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Deletions are shown with the following attributes and color:

~~Strikeout~~, **Red** RGB(255,0,0).

Deleted text is shown as full text.

Deletions are surrounded by brackets [].

Insertions are shown with the following attributes and color:

Bold, Double Underline, **Blue** RGB(0,128,255).

The document was marked with 13 Deletions, 19 Insertions, 0 Moves.

VILLAGE OF LILY LAKE

ORDINANCE NO. ~~{2024-}~~2024-

AN ORDINANCE AMENDING THE VILLAGE CODE

(Chapter 20—Zoning, Subchapters 3 and 4)

ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF LILY LAKE

~~{December 23}~~November 25, 2024

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Lily
Lake, Kane County, Illinois

~~{December 23}~~November 25, 2024

ORDINANCE NO. 2024-
 AN ORDINANCE AMENDING THE VILLAGE CODE
 (Chapter 20—Zoning, Subchapters 3 and 4)

BE IT ORDAINED by the President and the Board of Trustees of the Village of LILY LAKE, Kane County, Illinois, that the Village Code, as amended, be further amended as follows:

§ 1. Amending Village Code

(a) Chapter 20—Zoning, Subchapter 1—Purpose, intent, definitions, § 2003—Rules and definitions, is amended by inserting the following as § 2003(b)(5) and § 2003(b)(6) and renumbering the remaining subsections of §2003(b) accordingly:

* * * * *

(5) “agritourism, intensive” means activities located on an operational farm that bring customers onsite for the purpose of education or aesthetic appreciation of agricultural products, practices or culture, and may include an agriculture cultural center, agritourism event venue, farmers market, participatory farm, rural retreat, tasting room, transient agritourism related lodging and restaurant, and similar uses approved by the Code Official.

(6) “agritourism, limited” means activities located on an operational farm that bring customers onsite for the purpose of education or aesthetic appreciation of agricultural products, practices or culture and may include hay rides, corn mazes, farm tours, agriculture training, petting zoos (farm animals only), and similar uses approved by the Code Official.

* * * * *

(b) Chapter 20—Zoning, Subchapter 3—Zoning Districts, Maps, § 2018—Establishment of districts is amended to read as follows:

* * * * *

§ 2018. Establishment of districts

In order to carry out the purposes and intent of this Chapter, the village is divided into the following districts:

- A – Agriculture
- A1 – Agriculture—Legacy Farm
- R1 – Single-family Detached Residence
- R2 – Single-family Detached Residence
- R3 – Single-family Attached and Multi-family Residence
- B1 – Business
- B2 – Commercial
- M1 – Manufacturing
- M2 – Manufacturing
- TND – Traditional Neighborhood Development

* * * * *

(c) The title of Chapter 20—Zoning, Subchapter 4 is amended to read: Agricultural Districts, and sections 2021—Preamble through 2028—Off-street parking are amended to read as follows:

* * * * *

§ 2021. Preamble

(a) The regulations of the agriculture districts are designed to regulate the use of land, buildings and structures within the areas of the village where soil and topographic conditions are best adapted to the pursuit of agriculture and utilization of other natural land resources, and preservation of land for future nonagricultural uses.

(b) Kane County is, or used to be, dominated by farmland. Over the years, however, the farmland of Kane County has its given way to development despite the lip service paid by some governmental bodies to the concept of preservation and others that actually covet the destruction of farmland for revenue to bolster sagging budgets. The official comprehensive plan of the village, as one of its goals, stresses the preservation of the remaining farmland surrounding the village. It may not actually be possible to preserve farmland in the sense that it will be there forever and the village understands and agrees with the principle that a landowner has the right to realize the value of his or her property but, to the extent that its loss to development can be delayed, that is a worthy goal. A landowner who actually wants to continue to farm his or her property should be encouraged to do so for as long as possible and it is altogether fitting and proper that the village should tailor its regulations in that direction. To that end, the village establishes a special zoning district, A1 – Agriculture—Legacy Farm.

(c) To be eligible for designation as A1 Agriculture—Legacy Farm, a parcel must have been continuously farmed [or enrolled in one or more government or a privately sponsored conservation programs](#) for at least 50 years.

§ 2022. Permitted uses

(a) Permitted uses in the A district are those marked with the letter "P" in Appendix D.

(b) Permitted uses in the A1 district are:

(1) Agriculture as defined in § 2003(b)(4), except that neither animals nor poultry may be housed, stabled, kenneled or yarded closer than 100 ft from any residence other than that of the owner or user of the property. Roosters, pea-fowl and guinea fowl may not be kept on properties less than five acres. Sale of seed is also permitted.

(2) Single-family residence provided—

(A) the lot upon which the single-family residence is (1) located existed as a validly recorded lot on December 11, 1979, (2) is at least 20,000 sq ft in area and 75 ft wide, and (3) all other zoning, wastewater disposal, and building ordinance requirements have been complied with; or

(B) the lot upon which the single-family residence is located is at least 15 acres and was validly recorded between December 11, 1979 and September 8, 1992 at 12: 00PM; or

(C) the lot upon which the single-family residence will be located is (1) at least ~~50~~40 acres, (2) has at least 330 lineal ft of frontage on a public right-of-way, (3) is validly recorded with the Kane County Recorder, and (4) is principally used for agriculture.

(3) Hunting, fishing, and fish and game preserves.

(4) Picnic grounds, groves and temporary refreshment and amusement stands.

(5) One portable farmstand primarily for the display and sale of food and agriculture products produced on the premises. The use must be approved by the Code Official. The farmstand must meet setback requirements and any required permits must be obtained.

(6) Limited agritourism. Adequate off-highway parking must be provided for the motor vehicles of customers.

(7) Intensive agritourism. Adequate off-highway parking must be provided for the motor vehicles of customers.

(8) Pigeon lofts and poultry farms.

(9) Pipelines, electric substations, or transformer stations (but not electrical generation plants, "peaker" plants, or ancillary transmission and distribution facilities)

telephone repeater stations, cell towers, and solar farms defined as a commercial solar-electric (photovoltaic) system that provides for retail electric power to off-site households, businesses or utilities, including any ancillary equipment or infrastructure necessary for the distribution or storage of power generated on-site.

- (10) Boarding stable.
- (11) Private stable.
- (12) Truck gardening, nurseries, greenhouses, mushroom barns and apiaries.

§ 2023. Accessory uses

(a) Accessory uses, buildings and structures available in the A and A1 districts are those customarily associated with the pursuit of agriculture. Roadside stands for the sale of farm products (except live animals) grown and raised on the land are allowed as an accessory use.

(b) Limitations. Buildings and structures for the shelter of farm animals must be set back no less than 100 ft from the property line. Roadside stands may not encompass more than 900 sq ft of floor area. A permanent farmstand and the items on sale must be located at least 50 ft from the public right-of-way. A temporary farmstand may be located at least 10 ft from the right-of-way if the stand is removed between November 1 and May 1. All farmstand's must have facilities approved by the Code Official for vehicular ingress and egress and adequate off-street parking for customers.

§ 2024. Special uses

Special uses in the A district are those marked with the letter "S" in Appendix D. There are no special uses in the A1 district. All special uses must, unless otherwise specified in Appendix D, conform with the performance standards set forth in this Chapter for the M1 district.

Required setback areas bordering property lines must be landscaped and maintained as open space but may contain driveways, walks, fences and buildings or structures for control of admission. Each special use must be located at least 500 ft from the boundary line of any residential district. No building, structure or use of the land, including off-street parking and loading spaces, but not including growing of farm crops, floriculture or horticulture, may be located less than 100 ft from the lot line.

§ 2025. Regulations applicable to agriculture districts

(a) Lot area. The minimum lot size in the A district is five acres. The minimum lot size in the A1 district is ~~50~~40 acres.

(b) Lot width. The minimum width for a lot in the A and A1 districts is 330 ft except as otherwise provided in Appendix D for a specific permitted or special use.

(c) Floor area ratio. Floor area ratio in the A and A1 districts may not exceed 0.1 (10%).

(d) Yards. Yards required in the A and A1 districts are those set forth in Appendix B.

§ 2026. Special regulations applicable in the A1 district

(a) Parcels in the A1 district that are actually used for agricultural purposes are exempt from the open burning regulations of the village set forth in Chapter 7, Subchapter 2 of this Code. Instead, property in the A1 district is subject to the provisions of §§ 11–3, 15–2, and 17–7 of the Kane County Code which are adopted by reference and incorporated into this section as though fully set forth.

(b) Parcels in the A1 district that are actually used for agricultural purposes are exempt from the nuisance regulations of the village set forth in Chapter 7, Subchapter 4 of this Code.

(c) Buildings and structures on parcels in the A1 district that are actually used for agricultural purposes, other than residential buildings and structures, are exempt from the building regulations of the village set forth in Chapter 4, Subchapter 1 of this Code. To be considered exempt, such building or structure must be located on land where the raising of crops, which includes the production of seed, food and fuel, or animals is the principal occupation of owners, residents or users of the property, and be accessory to the cultivation of crop acreage, the raising of animals, or other agricultural operations as defined in this Code. Buildings and structures used wholly or partially for residential purposes are not agriculturally exempt from the building regulations of the village. All buildings and structures proposed to be constructed or enlarged under this exemption must first be approved as conforming with the provisions of this Chapter 20 in terms of zoning classification, setback, and proposed use of the property and structure. An application for approval must be made on the Building Permit Application form available from the village clerk and be accompanied by (1) an affidavit to the effect that the property and proposed structure meets all of the requirements of this section, (2) three copies of a site plan showing the location of the proposed structure, and (3) a floor plan or diagram of the structure indicating the use of each interior room.

(d) Parcels in the A1 district that are actually used for agricultural purposes are exempt from the noise regulations of the village set forth in § 766 with respect to noise produced by animals, farm machinery and equipment, and other agricultural activities.

(e) Parcels in the A1 district that are actually used for agricultural purposes are exempt from any ordinance of the village that restricts the discharge of firearms, or the right to hunt ~~{,} or~~ fish ~~{, or shoot}~~ on the property.

(f) The village will not exercise, nor will the village assist any other party in the exercise of any right of eminent domain to acquire any parcel or an interest in any parcel in the A1 district.

(g) Parcels in the A1 district that are actually used for agricultural purposes are exempt from any ordinance of the village that prohibits or restricts the right to farm or engage in other activities related to farming.

(h) The village will record a copy of this ordinance and, to the extent reasonably feasible, shall place signs at 500 ft intervals along the border between property in the A1 district and property in any residential district to the effect that the owner or occupant of the property has the right to farm the property in accordance with this ordinance.

§ 2027. Signs.

Non-illuminated signs are permitted in the A and A1 districts subject to the following conditions:

(a) Nameplate and identification signs.

(1) Agricultural use, area and content. Nameplate and advertising signs indicating the name of the occupant and any specialized agricultural activities are permitted as follows:

(A) One nameplate sign, not exceeding 10 sq ft, is permitted for each principal farm dwelling, and

(B) One nameplate sign, not exceeding 25 sq ft, indicating the name of the ~~{occupant}~~ farm and any specialized agricultural activities for each 160 acres or 2640 linear feet of frontage on a public highway.~~{,}~~

(C) On a corner lot, two such nameplates are permitted for each dwelling unit. Crop identification signs are permitted during growing season.

(2) Nonagricultural use, area and content. A single identification sign, not exceeding 16 sq ft, describing a nonagricultural use is permitted. On a corner lot, two such signs, one facing each street, are permitted.

(3) Location. No sign may be nearer than 15 ft from a lot line adjoining a street.

(4) Height. No sign may be higher than 10 ft above curb level.

(b) *For Sale* and *For Rents* signs.

(1) Number. One sign facing each street is permitted.

(2) Area. No sign may exceed 12 sq ft.

(3) Projection. No sign may project beyond the property line.

(4) Height. No sign may be higher than 10 ft above curb level.

(c) Advertising signs.

(1) Restrictions. Advertising signs with no moving parts are permitted if the principal use of the land is agriculture.

(2) Number. One advertising is permitted on a tract of land with at least 1,000 lineal ft of frontage on a public right-of-way, and one additional advertising sign is permitted for each additional 1,000 lineal ft of highway frontage. No more than two sign structures may be joined together and an interval of at least 1,000 ft between a single-sign or double-sign structure must be maintained.

(3) Area. Each advertising sign structure may contain no more than two display surfaces and may not exceed a total of 16 sq ft.

(4) Height. An advertising sign structure may not be higher than 10 ft above the average grade of the ground at the sign structure or the grade of the near edge of the roadway pavement at a point directly opposite the sign structure, whichever is higher.

(5) Location. Advertising signs must be at least 15 ft from a property line, and at least 15 ft from the boundary line of a residence district.

(6) Compliance With Other Regulations. Advertising signs must comply with all other Federal, State or village regulations and ordinances.

§ 2028. Off-street parking and loading

Off-street parking and loading regulations applicable in the A and A1 districts are set forth in Subchapter 10 of this Chapter.

§ 3. Repealer

Any ordinance or any provision of any ordinance in conflict with the provisions of this ordinance is, to the extent of the conflict, repealed.

§ 4. Effective Date

This ordinance is effective when it is passed, approved and published as provided by law.

Adopted by roll call vote on ~~December 23~~November 25, 2024:

Trustee	Yes	No	Absent	Abstain
Anderson				
Blomberg				
Butler				
Conn				
Ormond				
Parry				
Diehl				
Totals				

Approved ~~December 23~~November 25, 2024.

Kelly Diehl, Village President

Attested, published in pamphlet form, and filed in my office on ~~December 23~~November 25, 2024.

Jesse Heffernan, Village Clerk

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