

ARTICLE 5
DISTRICT REGULATIONS

- 5.1 General Provisions for Greenbelt
- 5.2 (F) Farming District
- 5.3 Estate District (E-5)
- 5.4 (E-3) Estate District
- 5.5 (E-1) Estate District
- 5.6 R Single Family District
- 5.7 R-1 Single Family District
- 5.8 Reserved for Future Addition
- 5.9 General Provisions for All Non-Residential Uses and Agritourism
- 5.10 T Transitional District
- 5.11 B Business District
- 5.12 IT Industrial Transition
- 5.13 I Industrial District
- 5.14 OSR Open Space Recreation

5.1 GENERAL PROVISIONS FOR GREENBELT:

A. Open Space/Greenbelt -- Open space shall be provided for Village residents in the form of parks and greenbelts, consistent with regulatory and policy directives of the Village. Where parks and greenbelts illustrated on the Land Use Plan pass through a proposed residential subdivision, land, in lieu of cash, shall be provided pursuant to Chapter 22, Subdivision Regulations, of the Prairie Grove Municipal Code, as may be amended from time to time. The Village has determined that the dedication of land in these areas is essential for implementing the continuous greenbelt and open space system adopted as part of the Village's Comprehensive Land Use Plan:

(1) Purpose:

- (a) To establish natural buffers between dissimilar uses and around the periphery of the Village.
- (b) To visually set the Village apart from adjacent communities.
- (c) To preserve existing natural resources, and protect critical storm-water drainage corridors.
- (d) To provide conveniently-located recreational amenities and facilities for residents of the Village.

(2) Greenbelts:

- (a) Where a greenbelt illustrated on The Village's Comprehensive Land Use Plan passes through a proposed subdivision, a minimum width of one-hundred (100) feet shall be set aside for this amenity. This 100-foot minimum width shall be increased to incorporate

floodplains, steep slopes, wetlands, high quality native plant communities, major stands of trees, riparian zones, and/or other significant natural features that may exist within, or adjacent to these areas. The location and extent of a greenbelt shall be determined at the time of preliminary plan and/or plat.

- (b) For the purpose of this Zoning Code, these natural features shall include:
 - (i) Floodplains –100 year floodplain, as defined by FEMA.
 - (ii) Steep Slopes -- Those land areas with slopes that equal or exceed thirty-five (35) percent, or 2.85:1.
 - (iii) Wetlands -- As defined through the currently applicable criteria established by the U.S. Army Corps of Engineers.
 - (iv) Major Stands of Trees -- Mature woodlands, such as stands of oak/hickory forest, and floodplain forests, such as mature cottonwood, silver maple, sycamore, hackberry, etc.
 - (v) Riparian Zone -- Natural vegetation along the edge of a stream that: modulates temperature; provides nutrient input into the stream system; provides a buffer that intercepts surface runoff, filtering out sediments and pollutants; provides erosion control through soil stabilization; and serves as habitat and migration corridors for wildlife who utilize the stream for food, drink and nesting.
- (c) The greenbelt shall be recorded with the final plan and/or plat of subdivision as open space to be maintained as such in perpetuity.
- (d) At the time of final platting, an easement, not less than fifteen feet wide, shall also be recorded to accommodate future development of a recreation path within the greenbelt. Said path shall be eight feet wide, and installed at such time as the Village determines appropriate. Unless otherwise approved by the Village Board, the path shall consist of crushed limestone, and shall be engineered to avoid erosion.
- (e) Two-inch caliper native trees shall be planted along the perimeter of the greenbelt to define its limits. Tree plantings may be waived by the Commission and Village Board during review of a final plan or plat, if the greenbelt is wooded, or includes natural features that may be inconsistent with required tree plantings. Where required:

- (i) Not less than one native tree shall be planted on each side of the greenbelt for each thirty (30) lineal feet that passes through the residential subdivision.
 - (ii) Trees shall be planted in naturalistic groupings, and shall be worked into the existing landscape.
- (f) Native grasses, wild flowers, or other native vegetation shall be installed where necessary to stabilize slopes within the greenbelt, in lieu of lawn or other traditional groundcover.
- (3) Parks -- The exact location of boundaries and parkland shall be determined as part of the preliminary plan or plat.
- (4) Submittals – Unless otherwise waived by the Commission and Village Board, the following shall be submitted for staff review at the time of preliminary plat or plan to determine the existence, location and extent of wetlands, floodplains, native prairie, major stands of trees, steep slopes and other natural features that may fall within the greenbelt depicted on the Land Use Plan:
 - (a) Items listed below shall be included on a site plan, at a scale not less than 1" = 50':
 - (i) Location of FEMA flood plain.
 - (ii) Existing contours at two-foot intervals.
 - (iii) Existing and proposed drainage system, including all discharge points, collection, conveyance, and storage facilities.
 - (iv) Proposed contours, at two-foot intervals.
 - (v) Drainage features, stormwater management facilities, floodplains and wetland boundaries.
 - (vi) Boundaries of predominate soil types.
 - (vii) Location, species and size of trees six inches or greater in caliper, if any.
 - (viii) Delineation of riparian zone, if any, and location, species and size of trees, six inches or greater in caliper, that exist within the zone.
 - (ix) Delineation of high quality native plant communities, if any, and a copy of the Natural Area Rating Index for the plant communities.

- (b) Where wetlands exist within, or adjacent to the greenbelt, a wetland delineation report shall be submitted which includes:
 - (i) A map showing the exact location of wetlands within the development boundaries.
 - (ii) An aerial photograph delineating wetland, development and watershed boundaries.
 - (iii) Army Corps of Engineers data sheets with representative color photographs.
 - (iv) Written description of the wetland(s) including a professional assessment of functional values.
- (c) Protective covenants shall be submitted for the greenbelt or park, which identify:
 - (i) Name, address and telephone number of the individual or group responsible for maintenance of the park or greenbelt.
 - (ii) Required maintenance provisions and responsibilities for these resources.
 - (iii) Terms and conditions associated with the use of the land.
- (5) Screen Plantings:
 - (a) Where a proposed residential subdivision abuts a more intensive land use, landscape screening shall be provided. Such screening may be accomplished through the provision of landscaped berms, a compact hedge, fence, wall or a combination of these methods, as approved by the Village during the preliminary and final plan and/or plat review process.
 - (b) Required screening shall be a minimum of five (5) feet in height, at installation.
 - (c) The placement of a screen shall not impair the safety of pedestrian or vehicular traffic.
 - (d) Screening shall maintain a year round opacity not less than seventy-five (75) percent.
 - (e) Where screening is required, a landscape plan, prepared by a licensed landscape architect, shall be submitted with the preliminary and final plan and/or plat of subdivision, and shall show:

- (i) Location, design, and dimensions of proposed fencing, if any.
- (ii) Location, species, size and quantity, of proposed trees and shrub plantings.
- (iii) Contours of proposed berms, if any.
- (iv) Limits of seed or sod, and identification of ground covers, if any.

5.2 (F) FARMING DISTRICT:, *Amended, 717*

Table 1 summarizes the lot size and bulk regulations for all districts identified in this Article 5.

- A. Purpose -- The (F) Farming District is intended to protect large parcels of land which contribute to the rural character of the Village and to permit uses appropriate to the larger tract of land.
- B. Permitted Uses:
 - (1) Crop farming and truck gardening where crops are grown to be sold at appropriate markets.
 - (2) Animal husbandry where farm or domestic animals are raised or kept for sale, but not including the feeding or disposal of community or collected garbage.
 - (3) Poultry farming where poultry of any kind are raised or kept for sale.
 - (4) Nurseries and greenhouses where stock is grown.
 - (5) Riding and boarding stables.
 - (6) Cat and dog kennels, if located not nearer than 1,000 feet to any residence other than that of the owner or lessor of the site.
 - (7) Bee keeping.
 - (8) Open space, greenbelts, public parks, and forest preserves.
 - (9) Arboretum or botanical gardens.
- C. Special Uses:
 - (1) Elementary, Junior High or High School, Public or Private.
 - (2) Local, Township or County Governmental Building.

- (3) Public park, playgrounds, forest preserves or play fields which are lighted.
- (4) Bed and Breakfast.
- (5) Private Club.
- (6) Farm stands offering for sale only those farm products which are produced on the premises.

D. Lot Size:

- (1) Residential:
 - (a) Minimum Lot Size -- ten (10) acres.
 - (b) Minimum Lot Width -- Not less than four hundred (400) feet shall be maintained at the front property line.
- (2) Special Uses -- Lot sizes for special uses shall be as specified in the special use permit, unless otherwise noted for a particular use listed in this District, based upon the criteria listed in Article 9, Section 9.13.

E. Yard and Setback Regulations -- Every building hereafter erected or enlarged in this District shall provide and maintain a setback in accordance with the following:

- (1) Minimum Front and Corner Side Yards -- Not less than seventy five (75) feet.
- (2) Minimum Interior Side Yards -- Not less than fifty (50) feet from an interior side lot line.
- (3) Minimum Rear Yards -- Not less than fifty (50) feet from a rear lot line.
- (4) Setback From Major Highways -- Not less than fifty (50) feet from the ultimate right-of-way for IL Route 31 and IL Route 176.

F. Structure Height:

- (1) Single-Family Detached Residences -- Not more than forty five (45) feet in height.
- (2) Special Uses -- Maximum height limitations shall be specified with the granting of a special use permit.
- (3) Accessory Uses -- Forty feet (40) feet.

G. Lot Coverage:

- (1) Lot coverage shall not exceed 0.2.

5.3 ESTATE DISTRICT (E-5):, *Amended 717*

- A. Purpose -- The purpose of the E-5 Estate District is to protect the large lot rural character of the Village.
- B. Permitted Uses:
 - (1) Single family detached residences.
 - (2) Gardening, non-commercial.
 - (3) Non-commercial stable or barn for horses. Shelter must be provided, if a horse or horses are kept.
 - (4) Open space or greenbelts.
- C. Special Uses:
 - (1) Church, Synagogue, Temple, Convent, Monastery or Seminary.
 - (2) Elementary, Junior High or High School, Public or Private.
 - (3) Local, Township or County Governmental Building.
 - (4) Public park, playgrounds, forest preserves or play fields which are lighted.
 - (5) Private Club.
 - (6) Congregate Housing.
 - (7) Group Homes
 - (8) Senior Citizen Housing.
 - (9) Planned Developments.
 - (10) Bed and Breakfasts.
 - (11) Convalescent Home.
- D. Lot Size:
 - (1) Residential:
 - (a) Minimum Lot Size -- five (5) acres.

- (b) Minimum Lot Width -- Not less than two hundred fifty (250) feet shall be maintained at the front property line.
 - (2) Special Uses -- Lot sizes for special uses shall be as specified in the special use permit, unless otherwise noted for a particular use listed in this District, based upon the criteria listed in Section 9.13.
- E. Yard and Setback Regulations -- Every building hereafter erected or enlarged in this District shall provide and maintain a setback in accordance with the following:
- (1) Minimum Front and Corner Side Yards -- Not less than seventy five (75) feet.
 - (2) Minimum Interior Side Yards -- Not less than fifty (50) feet from an interior side lot line.
 - (3) Minimum Rear Yards -- Not less than fifty (50) feet from a rear lot line.
 - (4) Setback From Major Highways -- Not less than fifty (50) feet from the ultimate right-of-way for IL Route 31 and IL Route 176.
- F. Structure Height:
- (1) Single-Family Detached Residences -- Not more than forty five (45) feet in height.
 - (2) Special Uses -- Maximum height limitations shall be specified with the granting of a special use permit.
 - (3) Accessory Uses -- thirty (30) feet.
- G. Lot Coverage:
- (1) Lot coverage shall not exceed 0.2.

5.4 (E-3) ESTATE DISTRICT, *Amended, 717*

- A. Purpose -- The purpose of the E-3 Estate District is to protect the large lot rural character of the Village.
- B. Permitted Uses:
 - (1) Single family detached residences.
 - (2) Non-commercial stable or barn for horses. Shelter must be provided, if a horse or horses are kept.
 - (3) Open space or greenbelts.

(4) Greenhouse, non-commercial.

C. Special Uses:

- (1) Church, Synagogue, Temple, Convent, Monastery or Seminary.
- (2) Elementary, Junior High or High School, Public or Private.
- (3) Local, Township or County Governmental Building.
- (4) Public park, playgrounds, forest preserves or play fields which are lighted.
- (5) Private Club.
- (6) Congregate Housing.
- (7) Group Home.
- (8) Senior Citizen Housing.
- (9) Planned Developments.
- (10) Bed and Breakfasts.
- (11) Convalescent Home.

D. Lot Size:

- (1) Residential:
 - (a) Minimum Lot Size -- three (3) acres.
 - (b) Minimum Lot Width -- Not less than two hundred fifty (250) feet shall be maintained at the front property line.
- (2) Special Uses -- Lot sizes for special uses shall be as specified in the special use permit, unless otherwise noted for a particular use listed in this District, based upon the criteria listed in Section 9.13.

E. Yard and Setback Regulations -- Every building hereafter erected or enlarged in this District shall provide and maintain a setback in accordance with the following:

- (1) Minimum Front and Corner Side Yards -- Not less than seventy five (75) feet.
- (2) Minimum Interior Side Yards -- Not less than thirty five (35) feet from an interior side lot line.

- (3) Minimum Rear Yards -- Not less than fifty (50) feet from a rear lot line.
- (4) Setback From Major Highways -- Not less than fifty (50) feet from the ultimate right-of-way for IL Route 31 and IL Route 176.

F. Structure Height:

- (1) Single-Family Detached Residences -- Not more than forty five (45) feet in height.
- (2) Special Uses -- Maximum height limitations shall be specified with the granting of a special use permit.
- (3) Accessory Uses -- thirty (30) feet.

G. Lot Coverage:

- (1) Lot coverage shall not exceed 0.2.

5.5 (E-1) ESTATE DISTRICT: *Amended 687, 717*

A. Purpose -- The purpose of the E-1 Estate District is to protect the large lot rural character of the Village.

B. Permitted Uses:

- (1) Single family detached residences.
- (2) Open space or greenbelts.
- (3) Greenhouses non-commercial.
- (4) Agritourism (See Section 5.9).

C. Special Uses:

- (1) Church, Synagogue, Temple, Convent, Monastery or Seminary.
- (2) Elementary, Junior High or High School, Public or Private.
- (3) Local, Township or County Governmental Building.
- (4) Public park, playgrounds, forest preserves or play fields which are lighted.
- (5) Congregate Housing.
- (6) Group Home.

- (7) Senior Citizen Housing.
- (8) Planned Developments.
- (9) Bed and Breakfasts.
- (10) Convalescent Home.

D. Lot Size:

- (1) Residential:
 - (a) Minimum Lot Size -- One (1) acre.
 - (b) Minimum Lot Width -- Not less than one hundred fifty (150) feet shall be maintained at the front property line.
- (2) Special Uses -- Lot sizes for special uses shall be as specified in the special use permit, unless otherwise noted for a particular use listed in this District, based upon the criteria listed in Section 9.13.

E. Yard and Setback Regulations -- Every building hereafter erected or enlarged in this District shall provide and maintain a setback in accordance with the following:

- (1) Minimum Front Yards -- Not less than sixty (60) feet.
- (2) Minimum Interior Side Yards -- Not less than twenty five (25) feet from an interior side lot line.
- (3) Minimum Corner Side Yards -- Not less than thirty five (35) feet from an interior side lot line.
- (4) Minimum Rear Yards -- Not less than forty (40) feet from a rear lot line.
- (5) Setback From Major Highways -- Not less than fifty (50) feet from the ultimate right-of-way for IL Route 31 and IL Route 176.

F. Structure Height:

- (1) Single-Family Detached Residences -- Not more than forty five (45) feet in height.
- (2) Special Uses -- Maximum height limitations shall be specified with the granting of a special use permit.
- (3) Accessory Uses -- Thirty (30) feet.

G. Lot Coverage:

- (1) Lot coverage shall not exceed 0.2.

5.6 R SINGLE FAMILY DISTRICT:, *Amended, 717*

- A. Purpose -- The purpose of the R Single Family District (also referred to as residential zoning district in this Zoning Code) is to establish a residential use area with a gross density of 1 dwelling unit per acre. Any clustered residential units constructed in any residential zoning district must be located at least 150 feet from the nearest Estate District boundary line, unless the residential zoning district and the Estate District are separated by a public road or right-of-way.
- B. Permitted Uses:
 - (1) Single family detached residences.
 - (2) Open space or greenbelts.
 - (3) Greenhouses, non-commercial.
- C. Special Uses:
 - (1) Congregate Housing.
 - (2) Group Home.
 - (3) Senior Citizen Housing.
 - (4) Church, Synagogue, Temple, Convent, Monastery or Seminary.
 - (5) Elementary, Junior High or High School, Public or Private.
 - (6) Local, Township or County Governmental Building.
 - (7) Public park, playgrounds, forest preserves or play fields which are lighted.
 - (8) Planned Developments.
 - (9) Bed and Breakfasts.
 - (10) Convalescent Home.
- D. Lot Size:
 - (1) Residential:
 - (a) Minimum Lot Size – Thirty four thousand (34,000) square feet.

- (b) Minimum Lot Width -- Not less than one hundred twenty five (125) feet shall be maintained at the front property line.
 - (2) Special Uses -- Lot sizes for special uses shall be as specified in the special use permit, unless otherwise noted for a particular use listed in this District, based upon the criteria listed in Section 9.13.
- E. Yard and Setback Regulations -- Every building hereafter erected or enlarged in this District shall provide and maintain a setback in accordance with the following:
 - (1) Minimum Front Yards -- Not less than forty five (45) feet.
 - (2) Minimum Interior Side Yards -- Not less than twenty (20) feet from an interior side lot line.
 - (3) Minimum Corner Side Yards -- Not less than thirty five (35) feet from an interior side lot line.
 - (4) Minimum Rear Yards -- Not less than forty (40) feet from a rear lot line.
 - (5) Setback From Major Highways -- Not less than fifty (50) feet from the ultimate right-of-way for IL Route 31 and IL Route 176.
- F. Structure Height:
 - (1) Single-Family Detached Residences -- Not more than forty five (45) feet in height.
 - (2) Special Uses -- Maximum height limitations shall be specified with the granting of a special use permit.
 - (3) Accessory Uses -- Twenty (20) feet.
- G. Lot Coverage:
 - (1) Lot coverage where the principal structure is more than one story shall not exceed 20 percent.
 - (2) Lot coverage where the principal structure is only one story shall not exceed 35 percent.

5.7 R-1 SINGLE FAMILY DISTRICT:, *Amended, 717*

- A. Purpose -- The purpose of the R-1 Single Family District (also referred to as R-1 District in this Zoning Code) is to establish a residential use area with a gross density of approximately 2 dwelling units per acre. Any clustered residential units constructed in a R-1 District must be located at least 150 feet from the nearest Es-

tate District boundary line, unless the R-1 District and the Estate District are separated by a public road or right-of-way.

B. Permitted Uses:

- (1) Single family detached residences.
- (2) Open space or greenbelts.
- (3) Greenhouses, non-commercial.

C. Special Uses:

- (1) Church, Synagogue, Temple, Convent, Monastery or Seminary.
- (2) Elementary, Junior High or High School, Public or Private.
- (3) Local, Township or County Governmental Building.
- (4) Public park, playgrounds, forest preserves or play fields which are lighted.
- (5) Congregate Housing.
- (6) Group Home.
- (7) Senior Citizen Housing.
- (8) Planned Developments.
- (9) Bed and Breakfasts.
- (10) Convalescent Home.

D. Lot Size:

- (1) Residential:
 - (a) Minimum Lot Size -- 21,780 square feet.
 - (b) Minimum Lot Width -- Not less than one hundred twenty five (125) feet shall be maintained at the front property line.
- (2) Special Uses -- Lot sizes for special uses shall be as specified in the special use permit, unless otherwise noted for a particular use listed in this District, based upon the criteria listed in Section 9.13.

E. Yard and Setback Regulations -- Every building hereafter erected or enlarged in this District shall provide and maintain a setback in accordance with the following:

- (1) Minimum Front Yards -- Not less than forty-five (45) feet.
- (2) Minimum Interior Side Yards -- Not less than twenty (20) feet from an interior side lot line.
- (3) Minimum Corner Side Yards -- Not less than thirty-five (35) feet from an interior side lot line.
- (4) Minimum Rear Yards -- Not less than forty (40) feet from a rear lot line.
- (5) Setback From Major Highways -- Not less than fifty (50) feet from the ultimate right-of-way for IL Route 31 and IL Route 176.

F. Structure Height:

- (1) Single-Family Detached Residences -- Not more than forty-five (45) feet in height.
- (2) Special Uses -- Maximum height limitations shall be specified with the granting of a special use permit.
- (3) Accessory Uses -- Twenty (20) feet.

G. Lot Coverage:

- (1) Lot coverage where the principal structure is more than one story shall not exceed 0.2.
- (2) Lot coverage where the principal structure is only one story shall not exceed 0.35.

5.8 RESERVED FOR FUTURE ADDITION

5.9 GENERAL PROVISIONS FOR ALL NON-RESIDENTIAL USES AND AGRITOURISM: *Amended 687*

A. Applicability to Non-Residential Uses, Excluding Agritourism -- The following standards shall apply to all non-residential land uses, except Agritourism, when there are applications for building permits, rezoning, special use permits or planned developments unless otherwise approved by the Village Board. All requests for review of a preliminary plan for a planned development shall be accompanied by the submission of the information listed in Section 6.6-C(4).

(1) Standards of Development:

- (a) Setback, Bulk and Sign Regulations -- Principal and accessory buildings and structures shall comply with yard and setback requirements; floor area and height limitations; and sign regulations,

applicable to the zoning district in which the use is located. All structures shall be setback at least 150 feet from the district boundary of all Estate zoning districts and all Residential zoning districts. The intervening space shall be landscaped to protect the single family residences from visual intrusion and other impacts of more intense uses pursuant to Section 5.9-B(5).

- (b) Vehicular Access:
 - (i) Points of vehicular ingress and egress to the site shall be limited to maximize the safety and operational efficiency of the Village's major and collector roadways.
 - (ii) The location, number and design of access drives shall be reviewed by the Village Engineer, and coordinated with adjacent uses and properties, to provide for safe and efficient movement of vehicles. Where possible, cross-easements between properties shall be provided, to minimize the number of drives required on adjacent public streets.
- (c) Pedestrian Access:
 - (i) Sidewalks, not less than five (5) feet wide, shall be provided along streets and access drives to provide safe pedestrian access to and from the Village's business and industrial districts.
 - (ii) Where parking is proposed to be located perpendicular to an adjacent sidewalk, walks shall be increased to a minimum of six and one-half (6½) feet in width.
- (d) Off-Street Parking and Loading:
 - (i) Parking and loading spaces and drive aisles shall be provided in accordance with Article 7, Off-Street Parking and Loading.
 - (ii) Plans shall demonstrate compliance with the Illinois Accessibility Code and Americans with Disabilities Act, as may be amended from time to time.
- (e) Screening -- Where a non-residential use abuts, or is across the street from a residential or institutional use, screening shall be provided in accordance with the following:
 - (i) A landscaped berm, fence, wall or combination thereof shall be installed to provide year-round screening. Placement of the landscape screen shall not impair the safety of pedestrian or vehicular traffic.

- (ii) Where off-street parking is visible from a public right-of-way, screening shall be at least three (3) feet high upon installation, as measured from the surface elevation of the closest parking surface.
 - (iii) Where off-street parking or loading abuts a residential or institutional use, screening shall be not less than five (5) feet high upon installation.
 - (iv) Plant materials used for screening shall comply with minimum sizes set forth in Section 5.9B(6)(d).
 - (v) Landscape plantings shall be kept alive and in good condition, or replaced. Any property owner that does not maintain required screening in accordance with approved plans shall be subject to fines as described in Article 9, Section 9.16 of this Zoning Code.
 - (vi) Screening shall be incorporated into a landscape plan prepared for the project, and shall require review and approval by the Village.
- (f) Landscaping -- A landscape plan, prepared by a licensed landscape architect, shall be submitted for all projects involving sites in excess of one acre or new construction in excess of 2,000 square feet. The plan shall be subject to review and approval by the Village.
- (i) All areas of the site, which are not paved, shall be landscaped with trees, shrubs, groundcover and/or flowers to:
 - (1) Slow surface water runoff;
 - (2) Restrict blowing trash and litter;
 - (3) Deter improper access or site use by the public; and
 - (4) Improve the visual quality of the site.
 - (ii) The landscape plan shall include identification of species, size and location of plant materials and all other landscape treatments including, but not limited to:
 - (1) Berms;
 - (2) Fences;
 - (3) Ground covers;
 - (4) Ornamental or accent lighting;

(5) Paving materials; and

(6) Limits of seed and/or sod.

(iii) Trees and shrubs shall be keyed into a plant list.

(iv) Upon installation, trees shall not be less than the following sizes:

(1) Shade: Three (3)-inch caliper, minimum, as measured twelve (12) inches above grade;

(2) Evergreen: Six (6) feet tall, minimum;

(3) Ornamental: Six (6) feet tall, minimum, if multi-stem; two and one-half (2½) inches in caliper, minimum, if single-stem.

(v) All plant materials shall be kept alive and in good condition or shall be replaced.

(vi) Provision shall be made for perimeter landscaping through the use of plant materials, unless otherwise recommended by the Commission and approved by the Village Board. Such screening shall include:

(1) The first thirty (30) feet of a front yard. Parking and parallel drive aisles shall not be permitted in this minimum thirty (30) feet;

(2) A minimum ten (10) foot wide perimeter yard around the side and rear property lines, where a business or industrial use abuts another business or industrial use;

(3) A minimum twenty-five (25) foot wide perimeter yard around the side and rear property lines, where a business or industrial use abuts a residential or institutional use;

(4) Shade and/or evergreen trees shall be installed in these yards, at a ratio of not less than one (1) tree for every thirty (30) lineal feet of perimeter yard. Trees may be informally clustered or grouped, rather than equally spaced.

(g) Lighting:

(i) Exterior lighting proposed for use on the site shall be planned, erected and maintained so that light is confined to the property,

and does not cause direct glare or light spillage on adjacent properties or public rights-of-way.

(ii) A point-by-point photometric plan shall be submitted for parking lots containing more than 40 spaces that demonstrates:

(1) Average-maintained illumination between one (1) and three (3) footcandles.

(2) Not more than 0.1 footcandles beyond property lines except within 30 feet of entrances and exits.

(iii) Light fixtures shall be designed to aesthetically relate to the character of the development.

(iv) Plans for parking lot, security, landscape and other building accent lighting shall be subject to review and approval by the Village.

(h) Mechanical Equipment -- All roof-mounted mechanical equipment including, but not limited to, heating, ventilating and air-conditioning units (HVAC) shall be fully screened from public view on all sides of the building:

(i) Screening shall be accomplished by the roof-structure or parapet walls, unless otherwise recommended by the Commission and approved by the Village Board.

(ii) Screening shall be designed to blend with, and complement the architecture of the building.

(iii) The height of the parapet walls, roof structure, or other approved method of screening shall equal the height of the tallest roof-top unit installed on the building.

(i) Utility Meters/Transformers:

(i) Wall-mounted utility meters and ground-supported transformers shall be painted to match the building.

(ii) If visible to the public, meters and transformers shall be screened by landscaping which, upon installation, shall equal the height of the tallest meter or transformer.

(j) Trash Enclosure:

(i) Trash receptacles shall be enclosed by masonry walls or quality wood fencing, designed to match the building.

(ii) Enclosures shall be constructed to be equal to or taller than the height of the tallest bin proposed for use.

(iii) Trash enclosures shall be provided with gates to contain blowing trash, and a concrete pad and approach apron.

(k) Outdoor Storage:

(i) All business, services, storage, merchandise display and processing shall be conducted entirely within an enclosed building, with the exception of:

(1) Off-street parking and loading areas;

(2) Open sales lots;

(3) Outdoor sales of products for automobile service stations, provided they are related to servicing motor vehicles.

(ii) All outdoor storage facilities for accessory uses and products shall be enclosed by a fence, wall or plant materials adequate to conceal such facilities from adjacent properties and public rights-of-way.

B. Applicability to Agritourism -- The following standards shall apply to all Agritourism non-residential land uses when there are applications for building permits, rezoning, special use permits or planned developments unless otherwise approved by the Village Board.

(1) Standards of Development:

(a) Lot size -- Minimum Lot Size – forty (40) acres;

(b) Principal Structures – a maximum of four (4) single family detached residences, including use for bed & breakfasts and/or guest lodging;

(c) Accessory Structures – a maximum of twelve (12) additional accessory buildings and structures in accordance with a site plan approved by the Village Board;

(d) Setback, Bulk and Sign Regulations -- Every building and structure, including each accessory structure, hereafter erected and/or enlarged shall provide and maintain a setback of one hundred fifty (150) feet.

(e) Structure Height:

(i) Single Family Detached Residences -- Not more than forty-five (45) feet in height.

- (ii) Accessory Uses -- Not more than sixty-five (65) feet in height.
 - (f) Off-Street Parking and Loading -- parking and loading spaces and drive aisles shall be provided with a paved, concrete, grass, or gravel surface, subject to requirements of the Illinois Accessibility Code and Americans with Disabilities Act, as may be amended from time to time, and in accordance with a site plan approved by the Village Board. Lights, except for security, shall be turned off one half hour after the close of business.
- (2) Site Plan -- A site plan depicting each proposed use, including, but not limited to, proposed ingress and egress points of access, location of existing structures and proposed single family detached residences, accessory structures, parking lots, and any onsite and offsite advertising signs; exterior lighting; outside sound system plans; trash enclosures; portable toilets/toilet trailers; and proposed landscape or other screening of adjacent properties must be submitted to the Village Board for approval.
- (a) Exterior lighting proposed for the site shall be planned, erected, and maintained so that light is confined to the property, and does not cause direct glare or light spillage on adjacent properties or public rights-of-way.
 - (b) Light fixtures shall be designed to aesthetically relate to the character of the property.
 - (c) Any parcel containing a stream, creek, irrigation, or ditch must have natural vegetation buffering same that intercepts surface runoff, filters out sediments, pollutants, and pesticides, and provide erosion control through soil stabilization. This buffer shall be depicted in the site plan. The site plan shall include a tree plan in and along the boundaries of the parcel for screening purposes.
- (3) Any Agritourism must comply with the McHenry County Stormwater Ordinance as adopted by the Village and in effect from time to time.
- (4) One liquor license may be requested for a parcel with Agritourism, which approval shall be determined by the Village Board and issued by the Local Liquor Control Commissioner.

5.10 T TRANSITIONAL DISTRICT:

- A. Purpose -- The purpose of the T Transitional District (also referred to as T District in this Zoning Code) is to provide for multi-family residential development in order to provide a diversity of housing within the Village. All development within the T District must take place on a contiguous tract of land of not less than 10 acres. Private or public roads created by a plat or plat plan may be included for determining a contiguous tract.
- B. Permitted Uses:

- (1) Single family homes meeting the standards of the E-1 District.
- (2) Patio homes, townhomes, multiplex, quadraplex and two family dwellings.
- (3) The following permitted uses in the F Farming District.
 - (a) Crop farming and truck gardening where crops are grown to be sold at appropriate markets.
 - (b) Nurseries and greenhouses where stock is grown.
 - (c) Riding and boarding stables.
 - (d) Cat and dog kennels, if located not nearer than 1,000 feet to any residence other than that of the owner or lessor of the site.
 - (e) Bee keeping.
- (4) Open space, greenbelts, public park, playgrounds, forest preserves or playfields (unlighted).

C. Special Uses:

- (1) Permitted uses in the B Business District.
- (2) Day Care Center/Nursery School.
- (3) Hospitals and other institutional uses.
- (4) Community Center.
- (5) Farm stands offering for sale only those farm products which are produced on the premises.
- (6) Planned Development.

D. Lot Size:

- (1) Attached Single Family Residential:
 - (a) Minimum Lot Area per dwelling unit -- Seven thousand, nine hundred and twenty (7,920) square feet.
 - (b) Minimum Lot Width -- Not less than one hundred (100) feet shall be maintained at the front property line.

- (2) Special Uses -- Lot sizes for special uses shall be as specified in the special use permit, unless otherwise noted for a particular use listed in this District, based upon the criteria listed in Section 9.13.
- E. Yard and Setback Regulations -- Every building hereafter erected or enlarged in this District shall provide and maintain a setback in accordance with the following:
- (1) Minimum Front Yards -- Not less than twenty five (25) feet.
 - (2) Minimum Interior Side Yards -- Not less than twenty (20) feet for structures over one story and not less than ten (10) feet for one story structures.
 - (3) Minimum Corner Side Yards -- Not less than thirty (30) feet.
 - (4) Minimum Rear Yards -- Not less than forty (40) feet from a rear lot line.
 - (5) Setback From Major Highways -- Not less than fifty (50) feet from the right-of-way for IL Route 31 and IL Route 176.
 - (6) Setback from any Estate District – 150 feet.
 - (7) Setback from any Residential District – 150 feet.
- F. Structure Height:
- (1) Not more than forty-two (42) feet in height.
 - (2) Special Uses -- Maximum height limitations shall be specified with the granting of a special use permit.
 - (3) Accessory Uses -- Twenty (20) feet.
- G. Lot Coverage:
- (1) Lot Coverage: Lot coverage where the principal structure is more than one story shall not exceed 40 percent.

5.11 B BUSINESS DISTRICT: *Amended, 667, 610, 568, 555, 491, 717, 729*

- A. Purpose -- The purpose of the B Business District is to provide areas for a wide range of retail, service, office and other business activities which will enhance the Village's tax base and provide convenient shopping, services and job opportunities for Village residents.
- B. Permitted Uses:
- (1) Retail stores.

- (2) Retail service businesses and offices.
- (3) Banks and financial institutions (excluding drive-in and drive-through facilities).
- (4) Restaurants (including sit-down and outdoor dining, coffee shops, with or without entertainment or cocktail lounges, subject to the applicable Village liquor ordinance).
- (5) Parking lots and garages.
- (6) Health or fitness facilities (excluding outdoor facilities).
- (7) Parks, open space and play fields.
- (8) Government uses.
- (9) Taverns and Bars.
- (10) Video Gaming Terminals

C. Special Uses:

- (1) Banks and financial institutions with drive-in or drive-through facilities.
- (2) Restaurants with drive-in and drive-through facilities.
- (3) Automobile sales, service and repair.
- (4) Automobile service and repair (within an enclosed building only).
- (5) Vehicle fueling stations with or without convenience goods for sale.
- (6) Vehicle washing facilities.
- (7) Veterinary clinics.
- (8) Dog and cat kennels.
- (9) Hospitals and other institutional uses.
- (10) Congregate Housing.
- (11) Church, Synagogue, Temple, Convent, Monastery or Seminary.
- (12) Elementary, Junior High or High School, Public or Private.
- (13) Group Homes.
- (14) Senior Citizen Housing.

- (15) Hotels (with or without conference, banquet or entertainment facilities or cocktail lounges, subject to the applicable Village liquor ordinance).
- (16) Nursery schools and day care centers.
- (17) Educational and training facilities.
- (18) Outdoor Health and Fitness Facilities.
- (19) Planned developments.
- (20) Medical cannabis dispensary.
- (22) Adult-Use Cannabis Craft Grower.
 - (a) Purpose and Intent. It is the intent and purpose of this Section to protect and preserve the health, safety, welfare and morals of the citizens of the Village by regulating the craft growing of adult-use cannabis occurring within the Village. An Adult-Use Cannabis Craft Grower shall comply with all regulations provided in the Cannabis Regulation and Tax Act (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder, and the regulations provided below. In the event that the Cannabis Regulation and Tax Act is amended, the more restrictive of the state or local regulations shall apply.
 - (b) General Standards.
 - (i) A separate special use permit must be issued in accordance with Article 9.13, Special Uses, for each Adult-Use Cannabis Craft Grower and the following components of an Adult-Use Cannabis Craft Grower shall be evaluated based on the entirety of the circumstances affecting the particular property in the context of the existing and intended future use of the properties:
 - (1) Impact of the proposed facility on existing or planned uses located within the vicinity of the subject property.
 - (2) Proposed structure in which the facility will be located, including co-tenancy (if in a multi-tenant building), total square footage, security installations/security plan and building code compliance.
 - (3) Hours of operation and anticipated number of customers/employees.

- (4) Anticipated parking demand based on Article 7, Off-Street Parking and Loading, and available private parking supply.
 - (5) Anticipated traffic generation in the context of adjacent roadway capacity and access to such roadways.
 - (6) Site design, including access points and internal site circulation.
 - (7) Proposed signage plan.
 - (8) Compliance with all the requirements set forth in these General Standards set forth below.
 - (9) Other criteria determined to be necessary to assess compliance with Article 9.13, Special Uses.
- (ii) Location Restrictions.
- (1) No Adult-Use Cannabis Craft Grower may be located within 1,500 feet of a pre-existing property zoned or used for residential purposes. The distance limitation shall be measured in a straight line from the lot lines of said Adult-Use Cannabis Craft Grower and applicable residential zoning district.
 - (2) No Adult-Use Cannabis Craft Grower may be located within 1,500 feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section. The distance limitation shall be measured in a straight line from the lot lines of said Adult-Use Cannabis Craft Grower and applicable public or private nursery school, preschool, primary or secondary school, day care center, day care home or residential care home.
- (iii) Sales or Distribution. An Adult-Use Cannabis Craft Grower may not conduct any sales or distribution of cannabis other than as authorized by the Cannabis Regulation and Tax Act.
- (iv) Additional Requirements. The Commission may recommend and the Village Board may impose such

conditions and limitations concerning building enhancements, such as security cameras, lighting or other improvements to ensure the safety of employees and customers of the Adult-Use Cannabis Craft Grower, as well as its environs. Said improvements shall be determined based on the specific characteristics of the floor plan for an Adult-Use Cannabis Craft Grower and the site on which it is located, consistent with the requirements of the Cannabis Regulation and Tax Act.

- (v) Locating Adult-Use Cannabis Business Establishments Together. The Village may approve locating an Adult-Use Cannabis Craft Grower with an Adult-Use Cannabis Dispensing Organization or an Adult-Use Cannabis Infuser Organization or Infuser, or both, subject to the provisions of the Cannabis Regulation and Tax Act and Article 9.13, Special Uses. If approved, the floor space requirements for an Adult-Use Cannabis Dispensing Organization in Sections 5.11(C)(23)(b)(vii), 5.12(C)(19)(b)(vii)(1) and 5.13(C)(7)(b)(vii)(1) and the floor space requirements for an Adult-Use Cannabis Infuser Organization or Infuser in Sections and 5.12(C)(19)(b)(viii) and 5.13(C)(7)(b)(viii) shall not apply, but the Adult-Use Cannabis Craft Grower with the Adult-Use Cannabis Dispensing Organization or the Adult-Use Cannabis Infuser Organization or Infuser, or both, as the case may be, shall be the sole use of the space.
- (vi) Compliance. An Adult-Use Cannabis Craft Grower petitioner for a special use shall file an affidavit with the Village affirming compliance with Article 9.13, Special Uses, all other requirements of the Cannabis Regulation and Tax Act.

(23) Adult-Use Cannabis Dispensing Organization.

- (a) Purpose and Intent. It is the intent and purpose of this Section to protect and preserve the health, safety, welfare and morals of the citizens of the Village by regulating the dispensing of adult-use cannabis occurring within the Village. An Adult-Use Cannabis Dispensing Organization shall comply with all regulations provided in the Cannabis Regulation and Tax Act (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder, and the regulations provided below. In the event that the Cannabis Regulation and Tax Act is amended, the more restrictive of the state or local regulations shall apply.
- (b) General Standards.

- (i) A separate special use permit must be issued in accordance with Article 9.13, Special Uses, for each Adult-Use Cannabis Dispensing Organization and the following components of an Adult-Use Cannabis Dispensing Organization shall be evaluated based on the entirety of the circumstances affecting the particular property in the context of the existing and intended future use of the properties:
 - (1) Impact of the proposed facility on existing or planned uses located within the vicinity of the subject property.
 - (2) Proposed structure in which the facility will be located, including co-tenancy (if in a multi-tenant building), total square footage, security installations/security plan and building code compliance.
 - (3) Hours of operation and anticipated number of customers/employees.
 - (4) Anticipated parking demand based on Article 7, Off-Street Parking and Loading, and available private parking supply.
 - (5) Anticipated traffic generation in the context of adjacent roadway capacity and access to such roadways.
 - (6) Site design, including access points and internal site circulation.
 - (7) Proposed signage plan.
 - (8) Compliance with all the requirements set forth in these General Standards set forth below.
 - (9) Other criteria determined to be necessary to assess compliance with Article 9.13, Special Uses.
- (ii) Location Restrictions.
 - (1) No Adult-Use Cannabis Dispensing Organization may be located within 250 feet of a pre-existing property zoned or used for residential purposes. The distance limitation shall be measured in a straight line from the lot lines of said Adult-Use Cannabis

Dispensing Organization and applicable residential zoning district.

- (2) No Adult-Use Cannabis Dispensing Organization may be located within 1,000 feet of the property line of a pre-existing public or private nursery school, preschool, or primary or secondary school. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section. The distance limitation shall be measured in a straight line from the lot lines of said Adult-Use Cannabis Dispensing Organization and applicable public or private nursery school, preschool, primary or secondary school, day care center, day care home or residential care home.
- (iii) Sales or Distribution. An Adult-Use Cannabis Dispensing Organization may not conduct any sales or distribution of cannabis other than as authorized by the Cannabis Regulation and Tax Act.
- (iv) Additional Requirements. The Commission may recommend and the Village Board may impose such conditions and limitations concerning building enhancements, such as security cameras, lighting or other improvements to ensure the safety of employees and customers of the Adult-Use Cannabis Dispensing Organization, as well as its environs. Said improvements shall be determined based on the specific characteristics of the floor plan for an Adult-Use Cannabis Dispensing Organization and the site on which it is located, consistent with the requirements of the Cannabis Regulation and Tax Act.
- (v) Locating Adult-Use Cannabis Business Establishments Together. The Village may approve locating an Adult-Use Cannabis Dispensing Organization with an Adult-Use Cannabis Craft Grower or an Adult-Use Cannabis Infuser Organization or Infuser, or both, subject to the provisions of the Cannabis Regulation and Tax Act and Article 9.13, Special Uses. If approved, the floor space requirements for an Adult-Use Cannabis Dispensing Organization in Sections 5.11(C)(23)(b)(vii), 5.12(C)(19)(b)(vii)(1) and 5.13(C)(7)(b)(vii)(1) and the floor space requirements for an Adult-Use Cannabis Infuser Organization or Infuser in Sections and 5.12(C)(19)(b)(viii) and 5.13(C)(7)(b)(viii) shall not apply, but the Adult-Use Cannabis Dispensing Organization with the Adult-Use Cannabis Craft Grower or

the Adult-Use Cannabis Infuser Organization or Infuser, or both, as the case may be, shall be the sole use of the space.

- (vi) Compliance. An Adult-Use Cannabis Dispensing Organization petitioner for a special use shall file an affidavit with the Village affirming compliance with Article 9.13, Special Uses, all other requirements of the Cannabis Regulation and Tax Act.
- (vii) At least 75% of the floor area of any space occupied by an Adult-Use Cannabis Dispensing Organization shall be devoted to the activities of the Adult-Use Cannabis Dispensing Organization as authorized by the Cannabis Regulation and Tax Act, and no Adult-Use Cannabis Dispensing Organization shall also sell food for consumption on the premises other than as authorized in subsection viii below in the same space.
- (viii) An Adult-Use Cannabis Dispensing Organization may be issued a permit to host on-site consumption of cannabis if located in a freestanding structure occupied solely by the Adult-Use Cannabis Dispensing Organization and smoke from the facility does not migrate into an enclosed area where smoking is prohibited. The security plan for the Adult-Use Cannabis Dispensing Organization required by subsection iv above shall also reflect adequate provisions to respond to disruptive conduct and over-consumption. The on-site consumption permit shall be reviewed annually and may be suspended or revoked following notice and hearing as provided in Chapter 28, Administrative Adjudication.

D. Lot Size:

- (1) The minimum lot size shall be twenty thousand (20,000) square feet.
- (2) The minimum lot width is one hundred (100) feet.
- (3) Special Uses -- Lot sizes for special uses shall be as specified in the special use permit, unless otherwise noted for a particular use listed in this District, based upon the criteria listed in Section 9.13.

E. Yard and Setback Regulations -- Every building hereafter erected or enlarged in this District shall provide and maintain a setback in accordance with the following:

- (1) Minimum Front Yards -- Not less than thirty (30) feet.
- (2) Minimum Interior Side Yards -- Not less than ten (10) from property lines adjacent to a non-residential district or use.

- (3) Minimum Corner Side Yards -- Not less than thirty (30) feet adjacent to a non-residential district or use.
- (4) Minimum Rear Yards -- Not less than ten (10) from property lines adjacent to a non-residential district or use.
- (5) Setback From Major Highways – Not less than fifty (50) feet from the IL Route 31 and IL Route 176 right of ways except in the existing Business District south of the Commonwealth Edison easement which runs in an east and west direction where there is a zero (0) building setback requirement.
- (6) Setback from any Estate District – 150 feet.
- (7) Setback from any Residential District – 150 feet.

F. Structure Height:

- (1) Not more than forty-five (45) feet in height.
- (2) Special Uses -- Maximum height limitations shall be specified with the granting of a special use permit.
- (3) Accessory Uses -- Twenty (20) feet.

G. Floor Area Ratio:

- (1) The floor area ratio shall not exceed 0.25 for retail uses.
- (2) The floor area ratio shall not exceed 0.30 for office uses.
- (3) The floor area ratio shall not exceed 0.40 for industrial uses.

H. Lot Coverage: Lot coverage shall not exceed 85 percent.

5.12 IT INDUSTRIAL TRANSITIONAL: *Amended, 667, 491, 717*

A. Purpose -- The purpose of the IT Industrial Transitional District is to provide areas for light manufacturing, office and research facilities and support services and facilities.

B. Permitted Uses:

- (1) Offices (including business, professional, non-profit and government offices).
- (2) Light manufacturing, fabricating, assembling, repairing, servicing and furnishing of materials, goods and products.

- (3) Research laboratories and institutions.
- (4) Museums and other institutional uses.
- (5) Banks and financial institutions (excluding drive-in and drive-through facilities).
- (6) Restaurants (including sit-down and outdoor dining, coffee shops, with or without entertainment or cocktail lounges, subject to the applicable Village liquor ordinance).
- (7) Parking lots and garages.
- (8) Health or fitness facilities (including outdoor facilities).
- (9) Parks, open space and play fields.
- (10) Other commercial, business, retail, service and governmental uses not inconsistent with the permitted uses identified above.
- (11) For developments less than three (3) acres in gross area, single-family attached, patio homes, townhomes, multiplex, quadraplex and two family dwellings.

C. Special Uses:

- (1) Banks and financial institutions with drive-in or drive-through facilities.
- (2) Restaurants with drive-in and drive-through facilities.
- (3) Automobile fueling stations with or without convenience goods for sale.
- (4) Nursery schools and day care centers.
- (5) Educational and training facilities.
- (6) Hotels (with or without conference, banquet or entertainment facilities or cocktail lounges, subject to Chapter 14 of the Prairie Grove Municipal Code).
- (7) Hospitals.
- (8) Veterinary clinics.
- (9) Dog and cat kennels.
- (10) Retail stores (including stores selling household and personal items, drug stores, pharmacies, grocery, video and food stores and bakeries).

- (11) Congregate Housing.
- (12) Church, Synagogue, Temple, Convent, Monastery or Seminary.
- (13) Elementary, Junior High or High School, Public or Private.
- (14) Group Home.
- (15) Senior Citizen Housing.
- (16) Planned developments.
- (17) For developments larger than three (3) acres in gross area, single-family attached, patio homes, townhomes, multiplex, quadraplex and two family dwellings.
- (18) Adult-Use Cannabis Business Establishments (Adult-Use Cannabis Craft Grower, Adult-Use Cannabis Cultivation Center, Adult-Use Cannabis Dispensing Organization, Adult-Use Cannabis Infuser Organization or Infuser, Adult-Use Cannabis Processing Organization or Processor, and Adult-Use Cannabis Transporting Organization or Transporter).
 - (a) Purpose and Intent. It is the intent and purpose of this Section to protect and preserve the health, safety, welfare and morals of the citizens of the Village by regulating the craft growing, cultivation, dispensing, infusing, processing and transporting of adult-use cannabis occurring within the Village. An Adult-Use Cannabis Business Establishment shall comply with all regulations provided in the Cannabis Regulation and Tax Act (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder, and the regulations provided below. In the event that the Cannabis Regulation and Tax Act is amended, the more restrictive of the state or local regulations shall apply.
 - (b) General Standards.
 - (i) A separate special use permit must be issued in accordance with Article 9.13, Special Uses, for each Adult-Use Cannabis Business Establishment and the following components of an Adult-Use Cannabis Business Establishment shall be evaluated based on the entirety of the circumstances affecting the particular property in the context of the existing and intended future use of the properties:
 - (1) Impact of the proposed facility on existing or planned uses located within the vicinity of the subject property.

- (2) Proposed structure in which the facility will be located, including co-tenancy (if in a multi-tenant building), total square footage, security installations/security plan and building code compliance.
 - (3) Hours of operation and anticipated number of customers/employees.
 - (4) Anticipated parking demand based on Article 7, Off-Street Parking and Loading, and available private parking supply.
 - (5) Anticipated traffic generation in the context of adjacent roadway capacity and access to such roadways.
 - (6) Site design, including access points and internal site circulation.
 - (7) Proposed signage plan.
 - (8) Compliance with all the requirements set forth in these General Standards set forth below.
 - (9) Other criteria determined to be necessary to assess compliance with Article 9.13, Special Uses.
- (ii) Location Restrictions.
- (1) No Adult-Use Cannabis Business Establishment may be located within 250 feet of a pre-existing property zoned or used for residential purposes. The distance limitation shall be measured in a straight line from the lot lines of said Adult-Use Cannabis Business Establishment and applicable residential zoning district.
 - (2) No Adult-Use Cannabis Business Establishment may be located within 1,000 feet of the property line of a pre-existing public or private nursery school, preschool, or primary or secondary school. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section. The distance limitation shall be measured in a straight line from the lot lines of said Adult-Use Cannabis Business Establishment

and applicable public or private nursery school, preschool, or primary or secondary school.

- (iii) Sales or Distribution. An Adult-Use Cannabis Business Establishment may not conduct any sales or distribution of cannabis other than as authorized by the Cannabis Regulation and Tax Act.
- (iv) Additional Requirements. The Commission may recommend and the Village Board may impose such conditions and limitations concerning building enhancements, such as security cameras, lighting or other improvements to ensure the safety of employees and customers of the Adult-Use Cannabis Business Establishment, as well as its environs. Said improvements shall be determined based on the specific characteristics of the floor plan for an Adult-Use Cannabis Business Establishment and the site on which it is located, consistent with the requirements of the Cannabis Regulation and Tax Act.
- (v) Locating Adult-Use Cannabis Business Establishments Together. The Village may approve locating an Adult-Use Cannabis Craft Grower with an Adult-Use Cannabis Dispensing Organization or an Adult-Use Cannabis Infuser Organization or Infuser, or both, subject to the provisions of the Cannabis Regulation and Tax Act and Article 9.13, Special Uses. If approved, the floor space requirements for an Adult-Use Cannabis Dispensing Organization in Sections 5.11(C)(23)(b)(vii), 5.12(C)(19)(b)(vii)(1) and 5.13(C)(7)(b)(vii)(1) and the floor space requirements for an Adult-Use Cannabis Infuser Organization or Infuser in Sections and 5.12(C)(19)(b)(viii) and 5.13(C)(7)(b)(viii) shall not apply, but the Adult-Use Cannabis Craft Grower with the Adult-Use Cannabis Dispensing Organization or the Adult-Use Cannabis Infuser Organization or Infuser, or both, as the case may be, shall be the sole use of the space.
- (vi) Compliance. An Adult-Use Cannabis Business Establishment petitioner for a special use shall file an affidavit with the Village affirming compliance with Article 9.13, Special Uses, all other requirements of the Cannabis Regulation and Tax Act.
- (vii) Adult-Use Cannabis Dispensing Organization. In the IT Industrial Transitional District, an Adult-Use Dispensing Organization must also comply with the following:

- (1) At least 75% of the floor area of any space occupied by an Adult-Use Cannabis Dispensing Organization shall be devoted to the activities of the Adult-Use Cannabis Dispensing Organization as authorized by the Cannabis Regulation and Tax Act, and no Adult-Use Cannabis Dispensing Organization shall also sell food for consumption on the premises other than as authorized in subsection vii(2) below in the same space.
 - (2) An Adult-Use Cannabis Dispensing Organization may be issued a permit to host on-site consumption of cannabis if located in a freestanding structure occupied solely by the Adult-Use Cannabis Dispensing Organization and smoke from the facility does not migrate into an enclosed area where smoking is prohibited. The security plan for the Adult-Use Cannabis Dispensing Organization required by subsection iv above shall also reflect adequate provisions to respond to disruptive conduct and over-consumption. The on-site consumption permit shall be reviewed annually and may be suspended or revoked following notice and hearing as provided in Chapter 28, Administrative Adjudication.
- (viii) Adult-Use Cannabis Infuser Organization or Infuser. In the IT Industrial Transitional District, at least 75% of the floor area of any space occupied by an Adult-Use Cannabis Infuser Organization or Infuser shall be devoted to the activities of the Adult-Use Cannabis Infuser Organization or Infuser as authorized by the Cannabis Regulation and Tax Act.
- (ix) Adult-Use Cannabis Processing Organization or Processor. In the IT Industrial Transitional District, at least 75% of the floor area of any space occupied by an Adult-Use Cannabis Processing Organization or Processor shall be devoted to the activities of the Adult-Use Cannabis Processing Organization or Processor as authorized by the Cannabis Regulation and Tax Act.
- (x) Adult-Use Cannabis Transporting Organization or Transporter. In the IT Industrial Transitional District, an Adult-Use Cannabis Transporting Organization or Transporter shall be the sole use of the space in which it is located.

D. Lot Size:

- (1) The minimum lot size shall be one acre.
 - (2) The minimum lot width is one hundred fifty (150) feet.
 - (3) Special Uses -- Lot sizes for special uses shall be as specified in the special use permit, unless otherwise noted for a particular use listed in this District, based upon the criteria listed in Section 9.13.
- E. Yard and Setback Regulations -- Every building hereafter erected or enlarged in this District shall provide and maintain a setback in accordance with the following:
- (1) Minimum Front Yards -- Not less than fifty (50) feet.
 - (2) Minimum Interior Side Yards -- Not less than thirty (30) from property lines adjacent to a non-residential district or use and not less than eighty-five (85) feet from property lines for any residential district or use.
 - (3) Minimum Corner Side Yards -- Not less than forty (40) feet.
 - (4) Minimum Rear Yards -- Not less than forty (40) from property lines adjacent to a non-residential district or use and not less than eighty-five (95) feet from property lines for any residential district or use.
 - (5) Setback From Major Highways -- Not less than eighty-five (85) feet from the right-of-way for IL Route 31 and IL Route 176.
 - (6) Setback from any Estate District – 150 feet.
 - (7) Setback from any Residential District – 150 feet.
- F. Structure Height:
- (1) Not more than forty-five (45) feet in height.
 - (2) Special Uses -- Maximum height limitations shall be specified with the granting of a special use permit.
 - (3) Accessory Uses -- Twenty (20) feet.
- G. Floor Area Ratio:
- (1) The floor area ratio shall not exceed 0.25 for retail uses.
 - (2) The floor area ratio shall not exceed 0.30 for office uses.
 - (3) The floor area ratio shall not exceed 0.40 for industrial uses.

H. Lot Coverage: Lot coverage shall not exceed 70 percent.

5.13 I INDUSTRIAL DISTRICT: *Amended, 667, 491, 388, 568, 717*

A. Purpose -- The purpose of the I Industrial District is to provide areas for production, processing, cleaning, servicing, testing, repair, or storage of materials, goods or products. These should enhance the tax base of the Village and provide employment opportunities in proximity to high quality residential environments.

B. Permitted Uses:

- (1) Heavy industrial facilities related to manufacturing, production, processing, cleaning, servicing, testing, repair or storage of materials, goods or products.
- (2) Railroad rights-of-way, spur tracks and related facilities required for industrial rail service.
- (3) Limited retail establishments and private clubs provided such establishments are related to a primary industrial use otherwise permitted in this District.

C. Special Uses:

- (1) Truck terminals, railports and inter-modal facilities.
- (2) Antennas and wireless communication towers.
- (3) Planned developments.
- (4) Adult business, in this I Industrial District only.
 - (a) Purpose and Intent. It is the intent of this Section to protect and preserve the health, safety, welfare and morals of the citizens of the Village by regulating adult business within the Village.
 - (b) General Standards.
 - (i) A separate special use permit must be issued for each adult business as defined in the Village ordinance establishing an Adult Business License.
 - (ii) Location Restrictions: No Adult Business shall be operated within 1,000 feet of a residential zoning district or within 1,000 feet of the property boundaries of any school, day care center, cemetery, public park, public housing, nursing home, rest home, sheltered care facility and church. The distance limitation shall be measured in a straight line from the lot lines of said adult business and applicable residential

zoning district, school, day care center, cemetery, public park, public housing, nursing home, rest home, sheltered care facility and place of religious worship.

- (iii) Only one adult business shall be permitted per block face.
 - (iv) Sign Requirements: The following sign requirements shall apply to any adult business:
 - a. All signs shall be flat wall signs.
 - b. The amount of allowable sign area shall be one square foot of sign area per foot of lot frontage on a street, or as permitted by Chapter 24, Sign Regulations, of the Prairie Grove Code, whichever is more restrictive.
 - c. Window areas shall not be covered or made opaque in any way. No sign shall be placed in any window. One, one-square foot sign may be placed on the door to state hours of operation and admittance to adults only.
 - (v) Advertising: No merchandise or pictures of the products or entertainment on the premises shall be displayed in window areas or any area where they can be viewed from the sidewalk in front of the building.
 - (vi) Alcoholic Liquor Prohibited: It shall be unlawful for any adult business to sell, distribute or permit beer or alcoholic beverages on the premises.
- (5) Medical cannabis dispensary. *Ord.667, 568*
- (7) Adult-Use Cannabis Business Establishments (Adult-Use Cannabis Craft Grower, Adult-Use Cannabis Cultivation Center, Adult-Use Cannabis Dispensing Organization, Adult-Use Cannabis Infuser Organization or Infuser, Adult-Use Cannabis Processing Organization or Processor, and Adult-Use Cannabis Transporting Organization or Transporter).
- (a) Purpose and Intent. It is the intent and purpose of this Section to protect and preserve the health, safety, welfare and morals of the citizens of the Village by regulating the craft growing, cultivation, dispensing, infusing, processing and transporting of adult-use cannabis occurring within the Village. An Adult-Use Cannabis Business Establishment shall comply with all regulations provided in the Cannabis Regulation and Tax Act (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder, and the regulations provided below. In the event that

the Cannabis Regulation and Tax Act is amended, the more restrictive of the state or local regulations shall apply.

(b) General Standards.

(i) A separate special use permit must be issued in accordance with Article 9.13, Special Uses, for each Adult-Use Cannabis Business Establishment and the following components of an Adult-Use Cannabis Business Establishment shall be evaluated based on the entirety of the circumstances affecting the particular property in the context of the existing and intended future use of the properties:

- (1) Impact of the proposed facility on existing or planned uses located within the vicinity of the subject property.
- (2) Proposed structure in which the facility will be located, including co-tenancy (if in a multi-tenant building), total square footage, security installations/security plan and building code compliance.
- (3) Hours of operation and anticipated number of customers/employees.
- (4) Anticipated parking demand based on Article 7, Off-Street Parking and Loading, and available private parking supply.
- (5) Anticipated traffic generation in the context of adjacent roadway capacity and access to such roadways.
- (6) Site design, including access points and internal site circulation.
- (7) Proposed signage plan.
- (8) Compliance with all the requirements set forth in these General Standards set forth below.
- (9) Other criteria determined to be necessary to assess compliance with Article 9.13, Special Uses.

(ii) Location Restrictions.

- (1) No Adult-Use Business Establishment may be located within 250 feet of a pre-existing property zoned or used for residential purposes. The distance limitation shall be measured in a straight line from the lot lines of said Adult-Use Cannabis Business Establishment and applicable residential zoning district.
- (2) No Adult-Use Cannabis Business Establishment may be located within 1,000 feet of the property line of a pre-existing public or private nursery school, preschool, or primary or secondary school. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section. The distance limitation shall be measured in a straight line from the lot lines of said Adult-Use Cannabis Business Establishment and applicable public or private nursery school, preschool, or primary or secondary school.
- (iii) Sales or Distribution. An Adult-Use Cannabis Business Establishment may not conduct any sales or distribution of cannabis other than as authorized by the Cannabis Regulation and Tax Act.
- (iv) Additional Requirements. The Commission may recommend and the Village Board may impose such conditions and limitations concerning building enhancements, such as security cameras, lighting or other improvements to ensure the safety of employees and customers of the Adult-Use Cannabis Business Establishment, as well as its environs. Said improvements shall be determined based on the specific characteristics of the floor plan for an Adult-Use Cannabis Business Establishment and the site on which it is located, consistent with the requirements of the Cannabis Regulation and Tax Act.
- (v) Locating Adult-Use Cannabis Business Establishments Together. The Village may approve locating an Adult-Use Cannabis Craft Grower with an Adult-Use Cannabis Dispensing Organization or an Adult-Use Cannabis Infuser Organization or Infuser, or both, subject to the provisions of the Cannabis Regulation and Tax Act and Article 9.13, Special Uses. If approved, the floor space requirements for an Adult-Use Cannabis Dispensing Organization in Sections 5.11(C)(23)(b)(vii), 5.12(C)(19)(b)(vii)(1) and 5.13(C)(7)(b)(vii)(1) and the floor space requirements for an Adult-Use Cannabis Infuser Organization or Infuser in

Sections and 5.12(C)(19)(b)(viii) and 5.13(C)(7)(b)(viii) shall not apply, but the Adult-Use Cannabis Craft Grower with the Adult-Use Cannabis Dispensing Organization or the Adult-Use Cannabis Infuser Organization or Infuser, or both, as the case may be, shall be the sole use of the space.

- (vi) Compliance. An Adult-Use Cannabis Business Establishment petitioner for a special use shall file an affidavit with the Village affirming compliance with Article 9.13, Special Uses, all other requirements of the Cannabis Regulation and Tax Act.
- (vii) Adult-Use Cannabis Dispensing Organization. In the I Industrial District, an Adult-Use Dispensing Organization must also comply with the following:
 - (1) At least 75% of the floor area of any space occupied by an Adult-Use Cannabis Dispensing Organization shall be devoted to the activities of the Adult-Use Cannabis Dispensing Organization as authorized by the Cannabis Regulation and Tax Act, and no Adult-Use Cannabis Dispensing Organization shall also sell food for consumption on the premises other than as authorized in subsection vii(2) below in the same space.
 - (2) An Adult-Use Cannabis Dispensing Organization may be issued a permit to host on-site consumption of cannabis if located in a freestanding structure occupied solely by the Adult-Use Cannabis Dispensing Organization and smoke from the facility does not migrate into an enclosed area where smoking is prohibited. The security plan for the Adult-Use Cannabis Dispensing Organization required by subsection iv above shall also reflect adequate provisions to respond to disruptive conduct and over-consumption. The on-site consumption permit shall be reviewed annually and may be suspended or revoked following notice and hearing as provided in Chapter 28, Administrative Adjudication.
- (viii) Adult-Use Cannabis Infuser Organization or Infuser. In the I Industrial District, at least 75% of the floor area of any space occupied by an Adult-Use Cannabis Infuser Organization or Infuser shall be devoted to the activities of the Adult-Use Cannabis Infuser Organization or Infuser as authorized by the Cannabis Regulation and Tax Act.

(ix) Adult-Use Cannabis Processing Organization or Processor. In the I Industrial District, at least 75% of the floor area of any space occupied by an Adult-Use Cannabis Processing Organization or Processor shall be devoted to the activities of the Adult-Use Cannabis Processing Organization or Processor as authorized by the Cannabis Regulation and Tax Act.

(x) Adult-Use Cannabis Transporting Organization or Transporter. In the I Industrial District, an Adult-Use Cannabis Transporting Organization or Transporter shall be the sole use of the space in which it is located.

D. Lot Size:

- (1) The minimum lot size shall be two (2) acres.
- (2) The minimum lot width is one hundred and fifty (150) feet.
- (3) Special Uses -- Lot sizes for special uses shall be as specified in the special use permit, unless otherwise noted for a particular use listed in this District, based upon the criteria listed in Section 9.13.

E. Yard and Setback Regulations -- Every building hereafter erected or enlarged in this District shall provide and maintain a setback in accordance with the following:

- (1) Minimum Front Yards -- Not less than fifty (50) feet.
- (2) Minimum Interior Side Yards -- Not less than forty (40) from property lines adjacent to a non-residential district or use and not less than seventy-five (75) feet from property lines for any residential district or use.
- (3) Minimum Corner Side Yards -- Not less than fifty (50) feet to a non-residential district or use.
- (4) Minimum Rear Yards -- Not less than forty (40) from property lines adjacent to a non-residential district or use and not less than eighty-five (85) feet from property lines for any residential district or use.
- (5) Setback From Major Highways -- Not less than fifty (50) feet from the right-of-way for IL Route 31 and IL Route 176.
- (6) Setback from any Estate District – 150 feet.
- (7) Setback from any Residential District – 150 feet.

F. Structure Height:

- (1) Not more than forty-five (45) feet in height.
- (2) Special Uses -- Maximum height limitations shall be specified with the granting of a special use permit.
- (3) Accessory Uses -- Thirty (30) feet.

G. Floor Area Ratio:

- (1) The floor area ratio shall not exceed 25 percent for retail uses.
- (2) The floor area ratio shall not exceed 30 percent for office uses.
- (3) The floor area ratio shall not exceed 40 percent for industrial uses.

H. Lot Coverage:

- (1) Lot coverage shall not exceed 70 percent for I Industrial and IT Industrial Transitional uses.
- (2) Lot coverage shall not exceed 0.85 for business (B) uses.

5.14 OSR OPEN SPACE RECREATION: *Amended 594, 717*

A. The purpose of the OSR Open Space Recreation District is to protect open space and areas with unique natural resources such as wetlands, flood plains, mature woodlands and rare and/or endangered species.

B. Permitted uses:

- (1) Open space.
- (2) Recreational uses.
- (3) Crop farming and truck gardens.
- (4) Bait Shop.
- (5) Boat Launching Ramp.
- (6) Nursery or greenhouses.
- (7) Arboretum or botanical garden.
- (8) Conservation Area.

C. Special uses:

- (1) Gun clubs.

- (2) Archery Range.
- (3) Boat Rental, Storage
- (4) Camp, day or youth.
- (5) Golf course.

D. Lot Size:

- (1) There is no minimum lot size.
- (2) There is no minimum lot width.
- (3) Special Uses -- Lot sizes for special uses shall be as specified in the special use permit, unless otherwise noted for a particular use listed in this District, based upon the criteria listed in Section 9.13.

E. Yard and Setback Regulations -- Every building hereafter erected or enlarged in this District shall provide and maintain a setback in accordance with the following:

- (1) Minimum Front Yards -- Not less than thirty (30) feet.
- (2) Minimum Interior Side Yards -- Not less than thirty (30) feet.
- (3) Minimum Corner Side Yards -- Not less than thirty (30) feet.
- (4) Minimum Rear Yards -- Not less than thirty (30) feet.
- (5) Setback From Major Highways -- Not less than fifty (50) feet from the right-of-way for IL Route 31 and IL Route 176.

F. Structure Height:

- (1) Not more than forty-five (45) feet in height.
- (2) Special Uses -- Maximum height limitations shall be specified with the granting of a special use permit.
- (3) Accessory Uses -- Twenty (20) feet.

Z:\P\PrairieGroveVillageof\Code\Chapter.021.Art5.Sept2023.doc