

ZONING ORDINANCE OF PUTNAM COUNTY



ADOPTED: May 9, 2016

Section 14.11 revision adopted 2/13/2018

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Putnam County Board

Duane Calbow, Chairman
Steven Malavolti, Vice Chairman
Luke Holly, Board Member
Sheil Haage, Board Member
William Holmes, Board Member

Putnam County State's Attorney

Christina Judd Mennie

Zoning Board of Appeals

William Entwistle Jr., Chairman
Matthew Holmbeck
Kenneth Hakenjos
William Kuhne
Doug Ossola

Putnam County Zoning Enforcement Officer

Jim Burger

Prepared by:

North Central Illinois Council of Governments

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Article I. PURPOSE, TITLE, AND DEFINITIONS

AN ORDINANCE ESTABLISHING COMPREHENSIVE ZONING REGULATIONS FOR THE COUNTY OF PUTNAM, STATE OF ILLINOIS, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, IN ACCORDANCE WITH PROVISIONS OF CHAPTER 34, SECTIONS 3151-3162, ILLINOIS REVISED STATUTES, 1967, AND FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH.

Section 1.01 Purpose

For the purpose of promoting the public health, safety, morals, comfort and general welfare, conserving the values of property throughout the county and lessening or avoiding congestion in the public streets and highways and lessening or avoiding the hazards to persons and damage to property resulting from the accumulation or run-off of storm or flood waters, and pursuant to “An Act in Relation to County Zoning” passed by the General Assembly of the State of Illinois and approved June 28, 1935, and as amended.

IT IS HEREBY ORDAINED BY THE COUNTY BOARD OF THE COUNTY OF PUTNAM, ILLINOIS:

Section 1.02 Short Title

This ordinance shall be known and may be cited and referred to as the “Zoning Ordinance of Putnam County.”

Section 1.03 Definitions

For the purpose of this ordinance certain terms or words used herein shall be interpreted as follows:

All words used in the present tense include the future tense. All words in the singular include plural and all words in the plural include the singular. The word, “shall,” is mandatory and not directory. The word, “used,” shall be deemed to include “designed, intended, or arranged to be used.”

Accessory Housing Unit: A secondary dwelling unit on the same zoning lot or within a single-family home. The unit includes its own independent living facilities with provisions for sleeping and sanitation, designed for residential occupancy semi-independent of the primary dwelling unit. The unit may have a separate exterior entrance or an entrance to an internal common area accessible to the outside.

Accessory Use or Structure: A use or structure customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building.

Adult Uses:

- A. *Adult Bookstore:*** An establishment having, as a substantial or significant portion of its stock-in trade, books, magazines and other periodicals which are distinguished or relating to specified sexual activities or specified anatomical areas, as defined below; or an establishment with a segment or section devoted to the sale or display of such material.
- B. *Adult Entertainment Establishment:*** Any place or establishment which features dancers, go-go dancers, exotic dancers, male or female impersonators or similar entertainers or any live entertainment which excludes minors or from which minors are prohibited by stature or ordinance, and whether or not any such business is licensed to sell alcoholic beverages; or any place or establishment which features specified anatomical areas or specified sexual activities, as defined below.
- C. *Adult Motion Picture Theatre:*** An enclosed building used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, as defined below, for observation by persons therein.
- D. *Specified Sexual Activities:*** Human genitals in a state of sexual stimulation or arousal, acts of human masturbation, sexual intercourse or sodomy, fondling or other erotic touching of human genitals, public region, buttocks or female breasts.
- E. *Specified Anatomical Areas:*** Less than complete and opaquely covered human genitals, pubic region, buttocks and female breast below a point immediately above the areola, and human male genitals in a discernibly turgid state even if completely and opaquely covered.

Agricultural Use: Agricultural uses shall include the growing and harvesting of crops including grass, legume, hay, grain, fruit and truck or vegetable crops, floriculture, horticulture, growing of mushrooms, nursery and forest planting stock, forestry, orcharding, pasturage, floriculture, horticulture, aquaculture and the operation of greenhouses; animal and poultry husbandry; fur, game, fish and wildlife farm operation; farm buildings used for growing, harvesting and preparing crop products for market, roadside stands and signs pertaining to the sale or use of the premises or products produced thereon; and farm buildings incidental to the aforementioned agricultural uses.

Alley: Any public or private way dedicated to public travel and less than thirty-one (31) feet in width.

Amendment, Map: An amendment to the map of a zoning ordinance, which affects an individual parcel or parcels of land.

Amendment, Text: An amendment to the text of a zoning ordinance, which affects the whole county.

Bed and Breakfast: A house, or portion thereof, where short-term lodging rooms and meals are provided. The operator of the inn shall live on the premises or in adjacent premises.

Building: Any structure constructed or used for residence, business, industry, or other public or private purposes, or accessory thereto.

Building Setback Line: The distance required from the property lines that no building or structures may be erected in relation to streets, alley, right of way, or adjacent properties.

Camping Cabin: Small cabins located within a campground that are intended for temporary shelter, and includes sleeping quarters, in some cases a bathroom, but no kitchens.

Commercial Campground and Recreational Vehicle Park: the area or place (as a field or grove) used for a camp, for camping, or for a camp meeting, and is conducted as a commercial business, or associated with private groups, clubs or churches.

Commercial Resort: A facility furnishing lodging, meals, and such recreational facilities as swimming, boating, shuffleboard, horseback riding, and golf. The recreational facilities shall be incidental to the furnishings of lodging and meals.

Deck: An exterior floor system supported on at least two opposing sides by an adjoining structure and/or posts, piers, or other independent supports.

Dwelling: A permanent building used primarily for human habitation but not including mobile homes or facilities for the housing of transient residents.

Dwelling, Single Family: A permanent building, separate and free standing, in itself providing living accommodations for one family.

Dwelling, Two Family: A permanent building designed exclusively for occupancy by two (2) families.

Dwelling, Multiple Family: A permanent building or portion there-of providing separate living accommodations for three or more families.

Family: A group of one (1) or more persons occupying a premises and living as a single housekeeping unit, whether or not related to each other by birth, adoption or marriage, but no unrelated group shall consists of more than five (5) persons, as distinguished from a group occupying a boarding or lodging house or hotel.

Flea Market: A market, typically outdoors, selling secondhand goods.

Frontage: All the property on one side of a street between two intersecting streets (crossing or terminating) measured along the line of the street, or if the street is dead ended, then all the property abutting on one (1) side between an intersecting street and the dead end of the street.

Garage, Parking: An accessory building housing not more than four (4) motor driven vehicles. The building owner may lease vehicle space but he/she shall not provide repairing or servicing of motor vehicles for financial gain.

Garage, Public: Any building or premises, except those used as a private or storage garage, used for equipping, repairing, hiring, selling or storing motor driven vehicles.

Garbage: Any odorous, putrescible or combustible waste materials.

Garbage Disposal: Collected or community garbage disposal by covered burial or incineration within a fully enclosed building.

Garbage Farming: The feeding or storage of community or collected garbage and similar food wastes. **Not permitted.**

Group or Row House: A group or row of not more than eight (8) semi-detached single-family dwellings not more than two (2) rooms deep with access to street.

Height, Building: The vertical distance from the grade to the top of the highest roof beams of a flat roof, or to the mean level of the highest gable or slope of a hip roof. When a building faces on more than one street, the height shall be measured from the average of the grades at the center of each street front.

Home Occupation: Any use conducted entirely within a dwelling by the occupant of the dwelling and as a secondary use which is clearly incidental to the use of the dwelling for residential purposes. Such a use shall employ not more than one (1) person outside the family resident in dwelling. No offensive noise, vibration, smoke, dust, odors, heat or glare shall be produced.

Hotel: An establishment which is open to transient guests, and which provides customary hotel/motel services such as maid services, furnishing and laundering of linen, desk service, and the use and upkeep of furniture.

Institution: A building occupied by a non-profit corporation or a non-profit establishment for public or private use.

Salvage Operation/Yard: shall mean an open area of land and any accessory building or structure thereon which is used for storing, buying, selling, exchanging, storing, baling, packing, disassembling, or handling waste or scrap materials; including vehicles, machinery, and equipment not in operable condition or parts thereof, and other metals, paper, plastics, rags, rubber tires, and bottles (not garbage). Two (2) or more inoperable or unlicensed motor vehicles stored on a zoning lot shall be considered a salvage operation/yard.

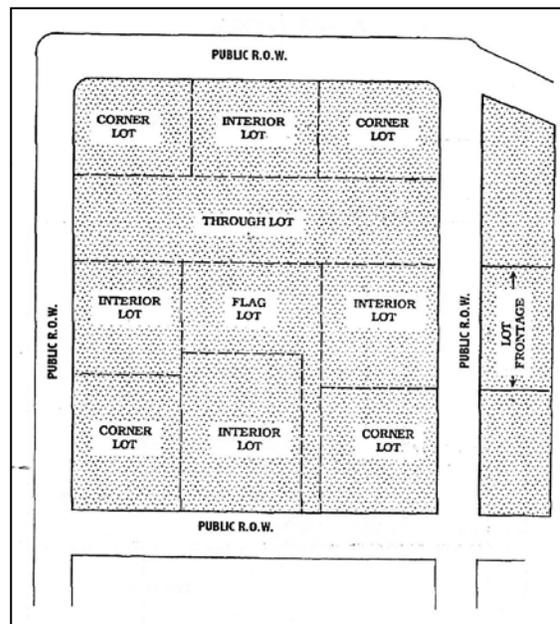
Kennel: Any place where house pets are kept for purposes other than those customary and incidental to a household.

Landfill: A disposal site employing an engineering method of disposing of solid wastes in a manner that minimizes environmental hazards by spreading, compacting to the smallest volume, and applying cover material over all exposed waste at the end of each operating day.

Living Area: Square foot of floor area based on ceiling height of not less than seven (7) feet in height and excludes attached porches, garages, carports and breeze ways. Regulation height shall be measured from the finished floor to the lowest projection from the ceiling.

Lot of Record: A lot which is a part of a subdivision, the plat of which has been recorded in the office of the Recorder of Deeds of Putnam County, Illinois, or a parcel of land described by metes and bounds, the deed or description of which was recorded in the office of the Recorder of Deeds prior to the adoption of this ordinance.

Lot Types: See diagram below:



Lot, Reversed Corner: A corner lot, the rear of which abuts upon the side of another lot, whether across an alley or not.

Lot, Zoning: A plot of ground made of a parcel, or two (2) or more adjacent parcels, which is or may be occupied by a use or buildings. All parcels in a zoning lot shall be under the same ownership.

Manufactured/Mobile Home: A structure, transportable in one or more sections, which in the

traveling mode, is eight (8) body feet or more in width or forty (40) body feet in length, or when erected on site has a floor area of not less than four hundred (400) square feet and which is built on a permanent steel chassis and designed to be used as a dwelling without a permanent foundation, and includes the plumbing, heating, air-conditioning and electrical systems, and meets the requirements of the U.S. Department of Housing and Urban Development Manufactured Home Construction and Safety Standards (HUD-Code). Placing the manufactured/mobile home on a permanent foundation shall not change its being a manufactured/mobile home for the purposes of this ordinance.

Manufactured/Mobile Home Park, Trailer Park, Trailer Court: An area of land used for the parking of two(2) or more mobile homes.

Manufactured/Mobile Home Site: The area of land in a mobile home park for the parking of one mobile home.

Modular Homes: A structure, transportable in one or more sections on a carrier (trailer) which is not part of the structure, which in the travel mode is eight (8) body feet in width or forty (40) body feet or more in length or when erected on site has a floor area of not less than four hundred (400) square feet and designed to be used as a dwelling with a permanent foundation and connected to the required utilities and include plumbing, heating, air-conditioning, and electrical systems and meets the requirements of the International One and Two Family Dwelling Code (formerly BOCA). A modular home is considered a single family dwelling for the purposes of this ordinance.

Motel or Tourist Home: Inn or group of cabins or rooms designed for occupancy by paying guests which provides customary motel services such as maid services, furnishing and laundering of linen, desk service, and the use and upkeep of furniture.

Payday Advance Business: A facility that is not a bank or currency exchange, rather a business that offers check cashing services or payday loans to customers.

Nursing Home /Assisted Living: A home for the aged, chronically ill or incurable person in which three (3) or more persons not of the immediate family are received, kept, or provided with food and shelter and care for compensation, but not including hospitals, clinics, or similar institutions devoted primarily to the diagnosis, treatment, or care of the sick or injured.

Non-Conforming Use: A use of building or land lawful at the time of enactment of this ordinance that does not conform with the “permitted use” provisions of this ordinance.

Parking Space: An all-weather surfaced area (paved with bituminous, concrete, crushed stone, gravel, or slag) enclosed in the main building, in an accessory building, or unenclosed, sufficient in size to store one standard automobile, and if the space is enclosed, comprising an area of not less than one hundred and forty (140) square feet; if unenclosed, twenty (20) feet by ten (10) feet; with an all-weather surface permitting satisfactory ingress and egress of an automobile.

Recreational Vehicle A vehicle or trailer designed to provide temporary living quarters for recreational, camping or travel use, and is of a size or weight that does not require an over-dimension

permit when driven or towed on the highway.

Vehicle Fueling Station: Any building or premises used for the dispensing, sale, or offering for sale at retail, of any motor fuel or oils or electric charging current.

Repair, Vehicle/Large Machinery: Any building, premises, or zoning lot in which or upon which a business, service or industry involving the maintenance, servicing, repair or painting of vehicles is conducted or rendered.

Right-of-Way: An area of land not on a lot that is dedicated for public or private use to accommodate a transportation system and necessary public utility infrastructure (including, but not limited to, water lines, sewer lines, power lines, and gas lines). In no case shall the right-of-way be construed to mean an easement.

Setback: The minimum horizontal distance between a building and any lot line as may be required by this ordinance.

Sign: Any name, identification, description, illustration or device illuminated or non-illuminated which is visible from any public place or is located on private property and exposed to the public and which directs attention to a product, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise or any emblem, painting, banner, pennant or placard designed to advertise, identify or convey information, with the exception of window displays and national flags. For the purpose of removal, signs shall also include all sign structures.

Sign Area:

- A. The area of a freestanding sign or structure not utilizing an integral part of the building for its background means the largest cross-sectional area of the sign measured to a line encompassing all portions of the sign structure, including tubing used in lighting such sign or structure, but excluding posts without attached lighting. Further, the base on which a monument type sign is set may be excluded; provided, there is no attached lighting;
- B. The area of a double faced sign (i.e., a sign painted on two (2) sides), or signs which are erected in a "V" configuration with an angle between the two (2) faces not exceeding thirty degrees (30°), shall be the largest area on one (1) side of the sign. Further, these types of signs shall be considered one (1) sign for the purpose of determining the number of signs allowed;
- C. The area of any sign or structure utilizing an integral part of the building or awning as a background means the area within the shortest line drawn to include all letters, design and tubing which are a part of the sign or structure; provided, that for illuminated awnings the area shall be limited to the area within the shortest line drawn to include all copy and graphics, excluding illuminated area outside of these

lines.

Sign, Attached: A sign erected or placed upon the wall of any building with the plane of the face parallel to the plane of the wall below the roofline.

Sign, Commercial Directory: A sign designating the name of a commercial center and listing the various tenants of the center.

Sign, Construction: A temporary sign used during the construction of new buildings or reconstruction of or additions to existing buildings, such as those identifying the project and denoting the owner, architect, engineer, contractor, and/or financing institutions of the project.

Sign, Directional: A sign which indicates a direction for vehicular or pedestrian traffic or other movement.

Sign, Flashing: Any sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of animation, or an externally mounted intermittent light source. Automatic changing signs such as public service time, temperature and date signs or electronically controlled message centers are not defined as "flashing signs".

Sign, Freestanding: A sign not attached to or forming a part of a building.

Sign, Ground: Any detached sign on the same lot or parcel as the use it advertises which has its bottom portion erected upon or supported by the ground, a ground planter box, or other supports.

Sign, Hanging: Any sign hanging entirely beneath a canopy, portico, or marquee.

Sign, Illuminated: Any sign which is illuminated by light source mounted on or in the sign or at some other location.

Sign, Industrial Park: A sign which is designed to identify an industrial complex with multiple industries.

Sign, Non-Conforming: A sign legally erected prior to the adoption date hereof, but which does not conform to the provisions of this code.

Sign, Nameplate and Identification: An attached wall sign identifying the name of a person occupying a building and mounted adjacent to the main entrance of the building.

Sign, Off-Premises: A sign that advertises products, services or facilities or directs persons to a premise different from where the sign is installed.

Sign, Pole: Any detached sign located on the same lot or parcel as the use it advertises which is supported by one (1) or more stationary poles no taller than thirty (30) feet above the mean grade line of the ground at its base provided that this shall not include a permitted ground sign as set forth.

Sign, Political: A temporary sign advocating or opposing any political proposition or candidate for public office.

Sign, Portable: Signs not permanently affixed to the ground or to a building.

Sign, Projecting: A sign, other than an attached sign, that is attached to or projects more than one and one-half (1.5) feet from a building face or wall or from a structure whose primary purpose is other than the support of a sign.

Sign, Property Real Estate: A sign pertaining only to the prospective rental, lease, or sale of the property upon which it is located. Real estate signs shall be excluded from the definition of pole signs.

Sign, Residential Construction Project: Any temporary sign that provides direction to any residential development under construction, or promotes the residential development on the project site.

Sign, Roof: Any sign erected on a roof but excluding marquee and canopy signs and wall signs. The generally vertical plane of a mansard type roof shall be interpreted as the same as a wall of a building.

Sign Structure: The sign and all parts associated with its construction.

Sign, Subdivision Identification: A permanent ground sign identifying a subdivision entry, subdivision name, and/or street names within the subdivision.

Sign Supports: All structures by which a sign is held up, including, for example, poles, braces, guys, and anchors.

Sign, Temporary: Any sign intended for a limited or intermittent period of display.

Sign, Window: A temporary sign affixed to the inside of an exterior window or glass door.

Solar Energy System: A system for which the primary purpose is to convert solar energy into thermal, mechanical or electrical energy for storage or use.

Solar Energy System, Building-Integrated: A solar energy system that is an integral part of a principal or accessory building, rather than a separate mechanical device, replacing or substituting for an architectural or structural part of the building. Building-integrated systems include, but are not limited to, photovoltaic or hot water systems that are contained within roofing materials, windows, skylights, shading devices and similar architectural components.

Solar Energy System, Building-Mounted: A solar energy system that is mounted on the façade or roof of either a principal or accessory structure.

Solar Energy System, Flush-Mounted: A solar energy system that is mounted flush with a finished surface, at no more than six (6) inches in height above that surface.

Solar Energy System, Ground-Mounted: A solar energy system not attached to another structure and is ground mounted.

Solar Panel: A group of photovoltaic cells are assembled on a panel. Panels are assembled on-site into solar arrays.

Solar Energy System, Utility: A solar energy system that is used in order to produce energy for commercial distribution.

Stockyards, Feed Lots, and Concentrated Animal Feeding Operations: Confinement feeding is characterized in two (2) ways:

1. Maintaining animals on a solid material (wood, concrete, blacktop, etc) making manure disposal possible.
2. Maintaining animals in a commercial feed lot where 80% of the feed is purchased.

Street: All property dedicated or intended for public or private street, highway, expressway, freeway, road, or thoroughfare purposes, or subject to public easements thereof.

Use: The purpose or activity for which a building, structure, or land is occupied or maintained.

WEC(S), Commercial: Wind Energy Conversion facilities (WEC), including the turbine (rating of over one hundred kilowatt (100 kw), tower, conversion electronics, control electronics, guy wires, cables and all other related devices and equipment that together convert wind energy into electricity and deliver that electricity to be sold to wholesale or retail markets, and private owners of WECS(s) over one hundred kilowatt (100 kw) who locate the WECS(s) on their own property for their own personal use.

WEC(S), Private: Wind Energy Conversion facilities (WEC), including the turbine (rating of under one hundred kilowatt (100 kw)), tower, conversion electronics, control electronics, guy wires, cables and all other related devices and equipment that together convert wind energy into electricity and deliver that electricity to the structure. If the private WECS is designed to allow excess electricity to be routed to a power company then equipment necessary for such routing is also part of the private WECS.

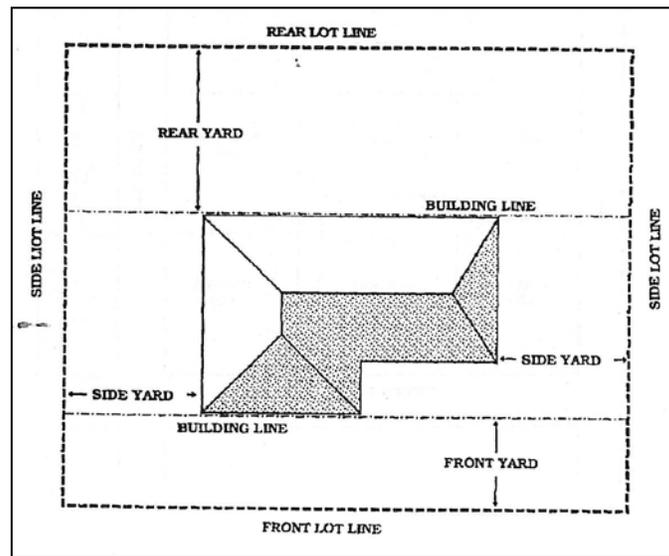
WEC(S) Tower: means the support structure to which the generator and rotor are attached.

WEC(S) Tower Hub Height: means the distance from the center of the rotor hub to the top surface of the WECS tower foundation.

WEC(S) Tower Tip Height: means the distance from the rotor blade at its highest point to the top surface of the WECS tower foundation.

Worship, Place of: Any building used for non-profit purposes by and established religious organization holding either tax exempt status under 501 (C) (3) of the Internal Revenue Code or under the state property tax law, where such building is primarily intended to be used as a place of worship.

Yard: An open space on the same lot with a principal building, open, unoccupied, and unobstructed by buildings except as otherwise provided in this ordinance. See yard types below.



Yard, Front: The yard extending across the entire width of the lot between the principal building and the right-of-way line or street line which the building faces.

Yard, Rear: The yard extending across the entire width of the lot between the rear lot line and the nearest part of the principal building.

Yard, Side: The yard extending along the side lot line from the front yard to the rear yard and lying between the side lot line and the nearest part of the principal building.

Article II. ZONING DISTRICTS, MAPS, AND BOUNDARIES

Section 2.01 Establishment of Districts:

For the purpose of this ordinance, all land lying outside the incorporated areas in Putnam County is hereby designated on the Zoning maps as being in one of the following districts:

- AG - 1** District - Agricultural
- CO - 1** District - Conservation
- R - 1** District - Country Homes
- R - 2** District - One and Two-Family Residential
- R - 3** District - Multiple-Family Residential
- C - 1** District - Community Commercial
- C - 2** District - Highway Commercial
- I - 1** District - Light Industrial
- I - 2** District - Heavy Industrial

Section 2.02 Boundaries of Districts:

The boundaries of said districts are hereby established as shown upon the Zoning Maps of Putnam County, Illinois, which maps accompany and are hereby made a part of this ordinance. The Zoning Maps of Putnam County, Illinois and all notations, references and other matters shown thereon; shall be as much a part of this ordinance as if they were fully described herein.

- A.** The said Zoning Maps shall be on file and available for public reference in the office of the Zoning Enforcement Officer, complete with amendments which are adopted as provided here.
- B.** Any land the classification of which is not shown thereon, and land hereafter disconnected from a city, village or incorporated town shall be classified as AG-1 Agricultural District until otherwise classified by the map amendment process.
- C.** No building shall be erected or altered, nor shall any building or premises be used for any purpose other than a use permitted in the district in which such building or premises is located.
- D.** No lot which is now or may hereafter be built upon as herein required may be so reduced in area that the yards and open spaces will be smaller than prescribed by the ordinance; and no yard, court or open space provided about any building for the purpose of complying with the provisions thereof shall again be used as a yard, court, or other open space for any other building.
- E.** If uncertainty arises with respect to the boundaries of the various Districts as shown

on the Zoning Maps, the Zoning Enforcement Officer shall determine the boundaries in accordance with the following rules:

1. District boundaries, unless otherwise indicated, are the center lines of streets, highways, roads, alleys, railroads, or easement; or the boundary lines of sections, quarter sections, or an even division thereof; tracts or lots, or such lines extended.
2. Where a district boundary line divides a lot in single ownership, the regulations of either district may apply to the entire lot, but not more than twenty five (25) feet beyond the boundary line.
3. In areas not subdivided into lots and blocks, the district boundary lines on the Zoning Maps shall be determined by scale to the nearest fifty (50) feet.

Article III. GENERAL PROVISIONS

Section 3.01 Application of Regulations:

Except as provided by this ordinance and except after obtaining written permission from the Zoning Enforcement Officer, it shall be unlawful outside the limits of the cities, villages and incorporated towns in Putnam County:

- A. To establish any use of a building, structure or land, either by itself or in addition to another use.
- B. To expand, change or re-establish any non-conforming use.
- C. To erect a new building or structure or part thereof.
- D. To rebuild, structurally alter, add to, or relocate any building or structure or part thereof.
- E. To reduce the open space or plot area required for a building or structure, or to include any part of such open space or plot area as that required for any adjoining building or structure.
- F. To provide or connect onto water supply or sewage disposal facilities.

Section 3.02 Continuance of Non-Conforming Uses:

Any lawful use of land, building, or structure existing at the time of adoption of this ordinance, or subsequent amendment of this ordinance, may be continued with the following limitations:

- A. ***Non-Conforming Use Not To Expand:*** Any building or structure containing a non-conforming use may not be expanded nor substantially remodeled. Not to include regular maintenance upkeep.
- B. ***Non-Conforming Use Not To Rebuild:*** Any building or structure containing a non-conforming use, which has been damaged to the extent of fifty percent (50%) of the current fair market value of the structure, as estimated immediately prior to damage, except for advertising signs or billboards; shall not be repaired or reconstructed except in conformity with this ordinance.
- C. ***Discontinued Non-Conforming Use Not To Re-establish After One (1) Year:*** No non-conforming use shall be reestablished after having been discontinued for twelve (12) consecutive months. Vacating of premises or building or non-operative status shall be evidence of a discontinued use.
- D. ***Non-Conforming Uses Not To Be Substituted:*** A non-conforming use may not be substituted for any other non-conforming use.

Section 3.03 Accessory Structures and Uses:

A. General Accessory Structure and Use Regulations

1. Where an accessory structure is structurally attached to a main building in a substantial manner, as by a roof, it shall be subject to and must conform to all regulations of this ordinance applicable to the main building.
2. An accessory structure or use shall not be erected prior to the establishment or construction of the main building to which it is accessory. Exception: an accessory structure for which a building permit is issued in conjunction with the permit to build the principal structure may be constructed prior to the principal structure.
3. Accessory structures and uses shall be maintained under the same ownership and on the same zoning lot as the principal use or structure.
4. Accessory structures and uses incidental to the permitted uses including garages shall not be larger (in area and height) than the principal structure.
5. Accessory structures shall not be used for dwelling purposes unless otherwise permitted herein.
6. The area of the accessory structure shall be included in lot coverage calculations.
7. Building permits are required for most accessory structures.
8. Structures and uses accessory to a special uses shall be applied for and approved under the same procedure as the special use.
9. All accessory uses and structures, excluding fences, in the C-1 and C-2 district shall be approved only under a special use.

B. Accessory Structure and Use Bulk Regulations

1. Accessory structures shall be a minimum of five (5) feet from the side or rear property lines (roof overhangs shall not be excluded from the measurement).
2. No accessory structures shall be located in the front yard.
3. Accessory structures shall be located at least ten (10) feet away from the principal structure (roof overhangs shall not be excluded from the measurement).

C. Fences and Walls

1. Residence Districts

- a) **Front Yards:** An open fence or open wall along any lot line forming a part of the front yard may be erected to a height not to exceed four (4) feet above grade. A fence or wall shall be considered open if it does not reduce visibility through the fence when viewed at right angles to any surface thereof, by more than fifty percent (50%).
- b) **Side/Rear Yards:** An open or solid fence or wall may be erected to a height not to exceed six (6) feet above grade. Where a side or rear lot line abuts a Business or Industrial District, fences may be erected to a height not to exceed eight (8) feet above grade.

2. Commercial Districts

- a) **Front Yards:** No fence or wall shall be permitted in any required front yard.
- b) **Side/Rear Yards:** An open or solid fence or wall may be erected to a height not to exceed eight (8) feet above grade.

3. Industrial Districts

- a) **Front Yards:** An open fence or open wall along any lot line forming a part of the front yard may be erected to a height not to exceed six (6) feet above grade. A fence or wall shall be considered open if it does not reduce visibility through the fence when viewed at right angles to any surface thereof, by more than fifty percent (50%).
- b) **Side/Rear Yards:** An open or solid fence or wall may be erected to a height not to exceed eight (8) feet above grade.

D. Outdoor Swimming Pools

- 1. No portion of a swimming pool or its equipment, including but not limited to a deck, patio, pump, filter or walkway; shall be located less than five (5) feet from property line.
- 2. Pool, Hot Tub, Portable Spa barrier requirements;
 - a) All pools, hot tubs, and portable spas over two (2) feet in depth shall require a minimum barrier of forty eight (48) inches above grade,

measured on the side of the barrier which faces away from the swimming pool.

- b) Solid barriers shall not have indentions or protrusions on the barrier other than normal construction tolerances and masonry joints.
- c) Fences made up of horizontal or vertical members with the distance between the tops of the horizontal members measuring less than 45 inches, the horizontal members shall be on the swimming pool side of the fence. The spacing of the vertical members shall not exceed one and three-fourths (1-3/4) inches.
- d) Fences made up of horizontal or vertical members with the distance between the tops of the horizontal members measuring more than 45 inches, the horizontal members shall face away from the pool. The spacing of the vertical members shall not exceed four (4) inches.
- e) Chain link fences shall have a mesh size not exceeding one and one-fourth (1-1/4) inches square.
- f) The pool barrier shall have a maximum clearance of four (4) inches from the bottom of the fence to grade level.
- g) The pool barrier shall be equipped with a self-closing and self-latching gate. When the latch is located less than fifty four (54) inches from the bottom of the gate, it shall be located at least three (3) inches below the top of the gate on the side facing the pool. There shall be no opening greater than a half (1/2) inch within eighteen (18) inches of the latch release mechanism.
- h) The pool structure of above ground pools may serve as a barrier if the pool rim is at least forty eight (48) inches above the surrounding grade. If it is below forty eight (48) inches a barrier can be attached to the rim of the pool to meet this requirement.
- i) A gate is not required if the above ground pool meets the barrier requirement and the ladder is removed at all times the pool is not in use.
- j) Portable spas are exempt from the barrier requirement if the spa is equipped with a safety cover that complies with ASTM F1346-91.
- k) A temporary pool is an above ground pool that is taken down at the end of each swimming season and put up again at the beginning of the swimming season. Any temporary pool must have the entrance ladder removed when not in use.

E. Gazebo

1. If attached to the principal structure, either directly or via a deck, the gazebo shall conform to the setback requirements regulating the principal structure.
2. Setbacks for freestanding gazebos shall conform to those regulating accessory structures.
3. The maximum height of a gazebo shall be fourteen (14) feet.

F. Sheds

1. The maximum size of a shed shall be one hundred and forty four (144) square feet (12'x12').
2. Only one shed per lot shall be permitted.
3. The maximum height of a shed shall be fourteen (14) feet.
4. Sheds located in side yards shall meet the principal structure setbacks.
5. Movable, plastic storage containers, less than one hundred twenty (120) square feet, shall be located in rear yards and do not require a building permit to install.

G. Building Mounted Solar Energy Systems

1. Building mounted solar energy systems are allowed on permitted principal and accessory structures.
2. Only building-integrated and/or flush-mounted solar energy systems shall be used when installed on the front building elevation.
3. Solar energy systems shall not extend five (5) feet beyond the exterior perimeter of the building or roof on which the system is mounted or built, as measured horizontally from the façade or vertically from the roof on which the panel is mounted.
4. In all zoning districts, the systems shall comply with the respective setback and height regulations.

H. *Ground Mounted Solar Energy Systems*

1. In residential zoning districts, systems shall not be located in any front yard or in the side yard abutting a street of a corner lot.
2. The total solar panel surface area shall be included in the lot coverage calculations for the respective zoning district.
3. In all zoning districts, the systems shall comply with the respective setback and height regulations.

I. *Detached Garages*

1. Detached garages shall not exceed the size of the principal structure in square feet or be greater than seven hundred and twenty five (725) square feet, whichever is more restrictive.
2. The height of a detached garage shall limited to one story and shall not exceed the height of the principal structure or be greater than sixteen (16) feet in height; whichever is more restrictive.

J. *Roadside Stands*

1. A roadside stand shall only be located on a lot containing not less than one (1) acre of land area where the principal use is agriculture.
2. The stand including all off-street parking facilities, shall be located not less than forty (40) feet from any right-of-way line of any public street, shall not have a building height exceeding one (1) story, shall not contain space for customers in the structure, and shall not exceed six hundred (600) feet of floor area.
3. The farm products sold in the stand may include trees, shrubs, flowers, vegetables, fruits, poultry and poultry products and other similar farm products.

Section 3.04 Ground Floor Area:

One-story dwellings, except mobile homes, shall have a total ground floor area of not less than eight hundred and twenty five (825) square feet measured from the faces of exterior walls, including utility rooms, but excluding open porches, garages and terraces. Dwellings having more than one (1) story shall have not less than seven hundred and eighty (780) square feet of ground floor area measured as prescribed for one-story dwellings. For the purpose of this section: living area is defined as an area with a ceiling height not less than seven (7) feet.

Section 3.05 **Number of Buildings on a Zoning Lot:**

Not more than one principal detached residential building shall be located on a zoning lot.

Section 3.06 **Exceptions and Variations of Height and Area:**

The district regulations hereinafter set forth in this section qualify or supplement, as the case may be, the district regulations appearing elsewhere in this ordinance.

- A. Public, semi-public, public service buildings, hospitals, institutions, or schools, when permitted in a district, may be erected to a height not to exceed sixty (60) feet, and churches and temples may be erected to a height not exceeding seventy five (75) feet, if the building is set back from each yard line at least one (1) foot for each foot of additional building height above the height limit otherwise provided in the district in which the building is located.
- B. The height limitations of this ordinance shall not apply to cooling towers, church spires, belfries, cupolas, elevator bulkheads, and domes not intended for human occupancy; monuments, water towers, transmission towers, chimneys, smoke stacks, derricks, conveyors, flagpoles, telecommunication and radio towers, masts, aerials, and necessary mechanical appurtenances.
- C. *Lot of Record:* When a lot which is an official lot of record at the time of adoption of this ordinance does not comply with the area, yard, or other requirements of this ordinance; an application may be submitted to the Board of Appeals for a variance from the terms of this ordinance in accordance with the procedure outlined in Article 19. Such lot may be used as a building site, provided that, in the opinion of the Board of Appeals, the yard and other requirements of the district are complied with as closely as possible.

Section 3.07 **Exceptions to Yard Requirements:**

- A. *Allowable Projections of Residential Structures Into Yards:* Architectural features of residential buildings such as window sills, cornices, roof overhangs may project into the required yard, provided such a projection is not more than four (4) feet and does not reach closer than five (5) feet to any lot line.
- B. *Allowable Projections of Business Structures Over Sidewalks:* Awnings, canopies, marquees are permitted to overhang the sidewalk in the C-1 Community Business District only, provided that they are a minimum of seven (7) feet above the sidewalk at any point.
- C. *Allowable Projection of Accessory Structures:* Accessory structures/uses may project into rear and side yards providing such projection extends not closer than five (5) feet to the rear or side lot line.

Section 3.08 **Special Exceptions**

A special use may be granted after the process outlined in Article 18 to authorize the location, extension or structural alterations of any of the following buildings or uses in any district from which they are prohibited by this ordinance.

- A. Any public building erected and used by a department of a municipal, county, state or federal government.
- B. Hospitals, clinics and institutions, except institutions for criminals and those for persons that are insane or have contagious diseases; provided, however, that such buildings may occupy not over fifty percent (50%) of the total area of the lot or tract and will not have any serious and depreciating effect upon the value of the surrounding property; and provided further, that the buildings shall be set back from all minimum yard lines heretofore established and additional distance of not less than two (2) feet for each foot of building height. Specific requirements for these buildings in any district regulations shall take precedence over the above regulations.
- C. Commercial amusement or recreational development for temporary or seasonal periods.
- D. Areas for the dumping or disposal of trash or garbage by the land-fill process.
- E. Telecommunications and broadcasting towers, transmitting and relay stations.

Section 3.09 **Exemptions:**

The powers effectuated by this ordinance shall not be exercised so as to:

- A. Deprive the owner of any existing property of its use or maintenance for the purpose to which it is lawfully devoted at the time of enactment of this ordinance or subsequent amendments thereto.
- B. Require change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this ordinance and upon which actual building construction has been diligently carried on. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner; except that where demolition or removal of an existing building, has been substantially begun preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction, providing that work shall be diligently carried on until completion of the building involved.
- C. Impose regulations or require permits (except as herein outlined) with respect to land used or to be used for a Bona Fide Agricultural Use as defined in Section 1.03 herein, or with respect

to the erection, maintenance, repair, alteration, remodeling or extension of buildings used or to be used for such agricultural purposes upon such land except that such building for agricultural purposes may be required to conform to building or setback lines. Except where located within an Enterprise Zone and if an application for benefits has been filed with the Enterprise Zone Administrator. *See Ordinance 87-2-0 dated 9-11-87.*

- D. Nor specify or regulate the type or location of any poles, towers, wires, cables, conduits, vaults, laterals or any other similar distributing equipment of a public utility as defined in “An Act Concerning Public Utilities” enacted by the General Assembly of the State of Illinois.

Section 3.10 Home Occupations

Home occupations shall be a permitted use in agriculture and residential zoning districts and are subject to the following regulations:

- A. ***Incidental Use:*** The use for the home occupation must be clearly incidental and secondary to the use of the dwelling unit as a residence. The County’s standard in this regard is that the home occupation should not ordinarily exceed twenty percent (20%) of the floor area of the dwelling unit.
- B. ***No Exterior Evidence:*** There shall be no activity, structure, or other exterior evidence that the dwelling unit is being used for any non-residential purpose in order to conduct the home occupation.
- C. ***Employees:*** No more than one (1) person who is not a full-time resident of the dwelling unit shall be working at the home occupation dwelling unit at any one (1) time. An off-street parking place shall be provided while the employee is on the premises.
- D. ***Displays:*** No products shall be displayed such that it is visible from the exterior of the dwelling unit.
- E. ***Signage:*** Home occupation signs (non-illuminated) not exceeding a sign area of four (4) square feet per zoning lot are exempt per section 11.02.D.12.
- F. ***Equipment:*** No mechanical or electrical equipment shall be installed or maintained other than such as is customarily incidental to a dwelling unit. No mechanical or electrical equipment shall be operated as to interfere with the use and enjoyment of neighboring properties or to indicate that the structure is being used for a nonresidential purpose.
- G. ***Nuisances Prohibited:*** Home occupations shall not be operated in such a manner as to create or cause a nuisance. Examples of nuisances include, but are not limited to, the following:
 - 1. Noise in excess of that of normal daily activity for a residential area, when

measured in average decibels at the lot line of the premises, or exterior to party walls in attached single-family or multi-family dwelling units.

2. The emission of odorous matter, vibrations, smoke, dust, heat or glare in such quantities as to be readily detectable at any point along lot lines, or exterior to party walls in attached single-family or multi-family dwelling units.
3. The creation of aesthetic problems or health hazards in the storing or disposing of refuse or waste materials emanating from the activity.
4. The creation of hazards that would or could endanger the dwelling unit or its occupants, or other structures or their occupants, by reason of additional fire, health, safety or environmental hazards.

Section 3.11 Obstructions to Vision at Intersections Prohibited:

On any corner lot in all districts except the C-1 Community Business District, there shall be no obstruction to traffic visibility within the triangle formed by extending lines seventy-five (75) feet , from the intersection of the centerlines in each direction.

Section 3.12 Setback Regulations

- A. No building, structure, concrete or masonry wall shall be erected or structurally altered so that any part thereof is nearer than fifty (50) feet to the right-of-way line of a state or federal highway route, or nearer than sixty (60) feet to the center line of a Township Road or nearer than seventy-five (75) to the center line of a State Aid (County) Road. If there is conflict between the setback regulations and the yard regulations, the more restrictive regulations shall govern. At street intersection, no obstructions of any kind, to visibility shall be erected within a triangle formed by extending lines seventy-five (75) feet from the intersection of the centerlines in each direction.
- B. In locations where the building line restrictions set forth herein will create an undue hardship or in locations wherein the majority of existing buildings are not in conformity with these restrictions, appeals may be made for a variation in which the setback regulation may be modified.
- C. No building, structure, concrete or masonry wall shall be erected or structurally altered in an industrial district so that any part thereof is nearer than one hundred (100) feet to the right-of-way line of state highways. A parking lot or outdoor storage may extend into this area sixty (60) feet if it is adequately screened from sight on the highway by plant material.

Section 3.13 **Temporary Uses:**

A temporary yard for a contractor's plant required for construction is permitted in any zoning district, if not nearer than five hundred (500) feet to any residential, commercial, or industrial use other than that of the owner or lessor of the site.

Section 3.14 **Water and Sewage Regulations**

Every residential building, business, trade, or industry hereafter established and requiring water supply and sewage disposal facilities shall provide such facilities conforming to the standards of the Illinois Department of Public Health, and any new water supply and sewage disposal facilities or alterations to existing facilities shall conform also to such standards. Soil test as specified by the Illinois Department of Public Health/Putnam County Health Department will be required for all buildings to be inhabited by humans to determine the requirements for a subsurface seepage field or sand filter when such buildings are not connected to public sewage systems.

Article IV. PROVISIONS GOVERNING
AG-1 AGRICULTURAL DISTRICT

Section 4.01 Purpose

The A-1 Agricultural District is intended to allow maximum freedom of operation for bona fide agricultural purposes and to protect such use from encroachment by other permitted and special uses allowed within the district.

Section 4.02 Uses Permitted in the AG-1 Agricultural District:

- A. *Agricultural Uses.***
- B. *Churches* and other places of worship, Monasteries, nunneries, religious retreats.**
- C. *Grain Storage*, commercial, if not nearer than 300 feet to any residence other than that of the owner or lessor of the site.**
- D. *Home Occupations.***
- E. *Libraries, museums.***
- F. *Public Parks and forest preserves.***
- G. *Public service uses* as follows:
 - 1. Water filtration plant, pumping station or reservoir.
 - 2. Wastewater treatment facility.
 - 3. Police and fire stations.
 - 4. Public utility infrastructure.
 - 5. Governmental and community buildings and land uses.**
- H. *Railroad right-of-way and trackage* but not including classification yards, terminal facilities, or maintenance facilities.**
- I. *Riding Academy or commercial stables* for retail rental and/or boarding of horses.**
- J. *Schools*: public, denominational or private; including playgrounds and athletic fields auxiliary thereto.**
- K. *Single family dwellings.***

- L. *Accessory Uses:* Accessory uses and structures customarily accessory and incidental to any of the foregoing permitted principal A-1 uses (see Section 3.03 for additional requirements).

Section 4.03 Special Uses in the AG-1 Agricultural District:

The following special uses are permitted and shall meet the requirements of Article 18:

- A. *Accessory housing unit:* subject to the additional requirements of Article 14
- B. *Agribusinesses*, including, but not limited to;
 - 1. Feedlots, stockyards, or other concentrated animal feeding operations (CAFOs).
 - 2. Livestock auction barns and yards, with or without restaurant facilities.
 - 3. Sawmills.
 - 4. Seed processing plants.
- C. *Airports, heliports, and landing strips (public and private)*, subject to the requirements of the Illinois Department of Transportation Department of Aeronautics.
- D. *Artificial lakes and ponds.*
- E. *Bed and Breakfasts.*
- F. *Circuses:* provided that they shall not operate more than fifteen (15) consecutive days, nor sell beer or alcoholic beverages, and that they shall be located not closer than one thousand (1000) feet to any dwelling except that of the owner or lessor of the site.
- G. *Cemeteries, mausoleums, and crematories.*
- H. *Children's fairgrounds and petting zoos.*
- I. *Commercial Campground and Recreational Vehicle Park:* subject to the additional requirements of Article 14.
- J. *Family Recreation and Camping:* subject to the additional requirements of Article 14.
- K. *Fairgrounds and race tracks.*
- L. *Fishing*, commercial, in artificial or existing lakes or ponds, including sale of food and fishing fees, soft drinks, non-illuminated for night use.
- M. *Golf Courses.*
- N. *Hospitals, sanitariums, nursing homes and other similar institutions.*

- O. *Keeping, harboring, caring for, acting as custodian of, or maintaining in one's possession any dangerous animal*** as defined by the Illinois Dangerous Animal Act.
- P. *Manufactured/Mobile Home***: subject to the additional requirements of Article 14.
- Q. *Private clubs, lodges and fraternal buildings*** not providing overnight accommodations.
- R. *Radio and Television stations***.
- S. *Shooting ranges and trap shooting*** if not closer than thirteen hundred and twenty (1320) feet to any residence or farm buildings.
- T. *Temporary asphalt/concrete plants and crushed rock storage***.
- U. *Temporary housing***: subject to the additional requirements of Article 14.
- V. *Utility Solar Energy System***: subject to the additional requirements of Article 14.
- W. *Veterinarian office, animal hospitals, animal boarding and kennels***.
- X. *Wind Energy Conversion System, Private***: subject to the additional requirements of Article 14.
- Y. *Wind Energy Conversion System, Commercial***: subject to the additional requirements of Article 14.

Section 4.04 Required Lot Area and Lot Widths in AG-1 Agricultural District

- A. *Agricultural uses and special uses*** shall have no minimum lot area or width requirements.
- B. *Single-family dwellings*** shall be located on a lot with a minimum area of five (5) acres and a minimum lot width and road frontage of one hundred and fifty (150) feet. The following exceptions shall be deemed to conform with the lot area and width regulations of this district:
 1. Any single-family dwelling existing prior to the passage of this ordinance may be divided from a larger tract if the newly created lot, on which the dwelling is located, is a minimum of one and one-half (1.5) acre and one hundred fifty (150) feet of lot width and road frontage.
 2. Lots of record created prior to the Illinois Plat Act of October 1, 1973 shall be considered buildable.
 3. Dwellings constructed to replace dwellings lost to fire or other casualty.

4. New Single family farm dwellings may be constructed on a lot or tract consisting of a minimum of one and one-half (1.5) acres and a minimum of one hundred fifty (150) feet of lot width and road frontage (a maximum of one (1) – one and one-half (1.5) acre split is allowed per forty (40) contiguously owned acreage); with a signed statement from the property owner (applicant), secured by the Zoning Enforcement Officer upon a form provided by the Zoning Enforcement Officer, attesting the authenticity of the farm dwelling. The dwelling shall be considered a farm dwelling if at least one of the following standards is met:
 - a) The majority of the total cash income of the applicant is or shall be derived from an agricultural use of the premises involved, or
 - b) The applicant is a member of the immediate family to or a farmer owning land contiguous to or on the opposite frontage to the premises involved.

Section 4.05 Bulk Regulations in AG-1 Agricultural District

- A. *Setback Regulations:*** Except as required in Section 3.12 (Additional Setback Regulations), no building shall be erected within fifty (50) feet of the right-of-way line of any public road or highway, nor within fifteen (15) feet, or one foot for each foot of building height, whichever is the greater, of any lot line.
- B. *Height Regulations:*** No building shall exceed thirty (30) feet in height unless each side yard is increased over the required minimum by five (5) feet for every five (5) feet or fraction thereof of additional height over thirty (30) feet. In no case shall the building height exceed fifty (50) feet.
- C. *Maximum Lot Coverage:*** Buildings shall not occupy more than twenty five percent (25%) of the lot.

Article V. PROVISIONS GOVERNING
CO-1 CONSERVATION DISTRICT

Section 5.01 Purpose

The Conservation District is designed to promote and protect:

- A. *The preservation of natural features.***
- B. *The preservation of scenic beauty.***
- C. *The public health, safety, comfort, and general welfare* by reducing the hardships and financial burdens imposed on the county by the periodic flooding and overflow of streams and the Illinois River. The boundaries of the flood areas have been determined from the data in the Offices of the U.S. Corps of Engineers, Peoria, Illinois.**

Section 5.02 Uses Permitted in the CO-1 Conservation District

- A. *Agricultural Uses.***
- B. *Public picnic grounds and beaches.***
- C. *Public parks and forest preserves.***
- D. *Public utility infrastructure.***

Section 5.03 Special Uses in the CO-1 Conservation District

The following special uses are permitted and shall meet the requirements of Article 18 :

- A. *Artificial lakes and ponds.***
- B. *Family camping and recreation:* subject to the additional requirements of Article 14.**
- C. *Private hunting and fishing clubs.***

Section 5.04 Bulk Regulations in CO-1 Conservation District

- A. *Minimum Lot Area and Width:* none**
- B. *Setback Regulations:* Except as required in Section 3.12 (Additional Setback Regulations),**

no building shall be erected within fifty (50) feet of the right-of-way line of any public road or highway, nor within twenty-five (25) feet of any property line

C. *Height Regulations:* No building shall exceed one (1) story in height.

D. *Maximum Lot Coverage:* Buildings shall not occupy more than ten percent (10%) of the lot.

**Article VI. PROVISIONS GOVERNING
R-1 COUNTRY HOME DISTRICT**

Section 6.01 Purpose

The purpose of the Country Home District is to provide areas for acreage lots for rural type of living.

Section 6.02 Uses Permitted in the R-1 Country Home District

- A. *Agricultural Uses:*** provided that no poultry or livestock shall be housed or confined within one hundred (100) feet of any dwelling except that of the owner or lessor of the tract.
- B. *Churches and other places of worship, Monasteries, nunneries, religious retreats.***
- C. *Dwelling, single-family.***
- D. *Home Occupations.***
- E. *Hospitals, sanitariums, nursing homes, and other similar institutions.***
- F. *Libraries and museums.***
- G. *Public Parks.***
- H. *Public service uses* are as follows:
 - 1. Water filtration plant, pumping station or reservoir.
 - 2. Wastewater treatment facility.
 - 3. Police and fire stations.
 - 4. Public utility infrastructure.
 - 5. Governmental and community buildings and land uses.**
- I. *Schools:*** public, denominational or private; including playgrounds and athletic fields auxiliary thereto.
- J. *Stables,*** private, if not within fifty (50) feet of any property line.
- K. *Accessory Uses:*** Accessory uses and structures customarily accessory and incidental to any of the foregoing permitted principal R-1 uses (see Section 3.03 for additional requirements).

Section 6.03 Special Uses in the R-1 Country Home District

The following special uses are permitted and shall meet the requirements of Article 18:

- A. *Accessory housing unit*: subject to the additional requirements of Article 14.
- B. *Artificial lakes and ponds*.
- C. *Golf courses*.
- D. *Temporary housing*: subject to the additional requirements of Article 14.
- E. *Wind Energy Conversion System, Private*: subject to the additional requirements of Article 14.

Section 6.04 Bulk Regulations in R-1 Country Home District

- A. *Minimum Lot Size and Width*: The minimum lot size shall be one and one and one half (1.5) acres and the minimum lot width and road frontage shall be one hundred fifty (150) feet.
- B. *Height Regulations*: no building shall exceed two (2) stories or thirty-five (35) feet in height.
- C. *Setback Regulations*: Except as required in Section 3.12 (Additional Setback Regulations), no building shall be constructed within fifty (50) feet of a street, road or highway right-of-way line or within fifteen (15) feet or one foot for each foot of building height, whichever is the greater, of any lot line.
- D. *Maximum Lot Coverage*: Buildings shall not occupy more than twenty five percent (25%) of the lot.

Article VII. trPROVISIONS GOVERNING
(R-2 and R-3) RESIDENCE DISTRICTS

Section 7.01 Purpose

The purpose of the Residence Districts is to provide an area for residential uses and those public and semi-public and uses normally considered an integral part of the residential neighborhood they serve.

Section 7.02 R-2 RESIDENCE DISTRICT

The R-2 Residence District is intended to permit single-family dwellings, two-family dwellings, and public and semi-public and uses normally considered an integral part of the residential neighborhood they serve.

A. Uses Permitted in the R-2 Residence District

1. Churches and other places of worship.
2. Day care centers: for children or adults.
3. Dwelling; Single-family or two-family, or leasing of dwellings to not more than two (2) families or two individuals not related to each other by birth, adoption or marriage.
4. Home Occupations.
5. Hospitals, sanitariums, nursing homes and other similar institutions.
6. Libraries, museums.
7. Public Parks.
8. Public service uses are as follows:
 - a) Water filtration plant, pumping station or reservoir.
 - b) Wastewater treatment facility.
 - c) Police and fire stations.
 - d) Public utility infrastructure.
 - e) Governmental and community buildings and land uses.
9. Schools: public, denominational or private; including playgrounds and athletic fields auxiliary thereto.

10. Accessory Uses: Accessory uses and structures customarily accessory and incidental to any of the foregoing permitted principal R-2 and R-3 uses (see Section 3.03 for additional requirements).

Section 7.03 R-3 RESIDENCE DISTRICT

The R-3 Residence District is intended to permit single-family dwellings, two-family dwellings, multi-family dwellings, and public and semi-public uses normally considered an integral part of the residential neighborhood they serve.

A. Uses Permitted in the R-3 Residence District

1. Any use permitted in the R-2 District.
2. Multiple-family dwellings.

Section 7.04 Special Uses in the R-2 and R-3 Districts

The following special uses are permitted and shall meet the requirements of Article 18:

A. Golf Courses.

B. Mobile home park (R-3 only): subject to the additional requirements of Article 14.

C. Private clubs, lodges and fraternal buildings not providing overnight accommodations.

D. Temporary housing: subject to the additional requirements of Article 14.

E. Wind Energy Conversion System, Private: subject to the additional requirements of Article 14.

Section 7.05 Bulk Regulations in the R-2 and R-3 Districts

A. R-2 Bulk Regulations

Single-Family Dwelling						
	Min. Lot Area	Max Lot Coverage	Min. Lot Width & Road Frontage	Min. Front Yard Setback*	Min. Side Yard Setback*	Min. Rear Yard Setback*
With Both Public Water and Sewer	10,000 s.f.	50%	75 ft.	25 ft.	10 ft.	20 ft.
With Either Public water or Public Sewer	20,000 s.f.	50%	100 ft.	25 ft.	10 ft.	20 ft.
With Neither public Water or Public Sewer	1 acre	25%	100 ft.	25 ft.	10 ft.	20 ft.
Two-Family Dwelling						
	Min. Lot Area	Max Lot Coverage	Min. Lot Width & Road Frontage	Min. Front Yard Setback*	Min. Side Yard Setback*	Min. Rear Yard Setback*
With Both Public Water and Sewer	15,000 s.f.	50%	75ft.	25 ft.	10 ft.	20 ft.
With Either Public water or Public Sewer	½ acre	50%	100 ft.	25 ft.	10 ft.	20 ft.
With Neither public Water or Public Sewer	1 1/2 acre	25%	150 ft.	25 ft.	10 ft.	20 ft.

*Except as provided in Section 3.12 (Additional Setback Regulations)

B. R-3 Bulk Regulations

All dwellings in this district must be served with both public water and public sewer unless a request for private water and sewage disposal systems is approved by the Board of Appeals and Bureau-Putnam County Health Department.

Single-Family Dwelling						
	Min. Lot Area	Max Lot Coverage	Min. Lot Width & Road Frontage	Min. Front Yard Setback*	Min. Side Yard Setback*	Min. Rear Yard Setback*
With Both Public Water and Sewer	10,000 s.f.	50%	75 ft.	25 ft.	10 ft.	20 ft.
Two-Family Dwelling						
	Min. Lot Area	Max Lot Coverage	Min. Lot Width & Road Frontage	Min. Front Yard Setback*	Min. Side Yard Setback*	Min. Rear Yard Setback*
With Both Public Water and Sewer	15,000 s.f.	50%	75ft.	25 ft.	10 ft.	20 ft.
Multiple-Family Dwelling						
	Min. Lot Area Per Family or Dwelling Unit	Max Lot Coverage	Min. Lot Width & Road Frontage	Min. Front Yard Setback*	Min. Side Yard Setback*	Min. Rear Yard Setback*
With Both Public Water and Sewer	7,500 s.f.	50%	100ft.	25 ft.	10 ft.	20 ft.

*Except as provided in Section 3.12 (Additional Setback Regulations)

C. *Building Height Regulations:* No building shall exceed two (2) stories or thirty-five (35) feet in height.

D. *Yards of Corner Lots:* Corner lots shall be provided with a front yard setback on each street side.

**Article VIII. PROVISIONS GOVERNING
C-1 and C-2 COMMERCIAL DISTRICTS**

Section 8.01 Purpose

Commercial district regulations are intended to govern the location and uses of a full range of business and commercial establishments needed to serve Putnam County. The regulations of the various commercial districts are designed to provide for groupings of business and commercial establishments that are compatible in scope of services and method of operation.

Section 8.02 C-1 COMMUNITY COMMERCIAL DISTRICT

The C-1 Community Commercial District is intended to permit a limited range of retail sales and services which accommodate the daily shopping or service needs of local residential areas. This district is designed to permit pedestrian-oriented uses limited to those compatible with the residential character of unincorporated villages.

A. Uses Permitted in the C-1 Community Commercial District

1. Banks to include: savings and loan companies, finance companies, and similar services.
2. Commercial food stores in which items are sold directly to the public to include: Retail bakeries, retail dairies, delicatessens, individual cold storage lockers, meat markets, and supermarkets (limited to five thousand (5,000) square feet of floor area per establishment).
3. Commercial retail stores to include: Antique sales, apparel, books, drug and beverage, electronics, furniture, jewelry, music, and general merchandise (limited to five thousand (5,000) square feet of floor area per establishment).
4. Churches and other places of worship.
5. Day care centers: for children and adults.
6. Dwelling units: only permitted above the ground floor level.
7. Eating and drinking establishments to include: restaurants (excluding drive-through), taverns, cafes, and coffee houses.
8. Fences: subject to the additional requirements of Section 3.03.
9. Hospitals.

10. Personal services to include: Barbershops and beauty salons, dressmaking shops, dry cleaning receiving store, laundries, health and fitness club, tanning salons, and tailor and pressing shops.
11. Private clubs and fraternal organizations.
12. Professional offices for: physicians, dentists, attorneys, architect, engineer, artist, planner, accountant, real estate, insurance sales, photography, and similar professional services in which services are offered to the general public on the premises, including studios.
13. Public service uses are as follows:
 - a) Water filtration plant, pumping station or reservoir.
 - b) Wastewater treatment facility.
 - c) Police and fire stations.
 - d) Public utility infrastructure.
 - e) Governmental and community buildings and land uses.
14. Other Uses: Any other similar type use that is compatible with the intent of this zoning district and the established uses on the adjoining properties, but not including any use which is first permitted in the C-2 District.
15. Business and advertising signs: subject to the additional requirements of Article 11.

B. *Special Uses in C-1 District*

The following special uses are permitted and shall meet the requirements of Article 18:

1. Accessory Uses
2. Drive through restaurants
3. Funeral homes and mortuaries
4. Payday advance businesses
5. Theaters, banquet halls, and other assembly halls
6. Vehicle and large machinery repair and service

Section 8.03 C-2 HIGHWAY COMMERCIAL DISTRICT

The Highway Commercial District is intended to permit a broad range of retail sales and services which may generate substantial traffic and require large tract locations in areas that are highway oriented outside of unincorporated communities

A. Uses Permitted in the C-2 Highway Commercial District

Any use permitted and as regulated in the C-1 District, except as modified in this article, and the following:

1. Animal Hospitals, Veterinary Clinics: Animal hospitals, kennels, display and housing or boarding of pets and other domestic animals, provided that any buildings in which the animals are kept shall be reasonably sound-proof and exercise runs shall be enclosed on all sides by a privacy fence at least six (6) feet in height. Use shall be located at least five hundred (500) feet from any residential property.
2. Auction Houses.
3. Commercial food stores: supermarkets of any size and prepared food delivery.
4. Contractors or construction offices.
5. Eating and drinking establishments to include: drive through restaurants, and banquet halls.
6. Fences: subject to the additional requirements of Section 3.03.
7. Funeral homes and mortuaries.
8. Garden supply, landscaping, and nurseries (need not be enclosed).
9. Hotels and Motels.
10. Miscellaneous Trades and Business Services: Sheet metal shops, sign painting shops, printing, and monument service shops.
11. Retail and Services to include: vehicle, equipment, and machinery sales and rental (no limitation on outside display of merchandise); vehicle and machinery repair and service, general retail of any size, and building material retail.
12. Theaters and other assembly halls.
13. Other Uses: Any other similar type use that is compatible with the intent of the C-1 and C-2 zoning districts and the established uses on the adjoining properties, but not including any use which is first permitted in the I-1 District.
14. Business and advertising signs: subject to the additional requirements of Article 11.

15. Exterior Display of Merchandise: Shall not utilize more area than the equivalent of five percent (5%) of the ground floor area of the business or service establishment displaying such merchandise.

B. *Special Uses in C-2 District*

The following special uses are permitted and shall meet the requirements of Article 18:

1. Accessory Uses.
2. Commercial Recreation: amusement parks, water parks, and other similar open air facilities.
3. Crematoriums.
4. Drive-in Theaters: subject to the additional requirements of Article 14.
5. Flea Markets.
6. Grain and feed storage and sales.
7. Marinas.
8. Outside storage of materials including outside display of merchandise.
9. Wind Energy Conversion System, Private: subject to the additional requirements of Article 14.
10. Storage and warehousing: ten thousand (10,000) square foot maximum.
11. Vehicle fueling stations.

Section 8.04 C-1 and C-2 Bulk Regulations

The following minimum requirements shall apply:

A. C-1 Bulk Regulations

	Min. Lot Area	Max Lot Coverage	Min. Lot Width & Road Frontage	Min. Front Yard Setback*	Min. Side Yard Setback*	Min. Rear Yard Setback*
With Both Public Water and Sewer	10,000 s.f.	80%	75 ft.	None	None (unless adjacent to residential property-10 ft.)	20 ft.
With Either Public water or Public Sewer	20,000 s.f.	50%	100 ft.	None	None (unless adjacent to residential property-10 ft.)	20 ft.
With Neither public Water or Public Sewer	1 acre	50%	100 ft.	None	None (unless adjacent to residential property-10 ft.)	20 ft.

*Except as provided in Section 3.12 (Additional Setback Regulations)

B. C-2 Bulk Regulations

Min. Lot Area	Max Lot Coverage	Min. Lot Width & Road Frontage	Min. Front Yard Setback*	Min. Side Yard Setback*	Min. Rear Yard Setback*
1 acre	50%	100 ft.	25ft.	10 ft. (unless adjacent to residential property-20 ft.)	20 ft.

*Except as provided in Section 3.12 (Additional Setback Regulations)

C. Building Height Regulations

1. In the C-1 District: No building or structure shall exceed two (2) stories or thirty (30) feet in height, whichever is less
2. In the C-2 District: No building or structure shall exceed forty-five (45) feet in height

Section 8.05 Required Conditions of Operation in Commercial Districts

- A. Business in Enclosed Buildings:** All business, service or processing shall be conducted wholly within a completely enclosed building, unless otherwise stated in this article.
- B. Production for Sale at Retail:** All products produced on the premises whether primary or incidental shall be sold at retail primarily on the premises where produced.
- C. Use Must be Non-Objectionable:** Processes and equipment employed in goods processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas fumes, noise, vibration, refuse matter, or water-carried waste.
- D. Screening:** Any use containing a garbage dumpster shall maintain a solid fence or wall to screen the dumpster. Whenever feasible, the dumpster shall be located near the back of the lot.

- E. *Buffer Strips:*** All commercial uses and parking, if not conducted wholly within a completely enclosed building, shall be enclosed by a privacy fence or landscape buffer at least six (6) feet high, where such use abuts, in the rear or on the sides, either directly or across an alley, any R-District.

- F. *Night Operation:*** No building customarily used for night operation shall have any opening, other than stationary windows and required exits, within two hundred (200) feet of any R-District, and no space used for loading or unloading commercial vehicles in connection with such an operation shall be located within one hundred (100) feet of any R-District.

Article IX. PROVISIONS GOVERNING
(I-1 and I-2) INDUSTRIAL DISTRICTS

Section 9.01 Purpose

Industrial district regulations are intended to govern the location and uses of a full range of manufacturing, assembly, and industrial type uses needed to serve Putnam County. The regulations of the various industrial districts are designed to provide for groupings of uses that are compatible in scope and method of operation.

Section 9.02 I-1 Light Industrial District

The intent of the I-1 Light Industrial District is to provide for any assembly, manufacturing, and light industrial uses not normally creating a nuisance discernible beyond its property.

A. Uses Permitted in the I-1 Light Industrial District

1. Assembly, manufacturing, and light industrial uses that take place in a completely enclosed structure, will not create a nuisance discernible beyond the property, and not include the processing of any raw materials (excluding uses first permitted, or allowed as a special use, in the I-2 District).
2. Grain storage and processing plants.
3. Public service uses are as follows:
 - a) Water filtration plant, pumping station or reservoir.
 - b) Wastewater treatment facility.
 - c) Police and fire stations.
 - d) Public utility infrastructure.
4. Warehousing and distribution facilities (of any size).
5. Accessory uses and structures customarily incident to any of the above uses, located within the buildable area of the zoning lot.
6. Business and advertising signs: subject to the additional requirements of Article 11.
7. Any use permitted in the C-1 and C-2 Commercial District except residential uses.

8. Light industrial uses that are not obnoxious or offensive by reason of the emission of odor, dust, smoke, noise, gas, fumes, cinders, vibration, refuse, matter or water carried waste, including retail sale of products when such sale is clearly incidental and essential to permitted industrial use.
9. Aircraft factory or hangar, not including wind tunnel and testing field.
10. Automobile sales, servicing, painting, upholstering, tire retreading or recapping, battery manufacturing and the like; not including automobile and gasoline service stations.
11. Blacksmith shop or horse shoeing establishment.
12. Boat building
13. Box factory
14. Building materials sales establishments and storage area.
15. Building-mover and wrecker's establishments.
16. Brewery
17. Cleaning and dyeing establishments
18. Contractor's equipment storage
19. Cooperage works
20. Dispensary, only with emergency facilities incident to an industry.
21. Distribution plant, including parcel delivery, ice and cold storage plant, bottling plant, and food commissary or catering establishment.
22. Feed mixing plant.
23. Foundry, casting of only lightweight non-ferrous metal.
24. Grain elevator.
25. Iron, steel, or other metal fabrication (no foundry or drop hammer and no punch press over fifty (50 tons capacity).
26. Killing or dressing and/or packing of poultry and rabbits.

27. Landscape gardener's sale area or business provided no odor, dust, or glaring light is noticeable outside any lot in this district.
28. Laundry
29. Lumber storage, millwork, and sales
30. Machine Shop
31. Machinery repairing, sales, and display.
32. Manufacture, fabrication, and maintenance of electric and neon signs, billboards, commercial advertising structures, light sheet metal products including heating and ventilating ducts and equipment; cornices, eaves and the like, and also including plumbing, heating, or electrical contracting business.
33. Manufacturing, fabricating, compounding, assembling, or treatment of articles of merchandise from the following previously prepared materials; bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious, or semi-precious metals or stones, shell, textiles, tobacco, yarns, wood, and paint not employing a boiling process.
34. Manufacture, fabricating, compounding, canning, packaging, or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, perfumed toilet soap, soft drinks, toiletries, and food products, not including the following: fish and meat products, sauerkraut, vinegar, and yeast, except in conjunction with a general food products manufacturing company; and not including the rendering of fats and oils or slaughter of animals.
35. Manufacture of appliances, electrical or mechanical; instruments, electronic, musical, precision or the like; machines, electric, or mechanical, for home or office and the like; phonographs, radios, telephones or other instruments or machines for receiving, reproducing, or transmitting sound; watches and clocks, toys, novelties, and rubber and metal hand stamps.
36. Planing mill.
37. Printing, lithographing, type composition, ruling and binding establishment.
38. Processing, canning, packaging or treatment of fish and meat products, sauerkraut, vinegar, yeast but not including the following: fish smoking, curing or canning; rendering of fats and oils; or slaughter of animals.

39. Public utility facilities (excluding generating) and installations for electricity, gas, oil, steam, telegraph, telephone, (including telephone exchange building), and water.
40. Railroad or other mass transportation company freight and/or passenger and supporting facilities, limited receiving and distribution yards right-of-way.
41. Railroad or other mass transportation company freight and/or passenger and supporting facilities, limited receiving and distribution yards right-of-way, trackage and siding, with accessory poles and overhead wires, signal or other operating devices, shelters and comfort stations incident to the use thereof, including private off-street turn-around and layover areas for mass transit vehicles, and parking areas for busses, car houses, yards and headquarters for operating and maintenance employees.
42. Repair shop, other than a railroad major repair shop.
43. School, industrial trade, when not objectionable due to noise, odor, vibration, dust, smoke, or other similar causes.
44. Solid fuel such as coal, coke, and wood, storage and sales.
45. Stable.
46. Stone or monument works.
47. Storage and distribution of any merchandise or material other than: explosives or inflammables, garbage, offal or dead animals, paper, exclusive of rolled newsprint and other similar rolled paper; petroleum and petroleum by products in excess of an amount necessary for use of the premises, and rags, metal or junk.
48. Structure or equipment for landing, mooring or other like purposes and the use of the same for land or water transportation interchange.
49. Veterinary establishment.
50. Wholesale business.
51. Accessory use and structure customarily incident to any of the above uses, located within the buildable area of the lot, unless otherwise specified and including:
 - 51.1 Fence or enclosed wall.

- 51.2 Loading space.
- 51.3 Lunchroom for employees.
- 51.4 Minor garage or minor parking lot.
- 51.5 Recreation area, non-profit.
- 51.6 Repair garages for vehicles.
- 51.7 Signs, related to or advertising the use being conducted on the premises.

B. *Special Uses in I-1 Industrial District*

The following special uses are permitted and shall meet the requirements of Article 18:

- 1. Bulk above-ground storage of gasoline, fuel oil or other flammable or explosive liquids or materials, or fuel gasses under pressure.
- 2. Energy Conversion System, Private: subject to the additional requirements of Article 14.
- 3. Chemical manufacture, including but not limited to ammonia, bleaching powder, or chlorine.
- 4. Laboratories - experimental or testing.
- 5. Any buildings or uses not enumerated in Section 9.02.

Section 9.03 I-2 Heavy Industrial District

The intent of the I-2 Heavy Industrial District is to provide for assembly, manufacturing, processing, or industrial uses not allowed in any other district providing that, within this district, uses of a hazardous nature or those producing extensive smoke or odor shall not be located so that the general hazard or nuisance affects a large segment of the community.

A. *Uses Permitted in the I-2 Heavy Industrial District*

- 1. Any use permitted in the I-1 Industrial District.
- 2. Assembly, manufacturing, processing, and industrial uses that meet the intent of the I-2 Heavy Industrial District.

3. Salvage Operation/Yard: if located not less than four hundred (400) feet from any R-District; providing such operation is conducted within an area enclosed on all sides with a privacy fence not less than eight (8) feet high and provided further that such operation shall not be visible from a street or road.
4. Distillation of ethyl alcohol from farm products on a commercial basis.
5. Railroad or barge freight facilities.
6. Iron or steel or other metal manufacture or processing, foundry or fabrication plant and heavy weight casting, including galvanizing and other treatment.
7. Rock, sand, slag, or gravel storage and distribution (large scale).
8. Solid fuel such as coal, coke, and wood, storage and sales.
9. Storage of explosives or inflammables, used on-site, and not in excess quantities that would be hazardous outside of the zoning lot.
10. Storage of gasoline, fuel oil or other flammable or explosive liquids or materials, or fuel gasses under pressure, used on-site, and not in excess quantities as that would be hazardous outside of the zoning lot.
11. Accessory uses and structures customarily incident to any of the above uses, located within the buildable area of the zoning lot.
12. Business and advertising signs: subject to the additional requirements of Article 14.
13. Aircraft factory, landing field or hangar.
14. Alcohol, ethanol manufacture.
15. Automobile sales, servicing, painting, upholstering, tire retreading, or recapping, battery manufacturing and the like; not including automobile and gasoline service station.
16. Automobile wrecking and salvage operations if located not less than four hundred (400) feet from any R-District; providing such operation is conducted within an area enclosed on all sides with a tight painted fence not less than eight (8) feet high and provided further that such operation shall not be visible from a street or road.

17. Blacksmith shops or horse shoeing establishments.
18. Blast furnace or coke oven.
19. Boat building.
20. Boiler works.
21. Box factory.
22. Building materials sales establishment and storage area.
23. Building-mover and wrecker's establishment.
24. Brewery.
25. Brick, tile or terra cotta manufacture.
26. Concrete or cement products manufacture.
27. Contractor's equipment storage.
28. Cooperage works.
29. Cotton gin or oil mills.
30. Distribution plant, including parcel delivery, ice and cold storage plant, mottling plant, and food commissary or catering establishment.
31. Drop forge industry manufacturing forgings with power hammers.
32. Feed mixing plant.
33. Grain elevator.
34. Hospital, only with emergency facilities incident to an industry.
35. Iron or steel or other metal manufacture or processing, foundry or fabrication plant and heavy weight casting, including galvanizing and other treatment.
36. Killing or dressing and/or packaging of poultry and rabbits.
37. Landscape gardener's sales area or business.

38. Lumber storage, millwork, and sales.
39. Machine shop.
40. Machinery repairing, sales, and display.
41. Manufacture, fabrication, and maintenance of electric and neon signs, billboards, commercial advertising structures, sheet metal products including heating and ventilating ducts and equipment; cornices, eaves, and the like; and also including plumbing, heating, or electrical contracting business.
42. Manufacturing, fabricating, compounding, assembling, or treatment of bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastic, precious, or semi-precious metals or stones, shell, textiles, tobacco, yarns, and wood, or articles of merchandise made therefrom.
43. Manufacture, fabricating, compounding, canning, packaging or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, perfumed toilet soap, soft drinks, toiletries, and food products, including fish and meat products, sauerkraut, vinegar, and yeast, but not including the following: fish smoking, curing or canning; rendering of fats or oils; or slaughter of animals.
44. Manufacture of appliances, electrical or mechanical; instruments, electronic, musical, precision or the like; machines, electric or mechanical, for home or office and the like; phonographs, radios, telephones, or other instruments, or machines for receiving, reproducing, or transmitting sound; watches and clocks, toys, novelties, and rubber and metal hand stamps.
45. Oilcloth or linoleum manufacture.
46. Paint, oil (including linseed), shellac, turpentine, lacquer or varnish manufacture.
47. Petroleum products manufacture and wholesale storage of petroleum.
48. Planing mill.
49. Printing, lithographing, type composition, ruling, and binding establishment.
50. Public utility facilities (excluding generating) and installations for electricity, gas, oil, steam, telegraph, telephone, (including telephone exchange building), and water. (See also Special Use Section)

51. Railroad or other mass transportation company, freight, and/or passenger facilities, right-of-way, trackage and sidings, with accessory poles and overhead wires, signal or other operating devices, shelters and comfort stations incident to the use thereof, including private off-street turn-around and layover areas for mass transit vehicles and parking areas for buses, car houses, repair shops, yards and headquarters for operating and maintenance employees.
52. Railroad repair shop, receiving, distribution and classification yards and supporting facilities.
53. Repair shop.
54. Rock, sand, slag, or gravel distribution.
55. Rolling mill.
56. Rubber or gutta-percha manufacture or treatment.
57. Salt works.
58. School, industrial trade.
59. Soap and detergent manufacture.
60. Sodium compounds manufacture.
61. Solid fuel such as coal, coke, and wood, storage and sales.
62. Stable.
63. Stone or monument works.
64. Storage and distribution of any merchandise or material other than: explosives or inflammables, garbage, hazardous waste (management or treatment), offal of dead animals. (See also Special Use Section)
65. Stove or shoe polish manufacture.
66. Structure or equipment for landing, mooring or other like purposes and the use of the same for land or water transportation interchange.
67. Tar distillation or tar products manufacture.
68. Tool manufacture

69. Truck terminals.
70. Veterinary establishments.
71. Wholesale business.
72. Wool pulling and scouring.
73. Accessory use and structure customarily incident to any of the above uses located on premises, including:
 - 74.1 Fence or enclosure wall.
 - 74.2 Loading space.
 - 74.3 Parking garage.
 - 74.4 Recreation area, non-profit.
 - 74.5 Signs related to or advertising the use being conducted on the premises.
 - 74.6 Dump for slag, brickbats, and similar materials, approved by the Board of Appeals to be not hazardous to adjacent properties.
 - 74.7 Incinerators, (but only properly constructed devices approved by the Board of Appeals hereinafter referred to).
 - 74.8 Offices
 - 74.9 Manufacture, processing and/or storage of gas in its various forms, not in excess of quantities determined by the Board of Appeals to be not hazardous to adjacent properties.
 - 74.10 Storage of explosives or inflammables, not in excess of that determined by the board of Appeals to be not hazardous.
 - 74.11 Lunchrooms for employees.
 - 74.12 Repair garages for vehicles.

B. Special Uses in the I-2 Heavy Industrial District

The following special uses are permitted and shall meet the requirements of Section 18:

1. Adult Use: subject to the additional requirements of Article 14.
2. Asphalt manufacturing or refining.
3. Hazardous Chemical manufacturing or processing.
4. Meat and fish processing plants, including fat-rendering.
5. Ore reduction.
6. Petroleum refining.
7. Power generation, including but not limited to coal, electric, gas, nuclear, oil, and steam.
8. Quarry, gravel pit, and surface mining resulting in the removal of natural resources: subject to the additional requirements of Article 14.
9. Tanneries.
10. Wind Energy Conversion System, Private: subject to the additional requirements of Article 14.
11. Bulk Storage and distribution of explosives or inflammables, garbage, hazardous waste (management or treatment), offal or dead animals, sanitary landfill.

Section 9.04 I-1 and I-2 Bulk Regulations

The following minimum requirements shall apply:

A. I-1 Bulk Regulations

I-1 Light Industrial					
Min. Lot Area	Max Lot Coverage	Min. Lot Width & Road Frontage	Min. Front Yard Setback*	Min. Side Yard Setback*	Min. Rear Yard Setback*
1 Acre.	50%	150 ft.	100 ft.	35 ft. (unless adjacent to residential property-75 ft.)	25 ft. (unless adjacent to residential property-75 ft.)

*Except as provided in Section 3.12 (Additional Setback Regulations)

B. I-2 Bulk Regulations

I-2 Heavy Industrial					
Min. Lot Area	Max Lot Coverage	Min. Lot Width & Road Frontage	Min. Front Yard Setback*	Min. Side Yard Setback*	Min. Rear Yard Setback*
5 Acres	50%	200 ft.	100 ft.	75 ft.	75 ft.

* Except as provided in Section 3.12 (Additional Setback Regulations)

C. I-1 and I-2 Building Height Regulations

No building in the I-1 or I-2 Districts shall exceed fifty (50) feet in height unless the front, side, and rear yards are increased five (5) feet for every five (5) feet or fraction thereof of additional height over fifty (50) feet.

Section 9.05 Outside Storage

All outside storage shall be screened from sight, with plant materials or privacy fencing six (6) feet high or a combination of both fencing and plant material.

**Article IX. PROVISIONS GOVERNING
(I-1 and I-2) INDUSTRIAL DISTRICTS**

Section 9.01 Purpose

Industrial district regulations are intended to govern the location and uses of a full range of manufacturing, assembly, and industrial type uses needed to serve Putnam County. The regulations of the various industrial districts are designed to provide for groupings of uses that are compatible in scope and method of operation.

Section 9.02 I-1 Light Industrial District

The intent of the I-1 Light Industrial District is to provide for any assembly, manufacturing, and light industrial uses not normally creating a nuisance discernible beyond its property.

A. Uses Permitted in the I-1 Light Industrial District

1. *Assembly, manufacturing, and light industrial uses* that take place in a completely enclosed structure, will not create a nuisance discernible beyond the property, and not include the processing of any raw materials (excluding uses first permitted, or allowed as a special use, in the I-2 District).
2. *Office and research facilities.*
3. *Grain storage and processing plants.*
4. *Public service* uses are as follows:
 - a) Water filtration plant, pumping station or reservoir.
 - b) Wastewater treatment facility.
 - c) Police and fire stations.
 - d) Public utility infrastructure.
5. *Warehousing and distribution facilities (of any size).*
6. *Accessory uses and structures customarily incident to any of the above uses, located within the buildable area of the zoning lot.*
7. *Business and advertising signs:* subject to the additional requirements of Article 11.

B. Special Uses in I-1 Industrial District

The following special uses are permitted and shall meet the requirements of Article 18:

1. Bulk above-ground storage of gasoline, fuel oil or other flammable or explosive liquids or materials, or fuel gasses under pressure.
2. Energy Conversion System, Private: subject to the additional requirements of Article 11.

Section 9.03 I-2 Heavy Industrial District

The intent of the I-2 Heavy Industrial District is to provide for assembly, manufacturing, processing, or industrial uses not allowed in any other district providing that, within this district, uses of a hazardous nature or those producing extensive smoke or odor shall not be located so that the general hazard or nuisance affects a large segment of the community.

A. Uses Permitted in the I-2 Heavy Industrial District

1. *Any use permitted in the I-1 Industrial District.*
2. *Assembly, manufacturing, processing, and industrial uses that meet the intent of the I-2 Heavy Industrial District.*
3. *Salvage Operation/Yard: if located not less than four hundred (400) feet from any R-District; providing such operation is conducted within an area enclosed on all sides with a privacy fence not less than eight (8) feet high and provided further that such operation shall not be visible from a street or road.*
4. *Distillation of ethyl alcohol from farm products on a commercial basis.*
5. *Railroad or barge freight facilities.*
6. *Iron or steel or other metal manufacture or processing, foundry or fabrication plant and heavy weight casting, including galvanizing and other treatment.*
7. *Rock, sand, slag, or gravel storage and distribution (large scale).*
8. *Solid fuel such as coal, coke, and wood, storage and sales.*
9. *Storage of explosives or inflammables, used on-site, and not in excess quantities that would be hazardous outside of the zoning lot.*

10. *Storage of gasoline, fuel oil or other flammable or explosive liquids or materials, or fuel gasses under pressure*, used on-site, and not in excess quantities as that would be hazardous outside of the zoning lot.
11. *Accessory uses and structures customarily incident to any of the above uses*, located within the buildable area of the zoning lot.
12. *Business and advertising signs*: subject to the additional requirements of Article 14.

B. Special Uses in the I-2 Heavy Industrial District

The following special uses are permitted and shall meet the requirements of Section 18:

1. *Adult Use*: subject to the additional requirements of Article 14.
2. *Asphalt manufacturing or refining*.
3. *Hazardous Chemical manufacturing or processing*.
4. *Meat and fish processing plants, including fat-rendering*.
5. *Ore reduction*.
6. *Petroleum refining*.
7. *Power generation, including but not limited to coal, electric, gas, nuclear, oil, and steam*.
8. *Quarry, gravel pit, and surface mining resulting in the removal of natural resources*: subject to the additional requirements of Article 14.
9. *Tanneries*.
10. *Wind Energy Conversion System, Private*: subject to the additional requirements of Article 14.
11. *Bulk Storage and distribution of explosives or inflammables, garbage, hazardous waste (management or treatment), offal or dead animals, sanitary landfill*.

Section 9.04 I-1 and I-2 Bulk Regulations

The following minimum requirements shall apply:

A. I-1 Bulk Regulations

I-1 Light Industrial					
Min. Lot Area	Max Lot Coverage	Min. Lot Width & Road Frontage	Min. Front Yard Setback*	Min. Side Yard Setback*	Min. Rear Yard Setback*
1 Acre.	50%	150 ft.	100 ft.	35 ft. (unless adjacent to residential property-75 ft.)	25 ft. (unless adjacent to residential property-75 ft.)

*Except as provided in Section 3.12 (Additional Setback Regulations)

B. I-2 Bulk Regulations

I-2 Heavy Industrial					
Min. Lot Area	Max Lot Coverage	Min. Lot Width & Road Frontage	Min. Front Yard Setback*	Min. Side Yard Setback*	Min. Rear Yard Setback*
5 Acres	50%	200 ft.	100 ft.	75 ft.	75 ft.

* Except as provided in Section 3.12 (Additional Setback Regulations)

C. I-1 and I-2 Building Height Regulations

No building in the I-1 or I-2 Districts shall exceed fifty (50) feet in height unless the front, side, and rear yards are increased five (5) feet for every five (5) feet or fraction thereof of additional height over fifty (50) feet.

Section 9.05 Outside Storage

All outside storage shall be screened from sight, with plant materials or privacy fencing six (6) feet high or a combination of both fencing and plant material.

Article X. OFF-STREET PARKING

Section 10.01 Purpose

The purpose of the off-street parking and loading section is to prevent the congestion of public streets by requiring minimum standards for off-street parking and loading spaces.

Section 10.02 Off-Street Parking Applicability

- A. *Uses Established After the Effective Date of this Ordinance:*** All buildings or structures erected after the effective date of this ordinance shall provide off-street parking and loading spaces.
- B. *Increase in Intensity of Use:*** When the intensity of use of any building, structure, or premises shall be increased through the addition of dwelling units, gross floor area, seating capacity, or other units of measurement specified, parking and loading facilities as required herein shall be provided for such increase in intensity of use and for at least fifty percent (50%) of any existing deficiency in parking or loading facilities.
- C. *Uses Established Prior to the Effective Date of this Ordinance:*** All off-street parking and loading facilities in existence on or before the effective date of this ordinance and located on the same zoning lot as the building or structure shall not hereafter be reduced below the similar requirements for a similar new building or structure under the provisions of this ordinance.
- D. *Location and Ownership of Off-Street Parking and Loading Facilities:*** Except as provided in Section 10.03 (Joint Parking), all off-street parking and loading facilities shall be located on the same zoning lot, or across a public street or alley from the principal use it serves. Off-street parking spaces may be located on surface lots, underground, under a building, or in parking structures.

Section 10.03 Joint Parking Facilities:

Off-street parking for separate uses may be provided collectively in any district if the total number of spaces provided meets or exceeds the requirements for each separate use. The County Board may reduce the number of joint parking spaces by up to twenty percent (20%) if shared parking lots are utilized and the respective hours of operation do not substantially overlap. The property owners of the respective uses must prove that there is no substantial overlap in the hours of operation.

Section 10.04 Off-Street Parking Additional Provisions

A. *Design and Maintenance*

1. **Size:** A required off-street parking space shall be an area of not less than ten (10)

feet in width by twenty (20) feet in length exclusive of access drives or aisles, ramps, columns, or office and work areas; accessible from streets or alleys or from private driveways or aisles leading to streets or alleys; and to be used for the storage or parking of passenger automobiles or commercial vehicles. All parallel parking spaces shall have a stall length of not less than twenty-four (24) feet and a stall width of not less than ten (10) feet. Each space shall have a vertical clearance of not less than seven (7) feet.

Parking Space Dimensions

Angle	Stall Width	Stall Length	Aisle Width*	Curb Length
0°	10'	20'	12'	24'
45°	10'	19.6'	13'	14'
60°	10'	21'	18'	12'
90°	10'	19'	24'	10'

*No two-way aisle shall be less than 24' in width.

2. **Access:** Each off-street parking space shall open directly to an aisle or driveway in order to provide safe and efficient means of vehicular access. All off-street parking facilities shall provide safe access to a public street or alley.
 3. **Surfacing:** All open off-street parking areas and driveways shall be improved with either bituminous, concrete, gravel, or crushed stone.
 4. **Screening and Landscaping** Within or adjacent to a residential district, all open off-street parking areas containing six (6) or more cars shall be effectively screened by a wall, a solid fence, or a densely planted compact hedge along any side which is adjacent to property in residential use unless that use at least seventy-five (75) feet from the nearest residential property line.
- B. Lighting:** Any lighting used to illuminate an off-street parking area shall be so arranged as to reflect straight down and not be directed an adjoining property.
- C. Drainage:** Proper drainage and grading shall be provided to dispose of all runoff water.

Section 10.05 Mobility Impaired Accessible Parking

- A. Description:** All developments which serve the public shall allocate parking spaces which are accessible to people with disabilities. Accessible parking and signage shall meet the current requirements of the Illinois Accessibility Code.
- B. Size:** A required mobility-impaired accessible off-street parking space shall be an area of not less than sixteen (16) feet in width by nineteen (19) feet in length. Each accessible parking space shall be located in close proximity to the most accessible entrance to the principal building. A handicap parking sign shall be located five (5) feet above ground level and not

obscured by parked vehicles.

C. **Required Spaces:** The following minimum requirements shall be provided according to the following table and shall be in compliance with the Illinois Accessibility Code:

1. Total Off-Street Parking Spaces Provided	2. Accessible Spaces Required
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2 % of total parking spaces provided
Over 1,000	20 plus 1 for each 100 over 1000

Source: ADAAG

Section 10.06 Off-Street Parking Requirements:

Paved off-street automobile parking shall be provided on any lot on which any of the following uses are hereafter established. Such space shall be provided with vehicular access to a street or alley. The following are minimum requirements for specific uses:

<i>RESIDENTIAL USES</i>	
<i>Single-Family Dwellings</i>	<i>2 spaces per each dwelling unit</i>
<i>Two-Family Dwellings, Duplexes, and Townhouses</i>	<i>2 spaces per each dwelling unit</i>
<i>Multiple-Family Dwellings and Apartments</i>	<i>1.5 spaces per each dwelling unit</i>
<i>Mobile Home</i>	<i>2 spaces per each dwelling unit</i>
<i>Community Residence or Senior Housing</i>	<i>1 space per every 3 bedrooms plus 1 space per each employee on the maximum shift</i>
<i>Lodging House or Group Home</i>	<i>1 space per every 3 bedrooms plus 1 space per each employee on the maximum shift</i>
<i>AGRICULTURAL USES</i>	
<i>Greenhouse and Nursery</i>	<i>1 space per 400 square feet of floor area</i>
<i>Farm Product Sales</i>	<i>1 space per 400 square feet of sales area with a minimum of 4 spaces per</i>

	<i>establishment</i>
<i>INSTITUTIONAL OR QAUSI-PUBLIC USES</i>	
<i>Auditorium or Stadium</i>	<i>1 space per 4 seats provided</i>
<i>Cemetery</i>	<i>1 space per 4 seats provided in the chapel or assembly area plus 1 space per employee on the maximum shift</i>
<i>Community Building</i>	<i>1 space per 300 square feet of floor area</i>
<i>Daycare Center or Nursery School</i>	<i>1 space per every 10 children at maximum capacity plus 1 space per employee on the maximum shift</i>
<i>Fire Station</i>	<i>1 space per employee on the maximum shift plus 1 space per vehicle customarily used in operation of the use or stored on the premises</i>
<i>Funeral Home or Crematory</i>	<i>1 per 3 persons capacity or 1 space per each 150 square feet of floor area in parlors or assembly areas, whichever is greater.</i>
<i>Government/ Municipal Building</i>	<i>1 per 300 square feet of usable floor area, plus 1 per each 3 employees. Every governmental vehicle shall be provided with a reserved off-street parking space.</i>
<i>Hospital</i>	<i>1 space per each bed plus 1 space per each doctor and employee on the maximum shift</i>
<i>Library</i>	<i>1 space per 600 square feet of floor area</i>
<i>Marina</i>	<i>1 space per each boat slip</i>
<i>Place of Worship</i>	<i>1 space per 5 seats provided</i>
<i>Police Station</i>	<i>1 space per employee on the maximum shift plus 1 space per vehicle customarily used in operation of the use or stored on the premises plus a minimum of 3 visitor spaces</i>
<i>Post Office</i>	<i>1 space per 300 square feet of floor area or a minimum of 5 spaces, whichever is greater</i>
<i>Elementary and Junior High School</i>	<i>1 space per each classroom plus 1 space per each non-teaching employee on the maximum shift plus 1 space per 15 seats provided in an auditorium or gymnasium</i>
<i>High School</i>	<i>1 space per each classroom plus 1 space per each non-teaching employee on the maximum shift plus 1 space per every 5 students based on the maximum capacity</i>
<i>Vocational School</i>	<i>1 space per each classroom plus 1 space per each non-teaching employee on the maximum shift plus 1 space per every 2 students based on the maximum capacity</i>

COMMERCIAL USES	
<i>Animal Hospital or Clinic</i>	<i>1 space per 400 square feet of floor area</i>
<i>Banks, Financial, and Insurance Institutions</i>	<i>1 space per 300 square feet of floor area</i>
<i>Barbershop and Beauty Parlor</i>	<i>1 space per employee on the maximum shift plus 1.5 spaces per chair</i>
<i>Bars</i>	<i>1 space per 200 square feet of floor area</i>
<i>Bed and Breakfast</i>	<i>2 spaces plus 1 space per guest room plus 1 per employee</i>
<i>Bookstore</i>	<i>1 space per 300 square feet of floor area</i>
<i>Car Wash</i>	<i>1 space per each employee on the maximum shift plus 1 space per each 2 bays or stalls</i>
<i>Daycare Center</i>	<i>1 space per each employee plus 1 space per every 10 children at maximum capacity</i>
<i>Doctor's Clinic and Health Center</i>	<i>1 space per 300 square feet of floor area</i>
<i>Dry Cleaning Establishment and Laundromat</i>	<i>1 space per 250 square feet of floor area</i>
<i>Drug Store, Convenience Store, or Liquor Store</i>	<i>1 space per 300 square feet of floor area</i>
<i>Gas Station</i>	<i>1.5 spaces per fueling bay, plus 1 space per 250 square feet of floor area devoted to offering retail goods, plus 1 space per employee on the maximum shift. Gas stations providing automobile repair and services shall also comply with the parking requirements for automobile repair and service facilities.</i>
<i>Grocery Store or Supermarket</i>	<i>1 space per 250 square feet of floor area up to 7,500 square feet of floor area. 1 space per 300 square feet of floor area for more than 7,500 square feet of floor area.</i>
<i>Hardware Store</i>	<i>1 space per 300 square feet of floor area, including outdoor sales and display, up to 7,500 square feet of floor area. 1 space per 400 square feet of floor area for more than 7,500 square feet of floor area.</i>
<i>Home Occupation</i>	<i>1 space for every 300 square feet of floor area with a maximum of 3 spaces specifically for the home occupation</i>
<i>Hotel or Motel</i>	<i>1 space per room, plus 1 space per each employee on the maximum shift, plus 1 space shall be provided per 500 square feet of convention space or restaurants (if applicable).</i>
<i>Medical Office</i>	<i>1 space per 300 square feet.</i>

<i>Offices and Office Buildings</i>	<i>1 space per 300 square feet of floor area up to 15,000 square feet of floor area. 1 space per 400 square feet of floor area for more than 15,000 square feet of floor area.</i>
<i>Restaurant and Tavern</i>	<i>1 space per 3 seats under the maximum seating arrangement including outdoor seating (minimum of 5 spaces).</i>
<i>Restaurant, Drive-In</i>	<i>1 space per 50 square feet of floor area or a minimum of 10 spaces, whichever is greater</i>
<i>Restaurant, Fast-Food</i>	<i>1 space per 100 square feet of floor area, including outdoor seating</i>
<i>Vehicle Sales</i>	<i>1 space per every 2,000 square feet of interior or exterior sales, display, or storage area up to a total 20 spaces, plus 1 space per each employee on the maximum shift</i>
<i>Vehicle Repair and Service</i>	<i>1 space per 500 square feet of floor area, plus 1 space per service bay, plus 1 space per employee on the maximum shift</i>
<i>Other Retail Sales and Service</i>	<i>1 space per 400 square feet of floor area up to 7,500 square feet of floor area. 1 space per 500 square feet of floor area for more than 7,500 square feet of floor area.</i>
ENTERTAINMENT USES	
<i>Art Gallery or Museum</i>	<i>1 space per 300 square feet of floor area</i>
<i>Banquet Hall or Meeting Hall</i>	<i>1 space per 200 square feet of seating area</i>
<i>Billiard Hall</i>	<i>2 spaces per each billiard table plus 1 space per each employee on the maximum shift</i>
<i>Boat Launch</i>	<i>1 per boat slip plus 20 stalls per ramp, including 10 stalls capable of accommodating vehicles with trailers (15 feet by 40 feet), and adequate turnaround</i>
<i>Bowling Alley</i>	<i>3 spaces per each alley or lane plus 1 space per every 4 seats within an accessory restaurant</i>
<i>Clubs, Lodges, and Fraternal Buildings</i>	<i>1 space per 200 square feet of floor area intended for guests</i>
<i>Conference Center or Convention Center</i>	<i>1 space per 200 square feet of convention space</i>
<i>Golf Course</i>	<i>4 spaces per each hole plus 1 space per every 4 seats within an accessory restaurant</i>
<i>Golf Driving Range</i>	<i>1 space per each tee</i>
<i>Health Club</i>	<i>1 space per 200 square feet of exercise area plus 1 space per each employee on the maximum shift</i>

<i>Miniature Golf Course</i>	<i>2 spaces per each hole</i>
<i>Movie Theater</i>	<i>1 space per 5 seats plus 1 space per each employee on the maximum shift</i>
<i>Public Park and Playground</i>	<i>1 space per 5,000 square feet of land area or a minimum of 5 spaces, whichever is greater</i>
<i>Swimming Facility</i>	<i>1 space per 100 square feet of water area plus 1 space per each employee on the maximum shift</i>
<i>Tennis Facility</i>	<i>3 spaces per each court</i>
INDUSTRIAL USES	
<i>Industrial and Manufacturing Uses</i>	<i>1 space per employee on the maximum shift plus 1 space per vehicle owned and stored on the premises</i>

Section 10.07 Off-Street Loading Requirements:

- A. *Location:*** All required off-street loading berths shall be located on the same zoning lot as the use served. Any loading berth located adjacent to a residential district shall be effectively screened from view by a wall, a solid fence, or a densely planted compact hedge at least six (6) feet in height.
- B. *Size:*** All required off-street loading berths shall be not less than fifteen (15) feet in width, fifty-five (55) feet in length, exclusive of access aisles and maneuvering space, and fourteen (14) feet in height.
- C. *Surfacing:*** All open off-street loading berths shall be improved with either bituminous, concrete, gravel, or crushed stone.
- D. *Access:*** All required off-street loading berths shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movement.
- E. *Minimum Facilities:*** Uses for which off-street loading facilities are required herein, but which are located in buildings of less floor area than the minimum prescribed for such required facilities, shall be provided with adequate receiving facilities, accessible by motor vehicle off any adjacent alley, service drive, or open space on the same zoning lot.

F. Schedule of Minimum Loading Spaces

	Use	Gross Floor Area (square feet)	Required Number and Minimum Horizontal Dimensions of Berths
(1)	Hospitals, sanitariums and other institutional uses.	10,000 to 200,000	1—(10 ft. X 25 ft.)
(2)	Hotels and lodges	For each additional 200,000 or fraction thereof	1 additional (10 ft. X 25 ft.)
(3)	Hotels, clubs and lodges, when containing any of the following: Retail shops, convention halls, auditoriums, exhibition halls or business or professional offices, other than accessory.	10,000 to 20,000 20,000 to 150,000 For each additional 150,000 or fraction thereof	1—(10 ft. X 25 ft.) 1—(10 ft. X 50 ft.) 1 additional (10 ft. X 50 ft.)
(4)	Retail stores.	5,000 to 10,000	1—(10 ft. X 25 ft.)
(5)	Establishments dispensing food or beverages for consumption on the premises.	10,000 to 25,000 25,000 to 40,000	2—(10 ft. X 25 ft. ea.) 2—(10 ft. X 50 ft. ea.)
(6)	Motor vehicle and machinery sales.	40,000 to 100,000	3—(10 ft. X 50 ft. ea.)
(7)	Wholesale establishments, but not including warehouse and storage buildings other than accessory.	For each additional 200,000 or fraction thereof	1 additional (10 ft. X 50 ft.)
(8)	Auditoriums, convention halls, exhibition halls, sports arenas, stadiums.	10,000 to 20,000 20,000 to 100,000	1—(10 ft. X 25 ft.) 1—(10 ft. X 50 ft.)
(10)	Banks and offices; business, professional and governmental.	10,000 to 100,000 For each additional 100,000 or fraction thereof to 500,000 For each additional 500,000 or fraction thereof	1—(10 ft. X 25 ft.) 1 additional (10 ft. X 25 ft.) 1 additional (10 ft. X 25 ft.)
(11)	Establishments engaged in production, processing, cleaning, servicing, testing or repair of materials, goods or products.	5,000 to 10,000 10,000 to 40,000 40,000 to 100,000	1—(10 ft. X 25 ft.) 1—(10 ft. X 50 ft.) 2—(10 ft. X 50 ft. ea.)
(12)	Warehouses and storage buildings.	For each additional 100,000 or fraction thereof	1 additional (10 ft. X 50 ft.)

Article XI. SIGNS

Section 11.01 Purpose

The reasonable display of signs is necessary as a public service and to the conduct of commerce and industry. The regulations of this article establish the minimum standards for the display of signs to provide a desirable and attractive living environment through harmonious and uniform signage.

Section 11.02 General Sign Provisions

- A. *Obstruction of any entrance:*** A sign erected in any district shall not be constructed and/or maintained so as to obstruct any fire escape, window, door, or opening used as a means of entrance or egress for fire-fighting purposes, or so as to prevent free passage from one (1) part of a roof to any other part thereof or to another roof. No sign shall be attached in any form, shape or manner to a fire escape or be so placed as to interfere with any opening required for legal ventilation.
- B. *Nonconforming signs:*** A sign lawfully established before the effective date of the ordinance from which this article is derived but not conforming with the regulations of this article may remain. Minor repairs and maintenance of such signs and the repainting and change of display of an existing painted bulletin sign and changing display of an existing poster panel sign is not affected by this article. Replacements or enlargements are not permitted.
- C. *Obstruction of view:*** No sign of any kind shall be located or placed so as to interfere with the full view of vehicular traffic in all directions or the site triangles described below:
1. The triangle formed by extending lines seventy-five (75) feet from the intersection of the center lines in each direction.
- D. *Exemptions from sign regulations:***
1. Nameplate and identification signs (non-illuminated) displayed on private property not exceeding four (4) square feet in area.
 2. Bulletin boards not over thirty-two (32) square feet in area, for public, charitable, or religious institutions which are located on the premises of said institutions
 3. Governmental flags and insignia, when not used for commercial purposes.
 4. Governmental identification, traffic, parking, and directional signs.
 5. Directional Signs: displaying the name and location of a city, town or village, airport, hospital, community center, private school, college, YMCA, YWCA, church, or other place of worship; or Chamber of Commerce, Rotary, Kiwanis, or other similar service or community clubs.

6. Temporary contractor signs not exceeding a sign area of thirty (30) square feet per construction project and shall be removed when construction is completed. No temporary contractor sign shall be more than six (6) feet above grade level.
7. Temporary event signs not exceeding a sign area of thirty-two (32) square feet per lot, not erected more than thirty (30) days prior to an event, and shall be removed two (2) days following an event. No temporary event sign shall be more than four (4) feet above grade level.
8. Temporary garage sale and open house signs not exceeding a sign area of five (5) square feet per lot, not to be erected more than twenty-four (24) hours prior to an event, and to be removed immediately following the event. No temporary garage sale or open house sign shall be more than four (4) feet above grade level.
9. Temporary political signs, not to be erected more than sixty (60) days prior to an election, and must be removed seven (7) days following an election.
10. Temporary real estate signs not exceeding a sign area of six (6) square feet per lot. The sign shall be removed within seven (7) days of the sale or lease of the premises upon which the sign is located.
11. Commemorative plaques located on designated historical or other similar properties.
12. Home occupation signs (non-illuminated) not exceeding a sign area of four (4) square feet per lot.

E. *Prohibited Signs:*

The following signs are prohibited in all districts in Putnam County:

1. Abandoned signs which have not been in use for a period of ninety (90) days, regardless of the intent to resume or not to abandon such use. Such signs shall be removed within thirty (30) days of the determination that the sign is abandoned.
2. Any sign erected in a public easement or right of way.
3. Flashing or blinking signs and strobe lights.
4. Roof signs.
5. Signs displaying indecent, immoral, or obscene matter.
6. Signs displaying words or phrases which may confuse or interfere with pedestrian

and vehicular traffic.

7. Signs attached to a tree, utility pole, fire hydrant, or other objects located on or projecting over public property.
8. Signs that because of poor maintenance, structure, or disrepair is deemed unsafe.
9. Permanent signs which must be inflated.
10. Portable signs.
11. No sign shall be attached to or painted on natural objects such as trees or rocks.
12. No person shall erect, construct, or maintain any sign upon any lot or building without the express consent of the owner or person entitled to possession of the lot or building or their authorized representative.

F. *Maintenance of signs:* The Zoning Enforcement Officer is hereby authorized to determine whether or not a sign is adequately maintained and shall order repaired or removed any sign which is not being adequately maintained.

G. *Unsafe and unlawful signs:* If the Zoning Enforcement Officer finds that any sign is unsafe or insecure, or is a menace to the public, or has been constructed or erected or is being maintained in violation of the provisions of this section, the Officer shall give written notice to the property owner of which the sign is located. If the owner fails to remove or alter the sign to comply with standards herein set forth within ten days after such notice, action may be taken the County to have the property owner comply.

Section 11.03 Agricultural District-Permitted Signs

The following signs are allowed in the A-1 District:

A. *Permitted Signs:*

1. Commercial identification signs associated with permitted uses, not exceeding sixteen (16) square feet in gross surface area. One (1) attached and/or one (1) freestanding commercial identification sign shall be permitted with a maximum of two (2) signs.
2. Identification signs associated with special uses as regulated by relevant special use permit or permits, not exceeding thirty-two (32) square feet in gross surface area. One (1) attached and/or one (1) freestanding commercial identification sign shall be permitted with a maximum of two (2) signs.

B. *Location and Height:*

1. No freestanding sign shall be located closer than ten (10) feet to any property line.
2. No sign attached to the wall of a building or other structures shall extend above the roofline of that building or structure.
3. No sign shall exceed ten (10) feet in height from the surrounding grade to the highest point of the sign.

Section 11.04 Residential District – Permitted Signs

The following signs are allowed in R-1, R-2, and R-3 Districts:

A. *Permitted Signs*

1. *Subdivision Identification Signs:*

- a) One subdivision identification sign shall be permitted per subdivision or multi-family residential complex.
- b) Only the name and address of the building, complex, or neighborhood shall be permitted on the sign.
- c) No subdivision identification sign shall exceed thirty (30) square feet in sign area.

2. *Residential Construction Project Signs:*

- a) **Promotional Signs:** One (1) sign not exceeding ninety six (96) square feet per face. Such signs shall be removed within two (2) years from the date of issuance of the sign permit, or when eighty percent (80%) of the lots and/or dwelling units have been sold, whichever circumstance occurs first.
- b) **Directional Signs:** Any number of signs not exceeding ten (10) square feet per face. Such signs may include directions to the development and pertinent information concerning the developer but shall exclude promotional information, and shall be removed within two (2) years from the date of issuance of the sign permit, or when eighty percent (80%) of the lots and/or dwelling units have been sold, whichever circumstance occurs first.

3. *Institutional Identification Signs:* Institutional identification signs for churches, schools, hospitals or fraternal, benevolent and social service organization: One (1) permanent sign shall be allowed on the same premises provided that said sign does not exceed ninety six (96) square feet in area per facing on each roadway

B. Location and Height

1. No subdivision identification sign shall be more than six (6) feet above grade level.
2. All signs shall be at least six (6) feet from the front, side, or rear lot lines.

Section 11.05 Commercial and Industrial District – Permitted Signs

The following signs are allowed in C-1, C-2, I-1, and I-2 Districts:

A. Permitted Signs

1. *Attached Signs:* One (1) attached sign not exceeding five percent (5%) of the total square footage of the building face upon which it is placed. In the instance of corner lots, an additional attached sign will be permitted on each street frontage of the respective building face upon which it is placed. For buildings with multiple tenants, see other requirements below.
2. *Ground Signs:* One (1) ground sign per lot not exceeding sixty four (64) square feet per face may be substituted for the allowable pole sign.
3. *Pole Signs:* One (1) pole sign per lot not exceeding ninety six (96) square feet per face.
4. *Occupational/Identification Signs:* One (1) attached, nonilluminated sign not exceeding four (4) square feet in size displaying the name, occupation and/or service located upon the premises and the address.
5. *Window Signs:* Shall not cover more than twenty percent (20%) of the total window area or door to which they are applied.
6. *Commercial Directory Signs:* For buildings with multiple tenants, a directory sign may be substituted in lieu of the allowable pole sign and/or ground mounted sign not exceeding ninety six (96) square feet per face.
7. *Industrial Park Signs:* For industrial parks with multiple industries, a directory sign may be substituted in lieu of the allowable pole sign and/or ground mounted

sign not exceeding ninety six (96) square feet per face.

8. *Projecting Signs:* Projecting signs shall be permitted in lieu of freestanding signage on any street frontage limited to one (1) sign per occupancy along any street frontage with public entrance to such an occupancy. Such signs shall not exceed thirty two (32) square feet per face.

B. Location and Height:

1. *Attached Signs:* Shall be face mounted on the building wall, projecting not more than one and one half (1.5) feet from the face of the building. Such signs shall not project above the parapet wall, mansard, or other roofline, shall maintain a clearance of ten (10) feet above the ground or pavement, and shall be recessed where involving a pitched roof location.
2. *Ground Signs:* Such signs shall not exceed ten (10) feet in height from the surrounding grade to the highest point on the sign and shall be located no closer than ten (10) feet to any property line. Such signs shall not be located so as to obstruct vision at a vehicular entry or exit from the property.
3. *Pole Signs:* Such signs shall not exceed thirty (30) feet in height from the surrounding grade to the highest point on the sign, and shall be located no closer than two (2) feet to a street or road rights of way line, no closer than ten (10) feet to an interior property line. The bottom of the sign shall be at least eight (8) feet above surrounding grade.
4. *Window Signs:* Such signs may only be attached to the interior of a window or glass door and shall be maintained in good repair.
5. *Commercial Directory/Industrial Park Signs:*
 - a) *Ground Sign:* Such signs shall not exceed fifteen (15) feet in height from the surrounding grade to the highest point of the sign, and shall be located no closer than ten (10) feet to any public street rights of way or property line.
 - b) *Pole Sign:* Such signs shall not exceed thirty(30) feet in height from the surrounding grade to the highest point on the sign, and shall be located no closer than ten (10) feet to a street or road rights of way line, no closer than ten (10) feet to an interior property line. The bottom of the sign shall be at least eight (8) feet above surrounding grade.
6. *Projecting Signs:* No such sign shall extend vertically above the highest point of the building facade upon which it is mounted by more than six (6) inches, and

shall not project horizontally more than eight (8) feet. The bottom of the sign shall be a minimum of eight (8) feet above grade. No such sign shall project into or over a public right of way.

7. *Property Real Estate Signs*: No such sign shall exceed fifteen (15) feet in height from the surrounding grade to the highest point of the sign, and shall be located no closer than ten (10) feet to any property line.

C. Other Requirements:

1. *Number Of Signs*: Each building or property shall be allowed a maximum of two (2) signs, which may be either an attached sign, a ground sign, or a pole sign, but the total number shall not include more than one sign of each of these types. Window signs and occupational/directional signs as regulated by this section are excluded from this maximum of two (2) signs. When a directory sign is substituted for the allowable pole and/or ground sign, only attached and/or fascia signs shall be allowed as additional signs.
2. *Buildings With Multiple Occupancy*: For buildings and/or property containing more than one business or tenant, each business or tenant may have one attached or projecting sign conforming to the requirements of this section. For the purposes of determining the total square footage of the attached or projecting sign, only the face of each respective lease unit to which the respective sign will be attached shall be counted. Each sign must be attached to the lease unit containing the business tenant identified.
3. *Additional Wall Sign*: Each building or property may have one additional attached sign conforming to the requirements of this section on walls containing a main entrance which face customer parking areas and are not visible from either a public or private street. For this exception to apply, the signs must be attached to the same wall as their respective entrances and both the signs and the entrances must be upon the same plane of the building

Section 11.06 Signs Requiring Special Use Permits

The following signs require the approval of a special use permit subject to the provisions provided in Article 18 and this section:

A. Off-Premises Signs

1. Only one (1) off-premises sign shall be permitted per lot.
2. No sign exceed two hundred (200) square feet in area.

3. No sign shall exceed twenty (20) feet above grade level.
4. No sign shall be located closer than fifteen (15) feet from any public right-of-way.
5. No sign shall be located closer than two hundred fifty (250) feet from any residential district, public park, or recreation area.
6. No sign shall be located closer than one thousand (1,000) feet of another off-premises sign
7. No sign shall be located closer than two hundred (200) feet of any on-premise freestanding sign.
8. No sign shall be located closer than one hundred (100) feet of any intersection of two (2) or more streets.
9. No sign shall be located on A-1 zoned land adjacent to the right-of-way of Illinois State Routes 26 or 29.

Article XII. NUISANCES AND PROHIBITED USES

Section 12.01 Definition

For the purposes of this Article, the word "nuisance" is hereby defined as any person or corporation doing an unlawful act, or omitting to perform a duty, or suffering or permitting any condition or thing to be or exist, which act, omission, condition, or thing, either:

- A. Injures or endangers the comfort, repose, health, or safety of others; or
- B. Offends decency; or
- C. Interferes with, obstructs, or tends to obstruct, or renders dangerous for passage any public or private street, highway, sidewalk, stream, ditch, or drainage way; or
- D. In any way renders other persons insecure in life or the use of property; or
- E. Essentially interferes with the comfortable enjoyment of life and property, or tends to depreciate the value of the property of others.

Section 12.02 Illustrative Enumeration

The maintaining, using, placing, depositing, leaving, or permitting to be or remain on any public or private property of any of the following items, conditions, or actions, are hereby declared to be and constitute a nuisance:

- A. Noxious weeds.
- B. Accumulation of rubbish, trash, refuse, junk, and other abandoned materials, metals, lumber, or other items unacceptable to surrounding landowners.
- C. Any condition which provides harborage for rats, mice, or other vermin.
- D. Any building or other structure which is in such a dilapidated condition that it is unfit for human habitation, or kept in such an unsanitary condition that it is a menace to the health of people residing in the vicinity thereof, or if the building or use presents a more than ordinarily dangerous fire hazard in the vicinity where it is located.
- E. All disagreeable or obnoxious odors and stenches, which extend beyond the lot line from which they emanate, as well as the conditions, substances, or other causes which give rise to the emission or generation of such odors and stenches, except livestock operations.
- F. The carcasses of animals or fowl not disposed of within a reasonable time after death.

- G. The pollution of any well or cistern, stream, lake, canal, or body of water by sewage, dead animals, industrial wastes, hazardous wastes, toxic wastes, nuclear wastes, or other toxic substances.
- H. The pollution of any land by sewage, industrial wastes, hazardous wastes, toxic wastes, nuclear wastes, or other toxic substances.
- I. Inoperative and unregistered motor vehicles, whether on public or private property, will be considered a nuisance by the application of the following guidelines:
 - 1. Inoperative vehicle means any motor vehicles from which, for a period of six (6) months, the engine, wheels, or other parts have been removed, or on which the engine, wheels, or other parts have been altered or damaged or otherwise so treated that the vehicle is incapable of being driven under its own power.
 - 2. This section does not apply to a motor vehicle that is kept within a building when not in use, or to motor vehicles on the premises of a place of business engaged in the wrecking or junking of motor vehicles.

Any violation of this section is subject to the provisions and remedies of Article 16.

Section 12.03 **Prohibited**

It shall be unlawful for any person to cause, permit, maintain, or allow the creation or maintenance of a nuisance.

Section 12.04 **Notice to Abate – Procedures and Penalties**

Whenever a nuisance is reported to the Zoning Enforcement Officer, the complainant will sign the complaint form describing the type or forms of nuisance, the location, and the owner or resident.

Investigation by the Zoning Enforcement Officer will determine the validity of the complaint, and, if in his judgment is determined as valid, will proceed to serve written notice upon the owner or resident, by mail or by person, and will state the form or forms of the nuisance, and will allow a minimum of thirty (30) days for the complaint to be addressed or abated.

In cases where the complainant does not agree with the findings of the Zoning Enforcement Officer, appeals may be taken by following the procedure outlined in Article 16.

At the end of the thirty (30) day grace period, if no action to address the complaint or abate the nuisance has been made by the owner or resident, the Zoning Enforcement Officer may, if in his judgment, the nuisance warrants a hearing by the Zoning Board of Appeals for recommendation on

possible prosecution, will so schedule a hearing for the next regular meeting of the Zoning Board of Appeals, providing that a minimum of seven (7) days notice has been given to the owner and/or resident prior to the scheduled meeting, informing the owner and/or resident of the action being taken.

A sworn certification by the Zoning Enforcement Officer that notices had been mailed to the owner and/or resident shall be acceptable in lieu of certified mail. At the hearing, the defendant may appear in person, by agent, or by attorney.

The Zoning Board of Appeals, at their regular meeting, will hear the testimony and recommend whether or not the State's Attorney should proceed with legal action to abate the nuisance complaint. Penalties for violations of this Article will be assessed in accordance with Article 16.

Section 12.05 **Contents of Notice**

The notice to abate a nuisance issued under the provisions of this Article shall contain:

- A. An order to abate the nuisance or to request a hearing within a stated time, which shall be reasonable under the circumstances.
- B. The location of the nuisance, if the said nuisance is stationary.
- C. A description of what constitutes the nuisance.
- D. A statement of acts necessary to abate the nuisance.
- E. A statement that if the nuisance is not abated as directed and no request for hearing is made within the prescribed time, the county may abate such nuisance and assess the cost thereof against such person or corporation.

Section 12.06 **Service of Notice**

The notice to abate a nuisance shall be served by the Zoning Enforcement Officer.

Section 12.07 **Abatement by County**

Upon the failure of the person or corporation upon whom notice to abate a nuisance was served pursuant to the provisions of this Article to abate the same, the County may bring action to abate such nuisance and recoup costs as provided by law.

Section 12.08

County's Cost Declared Lien

Any and all costs incurred by the County in the abatement of a nuisance under the provisions of this Article shall constitute a lien against the property upon which such nuisance existed, which lien shall be filed, proven and collected as provided for by law. Such lien shall be notice to all persons from the time of its recording, and shall bear interest at the legal rate thereafter until satisfied.

Article XIII. FLOOD PLAIN REGULATIONS

Section 13.01 Purpose

The regulations contained in this article are enacted pursuant to the police powers granted to this County by county statutory authority in 55 Illinois Compiled Statutes 5/5-1041 and 5/5-1063 in order to accomplish the following purposes:

- A.** To prevent unwise developments from increasing flood or drainage hazards to others;
- B.** To protect new buildings and major improvements to buildings from flood damage;
- C.** To promote and protect the public health, safety, and general welfare of the citizens from the hazards of flooding;
- D.** To lessen the burden on the taxpayer for flood control, repairs to public facilities and utilities, and flood rescue and relief operations;
- E.** To maintain property values and a stable tax base by minimizing the potential for creating blight areas;
- F.** To make federally subsidized flood insurance available; and
- G.** To preserve the natural characteristics and functions of watercourses and flood plains in order to moderate flood and storm water impacts, improve water quality, reduce soil erosion, protect aquatic and riparian habitat, provide recreational opportunities, provide aesthetic benefits and enhance community and economic development.

Section 13.02 Flood Plain Ordinance

For regulations, see the Putnam County Ordinance Regulating Development in Floodplain Areas adopted as ordinance #2008-0-01.

Article XIV. ADDITIONAL SPECIAL USE REGULATIONS

Section 14.01 Purpose

The special uses within this article require additional or specific regulations due to the unique or intensive nature of the listed uses.

Section 14.02 Adult Use

- A.** In no event shall an adult use establishment be permitted on the premises of an establishment which is licensed to sell or serve alcoholic beverages or on which alcoholic beverages are consumed.
- B.** In no event shall an adult use establishment be permitted within three-thousand (3,000) feet of a residential zoning district, church, school, home for aged or indigent persons, home for veteran's, or other similar institution or use.

Section 14.03 Accessory Housing Unit

- A.** The accessory housing unit shall be an attached or detached accessory use to a principal residence.
- B.** The permitted occupant (s) of the structure must be related to the property owner(s) by blood, marriage, adoption, or guardianship.
- C.** The maximum allowed area of the accessory housing unit shall be six hundred (600) square feet or 25 percent (25%) of the area of the principal residence, whichever is smaller.
- D.** One additional off-street parking space shall be required.
- E.** The rental or lease of the accessory housing unit, or the use of the accessory housing as a permanent residence for a second family on the premises shall be prohibited.
- F.** Kitchens and cooking facilities shall be prohibited.
- G.** Installation of a separate gas and/or electrical meter for the accessory housing unit shall be prohibited.
- H.** Adequate provision shall be made for modern running water and sewage facilities consistent with all applicable state and federal law.
- I.** All property development regulations applicable to the principal residence shall also be

applicable to the accessory housing unit, including setbacks, yards, and height limitations.

Section 14.04 **Commercial Campground and Recreational Vehicle Park**

A. *Minimum lot size requirement:* The minimum development site for a commercial campground and recreational vehicle park shall be ten (10) acres.

B. *Permitted uses and activities:* The following uses, vehicles and activities shall be permitted in all commercial campgrounds and recreational vehicle parks.

1. Recreational vehicles, travel trailers, pick-up coaches, motor homes, camping trailers, camping cabins (not to exceed twenty five (25%) of the total camp sites), and tents suitable for temporary habitation and used for travel, vacation and recreation purposes provided:
 - a) Underpinning or the removal of wheels, except for the temporary purpose of repair or stabilizing is prohibited.
 - b) External structures permanently attached to the ground such as carports, or cabanas associated with individual campsites, shall not be permitted.
2. A recreational vehicle shall not remain in a recreational vehicle park for more than two hundred-seventy (270) days in any three-hundred-sixty-five (365) day period except:
 - a) Vehicles owned and operated by seasonal camp workers shall be exempt from this requirement.

C. *Accessory Uses:* Management headquarters, toilets, dumping stations, showers, coin-operated laundry facilities, commercial uses exclusive to the park that cater to camp patrons only, and structures which are customarily incidental and subordinate to the operation of a commercial campground or recreational vehicle park are permitted as accessory uses to the park, subject to the following restrictions:

1. Such establishments and parking areas primarily related to their operations shall not occupy more than five percent (5%) of the gross area of the park.

D. *Prohibited uses and structures:*

1. Mobile homes and mobile home parks,
2. Permanent residences, excluding the accessory use of a resident management structure.

E. *Design standards for recreational vehicle parks and campgrounds:* All commercial campgrounds and recreational vehicle parks shall meet the following requirements in addition to other requirements in specific zones.

1. Location of campgrounds shall be limited to offsite roads with at least eighteen (18) foot wide pavement with two (2) foot shoulders.
2. Entrances and exits to the campgrounds shall be designed for safe and convenient movement of traffic into and out of the park and to minimize traffic conflict and facilitate free movement of traffic on adjacent streets. All traffic into and out of the park shall be thru such entrances and exits. No entrance or exit shall require a turn at an acute angle for vehicles moving in the direction intended. Curb radii, driveway cut and placement at intersections shall have a minimum of fifty (50) feet turning radius and exits shall be designed to allow ingress and egress simultaneously.
3. Internal roadways shall be maintained so emergency vehicles can safely access all areas of the site.
4. Sewage Disposal: All campgrounds will be required to be connected to a public sewer system or have a subsurface sewage disposal system approved by the Putnam County Health Department.
5. Any site plan shall address garbage service, particularly if common receptacles are used in which case screening of receptacles shall be required.
6. All campsites shall be designed in conformity with the Putnam County Floodplain Regulations if within a flood zone.

Section 14.05 **Drive-in Theater**

- A. Shall be located on a lot consisting of no less than ten (10) acres.
- B. Shall be located a minimum of eight hundred (800) feet from any residential zoning district.

Section 14.06 **Family Recreation and Camping**

- A. Camping shall be located on a lot consisting of a minimum of ten (10) acres.
- B. Adequate provisions shall be made for sewage facilities consistent with all applicable regulations of the Bureau-Putnam County Health Department and the State of Illinois. (Portable bathroom facilities are permitted with an annual proof of maintenance agreement by supplier who is licensed by the state must be filed annually with the county zoning officer. The portable bathroom facility must be harmonious with the surroundings and obscured

from public view.)

- C. Use shall be restricted to owner of the properties and relatives in the relation of sons, daughters and their spouses, aunts, uncles, nieces, nephews, fathers, mothers, brothers, sisters, grandparents and grand-children
- D. No more than two (2) tents or recreational vehicles (as defined by the Illinois state statute) units shall be placed, parked or used on the property at any time for more than sixty (60) days in a calendar year nor shall they be occupied more than fifteen (15) continuous days.
- E. Manufactured/mobile homes are not permitted.
- F. The lot and setback lines of the Zoning District shall be complied with.
- G. One permanent structure under four hundred (400) square feet for the storage of maintenance equipment used on the property, may be constructed after obtaining a proper building permit from the county.
- H. It shall be the responsibility of the of the property owner to maintain proper conduct of their guests at all times

Section 14.07 **Manufactured/Mobile Home (Agricultural)**

A maximum of one (1) manufactured/mobile home: may be maintained by a farm owner or operator, who is engaged in a bona fide agricultural occupation, and living on the land for persons not engaged in bona fide agricultural pursuits as defined by the ordinance providing:

- A. The occupant(s) of the trailer manufactured/mobile home is related to the property owner(s) by blood, marriage, adoption, or guardianship;
- B. The manufactured/mobile home is located within fifty (50) feet, but not closer than ten (10), of the single-family dwelling occupied by said owner, or operator;
- C. Adequate provision is made for modern running water and sewage facilities consistent with all applicable regulations of the Bureau-Putnam County Health Department and the State of Illinois;
- D. Each manufactured/mobile home is placed upon a permanent concrete foundation consisting of continuous concrete or concrete block sidewalls and with said trailer or mobile home permanently attached thereto. Piers and/or blocks shall be deemed insufficient to meet the requirement of a permanent foundation;
- E. The manufactured/mobile home shall contain not less than 720 square feet of living space;

- F.** The lot and setback lines of the agricultural district are complied with; and
- G.** The parcel of land containing the manufactured/mobile home consists of a minimum of thirty five (35) acres devoted to bona fide agricultural pursuits.
- H.** In addition, one manufactured/mobile home of any size may be located on a lot while the owner is building a house providing:
 1. The lot and setback lines of the agricultural district are complied with;
 2. The permit for such manufactured/mobile home shall be issued for only one year and renewable each year for no more than two successive years;
 3. Reasonable and diligent effort is being made to construct a house;
 4. At any time the Zoning Enforcement Officer determines that reasonable and diligent effort is not being made to construct a house, he shall immediately revoke the permit; and
 5. Adequate provision is made for modern running water and sewage facilities for said manufactured/mobile home consistent with all applicable regulations of the Bureau-Putnam County Health Department and the State of Illinois.

Section 14.08 **Manufactured/Mobile Home Park**

- A.** A manufactured/mobile home park, shall not in its proposed location, impair public health, safety, comfort, morals, or welfare of the community;
- B.** Shall only be permitted as a special use in the R-3 district;
- C.** Shall contain a minimum of five acres;
- D.** Shall have a buffer strip along its boundaries of evergreen trees and/or shrubs not less than five (5) feet high after one growing season and which at maturity are not less than ten (10) feet high;
- E.** Accommodations for each manufactured/mobile home shall include individual sewer and water connections consistent with all applicable regulations of the Bureau-Putnam County Health Department and the State of Illinois, a concrete trailer platform, a minimum site of 3600 square feet, and a hard surfaced drive; and
- F.** No manufactured/mobile home stand shall be closer than fifteen (15) feet to any other mobile home stand, building, property line or within twenty five (25) feet of any public street.

G. Pavements shall be of adequate widths to accommodate the contemplated parking and traffic load in accordance with the following:

1. Manufactured/Mobile home park streets are private unless the park is built to conform to county subdivision regulation requirements.
2. Entrance streets or streets serving forty (40) or more lots shall have a minimum width of forty (40) feet with guest parking allowed on both sides.
3. Minor streets (those streets serving less than forty (40) lots shall have the following minimum widths:
 - a) With parking (both sides) thirty four (34) feet
 - b) With parking (one side) twenty seven (27) feet
4. One-way minor streets shall be allowed when the street serves less than twenty (20) lots. The following minimum widths shall be required:
 - a) With parking (one side) twenty (20) feet

H. Cul-de-sac and turning circles shall have minimum diameter of one hundred (100) feet.

I. Intersections shall be generally at right angles with offsets and intersections of more than two streets at one point avoided.

J. Pavements shall be protected at the edges by curbs, gutters, or other suitable edging where necessary to prevent the wearing of surface and shifting of the base.

K. Gradients of streets shall be at least (0.014%) and not exceed on collector streets five percent (5%) and minor streets seven percent (7%).

L. Driveways shall be provided on the site where necessary for convenient access to service entrances of buildings to delivery and collection points for refuse and other materials and elsewhere as needed. Driveways serving a single manufactured/mobile home lot shall be at least nine feet wide.

M. All mobile homes shall be located on poured concrete pads or similar durable construction. In no case shall manufactured/mobile homes be allowed on concrete blocks only

Section 14.09 Surface Mining

A. *Minimum Site Area:* A minimum site area of twenty (20) acres shall be required.

B. *Compliance with State and Federal Regulations:*

It shall be unlawful for any owner/operator to engage in mining or earth extracting operation(s) in an area where the overburden shall exceed ten (10) feet in depth or where the operation will affect more than ten (10) acres during the permit year without first obtaining from the Illinois Department of Mines and Minerals a permit to do so pursuant to the Surface Mined Land Reclamation Act [225 ILCS 715] et. Seq. as amended.

All owner operators shall comply with the regulations of the USEPA and all State of Illinois and federal regulatory agencies for occupational health and safety and obtain any necessary permits prior to the issuance of the special use permit. Before the beginning of any operations, the Zoning Enforcement Officer must be provided with copies of all necessary permits.

C. *Application:*

The special use application shall be accompanied by the following:

1. A legal description of the site.
2. Ownership of Land including names of all owners if more than one (1) or in a trust.
3. Written consent of the owner of the land for the removal of the material from the owner's land.
4. A statement of the nature and estimated quantity of minerals or materials to be extracted.
5. A standard boundary survey of the property lines.
6. A statement of the expected time of completion of excavation operations
7. A description of the surface land use and vegetation, including all pertinent physical characteristics.
8. The equipment proposed to be used.
9. Fencing and screening plans

10. A hydrologic study, to determine the effects of the proposed activity on groundwater movement and quality within the general area, which shall include all available information from the state geological survey and other information pertinent to the application. If the applicant believes a study is not warranted, documentation shall accompany the application in support of this position.
11. Practices and methods to be used to minimize noise, dust, air contaminants and vibrations and to prevent pollution of surface or underground water.
12. If applicable, the proposed usage or drainage of excess water.
13. A copy of the reclamation plan being submitted to the appropriate state regulatory agency in application for a state permit and when available, an approved copy of the final plan, and in those cases where such a plan is not required by the state, a special reclamation plan acceptable to the County Board.
14. Location of existing roads, and anticipated access and haulage roads planned to be used or constructed in conducting mining and/or earth extraction operations(s).
15. The applicant shall meet with the County Engineer and the Township Supervisor of the affected township to discuss repair and maintenance responsibilities on township roads to be used as a haul routes. A summary of the meetings(s) shall be presented with the application.
16. Maps and/or aerial photograph showing
 - a) The area within which the extraction operations will be conducted with excavation phases identified including a schedule.
 - b) Setbacks from property lines and the location of all structures, equipment, and access and haul roads.
 - c) Major topographic features
 - d) Drainage plan showing present and proposed drainage ways, seasonal or continuous, and directions of flow; and
 - e) Location and names of all streams, creeks and bodies of water to be affected.

D. *Buffer and Fences:*

A minimum distance of one thousand (1,000) feet should be maintained between an existing residence and a surface mining operation, except in those instances when the operator secures a waiver from the affected landowner.

No part of any extraction operation shall be permitted within one hundred and fifty (150) feet of any property or street line, except that drainage ways to reduce run-off into or from the extraction area may be allowed up to one hundred (100) feet of such line. The one hundred and fifty (150) foot buffer of natural vegetation shall be left and maintained on the undisturbed land around the excavation.

When any open excavation will have a depth of ten (10) feet or more and create a slope of more than thirty (30) degrees, there shall be erected a fence of not less than six (6) feet in height with suitable gates where necessary, effectively blocking access to the area in which such excavation is located. Such fences shall be located fifty (50) feet or more from the outside edge of the excavation. Fences shall be adequate to prevent trespass and shall contain warning signs spaced no more than one hundred (100) feet apart to be visible along the entire length of said fences.

The property should be secured during non-working hours by means of gates and fencing. The property should continue to be secured until all required reclamation activities have been completed.

E. Bonds

Before the issuance of any special use permit, the owner of the operation shall execute a bond sufficient to ensure restoration of the site in accordance with the approved reclamation plan. The bonds are to assure that sufficient funds will be available to protect the County in the event the operator abandons a site without completing the conditions imposed by the conditional use, including reclamation, fulfillment of the agreement with the Township or County concerning repair of designated haul roads and, if necessary, decontamination of affected ground and surface waters. Such bonds shall be a part of the special use application and shall be approved by the County Board as to form, sufficiency and manner of execution. Said bonds shall run for the same term of the special use permit plus time needed for completion of reclamation and any renewals. In no instance shall the amount be less than one hundred twenty five (125%) for the estimated cost of rehabilitation. The operator may deposit cash with the County in the amount equal to the required bond.

Section 14.10 Temporary Housing

One (1) manufactured/mobile home or recreational vehicle of any size may be located on a lot while the owner is building a house providing:

- A. The temporary housing meets the zoning district requirements for lot area and yards for the particular zoning district in which it is located;
- B. Shall be connected to sanitary sewer or septic tank and a water supply approved by the Bureau-Putnam Health Department;
- C. A reasonable and diligent effort is being made to construct a house;

- D. At any time the Zoning Enforcing Officer determines that reasonable and diligent effort is not being made to construct a house, he shall immediately revoke the permit; and
- E. The permit for such manufactured/mobile home shall be issued for only one year and renewable each year for no more than two (2) successive years.

Section 14.11 **Utility Solar Energy Systems**

A. Purpose and Intent.

The purpose of these regulations is to provide a uniform and comprehensive set of standards for the installation and use of USESs designed for commercial energy production. The intent of these regulations is to protect the public health, safety, and community welfare while allowing development of solar energy resources for commercial purposes.

B. Petition.

All procedures and standards included in Article 14 Special Use shall apply unless otherwise stated in this article. In addition, before the petition for a Special Use permit can be issued. The following shall be submitted to the Putnam County Zoning Officer for review by the Planning Commission, the Zoning Board of Appeals and the Putnam County Board:

- 1) A written summary of the project- including a general description of the project including its approximate generating capacity.
- 2) The name(s), address(s) and phone number(s) of the owner and/or USES operator.
- 3) A site plan of the USES site showing:
 - a) Boundaries of the site;
 - b) All proposed USES structures. Solar panels, substations, interconnect substation, location of all transmission lines, ancillary equipment, wells, septic fields, field tile location map, existing easements, flood plain location and elevation and wetland(s) location, if any;
 - c) Property lines;
 - d) Setback lines;
 - e) Location of all existing structures with their uses identified.
- 4) The site and emergency plan shall be submitted to the local fire protection district(s) and/or department(s) whose jurisdiction is included in whole or in part within the USES project area. Any specialized training shall be provided at the owner/operator's expense.

- 5) All, required studies, reports, certifications and approvals demonstrating compliance with the provisions of this ordinance.
- 6) After and approved final inspection of all building permit(s), a certificate of occupancy shall be issued.

C. Special Requirements.

USESs are subject to the following requirements:

- 1) Height. Shall not exceed thirty (30) feet at maximum tilt of the solar panel(s).
- 2) Setbacks. See Article III Section 3.12.
- 3) Fencing. A fence of at least six (6) feet in height but no greater than eight (8) feet shall enclose the USES.
- 4) Lighting. If lighting is provided at the project, lighting shall be shielded and downcast such that the light does not spill onto the adjacent parcel(s).
- 5) Noise. Noise levels measured at the property line shall not exceed fifty (50) decibels when located adjacent to an existing residence or residential district. Noise levels shall be enforced by both the State of Illinois and Putnam County.
- 6) Installation and Design. The USES shall be designed and located in order to prevent glare toward and inhabited buildings on adjacent properties as well as any roads.
- 7) Wiring. All wiring is required to be installed to code requirements outlined in the current NFPA 70 NEC manual. All wiring between solar panels and the solar farm facility substation shall be underground whenever possible.
- 8) Outdoor Storage. Only the outdoor storage of materials, vehicles, and equipment that directly support the operation and maintenance of the solar farm shall be allowed.
- 9) Agricultural Impact. All required agreements, studies, reports, certifications and approvals demonstrating compliance with the provisions of this ordinance, federal and state laws, and administrative provisions. Including, but not limited to, consultation reports with the Illinois Department of Agriculture and the Illinois Department of Natural Resources, emergency plan, and evaluation of the geotechnical stability of the site for supporting all the necessary structures.
- 10) Annual review and reporting.
 - a) The applicant, owner and/or operator of a USES project shall submit to the Putnam County Zoning Office on the first Monday of July of each year following the USES project approval by the Putnam County Zoning Office, Putnam County Board or any successor committee designated to oversee zoning issues, a report regarding USES maintenance and operation. This report shall address:

- i) Any physical modification(s) to the USES and/or its infrastructure;
 - ii) Complaints pertaining to setbacks, noise, appearance, safety, lighting and use of any public roads received by the owner and/or operator concerning the USES and the resolution of such complaints;
 - iii) Calls for emergency services, including the nature of the emergency and how it was resolved;
 - iv) Status of liability insurance and;
 - v) Any other information that the county might reasonably request.
- b) Within thirty (30) days of the receipt of this annual report, the Zoning Officer shall review it, conduct an on-site field inspection of the USES project and within sixty (60) days of the receipt of the report, provide a summary of the report and its on-site field inspection to the Putnam County Board or any successor committee designated to oversee zoning issues.
- c) The Zoning Office shall charge a fee for this annual review in the amount of two hundred seventy five dollars (\$275) per USES project. This shall be provided to the Zoning Office by the USES applicant, owner and/or operator at the time of the annual report submission. Failure to provide the annual report and the required fee shall be considered a cessation of operations.
- d) The applicant, owner, and/or operator of a USES project shall provide that the Putnam County Zoning Officer have access to the USES project for the purposes of required building inspections and on-site field review(s). Failure to provide access shall be deemed a violation of this ordinance.

D. Certification.

USESs shall conform to applicable industry standards, including those from the UL and Federal Aviation Administration (FAA).

All applicable county, state and national construction and electrical codes shall be followed.

E. Safety.

Electrical safety will completely adhered to and shall meet all current OSHA and NFPA 70E requirements. All USESs shall provide the following at all locked entrances:

- 1) A visible “High Voltage” warning sign;
- 2) Name(s) and phone number(s) for the electric utility provider;
- 3) Names(s) and phone number(s) for the site operator;
- 4) The facility’s 911 address, GPS coordinates; and
- 5) An OSHA approved safety lock box with keys.

F. Public Road Use.

Prior to a Special Use Permit being granted, an agreement shall be entered into between the applicant/owner/contractor, the County Engineer, and Township Road Commissioner(s). Such agreement shall detail the use of public roads for construction/maintenance of said USES project to include but not limited to:

- 1) Access routes identified;
- 2) Overweight/Oversize loads presented;
- 3) Pre-construction survey of roads for potential damage including site photos and documentation of existing condition(s);
- 4) Schedule of construction operations;
- 5) Setting up an escrow fund, letter of credit, or surety bond to cover future road repairs.

Payment for County costs to retain a consultant, if necessary, to make a study of any structure or road on the proposed route that the County Engineer determines may not carry the loads and weight and use during the USES project construction and/or decommissioning.

G. Weed and Grass Control.

Applicant must present and acceptable weed control plan for the property inside and outside fenced area for the entire property. The operator during the operation of the solar energy project must maintain the fence and screening system and adhere to the weed and grass control program. If the operator does not do so, there will be a fine of up to five hundred dollars (\$500) per incident if the fence is not secure and maintained or the weed and grass control program is not followed.

H. Decommissioning and Site Reclamation.

A decommissioning and site reclamation plan must be submitted with the Special Use application to ensure that the solar energy project is properly decommissioned and the site properly reclaimed. The decommissioning and reclamation plan shall, at a minimum include:

1. Provisions describing the triggering events for decommissioning the solar energy project.
2. An estimate of the decommissioning costs certified by a Professional Engineer. All costs will be itemized.

3. Provision for anticipated repairs to an public roads of facilities used for the purpose of reclamation of the solar energy project and all costs related to removal of structural materials and access roads.
4. Provisions for the removal of structures, concrete, debris and cabling including those below the soil surface to a depth of five (5) feet.
5. Provisions for the disconnecting of all cabling from the utilities power lines.
6. Provisions for the restoration of the soil and vegetation.
7. A provision that the terms of the decommissioning plan shall be binding upon the owner or operator and any of their successors, assigns or heirs by way of sale, gift and assignment in fact or at law or any other such transfer of financial interest of ownership in the solar energy project. Any successor or assigned shall assume the terms, covenants and obligations of this plan and must agree to assume all reclamation liability and responsibility for the solar energy project.
8. A provision that this plan is governed by Illinois law.
9. A provision that indemnifies the County with respect to any and all liability arising out of the decommissioning and site reclamation plan.
10. A provision that the County shall have access to the site, pursuant to reasonable notice, to effect, inspect or complete decommissioning if necessary.
11. A provision that the applicant, owner and operator shall notify the County Zoning Officer by certified mail of the commencement of a voluntary or involuntary bankruptcy proceeding, naming the applicant, owner or operator as debtor, within thirty (30) days of the beginning of the proceeding.
12. Financial assurance in the form of an irrevocable letter of credit, secured by the owner or operator, for the purpose of adequately performing decommissioning and site reclamation, in an amount equal to one hundred and fifty percent (150%) of the professional engineer's certified estimate of the decommissioning and site reclamation costs will be provided by the applicant as specified in this ordinance.
13. Every five years a professional engineer's certified estimate of decommissioning and site reclamation costs will be submitted and an adjustment to the financial assurance will be required.
14. Applicant must agree to an Agricultural Impact Mitigation Agreement (AIMA) with the Illinois Department of Agriculture unless it is not possible, due to action by the Department, to do so.

I. Financial Assurance for Decommissioning and Site Reclamation.

1. At time of approval of the special use permit the amount of the irrevocable letter of credit shall be one hundred and fifty percent (150%) of an independent professional engineer's cost estimate to complete the work of decommissioning and site reclamation.
2. It is recognized that there may be a salvage that will result from the reclamation process; however, the County must limit the amount of salvage value that can be used for determining the amount of the irrevocable letter of credit. In no event will the financial assurance provided be in an amount of less than one hundred thousand dollars (\$100,000).
3. The decommissioning and site reclamation provision shall be included as part of the project special use application. The irrevocable letter of credit must be submitted to the County prior to any construction permit being issued.
4. The County reserves the right to require additional information of components to the plan as the County deems necessary to ensure that an adequate proposal is in place to decommission the facility in its entirety and that adequate funds are available.

J. Indemnification and Liability.

1. The applicant, owner and/or operator of the USES shall defend, indemnify and hold harmless the County of Putnam and its officials from and against any and all claims, demands, losses, suits, causes of action, damages, injuries, costs, expenses and liabilities whatsoever, including attorney's fees, without limitation, arising out of acts or omissions of the applicant, owner and/or operator associated with the construction and/or operation of the USES project.
2. The applicant, owner and/or operator of the USES project shall maintain a current general liability policy covering bodily injury and property damage with limits of at least two million dollars (\$2,000,000) per occurrence and two million dollars (\$2,000,000) in the aggregate. Evidence of liability coverage must be reported to the Putnam County Zoning Officer on an annual basis and any loss of coverage must be reported within three (3) working days of the loss. Failure to maintain coverage shall be considered a cessation of operations.

K. Cessation of Operations.

If any USES provided for in this article has not been in operation and producing electricity for at least two hundred seventy (270) consecutive days, it shall be removed. The Putnam County Zoning Officer shall notify the owner to remove the system. Within thirty (30) days, the owner shall either submit evidence showing that the system has been operating and producing electricity or under repairs or remove it. If the owner fails to/or refuses to remove the solar energy system, the violation shall be referred to the Putnam County State's Attorney for enforcement.

L. Penalties.

A failure to obtain applicable building permit(s) for the construction of a USES or failure to comply with the requirements of a building permit or the provisions of this article shall be deemed a violation of this article. The state's attorney may bring an action to enforce compliance of the requirements of this article by filing an action in the circuit court for an injunction requiring conformance with this article or seek such other order as the court deems necessary to secure compliance with this article.

Any person who violates this article shall be fined not less than twenty five dollars (\$25) or more than five hundred dollars (\$500). A separate offense shall be deemed committed for each day the violation exists.

Nothing herein shall prevent the county from seeking such other legal remedies available to prevent or remedy any violations of this section of Article XIV.

Section 14.12 **Wind Energy Conversion System (WECS), Commercial**

This Ordinance governs the special use of WECS and WECS projects that generate electricity to be sold to wholesale or retail markets and private owners of WECS over one hundred kilowatts (100 kw) who locate the WECS on their own property for their own personal use.

A. Application:

The special use application shall be accompanied by the following:

1. A WECS project summary, including, to the extent available: (1) a general description of the project, including its approximate name plate generating capacity; the potential equipment manufacturer, type of WECS, maximum number of WECSs, and approximate name plate generating capacity of each WECS; the maximum height of the WECS Tower and maximum diameter of the WECS rotor; the general location of the project; and a description of the applicant, owner and operator, including their respective business structures;

2. The name, address, and phone number of the applicant, owner and operator, and all property owner, if known;
3. A site plan for the installation of WECSs showing the planned location of each WECS Tower, guy lines and anchor bases (if any), primary structures, property lines (including identification of adjoining properties), setback lines, public access roads and turnout locations, substations, electrical cabling from the WECS Tower to the substation, ancillary equipment, third party transmission lines, and layout of all structures within the geographical boundaries of any applicable setback;
4. All required studies, reports, certifications, and approvals demonstrating compliance with the provisions of this Ordinance;
5. Financial assurance that the project can be developed as proposed; and
6. Any other information normally required by the County as part of its Zoning Ordinance.

B. *Design Safety Certification:*

1. The WECS shall conform to applicable industry standards, including those of the American National Standards Institute (“ANSI”). Prior to the issuance of construction permits, Applicant shall submit certificates of design compliance that equipment manufacturers have obtained from Underwriters Laboratories (“UL”), Det Norske Veritas (“DNV”), Germanischer Lloyd Wind Energie (“GL”), or an equivalent third party. All turbines shall be new equipment commercially available; no used or experimental equipment shall be approved by the Zoning Enforcement Officer or the Zoning Board of Appeals without the issuance of a variance.
2. Following the granting of the special use permit under this Ordinance, a professional engineer shall certify, as part of the construction permit application that the foundation and tower design of the WECS is within accepted professional standards, given local soil and climate conditions.

C. *Design and Installation:*

1. All WECS shall be equipped with a braking system that conforms to applicable industry standards.
2. All electrical components of the WECS shall conform to applicable codes and standards.

3. WECS towers and blades shall be painted white or gray or another non-reflective, unobtrusive color.
4. To the extent feasible, the project shall consist of turbines of similar design and size, including tower height. All turbines shall rotate in the same direction.
5. The WECS shall comply with all applicable Federal Aviation Administration (FAA) requirements.
6. Projects shall utilize minimal lighting. No exterior tower lighting other than normal security lighting shall be permitted except as may be required by the FAA.
7. A reasonably visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.
8. Visible, reflective, colored objects, such as flags, reflectors, or tape shall be placed on the anchor points of guy wires and along the guy wires up to a height of fifteen (15) feet from the ground.
9. All WECS Towers must be not climbable by design or protected by anti-climbing devices such as: fences with locking portals at least six feet high; or anti-climbing devices twelve (12) feet vertically from the base of the WECS tower; or locked doors and interior ladders.
10. WECS tower tip height shall not exceed five hundred (500) feet.
11. The minimum distance between the ground and any protruding blades utilized on a WECS shall be fifteen (15) feet, as measured at the lowest point of the arc of the blades.

D. Setbacks:

1. All WECS Towers shall be set back a distance of at least one thousand (1000) feet, from any primary structure in existence or which has received construction permits for construction as of the date of approval of the special use permit. Distance shall be measured from the point of the primary structure foundation closest to the WECS tower to the center of the WECS tower foundation. The owner(s) of the primary structure may waive this setback requirement in writing; but in no case shall a WECS tower be located closer to a primary structure than 1.10 times the WECS tower tip height.
2. All WECS Towers shall be set back a distance of fifteen hundred (1500) feet from the legally established boundaries, as of the date of approval of the special use permit, of any platted community which enforces its own government.

Distance shall be measured from the closest corporate limit boundary line to the center of the WECS tower foundation.

3. All WECS towers shall be set back a distance of at least one (1) times the WECS tower hub height from adjacent property lines, established as of the date of approval of the special use permit, unless waived in writing by the affected adjacent property owners. Distance shall be measured from such adjacent property line to the center of the WECS tower foundation.
4. All WECS towers shall be set back a distance of at least one and one tenth (1.10) times the WECS tower tip height from the nearest above-ground third party transmission lines, telephone lines and communication towers, in existence as of the date of approval of the special use permit, unless waived in writing by the affected property owners and utility company. Distance shall be measured from the center of the WECS tower foundation to the closest point on such above-ground public electric power line, third party transmission line, telephone line and center of the base of the communication tower.
5. All WECS towers shall be set back a distance of at least one and one tenth (1.10) times the WECS tower Tip height from the nearest edge of the existing right of way of public roads as of the date of approval of the special use permit. Distance shall be measured from the nearest edge of the road right of way of such public road in existence as of the date of approval of the special use permit. The Township Road Commissioner or County Highway Superintendent, or similar authorized representative with respect to local or state roadways, may waive this setback requirement as to roads within their respective jurisdictions.
6. The applicant does not need to obtain a variance or other approval from the County upon written waiver by the applicable State, County, Township, utility company or property owners of any of the above setback requirements. Any waiver of any of the above setback requirements shall run with the land and be recorded as part of the chain of title in the deed of the subject property.

E. *Drainage Repair:*

The owner or operator will repair waterways, drainage ditches, field tiles, or any other infrastructures damaged during construction and maintenance phases.

F. *Use of Public Roads:*

1. An applicant, owner, or operator proposing to use any county, municipality, township or village road(s), for the purpose of transporting WECS or substation parts and/or equipment for construction, operation, or maintenance of the WECS or substations, shall, prior to the issuance of construction permits: identify all such public roads; and obtain applicable weight and size permits from relevant

government agencies prior to construction.

2. To the extent an applicant, owner, or operator must obtain a weight or size permit from the County, township or village, the applicant, owner, or operator shall, prior to the issuance of construction permits:
 - a) Conduct a pre-construction baseline survey to determine existing road conditions for assessing potential future damage; and
 - b) Secure financial assurance, in a reasonable amount agreed to by the relevant parties, for the purpose of repairing any damage to public roads caused by constructing, operating or maintaining the WECS.

G. *Term:*

Notwithstanding any other provisions of the County Zoning Ordinance, a special use permit for a WECS shall be effective and may be relied upon so long as construction of the WECS is commenced within thirty six (36) months after issuance of the special use permit, which period may be extended by the Board of Appeals without further public hearing.

H. *Interference:*

1. The Applicant shall provide the applicable microwave transmission providers and local emergency service providers (911 operators) copies of the project summary and site plan. To the extent that the above providers demonstrate a likelihood of interference with its communications resulting from the WECS, the applicant shall take reasonable measures to mitigate such anticipated interference. If, after construction of the WECS, the owner or operator receives a written complaint related to the above-mentioned interference, the owner or operator shall take reasonable steps to respond to the complaint.
2. If, after construction of the WECS, the owner or operator receives a written complaint related to interference with local broadcast residential television, the owner or operator shall take reasonable steps to respond to the complaint.

I. *Coordination with Local Fire Department:*

1. Prior to commencement of construction, the applicant, owner or operator shall submit to the local fire department a copy of the site plan.
2. Prior to the issuance of construction permits, the owner or operator shall cooperate with the local fire department to develop and implement a fire protection plan in coordination with local emergency response authorities to ensure that all the appropriate emergency services agencies are cognizant of actions required in the event of a fire or other emergency at the WECS. In

addition, the owner of the WECS shall provide training for, and the necessary equipment to, local emergency response authorities and their personnel so that they can properly respond to a potential emergency at the WECS.

3. Nothing in this section shall alleviate the need to comply with all other applicable fire laws and regulations.

J. *Materials Handling, Storage and Disposal:*

1. All solid wastes related to the construction, operation and maintenance of the WECS shall be removed from the site promptly and disposed of in accordance with all federal, state and local laws.
2. All hazardous materials related to the construction, operation and maintenance of the WECS shall be handled, stored, transported and disposed of in accordance with all applicable local, state and federal laws.

K. *Noise Levels:*

Noise levels from each WECS or WECS project shall be in compliance with applicable Illinois Pollution Control Board (IPCB) regulations. The applicant, through the use of a qualified professional, as part of the special use application process, shall appropriately demonstrate compliance with the above noise requirements.

L. *Birds:*

The Applicant, through the use of a qualified professional, such as an ornithologist or wildlife biologist, shall conduct an avian habitat study, as part of the special use application process, to determine if the installation of the WECS will have a substantial adverse impact on birds.

M. *Liability Insurance and Indemnification:*

1. Commencing with the issuance of construction permits, the applicant, owner or operator of the WECS shall maintain a current general liability policy covering bodily injury and property damage with limits of at least three million dollars (\$3,000,000) per occurrence and five million dollars (\$5,000,000) in aggregate. Such insurance may be provided, pursuant to a plan of self insurance, by a party with a net worth of fifty million dollars (\$50,000,000) or more. The County shall be named as an additional insured on the policy.
2. Applicant, owner or operators shall defend, indemnify and hold harmless the County and its officials, employees and agents (collectively and individually, the "Indemnified Parties") from and against any and all claim, demands, losses, suits, causes of action, damages, injuries, costs, expenses and liabilities whatsoever, including reasonable attorney's fees, except to the extent arising in whole or in part out of the negligence or intentional acts of such Indemnified Parties (such

liabilities together known as “liability”) arising out of applicant, owner or operators selection, construction, operation and removal of the WECS and affiliated equipment including, without limitation, liability for property damage or personal injury (including death), whether said liability is premised on contract or on tort (including without limitation strict liability or negligence). This general indemnification shall not be construed as limiting or qualifying the County’s other indemnification rights available under the law.

N. *Decommissioning Plan:*

Prior to the issuance of construction permits, owner or operator shall prepare a decommissioning plan with the following elements:

1. Provisions describing the triggering events for decommission the WECS Project;
2. Provisions for the removal of above-ground structures, debris and cabling, and provisions for the removal of underground foundations and cables down to a depth of three and a half (3 ½) feet below the soil surface;
3. Provisions for the restoration of the soil and vegetation;
4. An estimate of the decommissioning costs and salvage value, certified by a professional engineer or other qualified professional reasonably acceptable to the County, which shall be updated and submitted to the Putnam County Zoning Enforcement Officer every five (5) years;
5. Financial Assurance, secured by the owner or operator, for the purpose of adequately performing decommissioning, in an amount equal the positive difference, if any, between the professional engineer’s certified estimate of the decommissioning costs and salvage value;
6. Identification of and procedures for County access to financial assurances;
7. A provision that the terms of the decommissioning plan shall be binding upon the owner or operator and any of their successors, assigns, or heirs; and
8. A provision that the County shall have access to the site, pursuant to reasonable notice, to effect or complete decommissioning.

O. *Remedies:*

1. The applicant’s, owner’s, or operator’s failure to materially comply with any of the above provisions shall constitute a default under this Ordinance. Approval of the special use for a WECS shall be deemed conclusive evidence that the applicant, owner, or operator has complied with the above provisions with

respect to application for and approval of such special use.

2. Prior to implementation of the existing County procedures for the resolution of such default, the appropriate County body shall first provide written notice to the owner and operator, setting forth the alleged default(s). Such written notice shall provide the owner and operator a reasonable time period, not to exceed sixty (60) days, for good faith negotiations to resolve the alleged default.
3. If after the sixty (60) day period: (i) the applicant, owner, or operator has not cured the alleged default, or (ii) the County determines in its discretion, that the parties cannot resolve the alleged default within the good faith negotiation period, the existing County ordinance provisions addressing the resolution of such default shall govern.

Section 14.13 Wind Energy Conversion System (WECS), Private

This section governs the special use of private WECS one hundred kilowatts (100 kw) or less that generate electricity to be used by the owner of the private WECS, that person locating the private WECS on their own property, or on rented property with written approval from the owner of the property, for personal use or for metering the excess to a power company.

A. Application:

The special use application shall be accompanied by the following:

1. The location of the project by property index number (PIN).
2. The location of the project by a site plan including dimensions of the property and measurements to the tower base from all property lines.
3. The name plate generating capacity.
4. The maximum height of the tower to the tip of the rotor at full upright position.
5. The name, address, and phone number of the applicant, owner and operator, and all property owners for the PIN site given.
6. A site plan, plus any guy wires, anchor bases, property lines, setback lines, power lines, cabling and layout of all structures within the geographic boundaries of any applicable setback.

B. Design and Installation:

1. Private WECS shall conform to applicable industry standards.

2. Private WECS braking system must be present and consistent with industry standards, unless otherwise stated in the interconnection agreement.
3. The same color standards are required as for commercial wind farms, including painting of towers and blades in flat white, gray, black or another non-reflective, unobtrusive color.
4. Projects shall comply with FAA regulations, and any other federal, state and local laws and regulations.
5. No artificial lighting shall be permitted unless required by the FAA. Required lights shall be shaded to stop glare from extending beyond parcel boundaries.
6. Advertising and “wind stunts” are not permitted, to include banners wind socks, whirling ornaments, flags and other devices added to call attention to the structure.
7. Towers must not be climbable.
8. Blade clearance must be a minimum of fifteen (15) feet from blade tip at its lowest level to the base. The lowest part of the arc of the blade must be a minimum of twenty (20) feet above the height of any structure within fifty (50) feet of the installation. No prohibition is given for maximum height to the blade tip. The maximum height shall not exceed the limit recommended by the manufacturer or distributor of the system.
9. Setbacks shall include the following:
 - a) Setbacks include guy wires and anchoring systems no closer than ten (10) feet from adjacent property lines.
 - b) Setbacks include one and one tenth (1.1) times the maximum tower tip height from adjacent property lines, third party transmission lines, telephone lines, roads, communications towers and from any other occupied structures on the same parcel as the project.
 - c) Setbacks include one and one half (1.5) times the maximum tower tip height from dwellings on adjacent properties.
 - d) Waivers will be permitted on setbacks. Waivers will be presented in writing by the owners of adjacent properties.

C. *Maintenance:*

If the tower is not functional for a period of ninety (90) days, the county will contact owner by registered letter. The owner has 30 days to reply. If the problem is not repaired in ninety (90) days, the owner has thirty (30) days to remove the private WECS system.

D. *Interference:*

Interference with utilities is not permitted. The owner has ninety (90) days to correct interference or remove the Private WECS. Interference may include microwave transmission providers, local 911 providers, and television and radio reception.

E. *Noise Levels:*

Private WECS are limited to sixty decibels (60) dBA at the closest property line, except in storms and outages.

F. *Restrictions:*

1. No minimum size is given for the parcel the project is placed on.
2. A private WECS is to be used only for parcel structures, unless excess power is routed and metered to a power company.
3. A private WECS is not allowed on a vacant parcel, unless that parcel is adjacent and is the owner's property.
4. A limit of one hundred kilowatts (100 kw) is placed on each tower.

Article XV. PLANNED UNIT DEVELOPMENTS

Section 15.01 Purpose

A Planned Unit Development (hereinafter “PUD”) is intended to encourage the most imaginative and best possible design of building forms and site planning where unitary plans would best adapt to topographic and other natural features of such sites. Under this procedure well-planned residential, commercial, and other types of land use, individually or in combination, may be developed with complete design flexibility. A PUD must be environmentally compatible. It shall have a more beneficial effect upon the health, safety and general welfare of the people of the County, and particularly in the immediate surroundings, than would development built in conformity with standard district regulations. The PUD site shall be of sufficient size to accommodate self-contained developments and to create its own character. PUDs are of such substantially different character from other special uses that additional standards are established herein.

Section 15.02 Procedure

The procedure for obtaining approval of PUD shall be as follows:

A. Preliminary Plat:

1. An application for approval of a preliminary plat of a PUD shall be submitted in writing to the County Clerk for processing. The County Clerk shall submit the preliminary plat to the Planning commission, Zoning Board of Appeals, and the County Board for review. The application shall contain such information as may be required.
2. The application should be sent to the Marshall-Putnam County Soil and Water Conservation District and Bureau-Putnam County Health Department for comment.
3. The Planning Commission will hold a public hearing within thirty (30) days after the plan is received and after public notice in a newspaper having county-wide circulation.
4. The recommendations of the Planning Commission and the Zoning Board of Appeals shall be accompanied by a report to the County Board within sixty (60) days, stating reasons and findings of facts, showing whether or not the proposed PUD meets the following conditions:
 - a) The PUD comprises of an area of not less than thirty (30) acres.
 - b) That property adjacent to the area included in the PUD will not be adversely affected.

- c) That the PUD is consistent with the intent and purpose of this article.
 - d) The PUD will not adversely affect public health, safety, morals, and general welfare.
5. After recommendation by the Planning Commission and Zoning Board of Appeals, the County Board may, by ordinance, approve, or approve with modification, the preliminary plat. The preliminary plat of any proposed PUD which fails to receive the approval of the Planning Commission and Zoning Board of Appeals shall not be approved by the County Board except by a favorable vote of four-fifths (4/5) of all Board members. If the County Board does not approve the preliminary plat after recommendation by the Planning Commission and Zoning Board of Appeals, it may deny or refer the preliminary plat back to each for further consideration.
 6. Attached to the ordinance as exhibits shall be the preliminary plat of the PUD and supporting documents as necessary. Approval of a preliminary plat of the PUD shall not constitute final approval of the final plat of the PUD, rather it shall be deemed an expression of approval of the layout submitted on the preliminary plat as a guide to the preparation of the final plat of the PUD.

B. *Final Plat:*

1. The final plat or plats of the PUD shall conform substantially to the preliminary plat of the PUD as approved. The preliminary plat of the PUD shall generally specify uses of land and locations of buildings, whereas the final plat of the PUD shall designate with particularity the uses of land and the location of the buildings.
2. An application for approval of a Final Plat of a PUD shall be submitted in writing to the County Clerk for processing. The County Clerk shall submit the preliminary plat to the Planning commission, Zoning Board of Appeals, and the County Board for review. The application shall contain such information as may be required.
3. The Planning Commission will hold a public hearing within thirty (30) days after the plan is received and after public notice in a newspaper having county-wide circulation.
4. The recommendations of the Planning Commission and the Zoning Board of Appeals shall be accompanied by a report to the County Board within sixty (60) days, stating reasons and findings of facts, showing whether or not the proposed Final Plat should be approved.

5. After recommendation by the Planning Commission and Zoning Board of Appeals, the County Board may, by ordinance, grant or grant with modification, the final plat of a PUD authorizing the PUD as a special use. The Final Plat of any proposed PUD which fails to receive the approval of the Planning Commission and Zoning Board of Appeals shall not be approved by the County Board except by a favorable vote of four-fifths (4/5) of all Board members. If the County Board does not approve the Final Plat after recommendation by the Planning Commission and Zoning Board of Appeals, it may deny or refer the Final Plat back to each for further consideration. Attached as exhibits to the ordinance authorizing the PUD as a special use shall be the Final Plat of the PUD and supporting documents as necessary.

Section 15.03 **Content of PUD Submittals**

For each stage in the PUD review process, the following information and data shall be submitted:

A. *Pre-Application:* The following information and data is required:

1. The names and addresses of all owners and developers.
2. Data regarding site conditions, zoning classifications, land characteristics, available community facilities and utilities, and other related general information about uses of land within one-half (1/2) mile of the subject parcel of land.
3. Sketch showing the proposed location of the uses of land, major streets and other prominent features.
4. Property survey and legal description of the subject parcel of land.
5. A written statement justifying the need for a PUD.

B. *Preliminary Plat:* The following information and data is required:

1. Drawing: A drawing of the PUD, at a scale of not less than one inch to one hundred feet (1" = 100'), composed of one or more sheets showing the following information:
 - a) Title by which the proposed PUD is to be referred.
 - b) Legal description of the property and total acreage included.
 - c) Scale, north point, and date of preparation.
 - d) Name and address of the owner, applicant, engineer and land surveyor.

- e) Location, dimensions and acreage of proposed land uses including single-family residential, multi-family residential, business areas, industrial areas, and open spaces.
 - f) Location and dimensions of existing streets, alleys, easements, buildings, structures, public utilities and other prominent features within the PUD.
 - g) Location and dimensions of proposed streets, alleys, easements, and utilities.
 - h) Dimensions of the lots into which the property is proposed to be subdivided, if applicable.
 - i) Location map showing the location of the PUD within the County, including all corporate and township boundaries near the PUD.
 - j) Character of the surrounding area within two hundred (200) feet of the PUD including existing land uses, subdivision of lands, location and dimensions of streets, alleys, easements and storm water control areas, and location of buildings and structures.
 - k) The zoning classification of the subject property and the surrounding area with two hundred (200) feet.
 - l) General internal uses of each building or structure.
 - m) All primary structures shall be a minimum of twenty-five (25) feet from the perimeter property line.
 - n) Ground elevations on the tract showing one (1) foot contours for land that slopes less than one-half percent (.5%); two (2) foot contours for land that slopes more than one-half percent (.5%); spot elevations at all breaks in grades, along all drainage channels or swales, and at selected points not more than one hundred (100) feet apart in all directions (refer to USGS Datum in compiling data).
2. Preliminary Engineering: Engineering in sufficient detail to convey the general design of the sanitary sewer, water, storm water control, flood control, street improvements, sidewalks and utility easements.
 3. Natural Features Study: An analysis of the natural features and drainage patterns of the property.
 4. Geological and Soil Analysis: An examination of the adequacy of the property for development, if applicable.

C. Final Plat: The following information and data is required:

1. Drawing: A drawing of the PUD, suitable for recording with the County Recorder of Deeds, showing the following information:
 - a) Designation with particularity of the uses of the land and the location of buildings and structures.
 - b) Title under which the proposed PUD is to be recorded.
 - c) Legal description of the property and total acreage included.
 - d) Location, dimensions and acreage of proposed land uses including single-family residential, multi-family residential, business areas, industrial areas, and open spaces.
 - e) Location and dimensions of proposed streets, alleys, easements.
 - f) Dimensions of the lots into which the property is proposed to be subdivided.
2. Financing Surety: Evidence acceptable to the Zoning Board of Appeals and County Board that financing sufficient to assure completion of the PUD is available to the developer.
3. Covenants: Final agreements, provisions or covenants which will govern the use, maintenance and continued protection of the PUD, including provisions that open areas provided in PUDS containing residential structure be preserved over the life of the development for use by the residents or dedicated to the County for public usage.
4. Final Engineering: Complete and detailed engineering drawings which show the design of the sanitary sewer, water, storm water control, flood control, streets including specifications, and service facilities.
5. Other information and data as the County Board may require for full and complete consideration of the PUD.

Article XVI. ADMINISTRATION and ENFORCEMENT

Section 16.01 Purpose

The intent of this section is to outline the jurisdiction and duties of the County staff and administrative bodies involved in development review, appeal procedures, and enforcement of this ordinance.

Section 16.02 County Board

A. Jurisdiction:

The County Board shall retain the following duties and responsibilities under this ordinance:

1. Take final action on applications for amendments to the Zoning Ordinance or map.
2. Take final action on requests of variances and appeals.
3. Take final action on applications for special uses and planned unit developments.

B. Final Action:

1. The County Board may take final action by ordinance or resolution on matters related to this ordinance, upon the report of the Board of Appeals without further public hearing. Any proposed matter that has been referred to the Board that fails to receive approval by the Board of Appeals or the Planning Commission shall not be passed except by favorable vote by four (4) of the five (5) members of the County Board.
2. All decisions and findings of the County Board related to the Zoning Ordinance shall, in all instances, be the final administrative decisions and shall be subject to the judicial review as may be provided by law. For actions of the County Board related to the Zoning Ordinance that require approval by ordinance; the enactment of the approving or granting ordinance shall be the final administrative decision and shall be subject to judicial review as may be provided by law.

Section 16.03 Zoning Office

- A. Creation and appointment:*** The zoning office is hereby created and, under the direction of a Zoning Enforcement Officer, shall have the responsibility of administering and enforcing the provisions of this chapter. The Zoning Enforcement Officer shall be appointed by the chairman of the county board.

B. Powers and duties: The Zoning Enforcement Officer shall enforce the provisions of this ordinance, and in addition thereto and furtherance of such authority shall:

1. Examine and approve any application pertaining to the use of land, buildings or structures to determine if the application conforms with the provisions of this ordinance.
2. Conduct such inspections of buildings, structures and uses of land as are necessary to determine compliance with the terms of this chapter.
3. Receive, file and process for action all applications for appeals, variations, special uses, PUDs, and amendments to this ordinance which are filed in the zoning office.
4. Initiate, direct and review, from time to time, a study of the provisions of this ordinance, and make reports of his recommendations to the County Board.
5. Maintain permanent and current records of this ordinance, including all maps, amendments, special uses and variations.
6. Provide and maintain public information relative to all matters arising out of this ordinance.

Section 16.04 **Planning Commission**

A. Creation and membership: A Planning Commission, hereinafter referred to by the term “Planning Commission” is hereby authorized to be established. Such Planning Commission shall consist of seven (7) members appointed by the Chairman and confirmed by the members of the County Board. The seven (7) members of the first Commission appointed shall serve terms of one (1), two (2), three (3), four(4), and five (5) years respectively. Thereafter, as terms expire, each appointment shall be for five years, vacancies shall be filled by the Chairman of the County Board for the unexpired terms only, subject to confirmation by the County Board at its next meeting. The County Board shall have the power to remove any member of the Planning Commission, for cause, after a public hearing upon giving fifteen (15) days notice thereof. At the time of appointment to the Planning Commission, not more than three (3) of the members shall be a resident within the limits of any one (1) township and each township must be represented by at least one (1) board member. The Chairman of the County Board shall name one of the members of the Planning Commission as Chairman upon his appointment, and in case of vacancy shall name the Chairman.

B. Jurisdiction and Authority

1. To prepare and recommend to the County Board a comprehensive plan for the present or future or redevelopment of the County;

2. To recommend changes from time to time, in the official comprehensive plan;
3. To prepare and recommend to the County Board, from time to time, plans for specific improvements in pursuance of the official Comprehensive plan;
4. To aid the County Board in furthering the interpretation of the Plan;
5. To review plats of subdivision or re-subdivisions and planned unit developments and report findings and recommendations to the County Board;
6. To hear and submit findings and recommendations to the county board on proposed special uses in the manner prescribed herein;
7. To hear and submit findings and recommendations to the county board on proposed map amendments in the manner prescribed herein;
8. To advise the County Board on all matters referred to it or upon which it is required under this Ordinance.

C. Planning Commission Meetings

1. Regular meetings of the Planning Commission shall be held at such times and place within the county as the Commission may determine. Special meetings may be held at the call of the chairman, or as determined by the Commission. Such Chairman, or in his absence, the acting Chairman, may administer oaths and compel attendance of witnesses. All meetings of the Commission shall be open to the public.
2. The Planning Commission shall keep minutes of its proceedings, showing the vote of each member upon every question, or if absent or failing to vote, indicating such facts, and shall also keep records of its examinations and other official actions. All findings, recommendations, or determinations of the Planning Commission shall immediately be filed in the office of the County Board and shall be a public record.
3. Four (4) members of the Planning Commission shall constitute a quorum and the concurring vote of four (4) members of the Commission shall be required to submit findings and recommendations to the County Board. In the performance of its duties the Commission may incur such expenditures as shall be authorized by the County Board.

D. Notice of Hearing

Where the a public hearing before the Planning Commission is required by this Ordinance or

other resolution, notice of each hearing shall be published at least fifteen (15) days in advance thereof in a newspaper of general circulation published in the county.

Section 16.05 **Board of Appeals**

A. *Creation and membership:* A Board of Appeals, hereinafter referred to by the term “Board of Appeals” is hereby authorized to be established. Such Board of Appeals shall consist of five members appointed by the Chairman and confirmed by the members of the County Board. The five members of the first Board appointed shall serve terms of one (1), two(2), three (3), four (4), and five (5) years respectively. Thereafter, as terms expire, each appointment shall be for five years, vacancies shall be filled by the Chairman of the County Board for the unexpired terms only, subject to confirmation by the County Board at its next meeting. The County Board shall have the power to remove any member of the Board of Appeals, for cause, after a public hearing upon giving fifteen (15) days notice thereof. At the time of appointment to the Board of Appeals, not more than two (2) of the members shall be resident within the limits of any one (1) township and each township must be represented by at least one (1) board member. The Chairman of the County Board shall name one of the members of the Board of Appeals as Chairman upon his appointment, and in case of vacancy shall name the Chairman.

B. *Jurisdiction and Authority:*

1. To hear and decide appeals from any order, requirement, decision or determination made by the Zoning Enforcement Officer under this ordinance;
2. To hear and submit findings and recommendations to the County Board on applications for variations from the terms provided in this ordinance in the manner prescribed by, and subject to, the standards established herein;
3. To hear or submit findings and recommendations to the County Board on a proposed amendment in the manner prescribed herein;
4. To hear and submit findings and recommendations to the County Board on proposed special uses in the manner prescribed herein;
5. To hear and submit findings and recommendations to the County Board on proposed planned unit development in the manner prescribed herein;
6. To hear and submit findings and recommendations on the extension of a zoning district where the boundary line of a district divides a lot or parcel held in single ownership at the time of passage of this ordinance;
7. To hear and decide all matters referred to it or upon which it is required to pass under this ordinance; and

8. To recommend to the County Board that a use variance be granted after it has found that an amendment to this title, based on the required findings of fact, would not serve the public interest and would not be appropriate, and that all the required standards for variations have been met.

C. Board of Appeals Meetings

1. Regular meetings of the Board of Appeals shall be held at such times and place within the county as the Board may determine. Special meetings may be held at the call of the chairman, or as determined by the Board. Such Chairman, or in his/her absence, the acting Chairman, may administer oaths and compel attendance of witnesses. All meetings of the Board shall be open to the public.
2. The Board of Appeals shall keep minutes of its proceedings, showing the vote of each member upon every question, or if absent or failing to vote, indicating such facts, and shall also keep records of its examinations and other official actions. Every rule, regulation, every amendment or appeal hereof, and every order, requirement, decision or determination of the Board of appeals shall immediately be filed in the office of the Board and shall be a public record.
3. Three (3) members of the Board of Appeals shall constitute a quorum and the concurring vote of three (3) members of the Board shall be necessary to reverse any order, requirement, decision or determination of the Zoning Enforcement Officer in any matter upon which is required to pass under this ordinance, or to effect any variation in this ordinance, or to recommend any variation or modification in such ordinance to the County Board. In the performance of its duties the Board may incur such expenditures as shall be authorized by the County Board.

D. Notice of Hearing

Where the a public hearing before the Board of Appeals is required by this ordinance or other resolution, notice of each hearing shall be published at least fifteen (15) days in advance thereof in a newspaper of general circulation published in the county and having circulation where such property is located. The notice of hearing shall contain the address or location of the property for which the ruling by the Board of Appeals is sought, as well as a brief description of the nature of the case on which the Board of Appeals will rule on.

Section 16.06 Appeals: How Taken

- A. Any person aggrieved or any officer, department, or board, of bureau of the county may appeal to the Board of Appeals to review any order, requirement, decision or determination made by the Zoning Enforcement Officer.

- B.** Such appeal shall be made by filing with the Zoning Enforcement Officer and the Board of Appeals, a notice of appeal specifying the grounds thereof. The Zoning Enforcement Officer shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken.
- C.** An appeal stays all proceedings in furtherance of the action appealed from, unless the Zoning Enforcement Officer certifies to the Board of Appeals, after the notice of appeal has been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board, or by a court of record on application, on notice to the Zoning Enforcement Officer, and on due cause shown.
- D.** The Board of Appeals shall fix a reasonable time for hearing of the appeal and give due notice thereof to the parties and decide the same within a reasonable time. Upon hearing, any party may appear in person, by agent, or by attorney.

Section 16.07 **Enforcement**

- A.** This ordinance shall be administered and enforced by the County Zoning Enforcement Officer.
- B.** In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained or any building, structure or land is used in violation of this ordinance the proper authorities of the county, or any person the value or use of whose property is or may be affected by such violation, in addition to other remedies, may institute any appropriate action or proceedings in the circuit court to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, to restrain, correct, or abate such violation, to prevent the occupancy of said building, structure or land or to prevent any illegal act, conduct, business, or use in or about such premises.
- C.** Any persons, firms or corporations, or agents, employees or contractors or such, who violate, disobey, omit, neglect, or refuse to comply with, or who resist enforcement of any of the provisions of this ordinance shall be subject to a fine of not more than five hundred dollars (\$500) or imprisonment for not more than six months, or both, for each offense, and each day a violation continues shall constitute a separate offense.

Article XVII. AMENDMENTS

Section 17.01 Authority and Purpose

The Putnam County Board is hereby authorized to amend the text of these regulations or the Zoning District Map in light of changing conditions and/or changes to the Comprehensive Plan of Putnam County. No such amendment shall be made without a public hearing before the Zoning Board of Appeals. The provisions of this article are not intended to relieve particular hardships or to confer special privileges.

Section 17.02 Initiation of Amendments

Amendments may be proposed by the County Board, or any member thereof, the Zoning Board of Appeals, the Planning Commission, the Zoning Enforcement Officer or any person or persons with a sufficient interest in the matter.

Section 17.03 Application Requirements

An application for a text amendment or map amendment shall be filed with the Zoning Enforcement Officer, upon such form and accompanied, at a minimum, by such information identified below.

- A. An application for a map amendment shall at a minimum provide: the legal description, parcel identification number (PIN), and address of the parcel(s) that are subject of the request, the current and proposed zoning classifications, the current and proposed use of the parcel(s) that are subject of the request, the zoning classifications of the surrounding parcels, and the name and address of the property owner(s) of the parcel(s) that are the subject of the request.
- B. A map amendment application shall be accompanied by a certified plat of survey.
- C. An application for a text amendment shall at a minimum provide: the sections of the Zoning Ordinance to be amended, the proposed language to the text amendment and a brief description of the proposed amendment.

Section 17.04 Initial Application Review

The Zoning Enforcement Officer shall review the application for completeness and forward a copy of the application to the Planning Commission and the Board of Appeals within thirty (30) days. In the case of a map amendment, the Zoning Enforcement Officer shall also send a copy of the application to the appropriate road official, the Marshall-Putnam Soil and Water Conservation District, and to the Bureau & Putnam County Health Department for comment.

Section 17.05 **Action of the Zoning Board of Appeals**

- A. A public hearing shall be held by the Zoning Board of Appeals to consider any amendment. A public notice shall have been placed in a newspaper of general circulation within the County not less than fifteen (15) days before the hearing.
- B. Notice shall be given by mail to all owners of land immediately touching, or immediately across a street, alley, or public right-of-way from the subject property. A sworn certification by the Zoning Enforcement Officer that the notices were mailed shall be acceptable in lieu of certified mail.
- C. The Board shall review the proposed amendment, and the testimony at the public hearing, and shall send its findings of fact and recommendation to the County Board recommending approval or denial of the amendment. The recommendations shall set forth whether the amendment application should be granted or denied, shall suggest a zoning district classification, if any, and shall state the grounds for any such recommendations as they relate to the standards and the purposes of the zoning district classifications of the County, the standards in this Article, and any officially adopted County Comprehensive Plan.
- D. If the Zoning Board of Appeals neither approves nor disapproves the amendment within sixty (60) days after the same has been submitted, it shall be considered approved by the Zoning Board of Appeals.

Section 17.06 **Action of the Planning Commission**

- A. The Commission shall review the proposed amendment and shall send its findings of fact and recommendation to the County Board recommending approval or denial of the amendment. The recommendations shall set forth whether the amendment application should be granted or denied, shall suggest a zoning district classification, if any, and shall state the grounds for any such recommendations as they relate to the standards and the purposes of the zoning district classifications of the County, the standards in this Article, and any officially adopted Putnam County Comprehensive Plan.
- B. If the Planning Commission neither approves nor disapproves the amendment within sixty (60) days after the same has been submitted, it shall be considered approved by the Planning Commission.

Section 17.07 **Action of the County Board**

The County Board shall review the proposed amendment and the findings and recommendations of the Planning Commission and the Zoning Board of Appeals. The County Board shall grant or deny the text or map amendment by a majority vote of the members of the County Board, except a

favorable vote of three-fourths (3/4) of all the members of the of the County Board is required for approval of an amendment in the following cases:

- A. In case of a written protest against any proposed map amendment, signed and acknowledged by the owners of twenty (20) percent of the land to be rezoned; or signed by all owners of land immediately touching, or immediately across a street, alley, or public right-of-way from the at least twenty (20) percent of the perimeter of the land to be rezoned.
- B. In case of a written protest against any proposed text amendment, signed and acknowledged by at least five (5) percent of County landowners; or
- C. When a land affected by a proposed amendment lies within one and one-half miles of the limits of a zoned municipality and a written protest against the proposed amendment is passed by the City Council or President and Board of trustees of that zoned municipality, and filed with the County Clerk; or
- D. When either the Planning Commission or Zoning Board of Appeals recommends denial of the amendment.

Section 17.08 **Approval Standards**

In evaluating a proposed amendment, the following factors shall be considered, not one of which shall be controlling;

- A. The compatibility with existing uses and zoning of nearby property;
- B. The extent to which property values are diminished by the particular zoning restriction;
- C. The extent to which the destruction of property values of the applicant promotes the health, safety, morals or general welfare of the public;
- D. The extent to which the zoning classification would increase the level of congestion on public rights of way;
- E. The relative gain to the public as compared to the hardship imposed upon the individual property owner;
- F. The suitability of the subject property for the zoned purposes;
- G. The length of time the property has been vacant as zoned, considered in the context of land development in the vicinity of the subject property;
- H. The county need for the proposed use; and

- I. Whether the proposed change would correspond with any officially adopted Comprehensive Plan of the County.

Section 17.09 **Re-Filing**

If an application for amendment has been denied by the County Board, no new or further application seeking the same or substantially the same amendment for the same lot, tract or parcel of land shall again be submitted to the County Board until at least one (1) year following the date of the County Board vote denying said application.

Article XVIII. SPECIAL USES

Section 18.01 Purpose

The purpose of special use permit is to enable the county to approve those uses which are generally compatible with other land uses permitted in a zoning district, but which require individual review of their location, design, and configuration and which may require the imposition of conditions in order to ensure the appropriateness of the use at a particular location

Section 18.02 Initiation of Special Use

Any person having a freehold interest in land, or a possessory interest entitled to exclusive possession, or a contractual interest which may become a freehold interest, or an exclusive possessory interest which is specifically enforceable, may file an application to use such land for one or more of the special uses provided for in this ordinance in the zoning district in which the land is located.

Section 18.03 Application Requirements

An application for a special use shall be filed with the Zoning Enforcement Officer, upon such form and accompanied, at a minimum, by such information identified below:

- A.** The legal description, parcel identification number (PIN), and address (if available) of parcel(s) that are the subject of the request;
- B.** A written description of the proposed use that includes information concerning proposed hours of operation, expected traffic impacts, and any other pertinent details concerning the proposed use;
- C.** The present and proposed land use;
- D.** The surrounding zoning classifications;
- E.** An explanation of the need for the special use at the petitioned site;
- F.** The names and addresses of owners of petitioned property;
- G.** A site plan which contains, at a minimum, the following:
 - 1. A layout map of all existing and proposed buildings and structures on the site;
 - 2. Property lines and easements;
 - 3. The traffic circulation pattern;
 - 4. The parking and loading areas and individual berths;
 - 5. The proposed sewerage and water systems;

6. The placement of exterior lighting;
7. Landscaping; and
8. A copy of such site plan at a reproducible size not to exceed 11" x 17".

H. Certified plat of survey.

Section 18.04 **Initial Application Review**

The Zoning Enforcement Officer shall review the application for completeness and forward a copy of the application to the Planning Commission and the Zoning Board of Appeals within thirty (30) days.

Section 18.05 **Action of the Zoning Board of Appeals**

- A. Public Hearing: A public hearing shall be held by the Zoning Board of Appeals to consider any special use. A public notice shall have been placed in a newspaper of general circulation within the County not less than fifteen (15) days before the hearing.
- B. Notice shall be given by mail to all owners of land immediately touching, or immediately across a street, alley, or public right-of-way from the subject property. A sworn certification by the Zoning Enforcement Officer that the notices were mailed shall be acceptable in lieu of certified mail.
- C. The Board shall review the proposed special use, and the testimony at the public hearing, and shall send its findings of fact and recommendation to the County Board recommending approval or denial of the special use, and shall state the grounds for any such recommendations as they relate to the standards and the purposes of the zoning district classifications of the County, the standards in this Article, and any officially adopted County Comprehensive Plan.
- D. If the Zoning Board of Appeals neither approves nor disapproves the special use within sixty (60) days after the same has been submitted, it shall be considered approved by the Zoning Board of Appeals.

Section 18.06 **Action of the Planning Commission**

- A. The Commission shall review the proposed amendment and shall send its findings of fact and recommendation to the County Board recommending approval or denial of the proposed special use and shall state the grounds for any such recommendations as they relate to the standards and the purposes of the zoning district classifications of the County, the standards in this Article, and any officially adopted Putnam County Comprehensive Plan.
- B. If the Planning Commission neither approves nor disapproves the proposed special use

within sixty (60) days after the same has been submitted, it shall be considered approved by the Planning Commission.

Section 18.07 **Action of the County Board**

The County Board shall review the proposed special use and the findings and recommendations of the Planning Commission and the Zoning Board of Appeals. The County Board shall grant or deny the proposed special use by a majority vote of the members of the County Board, except a favorable vote of three-fourths (3/4) of all the members of the of the County Board is required for approval of the proposed special use in the following cases:

- A. In case of a written protest against the proposed special use, signed and acknowledged by twenty percent (20%) or more of all owners of land immediately touching, or immediately across a street, alley, or public right-of-way from the subject property.
- B. When a land affected by a proposed special use lies within one and one-half (1 ½) miles of the limits of a zoned municipality and a written protest against the proposed special use is passed by the City Council or President and Board of Trustees of that zoned municipality, and filed with the County Clerk; or
- C. When either the Planning Commission or Zoning Board of Appeals recommends denial of the proposed special use.

Section 18.08 **Approval Standards**

In evaluating a proposed special use, the following factors shall be considered, not one of which shall be controlling;

- A. That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
- B. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
- C. That the establishment of the special use will not substantially impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
- D. That adequate utilities, access roads, drainage, or necessary facilities have been or will be provided;
- E. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and

- F. That the special use will, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the board.

Section 18.09 **Re-filing**

If an application for a special use that has been denied by the County Board, no new or further application seeking the same or substantially the same special use for the same lot, tract or parcel of land shall again be submitted to the County Board until at least one (1) year following the date of the County Board vote denying said application.

Section 18.10 **Revocation**

Except for a special use authorization for a public utility service, where a special use has not been physically undertaken within one (1) year after the date of granting thereof, then the authorization granting such special use shall be null and void, unless the grant is extended by the County Board after petition therefor. Where a special use permit is granted for a determinate period of time, the special use permit shall be null and void at the end of such period, unless such permit is extended for a like period of time by the County Board.

Section 18.11 **Special Use Validity**

A special use shall run with the land unless otherwise indicated. All special uses granted by the County Board shall run with the parcel which is the subject of the special use unless the conditions attached to the special use by the County Board are violated or restricted to a particular person(s) or period of time, in which case the special use shall terminate as provided in said conditions.

Article XVIII. SPECIAL USES

Section 18.01 Purpose

The purpose of special use permit is to enable the county to approve those uses which are generally compatible with other land uses permitted in a zoning district, but which require individual review of their location, design, and configuration and which may require the imposition of conditions in order to ensure the appropriateness of the use at a particular location

Section 18.02 Initiation of Special Use

Any person having a freehold interest in land, or a possessory interest entitled to exclusive possession, or a contractual interest which may become a freehold interest, or an exclusive possessory interest which is specifically enforceable, may file an application to use such land for one or more of the special uses provided for in this ordinance in the zoning district in which the land is located.

18.02.01 The County Board, by special permit after public hearing by the Board of Appeals and subject to such protective restrictions as the County Board deems necessary, may authorize the location, extension, or structural alterations of any of the buildings or uses enumerated in Section 9.02.

18.02.02 Before issuance of permit for any special use, the County Board shall refer the proposed application to the Planning Commission and the Marshall-Putnam Soil and Water Conservation district, which shall both be given 30 days in which to make an advisory report regarding the effect of such proposed building or use upon coordinated and practical community development and growth while ensuring adequate safeguards for the environment, the character of the neighborhood, traffic conditions, public utility facilities, and other matters pertaining to the public safety, health, morals, and general welfare. No action shall be taken upon any application for a proposed building or use above referred to until or unless the report of the Planning Commission has been filed, provided, however, that if no report is received from the Commission within 30 days, it shall be assumed that approval of the application has been given by the Commission.

Section 18.03 Application Requirements

An application for a special use shall be filed with the Zoning Enforcement Officer, upon such form and accompanied, at a minimum, by such information identified below:

- A. The legal description, parcel identification number (PIN), and address (if available) of parcel(s) that are the subject of the request;
- B. A written description of the proposed use that includes information concerning proposed hours of operation, expected traffic impacts, and any other pertinent details concerning the proposed use;
- C. The present and proposed land use;
- D. The surrounding zoning classifications;
- E. An explanation of the need for the special use at the petitioned site;
- F. The names and addresses of owners of petitioned property;
- G. A site plan which contains, at a minimum, the following:
 - 1. A layout map of all existing and proposed buildings and structures on the site;
 - 2. Property lines and easements;
 - 3. The traffic circulation pattern;
 - 4. The parking and loading areas and individual berths;
 - 5. The proposed sewerage and water systems;
 - 6. The placement of exterior lighting;
 - 7. Landscaping; and
 - 8. A copy of such site plan at a reproducible size not to exceed 11" x 17".
- H. Certified plat of survey.

Section 18.04 **Initial Application Review**

The Zoning Enforcement Officer shall review the application for completeness and forward a copy of the application to the Planning Commission and the Zoning Board of Appeals within thirty (30) days.

Section 18.05 **Action of the Zoning Board of Appeals**

- A. Public Hearing: A public hearing shall be held by the Zoning Board of Appeals to consider any special use. A public notice shall have been placed in a newspaper of general circulation within the County not less than fifteen (15) days before the hearing.
- B. Notice shall be given by mail to all owners of land immediately touching, or immediately across a street, alley, or public right-of-way from the subject property. A sworn certification by the Zoning Enforcement Officer that the notices were mailed shall be acceptable in lieu of certified mail.

- C. The Board shall review the proposed special use, and the testimony at the public hearing, and shall send its findings of fact and recommendation to the County Board recommending approval or denial of the special use, and shall state the grounds for any such recommendations as they relate to the standards and the purposes of the zoning district classifications of the County, the standards in this Article, and any officially adopted County Comprehensive Plan.
- D. If the Zoning Board of Appeals neither approves nor disapproves the special use within sixty (60) days after the same has been submitted, it shall be considered approved by the Zoning Board of Appeals.

Section 18.06 **Action of the Planning Commission**

- A. The Commission shall review the proposed amendment and shall send its findings of fact and recommendation to the County Board recommending approval or denial of the proposed special use and shall state the grounds for any such recommendations as they relate to the standards and the purposes of the zoning district classifications of the County, the standards in this Article, and any officially adopted Putnam County Comprehensive Plan.
- B. If the Planning Commission neither approves nor disapproves the proposed special use within sixty (60) days after the same has been submitted, it shall be considered approved by the Planning Commission.

Section 18.07 **Action of the County Board**

The County Board shall review the proposed special use and the findings and recommendations of the Planning Commission and the Zoning Board of Appeals. The County Board shall grant or deny the proposed special use by a majority vote of the members of the County Board, except a favorable vote of three-fourths (3/4) of all the members of the of the County Board is required for approval of the proposed special use in the following cases:

- A. In case of a written protest against the proposed special use, signed and acknowledged by twenty percent (20%) or more of all owners of land immediately touching, or immediately across a street, alley, or public right-of-way from the subject property.
- B. When a land affected by a proposed special use lies within one and one-half (1 ½) miles of the limits of a zoned municipality and a written protest against the proposed special use is passed by the City Council or President and Board of Trustees of that zoned municipality, and filed with the County Clerk; or
- C. When either the Planning Commission or Zoning Board of Appeals recommends denial of the proposed special use.

Section 18.08 **Approval Standards**

In evaluating a proposed special use, the following factors shall be considered, not one of which shall be controlling;

- A. That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
- B. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
- C. That the establishment of the special use will not substantially impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
- D. That adequate utilities, access roads, drainage, or necessary facilities have been or will be provided;
- E. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
- F. That the special use will, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the board.

Section 18.09 **Re-filing**

If an application for a special use that has been denied by the County Board, no new or further application seeking the same or substantially the same special use for the same lot, tract or parcel of land shall again be submitted to the County Board until at least one (1) year following the date of the County Board vote denying said application.

Section 18.10 **Revocation**

Except for a special use authorization for a public utility service, where a special use has not been physically undertaken within one (1) year after the date of granting thereof, then the authorization granting such special use shall be null and void, unless the grant is extended by the County Board after petition therefor. Where a special use permit is granted for a determinate period of time, the special use permit shall be null and void at the end of such period, unless such permit is extended for a like period of time by the County Board.

Section 18.11 **Special Use Validity**

A special use shall run with the land unless otherwise indicated. All special uses granted by the County Board shall run with the parcel which is the subject of the special use unless the conditions attached to the special use by the County Board are violated or restricted to a particular person(s) or period of time, in which case the special use shall terminate as provided in said conditions.

Article XIX. VARIANCES

Section 19.01 Purpose

This article allows for the orderly consideration of variations in the application of this ordinance, in harmony with its general purpose and intent, but where there are practical difficulties or particular hardships in the way of carrying out the strict letter of the regulations established by this ordinance.

Section 19.02 Initiation of Variance

- A.** An application for a variance may be filed by any interested property owner or contract purchaser or their agent. In cases where a contract purchaser is the petitioner, the contract purchaser shall provide a letter from the owner which states that the owner is aware of the application and the request(s) contained therein, that the petitioner is indeed a contract purchaser and that the owner approves the action.
- B.** A use variance may only be filed if
 - 1. A petition for an amendment is recommended for denial by the Zoning Board of Appeals; or
 - 2. A petition for an amendment is denied by the County Board.

Section 19.03 Application Requirements

An application for a variance shall be filed with the Zoning Enforcement Officer, upon such form and accompanied, at a minimum, by such information identified below:

- A.** The legal description, parcel identification number (PIN), and address (if available) of parcel(s) that are the subject of the request;
- B.** An explanation of the need for the variance at the petitioned site;
- C.** The names and addresses of owners of petitioned property;
- D.** A site plan which contains, at a minimum, the following:
 - 1. A layout map of all existing and proposed buildings and structures on the site;
 - 2. Property lines and easements;
 - 3. The parking and loading areas and individual berths;
 - 4. The proposed sewerage and water systems; and
 - 5. A copy of such site plan at a reproducible size not to exceed 11" x 17".

- E. Use variance applications shall also include a written description of the proposed use that includes information concerning proposed hours of operation, expected traffic impacts, and any other pertinent details concerning the proposed use.
- F. Certified plat of survey.

Section 19.04 **Initial Application Review**

The Zoning Enforcement Officer shall review the application for completeness and forward a copy of the application to the Zoning Board of Appeals within (30) days.

Section 19.05 **Action of the Zoning Board of Appeals**

- A. *Public Hearing:* A public hearing shall be held by the Zoning Board of Appeals to consider any variance; with the exception of administrative variances. A public notice shall have been placed in a newspaper of general circulation within the County not less than fifteen (15) days before the hearing.
- B. Notice shall be given by mail to all owners of land immediately touching, or immediately across a street, alley, or public right-of-way from the subject property. A sworn certification by the Zoning Enforcement Officer that the notices were mailed shall be acceptable in lieu of certified mail.
- C. The Board shall review the proposed variance, and the testimony at the public hearing, and shall send its findings of fact and recommendation to the County Board recommending approval or denial of the variance, and shall state the grounds for any such recommendations as they relate to the standards and the purposes of the zoning district classifications of the County, the standards in this Article, and any officially adopted County Comprehensive Plan.
- D. If the Zoning Board of Appeals neither approves nor disapproves the variance within sixty (60) days after the same has been submitted, it shall be considered approved by the Zoning Board of Appeals.

Section 19.06 **Action of the County Board**

The County Board shall review the proposed special use and the findings and recommendations of the Zoning Board of Appeals. The County Board shall grant or deny the proposed variance by a majority vote of the members of the County Board, except a favorable vote of three-fourths (3/4) of all the members of the of the County Board is required for approval of the proposed variance in the following cases:

- A. In case of a written protest against the proposed variance, signed and acknowledged by twenty percent (20%) or more of all owners of land immediately touching, or immediately across a street, alley, or public right-of-way from the subject property.
- B. When a land affected by a proposed variance lies within one and one-half (1 ½) miles of the limits of a zoned municipality and a written protest against the proposed variance is passed by the City Council or President and Board of trustees of that zoned municipality, and filed with the County Clerk; or
- C. When the Zoning Board of Appeals recommends denial of the proposed variance.

Section 19.07 Approval Standards

In evaluating a proposed variance, the following factors shall be considered, not one of which shall be controlling;

- A. Standards to be considered for an area variance request are:
 - 1. That the property in question cannot be economically used or cannot yield a reasonable return, if permitted to be used only for the conditions allowed by the regulations;
 - 2. That the plight of the owner is due to circumstances unique to the property and not generally applicable to other property in the area; and
 - 3. That the variation, if granted, will not alter the essential character of the locality, impair an adequate supply of light and air to adjacent property, increase the congestion of traffic, or diminish or impair property values in the locality.
- B. Standards to be considered for a use variance request are:
 - 1. That the variance is justified by a showing of special circumstances demonstrating practical difficulties or particular hardship in the way of carrying out the strict letter of the Zoning Regulations;
 - 2. That the variance is compatible with the trend of development in the area;
 - 3. That the variance will benefit the community and be in harmony with the general purpose and intent of the Zoning Regulations; and
 - 4. That the variance will not create a negative impact on the area, will not alter the essential character of the locality, impair an adequate supply of light and air to adjacent property, increase the congestion of traffic, or diminish or impair property values in the locality.

C. In making a decision and findings, the Zoning Board of Appeals shall take into consideration the following factors:

1. Variations should not be used to make major changes in the permitted uses in a zoning district. If a use is not permitted in the zoning district for the property, a variation for an unpermitted use should be the exception, for such a variation will permit a use that will be incompatible with the legitimate uses in the district, and may create a bad precedent.
2. Variations should not impact upon the character of the surrounding neighborhood in a detrimental manner.
3. Variations should be evaluated by comparing the relative gain to the property that seeks the variance against the gain to the public and surrounding neighborhood if the variance is not granted.
4. Variances are less likely to be justified if the "hardship" or "practical difficulty" has been created by the petitioner.
5. Variances are less likely to be justified if the property has been economically and/or successfully used in the past without the need for a variation.
6. Variation decisions should be based upon the characteristics of the property as opposed to the person who is presenting the petition.
7. Variation decisions should consider previous precedents established for the neighborhood and the County.
8. Variation decisions should consider whether they will create bad or good precedent for the future.

Section 19.08 **Re-filing**

If an application for variance has been denied by the County Board, no new or further application seeking the same or substantially the same variance for the same lot, tract or parcel of land shall again be submitted to the County Board until at least one (1) year following the date of the County Board vote denying said application.

Article XX. PERMITS and FEES

Section 20.01 Building Permit Required

Construction of any building, structure, or addition thereto shall not be commenced; nor shall any use of land not involving a building or structure be commenced; preliminary work shall not be done with respect to any use of land; and no permits pertaining to the use of any land or buildings shall be issued, by any officer, employee, department, board or bureau of the County, unless a building permit has been obtained from the Zoning Office.

Section 20.02 Building Permit Application Requirements

An application for a building permit shall be filed with the Zoning Enforcement Officer, upon such form and accompanied, at a minimum, by such information identified below:

- A. The legal description, parcel identification number (PIN), and address (if available) of parcel(s) that are the subject of the request;
- B. A description of the use of the proposed structures;
- C. The names and addresses of owners of petitioned property;
- D. An approved copy of the septic and/or well permit; and
- E. A site plan which contains, at a minimum, the following:
 - 1. A layout map of all existing and proposed buildings and structures on the site;
 - 2. Property lines and easements;
 - 3. The parking and loading areas and individual berths;
 - 4. The proposed sewerage and water systems;
 - 5. A copy of such site plan at a reproducible size not to exceed 11" x 17".
- F. Construction plans must be submitted with applications; and
- G. A certified plat of survey.

Section 20.03 Building Permit Processing

- A. All applications and a copy of all permits issued shall be systematically filed and kept by the Zoning Enforcement Officer in his office for ready reference
- B. The Zoning Enforcement Officer has thirty (30) days from receipt of application to issue permit.

Section 20.04 **Duration and Validity of Building Permit**

- A. Residential and Agricultural permits shall be valid for twelve (12) months.
- B. Industrial and commercial permits shall be valid for twelve (12) months unless an extended time period is noted thereon.

Section 20.05 **Accessory Structure Permit Requirements**

- A. Each permit issued for a main building shall also cover any accessory structures or buildings constructed at the same time on the same premises, and such permit shall be posted in plain sight on the premises for which it is issued, until completion of construction or occupancy.
- B. Detached garages, swimming pools, decks, patios, gazebos, porches, walls or fences in commercial and industrial districts, and other miscellaneous accessory structures require building permits.
- C. The Zoning Enforcement Officer shall require permits for any fences or structures within the sight triangle established by the center of intersection and the two (2) points seventy five (75) feet from it, each point being on the centerline of an intersection road, and shall deny permits for those which could obstruct vision in said sight triangle.

Section 20.06 **Revocation of a Permit**

The Zoning Enforcement Officer may revoke a permit in case there has been any false statement or misrepresentation as to a material fact in the application or plans on which the permit was based. The Zoning Enforcement Officer may revoke a permit when work is performed contrary to the provisions of the application or plans on which the permit is based. When a permit is revoked, the Zoning Enforcement Officer shall inform the permittee in writing of the specific steps the permittee must take in order to have the permit reissued. It shall be unlawful to continue any work authorized by a permit after revocation of that permit and until the permit is reissued or until a new permit is issued.

Section 20.07 **Building Permit Fees**

To partially defray expenses of administering the ordinance, a fee shall be charged for each building permit application and the fee shall be paid when the application is submitted. A check shall be made payable to the Putnam County Collector, who shall account for the same to the County of Putnam. The fee shall be in accordance with the schedule listed below. All fees are non-refundable.

The construction permit application fee shall be the greater of twenty five dollars (\$25.00) or:

Residential Building or Structure:

Floor Area Above Ground (Living Area) -----	\$.08/sf
Floor Area Below Ground (Basement) -----	\$.03/sf
Garages -----	\$.04/sf
Accessory Building -----	\$.04/sf
Pool (in ground), Decks, Patios, Gazebos or Porches -----	\$25.00 each

Commercial/Industrial Building or Structure:

Up to 10,000 sf -----	\$.08/ sf
Over 10,000 sf -----	\$.08/sf for the first 10,000 sf and \$.03/sf for the area in excess of 10,000 sf, but in no case shall the total fee exceed \$15,000.00
Communications Towers and Wind Power Facilities -----	\$25.00 per foot
Communication Tower Additional Antenna/Dish -----	\$1,200 Each

Section 20.08 Exemptions

No permit shall be required for:

- A. Routine maintenance or repair of buildings, structures, or equipment, such as repainting or re-roofing a building, relining a blast furnace or re-ballasting a railroad tract;
- B. Interior or exterior building alterations that do not change the outside dimensions of the original building;
- C. Storage sheds under one hundred twenty (120) square feet;
- D. Residential fences;
- E. Any structures associated with an agricultural use (as defined in Section 1.03) of which the majority of the total cash income of the applicant is derived, except where the agricultural use is located within an Enterprise Zone and if an application for benefits has been filed with the Enterprise Zone Administrator.

Section 20.09 Fees for Regular and Special Hearings

Fees pertaining to petitions for zoning amendments, special use permits, variances and for appeals to the Zoning Board of Appeals shall be established by action of the Putnam County Board from time to time. Such fees shall be paid to the County Collector at time of application who shall give a receipt therefore and account for the same at regular intervals to the County Board.

The following fee schedule is in effect:

Special Hearing

<i>Petition to for text/map amendment</i> -----	\$550.00
<i>Petition for special Use</i> -----	\$550.00
<i>Petition for Variance</i> -----	\$350.00
<i>Petition for Appeal</i> -----	\$350.00
<i>Petition for PUD</i> -----	\$2000.00 for the two (2) acres of proposed PUD, plus \$100.00 for each additional acre, plus \$100.00 for each proposed dwelling unit, if any

Regularly Scheduled Hearing

<i>Petition to for text/map amendment</i> -----	\$275.00
<i>Petition for Special Use</i> -----	\$275.00
<i>Petition for Variance</i> -----	\$275.00
<i>Petition for Appeal</i> -----	\$275.00

Article XXI. LEGAL STATUS PROVISIONS

Section 21.01 Interpretation, Purpose, and Conflicts

In the interpretation and application of this ordinance, the provisions contained herein shall be held to be minimum requirements, adopted for the promotion of public health, morals, safety, and general welfare.

It is not intended by these regulations to interfere with, abrogate, or annul any easements, covenants, or other agreements between parties. However, wherever these regulations impose greater restrictions upon the use of buildings, structures, or land or require more restrictive building lines; then the provisions of these regulations shall control.

Section 21.02 Validity

If any section, clause, provision, or portion of this ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of the ordinance; which is not in itself invalid or unconstitutional.

Section 21.03 Severability

If any section, specific provisions, or standard of these regulations or any zoning district boundary that now exists or may exist in the future is found by a court to be invalid or inappropriately applied for any reason, the decision of the court shall not affect the validity or application of any other section, provision, standard or district boundary of these regulations except the provision in question. The other portions of these regulations not affected by the decision of the court shall remain in full force and effect.

Section 21.04 Repeal Clause

All ordinances, resolutions, or parts thereof in conflict with this ordinance are hereby repealed insofar as they conflict with the provisions of this ordinance.

Section 21.05 **Effective Date**

This ORDINANCE shall be in full force and effect upon its due passage.

PASSED AND ADOPTED THIS _____ DAY OF _____, _____

BY THE COUNTY BOARD OF PUTNAM COUNTY, ILLINOIS.

Duane R. Calbow, Chairman
Putnam County Board

Daniel S. Kuhn, Clerk
County of Putnam