

EXHIBIT A: AMENDMENTS TO CHAPTER 151 THE UNIFIED DEVELOPMENT ORDINANCE

I. Local Food – Part 1

Amendment #1

Summary: Allows a modest reduction in minimum lot size for residential hoopouses and aligns maximum square footage with standard commercially available residential hoopouses.

Amend 151.113(H)(1)/Accessory Uses/Hoopouses to read as follows:

151.113(H)(1) Hoopouses and greenhouses on residentially zoned properties shall be used for the primary exclusive purpose of growing plants for local food production. Hoopouses shall not exceed, in the aggregate, ~~50~~ 100 square feet in area for each ~~40,000~~ 8,500 square feet in lot area, with a minimum lot size of ~~40,000~~ 8,500 square feet. There shall be no limit on the size or number of hoopouses kept on agriculturally exempt parcels with an area of 200,000 square feet or more.

Amendment #2

Summary: Allow Cottage Food Operations as a Customary Home Occupation.

Amend 151.113(E)/Accessory Uses to read as follows and renumber all subsequent sections accordingly:

151.113(F) Cottage Food Operations. Cottage Food Operations shall be subject to the home occupation provisions of subsection (E) above. The operator must annually submit an Application for Cottage Food Operation registration form to the Lake County Health Department.

<p><u>Commentary: The Illinois Cottage Food Operation Act, 410 ILCS 625, provides additional standards for the preparation and sale of food under a Cottage Food Operation, including compliance with applicable health regulations.</u></p>
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Amend 151.113/Accessory Uses/Customary home occupations/Food service businesses to read as follows:

151.113(E)(5)(e) Food service businesses, including all types of restaurants and food catering operations, shall be prohibited as home occupations. Cottage Food Operations, which permits production of certain food items in the kitchen of a person's primary residence for sale exclusively at farmers' markets, shall be allowed as a home occupation.

Amendment #3

Summary: Adds Farm-to-Table Events as a permitted Event of Public Interest.

Amend 151.114/Temporary Uses/Events of public interest to read as follows:

151.114(K) Events of public interest, including but not limited to picnics, races for motorized vehicles, water craft or air craft races, fishing derbies, dinner dances, fundraisers, survival games, haunted houses, outdoor concerts, auctions, tent meetings, farm-to-table events, and supervised public display of fireworks shall be subject to the following standards.

151.114(K)(13) In addition to the conditions listed above, a temporary food service permit for farm-to-table events must be obtained from the Lake County Health Department prior to issuance of a temporary use permit.

Amendment #4

Summary: Adds Farmers' Markets as a type of permitted Temporary Sales.

Amend Section 151.114 Temporary Uses to read as follows:

		Residential											Nonresidential									
Use Category	Use Types	AG	RE	E	R1	R2	R3	R4	R4a	R5	R6	RR	GO	LC	RC	GC	LI	II	OS	Use Standard	CUP Decision	
Agriculture	<u>Farmers' Markets</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			

Amend 151.114/Temporary Uses/Temporary Sales to read as follows:

151.114(M) The standards of this subsection (M) shall apply to farm produce sales, retail nursery sales associated with wholesale nurseries, Christmas tree sales, garage sales, farmers' markets, and food sales.

Amend 151.114(M)(6)/Temporary Uses/Temporary Sales to read as follows:

151.114(M)(6) Farmers' Markets.

- (a) Farmers' markets, defined as an area for farmers and gardeners to sell agricultural produce and products to the public, may be allowed by temporary use permit in all zoning districts for a maximum of 24 days per calendar year. In residential zoning districts, farmers' markets shall be allowed only when located on parcels with a permitted nonresidential use having a minimum area of 80,000 square feet and a minimum road frontage of 190 feet.
- (b) Sales may be conducted from trucks, open booths, or temporary structures. At least 75% of the vendors must sell products obtained from local food production or a cottage food operation.
- (c) Farmers' markets shall be allowed only during daylight hours, with specific hours of operation specified in the temporary use permit.
- (d) All sales booths, temporary structures, and trucks being used to sell produce and products must maintain a minimum of 30-foot setback from all property lines, streets, and public rights-of-way.

- (e) The property shall be of sufficient size to provide adequate off-street parking in addition to required parking for any existing use on the property. There shall be no parking permitted in a right-of-way.
- (f) Sales shall be conducted in such a manner so as not to interfere with traffic or cause a nuisance.
- (g) The access drive to the site shall be located at least 150 feet from the right-of-way of any public road intersection or other major access drive unless there is an existing access point within 150 feet of the intersection and the highway authority having jurisdiction grants approval to use the existing access.
- (h) The operator and/or vendors must operate in compliance with all applicable state and federal laws and obtain all permits and registrations as required by Lake County and State of Illinois Health Departments prior to issuance of a temporary use permit.

Amendment #5

Summary: Allow value-added products to be sold through Farm Produce Sales

Amend Section 115.114/Temporary Uses/Temporary Sales/Farm produce sales (seasonal) to read as follows:

115.114(M)(1)(a) Seasonal sales of farm produce and value-added agricultural products may be allowed by Temporary Use permit in all zoning districts for a period not to exceed 8 months per calendar year. In residential zoning districts, seasonal sale of farm produce and value-added agricultural products 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 and primary ingredients of products are ~~is~~ grown on-site.

Summary: Add value added agricultural processing as an allowed accessory use to Agriculture Use Category.

Amend 151.113(R)/Accessory Uses to read as follows:

151.113(R) Value-Added Agricultural Processing. Value-added agricultural processing is permitted as an accessory use to an agriculture use on zoning lots of 200,000 square feet or more, provided the following conditions are met:

(1) The agricultural processing must be clearly subordinate to and supportive of the principal agricultural use of the property. The total processing area must be 1,200 square feet or less in gross floor area. The primary ingredients used must be grown on-site.

(2) The agricultural processing will not cause odor, vibration, noise, electrical interference, or fluctuation in voltage that is perceptible beyond the lot line of the parcel upon which the agricultural processing is conducted.

(4) Any outdoor processing operation shall be located at least 50 feet from all property lines.

(5) Examples of permitted agricultural processing of products include but are not limited to food products, cheese, honey, herbal products, soap, and woolen goods. Any and all processing of fish, meat or game is prohibited.

(6) The operation shall comply with all federal, state, and local laws.

Amend 151.270/Use Categories/Other use categories/Agriculture to read as follows:

151.270(G)(1)(c) *Examples.* Examples of the agriculture uses “not otherwise classified” include the following: animal (farm animal) breeding or raising; dairy farm’s farming; value-added agricultural processing, truck gardening; tree farming; non-retail greenhouse/nursery; plant nurseries (wholesale); and riding academies.

Amend 151.270/Use Categories/Other use categories/Agriculture/Exceptions to read as follows:

151.270(G)(1)(d)(4) Value-added agricultural processing is not considered Manufacturing and Production.

Amend Section 151.271 TERMS DEFINED to read as follows:

Value-Added Agricultural Processing. The small-scale processing and/or packaging of raw agricultural products resulting in an increase in the value of the agricultural product.

Value-Added Agricultural Product. An agricultural product that has been modified from its raw physical state or form in order to enhance the value for sale to the consumer.