

"5-3-13 REGULATIONS FOR COMMERCIAL HORSE BOARDING:

(A) SPECIAL USE: Commercial horse boarding is a permitted special use in the R1 District within the Village, provided, however, no special use permit for commercial horse boarding shall be granted unless such commercial horse boarding operation complies with the provisions of this Section 5-3-13.

(B) PURPOSE AND INTERPRETATION: The purpose of this Section 5-3-13, is to provide specific regulations for the operation of commercial horse boarding facilities within the Village. The boarding of horses in the Village is a desirable activity from the point of view of the equestrian community and the Village at large but such activity must be managed in the context of the residential nature of the Village and its desire to maintain the peace, quiet and domestic tranquility within all of the Village's residential neighborhoods. It is the further intent of this ordinance to regulate the operation of commercial horse boarding facilities so that the general public and neighboring residences will enjoy reasonable freedom from fire hazards, excessive noise, light and traffic and other nuisances.

(C) DEFINITIONS: For purposes of this Section 5-3-13, defined terms shall have the meanings ascribed to them in Section 5-2-1 and this Subsection 5-3-13(C).

BOARDED HORSES: Horses that are not owned by the owners or occupants of the property where the horses are kept.

BOARDING: The keeping and/or sheltering of Boarded Horses, provided, however, boarding of horses shall not include a livery stable.

COMMERCIAL HORSE BOARDING: The boarding of ten (10) or more Boarded Horses and/or the use of a stable or series of stables for boarding operations that exceed, in the aggregate, 2,700 square feet of space under roof.

LIMITED-FACILITY BOARDING: The boarding of nine (9) or fewer Boarded Horses, which shall be a permitted use, without the need for a special use permit, and regulated as a Home Occupation under Section 5-3-4(D) of the Zoning Code.

LIVERY STABLE: A stable where horses are kept for hire.

- (D) FACILITY REQUIREMENTS:
- (i) All buildings, excluding stables, used in connection with commercial horse boarding, shall be considered accessory uses and shall comply with the setback requirements for agricultural buildings and structures.
 - (ii) Stables used in connection with commercial horse boarding shall be considered accessory uses and shall comply with the setback requirements for stables.
 - (iii) All buildings, including, but not limited to stables, used in connection with commercial boarding shall be considered agricultural buildings for the purpose of building permit review and shall be classified as utility buildings under the BOCA 1990 Building Code, so constructed, equipped and maintained to address fire and safety hazards in accordance with Village Ordinances and the BOCA Building Code.
- (E) SCOPE: In the course of reviewing any request for a special use permit required under this Section 5-3-13, the Zoning Board of Appeals may limit the number of Boarded Horses permitted to be boarded at any one time and shall consider the following factors in its determination: (i) location of the property, (ii) configuration of the property, (iii) character of the surrounding neighborhood, (iv) proximity of the boarding facility to wetlands, artificial lakes or other watercourses, (v) vehicular access to the boarding facility, (vi) available parking, (vii) available pasture, (viii) manure disposal plan, (ix) such other factors as the Zoning Board of Appeals may deem appropriate for consideration; provided, however, notwithstanding the foregoing, the total number of Boarded Horses shall not exceed two (2) Boarded Horses per acre.
- (F) SPECIAL USE APPLICATION REQUIREMENTS: In addition to any requirements of Section 5-10-7, an applicant for a special use permit for commercial horse boarding shall submit the following documentation and information:
- (i) A site plan clearly indicating the size, location and setback from property lines of any buildings and other improvements, structures or facilities, such as pasturage, parking areas and riding arenas, intended by the applicant to be used in connection with the operation of a commercial horse boarding facility, as well as the current on-site land uses and

zoning, current adjacent land uses and zoning, adjacent roadways, location of existing utilities, existing and proposed means of access, fencing and landscaping/screening.

- (ii) A survey of the property prepared by an Illinois licensed land surveyor dated within ninety (90) days of the application.
- (iii) Such other additional information reasonably requested by the Zoning Board of Appeals.

- (G) EXCLUSIONS: Nothing in this Section 5-3-13, shall be construed to apply to private facilities that shelter horses belonging solely to the owners and/or occupants of the property where such horses are kept and nothing herein shall be construed to limit the number of horses a person may own and keep on their own property other than Boarded Horses.

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