

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF OGLE COUNTY, ILLINOIS, as follows:

SECTION ONE: The Findings of Fact and Recommendation of the Ogle County Zoning Board of Appeals, Exhibit "I" appended hereto, is hereby accepted, and the finding of fact set forth above are hereby adopted as the findings of fact and conclusions of the Ogle County Board.

SECTION TWO: The proposed amendments to the text of the *Ogle County Amendatory Zoning Ordinance* as amended by the Zoning Board of Appeals and as indicated in Exhibit "I" appended hereto are hereby adopted by the Ogle County Board.

SECTION THREE: This amendment to the text of the *Ogle County Amendatory Zoning Ordinance* shall be in full force and effect immediately upon its adoption and passage by the County Board of Ogle County, Illinois.

PASSED BY THE OGLE COUNTY BOARD THIS 19TH DAY OF SEPTEMBER 2017 A.D.

Kim P. Gouker
Chairman, Ogle County Board

ATTEST:

Laura J. Cook
Ogle County Clerk and
Ex Officio Clerk of the Ogle County Board

Exhibit "I"
Findings of Fact and Recommendation
of the Zoning Board of Appeals

Ogle County Zoning Board of Appeals

911 Pines Road
Oregon, IL 61061
(815) 732-1190
Fax: (815) 732-3709

FINDINGS OF FACT AND RECOMMENDATION OF THE OGLE COUNTY ZONING BOARD OF APPEALS

This is the findings of fact and the recommendation of the Ogle County Zoning Board of Appeals concerning an application of Michael Reibel, Ogle County Planning & Zoning Administrator, under the direction of the Supervisor of Assessments and Planning & Zoning Committee of the Ogle County Board in case #1-17 Text Amendment. The applicant is proposing to amend the text of the *Ogle County Amendatory Zoning Ordinance* as indicated in Exhibit "A" attached hereto.

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on August 24, 2017 in the County Board Room, 3rd Floor of the Ogle County Courthouse, Oregon, Illinois and hereby reports its findings and recommendation as follows:

FINDINGS: The Zoning Board of Appeals hereby finds that the proposed amendments to the text of the *Ogle County Amendatory Zoning Ordinance* AS AMENDED BY THE ZONING BOARD OF APPEALS, Exhibit "A" attached hereto, are consistent with the public interest and the goals and objectives of the *Ogle County Amendatory Comprehensive Plan*, and are in the best interests of the citizens of the Ogle County, Illinois.

RECOMMENDATION: The Zoning Board of Appeals hereby recommends that the proposed amendments to the text of the *Ogle County Amendatory Zoning Ordinance* AS AMENDED BY THE ZONING BOARD OF APPEALS, Exhibit "A" attached hereto, be adopted by the Ogle County Board.

ROLL CALL VOTE: The roll call vote was 5 members for the motion to recommend adoption of the proposed amendments to the text of the *Ogle County Amendatory Zoning Ordinance* as amended by the Zoning Board of Appeals, 0 opposed.

Respectfully submitted this 24th day of August 2017 by the Ogle County Zoning Board of Appeals.

Randy Ocken, Chairman
Maynard Stivers
Paul Soderholm
James Reed
Mark Hayes

Randy Ocken, Chair

ATTEST:



Michael Reibel, Secretary

EXHIBIT "A"
PROPOSED AMENDMENTS TO THE
OGLE COUNTY AMENDATORY ZONING ORDINANCE
AS AMENDED AND RECOMMENDED BY THE
OGLE COUNTY ZONING BOARD OF APPEALS ON AUGUST 24, 2017

**NOTE: "RED-LINED TEXT" INDICATES NEW TEXT TO BE ADDED;
"STRIKE-OUT TEXT" INDICATES TEXT TO BE DELETED.**

A. Division 2, Section 16-2-2: Rules and Definitions; Definitions

Add the following definitions:

BANQUET FACILITY: An establishment that is rented by individuals or groups and is intended and designed to accommodate private (invitation only) functions including, but not limited to banquets, weddings, anniversaries, conferences, business meetings and other similar events. Such a use may include kitchen facilities for preparation of food to be consumed on the premises, and outdoor gardens or reception facilities.

FIREARM RANGE, INDOOR: A rifle, pistol, silhouette, skeet, trap, black powder, or other similar range that is within a fully enclosed building or part of a fully enclosed building, such building being specifically designed for discharging firearms in a sporting event, for practice or instruction in the use of a firearm including qualifying for a Concealed Carry License, or for the testing of firearms. This definition shall not include the lawful discharge of firearms on private property by the owner of said property (ZBA 8/24/17).

HOME SHARE LODGING ESTABLISHMENT: An owner-occupied single-family dwelling where not more than one (1) short term (less than 30 days) lodging room is provided for compensation.

SOLAR COLLECTOR: A device, structure or part of a device or structure (i.e. array, panel, etc.) installed for the purpose of transforming solar energy into thermal, mechanical, chemical or electrical energy.

SOLAR ENERGY: Radiant energy received from the sun that is collected in the form of heat or light by a solar collector.

SOLAR FARM: A use of land where a series of solar collectors are placed in an area for the purpose of converting solar energy into electrical power for interconnection with the power grid primarily for off-site energy consumption. The term includes any associated cabling, devices, equipment, and structures located on site that are associated with the operation of a solar farm. The use of solar collectors for residential or business consumption that occurs on-site is not considered a solar farm.

STORY, HALF: A half story is that portion of a building under a gable, hip or mansard roof, the wall plates of which on at least two opposite exterior walls are not more than four and one-half feet above the finished floor of each story. In the case of one-family dwellings, two-family dwellings and multiple-family dwellings less than three stories in height, a half story in a sloping roof shall not be counted as a story for the purpose of this ordinance. In the case of multiple family dwellings three or more stories in height, a half story shall be counted as a story.

B. Division 2, Section 16-2-2: Rules and Definitions; Definitions

Amend the following definitions:

BED AND BREAKFAST ESTABLISHMENT: An owner-occupied ~~dwelling unit, or portion thereof,~~ **single-family dwelling** where **not more than five (5) short term (less than 30 days) lodging rooms, with or without meals breakfast,** are provided for compensation. ~~The owner of the establishment shall live on the premises or in adjacent premises.~~ **Any “bed and breakfast establishment” shall comply with all requirements of the Illinois Bed and Breakfast Act (50 ILCS 820/).**

BOARDING HOUSE: A residential use consisting of at least one dwelling unit together with more than two rooms that are rented or are designed or intended to be rented but which rooms, individually or collectively, do not constitute separate dwelling units; **or, a single-family dwelling provided for rental by one or more persons but not exceeding ten persons, for a period of less than 30 days.** A boarding house is designed to be occupied by ~~overnight or weekly guests~~ **short term (less than 30 days) guests.**

CAMPGROUND: Any parcel or tract of land under the control of any person(s), organization, **private entity** or governmental entity ~~wherein sites are offered for the use of the public or members of an organization for the establishment of temporary living sites for two or more recreational vehicles or camping units~~ **upon which 3 or more tents, cabins, recreational vehicles or other permanent or non-permanent type shelters are erected and maintained for camping or where space is provided for camping, temporary parking of recreational vehicles or placing of such tents, cabins, recreational vehicles or other permanent or non-permanent type shelters of any kind for 4 or more camping days during a calendar year. It shall include any structure, tent, vehicle, enclosure, appurtenances or recreational equipment related to or used or intended for use as a part of such campground. "Camping" means the act of resting or establishing temporary shelter using a tent, cabin, recreational vehicle or other permanent or non-permanent type shelter erected or placed on an area of land. "Camping Day" means any 24 hour period or portion thereof during which the participants remain overnight at the site.**

GUN CLUB FIREARM RANGE: ~~A facility used for target shooting, trap or skeet, including rifle and pistol clubs~~ **A rifle, pistol, silhouette, skeet, trap, black powder, or other similar range used for discharging firearms in a sporting event, for practice or instruction in the use of a firearm including qualifying for a Concealed Carry License, or**

for the testing of a firearm. This definition shall not include the lawful discharge of firearms in the course of hunting activities, or the lawful discharge of firearms on private property by the owner of said property.

C. Division 5, Section 16-5-1B: AG-1 Agricultural District; Permitted Uses

Amend the following existing listed Permitted Use:

Governmental buildings, including township, county, state or federal; and also including law enforcement buildings (police station) and fire protection buildings (fire station).

Add the following to the list of Permitted Uses:

Greenhouses, wholesale.

D. Division 5, Section 16-5-1C: AG-1 Agricultural District; Special Uses

Add the following to the list of Special Uses:

- Banquet facility.
- Boarding house.
- Campground.
- Churches, temples, synagogues or other places of worship, provided towers and steeples associated with such uses shall not exceed seventy-five feet (75') in height, and the main building shall not exceed thirty-five feet (35') in height.
- Solar farm.

Amend the following existing listed Special Uses:

Greenhouses, ~~wholesale and retail.~~

~~Essential public service and public utility **Public or Private Utilities and Service** 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 **uses.** (ZBA 8/24/17)~~

Essential public service and public utility uses and structures. (ZBA 8/24/17)

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

E. Division 5, Section 16-5-7B: B-1 Business District; Permitted Uses

Amend the following existing listed Permitted Use:

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.

F. Division 5, Section 16-5-8C: B-2 Business Recreation District; Special Uses

Add the following to the list of Special Uses:

Firearm range, indoor.

G. Division 5, Section 16-5-10C: I-1 Industrial District; Special Uses

Add the following to the list of Special Uses:

Firearm range, indoor.
Solar farm.

Amend the following existing listed Special Use:

Shooting **Firearm** range (outdoor).

H. Division 6, Section 16-6-6D1: Accessory Buildings, Structures and Uses; Accessory building size limitations.

Amend the above section as follows:

No accessory building shall have more than one story; **however, usable space under a gable, hip or gambrel roof where the interior height from the floor to the underside of the roof does not equal or exceed 7 feet for more than forty percent (40%) of the floor space shall not be considered a second story.** The total cumulative area of all accessory buildings, the maximum sidewall height, and the maximum height (see Section 16-2-2 of this Chapter for definition of "Building, Height of") of an accessory building is based on the size of the parcel as indicated in the tables below, except as provided for in paragraph D4 of this Section. When calculating the cumulative area of all accessory buildings or total building height, fractions of 0.5 or less maybe disregarded and fractions in excess of 0.5 shall be rounded to the next whole number.

I. Division 6, Section 16-6-16A: Supplementary District Regulations; Home Occupations, Permitted Home Occupations

Add the following to the list of permitted home occupations:

Home share lodging establishment subject to the following:

- 1) The lodging room shall accommodate no more than two (2) persons per night;
- 2) No meals may be provided to guests of the establishment;
- 3) Manual fire extinguishing equipment shall be provided on each floor in accordance with *NFPA 10 - Standards for the Installation of Portable Fire Extinguishers*;
- 4) All combustibles or flammable liquids shall be stored in approved containers. No combustible storage shall occur in or under stairways;
- 5) All trash containers shall be metal;
- 6) No cooking facilities shall be permitted in guest rooms;
- 7) All hallways and stairways shall be adequately lighted;
- 8) No portable heating devices shall be permitted in guest rooms;
- 9) The owner of the home share lodging establishment shall submit a complete floor plan of the establishment to the local fire department or fire protection district;
- 10) Smoke detectors and carbon monoxide (CO) detectors shall be provided pursuant to the Illinois Smoke Detector Act and Illinois Carbon Monoxide Alarm Detector Act;
- 11) The owner of the home share lodging establishment shall provide proof of adequate liability insurance.
- 12) The Zoning Administrator or his designee shall conduct an inspection of the premises prior to issuance of a Zoning Certificate authorizing the Home Occupation to determine compliance with the above requirements.
- 13) The Zoning Certificate authorizing the Home Occupation shall be valid for a period of twenty-four (24) months, after which a new Zoning Certificate shall be secured in the same manner as the initial Zoning Certificate.

J. Division 6, Section 16-6-25: Supplementary District Regulations; Regulation of Telecommunications Facilities

Amend the above as follows:

~~Regulation of Telecommunications Facilities~~ **Regulation of Telecommunications Carrier Facilities and AM Broadcast Towers and Facilities:** *(See Appendix V)*
Telecommunications facilities and AM broadcast towers and facilities shall be subject to the requirements of 55 ILCS 5/5-12001.1 (Authority to regulate certain specified facilities of a telecommunications carrier and to regulate, pursuant to subsections (a) through (g), AM broadcast towers and facilities.).

K. Division 6, Section 16-6-27: Supplementary District Regulations; Open Storage of Unlicensed Motor Vehicles

Delete the above Section 16-6-27 in its entirety.

L. Division 8, Section 16-8-5: Sign Regulations; Prohibited Signs

Amend subsection J. as follows:

Signs which contain flashing lights which exceed more than ten percent (10%) of the area of the sign including electronic message centers; however, not including digital time and temperature signs involving only that information and no further or additional information of an advertising nature. Such time and temperature signs shall be constant or steady in nature, and shall not grow, melt, x-ray, up or down scroll, write-on travel, inverse, roll, twinkle, snow or present pictorials or other animation.

M. Division 8, Section 16-8-9: Sign Regulations; Commercial and Industrial Signage

Amend Subsection B.3 (Location and Height: Pole Signs) as follows:

Pole Signs: Such signs shall not exceed thirty feet (30') in height from the surrounding grade to the highest point on the sign, and shall be located no closer than two feet (2') to a street or road rights-of-way line, no closer than ten feet (10') to an interior property line. The bottom of the sign shall be at least eight feet (8') above surrounding grade.

N. Division 8, Section 16-8-10D: Other Signage; Off-Premises Directional/Informational Signs

Amend Section 16-8-10D.1 as follows:

Such signs shall not exceed 10 square feet in size per face, shall not be erected in a public right-of-way or easement, shall not be located within three hundred thirty feet (330') of any other "off-premises directional/informational" sign, and shall comply with the requirements of the site distance triangle.

O. Division 9, Section 16-9-15: Appendices; Appendix IV

Delete above Appendix IV in its entirety.