

Project #1: Creation of the Rural Residential District

A. § 158.010 - Zoning of Annexed Lands

~~Unless land is rezoned at the time of its annexation into the City, annexed land shall automatically attain the zoning district classification most similar to the district it is currently zoned under the County or prior jurisdiction zoning, unless the land is not lawfully zoned, in which case it shall attain Agricultural District zoning classification under this Code until the property is rezoned pursuant to the provisions of this Chapter.~~

All territory which may hereafter be annexed to the city shall automatically, upon annexation, be classified as RR Rural Residential District and subject to the requirements of the RR district, unless otherwise stipulated in a pre-annexation agreement, there is a more appropriate zone district that is comparable to the property's existing zoning in the county, or until the territory is rezoned. The owner of said property may petition for rezoning simultaneously with the petition for annexation, pursuant to §§ 158.240 through 158.282.

B. § 158.016 - Definitions

Accessory Building or Structure. A subordinate building or structure, the use of which is incidental to and customarily in conjunction with the main building or use and which is located on the same lot as the main building or use. *Accessory Structures* shall include sheds, detached garages, carports, decks, pools and covered patios. A structure housing an accessory use is considered an integral part of the principal structure when it is attached to the principal structure and must meet principal structure setbacks. ~~The following additional regulations apply only to *Accessory Buildings* (garages, sheds and the like) only in the SR (single family) Zoning Districts. These regulations do not apply to pools, decks or covered patios.~~

~~(1) The ground floor area of each accessory building shall not exceed 1,000 square feet (total floor area not to exceed 2,000 square feet). The footprint of the accessory building may not exceed the footprint of the principal building. Single family lots are permitted to have a 500 square foot garage regardless of the footprint of the principal building, but must comply with all other requirements.~~

~~(2) The height may not exceed the shortest ridgeline of the principal building, not to exceed 25 feet and two stories.~~

~~(3) The setback requirement between accessory buildings on the same lot shall be a minimum of ten linear feet.~~

~~(4) No accessory building exceeding 200 square feet may have metal exterior walls.~~

[Note to editor: The preceding information is not being removed necessarily, it is being relocated to § 158.039.]

Cluster/Conservation Development: A form of development that concentrates buildings or lots on a part of the site, reserving a significant amount of the land to be used for the permanent preservation of natural areas, agricultural land, and environmentally sensitive features.

(1) To the greatest degree practicable, natural areas shall connect to natural areas or potential natural areas, on neighboring properties.

(2) To the greatest degree practicable, natural areas shall be designated as a single block and not divided into unconnected small parcels located in various parts of the development.

(3) Stormwater and roadway designs may vary from code requirements as approved by the city engineer and city council.

Natural Area: A natural area is an area of land, not necessarily undisturbed, which either retains or has been substantially restored to its original natural or native character. Natural area shall not include parkways, landscape islands, detention areas, athletic fields, golf courses, turfed areas, or similar features.

Residential district: A zoning district designated by this Chapter as A, RR, SR-1, SR-1B, SR-2, SR-3, MR-1, MR-2, MH-1 and MH-2.

C. § 158.030 - Zoning Districts- General

(A) For the purpose of this chapter, the city is hereby divided into ~~(13)~~ (14) categories of zoning districts as follows:

Symbol	Designation
A	Agricultural District
<u>RR</u>	<u>Rural Residential District</u>
SR-1	Single-Family Residence Dwelling District
SR-1B	Single-Family Residence Dwelling District
SR-2	Single-Family Residence Dwelling District
SR-3	Single-Family Residence Dwelling District
MR-1	Two, Three, and Four-Family Residence Dwelling District
MR-2	Multi-Family Residence Dwelling District
MH-1	Single-Family Mobile Home Dwelling District
MH-2	Single-Family Modular Residence and Immobilized-Mobile Home Dwelling District
O-1	Office District
B-1	Community Business District
B-2	General Business District
I	Industrial District

~~(B) Whenever reference by letter designation is hereinafter made to any of the foregoing districts, such reference shall mean and include all of those districts whose symbols include such letter used in the reference (i.e., "R" Districts include the second through the fifth of the aforesaid districts of (a) above), unless otherwise indicated in the reference. Whenever reference by word designation is hereinafter made to any of the foregoing districts, such reference shall mean and include those districts whose names include such words used in the reference (i.e., "Residence" Districts means and includes the second through fifth of the aforesaid districts of (a) above), unless otherwise indicated in the reference.~~

D. § 158.036(D) - Schedule: Area and Bulk Regulations, Principal Structures

[Note to editor: Please insert Rural Residential information into table after "A" and before "SR-1"]

Zoning District: (Column A)	<u>RR</u>
Maximum Number of Dwellings Units: (Column B)	<u>1 per 1 Acre of lot area</u>
Lot Area in Square Feet or Acres: (Column C)	<u>1 Acre</u>
Lot Width at Building Line, in Linear Feet: (Column D)	<u>100 feet</u>
Mean Lot Depth, in Linear Feet: (Column E)	<u>150 feet</u>
Depth of Front Yard, in Linear Feet: (Column F)	<u>25 feet</u>
Depth of Side Yard Abutting a Street, in Linear Feet: (Column G)	<u>25 feet</u>
Depth of a Side Yard Abutting a Lot- Total for both: (Column H)	<u>20 feet</u>
Depth of a Side Yard Abutting a Lot- Minimum for Either: (Column H)	<u>10 feet</u>
Minimum Distance to Nearest Principal Structure on an Adjacent Lot: (Column I)	<u>20 feet</u>
Depth of Rear Yard in Linear Feet: (Column J)	<u>25 feet</u>
Maximum Lot Coverage in Percent: (Column K)	<u>25%</u>
Maximum Height of Principal Building in Linear Feet: (Column M)	<u>35 feet</u>

E. § 158.036(D) - Schedule: Area and Bulk Regulations, Principal Structures

B-1, Column H

No side yards are required except in the instances where the subject lot abuts an "RR," "SR," "MR," or "MH" district or where a side yard is voluntarily provided a side yard of at least 12 feet shall be required

B-2, Column H

No side yards are required except in the instances where the subject lot abuts an "RR," "SR," "MR," or "MH" district, a side yard of at least 25 feet shall be required or where a side yard is voluntarily provided, a side yard of at least 12 feet shall be required

F. § 158.036(D) - Schedule: Area and Bulk Regulations, Accessory Buildings or Structures

[Note to editor: Please insert Rural Residential information into table after "A" and before "SR-1"]

Zoning District: (Column A)	<u>RR</u>
Maximum Height in Linear Feet: (Column N)	<u>35 FT.</u>
Principal Building or Structure, in Linear Feet: (Column O)	<u>10 FT.</u>
Front Lot Line, in Linear Feet: (Column P)	<u>60 FT.</u>
Side Lot Line, Street Side, in Linear Feet: (Column Q)	<u>25 FT.</u>
Side Lot Line, Interior Side, in Linear Feet: (Column R)	<u>5 FT.</u>
Rear Lot Line, in Linear Feet: (Column S)	<u>5 FT.</u>

G. § 158.037 – Schedule: Permitted Uses; Accessory uses; Exceptions and Special Permits

[Note to editor: Please insert Rural Residential information after "A" and before "SR-1" and adjust numbering for the other zoning districts thereafter. Please add page break before/after district, similar to others.]

(2) "RR" RURAL RESIDENTIAL DISTRICT

(a) Permitted principal structures. Building structures of the following classes: Class 1, conventionally-built building structures; and Class 2, prefabricated building structures.

(b) Permitted Principal Uses

1. Agricultural uses, but not including stockyards, commercial livestock or poultry feeding nor agricultural processing plants. All outdoor areas used for animals shall be fenced, shall not be within 10 feet of the side or rear property lines, and shall not be within 25 feet of any public right of way. Animal types and counts shall be regulated as follows:

a. Horses, donkeys, emus, ostriches, llamas, alpacas – two (2) animals per acre, max three (3) animals; and

b. Sheep or goats – two animals per acre, max six (6) animals; and

c. Chickens – six (6) hens per acre, max twelve (12) hens, no roosters allowed. See Supplemental Regulations for Accessory Buildings in §158.039(D)

2. One-family dwellings of the following class, as regulated by §158.036(E): Class 1, Conventionally-built residence dwellings; and Class 2, Prefabricated residence dwellings;

3. Essential governmental and essential public utility services, subject to the applicable provisions of §§ 158.038(J), (K) and 158.039(P);

4. Public service uses, including filtration plants, pump stations, water reservoirs, sewage treatment plants, police and fire stations or other governmental uses, subject to the applicable provisions of §§ 158.038(J), (K) and 158.039(P);

5. Railroad right of way and trackage, but not including classification yards, terminal facilities, nor maintenance facilities;

6. Temporary produce stands for the sale of agricultural produce raised upon the premises, provided adequate off-street parking is available and congestion or hazards would not be created in conjunction with the location of access thereto;

7. Radio or television transmission towers, subject to the provisions of § 158.039(N) and all other applicable regulations.

(c) Permitted Accessory Uses

1. Any accessory use permitted and as regulated in the SR-1 District, unless specified as a permitted principal use in this district;
2. Accessory uses that are clearly supplementary and secondary to the principal use of the subject premises;
3. Boarding of horses or keeping of horses for rent or hire as part of an authorized Home Occupation.

(d) Planned Uses

1. Churches and other places of formal worship, subject to the provisions of § 158.038(D), but not including funeral chapels nor mortuary chapels;
2. Cluster/Conservation Development, as defined in §158.016;
3. Golf courses of regulation size "Par 3" golf courses, but not including commercially operated golf driving ranges nor miniature golf courses, provided that no clubhouse, parking lot, nor accessory building shall be located nearer than five hundred (500) feet to any dwelling or another zoning lot;
4. Fishing lakes or clubs, provided that no building, parking lot nor other intense use activity is located nearer than five hundred (500) feet to any dwelling or another zoning lot;
5. Libraries, museums, art galleries and similar public cultural facilities, subject to the provisions of § 158.038(J);
6. Private clubs, lodges, or camps, except those whose chief activities are a service customarily carried on as a business;
7. Public, private, or parochial schools or other uses offering courses of instruction in accordance with standards for compulsory education.

(e) Exceptions. Any exception permitted and as regulated in the SR-1 district.

(f) Supplementary Regulations. Any given permitted use is subject to the provisions of this subchapter and §§ 158.038 and/or 158.039, as applicable hereto.

H. § 158.038(J) – Supplementary Use and Bulk Regulations- Public Buildings

(J) In any district where municipally owned or other publicly owned buildings are permitted the following additional requirements shall be met:

(1) In any SR, MR or MH Dwelling District, ~~or in an A Agricultural District,~~ or RR Rural Residential District, all municipal or other publicly owned buildings shall be located at least twenty-five (25) feet from all property lines.

(2) In any SR, MR or MH Dwelling District, ~~in an A Agricultural,~~ RR Rural Residential District, or in any B Business District, there shall be no permanent storage of heavy construction or maintenance equipment (such as excavating, road building, or hauling equipment), unless in an enclosed building or enclosed within a solid wall or fence at least six (6) feet in height. Such storage areas, maintenance yards, or storage warehouse shall be located at least twenty-five (25) feet from any front and/or side property line.

I. § 158.038(K) – Supplementary Use and Bulk Regulations- Public Utility Stations; Exchanges; Essential Services

(K) Public utility stations; exchanges; essential services. Electrical substations, gas regulator stations or telephone exchange facilities in any SR, MR or MH Dwelling District, ~~or in an A Agricultural District,~~ or RR Rural Residential District, shall be subject to the following regulations:

[remainder of this section to remain unchanged]

J. § 158.038(V) – Supplementary Use and Bulk Regulations- Home Child Care

Home child care shall be a permitted accessory use to a residential dwelling and subject to all home occupation requirements within an A, RR, SR-1, SR-1B, SR-2, SR-3, MR-1, MR-2, MH-1, or MH-2 District, provided that for any home child care use for four or more children, the following site and use requirements shall be satisfied at all times:

[no further changes until 12(b) below]

(12)

(b) Where the facility does not fully qualify as a permitted accessory use but satisfies the general requirements for a Special Use Permit established by this Code and otherwise meets the purposes of this Section, and granting such permit is necessary to satisfy the public interest, then a home child care may be approved as an accessory use to a residential dwelling by Special Use Permit in any A, RR, SR-1, SR-1B, SR-2, SR-3, MR-1, MR-2, MH-1, or MH-2 District.

K. § 158.039(D) - Accessory Buildings

(D) Accessory buildings.

(1) No accessory building shall be used for residential purposes, except as otherwise provided in this chapter.

(2) . The following additional regulations apply only to accessory buildings (garages, sheds and the like) only in the SR (single-family) Zoning Districts. These regulations do not apply to pools, decks or covered patios.

(a) The ground floor area of each accessory building shall not exceed 1,000 square feet (total floor area not to exceed 2,000 square feet). The footprint of the accessory building may not exceed the footprint of the principal building. Single-family lots are permitted to have a 500-square foot garage regardless of the footprint of the principal building, but must comply with all other requirements.

(b) The height may not exceed the shortest ridgeline of the principal building, not to exceed 25 feet and two stories.

(c) The setback requirement between accessory buildings on the same lot shall be a minimum of ten linear feet.

(d) No accessory building exceeding 200 square feet may have metal exterior walls.

(3) The following additional regulations apply only to accessory buildings (garages, shed, etc) only in the RR Rural Residential zoning district. These regulations do not apply to pools, decks or covered patios.

(a) The ground floor area of each accessory building shall not exceed 2,500 sq. ft. (total floor area not to exceed 5,000 sq. ft.).

(b) The setback requirement between accessory buildings on the same lot shall be a minimum of 10 linear feet.

(c) Any accessory structure used for animals must be a minimum of 25 feet from any side or rear property line.

L. § 158.116 - Planned Use- When Required

B. Change In Use requiring Planned Use Approval. A Planned Use approval shall further be required for any new, expanded or changed use that includes any one or more of the following specific uses:

[Note to editor: Add to list]

32. Cluster/Conservation Development in the RR, SR-1, SR1-B, SR-2, and SR-3 residential zoning districts, as defined in § 158.016.

M. § 158.141 - Proximity of Vehicle Parking Spaces to Use

(B) In the event a parking variance is received the following shall in all cases apply:

(1) The parking must be provided on a property with the same zoning classification as the property that the spaces serve, or a less restrictive zoning classification.

(2) No required parking spaces may be located across any State or US highway from the use they are intended to serve.

(3) Off-property variances may be granted up to 200' feet away in RR, SR, MR, MH, or B-1, or B-2 districts or within 500 feet in Ag Agricultural or Industrial districts.

N. § 158.186 - Buffers, Where Required

A Landscape buffer shall be provided within any development pursuant to the applicable requirements in this table and the following situations: a buffer shall be required along a side or rear lot line that abuts a different zoning district, as identified in the table below.

Table: Situations Where Buffer is Required					
Zoning of Adjacent Development	Zoning of Proposed Development				
	I	B-1 & B-2	O-1	MH & MR	AG, RR, SR1, SR1B, SR2 & SR3
AG, RR, SR1, SR1B, SR2 & SR3	D	A or B	A or B	A or B	-
MH & MR	D	A or B	A or B	-	A or B
B-1 & B-2	C	-	-	A or B	A or B
O-1	C	-	-	A or B	A or B
I	-	C	C	D	D
Required Buffer Design (Letters in table correspond with the design standards below and in Figure 13.1)					
A. Structural Buffer - 6' fence or wall with landscaping B. Structural Buffer - Combination of berm, fencing and landscaping C. Natural Buffer - opaque natural screen or vegetation D. Natural Buffer with a fence					

O. § 90.07 CERTAIN ANIMALS RESTRICTED TO AGRICULTURAL AND RURAL RESIDENTIAL DISTRICTS.

It shall be unlawful to keep any cattle, horses, swine, sheep, goats, or more than six bee hives in the city, unless within a zoned Agricultural District or Rural Residential District, in accordance with § 158.037.

P. § 94.01 NUISANCES ENUMERATED

(M) To own or possess any swine, goats, horses, or chickens within the city, unless within a zoned Agricultural District or Rural Residential District, in accordance with § 158.037;

Project #2: Clarification of Required Screening

A. § 158.194 - Definitions

Buffer, Structural. A visual screen created through construction of a solid wooden or vinyl fence, decorative masonry wall, earthen berm, or combination of fence or wall with an earthen berm, which may be supplemented with vegetation, to present an opaque visual separation when viewed from one side to the other throughout the year.

B. § 158.037(11, 12, 13) - B-1, B-2, and I Permitted Accessory Uses

Storage of merchandise or inventory usually carried in stock, provided that all outdoor storage shall be completely concealed by a solid fence at least six (6) feet in height that meets the standards of § 158.056.

C. § 158.038(E) - GARAGES, REPAIR

In repair garages, all repair work, servicing, storage of parts and equipment and the dismantling of vehicles shall be done completely within an enclosed building, or shall be enclosed by a solid fence at least 6 feet in height that meets the standards of § 158.056.

D. § 158.038(G) - JUNK YARDS

(a) All storage of parts, equipment, and the dismantling of vehicles, shall be done within a completely enclosed building, or within an enclosure of a solid fence not less than 6 feet in height that meets the standards of § 158.056.

E. § Section 158.038(J) - PUBLIC BUILDINGS

(b) In any SR, MR or MH Dwelling District, in an A Agricultural, or in any B Business District, there shall be no permanent storage of heavy construction or maintenance equipment (such as excavating, road building, or hauling equipment), unless in an enclosed building or enclosed within a solid wall or fence at least six (6) feet in height that meets the standards of § 158.056. Such storage areas, maintenance yards, or storage warehouse shall be located at least twenty-five (25) feet from any front and/or side property line.

F. § 158.038(K) - PUBLIC UTILITY STATIONS; EXCHANGES; ESSENTIAL SERVICES

(f) If transformers are exposed, there shall be provided, an enclosing fence or wall, at least 6 feet in height, and landscaping adequate to shield view and noise of the same and to screen from the outside view the handling of materials on the premises.

G. § 158.038(W) - DRIVE-THROUGH REGULATIONS

(b) A solid screening fence or wall will be required, along with appropriate landscaping, to be placed between any property used for a drive-through facility and any adjoining residentially zoned property in order to screen passenger car headlight glare from adjacent residential property. The extent and height of such fence or wall is to be determined at the time of final development plan approval. Fence or wall must meet the standards of § 158.056.

Project #3: Home Daycare Regulations

A. § 158.016 - Definitions

Day Care Facility. Terms associated with day care facilities shall be defined as follows:

(1) *Day Care (home) or Child Care (home).* A family home occupied by the day care provider in which family-like care is given to no more than eight (8) ~~persons not related to the day care provider,~~ children under 12 years of age for any part of the twenty-four (24) hour day, without overnight stays.

[Note to editor: remainder of definition unchanged]

B. § 158.038(V) - Home Child Care

(V) Home child care. Home child care shall be a permitted accessory use to a residential dwelling and subject to all home occupation requirements within an SR-1, SR-1B, SR-2, SR-3, MR-1, MR-2, MH-1, or MH-2 District, provided that for any home child care use for four or more children, the following site and use requirements shall be satisfied at all times:

- (1) Any residence, which is renter-occupied, shall provide written permission from the property owner approving the use of the residence for home health care.
- (2) Proof of licensure from the State of Illinois Department of Children & Family Services for the specified address.
- (3) Construction of a permanent, four foot (4') fence around all designated outdoor play areas located on the subject property. All play equipment shall be kept in good repair.
- (4) ~~Minimum of two (2) off-street parking spaces located onsite per facility.~~ Adequate street access, turn-around capacity, and safe and efficient ingress and egress design so as to not interfere with neighboring properties or area traffic.
- (5) Inspection by City staff when approved for use by state license to ensure adherence to current building codes and fire codes prior to issuance of permit.
- (6) Number of children is limited to eight (8), including the caregiver's own natural, adopted, or foster children, related children, and unrelated children under age 12 living in the home. This does not include facilities which receive only children from a single household.
- (7) Hours of operation shall not exceed amounts permitted by the state license, however children received by a home child care facility must be for less than 24 hours per day.
- (8) When a home child care is in violation of certain covenants and restrictions adopted through a Homeowner's Association, Board of Trustees, or other subdivision governing body, the City does not enforce or take into account private covenants when granting home child care permits.

(9) Employees are limited to only inhabitants of the residence in accordance with Section 158.038(B) Home Occupation provisions of this ordinance.

(10) The use and site fully complies with all applicable federal, state and local laws.

(11) An approved site plan reflecting compliance with all applicable site requirements.

(12) (a) ~~No Site plan shall be approved until the applicant has provided written notice of the application to adjoining property owners within 100 feet of the site. Proof of such written notice and the date such notice was provided to adjoining property owners shall be provided to the City prior to approval.~~ The zoning authorization and site plan approval may be revoked by the Director if any of the requirements herein are at any time not satisfied during Home child care use.

[Note to editor: Remainder of section to be unchanged)

Project #4: Pool Setbacks

A. § 158.038(C) - SWIMMING POOLS

No public or private swimming pool in any district shall be located in any required front yard; however, if not more than six feet in height, such use may be located in any required side or rear yard, but not closer than 10 feet to a side lot line adjacent to a street, and subject to the provisions of § 158.038(A). Pools need not meet the minimum separation from the primary structure of 10 feet as shown in § 158.036(D). Any applicable swimming pool building code requirements must be met.