

DIVISION 5

SCHEDULE OF ZONING DISTRICT REGULATIONS

5.01 “AG-1” Agricultural District:

A. Purpose and Intent.

The purpose and intent of the AG-1 Agricultural District is to help implement the goals and objectives of the Ogle County Amendatory Comprehensive Plan. The long-range goal for agricultural land use in the County is to preserve the most valuable of natural resources, that of fertile land, for agricultural pursuits and to protect the land best suited for farming from premature urbanization and the encroachment of incompatible land uses which would hinder farm operations and irretrievably deplete agricultural lands. The agricultural district regulations are, therefore, designed to regulate the use of land and buildings within areas of the County where soil and topographic conditions are best adapted to the pursuit of agricultural land uses. It is essential that scattered, indiscriminate urban development within areas best suited for agriculture be precluded and that orderly urban development be facilitated. It hereby declared the legislative intent and purpose of the AG-1 district that land in the County which is productive should remain in productivity until such time as the natural growth of municipalities precludes preservation thereof. (5/18/10)

Other specific purposes for which this district is established include:

1. To preserve woodlands and wetlands associated with farms which, because of their natural physical features, are useful as water retention and groundwater recharge areas, and as habitat for plant and animal life; and which have an important aesthetic and scenic value which contributes to the unique character of the agricultural district and the County as a whole.
2. To provide a basis for land tax assessments which reflect its existing agricultural nature and owing to these regulations, its limited use for other purposes.
3. To prevent the conversion of agricultural land to scattered non-farm development which, when unmanaged, unnecessarily increases the cost of public services to all citizens and results in the premature disinvestment in agriculture.

B. Permitted Uses:

The following uses of land are permitted in this district:

Agriculture.

Apiculture (bee keeping).

Areas of natural, historical/cultural, geological, educational or research significance.

Dwelling unit, farm.

Egg production, commercial.

Farm.

Farm buildings.

Farm drainage and irrigation systems.

Forest preserve.

Game refuge.

Governmental buildings.

Grazing and forage.

Home occupations.

Landscape waste composting facilities located on farms that are not required to have an Illinois Environmental Protection Agency (IEPA) permit, provided such uses are operated in compliance with all IEPA standards pertaining to on-farm landscape composting facilities pursuant to 35 Illinois Administrative Code, Subtitle G, Part 830.

Livestock management facility, provided such use(s) are operated in compliance with all Illinois Environmental Protection Agency rules and regulations pertaining to agricultural related pollution.

Livestock waste handling facility, provided such use(s) are operated in compliance with all Illinois Environmental Protection Agency rules and regulations pertaining to agricultural related pollution.

Nursery, plant.

Single-family dwellings on any parcel less than forty (40) acres in size, which was legally recorded and existing prior to March 24, 1992, having "AG-1" Agricultural District zoning prior to the effective date of this Ordinance, and where no dwelling unit exists thereon.

Sod farms.

Stable, private.

Stable, public, but not including indoor riding arenas (shows), riding instructions and tack shops.

Tree farms.

Value-Added Agricultural Activities. (05/20/03)

Other use(s) determined by the Planning & Zoning Committee of the Ogle County Board, upon recommendation of the Zoning Administrator, to be of the same general character as and compatible with the foregoing uses, but not including any use which does not meet the intent of or may become noxious or offensive in the AG-1 zoning district.

C. Special Uses.

The following uses of land may be allowed by a special use permit:

Accessory pollution control facility uses.

Agricultural labor housing, accessory to a farm dwelling unit, on a farm, with a minimum lot area of forty (40) acres.

Agribusinesses. When applying for a special use permit, the petitioner must show proof that the business is directly and primarily used by those actively engaged in the pursuit of agricultural activities. In addition, the applicant must provide proof, at the time of the hearing, that all local, state and federal regulations will be complied with in the operation of the use applied for.

Aircraft service and repair.

Airport or aircraft landing field.

Animal hospitals, kennels or pounds, provided no building or pen housing any animals shall be located nearer than one-thousand (1,000) feet to any residence district, or to an incorporated area, or to a dwelling other than the dwelling of the lessee or the owner of the site.

Asphalt or concrete batch mix plants.

Bed and breakfast establishments.

Blacksmith and welding shop.

Cemeteries, including crematories and mausoleums, provided no building shall be located less than one hundred (100) feet from side and rear property lines.

Commercial kennels, provided no building or pen housing any animals shall be located nearer than one-thousand (1,000) feet to any residence district, or to an incorporated area, or to a dwelling other than the dwelling of the lessee or the owner of the site. Where a commercial kennel is conducted exclusively from within a completely enclosed building that is designed and constructed (or altered) so as to minimize animal noise escaping from the interior of the structure to the outside, and no outside kennels or animal runs will be provided, then said commercial kennel building may be located not less than five hundred feet (500') to any residence district, or to an incorporated area, or to a dwelling other than the dwelling of the lessee or owner of the site, provided animals are, at all times, kept within said completely enclosed building except when in transit to and/or from the commercial kennel facility, or during brief periods of time for cleaning and/or maintenance of said building. (5/18/10)

Contractor and construction shops.

Conversion of an existing single-family farm dwelling into a two-family dwelling, when not less than one (1) dwelling unit will continue to be occupied by a person and the family thereof, owning, operating or employed full-time in farming operations on the premises.

Essential public service and public utility uses and structures including, but not limited to, electrical and telephone substations and distribution centers, fire stations, police stations, gas regulator stations, pumping stations, public service sewage treatment plants, water filtration plants, water reservoirs and towers, well head stations, well separators, gas regulator stations and other similar public service, public utility and governmental.

Ethanol and Biodiesel Production Facilities (5/16/06)

Excavation, extraction, screening, mining, crushing, washing or quarrying of raw materials from the earth, provided such operations are not conducted nearer than one thousand (1,000) feet to any school (public or private), or to any dwelling other than a residence owned and/or occupied by the owner, lessee or operator of the premises on which the activity takes place. The removal of dirt, soil, or sand, when not requiring the use of explosives shall not be nearer than five hundred (500) feet from any residence. The County may, as a condition for granting a special use permit under this paragraph, require such condition or conditions as it deems reasonable under the circumstances, including, but not limited to, a plan of reclamation and/or a bond.

Fairgrounds.

Family care home for the developmentally disabled.

Fur bearing animal farms, provided no building or pen housing any animals shall be located nearer than one-thousand (1,000) feet to any residence district or to an incorporated area or to a dwelling other than the dwelling of the lessee or owner of the site.

Greenhouses, wholesale and retail.

Golf courses, regulation size, but not including "par 3" golf courses, commercially operated driving ranges, or miniature golf courses.

Gun clubs, if located not nearer than one thousand (1,000) feet to any residence other than that of the owner of lessee of the site.

Indoor riding arenas (shows), riding instructions and tack shops accessory to public stables.

Junk yards, provided screening is provided as defined in Section 6.19 of this Ordinance.

Landscape waste composting facilities that require an Illinois Environmental Protection Agency permit, on a site not less than 40 acres in area provided such use(s) are in compliance with all Illinois Environmental Protection Agency standards pertaining to landscape waste composting facilities pursuant to 35 Illinois Administrative Code, Subtitle G, Part 830, and such use(s) are not located within 1,320 feet (one-quarter mile) of any dwelling other than an on-site dwelling. The application shall include such information as required pursuant to 35 Illinois Administrative Code, Subtitle G, Part 831.

Livestock depots, sales yards and auction barns.

Motor carrier facility, Class I (December 22, 2008)

Motor carrier facility, Class II (December 22, 2008)

Pollution control facility, provided that such lots shall conform with the setback requirement set forth in the applicable state and federal laws and regulations (refer to Appendix I of this Ordinance for application procedure and standards for approval).

Radio and television towers, commercial.

Railroad rights-of-way and trackage and railroad spur tracks for the loading of grain and mined minerals but not including classification yards, terminal facilities, piggyback facilities or maintenance facilities.

Recreational camps or retreats, which may include any of the following: dining hall, meeting hall, picnic sites, staff and guest lodging quarters, chapel (religious), areas for tent and recreational vehicle camping.

Sales yards, wholesale or retail, for agricultural products including, but not limited to, fruits, vegetables, flowers (fresh or dried), plants, etc.

Self-service storage facility.

Single-family dwelling, when constructed on a lot divided and set aside from a farm as defined herein. Lot area shall be not less than one (1) acre and the lot width shall be not less than one hundred fifty (150) feet. At least one of the following criteria must be met prior to issuance of a special use permit for a single-family dwelling in an AG-1 Agricultural District:

1. Existence of man-made or natural physical features which serve as barriers to agricultural use on a majority of the property;
2. Tree cover (mature), either covering the majority of the property or the location of which serves as the barrier to agricultural use on the property;
3. Topography and slope uncondusive to agricultural use even under conservation practices.
4. Such single-family dwelling is initially intended for and occupied by a son or daughter, parent or spouse of the owner of the original agricultural tract from which such lot is set aside for residential purposes.

In addition to the above, all applicants requesting a special use permit for a single-family dwelling must certify by affidavit (see Appendix III) that they have read the preamble to the AG-1 Agricultural District regulations, and if said application is approved by the County Board, record with the property deed said affidavit. Proof of recordation will be required prior to a zoning certificate being issued by the Zoning Administrator.

Small Rural Business (SRB) (05/20/03)

Tack shop including halters, bridles, saddles, harness, wearing apparel and equipment used in the raising and training of horses.

Truck parking areas, the principal use of which is the loading and shipping of farm products, livestock, fertilizer, etc.

Telephone booths.

Oil or gas well drilling, provided such well is or will be located more than two hundred (200) feet from any residence district or to a dwelling other than the dwelling of the lessee or owner of the site.

Other use(s) determined by the Planning & Zoning Committee of the Ogle County Board, upon recommendation of the Zoning Administrator, to be of the same general character as and compatible with the foregoing uses, but not including any use which does not meet the intent of or may become noxious or offensive in the AG-1 zoning district.

Wind Energy Conversion System, Commercial (9/03)

D. Accessory Uses.

1. Those uses customarily accessory to the pursuit of agriculture.
2. Roadside stands for the sale of products grown or produced on or in the immediate area of the premises, but not including live animals; provided, however, that such stand shall contain not more than six hundred (600) square feet of gross floor area and be set back from the road or street right-of-way not less than the required setback in this district. Each roadside stand shall provide parking for at least five (5) cars for each fifty (50) square feet of structure, and such parking facilities shall be consistent with the requirements of Division 7, "Off-Street Parking and Loading Requirements". Sales shall be permitted from March 15 through November 15.
3. Accessory building or use incidental to the foregoing principal use, including private garages (either attached or detached), a shed or building for private domestic storage, private greenhouse, private boat landing.

4. Private Wind Energy Conversion Systems (WECS) accessory to an established agricultural and/or residential use provided that all private WECS towers shall be setback not less than 1.1 times the tower height from any public road right-of-way line, overhead utility transmission lines, communication towers, and adjacent property lines. The affected road authority, utility, tower owner/lessee and/or affected adjacent property owner may waive the setback. Said waiver shall be in writing. However, in no instance shall any part of a Private WECS, including guy wires, be located within five (5) feet of any of the aforementioned items. (9/03)
5. Guest house for non-paying guests incidental to the foregoing principal use, subject to the following: (3/18/04)
 - a. The guest house shall be used for the occasional housing of guests of the occupants of the principal building to which the guest house is accessory, and not for permanent occupancy by others as housekeeping units.
 - b. The guest house shall be designed and constructed as one dwelling unit.
 - c. The guest house may not be separated from the zoning lot on which it is constructed unless all resulting lots/parcels are zoning lots meeting the minimum lot size/width required for the zoning district.
 - d. Not more than one guest house shall be allowed per principal dwelling to which it is incidental and accessory.
 - e. A guest house may not exceed 800 square feet of total living area. (December 22, 2008)

E. Lot Area Requirements.

1. Every farm dwelling unit hereafter shall be erected on a tract of land defined as a "farm", pursuant to Division 2, Section 2.02 of this Ordinance. The minimum lot width measured at the building line shall be not less than three hundred (300) feet.
2. A subdivision, for the purpose of the sale or transfer of ownership of one (1) lot which contains an existing residential building constructed prior to March 24, 1992 and said lot is not less than one (1) acre in area, with a minimum width of one hundred fifty feet measured at the street or road right-of-way line, may be approved by the Plat Officer without the review or approval by the Planning, Assessment and Zoning Committee, but shall be otherwise subject to the provisions of Section 6.11 of this Ordinance. When an existing residential building is located not less than 300 feet from the nearest public road right-of-way from which vehicular access is obtained, a reserve (flag) lot may be created provided the lot is not less than one (1) acre in area exclusive of the access strip and said access strip is not less than twenty (20) feet in width. For the purposes of review, a plat of survey shall be required for said division. The Zoning Administrator's and Plat Officer's signature of approval shall be required on the survey prior to recording. A dwelling constructed after March 24, 1992 that replaced for any reason (removal/replacement, damage or destruction/replacement, etc.) a dwelling that existed at the time said dwelling was constructed may also qualify under this provision. (3/18/04)
3. The lot size for a special use permit may be designated in the permit granting the special use unless specified as minimum herein.

F. Yard Area Requirements.

1. Building Setback Line (Front Yard).

Every building hereafter erected or enlarged shall provide and maintain a front yard in accordance with the following requirements:

- a. Adjacent to tollways, freeways and limited access highways, all buildings shall be set back not less than sixty (60) feet from the property line adjoining a tollway, freeway, or limited access highway. The setback shall be measured from the established front property line (rights-of-way line) adjoining such tollway, freeway or limited access highway.
- b. Adjacent to federal or state highways not less than eighty (80) feet from the front property line (rights-of-way line) adjoining such highway.
- c. Adjacent to a county highway not less than sixty (60) feet from the front property line (rights-of-way line) adjoining such highway.
- d. Adjacent to a township road, or any other road or street not less than forty (40) feet from the front property line (rights-of-way line) adjoining such road or street.

2. Side Yard.

All buildings shall have side yards of not less than twenty-five (25) feet. Where a side yard adjoins a road or street, the minimum width of such yard for all buildings shall not be less than the established above for front yards.

3. Rear Yard.

All buildings shall have rear yards of not less than fifty (50) feet. Where a rear yard adjoins a road or street, the minimum width of such yard for all buildings shall not be less than the established above for front yards.

G. Off-Street Parking and Loading Requirements.

Off-street parking and loading facilities shall be provided as required in Division 7 of this Ordinance.

H. Sign Regulations.

Sign regulations are set forth in Division 8 of this Ordinance.

5.02 “IA” Intermediate Agricultural District:

A. Purpose and Intent.

This district is intended to help implement the goals and objectives of the Ogle County Amendatory Comprehensive Plan and is established to preserve the integrity of the “AG-1” district by clearly indicating that, in the “AG-1” district, agriculture is the primary use of the land. Agriculture in the “IA” district, while important, is not regarded as necessarily the primary use. The “IA” district is intended to be an intermediate zoning district between the “AG-1” district and the “R-1” Rural Residential District. (5/18/10)

It is the intent that this district be designed so that land less suited for agricultural use (but which still represents a valuable economic base), that otherwise might remain idle or unused out of “spot zoning” consideration, may be utilized for residential purposes. All activities within this district shall be compatible with surrounding agricultural operations, and shall maintain, preserve and enhance agricultural land. Agricultural activities are allowed in this district; however, the raising of livestock shall be in compliance with the Ogle County Health Code and all Illinois Environmental Protection Agency requirements regarding agriculture related pollution.

B. Permitted Land Uses.

The following uses of land are permitted in this district:

Single-family dwelling (5/18/10)

Any other permitted use listed in the “AG-1” Agricultural District with the exception of “single-family dwellings on any parcel less than forty (40) acres in size, which was legally recorded and existing prior to March 24, 1992, having “AG-1” Agricultural District zoning prior to the effective date of this Ordinance, and where no dwelling unit exists thereon.”

C. Special Uses.

The following uses of land may be allowed by a special use permit:

Any special use listed in the “AG-1” Agricultural District with the exception of the following:

- Conversion of an existing single-family farm dwelling into a two-family dwelling when not less than one (1) dwelling unit will continue to be occupied by a person and the family thereof, owning, operating or employed full-time in farming operations on the premises;
- Single-family dwelling, when constructed on a lot divided and set aside from a tract of land, the principal use of which is agriculture as defined herein. Lot area shall be not less than one (1) acre and the lot width shall be not less than one hundred fifty (150) feet.

D. Accessory Uses.

1. Those uses customarily accessory to the pursuit of agriculture.
2. Accessory building or use incidental to the foregoing principal use, including private garages (either attached or detached), a shed or building for private domestic storage, private greenhouse, private boat landing.
3. Roadside stands for the sale of products grown or produced on or in the immediate area of the premises, but not including live animals; provided, however, that such stand shall contain

not more than six hundred (600) square feet of gross floor area and be set back from the road or street right-of-way at not less than the required setback in this district. Each roadside stand shall provide parking for at least five (5) cars for each fifty (50) square feet of structure, and such parking facilities shall be consistent with the requirements of Division 7, "Off-Street Parking and Loading Requirements". Sales shall be permitted from March 15 through November 15.

4. Guest house for non-paying guests incidental to the foregoing principal use, subject to the following: (3/18/04)
 - a. The guest house shall be used for the occasional housing of guests of the occupants of the principal building to which the guest house is accessory, and not for permanent occupancy by others as housekeeping units.
 - b. The guest house shall be designed and constructed as one dwelling unit.
 - c. The guest house may not be separated from the zoning lot on which it is constructed unless all resulting lots/parcels are zoning lots meeting the minimum lot size/width required for the zoning district.
 - d. Not more than one guest house shall be allowed per principal dwelling to which it is incidental and accessory.
 - e. A guest house may not exceed 800 square feet of total living area. (December 22, 2008).

E. Lot Area Requirements.

1. The minimum lot area for permitted uses shall be ten (10) acres, with a minimum lot width measured at the building line of five hundred (500) feet. (05/20/03)
2. The lot size and lot width for a special use permit shall be designated in the permit granting the special use unless specified as minimum herein.

F. Yard Area Requirements.

1. Building Setback Line (Front Yard).

Every building hereafter erected or enlarged shall provide and maintain a front yard in accordance with the following requirements:

- a. Adjacent to tollways, freeways and limited access highways, all buildings shall be set back not less than sixty (60) feet from the property line adjoining a tollway, freeway, or limited access highway. The setback shall be measured from the established front property line (rights-of-way line) adjoining such tollway, freeway or limited access highway.
- b. Adjacent to federal or state highways not less than eighty (80) feet from the front property line (rights-of-way line) adjoining such highway.
- c. Adjacent to a county highway not less than sixty (60) feet from the front property line (rights-of-way line) adjoining such highway.
- d. Adjacent to a township road, or any other road or street not less than forty (40) feet from the front property line (rights-of-way line) adjoining such road or street.

2. Side Yard.

All buildings shall have side yards of not less than twenty-five (25) feet. Where a side yard adjoins a road or street, the minimum width of such yard for all buildings shall not be less than the established above for front yards.

3. Rear Yard.

All buildings shall have rear yards of not less than fifty (50) feet. Where a rear yard adjoins a road or street, the minimum width of such yard for all buildings shall not be less than that established above for front yards.

G. Height Limitations for Buildings and Structures.

1. Single-family detached dwellings and other non-residential permitted buildings and structures, excepting accessory buildings and structures, shall not exceed thirty-five (35) feet in height. Parapet walls, chimneys, cooling towers, stacks, and necessary mechanical appurtenances may be erected over and above the maximum height of thirty-five feet, provided they are constructed in compliance with any and all other applicable local, state or federal regulations.

2. Church and other places of worship towers and steeples shall not exceed seventy-five (75) feet in height; however, the main building shall not exceed thirty-five feet in height.

3. Maximum height limitations shall be specified with the granting of a special use permit.

H. Lot Coverage Limitations.

No more than ten (10) percent of the zoning lot may be occupied by buildings and structures, including accessory buildings.

I. Off-Street Parking and Loading Requirements.

Off-street parking and loading facilities shall be provided as required in Division 7 of this Ordinance.

J. Sign Regulations.

Sign regulations are set forth in Division 8 of this Ordinance.

5.03 “R-1” Rural Residence District:

A. Purpose and Intent.

The “R-1” district is intended to help implement the goals and objectives of the Ogle County Amendatory Comprehensive Plan and is established for low-density residential uses. It is designed for areas with few or no public improvements and where general conditions are not conducive to other than low-density development. (5/18/10)

B. Permitted Uses.

The following uses of land are permitted in this district:

Agriculture, with the exception of raising livestock for commercial purposes; provided, however, that the density of all hoofed animals maintained on a zoning lot shall not exceed one animal per acre.

Churches, temples, synagogues or other places of worship.

Detached single-family dwelling.

Home occupations.

Open Space Subdivision, subject to the requirements of the *Ogle County Land Subdivision Regulations* (Article V, Open Space Subdivisions).

Private stables.

Public parks, forest preserves, nature preserves and recreational areas.

C. Special Uses.

The following uses of land may be allowed by a special use permit:

Bed and breakfast establishment.

Boarding house.

Cemeteries, including crematories and mausoleums, on a lot not less ten (10) acres in area, provided no building shall be located less than three hundred (300) feet from a lot line.

Child care facility.

Colleges and universities, including dormitories, fraternities, sororities and other accessory buildings, structures and uses when located on the college or university grounds, but not including business colleges and trade schools when operated for profit.

Community center.

Family care home for the developmentally disabled.

Golf courses, regulation size, but not including “par-3” golf courses, commercially operated driving ranges, or miniature golf courses.

Guest house for non-paying guests, providing such facility is used for the occasional housing of guests of the occupants of the principal building to which the guest house is accessory, and not for permanent occupancy by others as housekeeping units.

Nursing homes, hospitals, hospices, developmentally disabled or infirm institutions and half way houses.

Philanthropic institutions.

Private clubs or lodges, except those of the chief activity of which is a service normally carried on as a business.

Private recreational areas or camps.

Private Wind Energy Conversion Systems accessory to an established residential use provided that all private WECS towers shall be setback not less than 1.1 times the tower height from any public road right-of-way line, overhead utility transmission lines, communication towers, and adjacent property lines. The affected road authority, utility, tower owner/lessee and/or affected adjacent property owner may waive the setback. Said waiver shall be in writing. However, in no instance shall any part of a Private WECS, including guy wires, be located within five (5) feet of any of the aforementioned items. (9/03)

Public service uses:

1. Electric and telephone substations and distribution centers;
2. Gas regulator stations;
3. Police and fire stations;
4. Pumping stations;
5. Other public service/governmental uses.

Radio and television towers, commercial.

Railroad rights-of-way and trackage, but not including classification yards, terminal facilities, piggyback facilities or maintenance facilities.

Schools, day or nursery, public or private.

Schools, public or private - non-boarding elementary, junior high, middle and high.

D. Accessory Uses.

1. Accessory building or use incidental to the foregoing principal use, including private garages (either attached or detached), a shed or building for private domestic storage, private greenhouse, private boat landing.
2. Roadside stands for the sale of products grown or produced on the premises, but not including live animals; provided, however, that such stand shall contain not more than six hundred (600) square feet of gross floor area and be set back from the road or street right-of-way at not less than the required setback in this district. Each roadside stand shall provide

parking for at least five (5) cars for each fifty (50) square feet of structure, and such parking facilities shall be consistent with the requirements of Division 7, "Off-Street Parking and Loading Requirements". Sales shall be permitted from March 15 through November 15.

E. Lot Area Requirements.

1. The minimum lot area for permitted uses shall be three (3) acres, with a minimum lot width measured at the building line of three hundred (300) feet unless located within an "open space subdivision". The lot sizes stipulated for an "open space subdivision" shall then apply.
2. The lot size and lot width for a special use permit may be designated in the permit granting the special use unless specified as minimum herein.
3. Hospitals shall be located on a zoning lot of not less than ten (10) acres.

F. Yard Area Requirements.

1. Building Setback Line (Front Yard).

Every building hereafter erected or enlarged shall provide and maintain a front yard in accordance with the following requirements, unless a reduction is allowed for reduced building envelopes pursuant to the *Land Subdivision Regulations*:

- a. Adjacent to tollways, freeways and limited access highways, all buildings shall be set back not less than sixty (60) feet from the property line adjoining a tollway, freeway, or limited access highway. The setback shall be measured from the established front property line (rights-of-way line) adjoining such tollway, freeway or limited access highway.
- b. Adjacent to federal or state highways not less than eighty (80) feet from the front property line (rights-of-way line) adjoining such highway.
- c. Adjacent to a county highway not less than sixty (60) feet from the front property line (rights-of-way line) adjoining such highway.
- d. Adjacent to a township road, or any other road or street not less than forty (40) feet from the front property line (rights-of-way line) adjoining such road or street.

2. Side Yard.

All buildings shall have side yards of not less than twenty-five (25) feet. Where a side yard adjoins a road or street, the minimum width of such yard for all buildings shall not be less than the established above for front yards.

3. Rear Yard.

All buildings shall have rear yards of not less than fifty (50) feet. Where a rear yard adjoins a road or street, the minimum width of such yard for all buildings shall not be less than that established above for front yards.

G. Height Limitations for Buildings and Structures.

1. Single-family detached dwellings and other non-residential permitted buildings and structures, excepting accessory buildings and structures, shall not exceed thirty-five (35) feet in height. Parapet walls, chimneys, cooling towers, stacks, and necessary mechanical

appurtenances may be erected over and above the maximum height of thirty-five feet, provided they are constructed in compliance with any and all other applicable local, state or federal regulations.

2. Church and other places of worship towers and steeples shall not exceed seventy-five (75) feet in height; however, the main building shall not exceed thirty-five feet in height.
3. Maximum height limitations shall be specified with the granting of a special use permit.

H. Lot Coverage.

No more than ten (10) percent of the area of the zoning lot may be occupied by buildings and structures, including accessory buildings.

I. Off-Street Parking and Loading Requirements.

Off-street parking and loading facilities shall be provided as required in Division 7 of this Ordinance.

J. Sign Regulations.

Sign regulations are set forth in Division 8 of this Ordinance.

5.04 “R-2” Single-Family Residence District:

A. Purpose and Intent. (5/18/10)

This district is intended to help implement the goals and objectives of the Ogle County Amendatory Comprehensive Plan and is established to provide areas in which the principal use of the land is for single-family dwellings. In this district public water supply and sewer facilities, essential to public health, **should** be available **and/or provided for** at the time of development.

Furthermore, it is the intent of this Ordinance that the “R-2” Single-Family Residence District be located within the one and one-half (1.5) mile area surrounding incorporated cities and villages in order that public facilities may be utilized, and on land that is less suitable for agricultural use and better suited for residential use due to factors such as, but not necessarily limited to, the following:

- Suitability of the land for agricultural use (as indicated by the Land Evaluation and Site Assessment [LESA] System);
- Trend(s) of development;
- Need for additional residential land;
- Consistency with County and municipal land use plans;
- Availability of adequate public facilities and infrastructure;
- Impact on existing public facilities and infrastructure.

B. Permitted Uses.

Agriculture, with the exception of raising livestock.

Churches, temples, synagogues or other places of worship.

Detached single-family dwelling.

Home occupations.

Open Space Subdivision, subject to the requirements of the *Ogle County Land Subdivision Regulations* (Article V, Open Space Subdivisions).

Public parks, forest preserves, nature preserves and recreational areas.

C. Special Uses.

The following uses of land may be allowed by a special use permit:

Any special use listed in the “R-1” Rural Residence District with the exception of the following:

- Guest house for non-paying guests;
- Private recreational areas or camps;
- Railroad rights-of-way and trackage.

Two-family dwellings. (12/18/01)

Undertaking establishments, funeral parlors.

Private Wind Energy Conversion Systems accessory to an established residential use provided that all private WECS towers shall be setback not less than 1.1 times the tower height from any public road right-of-way line, overhead utility transmission lines, communication towers, and adjacent property lines. The affected road authority, utility, tower owner/lessee and/or affected adjacent property owner

may waive the setback. Said waiver shall be in writing. However, in no instance shall any part of a Private WECS, including guy wires, be located within five (5) feet of any of the aforementioned items. (9/03)

D. Accessory Uses.

Accessory building or use incidental to the foregoing principal use, including private garages (either attached or detached), a shed or building for private domestic storage, private greenhouse, private boat landing.

E. Lot Area Requirements.

1. When residence lots are not served by public sewer and sewerage treatment facilities and public (community) water, the minimum lot area, unless otherwise specified, shall be two (2) acres, with a minimum lot width measured at the building line of one hundred fifty (150) feet, except as otherwise required or unless a larger parcel is required by the Zoning Administrator at the recommendation of the Health Administrator to accommodate a drain field for a septic system or adequate separation between septic wastes and well water.
When residence lots are served by public sewer and sewerage treatment facilities and public water, the minimum lot area, unless otherwise specified, shall be not less than twenty thousand (20,000) square feet (0.46 acre) with a minimum lot width of not less than one hundred (100) feet measured at the building line.

When residence lots are served only with public or community water, the minimum lot area, unless otherwise specified, shall be not less than one (1) acres (43,560 square feet) with a minimum lot width of not less than one hundred thirty (130) feet measured at the building line.

When residence lots are served only by public or community sewers (sewage treatment facilities), the minimum lot area, unless otherwise specified, shall be not less than thirty thousand (30,000) square feet with a minimum lot width of not less than ninety (115) feet measured at the building line.

2. Churches, temples, synagogues or other places of worship shall be located on a zoning lot not less than three (3) acres in area.
3. The lot area requirement for two-family dwellings shall be determined by the Zoning Administrator upon the recommendation of the Health Administrator.
4. Nursing homes, hospitals, hospices, handicapped or infirm institutions shall be located on a zoning lot of not less than three (3) acres.

F. Yard Area Requirements.

1. Building Setback Line (Front Yard).

Every building hereafter erected or enlarged shall provide and maintain a front yard in accordance with the following requirements, unless a reduction is allowed for reduced building envelopes pursuant to the *Land Subdivision Regulations*:

- a. Adjacent to tollways, freeways and limited access highways, all buildings shall be set back not less than sixty (60) feet from the property line adjoining a tollway, freeway, or limited access highway. The setback shall be measured from the established front property line (rights-of-way line) adjoining such tollway, freeway or limited access highway.

- b. Adjacent to federal or state highways not less than eighty (80) feet from the front property line (rights-of-way line) adjoining such highway.
- c. Adjacent to a county highway not less than sixty (60) feet from the front property line (rights-of-way line) adjoining such highway.
- d. Adjacent to a township road, or any other road or street not less than forty (40) feet from the front property line (rights-of-way line) adjoining such road or street.

2. Side Yard.

A side yard on each side of the zoning lot without either public (community) sewer or water shall be not less than twenty-five (25) feet. When a zoning lot is served by either public (community) sewer or water, there shall be a side yard on each side of the zoning lot of not less than fifteen feet or ten (10) percent of the lot width, whichever is less.

Any lot of record one hundred (100) feet or less in width measured at the front property line shall be required to maintain a side yard on each side of the zoning lot of not less than ten (10) percent of the lot width. Where a side yard adjoins a road or street, the minimum width of such yard for all buildings shall not be less than the established above for front yards.

3. Rear Yard.

All buildings shall have rear yards of not less than thirty (30) feet. Where a rear yard adjoins a road or street, the minimum width of such yard for all buildings shall not be less than that established above for front yards.

G. Height Limitations for Buildings and Structures.

- 1. Single-family detached dwellings and other non-residential permitted buildings and structures, excepting accessory buildings and structures, shall not exceed thirty-five (35) feet in height. Parapet walls, chimneys, cooling towers, stacks, and necessary mechanical appurtenances may be erected over and above the maximum height of thirty-five feet, provided they are constructed in compliance with any and all other applicable local, state or federal regulations.
- 2. Church and other places of worship towers and steeples shall not exceed seventy-five (75) feet in height; however, the main building shall not exceed thirty-five feet in height.
- 3. Maximum height limitations shall be specified with the granting of a special use permit.

H. Lot Coverage.

No more than thirty (30) percent of the area of the zoning lot may be occupied by buildings and structures, including accessory buildings.

I. Off-Street Parking and Loading Requirements.

Off-street parking and loading facilities shall be provided as required in Division 7 of this Ordinance.

J. Sign Regulations.

Sign regulations are set forth in Division 8 of this Ordinance.

5.05 "R-3" Mobile Home Subdivision District:

A. Purpose and Intent.

This district is intended to help implement the goals and objectives of the Ogle County Amendatory Comprehensive Plan and is established for permanent mobile homes located in a residence setting providing for open space and other amenities conducive to other low-density development. (5/18/10)

B. Permitted Uses.

The following uses of land are permitted in this district:

Detached single-family dwelling.

Home occupations.

Mobile homes, excluding trailers and recreational vehicles as a residence.

Manufactured homes.

C. Prohibited Uses.

Operation of a mobile home park shall be prohibited in this district.

D. Special Uses.

The following uses of land shall be allowed by a special use permit:

Private Wind Energy Conversion Systems accessory to an established residential use provided that all private WECS towers shall be setback not less than 1.1 times the tower height from any public road right-of-way line, overhead utility transmission lines, communication towers, and adjacent property lines. The affected road authority, utility, tower owner/lessee and/or affected adjacent property owner may waive the setback. Said waiver shall be in writing. However, in no instance shall any part of a Private WECS, including guy wires, be located within five (5) feet of any of the aforementioned items.

Public service uses:

1. Electric and telephone substations and distribution centers;
2. Gas regulator stations;
3. Police and fire stations;
4. Pumping stations;
5. Other public service/governmental uses.

E. Accessory Uses.

Accessory building or use incidental to the foregoing principal use, including private garages (either attached or detached), a shed or building for private domestic storage, private greenhouse, private boat landing.

F. Lot area requirements.

When residence lots are not served by public sewer and sewerage treatment facilities and public (community) water, the minimum lot area for all permitted and special uses shall be one (1) acre, with a minimum lot width measured at the building line of one hundred thirty (130) feet, except as otherwise required or unless a larger parcel is required by the Zoning Administrator at the recommendation of the Health Administrator to accommodate a drain field for a septic system or adequate separation between septic wastes and well water.

When residence lots are served by public sewer and sewerage treatment facilities and public water, the minimum lot area shall be not less than ten thousand (10,000) square feet with a minimum lot width of not less than eighty (80) feet measured at the building line.

When residence lots are served only with public or community water, the minimum lot area shall be not less than twenty-one thousand (21,000) square feet with a minimum lot width of not less than one hundred (100) feet measured at the building line.

When residence lots are served only by public or community sewers (sewage treatment facilities), the minimum lot area shall be not less than fifteen thousand (15,000) square feet with a minimum lot width of not less than ninety (90) feet measured at the building line.

G. Yard Area Requirements.

1. Building Setback Line (Front Yard).

Every building hereafter erected or enlarged shall provide and maintain a front yard in accordance with the following requirements:

- a. Adjacent to tollways, freeways and limited access highways, all buildings shall be set back not less than sixty (60) feet from the property line adjoining a tollway, freeway, or limited access highway. The setback shall be measured from the established front property line (rights-of-way line) adjoining such tollway, freeway or limited access highway.
- b. Adjacent to federal or state highways not less than eighty (80) feet from the front property line (rights-of-way line) adjoining such highway.
- c. Adjacent to a county highway not less than sixty (60) feet from the front property line (rights-of-way line) adjoining such highway.
- d. Adjacent to a township road, or any other road or street not less than forty (40) feet from the front property line (rights-of-way line) adjoining such road or street.

2. Side Yard.

A side yard on each side of the zoning lot without either public (community) sewer or water shall be not less than twenty-five (25) feet. When a zoning lot is served by either public (community) sewer or water, there shall be a side yard on each side of the zoning lot of not less than fifteen feet or ten (10) percent of the lot width, whichever is less.

Any lot of record one hundred (100) feet or less in width measured at the front property line shall be required to maintain a side yard on each side of the zoning lot of not less than ten (10) percent of the lot width.

Where a side yard adjoins a road or street, the minimum width of such yard for all buildings shall not be less than the established above for front yards.

3. Rear Yard.

All buildings shall have rear yards of not less than thirty (30) feet. Where a rear yard adjoins a road or street, the minimum width of such yard for all buildings shall not be less than that established above for front yards.

H. Lot Coverage.

Not more than twenty-five (25) percent of the area of the zoning lot may be occupied by buildings and structures, including accessory buildings.

I. Height Limitations for Buildings and Structures.

No building or structure shall be erected or structurally altered to exceed twenty-four (24) feet in height above the averaged finished ground elevation at the perimeter of such structure.

J. Off-Street Parking and Loading Requirements.

Off-street parking and loading facilities shall be provided as required in Division 7 of this Ordinance.

K. Sign Regulations.

Sign regulations are set forth in Division 8 of this Ordinance.

L. Required Conditions.

All installations and structures shall conform to the provisions of the *Ogle County Land Subdivision Regulations Ordinance*.

5.06 "R-4" Mobile Home Park District:

A. Purpose and Intent.

This district is intended to help implement the goals and objectives of the Ogle County Amendatory Comprehensive Plan and is established to provide a location for the long-term parking of mobile homes in an area where service and facilities and open space is provided in a residential setting. (5/18/10)

B. Permitted Uses.

The following uses of land are permitted in this district:

Mobile home parks, provided they comply with the standards set out in Paragraph K. of this Section.

Mobile homes, excluding trailers and recreational vehicles as a residence.

C. Special Uses.

The following uses of land may be allowed by a special use permit:

Public service uses:

1. Electric and telephone substations and distribution centers;
2. Gas regulator stations;
3. Police and fire stations;
4. Pumping stations;
5. Other public service/governmental uses.

D. Accessory Uses.

Accessory building or use incidental to the foregoing principal use, including private garages (either attached or detached), a shed or building for private domestic storage, private greenhouse, private boat landing.

E. Lot Area Requirements.

The minimum lot area shall be determined by the Zoning Administrator upon the recommendation of the Health Administrator.

F. Yard Area Requirements.

1. Building Setback Line (Front Yard).

Every building hereafter erected or enlarged shall provide and maintain a front yard in accordance with the following requirements:

- a. Adjacent to tollways, freeways and limited access highways, all buildings shall be set back not less than sixty (60) feet from the property line adjoining a tollway,

freeway, or limited access highway. The setback shall be measured from the established front property line (rights-of-way line) adjoining such tollway, freeway or limited access highway.

- b. Adjacent to federal or state highways not less than eighty (80) feet from the front property line (rights-of-way line) adjoining such highway.
- c. Adjacent to a county highway not less than sixty (60) feet from the front property line (rights-of-way line) adjoining such highway.
- d. Adjacent to a township road, or any other road or street not less than forty (40) feet from the front property line (rights-of-way line) adjoining such road or street.

2. Side Yards:

Two side yards, each not less than fifteen (15) feet or ten (10) percent of the lot width, whichever is less, shall be provided.

Where a side yard adjoins a road or street, the minimum width of such yard for all buildings shall not be less than the established above for front yards.

3. Rear Yard:

All buildings shall have rear yards of not less than thirty (30) feet. Where a rear yard adjoins a road or street, the minimum width of such yard for all buildings shall not be less than that established above for front yards.

G. Height Limitations for Buildings and Structures.

No building or structure shall be erected or structurally altered to exceed twenty-four (24) feet in height above the averaged finished ground elevation at the perimeter of such structure.

H. Lot Coverage.

Not more than twenty-five (25) percent of the lot area may be occupied by buildings and structures, including accessory buildings.

I. Off-Street Parking and Loading Requirements.

Off-street parking and loading facilities shall be provided as required in Division 7 of this Ordinance.

J. Sign Regulations.

Sign regulations are set forth in Division 8 of this Ordinance.

K. Required Conditions.

- 1. The park shall be located on a well-drained site, properly graded to insure rapid drainage and free from stagnant pools of water.
- 2. Public or community sewer and water facilities, as defined in this Ordinance, shall be provided for each mobile home.
- 3. Each park shall provide mobile home spaces, and each space shall be clearly defined or delineated. The average area of all such mobile home spaces shall be not less than four

thousand six hundred (4,600) square feet, the average width of all spaces shall be not less than forty (40) feet, and no single space shall be less than three thousand six hundred (3,600) square feet in area nor less than thirty (30) feet in width.

4. Mobile homes shall be so located on each space that there shall be not less than fifteen (15) feet clearance between mobile homes; provide, however, that with respect to mobile homes parked end-to-end, clearance may be less than fifteen (15) feet, but shall not be less than ten (10) feet.
5. No mobile home shall be located closer than forty (40) feet to any community building, including workroom, toilet or laundry facilities provided in said mobile home park.
6. Each mobile home park shall devote not less than twenty-five (25) percent of its total area to open space provided for the use of the occupants of the mobile home park.
7. Wherever a mobile home park abuts upon an "R-1" or "R-2" residence district or a business or industrial use, screening, as defined in this Ordinance and in accordance with Division 6, Section 6.22, shall be provided along each lot line which abuts such residence district.
8. A buffer strip not less than twenty (20) feet wide for the purpose of creating a screening as defined in this Ordinance shall be established and maintained between a mobile home park and any public park, forest and/or nature preserve.
9. Exterior lighting fixtures shall be shaded wherever necessary to avoid casting direct light upon any residence or any property located in a residence district or upon any public street or park.
10. All roads within mobile home parks shall meet the minimum standards for street design and construction pursuant to the *Land Subdivision Regulations*.
11. In all other respects, mobile home parks shall comply with all applicable Statutes of the State of Illinois, and all applicable regulations of all departments, commissions and agencies of the State of Illinois and the County of Ogle.

5.07 "B-1" Business District:

A. Purpose and Intent.

The "B-1" Local Business District is intended to help implement the goals and objectives of the Ogle County Amendatory Comprehensive Plan and is intended to provide areas for general retail, service and repair businesses which serve the surrounding area. This district is provided to permit the development of these business activities, to protect adjacent areas against encroachment by incompatible uses, and to lessen congestion on public roads. To these ends, certain uses which would interfere with the operation of these business activities and the purpose of this district, have been excluded. (5/18/10)

B. Permitted Uses.

The following uses of land are permitted in this district:

Animal hospitals and veterinary clinics not including open kennels and exercise yards.

Automobile repair facility, minor.

Child care facilities.

Churches, temples, synagogues and other places of worship.

Clubs, lodges and meeting rooms.

Convenience stores, no motor fuel sales.

Financial institutions.

Hospitals, hospices and nursing homes.

Hotel/motel.

Libraries and reading rooms.

Local public utility facilities, provided that any installation, other than poles and equipment attached to the poles, be:

1. Adequately screened with landscaping, fencing or walls, or any combination thereof; or,
2. Placed underground; or,
3. Enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area.

Medical, dental and chiropractic offices.

Mortuaries.

Offices or office buildings.

Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours.

Police, fire and postal stations.

Public schools and government buildings.

Radio and television broadcast studios, excluding transmission towers which exceed thirty (30) feet in height.

Recreational establishments: bowling alleys, gymnasiums, health clubs/spas, skating rinks and other similar recreational establishments.

Restaurants, including fast-food restaurants, except those which provide drive-through service.

Sale, lease and/or rental of automobile, motor bikes or motor scooters, trailers, recreational vehicles, agricultural and/or lawn maintenance equipment, outdoor furniture, lawn ornaments, waste receptacles and other material customarily intended for outdoor use. Outdoor display of said products, new or used, is permitted but not more than 75% of the zoning lot shall be used for such purpose, the front yard requirement shall be complied with, and the zoning lot shall be kept free from inoperable and/or dilapidated motor vehicles and/or machinery.

Schools for business, professional, or technical training, but not including outdoor areas for driving or heavy equipment training.

Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind are offered for sale or hire to the general public on the premises.

Trucking, not including freight terminals, provided no major motor vehicle maintenance or major engine overhauling is conducted.

Other use(s) determined by the Planning & Zoning Committee of the Ogle County Board, upon recommendation of the Zoning Administrator, to be of the same general character as and compatible with the foregoing uses, but not including any use which does not meet the intent of or may become noxious or offensive in the B-1 zoning district.

C. Special Uses.

The following uses of land may be allowed by a special use permit:

All permitted land uses set forth above, which exceed two (2) stories or thirty-five (35) feet in height, whichever is less, including rooftop mechanical equipment attached to a structure.

Animal hospitals and veterinary clinics, including open kennels and exercise yards.

Car washes for automobiles.

Filling stations for automobiles.

Major automobile repair facility.

Restaurants, fast food, which have drive-through facilities.

Sewage treatment facilities, not including individual sewage treatment facilities permitted as an accessory use.

Taverns.

Other use(s) determined by the Planning & Zoning Committee of the Ogle County Board, upon recommendation of the Zoning Administrator, to be of the same general character as and compatible with the foregoing uses, but not including any use which does not meet the intent of or may become noxious or offensive in the B-1 zoning district.

D. Accessory Land Uses.

Subject to compliance with the procedures of this section, accessory buildings, structures and uses are permitted in conjunction with a permitted land use or (unless restricted by applicable condition) a special land use when such accessory building or structure is customarily found in conjunction with the primary use, and serves only to further the successful utilization of the primary use. Accessory uses include the following:

1. Associated work and storage area required by any business, firm or service to carry on business operations.
2. Devices for the generation of energy, such as solar panels, private wind energy conversion systems, and similar devices. All private WECS towers shall be setback not less than 1.1 times the tower height from any public road right-of-way line, overhead utility transmission lines, communication towers, and adjacent property lines. The affected road authority, utility, tower owner/lessee and/or affected adjacent property owner may waive the setback. Said waiver shall be in writing. However, in no instance shall any part of a Private WECS, including guy wires, be located within five (5) feet of any of the aforementioned items. (9/03)
3. Dwelling or lodging units, only for watchmen, caretakers, or other personnel whose residence on the premises is essential to the operation of a permitted or special use or uses.
4. Individual sewage treatment facilities serving an individual building or use, as approved by the appropriate regulatory agency.

E. Height Limitations for Buildings and Structures.

The maximum height of buildings and structures in this District shall be as follows:

1. The total height of any structure, including rooftop mechanical equipment attached to such structure, shall not exceed two (2) stories or thirty-five (35) feet in height, whichever is less, above the averaged finished ground elevation at the perimeter of such structure unless authorized by Special Use Permit.
2. Total height of any structure authorized by Special Use Permit shall be authorized by specific condition(s) of the permit.
3. Parapet walls, chimneys, cooling towers, stacks, and necessary mechanical appurtenances may be erected over and above the maximum height of thirty-five feet, provided they are constructed in compliance with any and all other applicable local, state or federal regulations.

F. Minimum Lot Area Requirements.

1. Every lot or tract of land shall have an area comprising not less than 43,560 square feet (one [1] acre) with a minimum lot width measured at the building line of not less than one hundred (100) feet.
2. Hospitals shall be situated on tracts of land at least five (5) acres in area.

G. Development Limitations.

1. The total gross floor area devoted to any one business, firm or service shall not exceed 20,000 square feet.
2. The landscaped surface area ratio (LSAR) shall be no less than 0.35.
3. The capacity of auditoriums, churches, clubs, lodges, meeting rooms, libraries, reading rooms, theaters, or any other facility for public assembly shall not exceed five hundred (500) persons.

H. Yard Requirements.

1. Building Setback Line (Front Yard).

Every building hereafter erected or enlarged shall provide and maintain a front yard in accordance with the following requirements:

- a. Adjacent to tollways, freeways and limited access highways, all buildings shall be set back not less than sixty (60) feet from the property line adjoining a tollway, freeway, or limited access highway.

The setback shall be measured from the established front property line (rights-of-way line) adjoining such tollway, freeway or limited access highway.

- b. Adjacent to federal or state highways not less than eighty (80) feet from the front property line (rights-of-way line) adjoining such highway.
- c. Adjacent to a county highway not less than sixty (60) feet from the front property line (rights-of-way line) adjoining such highway.
- d. Adjacent to a township road, or any other road or street not less than forty (40) feet from the front property line (rights-of-way line) adjoining such road or street.

2. Side Yards:

- a. Two side yards, each not less than five (5) feet, except hotels/motels shall maintain side yards of not less than twenty-five feet.
- b. Where a lot abuts a residence district, side yard requirements shall not less than twenty-five (25) feet.
- c. Where a side yard adjoins a road or street, the minimum width of such yard for all buildings shall not be less than the established above for front yards.

3. Rear Yard:

- a. All buildings shall have rear yards of not less than twenty-five (25) feet.
- b. Where a rear yard adjoins a road or street, the minimum width of such yard for all buildings shall not be less than that established above for front yards.
- c. Where a rear yard abuts a residence district, the rear yard requirement shall be not less than the rear yard requirement of said adjoining residence district.

I. Off-Street Parking and Loading Requirements.

Off-street parking and loading requirements and setbacks for parking areas, loading spaces, and internal drives are set forth in Division 7, Off-street Parking and Loading Requirements.

J. Sign Regulations.

Sign regulations are set forth in Division 8, Sign Regulations.

K. Performance Standards.

1. Outdoor storage or display of merchandise, materials or equipment is prohibited.
2. All goods produced on the premises shall be sold at retail on the premises.
3. Exterior lighting fixtures shall be shaded so as to avoid casting direct light upon any property located in a residence district or upon any public street or park.

5.08 "B-2" Business Recreation District:

A. Purpose and Intent.

This district is intended to help implement the goals and objectives of the Ogle County Amendatory Comprehensive Plan and is intended to provide areas for recreational business type of uses. (5/18/10)

B. Permitted Uses.

The following uses of land are permitted in this district:

Areas of natural, historic/cultural, educational, geological, or of research significance.

Amusement establishments, including archery ranges, bowling alleys, gymnasiums, health clubs, health spas, miniature golf course, movie theaters (indoor), shooting galleries (indoor only), swimming pools, skating rinks and other similar amusement establishments.

Clubs and lodges.

Live bait/fishing tackle store.

Motels and Hotels

Restaurants and Snack Shops, including fast-food restaurants except those which provide drive-through service.

Roadside stands for the sale of agricultural products at retail.

Other use(s) determined by the Planning & Zoning Committee of the Ogle County Board, upon recommendation of the Zoning Administrator, to be of the same general character as and compatible with the foregoing uses, but not including any use which does not meet the intent of or may become noxious or offensive in the B-2 zoning district.

C. Special Uses.

The following uses of land may be allowed by a special use permit:

Amusement park.

Campground.

Carnival.

Commercial boat landing.

Drag strip.

Kiddie park.

Go-kart track.

Golf driving range.

Outdoor theaters and similar outdoor amusement facilities.

Public utility facilities.

Race tracks, including, but not necessarily limited to, automobiles, dogs, horses or motorcycles.

Restaurants and Snack Shops which provide drive-through service.

Sewage treatment facilities, not including individual sewage treatment facilities permitted as an accessory use.

Taverns.

Other use(s) determined by the Planning & Zoning Committee of the Ogle County Board, upon recommendation of the Zoning Administrator, to be of the same general character as and compatible with the foregoing uses, but not including any use which does not meet the intent of or may become noxious or offensive in the B-2 zoning district.

D. Accessory Land Uses.

Subject to compliance with the procedures of this section, accessory buildings, structures and uses are permitted in conjunction with a permitted land use or (unless restricted by applicable condition) a special land use when such accessory building or structure is customarily found in conjunction with the primary use, and serves only to further the successful utilization of the primary use. Accessory uses include the following:

1. Associated work and storage area required by any business, firm or service to carry on business operations.
2. Devices for the generation of energy, such as solar panels, private wind energy conversion systems, and similar devices. All private WECS towers shall be setback not less than 1.1 times the tower height from any public road right-of-way line, overhead utility transmission lines, communication towers, and adjacent property lines. The affected road authority, utility, tower owner/lessee and/or affected adjacent property owner may waive the setback. Said waiver shall be in writing. However, in no instance shall any part of a Private WECS, including guy wires, be located within five (5) feet of any of the aforementioned items. (9/03)
3. Dwelling or lodging units, only for watchmen, caretakers, or other personnel whose residence on the premises is essential to the operation of a permitted or special use or uses.
4. Individual sewage treatment facilities serving an individual building or use, as approved by the appropriate regulatory agency.

E. Height Limitations for Buildings and Structures.

The maximum height of buildings and structures in this District shall be as follows:

1. The total height of any structure, including rooftop mechanical equipment attached to such structure, shall not exceed two (2) stories or thirty-five (35) feet in height, whichever is less, above the averaged finished ground elevation at the perimeter of such structure unless authorized by Special Use Permit.
2. Total height of any structure authorized by Special Use Permit shall be authorized by specific condition(s) of the permit.

3. Parapet walls, chimneys, cooling towers, stacks, and necessary mechanical appurtenances may be erected over and above the maximum height of thirty-five feet, provided they are constructed in compliance with any and all other applicable local, state or federal regulations.

F. Minimum Lot Area Requirements.

Every lot or tract of land shall have an area comprising not less than 43,560 square feet (one [1] acre) with a minimum lot width measured at the building line of one hundred (100) feet.

G. Development Limitations.

1. The total gross floor area devoted to any one business, firm or service shall not exceed 20,000 square feet.
2. The landscaped surface area ratio (LSAR) shall be no less than 0.35.
3. The capacity of auditoriums, churches, clubs, lodges, meeting rooms, libraries, reading rooms, theaters, or any other facility for public assembly shall not exceed five hundred (500) persons.

H. Yard Requirements.

1. Building Setback Line (Front Yard).

Every building hereafter erected or enlarged shall provide and maintain a front yard in accordance with the following requirements:

- a. Adjacent to tollways, freeways and limited access highways, all buildings shall be set back not less than sixty (60) feet from the property line adjoining a tollway, freeway, or limited access highway. The setback shall be measured from the established front property line (rights-of-way line) adjoining such tollway, freeway or limited access highway.
- b. Adjacent to federal or state highways not less than eighty (80) feet from the front property line (rights-of-way line) adjoining such highway.
- c. Adjacent to a county highway not less than sixty (60) feet from the front property line (rights-of-way line) adjoining such highway.
- d. Adjacent to a township road, or any other road or street not less than forty (40) feet from the front property line (rights-of-way line) adjoining such road or street.

2. Side Yards:

- a. Two side yards, each not less than five (5) feet, except hotels/motels shall maintain side yards of not less than twenty-five feet.
- b. Where a lot abuts a residence district, side yard requirements shall not less than twenty-five (25) feet.
- c. Where a side yard adjoins a road or street, the minimum width of such yard for all buildings shall not be less than the established above for front yards.

3. Rear Yard:

- a. All buildings shall have rear yards of not less than twenty-five (25) feet.
- b. Where a rear yard adjoins a road or street, the minimum width of such yard for all buildings shall not be less than that established above for front yards.
- c. Where a rear yard abuts a residence district, the rear yard requirement shall be not less than the rear yard requirement of said adjoining residence district.

I. Off-Street Parking and Loading Requirements.

Off-street parking and loading requirements and setbacks for parking areas, loading spaces, and internal drives are set forth in Division 7, Off-street Parking and Loading Requirements.

J. Sign Regulations.

Sign regulations are set forth in Division 8, Sign Regulations.

K. Performance Standards.

1. Outdoor storage or display of merchandise, materials or equipment is prohibited.
2. All goods produced on the premises shall be sold at retail on the premises.
3. Exterior lighting fixtures shall be shaded so as to avoid casting direct light upon any property located in a residence district or upon any public street or park.

5.09 "B-3" Restricted Interstate Highway Area Business District:

A. Purpose and Intent.

This district is intended to help implement the goals and objectives of the Ogle County Amendatory Comprehensive Plan and is established to encourage the most orderly development combining highway oriented uses through advance planning to assure adequate compatibility and prevent any adverse effect upon the living environment, and thus promote the general welfare of the County. In addition, all of the interchanges in the County shall be developed in complete compliance with the *Ogle County Land Subdivision Regulations Ordinance*. (5/18/10)

B. Permitted Uses.

None.

C. Prohibited Uses.

The following uses of land are prohibited in this district:

Animal hospitals and veterinary clinics.

Residential uses.

Industrial uses.

Outdoor theaters and other similar outdoor amusement facilities, go-kart tracks, and carnivals.

Commercial kennels.

Churches and other places of worship.

D. The following uses may be allowed by a special use permit:

Automobile service station, including the servicing of trucks and trailers in combination with an automobile service station.

Automobile and truck parking lots associated with the principal use.

Borrow pits to be reclaimed for recreational use.

Restaurants, fast food, which have drive-in or drive-through facilities.

Other similar interstate business type uses not specifically listed above when found to have economic compatibility with established uses in this district. Any non-listed interstate business type uses to be considered shall in no way have a depreciating effect on adjacent zoning districts.

E. Accessory Land Uses.

Subject to compliance with the procedures of this section, accessory buildings, structures and uses are permitted in conjunction with a special land use when such accessory building or structure is customarily found in conjunction with the primary use, and serves only to further the successful utilization of the primary use. Accessory uses include the following:

1. Associated work and storage area required by any business, firm or service to carry on business operations.

2. Devices for the generation of energy, such as solar panels, wind generators, and similar devices.
3. Dwelling or lodging units, only for watchmen, caretakers, or other personnel whose residence on the premises is essential to the operation of a permitted or special use or uses.
4. Individual sewage treatment facilities serving an individual building or use, as approved by the appropriate regulatory agency.

F. Height Limitations for Buildings and Structures.

The maximum height of buildings and structures in this District shall be as follows:

1. The total height of any structure, including rooftop mechanical equipment attached to such structure, shall not exceed two (2) stories or thirty-five (35) feet in height, whichever is less, above the averaged finished ground elevation at the perimeter of such structure unless authorized by Special Use Permit.
2. Total height of any structure authorized by Special Use Permit shall be authorized by specific condition(s) of the permit.
3. Parapet walls, chimneys, cooling towers, stacks, and necessary mechanical appurtenances may be erected over and above the maximum height of thirty-five feet, provided they are constructed in compliance with any and all other applicable local, state or federal regulations.

G. Minimum Lot Area Requirements.

1. Every lot or tract of land shall have an area comprising not less than 43,560 square feet (one [1] acre) with a minimum lot width measured at the building line of not less than one hundred (100) feet.
2. Minimum lot depth shall be not less than one hundred twenty-five (125) feet.

H. Development Limitations.

1. The total gross floor area devoted to any one business, firm or service shall not exceed 20,000 square feet.
2. All principal buildings servicing land uses in this district shall be located so as not to be visible from an interstate highway or the crossing road. Such principal buildings and uses shall be located not less than fifty (50) feet from any residential district lot line.

I. Yard Requirements.

1. Building Setback Line (Front Yard).

Every building hereafter erected or enlarged shall provide and maintain a front yard in accordance with the following requirements:

- a. Adjacent to tollways, freeways and limited access highways, all buildings shall be set back not less than sixty (60) feet from the property line adjoining a tollway, freeway, or limited access highway. The setback shall be measured from the established front property line (rights-of-way line) adjoining such tollway, freeway or limited access highway.

- b. Adjacent to federal or state highways not less than eighty (80) feet from the front property line (rights-of-way line) adjoining such highway.
- c. Adjacent to a county highway not less than sixty (60) feet from the front property line (rights-of-way line) adjoining such highway.
- d. Adjacent to a township road, or any other road or street not less than forty (40) feet from the front property line (rights-of-way line) adjoining such road or street.

2. Side Yards:

- a. Two side yards, each not less than five (5) feet, except hotels/motels shall maintain side yards of not less than twenty-five feet.
- b. Where a lot abuts a residence district, side yard requirements shall not less than twenty-five (25) feet.
- c. Where a side yard adjoins a road or street, the minimum width of such yard for all buildings shall not be less than the established above for front yards.

3. Rear Yard:

- a. All buildings shall have rear yards of not less than twenty-five (25) feet.
- b. Where a rear yard adjoins a road or street, the minimum width of such yard for all buildings shall not be less than that established above for front yards.
- c. Where a rear yard abuts a residence district, the rear yard requirement shall be not less than the rear yard requirement of said adjoining residence district.

J. Off-Street Parking and Loading Requirements.

Off-street parking and loading requirements and setbacks for parking areas, loading spaces, and internal drives are set forth in Division 7, Off-street Parking and Loading Requirements.

K. Sign Regulations.

Sign regulations are set forth in Division 8, Sign Regulations.

L. Performance Standards.

- 1. Outdoor storage or display of merchandise, materials, equipment or refuse materials is prohibited.
- 2. All goods produced on the premises shall be sold at retail on the premises.
- 3. Exterior lighting fixtures shall be shaded so as to avoid casting direct light upon any property located in a residence district or upon any public street or park.
- 4. There shall be no manufacturing, processing or treatment of products other than that which is clearly, customarily and essential to the use conducted on the same premises.

Such uses, operations or products shall not be objectionable due to odor, dust, smoke, noise, vibration and environmental nuisance or other similar causes.

5. Not less than ten (10) percent of the area of the zoning lot shall be landscaped and shall be maintained as open space.
6. A dense, compact evergreen planting not less than eight (8) feet in height and eight (8) feet in width shall be provided along the rear lot line of lots backing on the intersecting highway or freeway. This planting strip shall be designed as a “no access strip” and maintained in an orderly manner. All service areas shall be screened by fencing or a dense, compact evergreen planting.

M. Limitation of Access.

The Illinois Department of Transportation (I.D.O.T.) has developed access regulations for particular interchanges based on map design and ramp speed. These regulations shall apply only when they are more restrictive than the following restrictions:

Access from abutting property to an intersection highway shall be permitted only at designed access points. Such access shall be located as follows:

1. There shall be no access points located within seven hundred (700) feet (five hundred [500] feet in urban situations) of the most remote edge of any existing or proposed on or off ramp of an interchange or within seven hundred (700) feet (five hundred [500] feet in urban situations) of median cross-overs seven hundred (700) feet thereafter.
2. To avoid dangerous off-set intersections, public streets along opposite sides of intersecting highways shall be located either directly opposite a median strip cross-over or that intersections of public streets shall be separated by not less than four hundred forty (440) feet of lateral distance to develop turn lanes and accommodate vehicular storage.

5.10 "I-1" Industrial District:

A. Purpose and Intent.

This district is intended to help implement the goals and objectives of the Ogle County Amendatory Comprehensive Plan and is established to provide for industrial uses in areas whose principal use is or ought to be manufacturing, warehousing, and other limited industrial uses. Uses in this district shall create a minimum of noise, glare, odor, dust, vibration, air and water pollutants, fire, explosive, radioactive and other hazardous, harmful or obnoxious matter. This district is provided to permit the development of these industrial uses, to protect adjacent areas against encroachment by incompatible uses, and to lessen congestion on public roads. (5/18/10)

B. Permitted Uses.

The following uses of land are permitted in this district:

Automobile repair facility, major and/or minor.

Business, professional and technical training schools.

Laundries and dry cleaning plants, not including personal and individual drop-off and pick-up service.

Manufacturing, fabrication, assembly, processing, or packaging of agricultural produce and any commodity from semi-finished materials, except explosives or flammable gases or liquids.

Offices or office buildings.

Parking areas, including garages.

Police, fire and postal services.

Printing and duplicating services.

Public utility facilities.

Radio, television and communication studios, transmitting or relay towers, antennae, and other such facilities no greater in height than thirty (30) feet above the average finished ground elevation at the perimeter of such structure.

Railroad switching yards.

Research laboratories and facilities.

Sales and renting of equipment and vehicles used by business, industry and agriculture, excluding retail automobile sales.

Signs (billboards)

Terminals for trucks, buses and railroads.

Towed vehicle storage yards, wherein no individual vehicle may be stored for a period for a period exceeding ninety (90) days, and involving no auto repair and no salvage or sale of automobile parts. A ten (10) foot high sight-proof fence shall be provided along all limits of the property.

Trucking, not including freight terminals.

Union halls and hiring halls.

Wholesaling or warehousing of manufactured commodities except live animals, explosives or flammable gases.

Yards for storage of contractors' equipment, materials and supplies, excluding automobile wrecking yards, junk yards and salvage yards.

Other use(s) determined by the Planning & Zoning Committee of the Ogle County Board, upon recommendation of the Zoning Administrator, to be of the same general character as and compatible with the foregoing uses, but not including any use which does not meet the intent of or may become noxious or offensive in the I-1 zoning district.

C. Special Uses.

The following uses of land may be allowed by a special use permit:

All permitted uses which exceed two stories or thirty-five (35) feet in height.

Adult Uses.

Aircraft hangars/tiedowns.

Airport or aircraft landing field.

Aircraft service and repair.

Asphalt or concrete batch mix plants.

Business service establishments.

Excavation, extraction, screening, crushing, washing, mining or quarrying of raw materials from the earth; provided such operations are not conducted nearer than one thousand (1,000) feet to any school (public or private), or to any dwelling other than a residence owned and/or occupied by the owner, lessee or operator of the premises on which the activity takes place. The removal of dirt, soil, or sand, when not requiring the use of explosives, shall not be nearer than five hundred (500) feet from any residence. The County may, as a condition for granting a special use permit, require such condition or conditions as it deems reasonable under the circumstances, including, but not limited to, a plan of reclamation and/or a bond.

Filling stations, including emergency towing and repair services.

Freight terminals, if the following conditions are complied with:

1. The freight terminal shall be under unified ownership and control;
2. The zoning lot on which the freight terminal is located shall be located not closer than two hundred (200) feet to any residence or business district;
3. The operation of a freight terminal shall only be between the hours of 6:00 A.M. and 8:00 P.M., Monday through Friday, and between the hours of 8:00 A.M. and 12:00 P.M. (noon) Saturday.
4. Scales, if provided, for weighing trucks shall be located on the same zoning lot as the freight terminal.

5. Parking of vehicles and trucks shall be in compliance with Division 7, Off-Street Parking and Loading Requirements.
6. The number of vehicles with engines operating at any one time shall be restricted reasonably, as to not emit a concentration of noxious fumes to endanger public health and welfare.
7. Exterior lighting shall be controlled so as to shine away from adjacent properties.
8. Landscaping, including, but not limited to, fencing and berming shall be provided to create a buffer to adjacent properties of not less than eighty (80) percent opacity.
9. There shall be no major motor vehicle maintenance or major engine overhauling on the freight terminal zoning lot.

Incinerators.

Intermodal Container Storage Yard subject to the following special conditions (9/03):

1. Not less than 30% of the site (area set aside for storage) shall remain in a landscaped/pervious state.
2. The setback for storage from the property line shall be no less than 1.1 times the height of the stacked containers.
3. The storage area shall be provided with a suitable base material of aggregate material, concrete or asphalt.
4. Intermodal storage containers shall not be stacked greater than five (5) high or to a height of greater than 50', whichever is less.
5. Containers shall not contain hazardous materials, refuse or garbage.
6. Any storage area shall not be located within a designated Special Flood Hazard Area.

Junkyards.

Landscape waste composting facilities that are required to have an Illinois Environmental Protection Agency permit (see Appendix II, Subsection A).

Landscape waste composting facilities that are not required to have an Illinois Environmental Protection Agency permit (see Appendix II, Subsection B).

Manufacturing of explosives and flammable gases and liquids.

Pollution control facility, including customary and essential accessory uses, provided that such lots shall conform with the setback requirement set forth in the applicable state and federal laws and regulations (refer to Appendix I of this Ordinance for application procedure and standards for approval).

Radio, television and communication transmitting or relay towers, antennae, and other such facilities exceeding thirty (30) feet in height, but no greater in height than two hundred (200) feet above the average finished ground elevation at the perimeter of such structure.

Restaurants.

Shooting range (outdoor).

Slaughterhouse/packing plant.

Sewage treatment plants/facilities.

Warehousing, storage, or wholesaling of live animals, explosives, or flammable gases and liquids.

Other use(s) determined by the Planning & Zoning Committee of the Ogle County Board, upon recommendation of the Zoning Administrator, to be of the same general character as and compatible with the foregoing uses, but not including any use which does not meet the intent of or may become noxious or offensive in the I-1 zoning district.

D. Accessory Uses.

Subject to compliance with the procedures of this Section, accessory buildings, structures and uses are permitted in conjunction with a permitted land use or (unless restricted by applicable condition) a special land use when such accessory building, structure or use is customarily found in conjunction with the primary use, is a reasonably necessary incident to the primary use, is clearly subordinate to the primary use, and serves only to further the successful utilization of the primary use.

Accessory uses include the following:

1. Devices for the generation of energy, such as solar panels, private wind energy conversion systems, and similar devices. All private WECS towers shall be setback not less than 1.1 times the tower height from any public road right-of-way line, overhead utility transmission lines, communication towers, and adjacent property lines. The affected road authority, utility, tower owner/lessee and/or affected adjacent property owner may waive the setback. Said waiver shall be in writing. However, in no instance shall any part of a Private WECS, including guy wires, be located within five (5) feet of any of the aforementioned items. (9/03)
2. Dwelling or lodging units, only for watchmen, caretakers, or other personnel whose residence on the premises is essential to the operation of a permitted or special use or uses.
3. Individual sewage treatment facilities serving an individual building or use, as approved by the appropriate regulatory agency.
4. Signs (business, directional and informational).

E. Other Limitations on Uses.

1. Any production, processing, cleaning, servicing, testing, repair or storage of goods, materials or products shall conform with the standards set forth herein.
2. All business, production, servicing and processing shall take place within completely enclosed buildings unless otherwise specified. Within one hundred fifty (150) feet of a residence district, all storage shall be in completely enclosed buildings or structures and storage located elsewhere in this district may be open to the sky but shall be enclosed by solid walls or fences (including solid doors or gates thereto) at least eight feet high, but in no case lower in height than the enclosed storage, and suitable landscaped; however, open off-

street loading facilities and open off-street parking of motor vehicles under one and one-half (½) tons capacity may be unenclosed throughout the district, except for such screening of parking and loading facilities as may be required.

3. Uses established on the effective date of this Ordinance and by its provisions which are rendered non-conformities shall be permitted to continue, subject to the regulations of Article 4, Non-Conforming Uses, Buildings and Structures.

F. Height Limitations for Buildings and Structures.

The maximum height of buildings and structures in this District shall be as follows:

1. The total height of any structure, including rooftop mechanical equipment attached to such structure, shall not exceed two (2) stories or thirty-five (35) feet in height, whichever is less, above the averaged finished ground elevation at the perimeter of such structure unless authorized by Special Use Permit.
2. Total height of any structure authorized by Special Use Permit shall be authorized by specific condition(s) of the permit.

G. Minimum Lot Area Requirements.

Every lot or tract of land shall have an area comprising not less than 43,560 square feet (one [1] acre) with a minimum lot width measured at the building line of not less than one hundred (100) feet.

H. Development Limitations.

The landscaped surface area ratio (LSAR) shall be no less than 0.40.

I. Yard Requirements.

1. Building Setback Line (Front Yard).

Every building hereafter erected or enlarged shall provide and maintain a front yard in accordance with the following requirements:

- a. Adjacent to tollways, freeways and limited access highways, all buildings shall be set back not less than sixty (60) feet from the property line adjoining a tollway, freeway, or limited access highway. The setback shall be measured from the established front property line (rights-of-way line) adjoining such tollway, freeway or limited access highway.
- b. Adjacent to federal or state highways not less than eighty (80) feet from the front property line (rights-of-way line) adjoining such highway.
- c. Adjacent to a county highway not less than sixty (60) feet from the front property line (rights-of-way line) adjoining such highway.
- d. Adjacent to a township road, or any other road or street not less than forty (40) feet from the front property line (rights-of-way line) adjoining such road or street.

2. Side Yards:

- a. Two side yards, each not less than ten percent of the lot width, but not more than twenty-five (25) feet.

- b. Where a lot abuts a residence district, side yard requirements shall not less than twenty-five (25) feet.
- c. Where a side yard adjoins a road or street, the minimum width of such yard for all buildings shall not be less than the established above for front yards.

3. Rear Yard:

- a. All buildings shall have rear yards of not less than twenty-five (25) feet.
- b. Where a rear yard adjoins a road or street, the minimum width of such yard for all buildings shall not be less than that established above for front yards.
- c. Where a rear yard abuts a residence district, the rear yard requirement shall be not less than the rear yard requirement of said adjoining residence district.

J. Off-Street Parking and Loading Requirements.

Off-street parking and loading requirements and setbacks for parking areas, loading spaces, and internal drives are set forth in Division 7, Off-street Parking and Loading Requirements.

K. Sign Regulations.

Sign regulations are set forth in Division 8, Sign Regulations.

L. Performance Standards.

Any use established in the "I-1" district after the effective date of this Amendatory Zoning Ordinance shall be operated as to comply with performance standards set forth herein. No use lawfully established on the effective date of this Amendatory Zoning Ordinance shall be so altered or modified as to conflict, or further conflict with the performance standards established for the "I-1" district.

- 1. All uses in the "I-1" district shall conform to the Industrial Performance Standards governing the emission of noise, vibration, smoke and particulate matter, water or other effluent, toxic or noxious matter, fire, glare, heat or radiation, as cited in the "Environmental Protection Act", *Illinois Compiled Statutes, Ch. 415, Paragraph 5/1 et seq. (05/20/03)*
- 2. Exterior lighting fixtures shall be shaded whenever necessary to avoid casting direct light upon any public street or park.

5.11 “PD” Planned Development District:

A. Purpose and Intent.

The purpose of the Planned Development District is to: provide an opportunity for unique, well-Planned Development on property in unincorporated Ogle County that cannot be annexed to a municipality but is otherwise in accordance with the recommendations of the Ogle County Comprehensive Plan and considered desirable by the County Board; provide a means of achieving greater flexibility in development of land in a manner not possible in conventional zones; to encourage a more imaginative and innovative design of projects; to promote a more desirable community environment; to retain maximum control over both the structure and future operation of the development.; and, create the possibility of non-agricultural uses occurring only in appropriate locations as designated by the Comprehensive Plan. The Planned Development regulations are intended to encourage imaginative site planning that integrates the development proposal with existing topography and other natural environmental assets of the land while conserving the County’s rural character. Clustering of units is encouraged to provide common open space. Under this procedure, well-planned residential, industrial, commercial and other types of land use, individually or in combination, may be developed in accordance with the standards contained herein. (5/18/10)

The Planned Development District may be used for a planned development wherein individual uses and structures and lot configurations and improvements may, at the discretion of the Zoning Administrator, be exempted wholly or in part from specific requirements set forth in the County Zoning Ordinance and Land Subdivision Regulations provided the proposal:

1. Meets the conditions of approval in Section 5.11, Subsection C of this Ordinance;
2. Involves only permitted uses as set forth in Section 5.11, Subsection D of this Ordinance; and
3. Promotes the public health, safety, morals, comfort and general welfare and conserves the values of property.

The County Board, upon recommendation by the Zoning Board of Appeals, may, by ordinance adopted in the same manner as zoning districts are created, authorize a Planned Development District when the proposed development or use of a specific tract of land or area warrants greater flexibility, control, and density than is afforded under the general regulations of standard zoning districts. However, it should be noted that these planned development regulations are not intended to allow excessive densities, or the development of incompatible land uses, either within the development, or as the development relates to the general neighborhood. The standards contained in the following provisions must be strictly adhered to by the applicant. The County Board may, upon proper application, approve a planned development to facilitate the use of flexible techniques of land development and site design in order to obtain one or more of the following objectives:

1. Environmental design in the development of land that is of a higher quality than is possible under the regulations otherwise applicable to the property.
2. Diversification in the uses permitted and variation in the relationship of uses, structures, open space and height of structures in developments intended as cohesive, unified projects.
3. Functional and beneficial uses of open space areas.

4. Preservation of natural features of a development site.
5. Creation of a safe and desirable living environment for residential areas characterized by a unified building and site development program.
6. Rational and economic development in relation to public services.
7. Efficient and effective traffic circulation, both within and adjacent to the development site.

B. Relationship of Planned Development Districts to Zoning Map.

1. A Mapped District: The PD designation is not intended to be attached to existing use districts as an overlay. The PD designation as detailed in this section is a separate use district and may be attached to a parcel of land through the process of rezoning and zoning map amendment.
2. Plan Approval Required: It is the intent of this Ordinance that no development or redevelopment of the property encompassed by the PD designation take place until an acceptable development plan has been reviewed and approved in conformance with the requirements of this section.
3. Types of Planned Developments: All areas of the County subject to the PD designation shall be assigned one of the following District classifications which shall be considered a separate use district and subject to the specific restrictions and limitations outlined in this section.
 - a. Planned Development - Residential (PD-R): Planned developments involving residential uses only.
 - b. Planned Development - Commercial (PD-C): Planned developments involving commercial uses only.
 - c. Planned Development - Manufacturing (PD-M): Planned developments involving manufacturing uses only.
 - d. Mixed Use Developments (MXD): Planned developments involving a mixture of residential and non-residential uses.

C. Procedures for Planned Development Approval.

1. Pre-Application Procedure: Prior to filing any application for Planned Development approval, the prospective applicant shall request a pre-application conference with the Zoning Administrator. Such request shall include a brief and general narrative description of the nature, location and extent of the proposed Planned Development; concept plan showing general lot configuration, land use, road/street configuration, total acreage and acreage by land use; and a list of any professional consultants advising the prospective applicant with respect to the proposed Planned Development. Upon receipt of such request, the Zoning Administrator shall promptly schedule such a conference.
2. Preliminary Development Plan: A preliminary development plan shall be submitted with the application for a planned development. A final development plan,

including the requirements of preliminary plan, may be submitted as a single application. The preliminary plan shall contain the following information.

a. Site and landscape plan:

One or a series of maps shall be submitted indicating:

- 1) An out boundary survey plat and legal description of the property.
- 2) Air photo showing site and surrounding area and demarcation of all taxing bodies;
- 3) The location, size and height of all existing and proposed structures on the site;
- 4) The location and general design (dimensions and materials) of all driveways, curb cuts and sidewalks including connections to building entrances;
- 5) The location, area and number of proposed parking spaces;
- 6) Existing and proposed grades at an interval of two (2) feet or less, extended beyond the project site to include adjacent properties and structures;
- 7) The location and general type of all existing trees over six (6) inch caliper and, in addition, an indication of those to be retained;
- 8) The proposed general use and development of internal spaces, including all recreational and open space areas, plazas and major landscaped areas by function, and the general location and description of all proposed outdoor furniture (seating, lighting, telephones, etc.);
- 9) Soils information. The Zoning Administrator may require a detailed soils map (200 foot grid minimum) prepared by a certified soils classifier, showing each soil type boundary location of each soil investigation pit, depth to seasonal high ground water, and limiting conditions of each soil type. The criteria for soils mapping set forth in the *Ogle County Land Subdivision Regulations*, Section 5.03, Paragraph B, Sub-paragraph 15 shall be used when a detailed soils map is required.
- 10) Drain tile information;
- 11) The location and approximate size of all proposed plant material by type, such as hardwood/deciduous trees, evergreen trees, flowering trees and shrub masses, and types of ground cover (grass, ivies, etc.). Planting in parking areas should be included;
- 12) The location and details of all retaining walls, fences (including privacy fences, etc.), and earth berms;

- 13) The description and location of all refuse collection facilities including screening to be provided;
- 14) Provisions for both on- and off-site storm water drainage and detention related to the proposed development; and
- 15) The location and approximate size of all utilities, where applicable.

The scale of the drawing or drawings shall be one hundred feet to the inch (1" = 100'), or if the area of the Planned Development is more than two hundred (200) acres in area, two hundred feet to the inch (1" = 200'). The Zoning Administrator shall approve of the use of any other scale that may be more appropriate, either larger or smaller. All drawings shall likewise indicate a project name, the names of adjoining streets, the applicants name, a scale, a north arrow, and the date drawn.

The Applicant may be required to provide, at the applicant's expense, additional clarification and/or further detail of the Site Plan, as deemed necessary by the Zoning Administrator or Zoning Board of Appeals.

b. Site and building sections:

Schematic or illustrative sections shall be drawn to scale of 1" = 50' or larger, indicating both edge conditions and internal grade changes in relation to principal variations of internal building levels and site line relations to adjacent structures.

c. Typical elevations:

Typical elevations of proposed buildings shall be provided at a reasonable scale.

d. Project data:

- 1) Site area (square feet and acres);
- 2) Allocation of site area by building coverage, parking, loading and driveways, and open space areas including total open space, recreation area, landscaped areas and others;
- 3) Total dwelling units and floor area distributed by general type (1 bedroom, 2 bedroom, etc.); and total floor area ratio and residential density distribution;
- 4) Floor area in non-residential use by category and total floor area ratio;
- 5) Calculations of parking spaces and area in relation to dwelling units and commercial floor area.

e. Project report:

A brief project report shall be provided to include an explanation of the character of the proposed development, verification of the applicant's ownership and contractual interest in the subject site, and anticipated development schedule. At the discretion of the Zoning Board of Appeals, analyses by qualified technical personnel or consultants may be required as to the market and financial feasibility, traffic impact, environmental impact, storm water and erosion control, etc., of the proposed development.

f. Phased Development:

If the Planned Development is proposed to be constructed in stages or units during a period extending beyond a single construction season, a development schedule shall be submitted indicating:

- 1) The approximate date when construction of the project can be expected to begin;
- 2) The order in which the phases of the project will be built;
- 3) The minimum area and the approximate location of the common open space and public improvements that will be required at each stage;
- 4) If any stage or unit as proposed contains a share of open space or public or private recreation or service facility less than that which in size, number of units or density would otherwise require, a statement shall be submitted setting forth what bond, credit, escrow or other assurance the applicant proposes in order to ensure that the difference between that which would otherwise be required and that which the applicant proposes to provide in the instant stage or unit is ultimately provided; and
- 5) Placement of all temporary structures utilized during construction, i.e., construction offices, siltation control devices, etc.

3. Review Procedure:

- a. An Application, together with a complete Preliminary Development Plan, shall be considered at the first regularly scheduled Public Hearing, and shall follow the procedure(s) established for Amendment in Section 9.07 of this Ordinance.
- b. An application must also be made to the Ogle County Soil and Water Conservation District for a natural resources report and a land evaluation review for any land to be rezoned from an agricultural use to a non-agricultural use. These applications shall be filed with the Soil and Water Conservation District prior to making application to the Zoning Department. All data generated by the natural resources report and the land evaluation review will become part of the public record, and selected portions will be forwarded to the Zoning Board of Appeals and the County Board.

- c. Staff Review: The Zoning Administrator shall coordinate a review of the application by appropriate County Departments. A written report documenting the review and staff recommendations shall be prepared by the Zoning Administrator and submitted to the Zoning Board of Appeals at the meeting at which the application is first considered.
- d. After consideration of the application and staff report, the Zoning Board of Appeals shall make a report to the County Board regarding the impact of such proposed building or use upon the character of the neighborhood, traffic conditions, public utility facilities, and other matters pertaining to the general public health, safety and welfare of Ogle County. The findings and recommendation of the Zoning Board of Appeals shall be transmitted to the Planning, Assessment & Zoning Committee. The Zoning Board of Appeals may recommend disapproval, or approval with amendments, conditions or restrictions with respect to the Preliminary Development Plan.
- e. The Planning, Assessment & Zoning Committee may recommend to the County Board disapproval, or approval with amendments, conditions or restrictions with respect to the Preliminary Development Plan.
- f. The County Board shall approve, approve with conditions or disapprove the Preliminary Development Plan within ninety (90) days after it receives the findings and recommendations of the Zoning Board of Appeals.
- g. If the Preliminary Development Plan is approved by the Board, it shall adopt a resolution approving said Preliminary Development Plan with conditions as specified therein and authorizing the preparation of the final development plan.

Simultaneously, with approval of the Preliminary Development Plan, the Board shall adopt an ordinance rezoning the site. Such ordinance shall become effective upon approval of the final development plan.

- 4. Final Development Plan: Within nine (9) months following approval of the Preliminary Development Plan, but at least thirty (30) days before the next regularly scheduled meeting of the Planning, Assessment & Zoning Committee, the petitioner shall submit a Final Development Plan to the Planning, Assessment & Zoning Committee for its review and consideration to determine if said Final Development Plan is in conformance with the approved Preliminary Development Plan and with the imposed conditions of approval. The Final Development Plan shall reflect the entire Planned Development if it is to be completed in one phase. In the event that any proposed final development plan is submitted more than nine (9) months after approval of the Preliminary Development Plan, the matter shall be referred to the Board for reconsideration of the Preliminary Development Plan approval.

The Final Development Plan, in addition to the matters shown on the Preliminary Development Plan, shall include the following.

- a. The landscape plan with the specific location of all plant material, specifying size, species and location (both as to the buffer area around the perimeter as well as that in the parking lot);

- b. Nature of use, including special uses permitted;
 - c. All structures, present and future, specifying location, size, and architectural elevation, none of which may deviate substantially from the approved Preliminary Development Plan;
 - d. Sidewalks;
 - e. Parking spaces, including underground parking and traffic aisles;
 - f. Ingress and egress facilities;
 - g. Parking facilities for visitors;
 - h. Plan for the provision of water and sanitary and storm water drainage facilities;
 - I. All easements and dedications;
 - j. Any signs, location and size;
 - k. Details of lighting of parking lots and outside of buildings, including location, type and intensity;
 - l. All other information which the Board may designate.
5. Improvement Plans:
- a. Intent: The improvement plan stage is for the purpose of accurately showing how the improvements will be constructed in order to conform to the layout and design objectives of the Preliminary Development Plan. As such, the improvement plan process is an extension of the Preliminary Development Plan process.

Where conditions so warrant, the County Engineer may require that portions of improvement plans be submitted during the Preliminary Development Plan review process in order to determine the land's suitability for the Preliminary Development Plan design. Any required off-site improvements and engineering studies shall be provided upon request. Where the development is to be constructed in phases, and where soil and/or topographical conditions so warrant, the County Engineer may require that improvement plans for the entire Preliminary Development Plan area be submitted prior to the construction of improvements.
 - b. Filing: Prior to the submittal of the Final Development Plan, the applicant shall submit to the County Engineer six (6) complete sets of plans and specifications for the construction.
 - c. The plans, which detail the construction and types of materials to be used in conjunction with the development of the site, shall be prepared and sealed by a registered professional engineer. Any alterations of the

common land or improvement within the common land will require the submission of detailed improvement plans and will be considered a requirement improvement.

d. Improvement plans shall be prepared on an exhibit of twenty-four (24) inches by thirty-six (36) inches and shall contain the following information:

- 1) Title page, which shall include key map showing the relationship of the site to the surrounding area. In addition, the name, address, and telephone number of the developer and engineering firm, as well as a registered professional engineer's seal, should be indicated.
- 2) North arrow and graphic scale shall be indicated on each plan sheet.
- 3) One or more benchmarks, in or near the development, to which the development is referenced. The identity and elevation shall be based on U.S.G.S. datum.
- 4) List of the standards and specifications followed, citing volume, section, page, or other references.
- 5) Typical cross sections of any proposed roads.
- 6) Grading and paving details conforming to Ogle County specifications and requirements.
- 7) Summary of quantities of all items necessary to construct all streets (roads) shown on the Plan.
- 8) Details of streets including location and width of all proposed public or private rights-of-way and private roadway easements, existing and proposed drainage channels, scales, storm sewers, including adequate natural discharge points, detention facilities, silt control measures and, where applicable, sanitary sewer and water distribution systems.
- 9) Plans and profiles of streets and sewers, scale not less than one inch equals fifty feet (1"=50') horizontal and one inch equals five feet (1"=5') vertical.
- 10) Topographical and profile studies must have on their face the signed statement of a Registered Professional Engineer, and the owner of the land or his duly authorized attorney, to the effect that to the best of their knowledge and belief the drainage of surface waters will not be changed by the construction of the proposed planned development, or, that if such surface water drainage will be changed, reasonable provision will be made for collection and diversion of such surface waters into public areas, or drains which the developer has the right to use, and that such surface waters will be planned for in accordance with generally accepted

engineering practices so as to reduce the likelihood of damage to the adjacent property because of the construction of the planned development.

- e. Approval of the improvement plans by the respective agencies described above shall be valid for a period of two (2) years from the date of approval, or for such longer period as the County Engineer may determine to be advisable if after review by the County Engineer such longer period is necessary to facilitate adequate and coordinated provisions for transportation, water, sewerage, schools, parks, playgrounds, or other public requirements. If the improvements shall not have been completed within the two (2) year period or such longer period as the County Engineer may permit, a re-submission of the improvement plans to the appropriate agencies may be required by the County Engineer.

6. Improvement to Install or Guarantee:

- a. Guarantee for Completion of Improvements: In lieu of constructing the improvements prior to approval of the County Engineer, a construction guarantee in the amount of one hundred twenty (120) percent of the approved engineer's estimate of the cost of the improvements is required. The cost for each improvement shall be itemized in a list prepared, signed and sealed by the design engineer on his letterhead stationery and approved by the County Engineer. Such guarantee is to:

- 1) Assure the satisfactory installation of said improvements in accordance with the approved plans and specifications and according to good engineering and construction practices;
- 2) Assure the satisfactory completion of said improvements within the prescribed time limit.

Such guarantee shall be in one of the following formats and the form, amount and conditions, subject to approval by the County Engineer:

- 1) A certificate of deposit with or an escrow account at a federally insured bank or savings and loan association;
- 2) An undertaking by the developer guaranteeing completion of the land improvements remaining to be completed, as secured by an irrevocable letter of credit certifying that adequate funds are and will be available at a sound and reputable banking or financial institution authorized to do business in the State of Illinois. Such irrevocable letter of credit shall be in effect for a period of two and one-half (2- ½) years from the date of recording of the final plat, shall run in favor of the County and shall indicate that there are sufficient funds available for one hundred twenty (120) percent of the estimated cost of all the land improvements remaining to be completed, and that such funds are held for such purposes only and for no other purposes. Such undertaking and irrevocable letter of credit shall be in a form to allow the County to procure the funds to complete the

land improvements if construction of said improvements is not completed in accordance with the provisions hereof, and shall otherwise be in a form acceptable to the County;

- 3) Other good and sufficient security as approved by the appropriate legal authority of the County to guarantee the proper installation of land improvements.
- b. A construction guarantee shall be reduced only by authorization of the County Engineer upon:
- 1) Application for payout by the developer in amounts such that funds remaining will always equal one hundred twenty (120) percent of the value of the uncompleted work, as determined by the County Engineer. No more than ninety (90) percent of the construction guarantee shall be released prior to the year after the satisfactory completion of the required improvements; or
 - 2) When it is determined that there has occurred unsatisfactory installation of the required improvements. Where the required improvements have not been installed in accordance with the approved improvement Plans, the County may then declare the construction guarantee to be in default and may draw from the guarantee amount for use in matters related to insuring the satisfactory construction of said improvement, including attorney's fees and court costs encumbered in the enforcement of the provisions of this Section.
- c. The County Engineer shall not release a construction guarantee prior to the satisfactory installation of all required improvements, as determined.
- 1) One year after the completion of all improvements required for the approved Final Development Plan;
 - 2) After the submission of the project engineer's certification that the project installation has been observed in the field and completed in substantial compliance with the plans and specifications and with all applicable ordinances and laws;
 - 3) After the submission of (1) reproducible print and four (4) copies of record drawings which shall be drawings prepared by the project engineer who shall show improvements, and shall clearly designate any and all changes from the approved plans and specifications;
 - 4) After the acceptance of the improvements.
- d. The applicant shall be responsible for the maintenance of all improvements until the release of the construction guarantee. Where a development has been improved in phases, the applicant shall be responsible for the proper functioning of drainage improvements for the entire development site. The applicant shall be responsible for the timely removal of snow and ice on roads and the mowing of right-of-way until the final acceptance of the completed road improvements.

7. Review Procedure:
 - a. An application with a complete Final Development Plan, meeting all requirements of the Ordinance and in conformance with the preliminary plan as determined by the Zoning Administrator, shall be considered at the first regularly scheduled Planning, Assessment & Zoning Committee meeting, but no sooner than thirty (30) days from the filing of the completed application.
 - b. Staff Review: During the time between the filing of the complete Final Development Plan and the next regularly scheduled meeting of the Planning, Assessment & Zoning Committee, the Zoning Administrator shall review the Final Development Plan for compliance with the approved Preliminary Development Plan and conditions contained in the ordinance rezoning the site and shall report to the Planning, Assessment & Zoning Committee the findings of his review. The Zoning Administrator may, at his discretion, retain outside consulting services for the review of plans, all costs for said outside services shall be borne by the developer.
 - c. After consideration of the application and staff report, the Planning, Assessment & Zoning Committee shall recommend approval, or disapproval, of the Final Development Plan. The Final Development Plan shall conform to the Preliminary Development Plan and applicable ordinances. If the Final Development Plan does not conform to the Preliminary Development Plan, or if the conditions of the Preliminary Development Plan approval are not adequately met, the Final Development Plan shall not be approved.
 - d. Upon recommendation for approval of the Final Development Plan by the Planning, Assessment & Zoning Committee, the Final Development Plan shall be submitted to the Zoning Administrator for his signature.
 - e. Following approval of the Final Development Plan, it shall be recorded at the applicant's expense with the County Recorder, and a reproducible mylar of such recorded Plan shall be furnished to the Zoning Department.

D. Permitted Uses.

The listing of permitted uses within each PD District shall be as follows:

1. Planned Development/Residential

The following land uses and developments are permitted in this District:

- a. Permitted land uses and developments shall be established in the conditions of the ordinance governing the particular Planned Development Residential District; specific uses may include those uses designated as Permitted, Accessory, or Special Uses in any of the "R" Residential Districts.
- b. The following uses may be designated as permitted uses and established as such in the ordinance governing the particular Planned Development Residential District:

- 1) Attached single family dwellings
- 2) duplexes
- 3) mobile home parks
- 4) multiple family dwellings
- 5) recreational facilities and/or open space
- 6) package sanitary treatment plants

2. Planned Development/Commercial

The following land uses and developments are permitted in this District:

Permitted land uses and developments shall be established in the conditions of the ordinance governing the particular Planned Development Commercial District; specific uses may only include those uses designated as Permitted, Accessory, or Special Uses in the "B-1" Business District, or other uses of a commercial nature.

3. Planned Development/Manufacturing

The following land uses and developments are permitted in this District:

Permitted land uses and developments shall be established in the conditions of the ordinance governing the particular Planned Manufacturing Districts and those uses in the "B-1" Business District which are specifically related to a particular activity or complex.

4. Mixed Use Development

Permitted land uses and developments:

Permitted land uses and developments shall be established in the conditions of the ordinance governing the particular Development Mixed Use District (MXD); specific uses may include uses designated as Permitted, Accessory or Special Uses in any of the "R" Residential, "B-1" Business, or "M-1" Manufacturing Districts. Each Development Mixed Use District shall include a minimum of twenty (20) percent of the total gross floor area in residential uses, twenty (20) percent of the total gross floor area in office or industrial uses. Gross floor area used for parking shall not be included in the above calculations. Gross floor area of hotels may be used for up to fifty (50) percent of the required floor area for residential uses. Gross floor area devoted to institutional, cultural, entertainment, or recreational uses may be used, on a 1 to 1 basis, to reduce the required minimum floor area of any of the three main use categories up to a maximum twenty-five (25) percent reduction. In addition to this approach, where residential development in a proposed MXD is greater than sixty-five (65) percent of the total gross floor area, the remainder of the development may consist of "B-1" Business uses or "M-1" Manufacturing uses or both without limitation as to percentages of gross floor area.

E. Area Regulations and Performance Standards.

1. The Approval of the Preliminary Development Plan may provide for such exceptions from regulations and such additional requirements as may be necessary or desirable to achieve the objectives of the proposed planned development, provided such exceptions are consistent with the standards and criteria contained in this Section have been specifically requested in the application for a planned development; and further, that no modification of the above referenced regulations shall be allowed when such proposed modification would result in:

- a. Inadequate or unsafe access to the planned development;
- b. Traffic volumes exceeding the anticipated capacity of the proposed major street network in the vicinity;
- c. An undue burden on public parks, recreation areas, schools, fire and police protection and other public facilities which serve or are proposed to serve the planned development;
- d. A development which will be incompatible with the purposes of this ordinance.
- e. Detrimental impact on surrounding area including, but not limited to, visual pollution.

The burden of proof that the criteria above are not being violated shall rest with the developer and not the Zoning Administrator or the Zoning Board of Appeals.

- 2. Overall Development Site Size: The minimum site size required for a Planned Development Commercial, Planned Development Manufacturing, or Planned Development Mixed District shall be two and one half (2.5) acres. The minimum overall site size required for a Planned Development Residential District shall be twenty (20) acres.

F. Period of Validity

The period of validity of approval of a Final Development Plan is as follows:

- 1. No approval of a Final Development Plan shall be valid for a period longer than twelve (12) months from the date of approval unless within such period a zoning certificate is obtained and construction is commenced.
- 2. The County Board may grant extensions not exceeding six (6) months each upon written request of the original applicant if the application submitted is substantially the same as the initially-approved application. However, the Board has the power in such cases to attach new conditions to approval. At such time as the period of validity of an approved Final Development Plan lapses, the Final Development Plan and all uses, terms, and conditions thereof shall be considered null and void.

No further development of the site shall be permitted except by application in accordance with the procedural requirements of this Section, whereby it shall be considered an entirely new application.

- 3. Should a request for extension of an approved Final Development Plan contain substantial changes as determined by the Board, the Board shall require the applicant to re-file his application subject to the requirements of this Section as if it were an entirely new application.

G. Properties Zoned Planned Development District by Enactment of this Ordinance and Respective Official County Zoning Map.

- 1. Properties Developed and/or Subdivided by Recording of Final Plat.

Land developments which have been authorized by building permit, final plat approval or other legal means prior to the enactment date of this Article, and exist

on properties which, by enactment of the Official County Zoning Map, have been zoned Planned Development District, are hereby created Planned Developments and all approved characteristics of such developments, such as lot sizes and configurations, setbacks, easements, bulk characteristics, roads, utilities and other improvements, are made a part of the Planned Development District zoning classification as herein defined, whether conforming or legal nonconforming in character.

2. Tracts of land which have not, prior to the date of the enactment of this Article, received County approval for development, whether by building permit, recording or final plat or other legal means, and by County Board enactment of the Official County Zoning Map are zoned Planned Development District shall be subject to Section 5.11, Subsections C, D and E of this Division.