

EXHIBIT A: PROPOSED AMENDMENTS TO CHAPTER 151 THE UNIFIED DEVELOPMENT ORDINANCE

Underline and ~~Strikethrough~~ Staff and ZBA recommendations

I. Ecotherapy

Amendment #1

Amend 151.111/Zoning Use Table to read as follows:

151.111 USE TABLE

		Residential												Nonresidential								
Use Category	Use Types	AG	RE	E	R1	R2	R3	R4	R4a	R5	R6	RR	GO	LC	RC	GC	LI	II	OS	Use Standard	CUP Decision	
Ecotherapy Facilities (see §151.270(D)(5))		C	C	C															C	§151.112(T)	ZBA	

Amendment #2

Amend 151.112/Use Standards to read as follows:

(T) Ecotherapy Facilities.

- (1) The use shall be subject to the site capacity calculation/site plan review procedures of §151.070. Site capacity/site plan review shall be conducted concurrently with any required conditional use permit review.
- (2) The minimum site area shall be 200,000 square feet.
- (3) The petitioner shall submit a detailed written narrative describing the proposed use. This narrative shall, at a minimum, describe the types of facilities and services proposed and the days and hours of operation.
- (4) The site shall have frontage on and access to a collector or arterial street, provided that the highway authority with jurisdiction over the subject road may approve alternative access.
- (5) A caretaker's residence may be allowed as an accessory use.

Amendment #3

Amend 151.270(D)/Public, civic, and institutional use categories to read as follows:

(5) Ecotherapy Facilities.

- (a) Characteristics. Ecotherapy facilities offer mental and physical therapeutic activities that require a natural setting and a large area of land. Generally, they provide on-site service to the local community on a regular and ongoing frequency and may be operated by a public, nonprofit, or private entity.
- (b) Accessory uses. Accessory uses include offices, parking, outdoor health, therapy and recreation areas, gardens, meeting areas, animal care facilities, maintenance facilities, and caretaker's housing.

- (c) Examples. Examples of operational therapeutic activities include but are not limited to animal assisted therapy, gardening, outdoor exercise, art, music, meditation, and counseling.
- (d) Exceptions. Equine assisted activities on sites of at least 200,000 square feet are classified as agricultural uses.

II. Animal Exhibitions

Amendment #4

Amend 151.111/Zoning Use Table to read as follows:

151.111 USE TABLE

Use Category	Use Types	Residential												Nonresidential						Use Standard	CUP Decision
		AG	RE	E	R1	R2	R3	R4	R4a	R5	R6	RR	GO	LC	RC	GC	LI	II	OS		
Recreation and entertainment, outdoor (see 151.270 (E) (4))	Racetrack, animal- <u>Entertainment-oriented Animal Exhibition Facility</u>														C					§151.112(UPP)	Co Bd

Amendment #5

Amend 151.112/Use Standards to read as follows:

(U ~~OO~~) Entertainment-oriented Animal Exhibition Facility ~~Racetrack, animal~~ (recreation and entertainment, outdoor use category).

(1) This use category shall not include temporary animal shows for wildlife education or agricultural purposes, which are separately addressed in Section 151.114 of this Code.

(~~24~~) The use shall be subject to the site capacity calculation/site plan review procedures of § 151.070. Site capacity/site plan review shall be conducted concurrently with any required conditional use permit review.

(~~32~~) The site shall have a minimum area of at least 10~~20~~ acres.

(~~43~~) The exhibition area ~~racetrack~~ and all building, viewing areas, seating areas, and structures for housing animals shall be located no closer than 250 feet from any ~~ultimate~~ public road right-of-way or site boundary line.

(~~54~~) If night exhibitions are ~~racetrack~~ to be conducted, all parking areas and access ways shall be adequately lighted; provided that this lighting, as well as lighting for the exhibition area ~~racetrack~~, shall be shielded to prevent light and glare spillover to adjacent residential properties.

(~~65~~) All facilities for housing and maintaining animals ~~equine~~ shall comply with the following requirements:

(a) Applicable Lake County Health Department, state, and federal regulations. State and federal wildlife permits shall be also be obtained as required by law. ~~An approval for the facilities from the Lake County Health Department must accompany an application for a conditional use permit; and~~

(b) A 100-foot wide area of vegetation cover, exclusive of pasture area, shall be maintained between any corral, unvegetated exercise area, manure pile, or application area and any surface water or well, in order to minimize runoff, prevent erosion, and promote quick nitrogen absorption.

(76) All facilities for housing and maintaining ~~other~~ animals shall meet the conditions specified in the conditional use permit.

(87) The following accessory uses may be permitted as incidental to and limited to patrons of the principal use:

(a) Refreshment stands or booths;

(b) Souvenir stands or booths;

~~(c) Wagering facilities;~~

(cd) Restaurants or lounges;

(de) Playgrounds and day care facilities; and

(ef) Any other customary and incidental uses which may be deemed appropriate by ~~the Zoning Board of Appeals or~~ the County Board.

Amendment #6

Amend Table 151.114/Temporary Uses to read as follows:

151.114 TEMPORARY USES

	AG	RE	E	R1	R2	R3	R4	R4A	R5	R6	RR	GO	LC	RC	GC	LI	II	OS
Animal Show or animal exhibition (see § 151.114(e))	P	P	P								P	P	P	P	P	P	P	P

Amendment #7

Amend 151.114/Temporary Uses to read as follows:

(E) *Animal show ~~or animal exhibition~~*. Animal shows ~~or animal exhibitions~~, shall be allowed for special events for agricultural and wildlife education purposes, including but not limited to shows, exhibitions, and contests. The maximum length of such a permit shall be ten days, with no more than three permits for a total of no more than 20 days issued per zoning lot in any calendar year.

COMMENTARY: Private, non-public events on the sponsor's property such as private educational activities are not considered animal shows.

(F) *Rodeo*.

(1) Rodeos shall be allowed when accessory to an approved agricultural exempt use and limited to specified hours and a maximum of seven days per calendar year per zoning lot.

(H) *Carnival or circus*.

(1) The maximum length of the permit shall be ten days and no more than one permit shall be issued per zoning lot in any calendar year.

(2) No structure or equipment shall be located within 200 feet of any (off-site) building used for residential purposes.

(3) Carnival or circus events may not use live animals in any manner.

Amendment #8

Amend Section 151.271/Terms Defined to read as follows:

WILDLIFE EDUCATION: Wildlife education is the process of influencing people's attitudes, emotions, knowledge, and behaviors about wildlife and wild places with the purpose of introducing people to wildlife, promoting awareness of biodiversity, and developing conservation-minded and sustainable behavior. This is done through the efforts of trained/skilled educators and interpreters, who use a variety of techniques, methods and assessments to impart information. Wildlife education is distinct from entertainment-oriented exhibitions in that its primary purpose is not to entertain but rather to provide a deeper understanding of and connection to wildlife. Wildlife education does not include the use of wildlife in performances that: (a) are foreign to their natural behavior (or otherwise not designed to simulate their natural interactions within their environment); (b) introduce painful physical restraint or deprivation inconsistent with practices employed by wildlife biologists, veterinarians or other licensed or trained wildlife caretakers; (c) force interactions with other wildlife contrary to normal conditions in the wild; or (d) otherwise unnecessarily induce significant stress, injury or illness to wildlife as a reasonably foreseeable consequence of the performance. Wildlife education includes, but is not limited to, events to provide the public with opportunities to experience wildlife directly and vicariously through outreach programs, on-site tours, demonstrations, and community events. Wildlife educational programming is typically, but not exclusively, provided by local government agencies, non-profit organizations that provide rehabilitation and release or sanctuary of animals, or trained professionals who are actively engaged in conservation and educational programs and possess the proper permits from the Illinois Department of Natural Resources, U.S. Fish and Wildlife Service, or the U.S. Dept of Agriculture.

WILDLIFE: Any animal that is normally born in the wild and able to live on its own without human assistance, excluding livestock or animals considered to be domesticated.

III. Wildlife Rehabilitation

Amendment #9

Amend 151.111/Zoning Use Table to read as follows:

151.111 USE TABLE

		Residential												Nonresidential									
Use Category	Use Types	AG	RE	E	R1	R2	R3	R4	R4a	R5	R6	RR	GO	LC	RC	GC	LI	II	OS	Use Standard	CUP Decision		
Wildlife rehabilitation	Principal use	C	C	C	C	C	C	C		C	C	C	C	C	C	C	C	C	C	\$151.112(BBB)	ZBA Co-Bd		
	Accessory residential use	C	C	C	C	€	€	€		€	€	€								\$151.113(O)	ZBA Co-Bd		

Amendment #10

Amend 151.112/Use Standards to read as follows:

(BBB) Wildlife rehabilitation facilities. This use shall be allowed only by a delegated conditional use permit. Setbacks, screening, and noise abatement requirements shall be addressed as part of the conditional use permit. The following standards shall apply:

- (1) The use shall be subject to the site capacity/site plan review procedures of § 151.070. Site capacity/site plan review shall be conducted concurrently with any required conditional use permit review.
- (2) The site shall contain a minimum of 80,000 square feet.
- (3) All structures containing rehabilitation activities shall be set back a minimum of 30 feet from all property lines.
- (4) When adjacent to a residential use, all structures containing rehabilitation activities shall be separated from the residential use by providing landscaping consisting of one plant unit per every 100 linear feet. Additional site-specific screening may be required by the Zoning Board of Appeals as a condition of approval.
- (5) Wildlife education shall be allowed as an accessory use to a wildlife rehabilitation facility that is classified as a principal use only if expressly approved as part of the conditional use permit application. Limits on attendance, hours and days of operation, and frequency of programming shall be addressed as part of the conditional use permit.
- (6) State and federal wildlife permits shall be obtained as required by law.

COMMENTARY: Rehabilitation shall be limited to wildlife species allowed under the permit holder's applicable state and federal wildlife permits and shall not include species that are not naturally found living in the wild within the United States or that may be considered to be an exotic species.

Amendment #11

Amend 151.113/Accessory Uses to read as follows:

(O) Wildlife rehabilitation facilities. Wildlife rehabilitation shall be considered an accessory use to an existing residential use in AG, ~~RE, E, and R1~~ and ~~Residential~~ Zoning Districts. This use shall be allowed only by a ~~non~~-delegated conditional use permit. Setbacks, screening, and noise abatement requirements shall be addressed as part of the conditional use permit. The following standards shall apply:

- (1) The site shall contain a minimum of 80,000 square feet.
- (2) All structures containing rehabilitation activities shall be set back a minimum of 30 feet from all property lines.

(3) When adjacent to a residential use, all structures containing rehabilitation activities shall be separated from the residential use by providing landscaping consisting of one plant unit per every 100 lineal feet. Additional site-specific screening may be required by the Zoning Board of Appeals as a condition of approval.

(4) State and federal wildlife permits shall be obtained as required by law.

COMMENTARY: Rehabilitation shall be limited to wildlife species allowed under the permit holder's applicable state and federal wildlife permits and shall not include species that are not naturally found living in the wild within the United States or that may be considered to be an exotic species.