10	20	22	20	18	15	51	113	-	-
PERPENDICULAR PARKING											
		10	20	20	20	24	24	60	120	-	-



Sec. 12.4 OFF-STREET LOADING REQUIREMENTS

Sec. 12.4-1 General Requirements

A. LOCATION:

All required off-street loading facilities shall be located on the same zoning lot as the building or use to which they are accessory, or central loading facilities may be established in accordance with the provisions of this Ordinance.

Off street loading berths, open to the sky, may be located in any required side or rear yard in any Zoning District where such berth is not inconsistent with the zoning provisions of that district. Enclosed buildings containing off-street loading spaces shall be subject to the applicable yard requirements in all Districts.

1. Central Loading Facilities:

Central Loading Facilities may be substituted for off-street loading facilities on individual zoning lots provided the following conditions are fulfilled:

- Each zoning lot served shall have direct access to the central loading area without crossing streets.

b) The total number of off-street loading berths provided shall meet the minimum requirements of this Ordinance, based on the sum of the several types of uses served.

c) No zoning lot served shall be located more than 300 feet from the central loading area.

2. Control of Central Loading Facilities:

When the required off-street loading facilities are collectively provided and used in central loading facilities, written covenants and easements assuring their retention, maintenance, and use for such purposes shall be executed by the parties concerned. Such covenants and easements shall be reviewed by the County Land Use Committee, approved as to content and form by the States Attorney, and filed for record in the office of the County Recorder.

B. ACCESS:

All off-street loading facilities shall open directly upon an aisle or driveway not less than fifteen (15) feet wide or to a public street.

C. COMPUTATION:

When determining the number of off-street loading berths required by this Ordinance, the computation results in a requirement of a fractional berth, any fraction of less than one-half (1/2) may be disregarded, while a fraction of one-half (1/2) or more, shall be counted as one (1) loading berth.

D. SIZE:

See Schedule of Off-street Loading Requirements, Sec. 12.4-3.

E. SHELTER BUILDING:

No loading area for accessory off-street loading shall have more than one (1) attendant shelter building which shall conform to all setback requirements for structures in the district and shall contain not more than fifty (50) square feet of gross floor area.

F. UTILIZATION:

Space allocated to any off-street loading facility shall not, while so allocated, be used to satisfy the requirement for any off-street parking facilities or portion thereof.

G. MINIMUM LOADING FACILITIES

Uses of buildings, structures, or parcels of land which require off-street loading facilities, but which have less area than the minimum prescribed for such required facilities, shall be provided with adequate receiving facilities, accessible by motor vehicle, off any adjacent service drive on the same lot.

H. SURFACING:

All open off-street loading areas and access aisles shall be improved with a compacted stone base not less than twelve (12) inches thick, and shall be surfaced with not less than four (4) inches of asphaltic concrete or reinforced Portland Cement Concrete not less than eight (8) inches thick with a compacted stone base of not less than four (4) inches thick.

I. LIGHTING:

Any lighting used to illuminate off-street loading areas shall be directed away from residential properties and public streets in such a way as to not create a nuisance.

J. SIGNS:

Accessory signs shall be permitted for loading areas in accordance with the provisions specified in Chapter 11.

Sec. 12.4-2 Specific Requirements

All off-street loading berths shall be provided in accordance with the specific Loading Classes as hereinafter set forth in the Off-street Loading Requirements. If, for any reason, the classification of any use, for the purpose of determining the amount of off-street loading, or the number of berths to be provided by such use is not readily determinable, the loading class of such use shall be fixed by the County Land Use Department.

Sec. 12.4-3. Schedule of Off-Street Loading Requirements.

Parking Sub Category	Categories	Gross Floor Area in Square Feet	Required Number and Minimum Dimensions
No.1 Residential	1-3 through 1-7	10,000 to 200,000 For each additional 200,000 or fraction thereof	1(12' x 30') 1 Additional (12' x30')
No.2 Schools	2-1 through 2-4	10,000 to 200,000	1(12' x 30')
No.3 Health/Medical	3-1 through 3-3	10,000 to 200,000	1(12' x 30')
No.4 Recreational Civic Social	4-1 through 4-7	For each 200,000 or fraction thereof	1 (12' x 30")
No.5 Religious Institutional	5-1 through 5-3	For each 200,000 or fraction thereof	1 (12' x 30")
No.6 Business Uses	6-1 through 6-5	Under 5,000 5,000—25,000 25,000—200,000 Each Additional 100,000	none 1(12' x 30') 1 (12'x30') 1(12' x 60') 1(12' x 60')
No.7 Industrial Uses	7-1 through 7-6	5,000 to 10,000 10,000 to 40,000 40,000 to 100,000 For each additional 100,000 or fraction	1(12' x 30') 1(12' x60') 1(12' x 30') 1(12' x60') 1 Additional (12' x 60')

CHAPTER 13
STORMWATER MANAGEMENT [RESERVED]

CHAPTER 14

ADMINISTRATON AND ENFORCEMENT

Sec. 14.0 ORGANIZATION

The administration of this Ordinance is hereby vested in the following:

1. County Land Use Department
2. Zoning Board of Appeals
3. Land Use Committee of County Board
4. County Board

This Section shall first set out the authority of each of these offices, and then describe the procedure and substantive standards with respect to the following administrative functions:

- a. Issuance of Zoning Certificates.
- b. Appeals.
- c. Variations.
- d. Amendments.
- e. Special Uses.
- f. Penalties.
- g. Fees.

Sec. 14.1 COUNTY LAND USE DEPARTMENT

The Director, County Land Use Department, and such zoning enforcing officers or assistants that have been, or shall be, duly appointed by the County Board shall enforce this Ordinance and in addition thereto shall perform the following duties:

- A. Issue all Zoning Certificates and make and maintain records thereof.
- B. Conduct inspections of buildings, structures, and open land uses to determine compliance with the terms of this Ordinance.
- C. Maintain permanent and current records of this Ordinance including nonconforming uses, legal Special Uses, Map Amendments, Special Uses, Planned Unit Developments, variations, appeals and applications therefore, and records of hearings thereon.
- D. Receive, file and forward for action, all appeals and applications for Special Uses, Planned Unit Developments, Variations or Amendments to this Ordinance which may be filed initially with the County Land Use Department.
- E. Provide such clerical and technical assistance as may be required by the Zoning Board of Appeals in the exercise of its duties.
- F. Initiate, from time to time, a study of the provisions of this Ordinance, and make recommendations to the Land Use Committee and the County Board.

Sec. 14.2 ZONING BOARD OF APPEALS

Sec. 14.2-1. Creation and Membership.

The Zoning Board of Appeals is hereby established, which Board shall consist of the seven (7) members and two (2) alternates appointed by the Chairperson of the County Board with the advice and consent of the County Board. Five (5) members to serve respectively for the following terms: one for one (1) year, one for two (2) years, one for three (3) years, one for four (4) years, and one for five (5) years. The successor to each member so appointed shall serve for a term of five (5) years. Two (2) additional members appointed by the Chairperson of the County Board with the advice and consent of the County Board, shall serve for a term of five (5) years. The two (2) alternate members shall serve for four (4) years and five (5) years, respectively. In the event of a vacancy in the seven (7) person board, one of the alternate members shall be appointed to fulfill the remaining term of a board member and a new alternate shall be appointed.

By Illinois Statute, the Chairperson of the County Board has the authority to select the Zoning Board of Appeals with the advice and consent of the County Board. However, given the large geographic size of LaSalle County, the Chairperson is encouraged to consider appointing and the County Board should only approve those Zoning Board of Appeals members that 1) provide for a fair and proportionate geographic representation of the entire county and 2) reside in, or own property in, the unincorporated area of the County subject to the regulations of this Ordinance.

Sec. 14.2-2 Chairperson and Meetings

- A. The Chairperson of the County Board shall name one (1) of the members of the Zoning Board of Appeals as Chairperson upon appointment, and in case of a vacancy the appointing power shall designate a new Chairperson. All meetings of the Zoning Board of Appeals shall be held at the call of the Chairperson and at such time and places within the County as the Zoning Board of Appeals may determine. The Chairperson, or in the absence of the Chairperson, the Acting Chairperson, may administer oaths and compel the attendance of witnesses. All meetings of the Zoning Board of Appeals shall be open to the public.
- B. The Zoning Board of Appeals shall keep minutes of its proceedings showing the vote of each member upon every question, or, if a member is absent or fails to vote, indicating such fact, and shall also keep records of its examinations and other official actions. Every rule, regulation, every amendment or repeal thereof, and every order, requirement, decision or determination of the Zoning Board of Appeals shall immediately be filed in the office of the Zoning Board of Appeals located in the office of the County Land Use Department, and shall be a public record. In the performance of its duties, the Zoning Board of Appeals may make such expenditures as shall be authorized by the County Board. The Zoning Board of Appeals may adopt its own rules of procedure not in conflict with the Illinois Compiled Statutes.

Sec. 14.2-3 Jurisdiction

The Zoning Board of Appeals is hereby vested with the following jurisdiction and authority:

- A. To hear appeals from and review any order, requirement, decision or determination made by an administrative official charged with the enforcement of this Ordinance.
- B. To conduct public hearings on and make recommendations to the County Board on applications for Variation, Special Use, Amendment, and Planned Unit Development in the manner prescribed by and subject to the standards established in this Ordinance.
- C. Receive from the Director, County Land Use Department, the recommendations as to the effectiveness of this Ordinance and report its conclusions and recommendations to the County Board.
- D. To hear and decide all matters referred to it or upon which it is required to pass under this Ordinance, or prescribed by the applicable provisions of the Illinois Compiled Statutes.

Sec. 14.2-4 Decision of the Zoning Board of Appeals

Decisions and findings by the Zoning Board of Appeals on any Appeal, after a public hearing, shall be the final administrative decision. All final administrative decisions of the Zoning Board of Appeals shall be subject to judicial review pursuant to the provisions of the Administrative Review Law, and all amendments and modifications thereof, and the rules

adopted pursuant thereto. The concurring vote of the four (4) members of the Zoning Board of Appeals shall be necessary to reverse an order, requirement, decision, or determination of the administrative official or to decide in favor of the applicant any matter upon which it is required to pass.

Sec. 14.3 COUNTY BOARD

The County Board is the elected legislative branch of the County Government and has reserved unto itself the final authority on Variations, Special Uses, Amendments, Air Rights Development and Planned Unit Developments.

Sec. 14.4 ZONING CERTIFICATE

- A. Except as hereinafter provided, no permit pertaining to the use of land or buildings shall be issued by any officer, department, or employee unless the application for such permit has been examined by the Director, County Land Use Department, and has affixed to it the Director's Certificate, indicating that the proposed building or structure complies with all the provisions of this Ordinance. Any permit or Occupancy Certificates issued in conflict with the provisions of this Ordinance shall be null and void.
- B. Every application for a Zoning Certificate shall be accompanied by:
 - 1. Two (2) copies of a current plat of the Parcel of land, lot or lots, block or blocks, or parts or portions thereof drawn to scale showing the actual dimensions and monumenting as certified by a Registered Illinois Land Surveyor, as a true copy of the piece or parcel, lot or lots, block or blocks, or portions thereof according to the registered or recorded plat of such land.
 - 2. Two (2) copies of additional drawings drawn to a scale in such form as may from time to time, be prescribed by the Director, County Land Use Department, showing the ground area, height, and bulk of the building or structure, the building lines in relation to lot limits, the use to be made of the building, structure, or land and such other information as may be required by the Director, County Land Use Department, for the proper enforcement of this Ordinance.
 - 3. The Director, County Land Use Department, may, in those cases where, in his/her judgment, the information is not necessary because of existing evidence in County records, waive all or any portion of the requirements of paragraphs (1) and (2) above.

Sec. 14.5 AGRICULTURAL LAND EVALUATION AND SITE ASSESSMENT SYSTEM

The LaSalle County Land Evaluation and Site Assessment System (commonly known as LESA) adopted as part of the LaSalle County Comprehensive Plan is hereby incorporated and adopted as part of this Ordinance and shall be utilized as follows:

- A. The Zoning Board of Appeals shall utilize the LESA system when deciding on issues of the conversion of agricultural uses to nonagricultural uses through requests for a Zoning Amendment or Special Use.
- B. Prior to a zoning hearing, the LESA system will be used to determine the agricultural value of the land. The score sheets will be completed by the LaSalle County Land Use Department staff and by the LaSalle County Soil and Water Conservation District staff. Each staff should consult prior to the Zoning Board's meeting to concur with the scoring and discuss any inconsistencies. This value is scored on a scale of 0 to 300, with land scoring from 200 points and greater being extremely valuable for agriculture, and 0 to 100 points have little value for agriculture. This score will be reported to the Zoning Board of Appeals, who will use it in making a decision on the request for a zoning change.

- C. The Zoning Board of Appeals and the County Board, after consultation with the Director of the LaSalle County Land Use Department, may promulgate such rules and regulations which it deems proper in order to implement the LESA system and said rules and regulations shall be enforceable to the degree and in the same manner as this Ordinance.

Sec. 14.6 APPEALS

Sec. 14.6-1 Scope of Appeals

An Appeal may be taken to the Zoning Board of Appeals by any person aggrieved, or by any office, department, board or bureau of the County. Such an Appeal shall be taken within Ten (10) days after the action complained of, by filing with the Director, County Land Use Department, and with the Zoning Board of Appeals, a notice of appeal specifying the grounds thereof. The Director, County Land Use Department, shall forthwith transmit to the Zoning Board of Appeals all of the papers constituting a record upon which the action appealed from was taken.

Sec. 14.6-2 Findings on Appeals

An Appeal shall stay all proceedings in furtherance of the action appealed from unless the Director, County Land Use Department, certifies to the Zoning Board of Appeals, after the notice of the appeal has been filed with the Director, that by reason of facts stated in the certificate to stay would, in the Director's opinion, cause imminent peril to life and property, in which case the proceedings shall not be stayed unless otherwise by a restraining order which may be granted by the Zoning Board of Appeals or by a court of record on application, on notice of the Director, County Land Use Department, and on due cause shown.

Sec. 14.6-3 Hearing and Administrative Action

- A. For all hearing requirements and procedures see Public Hearings (Sec. 14.12).
- B. The Board shall reach its decision within a reasonable period of time after the hearing of the Appeal. The Board may affirm or may reverse, wholly or in part, or modify the order, requirements, decision, or determination that, in its opinion, ought to be done and, to that end, shall have all the powers of the officer from whom the appeal is taken. The Director, County Land Use Department, shall maintain records of all actions of the Zoning Board of Appeals relative to Appeals.

Sec. 14.6-4 Refund of Filing Fee

If the Zoning Board of Appeals shall reverse an order, requirement, decision or determination, the person filing the Appeal shall be refunded any filing fee which he/she shall have paid.

A refund shall be made only here the action complained of in the notice of appeal is wholly reversed or where the notice of Appeal is withdrawn as provided below. Where the notice of Appeal shall be withdrawn by written notice thereof actually received by the Secretary to the Zoning Board of Appeals prior to the publication or mailing of the notice of appeal, the entire filing fee shall be refunded except any portion thereof which the County Board may provide by resolution be retained to cover filing costs. Where the notice of Appeal shall be withdrawn by written notice actually received by the Secretary of Zoning Board of Appeals after publication or mailing of notice of Appeal, but before the public hearing, one-half of the filing fee shall be refunded. No refund shall be made where the notice of Appeal is withdrawn after the public hearing.

Refunds of filing fees for Appeals shall be made only as provided for in this section and in strict accordance with practices established by the County Treasurers Office for any refunds

Sec. 14.7 PETITION APPLICATION PROCEDURE

Sec. 14.7-1 Petition for Variation, Amendment, Special Use and Planned Unit Development

Request for Variation, Amendment, Special Use and Planned Unit Development shall be filed as follows:

- A. Requests for Variation, Special Use and Planned Unit Development may be initiated by Resolution or Motion of the County Board or Development Committee, or by Petition (application) which seeks to vary the provisions of the Zoning Ordinance or to obtain a Special Use or Planned Unit Development as

specified within the Zoning Ordinance.

- B. Map amendments may be initiated by Resolution or Motion of the County Board or Development Committee, or by Petition (application) which seeks to change or modify the standards and requirements imposed on a particular parcel or parcels of property by the zoning district maps of this Ordinance.
- C. Text amendments may be initiated by Resolution or Motion of the County Board or Development Committee, or by Petition (application) and shall state in particular the Section, Subsection and/or paragraph of the Zoning Ordinance to be amended.

Sec. 14.7-2 Petitioner - Applicant Requirements

- A. The Petitioner shall be the fee owner, agent or attorney or other person having a proprietary interest in the property, and/or any person having the right to represent the owner.
- B. In the case where the fee owner has entered into a contract for the sale of the property sought to be affected, the contract purchaser shall be a co-petitioner to the petition or application or shall provide a letter of authorization to represent the fee owner.
- C. In the case of property that is the subject of a land trust agreement, the trustee of such trust, in his or her capacity as trustee, shall be the petitioner or co-petitioner to the petition or application or the applicant shall provide a letter of authorization from the trustee authorizing the applicant to represent the beneficial interest of the land trust.
- D. Where the petitioner or applicant is a corporation the petition or application shall include the correct names and addresses of all officers and directors, and of all stockholders or shareholders owning any interest in excess of twenty (20) percent of all outstanding stock of such corporation.
- E. Where the petitioner or applicant, or his/her principal, if other than the applicant, is a business or entity doing business under an assumed name, the petition or application shall include the name and residence of all true and actual owners of such business or entity.
- F. Where the petitioner or applicant is a partnership, joint venture, syndicate or an unincorporated voluntary association, the petition or application shall include the names and addresses of all partners. Joint ventures, syndicate members or members of the unincorporated voluntary association.
- G. Where the application is 12 pages or greater, 13 hard copies and 2 electronic copies of the application must be submitted.

Sec 14.7-3 Trust Disclosure

Where property is the subject of a land trust agreement, the applicant shall provide a TRUST DISCLOSURE in compliance with "An Act to Require Disclosure of all Beneficial Interests", 765 ILCS 405/1 et. seq., signed by the Trustee of the Trust.

Sec. 14.8 VARIATIONS

Variations to this Zoning Ordinance may be affected as follows:

Sec. 14.8-1 Purpose

The Zoning Board of Appeals, after a public hearing, may recommend that the regulations of this Ordinance be varied in harmony with their general purpose and intent, only in the specific instances hereinafter set forth, where the Board makes findings in accordance with the standards hereinafter prescribed, and further finds that there are practical difficulties or particular hardships in the way of carrying out the strict letter of the regulations of this Ordinance.

Sec. 14.8-2 Public Hearing

- A. For all hearing requirements and procedures, see Public Hearings (Sec. 14.12).
- B. Variation hearings shall be held in the County Courthouse, or other County building with adequate facilities for such hearings.
- C. If the Variation sought is a variation of ten percent or less of the applicable regulations as to location of structures or as to bulk requirements, no public hearing is required and such Variation may be granted by the Director, County Land Use Department. Provided however, that before such Variation may be granted, a notice of the intent to grant such Variation shall be sent by certified mail to all adjoining landowners. If any adjoining landowner files a written objection with the Director, County Land Use Department within 15 days of receipt of such notice, the Variation shall only be considered by the Zoning Board of Appeals by public hearing in the manner provided in this Section.

Sec. 14.8-3 Standards for Variations

The Zoning Board of Appeals shall not recommend Variations to the regulations of this Ordinance unless it shall make findings based upon the evidence presented to it in each specific case demonstrating consideration with respect to the following:

- A. Under no circumstances shall the Zoning Board of Appeals grant a variance to allow a use not permissible under the terms of this Chapter in the district involved or any use expressly or by implication prohibited by the terms of this Chapter in said district except as follows:
 - 1) To permit yard or setback less than the yard or setback required by the regulations of the applicable zoning district.
 - 2) To increase the height of any structure or the lot coverage of any lot or parcel.
 - 3) To permit the same off-street parking facility to qualify as required facilities for two or more uses, provided that substantial use of such facility by each user does not take place at approximately the same hours of the same days of the week;
 - 4) To reduce the applicable off-street parking or loading facilities required
 - 5) To permit a fence height greater or less than required by the applicable regulations;
 - 6) To permit reductions in minimum lot size in conjunction with a map amendment
 - 7) To permit signs for non-conforming uses
 - 8) To permit modifications to special use requirements, design standards, or PUD requirements
- B. That the granting of any Variation is in harmony with the general purpose and intent of this Ordinance, and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the County's Comprehensive Plan for development.
- C. That the granting of the Variation will not:
 - 1. Impair an adequate supply of light and air to adjacent property;
 - 2. Increase the hazard from fire or other dangers to said property;
 - 3. Diminish the value of land and buildings in the vicinity of the proposed Variation;
 - 4. Unduly increase traffic congestion in the public streets and highways;
 - 5. Increase the potential for flood damages to adjacent property;
 - 6. Incur additional public expense for fire protection, rescue or relief; or
 - 7. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of the County nor will it create a nuisance.

In addition, the Zoning Board of Appeals may recommend that conditions and restrictions be imposed upon the premises benefited by a Variation as may be necessary to comply with the criteria established in this subsection to reduce or minimize the effect of such Variation upon other property in the area, and to better carry out the general intent of this Ordinance

Sec. 14.8-4 Terms of Relief- Zoning Board of Appeals

The terms of relief recommended shall be specifically set forth in a conclusion or statement separate from the findings of the Zoning Board of Appeals.

Sec. 14.8-5 County Board Action

No Variation shall be granted except by ordinance duly passed and approved by the County Board after public hearing and written recommendation from the Zoning Board of Appeals. County Board action must be taken on the variation petition within 90 days from the date of a final recommendation made by the Zoning Board of Appeals.

Upon receiving the recommendation of the Zoning Board of Appeals, the County Board shall either approve (with or without amendment (s)) or deny the application, notifying the petitioner to that effect by mail. Any proposed variation which fails to receive the approval of the Zoning Board of Appeals shall not be passed except by the favorable vote of three-fourths (3/4) of all the members of the County Board.

If a township plan commission objects to a zoning variation which affects unincorporated areas of the township, and the township board of trustees submits its written objections to the County Board within fifteen (15) days after the public hearing before the Zoning Board of Appeals on such zoning variation, the zoning variation shall not be passed except by the favorable vote of three-fourths (3/4) of all the members of the County Board.

In the event the County Board determines that a due process violation has occurred at the hearing, or that there is newly discovered information or evidence that was not available at the time of the hearing, the petition may be returned to the Zoning Board of Appeals to correct the due process violation and/or to consider the newly discovered information or evidence. Specific direction and information must be given by the County Board as to the reason(s) the petition is being returned. At its next regular meeting, the Zoning Board of Appeals shall review the County Board's direction and make a determination to reopen the hearing on the petition.

Sec. 14.8-6 Ordinance - Findings

Without further public hearing, the County Board shall either approve (with or without amendment(s)) or deny the recommendation for Variation. Every Variation, which is approved by Ordinance of the County Board, shall be accompanied by findings and shall refer to any exhibits containing plans and specifications for the proposed Variation, which shall remain a part of the permanent records of the Zoning Board of Appeals.

Sec. 14.8-7 Ordinance - Terms of Relief

The terms of relief granted shall be specifically set forth in a conclusion or statement separate from the findings of the Ordinance. The County Board may establish such conditions and restrictions upon the establishment, location, construction, maintenance and operation of Variations as is deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified.

Sec. 14.9 AMENDMENTS

For purposes of this Chapter, terms shall have the following meanings:

TEXT AMENDMENT: An amendment to the text of the Zoning Ordinance, which affects the whole County.

MAP AMENDMENT: An amendment to the map or zoning district of the Zoning Ordinance, which affects an individual parcel or parcels of land.

The regulations imposed and the districts created under this Zoning Ordinance may be amended from time to time by Ordinance, after the Ordinance establishing same has gone into effect.

Sec. 14.9-1 Authority

For the purpose of promoting the public health, safety and general welfare, the County Board may, from time to time, in the manner hereinafter set forth, amend the regulations imposed in the districts created by this Ordinance or amend district boundary lines, provided that in all Amendments to this Ordinance adopted under the authority of this Chapter, due allowance shall be made for existing conditions, the conservation of property values, the direction of building development to the best advantage of the entire County, and the uses to which property is devoted at the time of the adoption of this Ordinance.

Sec. 14.9-2 Public Hearing

- A. For all hearing requirements and procedures, see Public Hearing (Sec. 14.12).
- B. Hearings on Text Amendments shall be held in the County Courthouse or other County building with adequate facilities for such hearings. Hearings on Map Amendments shall be held in the County Courthouse, or other County building with adequate facilities for such hearings, unless the owner of any property required to receive notice pursuant to 55 ILCS 5/5-12014 requests in writing within three days of receipt of notice that such hearing shall be held in the township or road district affected by the terms of such proposed Map Amendment. The Zoning Board of Appeals shall consider and make recommendations on all proposed Amendments, taking into account:
 - 1. The testimony at the hearing.
 - 2. Site inspection of the property in question when determined to be necessary.
 - 3. Letters and recommendations from all interested persons.

Sec. 14.9-3 Findings and Recommendations, Zoning Board of Appeals

Within a reasonable period of time after the close of the Public Hearing, the Zoning Board of Appeals shall make written findings and submit same together with its recommendation to the County Board. Where the purpose and effect of the proposed Amendment is to change the zoning district classification of particular property, the Zoning Board of Appeals shall make findings and transmit a recommendation to the County Board based upon the evidence presented to it in each specific case with respect to the following matters:

- A. Is the proposed change suitable and/or consistent with the existing uses of property within the general area?
- B. Is the proposed change suitable and/or consistent with the zoning classifications of the property within the general area?
- C. Is the property best suited for the uses permitted under the existing zoning classification?
- D. Is the proposed change consistent with the trend of development, if any, that has taken place since the property was placed in its present zoning classification?
- E. Is the property vacant as zoned, if so, how long (consider in context with land development in the general area)?
- F. Are property values being diminished by particular present zoning restrictions?
- G. Is the requested change consistent with the Comprehensive Plan?

The Zoning Board of Appeals shall not recommend the adoption of a proposed Amendment unless it finds that the adoption of such an Amendment is in the public interest and is not solely for the interest of the applicant.

Sec. 14.9-4 County Board Action

After public hearing, findings and written recommendation by the Zoning Board of Appeals, the County Board may take action as follows:

- A. **TEXT AMENDMENTS:** Text Amendments may be passed at a County Board meeting by a simple majority of the elected County Board members, unless written protests against the proposed Text Amendment are signed by five (5) percent of the land owners of the County, or where a zoned municipality within LaSalle County protests such Amendment by Resolution of the corporate authorities, filed with the County Clerk, in which case such amendment shall not be passed except by the favorable vote of three-quarters (3/4) of all the members of the County Board.
- B. **MAP AMENDMENTS:** Map Amendments may be passed at a County Board meeting by a simple majority of the elected County Board members except that in case of written protest against any proposed Map Amendment, signed and acknowledged by the owners of twenty (20) percent of the frontage immediately adjoining or across an alley therefrom, or by the owners of twenty (20) percent of the frontage directly opposite the frontage proposed to be altered, or in cases where the land affected lies within one and one-half (1-1/2) miles of the limits of a zoned municipality, by Resolution of the corporate authorities of the zoned municipality with limits nearest adjacent filed with the County Clerk, such Amendment shall not be passed except by the favorable vote of three-quarters (3/4) of all members of the County Board.
- C. **TOWNSHIP OBJECTIONS:** In any township having a township plan commission, and such plan commission objects to a text or map amendment affecting an unincorporated area of the township, then the township board of trustees may submit its written objections to the County Board within 30 days after the hearing before the Zoning Board of Appeals, in which case the County Board may not adopt the text amendment or the map amendment affecting an unincorporated area of the township except by the favorable vote of at least three-quarters (3/4) of all members of the County Board.
- D. **PROTESTS/OBJECTIONS - NOTIFICATION:** In cases of protests or objections, a copy of the written protest or objection shall be served by the protestor(s) or the objector(s) on the applicant for the proposed Amendment and a copy upon the applicant's attorney, if any, by certified mail at the address of such applicant and attorney as shown in the application for the proposed Amendment.
- E. Upon receiving the recommendation of the Zoning Board of Appeals, the County Board shall either approve (with or without amendment(s)) or deny the application, notifying the petitioner to that effect by mail.
- F. In the event the County Board determines that a due process violation has occurred at the hearing, or that there is newly discovered information or evidence that was not available at the time of the hearing, the petition may be returned to the Zoning Board of Appeals to correct the due process violation and/or to consider the newly discovered information or evidence. Specific direction and information must be given by the County Board as to the reason(s) the petition is being returned. At its next regular meeting, the Zoning Board of Appeals shall review the County Board's direction and make a determination to reopen the hearing on the petition.

County Board action must be taken on the amendment petition within 90 days from the date a final recommendation is made by the Zoning Board of Appeals.

Sec. 14.10 SPECIAL USES

Sec. 14.10-1 Purpose

This Ordinance is based upon the division of the County into districts, within which districts the use of land, and the uses and bulk of buildings and structures, are substantially uniform. It is recognized, however, that there are Special Uses which, because of their characteristics, can only be properly classified in any particular district or districts upon consideration in each case of the unique, special, or unusual impact of those uses upon neighboring land at the particular location. Such special uses fall into two categories:

- A. Uses publicly operated or traditionally affected with a public interest and
- B. Uses entirely private in character, but of an unusual nature where their operation may give rise to unique problems or benefits with respect to their impact upon neighboring property, public facilities, or the County as a whole.

Sec. 14.10-2 Initiation of Special Use

Any person owning or having an interest in the subject property may file an application to use such land for one (1) or more of the Special Uses provided for in the Ordinance in the zoning district in which the land is situated pursuant to the requirements established in this Ordinance.

Sec. 14.10-3 Public Hearing

- A. For all hearing requirements and procedures, see Public Hearings (Sec. 14.12).
- B. Special Use hearing shall be held in the County Courthouse or other County building with adequate facilities for such hearings.

Sec. 14.10-4 Findings and Recommendations, Zoning Board of Appeals

All final actions by the Zoning Board of Appeals concerning proposed Special Uses shall be transmitted to the County Board and shall be accompanied by findings which refer to any exhibits containing plans and specifications for the proposed Special Use and shall also be accompanied by recommendations for approval or denial by the County Board. Those proposed Special Uses which go to the County Board with no

recommendation shall be accompanied by a summary of the record of the public hearing and of the deliberations of the Zoning Board of Appeals. All exhibits containing plans and specifications shall remain part of the permanent records of the Zoning Board of Appeals.

Sec. 14.10-5 Standards for Special Uses

The Zoning Board of Appeals shall not recommend that a Special Use be granted as a part of this Ordinance unless it shall make findings based upon the evidence presented to it in each specific case demonstrating consideration with respect to the following:

- A. That the granting of any Special Use is in harmony with the general purpose and intent of this Ordinance, and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the County's Comprehensive Plan for development; and specifically that the granting of the Special Use will not:
 - 1. Impair an adequate supply of light and air to adjacent property;
 - 2. Increase the hazard from fire or other dangers to said property;
 - 3. Diminish the value of land and buildings in the vicinity of the proposed Special Use;
 - 4. Unduly increase traffic congestion in the public streets and highways;
 - 5. Increase the potential for flood damages to adjacent property;
 - 6. Incur additional public expense for fire protection, rescue or relief; or
 - 7. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of LaSalle County nor will it otherwise create a nuisance.

In addition, the Zoning Board of Appeals may recommend that conditions and restrictions be imposed upon the premises benefited by a Special Use as may be necessary to comply with the criteria established in this subsection to reduce or minimize the effect of such Special Use upon other property in the area, and to better carry out the general intent of this Ordinance

Sec. 14.10-6 Terms or Relief- Zoning Board of Appeals

The terms of relief recommended by the Zoning Board of Appeals shall be specifically set forth in a conclusion or statement separate from the findings of the Zoning Board of Appeals recommending the granting of the Special Use.

Sec. 14.10-7 County Board Action

No Special Use shall be granted except by Ordinance duly passed and adopted by the County Board after public hearing and written recommendation from the Zoning Board of Appeals.

County Board action must be taken on the special use petition within 90 days from the date a recommendation is made by the Zoning Board of Appeals.

Upon receiving the recommendation of the Zoning Board of Appeals, the County Board shall either approve (with or without amendment(s)) or deny the application, notifying the petitioner to that effect by mail.

In the event the County Board determines that a due process violation has occurred at the hearing, or that there is newly discovered information or evidence that was not available at the time of the hearing, the petition may be returned to the Zoning Board of Appeals to correct the due process violation and/or to consider the newly discovered information or evidence. Specific direction and information must be given by the County Board as to the reason(s) the petition is being returned. At its next regular meeting, the Zoning Board of Appeals shall review the County Board's direction and make a determination to reopen the hearing on the petition.

Sec. 14.10-8 Ordinance - Findings

Without further public hearing the County Board shall either approve (with or without amendment(s)) or deny the recommendation for Special Use. Every Special Use which is approved by Ordinance of the County Board shall be accompanied by findings and shall refer to any exhibits containing plans and specifications for the proposed Special Use, which shall remain a part of the permanent records of the Zoning Board of Appeals. The findings shall specify the reason or reasons for granting the Special Use.

The County Board shall act to grant, deny or amend the recommendations for every Special Use within ninety (90) days of the date on which those recommendations were transmitted by the Zoning Board of Appeals to the County Board.

Sec. 14.10-9 Ordinance - Terms of Relief

The terms of relief granted shall be specifically set forth in a conclusion or statement separate from the findings of the Ordinance. The County Board may establish such conditions and restrictions upon the establishment, location, construction, maintenance, and operation of the Special Use, as is deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified in Sec. 14.10-5 above.

Sec. 14.10-10 Time Limit for Special Use

Special Uses granted hereunder shall be transferable and shall run with the fee ownership of the land unless otherwise specified by the terms of the Special Use. No ordinance of the County Board granting a Special Use shall be valid for more than two (2) years from the date of such ordinance approval unless the building permit and the erection or alteration of the building is started or the use is commenced within such time period. The submittal of additional applications for permits required by State and Federal jurisdictions to begin the Use shall also be considered commencement of a Use.

Application may be made for an extension of the time period to commence the authorized Special Use. Extensions in the Special Use schedule for one (1) year periods may be recommended by the Zoning Board of Appeals and granted by the County Board. If the County Board so stipulates when acting favorably on a Special

Use application, the Zoning Board of Appeals may be delegated the authority of granting extensions in the building schedule for periods of time not to exceed a total of one (1) year each.

If the County Board so stipulates when acting favorably on a Special Use application, it may also waive or extend the (2) year time limit.

Sec. 14.11 PLANNED UNIT DEVELOPMENT

Sec. 14.11-1 Purpose and Objectives

Planned Unit Developments are unique and substantially different from conventional subdivisions and therefore require administrative processing as "Special Uses" in this Ordinance. Planned Unit Developments are complex and of a different character than other Special Uses requiring the establishment of more specific procedures, standards and exceptions in order to guide the recommendations of the Zoning Board of Appeals and the County Land Use Committee of the County Board to facilitate appropriate action of the County Board.

The Planned Unit Development provisions allow greater design flexibility than is normally permitted by the zoning district regulations thereby encouraging more rational utilization of the topographic and natural characteristics of the property to produce an economical and stable development while conserving natural features.

Planned Unit Developments are intended to provide for projects incorporating a single type of use or a variety of related and complementary uses which are planned and developed as a unit. Such development may provide for a wide range of development techniques and ownership methods, including conventional subdivisions, cluster developments, condominium ownership of land and buildings, or other ownership techniques.

The following objectives may be obtained through the use of the Planned Unit Development procedure

- A. To ensure that the future growth and development of the area is in accordance with the adopted Land Use Plan and Development Goals and Policies of LaSalle County.
- B. To provide a desirable living environment by preserving and integrating the natural environmental and landscape features of the property.
- C. To encourage developers to use a more creative approach to development by recognizing and respecting the natural limitations and constraints of the property.
- D. To encourage an efficient and ecologically sound development through a design process which minimizes development costs and services.
- C. To encourage the dedication and maintenance of usable open space accessible to all dwelling units.
- F. To facilitate the development and maintenance of public services such as transportation, water, sewage, s storm drainage and open space in a cost effective manner.
- G. To encourage land use relationships which decrease automobile trip length and encourage trip consolidation.
- H. To provide public access to mass transit, bicycle routes and alternative modes of transportation.
- I. To reduce energy demand and consumption.
- J. To provide for efficient location of recreation facilities, schools, and other public and private facilities.
- K. To encourage the introduction of complementary uses, such as residential uses with offices and commercial activities.

Sec. 14.11-2 Procedure

- A. PREAPPLICATION CONFERENCE

Prior to filing a formal application for a Planned Unit Development, the developer shall request a pre-application conference. The request for a pre-application conference shall be submitted to the Director, County Land Use Department, to determine:

1. Whether the proposed Planned Unit Development appears in general to be in compliance with the provision of the Zoning Ordinance and other applicable ordinances;
2. Whether any Zoning Amendment or Variation is required in connection with the proposed Planned Unit Development; and
3. Whether the proposed Planned Unit Development will be in conformity with the County Land Use Plan and other development Goals and Policies of the LaSalle County Comprehensive Plan.

The pre-application conference is mandatory, but does not require formal application, fee, or filing of a Planned Unit Development. The County Land Use Committee shall consult with, advise and assist the applicant in meeting County goals and objectives, but shall have no power to approve or disapprove any proposed Planned Unit Development, or to impose any special requirements with respect to the applicants' rights to make formal application for approval thereof.

B. PREAPPLICATION PLAN

Upon completion of the Pre-application Conference the applicant may file a Pre-application Plan with the County Land Use Department, and make application for a Public Hearing before the Zoning Board of Appeals.

1. Filing:

Five (5) copies of the Pre-application Plan of the proposed Planned Unit Development/Subdivision together with a written application shall be submitted. The Pre-application Plan shall not be accepted for processing unless all requested documentation is submitted.

2. The Pre-application Plan shall be drawn in sketch form and shall show the following:

- a) Proposed layout of streets, lots and blocks.
- b) Proposed dedication and reservations, i.e., school sites, park sites, and major thoroughfares.
- c) Existing topographic data and contour lines with a minimum of ten (10) foot intervals.

3. Identification and Description:

- a) Proposed name of Planned Unit Development/Subdivision, date and north point.
- b) Location by township, range, section and parcel number.
- c) Names and addresses of the subdivider and owner.
- d) Names and addresses of the site planner, designer, engineer or surveyor who prepared the Planned Unit Development/Subdivision Plan.

4. Review of the Pre-application Plan:

The County Land Use Department shall review the Pre-application Plan and make recommendations to the subdivider, so that any major changes can be made prior to the Public Hearing date and submission of a Preliminary Plan.

Recommendations relative to a Pre-application Plan are advisory and shall not constitute a waiver from any requirements or specifications contained in the LaSalle County Ordinances or Regulations.

C. PRELIMINARY PLAN - ZONING BOARD OF APPEALS

Upon completion of the Pre-application Plan and recommendation by the County Land Use

Committee, the applicant may file a Preliminary Plan with the application for a public hearing before the Zoning Board of Appeals.

1. Contents of the Preliminary Plan:

The following items constitute the minimum requirements for the contents of a Preliminary Plan. The applicant should feel free to supplement the list with whatever materials applicant may deem appropriate to illustrate compliance with the regulations and intent of this section.

a) Written Documents:

- I) Statement of Objectives: A statement of planning objectives to be achieved by the particular approach proposed by the applicant is required. This statement should include a description of the character of the proposed development and the rationale behind the assumptions and choices made by the application.
- II) Quantitative Summary: A quantitative summary including, but not limited to, the following is required:
 - *Acreage and square footage of the subject parcel;
 - *Residential density;
 - *Number of parking spaces;
 - *Square footage of commonly owned and maintained open space.
- III) Open Space Statement: A statement is required describing why the area for usable common open space was chosen, the unique advantages it offers, and how it is envisioned that Residents will utilize the space either actively or passively.

b) Maps and Graphics:

- I) Existing Land Conditions: A map is required that illustrates existing land conditions including topography, water-related features, vegetation, unique soils conditions, and other environmental data.
- II) Surrounding Conditions: A map is required that illustrates the land use and environmental conditions of the surrounding neighborhood within a reasonable radius around the subject site.
- III) Cross Sections: Cross sections shall be provided only when required.
- IV) Utility and Drainage Plan: A plan is required that illustrates existing and proposed utilities and drainage facilities. Storm water retention/detention facilities and flood plain areas shall be included in this graphic

Grading: A plan is required that illustrates all excavation and/or filling of the property.

2. Public Hearing:

- a) For all hearing requirements and procedures, see Public Hearings (Sec.14.12).
- b) Such hearing shall be held in each Township affected by the proposed Planned Unit Development, or in the County Court House, provided that, if the owner of any property affected by such proposed Planned Unit Development so requests, such hearing shall be held in the Township affected by the proposed Planned Unit Development.

3. Findings and Recommendations, Zoning Board of Appeals:

- a) Every Planned Unit Development which is recommended by the Zoning Board of Appeals shall be accompanied by findings and shall refer to any exhibits containing plans and specifications for the proposed Planned Unit Development which shall remain a part of

the permanent records of the Zoning Board of Appeals.

- b) The Zoning Board of Appeals shall make its written findings and shall transmit same together with its recommendations to the County Board for final action. Since Planned Unit Developments are Special Uses, no Planned Unit Development shall be recommended by the Zoning Board of Appeals unless the Board shall make findings in accordance with Sec. 14.10-5.

4. County Board Action Ordinance:

The County Board after receipt of the Preliminary Plan of the Planned Unit Development and the findings and the written recommendations of the Zoning Board of Appeals may deny such Planned Unit Development or may modify or approve such Planned Unit Development by Ordinance. The County Board may require such special conditions in the approval of the Planned Unit Development, as it may deem necessary to ensure conformity with the intent of all elements of the Comprehensive Plan and the stated purposes of the Planned Unit Development:

- a) Upon approval by the County Board of the Preliminary Plan by Ordinance, a record shall be prepared including the findings and setting forth the terms of relief and/or Variations granted.
- b) Approval of a Planned Unit Development by Ordinance of the County Board shall not constitute approval of the Final Development Plan, rather it shall be deemed an expression of approval of the layout submitted as a preliminary guide to the preparation of the Final Development Plan or Subdivision. The Planned Unit Development shall therefore be developed essentially in accordance with any condition and exhibits attached thereto in accordance with the procedures established in the LaSalle County Subdivision Regulations. No building permit shall be issued for any building or structure in the Planned Unit Development unless a Final Development Plan has been approved and Filed with the Recorder of Deeds.

5. Final Development Plan Subdivision:

The Final Development Plan or plans shall be submitted by the developer not later than one (1) year after adoption of the Planned Unit Development (Preliminary Plan) or such other additional time, as may be established by the ordinance adopting the Planned Unit Development. This time limit may be extended by the County on reasonable cause shown.

All Final Development Plans shall be treated as SUBDIVISIONS, and shall follow the procedure established in the LaSalle County Subdivision Regulations Ordinance.

D. EFFECT OF DENIAL OF A PLANNED UNIT DEVELOPMENT:

Any application for a Planned Unit Development which has been denied wholly or in part by the County Board shall not be resubmitted for a period of one (1) year from the date of said order of denial. Except on the grounds of new evidence or proof of change of conditions found to be valid by the Zoning Board of Appeals.

Sec. 14.11-3 General Provisions and Standards

A. GENERAL PROVISIONS:

1. A Planned Unit Development shall initially be a zoning lot under single ownership or unified control at the time of filing the application.
2. Public improvements shall be constructed in accordance with existing ordinances and regulations of LaSalle County.
3. In a Planned Unit Development, special attention shall be given to the vehicular and pedestrian

circulation system, especially with respect to location and number of access points to public streets, width and alignment of interior drives and access points, separation of pedestrian and vehicular movements, and parking areas that are safe, convenient and compatible with land uses located on adjoining and adjacent properties.

4. Residential Planned Unit Developments shall provide for dedication or reservation of land for park and recreational purposes, and land for school sites, or cash contributions in lieu of actual land dedication, or a combination of both in accordance with the LaSalle County Subdivision Regulations.
5. The County Board may vary the bulk regulations of this Ordinance for Planned Unit Developments if such variations are consistent with the general purpose of the Ordinance and will result in better developments and, thus, be of greater benefit both to the occupants of the development and to the surrounding neighborhood.
6. The Planned Unit Development shall not have negative impacts on existing public sewers or proposed transportation systems.

B. STANDARDS:

1. Exception to District Requirements:

- a) Within a Planned Unit Development, not more than thirty (30) percent of the total land area of the zoning lot may be devoted to uses not permitted within the Zoning District.
- b) Within a Residential Planned Unit Development not more than eight (8) percent of the total land area of the zoning lot may be utilized for uses permitted in the B-1 Local Retail District. The eight (8) percent shall be a part of the thirty (30) percent provided in paragraph (a) above.

2. Dwelling Units Permitted:

In a Residential Planned Unit Development the maximum number of dwelling units permitted shall be determined by dividing the net residential land area contained in the zoning lot by the minimum lot area required per dwelling unit permitted and/or proposed in the district or districts in which the property is located. Those areas of the zoning lot set aside for open space may be included in determining the number of dwelling units permitted.

Net residential land area shall be determined by subtracting the area set aside for nonresidential uses from the zoning lot, and deducting from the remainder the area required for public streets as set forth in the Planned Unit Development.

3. Minimum Lot Area: No minimum lot area required.

4. Open Spaces:

All Residential Planned Unit Developments shall provide open space equivalent to not less than thirty (30) percent of the total residential land area of the zoning lot. In case of mixed land uses in a Residential Planned Unit Development, the open space requirement for nonresidential uses shall be not less than ten (10) percent of the total land area of the zoning lot devoted to such uses. Open spaces provided herein shall not be of an isolated or of an unusable size and character.

5. Perimeter Setbacks:

Buildings or structures located on the perimeter of any Planned Unit Development shall comply with the minimum front, side or rear yard requirements of the zoning district in which the development is located. Perimeter setbacks/yards may be included as open space.

6. Minimum Spacing Between Buildings:

The following required spacing between buildings shall be measured perpendicular from any exterior wall:

- a) A building wall of a multiple family dwelling containing living or dining area and/or bedroom windows or main entrances shall be located no closer to another building than a distance equal to the height of the taller building of the two, but in no case, less than twenty (20) feet. Where a solid wall faces a solid wall, the minimum spacing shall be twenty (20) feet.
- b) Where there is no parallel overlap of building walls (corner to corner placement), a minimum spacing of twenty (20) feet shall be required.
- c) The building wall of a single family detached dwelling shall be located no closer than twelve (12) feet from any dwelling.

7. Other Setbacks:

Except as provided in subparagraphs 5 and 6 above, buildings and structures located in zoning lots within a Planned Unit Development shall comply with the minimum front, side and rear yard requirements of the zoning district in which the development is located unless specific Variations for such requirements are required as part of the Planned Unit Development.

8. Streets and Off Street Parking:

Streets and off street parking shall be provided in accordance with Chapter 12 of this Ordinance.

Sec. 14.12 PUBLIC HEARINGS

- A. When the provisions of this Ordinance require a public hearing in connection with an application, petition, or appeal the Zoning Board of Appeals shall, upon receipt of a properly completed application, petition, or notice, fix a reasonable time and place for such hearing or meeting. Such hearing or meeting shall be commenced no later than sixty (60) days, and shall be concluded no later than 120 days following the submission of the subject application, or petition, unless the hearing or meeting agenda of the Zoning Board of Appeals is completely committed during that time.
- B. All hearings shall be open to the public and shall be held before the Zoning Board of Appeals.
- C. The Zoning Board of Appeals public hearing notice shall contain a description of the subject matter to be heard or considered at the hearing, the address or particular location of the subject development, and the time, place, and date of the hearing. The notice shall also contain the applicants name and the property owner's name if different from the applicant.
- D. Notice of every hearing shall be given by mail or personal delivery to the applicant or petitioner, the Township Supervisor and Clerk of the township in which the application is located, all contiguous neighbors and all municipalities within one and one-half miles of the location of the subject property, not less than fifteen (15) days prior to the hearing. Mailing labels for all of the aforementioned parties shall be submitted by the applicant to the Zoning Director at the time of application.
- E. The Zoning Board of Appeals shall publish notice of the public hearing at least once, not less than fifteen (15) days before the date for the hearing, in a newspaper of general circulation in the geographic area where the property which is the subject of the hearing is located.
- F. Any interested person may appear and testify at a public hearing, either in person or by a duly authorized agent or attorney, and may submit documentary evidence; provided, however, that the Zoning Board of Appeals may exclude irrelevant, immaterial, or unduly repetitious evidence.
- G. Subject to the discretion of the Zoning Board of Appeals, the applicant or petitioner, or any other party to the hearing may be allowed any or all of the following rights:
 - 1. To present witnesses on their behalf.

2. To cross-examine all witnesses testifying in opposition to the application, petition, or appeal.
3. To examine and reproduce any documents produced at the hearing.
4. To have subpoenas issued by the Zoning Board of Appeals as may be provided by Illinois law for persons to appear at the hearings and for examination of documents by the person requesting the subpoena either before or during the hearing, where such persons or documents are shown to have a substantial evidential connection with:
 - a) The development to which the request applies; or
 - b) Facts that would support or negate the legal standards for granting or denying the request or appeal.
5. To a continuance, upon request, for the purpose of presenting evidence to rebut evidence introduced by any other person.

In determining whether to grant or withhold such rights, the discretion of the Zoning Board of Appeals shall be governed by the goal of securing all information and opinions relevant and material to its deliberations. Such rights shall not be granted, however, when undue and unwarranted delay would result or when to do so would tend to produce no new evidence to aid the Zoning Board of Appeals in reaching its decision.

- H. The Zoning Board of Appeals may at any time, on its own motion or at the request of any person, adjourn the hearing for a reasonable time and to a fixed date, time, and place, for the purpose of giving further notice, taking further evidence, gathering further information, deliberating further, or for such other reason as the Zoning Board of Appeals may find sufficient. Proper notice of such a recess shall be given to all parties to the hearing, and any other person designated by the Zoning Board of Appeals.
- I. All testimony at every hearing shall be given under oath.
- J. Any person may at any time prior to the commencement of a hearing hereunder, or during such hearing, or within such time as may be allowed by the Zoning Board of Appeals following such hearing, submit written statements in support of or in opposition to the application, petition, or appeal being heard.
- K. All other matters pertaining to the conduct of hearings shall be governed by the provisions of this Ordinance pertaining to, and the rules promulgated by, the Zoning Board of Appeals.
- L. The record of the public meeting shall include:
 1. All notices and responses thereto; and
 2. A transcript or notes, if any, of all oral testimony received, and all written information, if any, submitted by parties or the public; and
 3. Any recommendation or report by the hearing body; and
 4. All memoranda or data submitted to the Zoning Board of Appeals in connection with its consideration of the subject matter of the hearing.
- M. The decision or recommendation of the Zoning Board of Appeals shall be in writing and shall include findings of fact stating the reasons for the decision. The copy of the written decision shall be provided to the applicant or petitioner and transmitted to the County Board.
- N. In any hearing before the Zoning Board of Appeals, any school district within which the property in issue, or any part thereof, is located shall have the right to appear and present evidence.

Sec. 14.13 ENFORCEMENT AND PENALTIES - GENERAL

Any person, persons, firm, or corporation or anyone acting in behalf of said person, persons, firm or corporation who violates the terms of this Ordinance shall be guilty of a petty offense punishable by a fine not to exceed five hundred (\$500.00) dollars, with each week the violation remains uncorrected constituting a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the requirements of this Ordinance.

In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure, or land is used, in violation of this Ordinance, the proper authorities of the County, or any person the value or use of whose property is or may be affected by such violation, may, in addition to other remedies, institute any appropriate action or proceedings in equity to prevent such unlawful erection, construction, reconstruction, alteration, repair conversion, maintenance or use, to restrain, correct, or abate such violation, to prevent the occupancy of said building, structure, or land or to prevent any illegal act, conduct, business or use in or about the premises.

Sec. 14.14 - FEES

The fees required for filing of applications and conducting public hearings for Map Amendments, Text Amendments, Variances, Special Uses, Planned Unit Developments or appeals and any other zoning permit shall be as follows:

A. VARIANCES: One hundred dollars (\$100.00).

B. SPECIAL USE: Three hundred dollars (\$300.00) for first two (2) acres proposed for Special Use plus one hundred dollars (\$100.00) for each additional acre proposed for special use, except those special uses pursuant to Section 4.15 and Section 7.1-4 B shall be three hundred dollars (\$300.00) regardless of the proposed Special Use lot size.

Solar Energy Facilities shall be \$1000 per Megawatt (MW) of capacity (rounded up to nearest MW). Wind Power Facilities shall be \$750 per turbine. Accessory facilities (or solar energy facilities under 1 MW) shall be \$100 per acre (storage yards, maintenance facilities, substations, etc.).

Special Use Extensions shall be three hundred dollars (\$300.00) regardless of Special Use lot size.

C. MAP AMENDMENTS (Rezoning) Five hundred dollars (\$500.00) for the first two (2) acres proposed for rezoning plus one hundred dollars (\$100.00) for each additional acre proposed for rezoning.

D. TEXT AMENDMENT: One thousand five hundred (\$1500.00).

E. APPEAL: Three hundred dollars (\$300.00). If applicant is successful on appeal, the fee is refundable pursuant to Sec. 14.6-4, Refund of Filing Fee.

F. PLANNED UNIT DEVELOPMENT: Two thousand dollars (\$2,000.00) the first two (2) acres of proposed Planned Unit Development, plus one hundred dollars (\$100.00) for each additional acre of proposed Planned Unit Development, plus one hundred dollars (\$100.00) for each proposed dwelling unit, if any.

G. SIGNS, FENCES, SPECIAL AND TEMPORARY EVENTS AND ROADSIDE STANDS: Signs--fifty dollars (\$50) per sign, fences--fifty dollars--(\$50) (agricultural fences are exempt), special and/or temporary events--seventy-five (\$75) and temporary roadside stands--fifty dollars (\$50). Any sign or fence permit issued expires one (1) year after issuance.

H. SPLIT COMPLIANCE REVIEW AND LETTER: seventy-five dollars (\$75)

In addition to the above fees, the applicant shall be required to pay the actual cost of any certified mailings and publication of legal notices. LaSalle County Land Use Department will do the mailings and publish the legal notice and the applicant will be billed for the actual costs of these expenses. Applicants are also required to pay for and submit with their application any other required applicable local, state, or federal permit or consultation reports necessary for their project (i.e. Illinois Endangered Species Protection Act/Illinois Natural Areas Preservation Act-EcoCAT, Soil and Water Conservation District-Natural Resource Inventory/Land Evaluation and Site Assessment, IEPA-Notice of Intent and Industrial Site/General Construction Activity Permits).

If the applicant requires a court reporter at the hearing, they will be billed for the actual cost of these expenses.

If the applicant requires the Zoning Board of Appeals to hold a special hearing to consider their request the above listed fees shall be doubled. If the applicant fails to file for any of the above hearings where they are necessary and files for approval after construction or use has started the above listed fees shall be tripled.

The Zoning Board of Appeals or County Board may also request the services of a third-party expert to review technological evidence presented by the applicant and the applicant shall be liable for the costs of such third-party expert. The Zoning Board of Appeals or County Board may secure the services of an independent safety consultant to conduct periodic inspections and the applicant or current owner/operator shall be liable for the costs of such inspections.

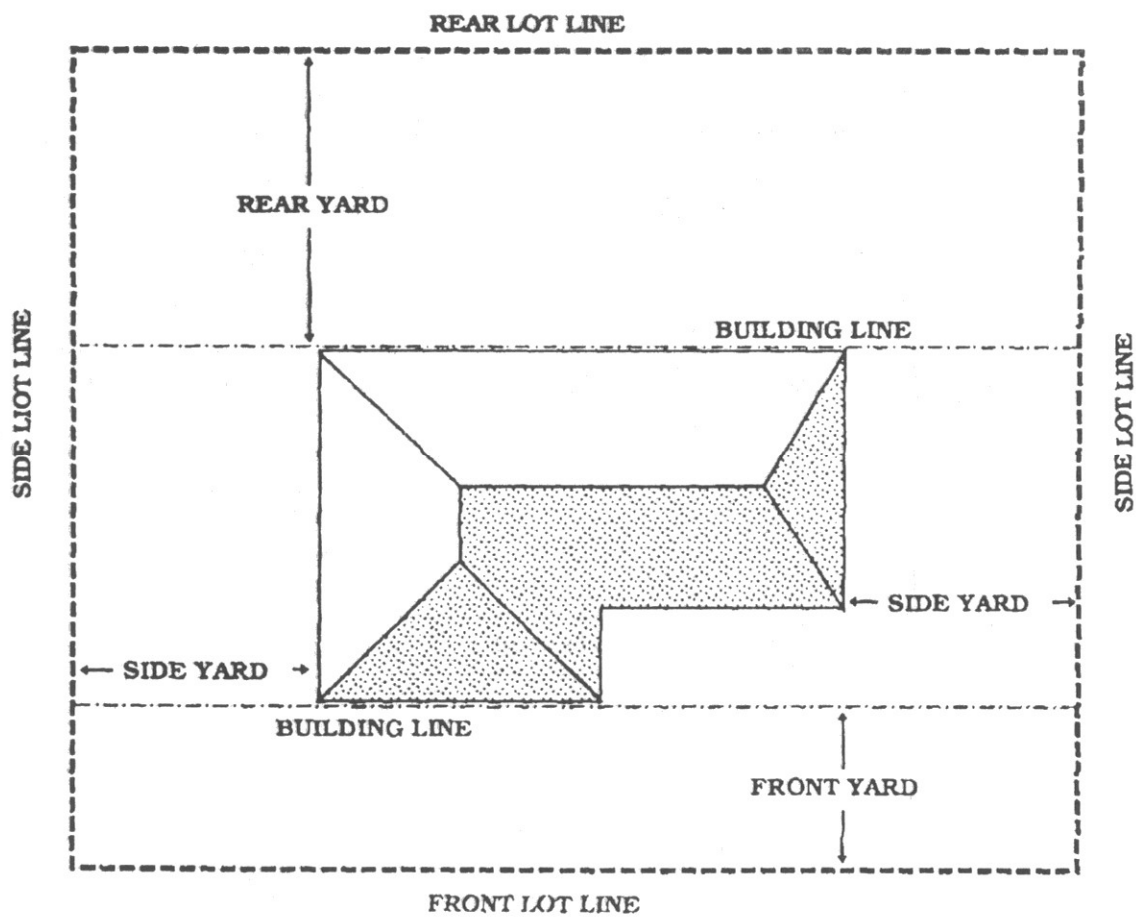
All of the above fees shall be non-refundable, except where noted. There shall be no fees in the case of applications filed in the public interest by the LaSalle County Board, the LaSalle County Zoning Board of Appeals, or LaSalle County units of local government.

Sec. 14.15. ADOPTION CLAUSE - EFFECTIVE DATE.

This Zoning Ordinance adopted on February 9, 2006, shall have an effective date of April 1, 2006.

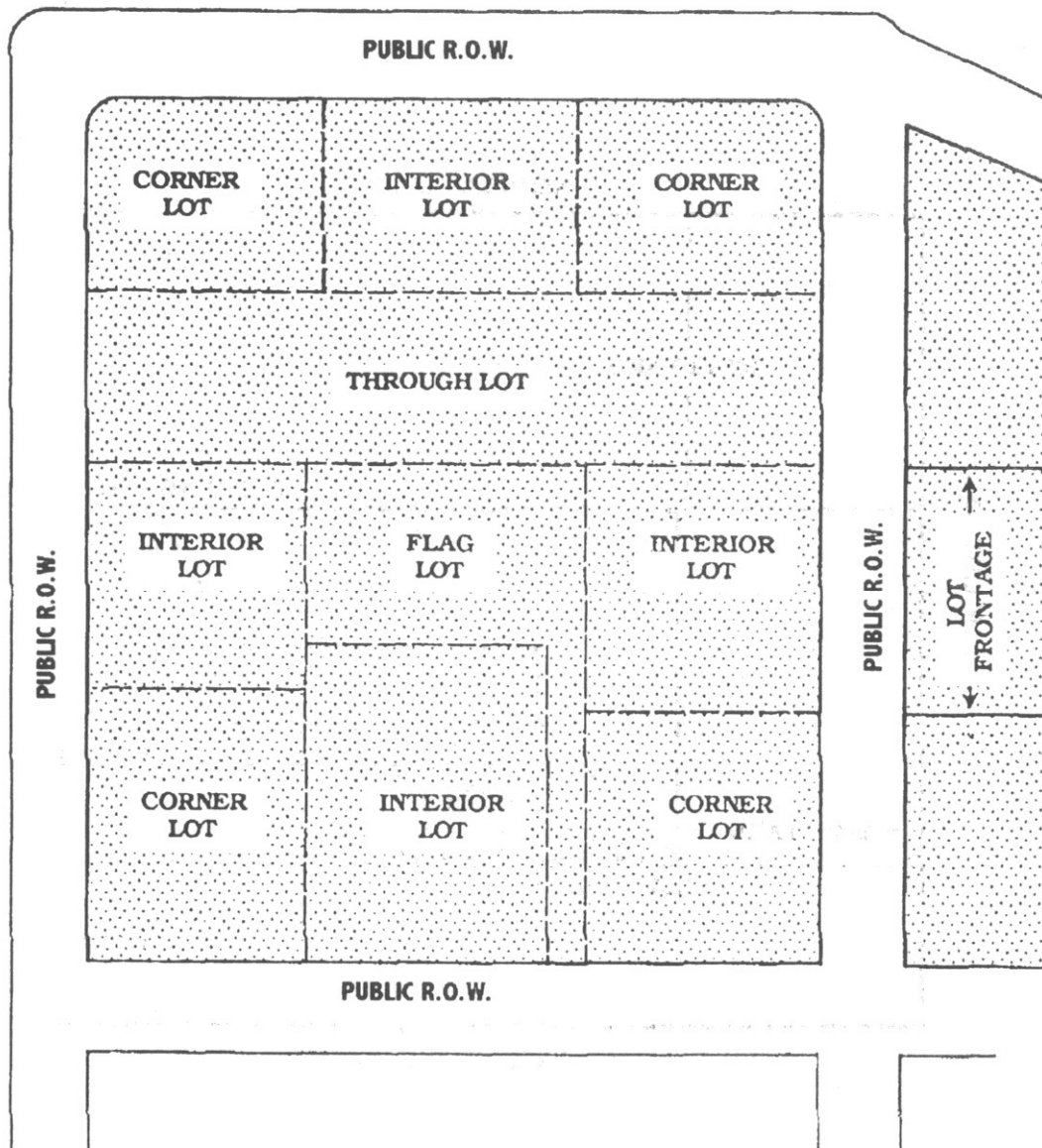
APPENDIX

ILLUSTRATION OF YARDS

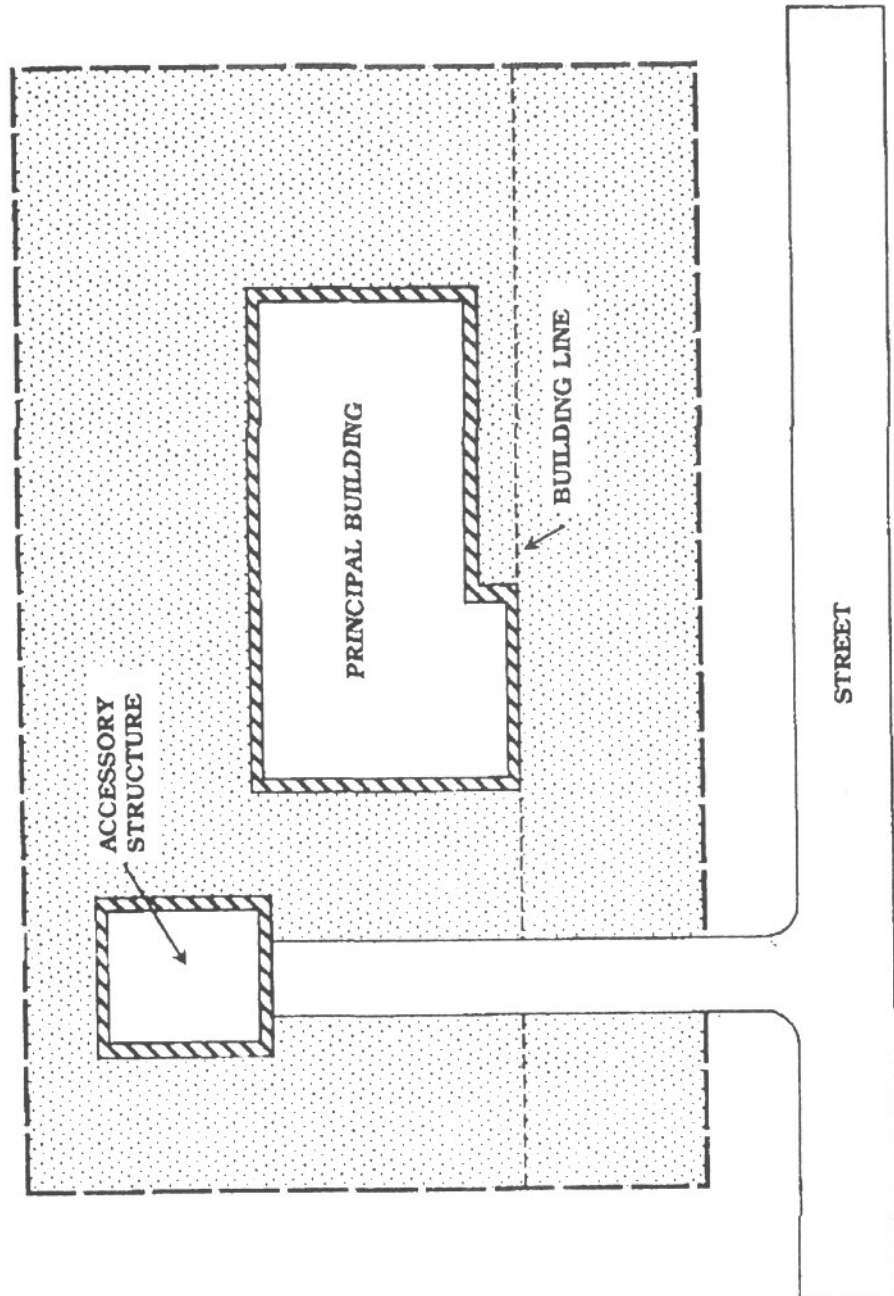


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ILLUSTRATION OF TYPES OF LOTS

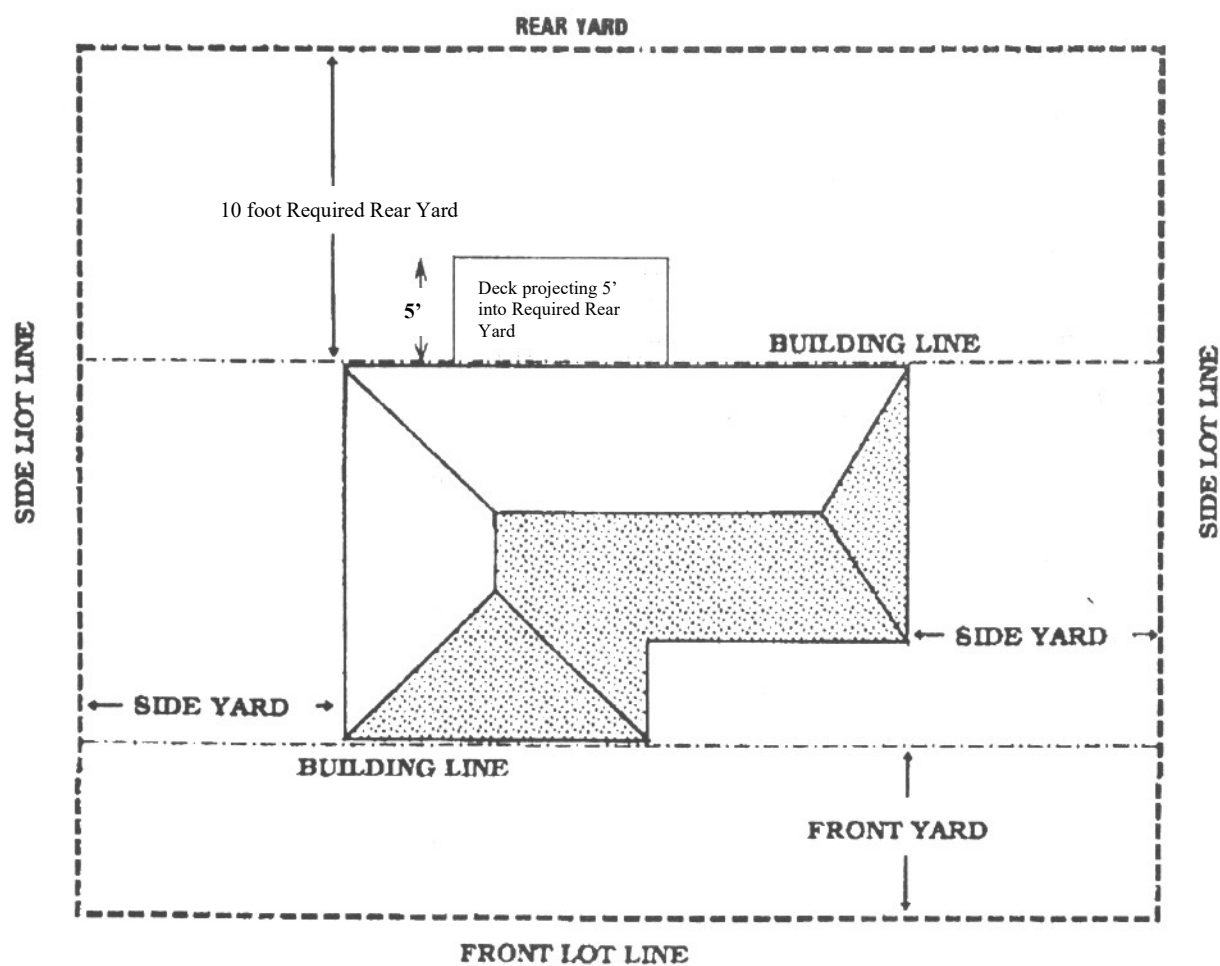


**ACCESSORY STRUCTURE
AND
PRINCIPAL BUILDING ILLUSTRATION**



ILLUSTRATION

ALLOWABLE YARD PROJECTION



GUIDE TO HEIGHT DEFINITIONS

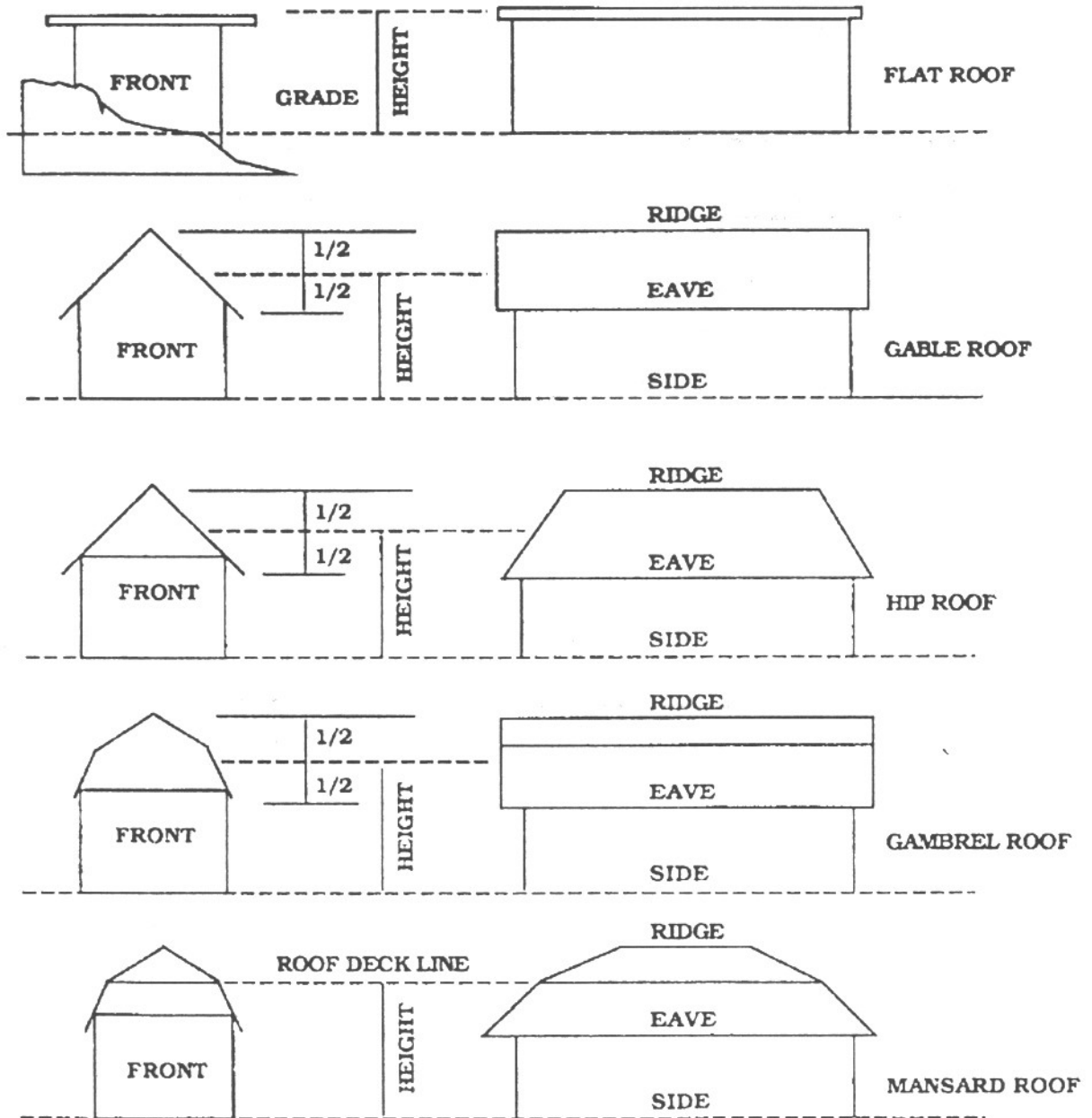
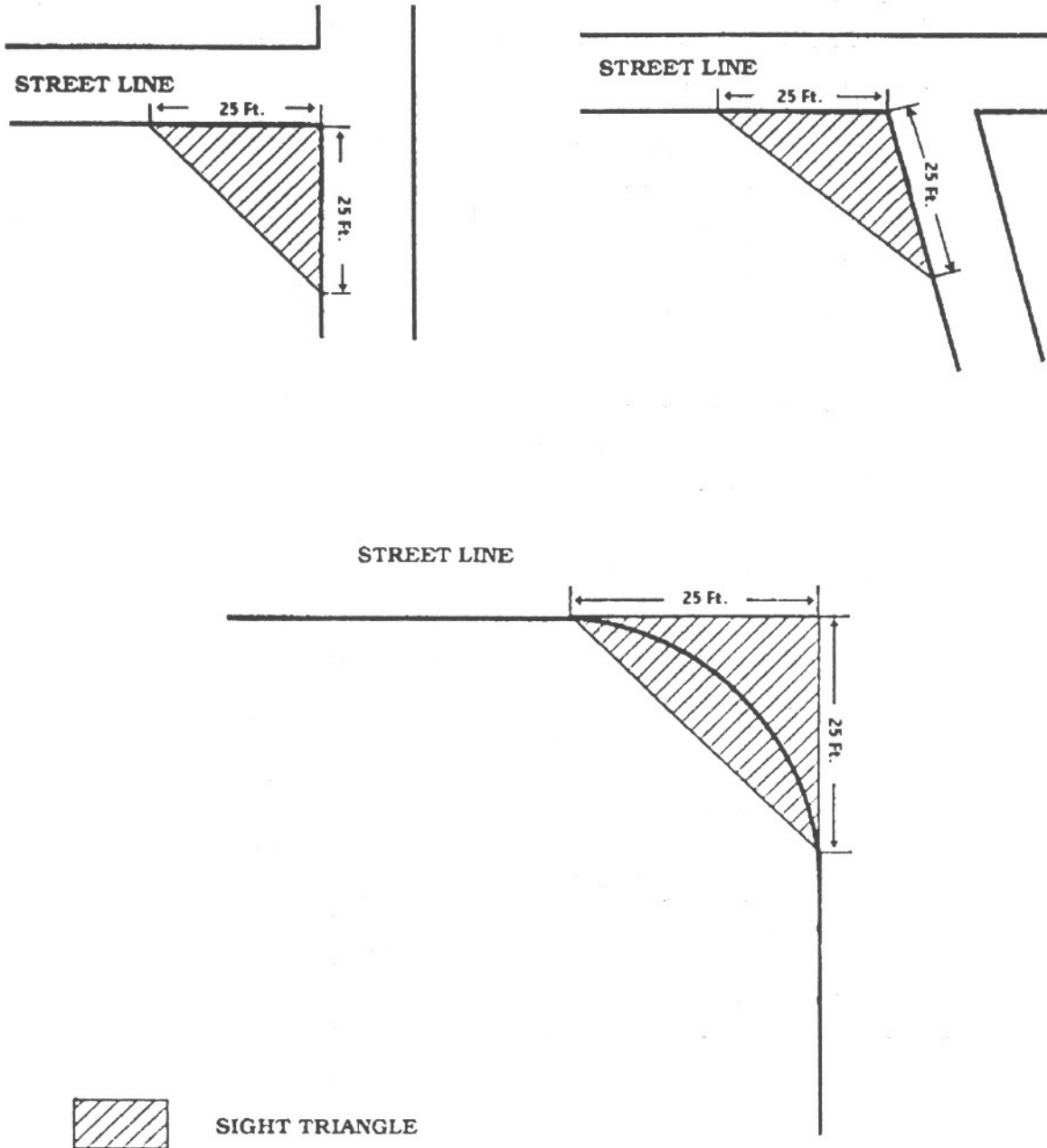


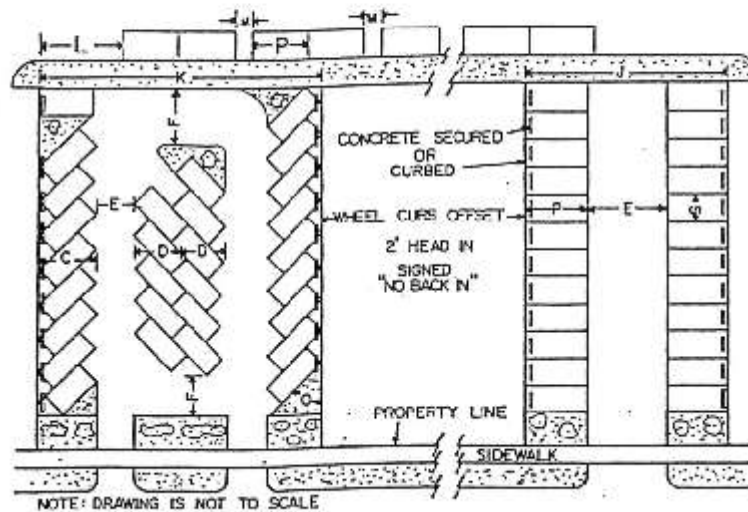
ILLUSTRATION OF SIGHT TRIANGLES



PARKING LOT DIAGRAM

TABLE OF DIMENSIONS (in feet)

ANGLE	0	S	P	C	D	E	F	J	K	L	M
PARALLEL PARKING		10	22	10	10	15	15	30	60	25	5
ANGLE PARKING	30	10	20	39	17	15	15	53	94	-	-
	45	10	20	22	19	18	15	60	110	-	-
	60	10	20	22	20	18	15	51	118	-	-
PERPENDICULAR PARKING		10	20	20	20	24	24	60	120	-	-



AIRPORT and RESTRICTED LANDING AREA SAFETY

Section 1: Purpose

Airport hazards endanger the lives and property of users of Airports/RLAs, as well as the occupants of land in an airport's vicinity. Hazards may also destroy or impair the utilization of an Airport/RLA by reducing the size of the area available for the landing, takeoff, and maneuvering of aircraft.

The purpose, therefore, of this amendment is to restrict the height of structures, equipment, and vegetation, and to regulate the use of property, on or in the vicinity of all Airports and RLAs in LaSalle County.

Section 2: Definitions

Refer to the Illinois Administrative Code, CH 1, Section 16.30.

Section 3: Surfaces and Height Limitations

Refer to the Illinois Administrative Code, CH 1, Section 16.40 (a, c, d).

Section 4: Surfaces Defined

Refer to the Illinois Administrative Code, CH 1, Sections 16.5 (a1, b-d only), 16.6 (a, b only), 16.7, 16.8, and 16.9 (a only).

Section 5: Use Restriction

No use may be made of land or water within any obstruction clearance area and building restriction area identified on illustration attached which would create electrical interference with navigational signals or radio communication between the Airport/RLA and aircraft, make it difficult for pilots to distinguish between Airport/RLA lights and others, result in glare in the eyes of pilots using the Airport/RLA, impair visibility in the vicinity of the Airport/RLA, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the Airport/RLA.

Section 6: Pre-Existing, Nonconforming Uses (Grandfather Clause)

Nothing contained herein shall require any change in the construction, alteration of any structure or tree, or intended use of any structure begun prior to the effective date of this amendment.

Section 7: Variances

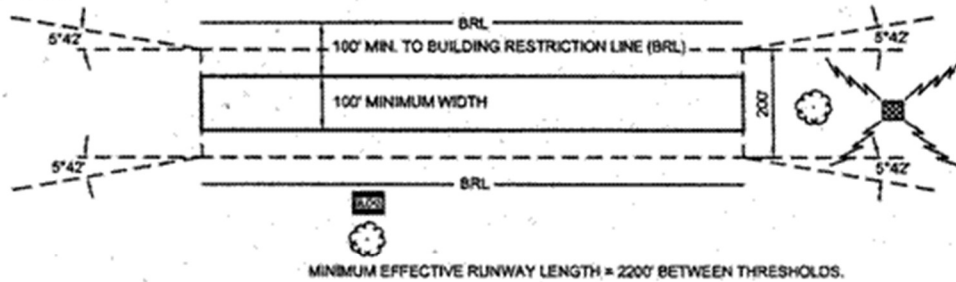
1. Variance Application. Any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use property, not in accordance with this amendment, may apply to the Zoning Board of Appeals for a variance from such regulations. The application for variance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and relief granted, will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice, and will be in accordance with the spirit of this amendment. Applications for variances to the Zoning Board of Appeals must also be submitted to the Illinois Department of Transportation Aeronautics Division for advice as to the aeronautical effects of the variance. If the Illinois Department of Transportation Aeronautics Division does not respond to the application within fifteen (15) days after receipt, the Zoning Board of Appeals may act on its own to grant or deny said application.
2. Obstruction Marking and Lighting. Any variance granted may be so conditioned to require the owner of the structure or tree in question to install, operate, and maintain, at the owner's expense, such markings and lights as may be necessary to reduce the hazard risk.

Section 8: Illustration.

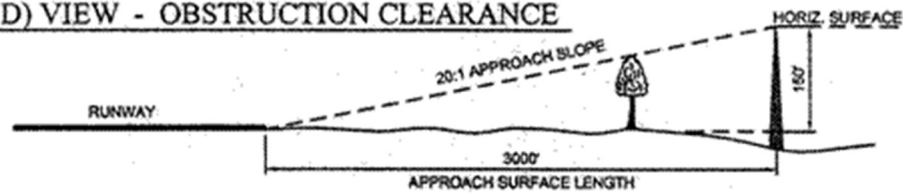
Illinois Administrative Code Section 16. Illustration B: Airport Minimum Dimensional Standards illustrated.

A-8

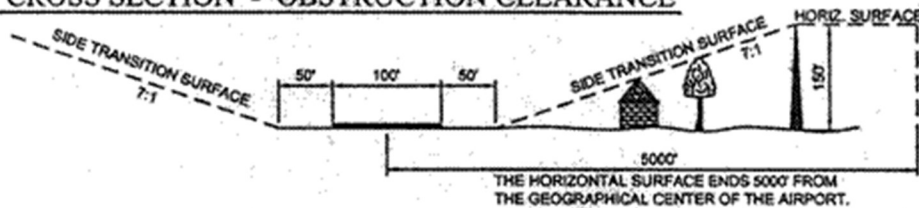
PLAN VIEW



PROFILE (END) VIEW - OBSTRUCTION CLEARANCE



RUNWAY CROSS SECTION - OBSTRUCTION CLEARANCE



- NOTES:
1. NO PENETRATIONS TO 7:1 SIDE TRANSITION SURFACES.
 2. NO PENETRATIONS TO 20:1 RUNWAY APPROACHES.
 3. NO CROPS WITHIN 100' EITHER SIDE OF RUNWAY CENTER LINE.
 4. CLEARANCES REQUIRED FOR APPROACHES
 - 10' CLEARANCE OVER ALL PRIVATE ROADWAYS.
 - 15' CLEARANCE OVER ALL PUBLIC HIGHWAYS.
 - 17' CLEARANCE OVER ALL INTERSTATE HIGHWAYS.
 - 23' CLEARANCE OVER ALL RAILROADS.

SECONDARY RUNWAYS: UNLESS DESIGNATED AS STOL, SECONDARY RUNWAYS ARE RECOMMENDED TO BE AT LEAST 80% OF THE EFFECTIVE LENGTH OF THE PRIMARY RUNWAY.

Illinois Administrative Code- Title 92: Ch.1, Section 16, **Appendix B**

Plan View-This shows the airport from overhead. The approach zones start at each end of the runway. The width of the approach zone starts at 200' and widens horizontally to 1,250 feet at 5000' from the end of the runway.

Profile (End) View- Obstruction Clearance-This is a side view of the runway with the approach zone extending from the end. The approach zone extends from each end of the runway at a 20:1 slope. For each 20' from the end of the runway, the height restriction increases by a foot. At 3,000' from the end of the runway, a maximum height limit is 150'. Between 3000' and 5000' from the end of the runway, the height maximum remains at 150'.

Runway Cross Section- Obstruction Clearance-This illustrates the view from one end of the runway and the side transition surfaces rising on either side of the runway. Beginning 100' from the centerline of the runway, the side obstacle maximums increase in a 7:1 slope. For each 7', the obstacle maximum height increases by 1' until

it reaches a maximum height of 150'. The 150' maximum height continues to 5000' from the geographical center of the airport.