

### **SECTION 3 - ZONING DISTRICTS**

#### 3.1 ESTABLISHMENT

For the purpose of this ordinance, the County of Logan is hereby divided into the following districts:

A	Agricultural District
SD	Special District
R-1	Single-Family Residential District
R-2	Single-Family Residential District
R-3	Single-Family Residential District
R-4	Two-Family and Multi-Family Residential District
B-1	Business District
B-2	Business District
B-3	Highway Business District
M-1	Limited Manufacturing District
M-2	General Manufacturing District
M-3	Extraction District
S-1	Special Use Permit Required

#### 3.2 DISTRICT BOUNDARIES

Boundaries of these districts are hereby established as shown on the maps entitled "Zoning Atlas, County of Logan, Illinois," dated 1991, and which accompanies and is hereby declared to be a part of this ordinance. District boundaries shall be construed to follow: Corporate limits; county limits; U.S. public highways, alleys, easements, and railroad rights-of-way, or such lines extended; soil mapping unit lines; unless otherwise noted in the Zoning Atlas.

Vacation of public streets and alleys shall cause the land vacated to be automatically placed in the same district as the adjoining district. If the vacated street or alley adjoins two different zones, the centerline of the vacated street or alley shall constitute the zone boundary.

#### 3.3 ZONING ATLAS

The certified copy of the Zoning Atlas will bear on its face the attestation of the Chairman of the County Board and the County Clerk. It shall be on file and may be viewed in the office of the County Clerk.

3.4 AGRICULTURAL AND SPECIAL DISTRICT

3.41 A - Agricultural District

3.4.1-1 Purpose - The Agricultural District is established as a zone in which agriculture and certain related uses are encouraged as the principal uses of land. The specific intent is to facilitate the proper use of lands best suited to agriculture through preventing the admixture of urban and rural uses which creates incompatibility and conflict, places unbalanced tax loads on agricultural lands to help pay for urban services, and contributes to the premature termination of agricultural pursuits. This zone is also designed to prevent health hazards brought about by the illogical placement of inappropriately high residential densities in the otherwise open countryside.

3.41-2 Permitted Uses

- a. Agricultural Uses, including but not limited to horticulture; forestry; crop and tree farming; gardening; dairy, stock and poultry farming; and the operation of any machinery or vehicles and other uses customarily incidental thereto; but excluding slaughter houses, fertilizer works, plants for the processing of animal skins or hides, and plants for the reduction of animal matter.
- b. Dwelling, Single-family.
  1. Farmsteads.
  2. Single-family dwelling when constructed on an existing farmstead as permitted in Section 3.41-6 (A) meeting the definition of "farmstead" in Section 15 and is in compliance with Section 2.35 of this ordinance. For the purpose of this Section, the County zoning officer shall require evidence of the prior existence of a dwelling on the site.
- c. Billboards as permitted in Section 5.0 of this ordinance. Signs not exceeding twelve (12) square feet in area advertising agricultural products are permitted.

d. Mobile Home Units.

A mobile home unit may be maintained and used as a residence by a farm owner as his farmstead provided the mobile home unit shall be regulated by the State Board of Health standards and as defined by the ordinance and providing adequate provision is made for modern running water and sewage facilities. Also one mobile home may be located on a lot while the farmstead owner is building a house providing:

1. The Setback lines of the agricultural district are complied with.
2. The permit for such mobile home shall be issued for only one year and renewable at the discretion of the Planning Commission.
3. Reasonable and diligent effort is being made to construct a house.
4. At any time the Enforcement Officer determines that reasonable and diligent effect is not being made, he shall revoke the permit.
5. Adequate provision is made for modern running water and sewage facilities.

3.41-3 Accessory Uses, including the following:

- a. Home occupations in a single-family dwelling provided that such use is incidental to the main use as a dwelling, and further provided that such is limited to a person actually residing in the dwelling.
- b. Living quarters such as tenant house, apartment or room for persons employed on the premises.
- c. Barns and other bona fide farm buildings.
- d. Private garages and private greenhouses.
- e. Roadside stands, offering for sale agricultural or other products grown or produced on the premises upon which the stand is located at least thirty-five (35) feet from the existing roadway, and off-street parking as regulated in Section 4.0 of this ordinance is complied with.
- f. Kennels.

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

#### 3.41-4 Conditional Uses

- a. Junk Yards.

Any junk yard, scrap yard, or salvage yard for which permission is granted under this Section shall at all times be subject to the performance standards established for this ordinance.

All outdoor storage areas shall be screened or fenced with a solid fence at least six (6) feet, but not more than eight (8) feet in height, or enclosed with a dense evergreen growth at least six (6) feet in height. Storage between the street and such fence or screen is expressly prohibited.

Any junk or salvage yard which offers to the public at retail any new or used merchandise shall provide at least two (2) parking spaces per one hundred (100) square feet or retail floor space.

- b. Dumps, Sanitary Landfills, and Incinerators.

A dump, sanitary landfill, and/or incinerator, upon a finding that said use will not constitute a nuisance because of traffic, noise, odors, smoke, or physical activity may be permitted provided that all requirements of this ordinance are complied with.

- c. Public utility and service uses such as electric substations, gas regulator and compressor stations, telephone trans-mission structures, radio, television and microwave relay towers, water reservoirs, or pumping stations, government buildings, transportation facilities, and similar uses. (See Section 10.0, Conditional Uses)

- d. Mobile Home Parks - (3 mobile home units or more). Subject to regulations of the Mobile Home Park Regulations found in Appendix B.

- e. Grain elevators and agricultural business uses.

- f. Public and private community facilities such as schools, churches, cemeteries, libraries, parks, recreational facilities, hospitals, institutions and similar uses.
- g. Fireworks Storage, under the following conditions: The property and storage facilities shall be approved by the United States Department of the Treasury, Bureau of Alcohol, Tobacco, and Firearms, and the Illinois Department of Mines and Minerals.
- h. Wind Energy Conversion Systems, Commercial (Windfarms)

#### 3.41-5 Special Regulations

- a. All permitted, accessory, and conditional uses shall maintain a minimum setback of:
  - 1. 100 feet from Federal highway right-of-way.
  - 2. 50 feet from State highway right-of-way.
  - 3. 35 feet from County or Township road right-of-way.
- b. Minimum Lot width shall be 200 feet.

#### 3.41-6 Minimum lot size

All lots created after the adoption of this amendment shall be at least (5) acres in size, excepting therefrom:

- a. Farms and farmsteads in existence prior to the adoption of this amendment which may be subdivided into two parcels, one containing an existing farmstead and one containing the remaining unimproved land which shall be at least five (5) acres in size. The parcel containing the farmstead shall have a minimum area of one (1) acre. Farmsteads not adjacent to or abutting a public road right-of-way may have a private road right-of-way of no less than 30 feet extending from the public road to the existing farmstead. Lots or parcels previously permitted by the Logan County Board and recorded in the office of the Logan County Clerk and Recorder of Deeds will be exempted from compliance of this amendment.
- b. Legitimate farming operations on tracts of less than five acres, provided that the tract is for the purpose of a farming operation and does not provide a rural homesite.
- c. Lots on tracts of less than five (5) acres if approved through the Conditional Use Procedure and if proven by the petitioner that the parcel is not well suited for agriculture and will not adversely

affect adjoining agricultural uses, or that the parcel was created by the acquisition of a public right-of-way and construction of a public street or highway.

### 3.42 SD - Special District

#### 3.42-1 Purpose

The Special District has been created for areas which are:

- a. To be kept open for highway interchanges.
- b. To be kept open for take-off or landing of aircraft.
- c. (Also see Section 6.0, Flood Plain Regulations.)
- d. To be kept open to protect sources of water supplies.
- e. To be kept open from intensive development because of unstable soil conditions.
- f. To be kept open for general conservation purposes.

#### 3.42-2 Permitted Uses.

- a. Agriculture.
- b. Highway interchange areas.
- c. Airports.
- d. Conservation, forestry.

#### 3.42-3 Conditional Uses

Public or private recreational facilities or parks.

## 3.5 URBAN RESIDENTIAL DISTRICTS

### Purpose

Urban Residential Districts are established to provide the full range of residential housing types in an urban environment where all of the facilities for urban living, including community sewer and water facilities are available or can be made available in the future.

#### 3.51 R-1 Single-Family Residential District

3.51-1 Permitted Uses

- a. Single-family dwellings.

3.51-2 Accessory Uses

- a. Home occupation in a single-family dwelling provided that such is incidental to the main use as a dwelling, and further provided that such use is limited to a person actually residing in the dwelling.
- b. Private garages.
- c. Off-street parking as regulated in Section 4.0 of this ordinance.

3.51-3 Conditional Uses

- a. Public or private community facilities such as schools, churches, cemeteries, libraries, parks, recreational facilities, hospitals, institutions, etc. Also see Section 10.0 of this ordinance.
- b. Public utility and service uses such as electric substations, gas regulator stations, telephone transmission structures, radio, TV, and microwave relay towers, water reservoirs, or pumping stations, government buildings, sanitary landfills, transportation facilities, and similar uses. (See Section 10.0, Conditional Uses.)

3.51-4 Bulk Requirements

- a. Lot:
  - 1. Minimum Area            10,000 Sq. Ft.
  - 2. Minimum Width at  
    Building Line            75 feet
- b. Minimum Yards:
  - 1. Front            25 feet
  - 2. Rear            30 feet
  - 3. Side            10% of lot width
- c. Building:
  - 1. Maximum Ground Coverage-30% of lot area
  - 2. Minimum Total Floor Area-1,200 sq. ft.

### 3. Maximum Height-35 feet

#### 3.52 R-2 Single-Family Residential District

##### 3.52-1 Permitted Uses

- a. Single-family dwellings.

##### 3.52-2 Accessory Uses

- a. Home occupations in a single-family dwelling provided that such use is incidental to the main use as a dwelling, and further provided that such use is limited to a person actually residing in the dwelling.
- b. Private garages.
- c. Off-street parking as regulated in Section 4.0 of this ordinance.

##### 3.52-3 Conditional Uses

- a. Public or private community facilities such as schools, churches, cemeteries, libraries, parks, recreational facilities, hospitals, institutions, etc. Also see Section 10.0 of this ordinance.
- b. Public utility and service uses such as electric substations, gas regulator stations, telephone transmission structures, radio, TV, and microwave relay towers, water reservoirs, or pumping stations, government buildings, sanitary landfills, transportation facilities and similar uses. (See Section 10.0, Conditional Uses.)
- c. A single mobile home may be permitted on any lot as a single family dwelling unit in the R-2, R-3, R-4 residential zones under any one of the following conditions.
  1. Where the mobile home is to replace an existing deteriorating dwelling unit which has a safe water supply and an acceptable means of sanitary waste disposal.
  2. On a vacant lot of record which existed prior to the adoption of this ordinance where 80% or more of the surrounding properties are developed.
  3. As a temporary living quarters where a permanent dwelling is to be constructed within that one-year period or upon completion of a permanent dwelling, whichever is first.

It is further required that all conditional permits for mobile homes shall be subjected to the regulations contained in the Logan County Ordinance governing installation of mobile homes and only where in the opinion of the Zoning Board it is found that the placement of the mobile home in the particular area requested will not adversely affect public health, safety or surrounding property values. Therefore, the Zoning Board shall also consider the size, age and general condition of the unit proposed to be placed on the lot in question. In no instance may there be more than one occupied dwelling unit on a lot.

#### 3.52-4 Bulk Requirements

a. Lot:

1. Minimum Area 7,500 sq. ft.
2. Minimum Width at Building line 60 feet
3. Front 25 feet
4. Rear 30 feet
5. Side 10% of lot width

b. Building

1. Maximum Ground Coverage-30% of lot area
2. Minimum Total Floor Area - 1,000 sq. ft.
3. Maximum Height - 35 feet

#### 3.53 R-3 Single-Family Residential District

##### 3.53-1 Permitted Uses

- a. Single-family dwellings.

##### 3.53-2 Accessory Uses

- a. Home occupations in a single-family dwelling provided that such use is incidental to the main use as a dwelling, and further provided that such use is limited to a person actually residing in the dwelling.
- b. Private garages.

- c. Off-street parking as regulated in Section 4.0 of this ordinance.

#### 3.53-3 Conditional Uses

- a. Public or private community facilities such as schools, churches, cemeteries, libraries, parks, recreational facilities, hospitals, institutions, etc. Also see Section 10.0 of this ordinance.
- b. Public utility and service uses such as electric substations, gas regulator stations, telephone transmission structures, radio, TV, and microwave relay towers, water reservoirs, or pumping stations, government buildings, sanitary landfills, transportation facilities and similar uses. (See Section 10.0, Conditional Uses.)
- c. Mobile Homes (See Section 3.52-3-c)

#### 3.53-4 Bulk Requirements

- a. Lot:
  - 1. Minimum Area 6,000 sq. ft.
  - 2. Minimum Width at Building line 50 feet
  - 3. Front 25 feet
  - 4. Rear 30 feet
  - 5. Side 10% of lot width
- b. Building
  - 1. Maximum Ground Coverage-30% of lot area
  - 2. Minimum Total Floor Area - 800 sq. ft.
  - 3. Maximum Height - 35 feet

#### 3.54 R-4 Two-Family and Multi-Family Residential District

##### 3.54-1 Permitted Uses

- a. Two-family and multi-family dwellings.

##### 3.54-2 Accessory Uses

- a. Private garages
- b. Off-street parking as regulated in Section 4.0 of this ordinance.

### 3.53-3 Conditional Uses

- a. Public or private community facilities such as schools, churches, cemeteries, libraries, parks, recreational facilities, hospitals, institutions, etc. Also see Section 10.0 of this ordinance.
- b. Public utility and service uses such as electric substations, gas regulator stations, telephone transmission structures, radio, TV, and microwave relay towers, water reservoirs, or pumping stations, government buildings, sanitary landfills, transportation facilities and similar uses. (See Section 10.0, Conditional Uses.)
- c. Mobile Homes (See Section 3.52-3-c)

### 3.54-4 Special Regulations

- a. Parking.

One and one-half spaces shall be provided for each dwelling unit as required by Section 4.0.

- b. Plat Requirements

All developments proposed in the R-4 Districts containing more than two dwelling units per structure shall be subject to specifications review by the Planning Commission and the Zoning Board of Appeals. Portions of the Planned Development Procedures shall be used as follows:

1. The Amendment required by the Planned Development Procedure shall be waived since this district has already been established exclusively for multi-family dwellings according to the standards cited.
2. Preliminary and final plats shall be required according to the Planned Development Procedure, except that the Planning Commission may waive the preliminary plat in areas already subdivided and served with streets and all required improvements. In this case, the approved final plat shall replace the final plat recorded earlier at the time of subdivision.
3. Site design flexibility and originality shall be encouraged within the limitations of the use and dimensional standards cited for this district. Preliminary and final plats shall conform to the standards for this district, and any applicable comprehensive plan elements.

4. The recorded final plat shall provide continuing control over the completed development as specified in the Planned Development Procedure.

#### 3.54-5 Bulk Requirements

a. Lot and Density:

1. Minimum Area: Two family - 12,000 sq. ft.
2. Multi-family - 15 dwelling units per acre; 30 bedrooms per acre. Maximum density shall be interpolated proportionately where development less than acre is proposed.

b. Minimum Yards:

Principal Buildings - 20 feet from project boundaries.  
Accessory Buildings - 5 feet from project boundaries.

c. Building: Minimum total floor area:

Efficiency:	500 sq. ft.
1-bedroom apt.:	600 sq. ft.
2-bedroom apt.:	750 sq. ft.
Each additional bedroom:	150 sq. ft.
Maximum Heights:	45 feet

### 3.6 BUSINESS DISTRICTS

#### Purpose

The Business Districts are established to provide areas for retail establishments which offer a wide range of goods and services.

#### 3.61 B-1 Business District

##### 3.61-1 Purpose

The B-1 Business District is established to provide retail goods and services to the consumer.

##### 3.61-2 Permitted Uses

- a. Retail sales. Processing of products is permitted only if all products are sold at retail on the premises.
- b. Consumer services. Processing is permitted only if all such

processing is performed as a consumer service for customers served on the premises.

- c. Professional, business and government offices.
- d. Community facilities such as churches, libraries, art galleries, parks, hospitals, institutions, government buildings.

#### 3.61-3 Accessory Uses

- a. Off-street parking and loading as regulated in Section 10.0 of this ordinance.

#### 3.61-4 Conditional Uses

- a. See Section 10.0 of this ordinance.
- b. Regional, community and neighborhood shopping centers.

#### 3.61-5 Special Regulations

- a. All sales, services, processing, storage and display shall take place within a completely enclosed building.
- b. All uses of the drive-in types are not permitted. This would include drive-in restaurants, service stations, drive-in theaters, and other similar uses.
- c. All motels or motor inns are not permitted.
- d. In addition to meeting the requirements for procuring a conditional use permit for the development of a shopping center, potential developers of shopping centers must submit a market analysis in order to establish evidence of a need for a change in the comprehensive zoning plan for the County, and to substantiate a finding that such a change will promote the general welfare of the County.

### 3.62 B-2 Business District

#### 3.62.1 Purpose

The B-2 Business District is established to provide retail goods and services directly to the consumer.

#### 3.62-2 Permitted Uses

- a. Retail sales. Processing of products is permitted only if all

products are sold at retail on the premises.

- b. Consumer services. Processing is permitted only if all such processing is performed as a consumer service for customers served on the premises.
- c. Professional, business and government offices.
- d. Community facilities, such as churches, libraries, art galleries, parks, hospitals, institutions, government buildings.
- e. Signs as regulated in Section 5.0 of this ordinance.

#### 3.62-3 Accessory Uses

- a. Off-street parking and loading as regulated in Section 4.0 of this ordinance.

#### 3.62-4 Conditional Uses

- a. See Section 10.0 of this ordinance.
- b. Regional, community and neighborhood shopping centers.

#### 3.62-5 Special Regulations

- a. Sales, services, processing and display may take place outdoors. However, junk yards are not permitted.
- b. Drive-in theaters are not permitted.
- c. Motels and motor inns are not permitted.
- d. In addition to meeting the requirements for procuring a conditional use permit for the development of a shopping center, potential developers of a shopping center must submit a market analysis in order to establish evidence of a need for a change in the comprehensive zoning plan for the County, and to substantiate a finding that such a change will promote the general welfare of the County.

#### 3.62-6 Bulk Requirements

- a. Minimum yards:
  - 1. Front - Not required.
  - 2. Side - No minimum yard required except lots adjoining a residential district shall provide a side yard on that

adjoining side equal to that required in the adjoining residence district.

3. Rear - 20 feet

### 3.63 B-3 Highway Business District

#### 3.63-1 Purpose

The Highway Business District is established to provide areas for commercial establishments which cater primarily to the needs of motorists. Typical uses offer accommodations and services to motorists, specialized retail outlets, and commercial amusement enterprises. The requirements of this district are developed to minimize traffic hazards and interferences with other related uses in the vicinity.

#### 3.63-2 Permitted Uses

- a. Retail sales. Processing of products is permitted only if all products are sold at retail on the premises.
- b. Sales and service of automotive and farm implement goods.
- c. Signs as regulated in Section 5.0 of this ordinance.
- d. Motels and motor inns.

#### 3.63-3 Accessory Uses

- a. Off-street parking and loading as regulated in Section 4.0 of this ordinance.

#### 3.63-4 Conditional Uses

- a. See Section 10.0 of this ordinance.
- b. Outdoor amusement and recreational enterprises, including but not limited to drive-in theaters, fairgrounds, auto tracks, adult entertainment establishments, crematory. Incinerators, junkyards, shooting ranges(outdoors) and manufacturing of explosives and flammable liquid or gases.
- c. Drive-in restaurants.
- d. Junk Yards
  1. Any junk yard, scrap yard or salvage yard for which permission is granted under this Section shall at all times be subject to the performance standards established for

this ordinance.

2. All outdoor storage areas shall be screened or fenced with a solid fence at least six (6) feet, but not more than eight (8) feet in height, or enclosed with a dense evergreen.
3. Any junk or salvage yard which offers to the public at retail any new or used merchandise shall provide at least two (2) parking spaces per one hundred (100) square feet of retail floor space.

#### 3.63-5 Special Regulations

- a. All activities involving the production, processing, cleaning, servicing, testing, or repair of materials, goods or products shall conform with the performance standards in Section 7.0 of this ordinance.
- b. Storage, auxiliary to the principal use, is permitted in the open, if such storage activities occupy no more than 20 percent of the gross lot area.
- c. Screening shall be provided at lot boundaries abutting a residential zoning district, and may consist of solid fencing, or dense hedge or shrub to a minimum of six (6) feet in height.

#### 3.63-6 Bulk Requirements

- a. Minimum yards:
  1. Front 25 feet
  2. Side 10 feet
  3. Rear 20 feet
- b. Building Height: 35 feet, or two (2) stories, whichever is less

### 3.7 MANUFACTURING DISTRICTS

#### 3.71 M-1 Limited Manufacturing District

##### 3.71.1 Purpose

This manufacturing district is established to provide areas for light, industrial, office and administrative uses having few, if any, adverse effects on neighborhood properties. To maintain an appropriate environment, high standards of performance are prescribed.

3.71-2 Permitted Uses

- a. Industry, non-retail commercial, laboratories, offices.
- b. Signs as regulated in Section 5.0 of this ordinance.

3.71-3 Accessory Uses

- a. Off-street parking and loading as regulated in Section 4.0 of this ordinance.

3.71-4 Conditional Uses

Service facilities clearly for the convenience of persons and firms in the industrial district including, for example, restaurants, service stations, banks, recreational facilities, industrial service businesses, and similar service facilities. Also see Section 10.0, Conditional Uses.

3.71-5 Special regulations

- a. All processing and storage shall take place within completely enclosed buildings.
- b. Storage, auxiliary to the principal use, is permitted in the open, if such storage activities occupy no more than 20 percent of the gross lot area.
- c. Screening shall be provided at lot boundaries abutting a residential zoning district, and may consist of solid fencing, or dense hedge or shrub to a minimum of six (6) feet in height.

3.71-6 Bulk Requirements

- a. Lot - 1 acre
- b. Minimum Yards:
  - 1. Front - 50 feet from right-of-way of any street or road.
  - 2. All others - 20 feet from lot lines.
- c. Building Height - 35 feet or two stories, whichever is less.

3.72 M-2 General Manufacturing District

3.72-1 Purpose

This manufacturing district is established to provide areas in which

manufacturing and related commercial operations are the principal use of land. Such uses have some adverse effects on surrounding properties, and are not compatible with residential, institutional, and retail uses. Moderate performance standards are established.

3.72-2 Permitted Uses

- a. Industry, non-retail commercial, laboratories, offices.
- b. Signs as regulated in Section 5.0 of this ordinance.

3.72-3 Accessory Uses

- a. Off-street parking and loading as regulated in Section 4.0 of this ordinance.

3.72-4 Conditional Uses

- a. Junk Yards
  - 1. Any junk yard, scrap yard or salvage yard for which permission is granted under this Section shall at all times be subject to the performance standards established for this ordinance.
  - 2. All outdoor storage areas shall be screened or fenced with a solid fence at least six (6) feet, but not more than eight (8) feet in height, or enclosed with dense evergreen growth at least six (6) feet in height. Storage between the street and such fence or screen is expressly prohibited.
  - 3. Any junk or salvage yard which offers to the public at retail any new or used merchandise shall provide at least two (2) parking spaces per one hundred (100) square feet of retail floor space.
- b. Service facilities clearly for the convenience of persons and firms in the industrial district including, for example, restaurants, service stations, banks, recreational facilities, industrial service businesses, and similar service facilities. Also see Section 10.0, Conditional Uses.
- c. Slaughter houses, fertilizer works, plants for the processing of animal skins or hides and plants for the reduction of animal matter.

3.72-5 Special Regulations

Processing and storage may take place within buildings or outdoors.

All activities involving the production, processing, cleaning, servicing, testing, or repair of materials, goods or products shall conform with the performance standards in Section 7.0 of this ordinance.

Storage, auxiliary to the principal use, is permitted in the open, but not within twenty (20) feet of the property lines.

Screening shall be provided at lot boundaries abutting a residential zoning district, and may consist of solid fencing, or dense hedge or shrub to a minimum of six (6) feet in height.

#### 3.72-6 Bulk Requirements

- a. Lot - Minimum area - 1 acre
- b. Minimum Yards:
  1. Front - 50 feet from right-of-way of any street or road.
  2. All others - 20 feet from all lot lines.
- c. Building Height - 35 feet or two stories, whichever is less.

#### 3.73 M-3 Extraction District

##### 3.73.1 Purpose

To regulate and control all forms of extraction operations and to ensure proper land reclamation in areas of extraction or extraction-related manufacturing operations.

##### 3.73-2 Permitted Uses

- a. Sand, gravel, marl, clay, limestone, salt, coal extraction and related crushing processes.
- b. Oil and gas extraction.

##### 3.73-3 Conditional Uses

- a. Cement concrete or asphaltic concrete mixing plants.

##### 3.73-4 Special Regulations: All extraction and reclamation activities shall be in accordance with the Surface-Mined Land Reclamation Act administered

by the State of Illinois Department of Conservation; in addition, the following stipulations shall be required:

- a. All applications for an M-3 District shall be accompanied by a map or plat showing the area proposed to be included in the extraction or removal operation; an estimate of the time required for removal of material; and a final grading plan which shows the existing ground elevations of the site at the termination of the operation with respect to the elevations of the immediately adjacent land and bounding streets or roads.

### 3.8 SPECIAL USE PERMIT DISTRICT

Because the County has a substantial government interest in protecting the public health, safety, and welfare of its citizens and persons within the County and because of their unique and potentially harmful characteristics, the uses set forth in this section shall be located in a district or districts upon consideration in each case of the impact of such use upon the neighborhood land and the public need for such use at the particular location.

3.8-A The County Board is hereby authorized to decide whether Special Use Permits shall be granted. The County Board shall not act until receiving a recommendation from the Regional Planning Commission and not until a public hearing has been held by the Zoning Board of Appeals.

3.8-B Application for a Special Use permit shall be made to the Zoning Administrator and the procedure for conditional uses shall be followed.

3.8-C The following uses of land may be allowed by a special use permit.

1. All permitted uses which exceed two stories or 35 feet in height
2. All Adult Entertainment Establishments as defined in definitions section
3. Airports or aircraft landing fields
4. Crematory
5. Incinerators
6. Junkyards
7. Manufacturing of explosives and flammable gases or liquid
8. Motor vehicle racetracks (outdoor)
9. Shooting Ranges (outdoors)

3.8-D Where a use exists on the date that this amendment becomes effective (or on the effective date of a subsequent amendment or subsequent amendments hereto) and is permitted only as a Special Use in the district in which it is located, such use shall not be deemed a non-conforming use, but shall, without further action, be deemed a lawful special use in such district. No such Special Use shall be expanded unless a supplemental special use permit is secured in accordance with the provisions for this amendment pertaining to Special Use permits.

3.8-1 ADULT ENTERTAINMENT ESTABLISHMENTS

3.8-1(a) Separation From Other Uses:

No adult entertainment establishment shall be permitted within 1,000 feet of any residential zoned lot or within 1,500 feet of any church or religious assembly, schools both public or private, parks or recreational area both public or private, cemetery and nursing homes. This separation distance shall be measured as a straight line, without regard to intervening properties, from the nearest exterior wall of the adult entertainment establishment to the nearest lot line of a lot that is zoned residential or a lot that contains a church or religious assembly, school, park, recreational area both public or private and any cemetery or nursing home. No adult entertainment establishment shall be permitted within 2,000 feet of any other adult entertainment establishment or any establishments licensed to sell alcoholic beverages.

(b) Hours of Operation:

No operator, employee or agent of an adult entertainment establishment shall sell, deliver or allow any person to view any adult only items between the hours of 10:00 p.m. and 10:00 a.m. Mondays through Saturdays, nor on Sundays or recognized State of Illinois holidays. The time referred to shall be either Central Standard Time or Daylight Savings Time, whichever is in effect at the time in this State.

No operator, employee or agent of adult entertainment establishments shall permit any person to remain on premises during the hours specified herein and all patrons shall vacate the premises during the hours specified herein.

(c) Access:

All access to and from adult entertainment establishments shall be provided from a thorough-fair street.

(d) Windows and Doors:

The building in which the adult entertainment establishment is located shall be designed in such a fashion that all openings, entries and windows prevent views into such establishments from any sidewalk, walkway, street or other public area. Further, no merchandise or pictures of products or entertainment on the premises shall be displayed in window area or any area where such merchandise or pictures can be viewed from the sidewalk in front of the building. No adult entertainment activity shall take place outside the building containing the adult entertainment establishment.

(e) Signs:

Adult entertainment establishments shall be limited to one wall mounted sign no greater than one square foot of sign per linear foot of wall length, not to exceed a total of fifty square feet. The sign shall not flash, blink or move by mechanical means and shall not extend above the roof line of the building. No flashing lights or lighting that gives the impression of motion or movement shall be permitted.

(f) Parking Area Lighting:

Lighting of parking area that serve an adult entertainment establishment shall provide a minimum lighting level of 0.25 foot candles over the entire parking area, but in no point shall the light level exceed 3.0 foot candles, nor shall any increase in light levels or visible glare be permitted at the lot line.