

Exhibit A: Staff, RPC, ZBA Recommendations

Substantive Amendments

Section 1: “Removing Regulatory Barriers” Amendments

Amendment #01 (Planning & Development Services)

Summary: Simplifies the Conditional Use Process by amending the procedure for smaller accessory uses and structures.

**Amend Article 3, Subsection 3.6.10/ Development Review Procedures/
Conditional Use Permits/Amendments to Approved Conditional Use Permits (p. 3-11) to read as follows:**

The establishment of accessory uses and structures that do not exceed 25 percent of the existing floor area ratio or 30 percent of the existing impervious surface ratio shall be authorized by the Planning, Building and Development Director, except in those cases that, in the opinion of the Planning, Building and Development Director, may have a potential significant impact on the surrounding properties. The Planning, Building and Zoning Committee shall be authorized to allow the establishment of all other accessory uses and structures. Any other proposed change, amendment variation, or alteration may be approved only pursuant to the standards and procedures established by this section for the Permits original approval. The Planning, Building and Development Director shall record and maintain a record of all authorized changes in approved Conditional Use Permits.

Amendment #02 (Building & Engineering)

Summary: Codifies an existing interpretation regarding snow plowing as a customary accessory use to landscape contractors.

**Amend Article 6, Subsection 6.3.27.9/ Use Regulations/ Use Standards/
Landscape Contractor’s Storage Yard (Industrial Sales and Service Category) (p. 6-19) to read as follows:**

Landscape waste composting, wood-chipping, mulching and grinding activity, and whole-sale sales of landscape-related bulk materials shall be allowed as an accessory use only if expressly approved as part of the Conditional Use Permit application. Snow removal operations, including the storage of plow blades, shall be allowed as an accessory use only if no additional vehicles are required to operate. Noise abatement measures for any permitted mulching, chipping or grinding activity shall be addressed as part of the Conditional Use Permit. [Revised 03.11.08]

RPC Recommendation

**Amend Article 6, Subsection 6.3.27.9/ Use Regulations/ Use Standards/
Landscape Contractor’s Storage Yard (Industrial Sales and Service Category) (p. 6-19) to read as follows:**

Landscape waste composting, wood-chipping, mulching and grinding activity, and whole-sale sales of landscape-related bulk materials shall be allowed as an accessory use only if expressly approved as part of the Conditional Use Permit application. Snow removal operations, including the storage of plow blades, shall be allowed as an accessory use only if no additional vehicles are required to operate. ~~Snow removal operations including the storage of plow blades shall be allowed as an accessory use only if no additional vehicles are required to operate.~~ Noise abatement measures for any permitted mulching, chipping or grinding activity shall be addressed as part of the Conditional Use Permit. [Revised 03.11.08]

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ZBA Recommendation

**Amend Article 6, Subsection 6.3.27.9/ Use Regulations/ Use Standards/
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Landscape waste composting, wood-chipping, mulching and grinding activity, and whole-sale sales of landscape-related bulk materials shall be allowed as an

accessory use only if expressly approved as part of the Conditional Use Permit application. ~~Snow removal operations, including the storage of plow blades, shall be allowed as an accessory use only if no additional vehicles are required to operate.~~ Noise abatement measures for any permitted mulching, chipping or grinding activity shall be addressed as part of the Conditional Use Permit. [Revised 03.11.08] ~~Snow removal operations, including the storage of plow blades, shall be allowed as an accessory use.~~

Amendment #03 (Planning & Development Services)

Summary: Increases the number of nonresidential employees permitted for a home business.

Amend Article 6, Subsection 6.4.5.6/ Use Regulations/ Accessory Uses/ Customary Home Occupations/ Employees (p. 6-42) to read as follows:

A maximum of ~~2~~ 4 nonresident employees shall be allowed in conjunction with a home occupation. For the purpose of this provision, the term “nonresident employee” includes an employee, business partner, co-owner, or other person affiliated with the home occupation, who does not live at the site, but who visits the site as part of the home occupation.

Amendment #04 (Building & Engineering)

Summary: Accommodates the height maximum for fences located within a drainage easement and clarifies the visibility requirements for recreational uses.

Amend Article 6, Subsection 6.4.9/ Use Regulations/ Accessory Uses/ Fences and Walls (p. 6-45) to read as follows:

The maximum height of walls and fences shall be 6 feet, or 6'6" when the fence is required to be elevated due to drainage requirement. In instances when greater height is deemed necessary to provide adequate visual screening, buffering and security, the Planning, Building and Development Director shall be authorized to allow a maximum fence or wall height of 8 feet. However, an 8 foot high fence or wall may be allowed separating residential and nonresidential uses without the Planning, Building and Development Director's authorization. The finished/ornamental side of the fence shall face outward. Fences ~~at a maximum of 10% opacity~~ for tennis courts, volleyball courts or similar recreational purposes located at or beyond all required setback lines shall not exceed the maximum height provided in 6.4.3.1. [Revised 11.08.05, .3.11.08, 10.13.09] If a fence is

greater than 6 feet in height, it shall be a minimum of 90% open. Fences and walls shall be permitted in any required setback (except within required intersection visibility triangles, see Sec. 9.8 or within designated open space areas, unless otherwise permitted pursuant to Sec. 4.3.1.1).

RPC Recommendation

Amend Article 6, Subsection 6.4.9/ Use Regulations/ Accessory Uses/ Fences and Walls (p. 6-45) to read as follows:

The maximum height of walls and fences shall be 6 feet, or 6'6" when the fence is required to be elevated due to drainage requirement. In instances when greater height is deemed necessary to provide adequate visual screening, buffering and security, the Planning, Building and Development Director shall be authorized to allow a maximum fence or wall height of 8 feet. However, an 8 foot high fence or wall may be allowed separating residential and nonresidential uses without the Planning, Building and Development Director's authorization. The finished/ornamental side of the fence shall face outward. Fences ~~at a maximum of 40% opacity~~ for tennis courts, volleyball courts or similar recreational purposes located at or beyond all required setback lines shall not exceed the maximum height provided in 6.4.3.1. [Revised 11.08.05, .3.11.08, 10.13.09] **If a recreational fence is greater than 6 feet in height, it shall be a minimum of 90% open.** Fences and walls shall be permitted in any required setback (except within required intersection visibility triangles, see Sec. 9.8 or within designated open space areas, unless otherwise permitted pursuant to Sec. 4.3.1.1).

ZBA Recommendation

The maximum height of walls and fences shall be 6 feet, or 6'6" when the fence is required to be elevated due to drainage requirement. In instances when greater height is deemed necessary to provide adequate visual screening, buffering and security, the Planning, Building and Development Director shall be authorized to allow a maximum fence or wall height of 8 feet. However, an 8 foot high fence or wall may be allowed separating residential and nonresidential uses without the Planning, Building and Development Director's authorization. The finished/ornamental side of the fence shall face outward. Fences ~~at a maximum of 40% opacity~~ for tennis courts, volleyball courts or similar recreational purposes located at or beyond all required setback lines shall not exceed the maximum height provided in 6.4.3.1. [Revised 11.08.05, .3.11.08, 10.13.09] **If a recreational fence is greater than 6 feet in height, it shall be a minimum of 90% open.** Fences and walls shall be permitted in any required setback (except within required

intersection visibility triangles, see Sec. 9.8 or within designated open space areas, unless otherwise permitted pursuant to Sec. 4.3.1.1).

Amendment #05 (Planning & Development Services)

Summary: Accommodates an increase in the number of temporary events allowed in association with a business.

Amend Article 6, Subsection 6.5.11.1/ Use Regulations/ Temporary Uses/ Events of Public Interest (p. 6-50) to read as follows:

Unless otherwise expressly approved, all uses and activities shall be limited to specified hours and a maximum of 15 7 days per calendar year (per zoning lot).

Amendment #06 (Planning & Development Services)

Summary: Accommodates an increase in the number of retail events allowed in association with a wholesale nursery.

Amend Article 6, Subsection 6.5.13.2/ Use Regulations/ Temporary Uses/ Temporary Sales/ Retail Nursery Stock Sales Associated with Wholesale Nurseries (p. 6-52) to read as follows:

- a. Retail nursery stock sales events associated with Wholesale Nurseries may be allowed by Temporary Use Permits and shall be limited to 30 44 days per calendar year.

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Amendment #07 (Building & Engineering Division)

Summary: Accommodates specific setback exceptions for cantilevered bay overhangs and windows, restaurant outdoor seating and power generators.

Amend Article 7, Subsection 7.7.3.3/ Density and Dimensional Standards/ Measurements and Exceptions/ Setbacks/ Features Allowed Within Setbacks (p. 7-14) to read as follows:

- ▪ ▪
- c. Cantilevered bay windows and cantilevered building overhangs, ~~when located on the second story or above~~ may encroach into required front or rear setbacks, provided they do not encroach more than 2 feet into a required front or rear setback and are located at least 4 feet from all lot lines. [Revised 03.11.08]
- ▪ ▪
- h. Garbage disposal and recycled material equipment (nonpermanent) shall be allowed within required setbacks provided they are located at least 4 feet from all lot lines.
- ▪ ▪
- j. Heating units, ~~and~~ cooling units and generators may encroach into required setbacks, provided they do not encroach more than ~~2~~ 3 feet into a required setback and are located at least 4 feet from all lot lines.
- ▪ ▪
- u. Outdoor seating associated with a restaurant use, shall be allowed within required setbacks, provided the space is at grade and is separated from the right-of-way by landscaping or man-made barrier, subject to the intersection visibility requirements of Section 9.8.

Amendment # 08 (Planning & Development Services)

Summary: Allows for the restoration of nonconforming accessory structures similar to the restoration of nonconforming damaged single family dwellings.

Amend Article 12, Subsection 12.3.8/ Nonconformities/ Nonconforming Structures/ Nonconforming Single Family Dwelling (p. 12-4) to read as follows:

Nonconforming Single Family Dwelling and accessory structures

- 12.3.8.1 A legal nonconforming Single Family Dwelling or an accessory structure on a foundation may be restored improved and or rebuilt if deteriorated, damaged, or destroyed to an extent greater than 50 percent of the replacement cost of the structure, provided that the following standards are met:
- a. The restored improved or rebuilt structure does not extend further into any required yard than the existing structure prior to improvement or rebuilding.
 - b. The restored improved or rebuilt structure is located at least 10 feet from the street lot line and at least 4 feet from the side and rear lot lines.
 - c. If the proposed restoration improvement constitutes “substantial improvement” (see commentary below), the water’s edge setback requirement shall apply.
 - d. If the structure is located in the floodplain and if the restoration improvement constitutes “substantial improvement” (see commentary below), the entire structure shall be brought into conformance with the floodplain provisions of Article 8.

Amendment #09 (Building & Engineering)

Summary: Simplifies the setbacks for accessory structures on nonconforming lots to be 4 feet for lots above and below 40,000 sq. ft.

Amend Article 12, Subsection 12.4.3.1b./ Nonconformities/ Nonconforming Lots/ Dimensional Standards/ Agricultural and Residential Zoning Districts/ Interior Side and Rear Setbacks (p. 12-7) to read as follows:

The minimum interior side and rear setback for principal structures shall be 4 feet or 10 percent of the lot width, whichever is greater. This provision shall not be interpreted as requiring a greater setback than specified for the underling zoning district. The minimum interior side and rear setbacks for accessory structures shall be 4 feet. ~~provided that the principal structure setback standards of this section shall apply on lots with an area of 40,000 square feet or more.~~

Section 2: “Process Streamlining” Amendments

Amendment #01 (Planning & Development Services)

Summary: The implementation of integrated permitting has introduced the more flexible streamlined MDT approach, replacing the rigid structure and function of the Staff Review Committee.

Replaces all references of “Staff Review Committee” with “Multi-Disciplinary Team” (MDT).

Amendment #02 (Building & Engineering)

Summary: Simplifies setbacks of accessory uses and structures on conforming lots.

Amend Article 6, Subsection 6.4.3.2/ Use Regulations/ Accessory Uses/ Height and Setback Standards/ Setbacks/Conventional Development (p. 6-38) to read as follows:

a. Residential Development

In residential zoning districts, accessory uses and structures shall meet the front setback requirement of the underlying zoning district. No accessory use or structure may be located within 6 feet of any side or rear property line.

b. Non-Residential

In non-residential zoning districts, accessory uses and structures shall meet all the setback requirements of the underlying zoning district.

a. ~~Conventional Development~~

~~The setback standards provided in the following table shall apply to accessory garages and storage structures that contain no more than 576 square feet of gross floor area and to playground equipment customarily accessory to residential uses that does not exceed 100 square feet in area. All other accessory uses and structures including recreational accessory uses such as swimming pools, volleyball courts, tennis courts and other similar recreational courts shall comply with the underlying zoning district setback standards that apply to principal structures.~~

c. Conservation Development

Residential accessory structures established pursuant to the Conservation Development Standards of Sec. 7.3 shall comply with the minimum setbacks established for the subject housing type or the minimum setback standards of the following table, whichever are less restrictive.

Zoning District	Minimum Setbacks (Feet) (Sec. 7.7.3) [Revised 03.11.08, 10.13.09]		
	Street	Side	Rear
AG	30	30	50
RE	30	30	50
E	30	10	10
R1	30	6	6
R2	30	6	6
R3	30	6	6
R4	30	6	6
R-4A	30	6	6
R5	30	6	6
R6	30	6	6
RR	30	6	6
GO	50	12	12
LC	30	12	12
RC	50	10	10
GC	30	12	12
L1	50	20	20
H	50	20	20
OS	30	30	30

Amendment #03 (Planning & Development Services)

Summary: Improves efficiency, provides predictability and reduces delays in the ZBA hearing process by authorizing staff to require a site plan prior to the hearing.

Amend Article 3, Subsection 3.6.4/ Development and Review Procedures/ Staff Review and Recommendation (p. 3-10) to read as follows:

Planning, Building and Development Department staff shall review each Conditional Use Permit application in light of the Approval Criteria of Sec. 3.6.7 and provide a report to the Zoning Board of Appeals. In addition, the Planning, Building and Development Director may request a formal site plan review prior to the ZBA hearing.

Amendment #04 (Building & Engineering)

Summary: Simplifies the measurement of height and adjusts the height limits accordingly for structures.

Amend Article 14, Subsection 14.2/ Terms Defined (p.14-19) to read as follows and to renumber the standards as necessary:

190	Height	The vertical distance between the mean elevation at finished grade along the front of a structure to <u>the highest point of the roof.</u> -(1) the mean height between the eaves and ridge of a pitched roof; (2) the deck line of a mansard roof; or (3) the highest point of a flat roof. (See also Sec. 7.7.5)
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Amend Article 7, Subsection 7.7.5/ Density and Dimensional Standards/ Measurements and Exceptions/ Height (p. 7-16) to read as follows:

Building height refers to the vertical distance between the mean elevation at finished grade along the front of a structure to the highest point of the roof. ~~-(1) the mean height between the eaves and ridge of a pitched roof; (2) the deck line of a mansard roof; or (3) the highest point of a flat roof.~~

Amend Article 6, Subsection 6.4.3.1/ Use Regulations/ Accessory Uses/ Height and Setback Standards/ Height (p. 6-38) to read as follows:

The following height standards shall apply to accessory uses and accessory structures unless otherwise expressly stated:

Zoning District	Maximum Height (Sec. 7.7.5)
AG	<u>30</u> 25 feet/1story
RE	<u>25</u> 20 feet/1 story
E	<u>25</u> 20 feet/1 story
R1	<u>25</u> 20 feet/1 story
R2	<u>25</u> 20 feet/1 story
R3	<u>25</u> 20 feet/1 story
R4	<u>25</u> 20 feet/1 story
R-4A	<u>25</u> 20 feet/1 story
R5	<u>25</u> 20 feet/1 story
R6	<u>25</u> 20 feet/1 story
RR	<u>25</u> 20 feet/1 story
GO	<u>30</u> 25 feet/1story
LC	<u>30</u> 25 feet/1story
RC	<u>30</u> 25 feet/1story
GC	<u>30</u> 25 feet/1story
LI	<u>30</u> 25 feet/1story
II	<u>30</u> 25 feet/1story
OS	<u>30</u> 25 feet/1story

Amend Table 7.1-1 Residential District Density and Dimensional Standards, Conventional Residential Development (p. 7-1) to read as follows:

**Table 7.1-1
Agricultural and Residential District Density and Dimensional Standards, Conventional Residential Development**

[Revised: 11.14.00, 04.10.01, 08.12.03, 10.13.09]

Zoning District	Floor Area Factor	Minimum Size		Setbacks ^[2] [3] [3][4] (feet) (7.7.3)			ISR (each lot) (7.7.4)	Height (7.7.5)
		Area (sq. ft.) (7.7.1)	Width (ft.) (7.7.2)	Street	Side (min/total)	Rear		
AG	0.20	200,000	300	30	30/60	50	0.10 ^[2]	40 ³⁵ [1]
RE	0.20	200,000	300	30	30/60	50	0.10 ^[2]	40 ³⁵ [1]
E	0.45	80,000	190	30	19/48	30	0.15 ^[2]	40 ³⁵ [1]
R1	0.80	40,000	130	30	13/33	30	0.20 ^[2]	40 ³⁵ ^[2]
R2	1.33	20,000	90	30	9/23	15	0.30 ^[2]	40 ³⁵ ^[2]
R3	2.00	12,000	60	30	7/17	15	0.30 ^[2]	40 ³⁵ ^[2]
R4	2.50	8,500	60	30	6/15	15	0.40 ^[2]	40 ³⁵ ^[2]
R5	8.00	See Table 7.1-1(A)				19	0.50	40 ³⁵
R6	12.00	See Table 7.1-1(A)				19	0.50	45 ⁴⁰
RR	12.00	8,500	50	30	6/15	15	0.50 ^[2]	40 ³⁵ ^[2]

Notes: Setbacks from alleys shall be the same as otherwise applicable side or rear setbacks

[1] Structures in the AG, RE and E and zoning districts may exceed the ~~40~~³⁵-foot building height limit by providing additional setbacks, as follows: for each 1 foot of additional height above ~~40~~³⁵ feet, structures shall be setback from all front, side and rear property lines by 2 feet more than the otherwise required minimum setback. Structures in the AG, RE or E districts shall not exceed ~~50~~⁴⁵ feet in height.

[2] Notwithstanding the method prescribed by this Ordinance for calculating building height, in no case shall the roof peak of any single family dwelling exceed 40 feet above the mean elevation at finished grade along the front of the structure. [Revised 08.12.03]

[3]-[2]-ISR shall be calculated by dividing the total area of all impervious surfaces on the site by the sites base site area. [Revised 08.12.03]

[4]-[3] A transition yard may also be required, which may increase the minimum setback shown in this table. See Section 9.3.6. [Revised 06.10.03]

[5]-[4]-Any setback from a railroad right-of-way need not exceed 5 feet. A transition yard shall not be required in this instance. [Revised 08.12.03]

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Amend Table 7.1-3 Residential District Density and Dimensional Standards, Nonresidential Development Allowed in Agricultural and Residential Districts (p. 7-3) to read as follows:

**Table 7.1-3
Residential District Density and Dimensional Standards
Nonresidential Development Allowed in Residential Districts**

Zoning District	Floor Area Factor	Minimum Size		Setbacks ^{[2][3]} (feet) (Error! Reference source not found.)			ISR (each lot) (7.7.4)	Height (7.7.5)
		Area (sq. ft.) (7.7.1)	Width (ft.) (7.7.2)	Street	Side (min/total)	Rear		
AG	0.10	200,000	300	30	30/60	50	0.20	40-35 [1]
RE	0.10	200,000	300	30	30/60	50	0.20	40-35 [1]
E	0.15	80,000	190	30	19/48	19	0.30	40-35 [1]
R1	0.20	80,000	190	30	19/48	19	0.35	40-35
R2	0.30	80,000	190	30	19/48	19	0.45	40-35
R3	0.30	80,000	190	30	19/48	19	0.50	40-35
R4	0.30	80,000	190	30	19/48	19	0.50	40-35
R5	0.30	80,000	190	30	19/48	19	0.50	40-35
R6	0.30	80,000	190	30	19/48	19	0.50	45-40
RR	0.30	80,000	190	30	19/48	19	0.50	40-35

Setbacks from alleys shall be the same as otherwise applicable side or rear setbacks

[1] Structures in the AG, RE and E zoning districts may exceed the ~~40-35~~ -foot building height limit by providing additional setbacks, as follows: for each 1 foot of additional height above ~~40-35~~ feet, structures shall be setback from all front, side and rear property lines by 2 feet more than the otherwise required minimum setback. Structures in the AG, RE or E districts shall not exceed ~~50-45~~ feet in height.

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Amend Article 12, Subsection 12.4.3.1f./ Nonconformities, Nonconforming Lots/ Dimensional Standards/ Agricultural and Residential Zoning Districts/ Height (p. 12-8) to read as follows:

The maximum height of principal structures on nonconforming lots of less than 60 feet in width shall be ~~30-25~~ feet plus 1/3 foot for each foot of lot width above 40 feet up to the maximum height allowed in the underlying zoning district, except in the AG zone or on lots greater than 40,000 sq. ft. in area.

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Section 3: “Miscellaneous” Amendments

Amendment #01 *(Planning & Development Services)*

Summary: Clarifies that all drive-through service uses shall require site plan review.

Amend Article 4, Subsection 4.1.1.2/ Site Capacity, Site Plan Review and Natural Resource Protection/ Site Capacity Calculations/Site Plan Review Procedures (p. 4-1) to read as follows:

4.1.1.2 All of the following shall be subject to site plan review procedures of this section regardless of size of the subject parcel, unless otherwise expressly exempt:

- a. service stations
- b. ~~any nonresidential use~~ restaurants with drive-through service ~~and or outdoor seating~~; [Revised 06.10.03]
- ~~e. Drive-through banks;~~
- d. c. Convenience stores;
- e. d. Car washes;
- f. e. Motor vehicle display, sales rental, or service;
- g. f. Shopping centers;
- h. g. Taverns; and [Revised 06.10.03]
- i. h. Marinas. [Revised 06.10.03]

Amendment # 02 (Planning & Development Services)

Summary: Clarification of the height measurement provision in both residential and nonresidential zoning districts for small wind energy facilities

Amend Article 6, Subsection 6.4.13.1a.3./ Use Regulations/ Accessory Uses/Small Wind Energy Facilities/Height/Residential Zoning District (p. 6-46) to read as follows:

1. As measured from its highest point, building-mounted turbines shall be allowed up to the height of 15 feet above the highest point of the building structure, but in no case shall exceed 45 feet above the structure's average ground elevation in a residential zoning district.
2. Tower-mounted turbines shall be permitted up to a height of 45 feet on parcels less than 40,000 square feet, 75 feet on parcels 40,000 to 200,000 square feet, and 125 feet on parcels larger than 200,000 square feet, as measured from the base of the tower to the top of a fully extended blade. Proposed tower-mounted facilities over these limits shall require a Conditional Use Permit.
3. The blade tip of a tower-mounted horizontal axis turbine shall have ground clearance of not less than 25 feet at its lowest point. The blade tips of a vertical axis turbine shall have ground clearance of not less than 15 feet at their lowest point.

Amend Article 6, Subsection 6.4.13.1b.3./ Use Regulations/ Accessory Uses/Small Wind Energy Facilities/Height/Nonresidential Zoning Districts (p. 6-46) to read as follows:

1. Building-mounted turbines shall be allowed at the height of 15 feet above the highest point of the building structure, in a nonresidential zoning district.
2. The turbine height for a tower-mounted turbine (as measured at its highest point) shall be limited to a maximum of 175 feet in a nonresidential zoning district. However, tower-mounted turbines shall be limited to 125 feet in height if located within 500 feet of a nonparticipating residentially zoned property.
3. The blade tip of a tower-mounted horizontal axis turbine shall have ground clearance of not less than 25 feet at its lowest point. The blade tips of a vertical axis turbine shall have ground clearance of not less than 15 feet at their lowest point.

Amendment #03 (Planning & Development Services)

Summary: Requires space for recycling receptacles for multi-family dwellings.

Introduce Article 6, Subsection 6.4.14/ Use Regulations/ Accessory Uses/ Recycling Dumpsters and Bins (p. 6-46) to read as follows:

6.4.14 Recycling Dumpsters and Bins

- 6.4.14.1 Recycling dumpsters and bins shall be provided appropriate area for multi-family dwellings as defined by SWALCO.
- 6.4.14.2 Areas used for collecting solid waste shall include adequate, areas for collecting and loading recyclable materials. Wherever feasible, areas for collecting and loading recyclable materials shall be adjacent to solid waste collection areas.

Amendment #04 (Planning & Development Services)

Summary: Eliminates election sign time provision consistent with recent changes to the Illinois Municipal Code, to ensure consistent regulation throughout the county.

Amend Article 9, Subsection 9.9.7.5h.3.e/ General Development Standards/ Signs/ Special Sign Standards/ Temporary Signs/ Residential, Nonresidential and Institutional Districts/ Election Signs (p. 9-30) to read as follows:

Temporary election signs shall be allowed without a permit ~~for a period of no more than 60 days before and not more than 10 days following an election.~~

Housekeeping Amendments

Amendment #01 (Planning & Development Services)

Summary: Editorial change: updates a cross reference.

Amend Article 2, Subsection 2.6.1.3/ Review and Decision–Making Bodies/ Staff Review Committee/ Composition and General Responsibility (p. 2-4) to read as follows:

Consider all requests for ~~modifications-waivers~~ from the standards of this Ordinance as set forth in ~~10.8-10.2-5~~; and

Amendment #02 (Division of Transportation)

Summary: Editorial change

Amend Article 2, Subsection 2.6.2.2a. / Review and Decision–Making Bodies/ Staff Review Committee/ Division of Transportation (p. 2-4) to read as follows:

The Division of Transportation shall have the duties and responsibilities of reviewing all development proposals, and making determinations and recommendations concerning design standards and engineering specifications for street and related drainage construction as herein set forth. In accordance with 55 ILCS 5/5-1041 and 605 ILCS 5/6-325, the County Engineer shall have the right to establish reasonable requirements with respect to street drainage and surfacing which shall be deemed to be the minimum requirements in the interest of the health, safety and convenience of the public of the county. The Division's review shall include, but is not limited to, proper control of access to local, collector and arterial streets and the provision of proper access between sites. In fulfilling these responsibilities, the Division of Transportation shall promote consistent driver expectations, resulting in maximum operational efficiencies and safety, and shall protect the public investment in publicly maintained roadways solutions that will achieve the most desirable site design.

Amendment #03 (Population Health)

Summary: Editorial change

Amend Article 2, Subsection 2.6.2.3/ Review and Decision–Making Bodies/ Staff Review Committee/ Health Department (p. 2-5) to read as follows:

The Health Department shall have the duties and responsibilities of reviewing all developmental proposals, and for making determinations and recommendations as to the proper type of well and individual sewage disposal system to be required in each development. In addition, the Health Department shall make determinations and recommendations in matters concerning public health and environmental protection, as may be required during the development approval process. In fulfilling these responsibilities, the Health Department shall promote solutions that will achieve the most suitable ~~desirable~~ site design.

Amendment #04 (Public Works)

Summary: Editorial change

Amend Article 2, Subsection 2.6.2.4a. / Review and Decision–Making Bodies/ Staff Review Committee/ Public Works Department (p. 2-5) to read as follows:

The Public Works Department shall have the duties and responsibilities of reviewing all development proposals concerning sanitary sewer and/or water systems. The Public Works Department shall make determinations and recommendations concerning design standards and engineering specifications including sizing, location and points of connection. The Public Works Department shall advise on the ownership, operation and possible incorporation of proposed sanitary sewer and/or water systems into the county system. In fulfilling these responsibilities, the Public Works Department shall promote solutions that will achieve the most suitable ~~desirable~~ site design.

Amendment #05 (Planning & Development Services)

Summary: Editorial change

Amend Article 3, Subsection 3.1.7.1/ Development Review Procedures/ General/ Notices/ Content (p. 3-2) to read as follows:

All notices required under this Ordinance shall: (1) indicate the date, time and place of the public hearing or date of action that is the subject of the notice; (2) describe the property involved in the application by street address and, if required, by legal description or Property Index Number (PIN); (3) describe the nature, scope and purpose of the application or proposal; and (4) indicate where additional information on the matter can be obtained.

Amendment #06 (Planning & Development Services)

Summary: Clarifies administrative variance procedure.

Amend Article 3, Subsection 3.12.2.1/ Zoning Variances/ Classification of Zoning Variances/ Administrative Variance (p. 3-21) to read as follows:

A request to modify by 10 percent or less any numeric standard of this Ordinance [Revised 11.08.05], except those related to maximum allowed densities [Revised 11.08.05], may be heard and decided by the Director of Planning, Building and Development as an Administrative Variance, in which case no public hearing is required. However, before such variance may be granted, a notice of the intent to grant such variance shall be sent by certified mail to all adjoining landowners as well as those located directly across any street from the subject property. If any such landowner files a written request for public hearing with the Director within 15 calendar days of receipt of such notice [Revised 11.08.05], the administrative variance shall then be processed as either a Minor or Major Variance. The decision on an Administrative Variation shall be based on the Approval Criteria of §§3.13.3D and Findings of Fact shall be made in accordance with §§3.13.3E [Revised 11.14.00]

Amendment #07 (Building & Engineering)

Summary: Codifies current wetland consultation process.

Amend Article 4, Subsection 4.2.3.1/ Site Capacity, Site Plan Review and Natural Resource Protection/ Natural Resource Protection Standards/ Wetlands/ Calculation of Natural Resource Area (p. 4-13) to read as follows:

Wetland areas include any area that meets the definition” of a Wetland” as defined in Article 14, Sec. 14.2 in this Ordinance.[Revised 09.10.02] If the Planning, Building and Development Director determines that site conditions warrant, a wetland delineation shall be required. Furthermore, if wetlands are determined to be present, provisions of Article 8, Sec. 8.2.13 of this Ordinance shall apply. [Revised 09.10.02] Wetland delineations shall be conducted in accordance with the methodology adopted by the ~~US Environmental Protection Agency,~~ US Army Corps of Engineers, ~~the Lake County SMC and the USDA Natural Resource Conservation Service and US Fish and Wildlife Service.~~

Amendment #08 (Building & Engineering)

Summary: Editorial Change

Amend Article 4, Subsection 4.2.3.4/ Site Capacity, Site Plan Review and Natural Resource Protection/ Natural Resource Protection Standards/ Wetlands/ Resource Protection Measures/ Commentary (p. 4-13) to read as follows:

The Lake County Wetland Inventory maps and the aerial photographs available ~~on in~~ the Lake County web page or in the Department of Planning, Building and Development may be referenced to determine if the wetland present on the property extends beyond the limits of the property boundary.

Amendment #09 (Building & Engineering)

Summary: Clarifies wetland buffer averaging provisions.

Amend Article 4, Sections 4.2.4.3, 4.2.6.3 and 4.2.8.3 of the Unified Development Ordinance, to replace references to the term “varied” with the new term “reduced” (pps. 4-15, 4-18, 4-22).

Amendment #10 (Building & Engineering)

Summary: Introduces best management practices to buffer protection standards.

Amend Article 4, Subsections 4.2.4.4c., 4.2.6.4c., and 4.2.8.4c., Buffer Provisions, to include Best Management Practices (BMPs) (pps. 4-15, 4-19, 4-23).

Amendment #11 (Building & Engineering)

Summary: Editorial change.

Amend Article 4, Subsection 4.3.1.1/ Site Capacity, Site Plan Review and Natural Resource Protection/ Open Space Requirements/ General/ Use (p. 4-29) to read as follows:

Land designated as open space shall be used and maintained as open space and may not be separately subdivided or developed except as provided herein. The Planning, Building and Development Director shall be authorized to allow development within designated open space areas for the maintenance or enhancement of the protected open space. [Revised 11.08.05] When open space areas are designated for specific uses that require the construction of improvement, such improvements shall be appropriately sized and designed to meet the needs of the development. The Planning, Building and Development Director shall specifically be authorized to allow fences, walls, signs and other structures within open space areas, if necessary to protect or enhance the function of such open space areas or when the Planning, Building and Development Director determines that such improvements or structures will not be detrimental to the function of the open space area being preserved. Fences ~~consisting of at least a 90% open~~ no more than 10% opacity shall also be allowed in designated open space provided at least one of ~~under~~ the following circumstances are present.

RPC Recommendation

Amend Article 4, Subsection 4.3.1.1/ Site Capacity, Site Plan Review and Natural Resource Protection/ Open Space Requirements/ General/ Use (p. 4-29) to read as follows:

Land designated as open space shall be used and maintained as open space and may not be separately subdivided or developed except as provided herein. The Planning, Building and Development Director shall be authorized to allow development within designated open space areas for the maintenance or enhancement of the protected open space. [Revised 11.08.05] When open space

areas are designated for specific uses that require the construction of improvement, such improvements shall be appropriately sized and designed to meet the needs of the development. The Planning, Building and Development Director shall specifically be authorized to allow fences, walls, signs and other structures within open space areas, if necessary to protect or enhance the function of such open space areas or when the Planning, Building and Development Director determines that such improvements or structures will not be detrimental to the function of the open space area being preserved. Fences ~~consisting of at least 90% open no more than 10% opacity~~ shall also be allowed in designated open space provided at least one of ~~under~~ the following circumstances are present.

ZBA Recommendation

Amend Article 4, Subsection 4.3.1.1/ Site Capacity, Site Plan Review and Natural Resource Protection/ Open Space Requirements/ General/ Use (p. 4-29) to read as follows:

Land designated as open space shall be used and maintained as open space and may not be separately subdivided or developed except as provided herein. The Planning, Building and Development Director shall be authorized to allow development within designated open space areas for the maintenance or enhancement of the protected open space. [Revised 11.08.05] When open space areas are designated for specific uses that require the construction of improvement, such improvements shall be appropriately sized and designed to meet the needs of the development. The Planning, Building and Development Director shall specifically be authorized to allow fences, walls, signs and other structures within open space areas, if necessary to protect or enhance the function of such open space areas or when the Planning, Building and Development Director determines that such improvements or structures will not be detrimental to the function of the open space area being preserved. Fences ~~consisting of at least 90% open no more than 10% opacity~~ shall also be allowed in designated open space provided at least one of ~~under~~ the following circumstances are present.

Amendment #12 (Planning & Development Services)

Summary: Codifies an existing interpretation regarding the similar use of rock crushing and concrete crushing plants.

Amend Article 6, Subsection 6.3.8/ Use Regulations/ Use Standards/ Asphalt, Concrete, Redi-Mix and Rock Crushing Plants (Manufacturing and Production Use Category) (p. 6-10) to read as follows:

Asphalt, Concrete, Redi-Mix, ~~and also Rock~~ and Concrete Crushing Plants
(Manufacturing and Production Use Category)

Amendment #13 (Planning & Development Services)

Summary: Editorial change.

Amend Article 6, Subsection 6.3.19/ Use Regulations/ Use Standards/ Forestry (Agricultural Use Category) (p. 6-15) to read as follows:

The clearing of young or mature woodlands in any zoning district shall only be allowed pursuant to a Conditional Use Permit, except that no such permit is required for the following: (1) authorized clearing of trees in accordance with plans approved pursuant to Sec. 4.2.9; (2) removal of dead or diseased trees or ~~noxious-undesirable~~ non-native species; and (3) the removal of trees on parcels less than 40,000 square feet in size. The following standards shall be considered the minimum requirements governing the issuance of any Conditional Use Permit for forestry uses.

Amendment #14 (Planning & Development Services)

Summary: Codifies an existing interpretation to require all building codes currently in use by Lake County.

Amend Article 6, Subsection 6.3.31.14/ Use Regulations/ Use Standards/ Mobile Home Parks (Household Living Use Category)/ Service Buildings and Other Community Facilities (p. 6-25) to read as follows:

Management offices, repair shops, storage areas, sanitary facilities, laundry facilities, indoor recreation areas, service and recreational buildings, and commercial uses supplying essential goods or services for the exclusive use of park occupants shall be allowed as accessory uses and shall be constructed to

meet all applicable requirements of the applicable building code ~~BOCA Building Code~~.

Amendment #15 (Planning & Development Services)

Summary: Codifies an existing interpretation which prohibits parking within an intersection visibility triangle.

Amend Article 6, Subsection 6.3.43.1/ Use Regulations/ Use Standards/ Vehicle Repair (Vehicle Repair Use Category) (p. 6-36) to read as follows:

All vehicles shall be set back at least 5 feet from the right-of-way and all property lines. Vehicles shall not be parked within an intersection visibility triangle (unless otherwise permitted pursuant to Sec. 9.8). Concrete wheel stops or other permanent barriers shall be installed to prevent vehicles from encroaching on required setbacks. In lieu of providing side and rear setbacks, landowners of adjoining properties shall be entitled to enter into an agreement that provides for a waiver or partial waiver of the requirements. The agreement shall be in the form of a covenant or deed restriction and shall require approval of the Planning, Building and Development Director. Once approved, the agreement shall be recorded by the Lake County Recorder of Deeds and shall run with the land. [Revised 11.08.05]

Amendment #16 (Planning & Development Services)

Summary: Editorial change; eliminates redundant sentence.

Amend Article 6, Subsection 6.4.2.4/ Use Regulations/ Accessory Uses/ General Standards (p. 6-37) to read as follows:

~~No accessory structure may be located within 4 feet of any property line.~~ No accessory structure may be located within 4 feet of any other structure except fences, any at-grade improvements, or any other structures that do not unreasonably impede access for emergency and/or maintenance purposes or otherwise create a fire or safety hazard. [Revised 06.10.03]

Amendment #17 (Building & Engineering)

Summary: Clarifies “commercial vehicle parking” provisions.

**Amend Article 6, Subsection 6.4.11/ Use Regulations/ Accessory Uses/
Commercial Vehicle Parking (p. 6-46) to read as follows:**

One ~~commercial-vehicle~~, customarily used for commercial purposes, not to exceed 8 feet in width and 22 feet in length, may be allowed to be parked outdoors as an accessory use to an existing residential use in Residential Zoning Districts. Two commercial vehicles, not to exceed 8 feet in width and 22 feet in length, may be allowed to be parked outdoors in the Agricultural (AG) zone on parcels having 200,000 square feet or larger area as an accessory use to any principal permitted use. In no case shall semi-trailers, semi-trailer cabs, tow trucks, dump trucks, aerial ladders, ~~or~~ bucket trucks, flat bed trucks, box trucks and/or any commercial vehicle with a diesel engine be permitted in the Residential or Agricultural (AG) Zoning Districts. Uses qualifying for agricultural exemption shall be exempt from this requirement. [Revised 08.12.03]

Amendment # 18 (Planning & Development Services)

Summary: Clarifies requirements for model homes.

**Amend Article 6, Subsection 6.5.10.2d.2./ Use Regulations/ Temporary Uses/
Contractor’s Model Homes (p. 6-50) to read as follows:**

d. Temporary Occupancy Permits for the model homes shall not be issued until:

1. Final Plat Approval is obtained; and
2. Roads, appropriate means of sewage disposal, storm sewers, storm water management and other required public improvements are substantially completed in that area of the development where the model homes have been constructed.

Amendment #19 (Planning & Development Services)

Summary: Codifies existing notification procedures for water events.

Amend Article 6, and to renumber the standards following Subsection 6.5.11.5/ Use Regulations/ Temporary Uses/ Events of Public Interest (p. 6-51) to read as follows:

Water-based events of public interest shall require 60-day advanced notification to and coordination with all applicable governmental agencies having jurisdiction, the approval of any applicable agency permits, and the payment of any applicable agency fees prior to the issuance of a Temporary Use Permit.

Amendment #20 (Planning & Development Services)

Summary: Clarifies features allowed within Conservation Development setbacks.

Amend Article 7, Subsection 7.7.3.3./ Density and Dimensional Standards/ Measurements and Exceptions/ Setbacks/ Features Allowed Within Setbacks (p. 7-15) to read as follows:

In Conservation Developments, terraces (above first floor, open), decks, swimming pool aprons, porches (non-enclosed, with no walls or screens, or roof) and at-grade patios or paved areas that function as decks, when proposed in conjunction with the Single Family Detached House Structure Type, may encroach into the required rear yard setback provided they do not encroach more than 10 feet in to the required setback, provided that the structure's area within the required setback does not exceed 200 square feet ~~the total terrace, deck, swimming pool aprons, porches, or patio size does not exceed 200 square feet,~~ and the lot abuts permanent open space to the rear (no other exceptions shall be allowed for terraces, decks, swimming pool aprons, porches, at-grade patios in Conservation Developments).

RPC Recommendation

Amend Article 7, Subsection 7.7.3.3p./ Density and Dimensional Standards/ Measurements and Exceptions/ Setbacks/ Features Allowed Within Setbacks (p. 7-15) to read as follows:

In Conservation Developments, terraces (above first floor, open), decks, swimming pool aprons, porches (non-enclosed, with no walls or screens, or roof) and at-grade patios or paved areas that function as decks, when proposed in conjunction with the Single Family Detached House Structure Type, may encroach into the required rear yard setback, provided they do not encroach

more than 10 feet in to the required setback, ~~provided that~~ the structure's area within the required setback does not exceed 200 square feet ~~the total terrace, deck, swimming pool aprons, porches, or patio size does not exceed 200 square feet,~~ , and the lot abuts permanent open space to the rear (no other exceptions shall be allowed for terraces, decks, swimming pool aprons, porches, at-grade patios in Conservation Developments).

ZBA Recommendation

Amend Article 7, Subsection 7.7.3.3p./ Density and Dimensional Standards/ Measurements and Exceptions/ Setbacks/ Features Allowed Within Setbacks (p. 7-15) to read as follows:

In Conservation Developments, terraces (above first floor, open), decks, swimming pool aprons, porches (non-enclosed, with no walls or screens, or roof) and at-grade patios or paved areas that function as decks, when proposed in conjunction with the Single Family Detached House Structure Type, may encroach into the required rear yard setback, ~~provided they do not encroach more than 10 feet in to the required setback,~~ ~~provided that~~ the structure's area within the required setback does not exceed 200 square feet ~~the total terrace, deck, swimming pool aprons, porches, or patio size does not exceed 200 square feet,~~ , and the lot abuts permanent open space to the rear (no other exceptions shall be allowed for terraces, decks, swimming pool aprons, porches, at-grade patios in Conservation Developments).

Amendment #21 (Planning & Development Services)

Summary: Clarifies the current landscaping review process for new telecommunication facilities.

Amend Article 9, and to renumber the subsections following Subsection 9.3.8./ General Development Standards/ Landscaping/Exceptions (p. 9-14) to read as follows:

9.3.8 Telecommunication and Co-locate Facilities

All new telecommunication towers and co-locate facilities shall require landscaping to be determined by amount, location and species on a site-specific basis.

Amendment #22 (Planning & Development Services)

Summary: Clarifies terminology for the “intersection visibility triangle” requirements.

Amend Article 9, Subsection 9.8 / General Development Standards/ Intersection Visibility (p. 9-24) to add the following commentary:

Commentary: The area described in Section 9.8 shall be referred to as the “intersection visibility triangle”.

Amendment #23 (Planning & Development Services)

Summary: Removes an obsolete consolidation method.

Amend Article 12, Subsection 12.4.4.3 / Nonconformities/ Nonconforming Lots/ Development Standards for Nonconforming Recorded Lots/ Required Method of Consolidation (p. 12-11) to read as follows:

12.4.4.3 Required Method of Consolidation

~~a. Partial Plat Vacation~~

~~A consolidation of parcels through partial plat vacation refers to any required consolidation within the boundaries of a platted subdivision. A consolidation of parcels through partial plat vacation shall require the recordation of a written vacation instrument consistent with Sections 6 and 7 of the Illinois Plat Act, 765 ILCS 205/6 and 765 ILCS 205/7. Forms for this instrument are available from the Planning, Building and Development Department. Through such recorded vacation instrument, the parcels shall be combined. The Planning, Building and Development Director shall have the authority to approve a consolidation of parcels through partial plat vacation as contemplated in this Section and to execute the written vacation instrument on behalf of the County.~~

~~b. Covenant~~

~~A consolidation of parcels through covenant refers to any required consolidation within the boundaries of a platted subdivision, of metes and bounds parcels, not within the boundaries of a platted subdivision, or the consolidation of one or~~

more metes and bounds parcels with a parcel, located within the boundaries of a platted subdivision, that has been vacated through a written vacation instrument in accordance with Subsection (a), above. A consolidation by covenant shall be executed through a signed, notarized and recorded covenant on forms available from the Planning, Building and Development Department. Through such covenant, the applicant shall agree that all parcels comprising the consolidation of parcels shall remain in common ownership in perpetuity, and shall henceforth be considered one zoning lot for development purposes. Such covenant would be binding on the applicant's successors and assigns. The Planning, Building and Development Director shall have the authority to approve a consolidation through covenant as contemplated in this subsection and to execute the written covenant instrument on behalf of the County.

Amendment #24 (Planning & Development Services)

Summary: Eliminates a conflict in the boat repair classification.

Amend Article 14, Subsection 14.1.5.7a./ Definitions/ Use Categories/ Retail, Service and Commercial Use Categories/ Vehicle Repair/ Characteristics (p.14-13) to read as follows:

Vehicle Repair firms service passenger vehicles, light and medium trucks and other consumer motor vehicles such as motorcycles, ~~boats~~ and recreational vehicles. Generally, the customer does not wait at the site while the service or repair is being performed.

Amend Article 14, Subsection 14.1.5.7d./ Definitions/ Use Categories/ Retail, Service and Commercial Use Categories/ Vehicle Repair/ Exceptions (p.14-13) to read as follows:

a) Repair and Service of boats and equipment are classified as Boat Sales/Rental/Storage/Service.

b) Repair and service of industrial vehicles and equipment and of heavy trucks; towing and vehicle storage; and vehicle wrecking and salvage are classified as Industrial Sales and Service.

Amendment #25 (Planning & Development Services)

Summary: Adds minor changes to the definition section.

Amend Article 14, Subsection 14.2/ Terms Defined (p.14-19) to read as follows and to renumber the standards as necessary:

1.	Accessory Structure	A structure that <u>customarily</u> : (1) is subordinate to and services a principal building or a principal use legally existing on the same zoning lot; (2) is subordinate in area, extent and purpose to the principal building or principal use; (3) contributes to the comfort, convenience or necessity of the occupants, business or industry of the principal structure or principal use served and (4) is located on the same zoning lot as the principal structure or principal use served.
238	Lot Line, Front	That part of <u>the entire</u> an interior lot abutting line adjacent to the street or that part of a corner lot extending across the narrowest part of the lot abutting the street. Double frontage lots have 2 "front" lot lines.
42	Best Management Practice (BMP)	<u>Structural or vegetative control measure designed to mitigate changes to both quantity and quality of storm water runoff from land development. BMPs are intended to reduce storm water volume, peak flows, and/or nonpoint source pollution through evapotranspiration, infiltration, detention, and filtration.</u>
219	Intersection Visibility Triangle	<u>An area formed by a point on each street center line located 100 feet from the intersection of local street center lines and a third line connecting the two points or 130 feet from the intersection of collector or higher category street center lines and a third line connecting the two points.</u>
436	Use, Accessory	A use that <u>customarily</u> : (1) is subordinate to and services a principal building or a principal use legally existing on the same zoning lot; (2) is subordinate in area, extent and purpose to the principal building or principal use; (3) contributes to the comfort, convenience or necessity of the occupants, business or industry of the principal structure or principal use served and (4) is located on the same zoning lot as the principal structure or principal use served.