

EXHIBIT B: AMENDMENTS TO THE LAKE COUNTY UNIFIED DEVELOPMENT ORDINANCE

As recommended by the Lake County Regional Planning Commission and the Zoning Board of Appeals

I. Local Food Amendments

Amendment #01 (Local Food-Bees)

Summary: Modifies the Use Table to distinguish between keeping Apiaries on lots greater than 5 acres and on lots smaller than 5 acres.

Amend Article 6, Subsection 6.2/Use Table (p.6-2) to read as follows:

Use Category	Use Types	Residential	Nonresidential	Use Standard
Agriculture	Apiary (<u>on lots 200,000 sq.ft. or more</u>)	<i>P in AG and in all residential zoning districts</i>	<i>P in all nonresidential zoning districts</i>	§§6.3.6 <u>§§6.3.3.1</u>
	Apiary (<u>accessory use on lots less than 200,000 sq. ft.</u>)	<i>P in AG, RE, E, R1, R2, R3 & R4 zoning districts</i>	<i>P in OS zoning district</i>	<u>§§6.3.3.2</u>

Summary: Adds reference to the new section regarding provisions for beekeeping.

Amend Article 6, Subsection 6.3.3.2/Use Standards/Agriculture/Non-Exempt Uses (p.6-9) to read as follows:

d. Standards for non-exempt apiaries shall be subject to conditions provided in Sec. 6.4.15.

Summary: Deletes lot size minimums for apiaries and renumber subsections under 6.3.7 through 6.3.44.

Remove Article 6, Subsection 6.3.6/Use Standards/Apiary (Agricultural Use Category) (p.6-10) and renumber subsequent sections accordingly:

The minimum lot size for an apiary use shall be 200,000 square feet.

Summary: Introduces regulations for the keeping of bees.

Amend Article 6, Subsection 6.4.15/ Accessory Uses/General Standards (p.6-50) to read as follows:

6.4.15 Beekeeping and Apiaries

The keeping of honey bees, of the European species *Apis mellifera*, shall be permitted in the Agricultural, Rural Estate, Estate, R1, R2, R3, and R4 Zoning Districts on lots less than 200,000 square feet in area, as an accessory use to a principal use, provided the following conditions are met.

6.4.15.1 Number of Beehives

Two **full** beehives (hives) **and two “nucleus hives”** shall be permitted on **lots up to and including a minimum lot area of** 10,000 square feet **of area**, and one beehive **and one nucleus hive** shall be permitted for each additional 10,000 square feet. There shall be no limit on the number of hives kept on parcels with an area of 200,000 square feet or more. **Nucleus hives, consisting of five or fewer frames, are kept for the purposes of queen and pest management. [ZBA 10-17-13]**

6.4.15.2 Location and Setbacks

a. Setbacks to property lines

Hives and related structures that form the apiary shall be located a minimum of thirty (30) feet from any adjoining improved alley, easement for purposes of ingress or egress, or road right-of-way and a minimum of ten (10) feet from all other property lines. **Apiaries shall not be located between the principal building and any adjoining improved alley, easement for purposes of ingress or egress, or road right-of-way. [ZBA 10-17-13]** In the case of an unimproved right of way, this provision may be modified by the Planning, Building and Development Department Director in consultation with the appropriate local roadway authority.

b. Setback to ~~Habitable~~ Structures

Hives shall be located a minimum of thirty (30) feet from any existing **habitable** structures on any adjoining parcel, **including but not limited to such as:** dwellings, non-residential buildings, patios, porches, gazebos, decks, swimming pools, or permanently affixed play equipment, but not including **storage structures such as** garages or sheds. **[RPC 9-24-13]**

c. Fencing

On parcels of 40,000 square feet or less, hives shall be enclosed behind a minimum four-foot high **secured** fence, hedge, or wall. **Alternatively, the apiary is to be posted with professional grade signs, each not to exceed 12 inches by 18 inches, indicating the existence of an apiary. Signs shall be installed at 10 foot intervals in a square surrounding the hives, minimum of four (4)**

signs are required for any apiary covered under this ordinance. [ZBA 10-17-13]

d. Flyway Barrier

On parcels of 40,000 square feet or less, **where the beehive entrance is oriented to an exterior property line, [RPC 9-24-13]** a six-foot high, solid flyway barrier (e.g. fence, wall, or dense shrub) shall be located **between the hive entrance and the property line and shall extend five (5) feet in each direction. within three (3) feet in front of the entrance to the hive and shall extend ten (10) feet in either direction, perpendicular to that entrance. [ZBA 10-17-13]**

6.4.15.3 Management Practices

a. Water Supply

A **non-diminishing** supply of water shall be **continuously available and located within provided the parcel, provided that it is closer than water sources on any adjoining parcel fifteen (15) feet of the hive.** Water supply shall be designed to allow bees to access water **by landing on a hard surface.** Water requirement shall be in effect from April 1 – Nov. 30 or any and all days in which temperature exceeds 55 degrees for 3 consecutive days. **[ZBA 10-17-13]**

b. Requeening

In any instance in which a hive exhibits unusually aggressive characteristics, **as verified by an Illinois Apiary Inspector,** the property owner shall destroy, **move to another parcel,** or requeen the hive within fourteen (14) days of observation. **Queens shall be selected from stock bred for gentle characteristics; documentation of such shall be made available upon County request. [ZBA 10-17-13]**

c. Moveable Combs

All honey bees shall be kept in hives with removable combs, which shall be kept in good repair and usable condition.

d. Equipment

Hives not under active human management and maintenance shall be dismantled or removed. Other beekeeping equipment shall be kept secured, so as to prevent “robbing” or occupancy by other stinging insects. [ZBA 10-17-13]

COMMENTARY: State Regulations

Per the Illinois Department of Agriculture, hives shall be registered with the Illinois Department of Agriculture and actively maintained in accordance with 510 ILCS 20/1 et seq.) the Illinois Bees and Apiaries Act.

Amendment #02 (Local Food-Chickens)

Summary: Allows the keeping of chickens, as accessory uses on lots less than 200,000 square feet in area.

Amend Article 6, Subsection 6.3.3.2/Use Standards/Agriculture/Non-Exempt Uses (p.6-9) to read as follows:

c. No farm animals, other than equine or chickens, or beekeeping, as an accessory to a principal agricultural use, shall be kept on zoning lots less than 200,000 square feet in area.

Summary: Introduces regulations for the keeping of chickens.

Amend Article 6, Subsection 6.4.16/ Accessory Uses/ General Standards/ Chickens (p.6-50)to read as follows:

The keeping of hens, the female of the chicken species *Gallus gallus domesticus*, shall be permitted in single family residential zoning areas, on zoning lots of 1020,000 square feet or greater, provided the following conditions are met. [ZBA 10-17-13]

6.4.16.1 Number of Hens

Up to six (6) hens shall be allowed on a non-exempt residential property. There shall be no limit on the number of hens kept on parcels with an area of 200,000 square feet or more.

6.4.16.2 Chicken Coops and Yards

a. Chicken Coop

Hens shall be kept in an enclosed outdoor coop, an accessory structure used for the purpose of keeping live chickens, so as to offer protection from weather elements and from predators and trespassers.

Coops shall be built and kept in such a manner, large enough to provide at least ~~two (2)~~three (3) square feet per hen and allow the hens easy ingress and egress to an enclosed chicken yard. [ZBA 10-17-13]

b. Chicken Yard

Coops shall be connected with an enclosed chicken yard or run.

Hens may be allowed to roam in a fenced back yard, but shall not be allowed to roam outside of the fenced yard. Hens must be returned to the secured chicken coop each night.

6.4.16.3 Location and Setbacks

a. Street Setbacks

Chicken coops and yards shall not be located between the principal building and any improved alley, easement for purposes of ingress or egress, or road right-of-way. In the case of an unimproved right of way, this provision may be modified by the Planning, Building and Development Department Director in consultation with the appropriate local roadway authority.

b. Setback to Habitable Structures

In addition to setback requirements for accessory structures, chicken coops shall be located a minimum of thirty (30) feet from any existing **habitable** structures on any adjoining parcel, ~~including but not limited to such as:~~ dwellings, non-residential buildings, patios, porches, gazebos, decks, or swimming pools, but not including **storage structures such as** garages or sheds. **[RPC 9-24-13]**

6.4.16.4 Prohibitions and Management Practices

a. Roosters

The keeping of roosters shall not be allowed on non-exempt property.

b. Odors

Chicken coops and yards must be cleaned on a regular basis so they remain free from undue accumulated waste, such as to cause odors reasonably detectable on adjacent properties.

c. Feed

All feed for hens shall, except when placed for consumption by the hens, be kept in containers with tightly fitted lids that are rodent-proof.

d. Maintenance of Coops

Coops shall be maintained in good repair and non-dilapidated condition.

e. Slaughter

No outdoor slaughter of chickens shall be allowed. [ZBA 10-17-13]

COMMENTARY: State Regulations

Per the Illinois Department of Agriculture, those wishing to keep **chickens hens** on their premises shall complete a Livestock Premises Registration. **[RPC 9-24-13]**

Amendment #03 (Local Food - Hoophouses)

Summary: Exempts hoophouses or greenhouses from building codes if used for local food production in residential zoning districts.

Amend Article 1, Subsection 1.3/Applicability and Jurisdiction (p.1-1) to read as follows:

This Ordinance shall apply to all development, public and private, within unincorporated Lake County. All structures and land uses constructed or commenced hereafter and all enlargements of, additions to, changes in and relocations of existing structures and uses occurring hereafter shall be subject to this Ordinance, all Statutes of the State of Illinois, the Building Codes of Lake County and all other applicable county ordinances, except as specifically provided in this Ordinance.

Summary: Exempts hoophouses and greenhouses used primarily for local food production.

Amend Article 6, Subsection 6.4.2.9/Accessory Uses/ General Standards (p.6-39) to read as follows:

6.4.2.910 Uses Prohibited as Accessory Uses

c. Temporary Hoophouses, Greenhouses, or other Frame-Designed Structures not meeting applicable building codes, except as allowed under the State's Agricultural Exemption or for exclusively growing plants for local food production in residential zoning districts. [ZBA 10-24-13]

Summary: Exempts hoophouses or greenhouses from floor area requirements if used for local food production in residential zoning districts.

Amend Article 6, Subsection 6.4.2.5/Accessory Uses/General Standards (p.6-39) to read as follows:

Accessory uses and structures must be subordinate to the principal use and structure on the subject lot in terms of area, extent, and purpose. The total gross floor area of all accessory structures on a lot shall not exceed 1.5 times the total gross floor area of the principal structure on the lot. ~~The area-related provisions of this paragraph shall not apply to n-Nonresidential, and or agricultural-exempt uses, or hoophouses or greenhouses,~~ primarily-exclusively used for growing plants for local food production in residential zoning districts, shall be exempt from area-related provisions for accessory structures. [Revised 10.13.09] [ZBA 10-24-13]

Summary: Exempts hoophouses or greenhouses from accessory building limits if used for local food production in residential zoning districts.

Amend Article 6, Subsection 6.4.2.7/Accessory Uses/ General Standards (p.6-39) to read as follows:

No more than 3 accessory buildings associated with a principal residential use shall be located on a single parcel in a residential district. There shall be no limit on the number of accessory buildings that may be located on a parcel in a nonresidential zoning district or on a parcel in a residential zoning district containing a principal nonresidential use, provided that they comply with all other general accessory use standards of this section (§§6.4.2). The provisions of this paragraph shall not apply to agricultural-exempt uses. Hoophouses or greenhouses, primarily exclusively used for growing plants for local food production in residential zoning districts, open Open gazebos, swimming pools, cabanas and or similar structures shall not be counted as buildings for purposes of this provision. (See Figure 6-1) [Revised 10.13.09] [ZBA 10-24-13]

Summary: Introduces regulations for hoophouses or greenhouses used for local food production.

Remove Article 6, Subsection 6.4.2.9.c/Accessory Uses/General Standards (p.6-39) to read as follows and renumber subsequent sections accordingly:

- ~~c. Temporary Hoop or other Frame Designed Structures not meeting applicable building codes except as allowed under the State's Agricultural Exemption.~~

Amend Article 6, Subsection 6.4.8/ Accessory Uses/General Standards (p.6-46) to read as follows and renumber subsequent sections accordingly:

6.4.8 Hoophouses and Greenhouses

6.4.8.1. Hoophouses and greenhouses [ZBA 10-24-13] on residentially zoned properties shall be used for the primary exclusive [ZBA 10-24-13] purpose of growing plants for local food production. Hoophouses or greenhouses [ZBA 10-24-13] shall not exceed, in the aggregate, [RPC 9-24-13] 50 square feet in area for each 10,000 square feet in lot area, with a minimum lot size of 10,000 square feet. [ZBA 10-24-13] There shall be no limit on the size or number of hoophouses or greenhouses [ZBA 10-24-13] kept on agriculturally exempt parcels with an area of 200,000 square feet or more.

6.4.8.2. Hoophouses and greenhouses shall be covered with a colorless, and transparent, plastic, polyethylene film material and shall be maintained intact with all parts secure. Any repairs shall maintain consistency in appearance and condition with the original construction. The hoophouse or greenhouse must be replaced, removed, or repaired upon evidence of deterioration. [ZBA 10-24-13]

Amendment #04 (Local Food - Extend Produce Sales Season)

Summary: Extends permitted farm produce sales from 6 months to 8 months.

Amend Article 6, Subsection 6.5.13/Temporary Uses (p.6-56) to read as follows:

6.5.13.1 Farm Produce Sales (Seasonal)

a. Seasonal sales of farm produce may be allowed by Temporary Use Permit in all zoning districts for a period not to exceed ~~6~~8 months per calendar year. In residential zoning districts, seasonal sale of farm produce shall only be allowed on parcels having a minimum area of 80,000 square feet and a minimum road frontage of 190 feet and further provided that the majority of such produce is grown on-site.

Amendment #05 (Local Food-Other)

Summary: Recognizes local food production as an agricultural land use, under UDO purposes and intents.

Amend Article 1, Section 1.5/Purpose and Intent (p.1-2) to read as follows:

6. implementing land use and open space policies that will preserve agricultural uses of land, including local food production, and the rural, open character of the unincorporated area of the county;

Summary: Defines Local Food Production.

Amend Article 14 Definitions/14.2 Terms Defined (p.14-34) to read as follows and renumber subsequent sections accordingly:

Local Food Production: The practice of producing food for the purposes of consumption or sale at a local market, such as growing vegetables and fruits and raising livestock. Local Food Production also includes the growing of vegetables and fruits and the keeping of chickens or bees, as **an a residential** accessory use. **[ZBA 10-24-13]**

II. Delegation/Streamlining Amendments

Amendment #6 (Streamlining)

Summary: Delegates to the Director the authority to act on Conditional Use Permit extension requests of up to 2 years.

Amend Article 3, Section 3.6.9/Conditional Use Permits/Lapse of Approval (p.3-11) to read as follows:

Unless otherwise expressly stated in the Conditional Use Permit or by concurrent action by the Planning, Building, and Zoning Committee, if an approved Conditional Use has not been established within 2 years of the date of approval or if the use that is the subject of the Conditional Use Permit is abandoned [Revised 12.13.05] for a period of more than 1 year, the Conditional Use Permit shall lapse and be of no further effect. For purposes of this section, the term “established” shall mean the issuance of a permit or permits for the principal use that is the subject of the Conditional Use Permit. For phased development the term “established” shall mean the issuance of a permit or permits for the first phase of development. [Revised 06.10.03] The time-frames of this subsection for non-delegated CUPs referenced above or as established at the time of Conditional Use Permit approval may be extended by the Director for up to 2 years. [Revised 12.13.05] by the Planning, Building and Zoning Committee or by the Zoning Board of Appeals for delegated CUPs [Revised 06.10.03] Extensions beyond 2 years shall may be approved by the Zoning Board of Appeals for Delegated Conditional Use Permits and the Planning, Building and Zoning Committee for Non-Delegated Conditional Use Permits. if an [ZBA 10-24-13] All extension requests is shall be filed with the Planning, Building and Development Director prior to expiration of the Conditional Use Permit.

Amendment #7 (Streamlining)

Summary: Authorizes the Zoning Board of Appeals to act on certain Delegated Conditional Use Permit amendments.

Amend Article 3, Section 3.6.10/Conditional Use Permits/Amendments to Approved Conditional Use Permits (p.3-12) 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. If the above percentages are exceeded, the Zoning Board of Appeals Planning, Building and Zoning Committee shall be authorized to allow the establishment of all other accessory uses and structures for Delegated Conditional Use Permits and the Planning, Building and Zoning Committee shall be authorized to allow the establishment of accessory uses and structures for Non-Delegated Conditional Use Permits. 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 original Permit approval. The Planning, Building and Development Director shall record and maintain a record of all authorized changes in approved Conditional Use Permits. [Revised 08.14.12]

III. Other Substantive Amendments

Amendment #8 (Substantive)

Summary: Authorizes the Director to modify certain standards for fences.

Amend Article 6, Subsection 6.4.9.1/Accessory Uses/Fences and Walls/Fences and Walls (p.6-46) to read as follows:

6.4.9 Fences and Walls

6.4.9.1 Fences and Walls

Fences and walls shall be permitted in any required setback (except within required visibility triangles, see Sec. 9.8). The finished/ornamental side of ~~the~~ all fences shall face outward; provided, however, that this requirement may be waived by the Planning, Building and Development Director if it is determined no practical benefit is served based upon an assessment of site conditions. 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 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. 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). [Revised 11.08.05, 3.11.08, 10.13.09, 8.14.12]

Amendment #9 (Substantive)

Summary: Establishes parking stall and parking lot aisle width standards to improve circulation safety.

Amend Article 9, Subsection 9.1.8.1/ General Development Standards/ Off-Street Parking/Design and Maintenance/Space Size (p. 9-7) to read as follows:

9.1.8 Design and Maintenance

9.1.8.1 Space Size Design Standards

The minimum size of each required off-street parking space shall be **consistent with the chart below:** ~~9 feet by 18 feet, exclusive of aisle width, provided that up to 20 percent of the required spaces may be 9 feet by 15 feet to accommodate compact cars. Compact spaces shall be designated by signs.~~ **[RPC 9-24-13]**

	<u>Stall Width</u>	<u>Stall Length</u>	<u>Aisle Width</u>
			<u>One Way/Two Way</u>
<u>Parallel Parking</u> <u>0 degrees</u>	<u>9'</u>	<u>22'</u>	<u>12' / '22</u>
<u>45 Degrees</u>	<u>9'</u>	<u>18'</u>	<u>13' / '24</u>
<u>60 Degrees</u>	<u>9'</u>	<u>18'</u>	<u>18' / '24</u>
<u>90 degrees</u>	<u>9'</u>	<u>18'</u>	<u>24' / '24</u>

Amendment #10 (Substantive)

Summary: Introduces Administrative Adjudication as an enforcement remedy for UDO violations.

Amend Article 13, Subsection 13.4/Remedies and Enforcement Powers (p. 13-2) to read as follows:

13.4.8 Administrative Adjudication

The county may enforce violations of this ordinance in accordance with the Lake County Administrative Adjudication Ordinance.

13.4.89 Forfeiture and Confiscation of Signs

Any sign installed or placed on public property, except in compliance with the regulations of Sec. 9.9 shall be forfeited to the public and subject to confiscation. In addition to other remedies and penalties of this section, the county shall have the right to recover from the sign owner or person who placed the sign, the full costs of sign removal and disposal.

13.4.1011 Abatement

The county may seek a court order in the nature of mandamus, abatement, injunction or other action or proceeding to abate or remove a violation or to otherwise restore the premises in question to the condition in which they existed prior to the violation.

13.4.1112 Penalties

The county may seek such other penalties as are provided by the Lake County Administrative Adjudication Ordinance and Illinois law.

13.4.1213 Other Remedies and Powers

The county shall have such other remedies and enforcement powers as are and as may be from time to time provided by Illinois law for the violation of zoning, subdivision, sign or related provisions.

IV. Housekeeping Amendments

Amendment #11 (Housekeeping)

Summary: Corrects reference and procedural errors in the powers and duties of the Planning, Building and Zoning Committee.

Amend Article 2, Subsection 2.1/Planning, Building, and Zoning Committee (p.2-1) to read as follows:

5. reviewing proposed Vacation requests and recommending that the County Board approve, approve with conditions or deny such applications in accordance with Sec. ~~3.12~~ 10.20;
6. conducting informational meetings on proposed subdivisions in accordance with §§~~10.2.2~~ 10.7.2 and §§~~10.2.3~~;
7. reviewing proposed Preliminary and Final Plat of Subdivision applications and acting to approve, approve with conditions or deny such applications in accordance with §§~~10.2.3~~ 10.7.5.5 and §§~~10.2.4~~ 10.7.6.7;
8. hearing appeals of the Planning, Building and Development Director's decision on Minor Subdivision ~~Waiver~~ Modification requests and acting to approve, approve with conditions or deny such appeals in accordance with §§~~10.2.5~~ 10.8.4.2;
9. reviewing proposed Major Subdivision ~~Waiver~~ Modification requests and acting to approve, approve with conditions or deny such requests in accordance with §§~~10.2.5~~ 10.8.3.3;
10. hearing appeals of the Planning, Building and Development Director's decisions on subdivision assurance reduction, extension and release matters in accordance with §§~~10.16.5~~ 10.19.6.1; and

Amendment #12 (Housekeeping)

Summary: Corrects cross section reference errors.

Amend Article 1, Section 1.9.1/Word Usage and Construction of Language/Meanings and Intent (p.1-3) to read as follows:

1.9.1 Meanings and Intent

All provisions, terms, phrases and expressions contained in this Ordinance shall be construed according to the Purpose and Intent set out in Sec. 1.5. See also “Written Interpretations,” ~~Sec. 3.14~~ Sec. 3.13.

Amend Article 3, Subsection 3.2.5/Text Amendments/Zoning Board of Appeals Review and Recommendation (p.3-6) to read as follows:

The Zoning Board of Appeals shall hold a public hearing on the proposed text amendment and make a recommendation to the County Board, based on the Text Amendment Approval Criteria of §§3.2.8. In the case of amendments to the text of Article 10 (Subdivisions), Article 11 (School and Park Contributions) or the procedures of ~~Sec. 3.12~~ 10.20 (Vacations), the Planning, Building and Zoning Committee shall hold the public hearing and make the recommendation to the County Board instead of the Zoning Board of Appeals.

Amend Article 3, Subsection 3.2.5/Text Amendments/Zoning Board of Appeals Review and Recommendation (p.3-6) to read as follows:

The Zoning Board of Appeals shall hold a public hearing on the proposed text amendment and make a recommendation to the County Board, based on the Text Amendment Approval Criteria of §§3.2.8. In the case of amendments to the text of Article 10 (Subdivisions), Article 11 (School and Park Contributions) or the procedures of ~~Sec. 3.12~~ 10.20 (Vacations), the Planning, Building and Zoning Committee shall hold the public hearing and make the recommendation to the County Board instead of the Zoning Board of Appeals.

Amend Article 3, Subsection 3.7.3.2/Planned Unit Developments/PUD Preliminary Plan/Plat/Staff Review and Recommendation (p.3-13) to read as follows:

Staff Review and Recommendation

Planning, Building and Development Department staff shall review each PUD Preliminary Plan/Plat application in light of the PUD Preliminary Plan/Plat Criteria of ~~§§3.7.3-3~~ §§3.7.3.8 and provide a report to the Zoning Board of Appeals.

Amend Article 3, Subsection 3.7.5/Planned Unit Developments/PUD Final Plans/Plat (p.3-17) to read as follows:

PUD Final Plats shall be reviewed and approved in accordance with the Final Plat procedures of ~~§§10.2.4~~ §§10.7.6. If no plat is required for the proposed development, a Final PUD Plan shall be submitted and processed in accordance with the Final Plat procedures of ~~§§10.2.4~~ §§10.7.6.2. The Planning, Building and Zoning Committee shall have final decision-making authority on Final PUD Plans and Plats.

Amend Article 2, Subsection 3.12.2/Zoning Variances/Classification of Zoning Variances/Commentary (p.3-21) to read as follows:

Commentary:

Waivers from the Vacation standards of Sec. 3.12 10.20, Subdivision and Land Dedication standards of Articles 10 and 11, Development Standards for Nonconforming Recorded Lots of Sec. 12.4.3 and Plats of Consolidation standards of Sec. 12.4.4.2 shall be processed in accordance with procedures of Sec.10.2.1.2.c.2.2 [Revised 09.10.02, 08.14.12].

Amend Article 6, Subsection 6.2/Use Table (p.6-5) to read as follows:

Use Category	Use Types	Residential	Nonresidential	Use Standard
Household Living	Attached Dwelling			§§6.3.98
	Cabin			§§6.3.109
Assisted Living				§§6.3.76
Parks and Open Space	Cemetery, Mausoleum			§§6.3.4211
Recreation and Entertainment, Outdoor	Camps			§§6.3.4410
Retail Sales and Service	Casino/Commercial Watercraft			§§6.3.4312
Manufacturing and Production	Asphalt, Concrete or Redi-Mix Plant			§§6.3.87 §§6.3.24
Waste-Related Use	Construction and Demolition Recycling Facilities			§§6.3.4413
Wind energy facilities	Tower-Mounted			§§6.4.4314
Wildlife Rehabilitation	Accessory Residential Use			§§6.4.4213

Amend Article 6, Subsection 6.4.2.9.a/Accessory Uses/General Standards/Uses Prohibited as Accessory Uses (p.6-39) to read as follows:

- a. Uses specifically prohibited by §§6.4.5.5 and §§6.4.4412 as residential accessory uses.

Amend Article 6, Subsection 6.4.5.5/Accessory Uses/Customary Home Occupations/Prohibited Uses (p.6-42) to read as follows:

f. Mobile (Off-Site) Vehicle Servicing

Associated storage for mobile vehicle servicing involving service calls to clients' off-site locations, consisting of repair, detailing and servicing of boats, recreational vehicles, and other consumer vehicles, is not allowed as a home occupation. The maintaining of a home office for such business and the parking of a commercial vehicle in accordance with Section 6.4.4412 shall be allowed as a home business.

g. Contracting Businesses

Associated storage for contracting businesses, including plumbing, electrical, carpentry, and other trades, and storage thereto, is not allowed as a home business. The maintaining of a home office for such business and the parking of a commercial vehicle in accordance with Section 6.4.4412 shall be allowed as a home business.

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

- a. Fences, walls, and other landscape features shall be allowed within required setbacks, subject to the limitations of §§6.4.910.

Amend Article 12, Section 12.2.2.2/Nonconforming Uses/Expansions (p.12-2) to read as follows:

~~Paragraph A~~ Sec.12.2.2.1 of this subsection shall not be construed as prohibiting additions to any dwelling regardless of the zoning district in which such dwellings are located, nor shall any provision of this article be construed as prohibiting the construction of any use that is accessory to a dwelling unit regardless of the zoning district in which the dwelling is located.

Amend Article 12, Section 12.3.8.2.e/Nonconforming Structures/Nonconforming Single Family Dwelling and Accessory Structures (p.12-5) to read as follows:

If the structure is located in the floodplain and if the improvement constitutes "substantial improvement" (see commentary on page 42-4 12-5), the entire structure shall be brought into conformance with the floodplain provisions of Article 8.

Amend Article 12, Subsection 12.4.3.3/Nonconformities/Nonconforming Lots/Dimensional Standards/Detached House (Single-Family) Dwellings (p. 12-9) to read as follows:

If there is an existing detached house (single-family) dwelling located on a nonconforming lot in a zoning district other than an AG, RE, E, R1–6 or RR districts, any addition to a principal or accessory building or any new accessory building thereto shall be governed by the setbacks in ~~paragraph A of this subsection~~ Sec. 12.4.3.1, rather than ~~paragraph B~~ Sec. 12.4.3.2. However, no single-family dwelling or accessory building shall be converted to a nonresidential use permitted in that zoning district unless it complies with the setback requirements of ~~paragraph B~~ Sec. 12.4.3.2 of this subsection.

Amend Article 13, Subsection 13.9/Wind Energy Facilities (p.13-5) to read as follows:

The provisions in this Section 13.9 are in addition to the general Violation, Penalties and Enforcement provisions of Article 13. Lake County shall retain authority to enforce the Height and Setbacks and Operating Requirements for wind facilities in Section 6.4.4314, and additional requirements and standards for wind energy facilities as identified in Appendix Q.

Amend Article 13, Subsection 13.9.2.a/Wind Energy Facilities/Finding of Default and Abandonment (p.13-5) to read as follows:

- a. The owner must remedy any condition in which the wind energy facility has become inoperable, or otherwise violated the operating requirements defined under Section 6.4.4314.3 for wind energy facilities within 180 days of the issue date on written notice from Lake County or be considered to be in default and the facility considered to be abandoned.

Amend Article 14, Subsection 2/Definitions (p.14-36) to read as follows:

<u>279</u>	<u>Net Site Area</u>	The buildable portion of a lot, as calculated in accordance with θ <u>Article 4, Section 4.1.4.</u>
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Amend Appendix Q: Wind Energy Facilities, Section 1.0/Application Requirements for Wind Energy Facilities (p.73) to read as follows:

See Section 6.4.4314 Wind Energy Facilities for information on Height and Setbacks and Operating Requirements. See Article 13 for Violations, Penalties and Enforcement. See 3.0 below in Appendix Q for Additional Standards for Wind Energy Facilities. Other local and state regulations shall apply.

Amendment #13 (Housekeeping)

Summary: Clarifies the classification of minor and major variances for Articles 4 and 8.

Amend Article 3, Section 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 and any standard of Articles 4 and 8 [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 a Minor 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, 08.14.1]

Amendment #14 (Housekeeping)

Summary: Clarifies the lot size required to establish a kennel in the Agriculture (AG) zoning district.

Amend Article 6, Subsection 6.3.27.1b/ Use Standards/Kennels, Animal Shelters and Dog Obedience Schools (Retail Sales and Service, Personal Service Oriented Use Category)/General Standards (p. 6-20) to read as follows:

- a. Kennels shall be permitted only on parcels having an area of at least 200,000 square feet in the Agriculture (AG) zoning district and at least 80,000 square feet in the permitted nonresidential zoning districts. **[ZBA 10-24-13]**

Amendment #15 (Housekeeping)

Summary: Corrects a typographic error.

Amend Article 6, Subsection 6.3.32.8/Use Standards/Mobile Home Parks (Household Living Use Category)/Minimum Setbacks/Separations (p.6-25) to read as follows:

Setback/Separation		Minimum Distance (feet)
1.	Mobile homes and accessory structures to mobile home park boundaries[a]	50
2.	Mobile homes and accessory structures to ultimate right-of-way of public street or highway[a]	30
3.	Mobile homes and accessory structures to interior streets[a]	10
4.	Mobile home to mobile home (side to side)[a][b]	20
5.	Mobile home to mobile home (end to end, staggered)[a][b]	10
6.	Mobile home to mobile home (end to end, not staggered)[a][b]	20
7.	Mobile homes to unattached accessory structures (on same or other site)	4
8.	Mobile homes and accessory structures to other mobile home park accessory structures, such as laundry buildings, community buildings and offices.	20
40 g.	Mobile homes and accessory structures to any body of water	per Article 8

Amendment #16 (Housekeeping)

Summary: Clarifies the height limits for accessory dwelling units.

Amend Article 6, Subsection 6.4.4.2.a/Accessory Uses/Accessory Dwellings and Caretaker’s Residences/Other Ordinance Standards/Accessory Dwelling Units (p.6-41) to read as follows:

Accessory dwelling units shall comply with the Lake County One and Two Family Dwelling ordinance. Accessory dwelling units shall be subject to all setback, height and impervious coverage standards that apply to principal structures in the underlying zoning district. The maximum height of detached accessory dwelling units shall be subject to the accessory standards of Sec. 6.4.3.1.

Amendment #17 (Housekeeping)

Summary: Amends parking court pavement standards.

Amend Article 7, Section 7.7.2.2.e.6/Density & Dimensional Standards/Measurements and Exceptions/Lot Width/Parking Court Exception (p.7-14) to read as follows:

6. Parking courts shall be paved in conformance with the following standards:
- 1.5-inch bituminous surface course, Class I
 - 1.5-inch bituminous binder course, Class I
 - 8-inch aggregate base course, Class A or B

Amendment #18 (Housekeeping)

Summary: Updates web address for Lake County GIS maps in commentary.

Amend Article 8, Subsection 8.3.2/Regulatory Floodplain, Regulatory Floodway, Flood Table Land and Flood-Prone Areas/Regulatory Floodplain/Commentary (p.8-49) to read as follows:

Current FEMA maps can be obtained from the Planning, Building and Development Department or online (<http://gis.lakeco.org/maps/>) (<http://maps.lakecountyl.gov/mapsonline/>). [Revised 11.14.06]

Amend Article 8, Subsection 8.3.3/Regulatory Floodplain, Regulatory Floodway, Flood Table Land and Flood-Prone Areas/Regulatory Floodways/Commentary (p.8-51) to read as follows:

Current FEMA maps can be obtained from the Planning, Building and Development Department or online (<http://gis.lakeco.org/maps/>) (<http://maps.lakecountyl.gov/mapsonline/>). [Revised 11.14.06]

Amendment #19 (Housekeeping)

Summary: Corrects previous omissions of references to the R-4A Zoning District.

Amend Article 9, Section 9.6.1.1c/Sewer and Water Facilities/Residential/Requirements for Community Systems (p.9-22) to read as follows:

Detached houses may be constructed in the R-2, R-3, R-4, R-4A, R-5, R-6 and RR Zoning Districts prior to the establishment of required community sewer systems on parcels containing at least 40, 000 square feet of lot area and 130 feet of lot width. These width and area requirements shall not apply to legal nonconforming parcels. [revised 11.08.05]

Amend Article 9, Section 9.9.7.5h.3/Signs/Permitted Sign Types/Special Sign Standards/Temporary Signs/Residential, Nonresidential, and Institutional Districts/Real Estate Signs (p.9-30) to read as follows:

One temporary real estate (“for sale” or “for rent”) sign shall be permitted per road or water frontage per parcel. In any event, the total number of signs per parcel shall not exceed 2. [Revised 11.14.00] Temporary real estate signs shall not exceed 6 square feet in area in RE, E, R-1, R-2 and R-3 districts, 12 square feet in area in AG (for parcels less than 10 acres), R-4, R-4A, R-5, and R-6 districts and 32 square feet in area in AG (for parcels 10 acres and greater) and nonresidential districts. [Revised 11.14.00, 06.13.06] Real estate signs shall be permitted only on the property for sale or for rent, and shall not be permitted off-site. [Revised 07.08.03]

Amendment #20 (Housekeeping)

Summary: Removes the commentary explaining the term “nonconforming,” eliminating the confusion the use of the term through the article.

Amend Article 12, Subsection 12.1/General (p. 12-1) to read as follows:

Commentary

~~In zoning parlance, the term “nonconforming,” applies only to legal nonconforming situations. A use, structure, lot or sign is considered “nonconforming” under this Ordinance only if it came about in full compliance with all regulations in effect at the time of its establishment. If uses, structures, lots or signs were established in violation of regulations in effect at the time of their establishment and remain in violation of regulations currently in effect, then they are Ordinance violations, not nonconformities.~~

Amendment #21 (Housekeeping)

Summary: Eliminates an inconsistency.

Amend Article 12, Subsection 12.3/Nonconforming Structures/Commentary (p.12-3) to read as follows:

All building alterations or additions that violate a zoning district dimensional standard shall be prohibited. This is interpreted, for example, to mean that no additions, including a second-story addition, will be allowed within a required setback-, except as described in Section 12.3.8.2.

Amendment #22 (Housekeeping)

Summary: Eliminates an inconsistency.

Amend Article 12, Section 12.3.5/Nonconforming Structures/Loss of Nonconforming Status; Damage or Destruction (p.12-4) to read as follows:

If a nonconforming structure is destroyed by any means to the extent of more than 50 percent of the replacement cost of the structure located above the average ground elevation, it may not be reestablished except in compliance with all regulations applicable to the zoning district in which it is located: or in compliance with Section 12.3.8.

Amendment #23 (Housekeeping)

Summary: Clarifies standards for rebuilding nonconforming single family dwellings.

Amend Article 12, Section 12.3.8.1/Nonconforming Structures/Nonconforming Single Family-Dwelling and Accessory Structures (p.12-4) to read as follows:

- 12.3.8.1** A legal nonconforming Single Family Dwelling or an accessory structure on a foundation may be restored 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 structure does not extend further into any required yard setback than the existing structure prior to improvement or rebuilding. ~~The 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.~~
 - b. The restored 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. Any proposed addition or expansion to the existing structure beyond a repair, remodel, or restoration must meet the setback requirement of the underlying zoning district or the setback requirement for a nonconforming lot, whichever applies. ~~If the structure is located in the floodplain and if the restoration constitutes “substantial improvement” (see commentary below), the entire structure shall be brought into conformance with the floodplain provisions of Article 8.~~
 - d. If the structure is located in the floodplain and if the restoration constitutes “substantial improvement” (see commentary below), the entire structure shall be brought into conformance with the floodplain provisions of Article 8.

Amendment #24 (Housekeeping)

Summary: Eliminates redundant commentary and references thereto.

Amend Article 12, Subsection 12.3.8.2.d.e/Nonconforming Structures/Nonconforming Single family Dwelling and Accessory Structures/Commentary (p.12-5) to read as follows:

Commentary

~~“Substantial Improvement” referred above in paragraphs c. and d. is defined in Article 14 of this Ordinance. Generally, improvement is considered substantial when the cost of improvement or repair equals or exceeds 50% of the market value of the structure before the improvement or repair started or before the damage occurred.~~

- d. If the proposed improvement constitutes “substantial improvement” (see ~~commentary below~~ Article 14, definition of “Substantial Improvement”), the water’s edge setback requirement shall apply.
- e. If the structure is located in the floodplain and if the improvement constitutes “substantial improvement” (see ~~commentary page 12-4~~ Article 14, Definition of “Substantial Improvement”), the entire structure shall be brought into conformance with the floodplain provisions of Article 8.

Amendment #25 (Housekeeping)

Summary: Eliminates the definition of an unused term.

Amend Article 14, Section 14.2/Terms Defined (p.14-23) and renumber subsequent sections accordingly:

56	Candlepower	The total luminous intensity of a light source expressed in footcandles. Maximum (peak) candlepower is the largest amount of footcandles emitted by any lamp, light source, or luminaire.
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Amendment #26(Housekeeping)

Summary: Eliminates a duplicate definition.

Amend Article 14, Section 14.2/Terms Defined (p.14-29) and renumber subsequent sections accordingly:

164	Flood-prone Area	<u>Any area inundated by the base flood, including such areas outside of the regulatory floodplain.</u>
167	Flood-prone Area	Any area inundated by the base flood, that is not a regulatory floodplain.

Amendment #27 (Housekeeping)

Summary: Modifies definition of “kennel.”

Amend Article 14, Subsection 14.2/Terms Defined (p.14-33) to read as follows:

229	Kennel	A location where the number of dogs or any other animal, except for farm animals, exceeds the residential pet limits established by the health department, or any place in or at which dogs or any other animals, except for farm animals, are kept on a regular basis for the purpose of sale or in connection with boarding, training, care, or breeding, for which any fee is charged, or for adoption.
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Amendment #28 (Housekeeping)

Summary: Adds the definition of “nightclub”.

Amend Article 14, Section 14.2/Terms Defined (p.14-36) and renumber subsequent sections accordingly:

281	Nightclub	An establishment serving liquor and/or food while providing space for music, dancing, floor shows, or comedy acts. A nightclub shall not include activities or uses as defined by this Ordinance as "adult entertainment establishment."
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Amendment #29 (Housekeeping)

Summary: Amends Definition 318 – Public Park to provide a more logical definition of “Public Park” from “Park, Public.”

Amend Article 14, Section 14.2/Terms Defined (p.14-38) to read as follows:

318	Public Park	See Park, Public Noncommercial.
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Amendment #30(Housekeeping)

Summary: Incorporates mulch production into examples of manufacturing and production uses.

Amend Article 14, Subsection 14.1.6.2.c/Use Categories/Industrial Use Categories/Manufacturing and Production/Examples (p.14-14) to read as follows:

c. Examples

Examples of the manufacturing and production uses “Not Otherwise Classified” include the following: [Revised 11.09.04]

Advertising Display Construction/Sign Shop; Bakery; Concrete Batching and Asphalt Mixing; Custom Boatworks; Food and Related Products Processing; Food Process- ing and Packing; Lumber Mills; Manufacture or Production of Artwork and Toys; Manufacture or Production of Chemical, Rubber, Leather, Mulch, Clay, Bone, Plastic, Stone, or Glass Materials or Products; Manufacture or Assembly of Machinery, Equipment, Instruments, Including Musical Instruments, Vehicles, Appliances, Precision Items and Other Electrical Items; Manufacture, Production or Fabrication of Metals or Metal Products Including Enameling and Galvanizing, Manufactured Housing Unit Production and Fabrication; Monument Works; Movie Production Facilities; Ornamental Iron Work Shop; Printing, Publishing and Lithography; Pulp and Paper Mills and Other Wood Products Manufacturing; Research Laboratory, including but not limited to Pure Research, Product Development, Pilot Plants and Research Manufacturing Facilities; Sign Making; Slaughterhouse; Meat Packing; Weaving or Production of Textiles or Apparel; and Woodworking, Including Cabinet Makers. [Revised 11.09.04]

Amendment #31 (Housekeeping)

Summary: Revises the Health Officer Approval Certificate for Plats.

Amend Appendix E/Certificate of the Health Officer (p. Appendix-18) to read as follows:

I, _____, Health Officer of said County, do hereby certify that the plat has been examined by me and found to comply with Lake County Board of Health ~~Ordinance, Article 5,~~ Individual Sewage Disposal System Ordinance of the County of Lake as set forth in the regulations governing plats of subdivided land adopted by the County Board of Lake County, Illinois.

Dated This __ day of _____, 20__.

Amendment #32 (Housekeeping)

Summary: Corrects a grammatical error.

Amend Appendix Q/Application Requirements for Wind Energy Facilities (p. Appendix-74) to read as follows:

Commentary Regarding Winding and Wildlife Impacts: