

## Appendix I - Agritourism Overlay District (AOD)

### Intent and Purpose

The purpose of the Agritourism Overlay District (AOD) is:

1. To provide of the long range expansion of agritourism opportunities and uses of a parcel which has historically been used as a traditional farm.
2. To identify and take advantage of the unique features of the site.
3. To be granted relief from the fixed regulations of conventional zones.
4. To encourage an innovative site plan.
5. To encourage the enhancement and development of tourism opportunities.
6. To obtain usable open space and recreational space.
7. To provide a compatible relationship between AOD land uses and adjoining land uses.
8. To provide sensitive handling of on-site traffic flow for efficiency of circulation and safety.

### AOD Eligibility Requirements

1. The parcel should have a unified design. The tract of land submitted for AOD development must be developed as a single design entity even though it may be developed in phases, or contain a wide variety of uses and activities otherwise not necessarily compatible with one another.
2. All land in the parcel submitted as the AOD application must be initially under the control of the applicants.
3. The entire parcel shall be no less than 100 acres and the underlying zoning for said parcel must be A-1, R-1 or R-2. The parcel may be composed of multiple plots of land owned by different individuals or entities as long as they are joined in a single application.

4. After a proposed development has received AOD approval, additional property of less than 100 acres may be added by an applicant who has received AOD approval as long as the additional property is subject to the process as contained within this AOD Ordinance and the criteria for AOD approval are met for the additional property. Such land need not be contiguous to the property, but must enhance and further the purposes of the approved AOD zoning as applied to the additional property.

## AOD Application Review Procedure

### Step One - The Pre-Application Conference (Village determines if this stage is required)

1. The pre-application conference is an optional informal discussion of the general concept of the proposed development. The applicant may present a Sketch Plan and confer with the Zoning Enforcement Officer, Planning and Zoning Commission, Village Board, and other staff members and consultants capable of appraising the various applicable physical and site development aspects of the plan. The sketch plan is not intended to be a site plan but rather a general indication of the manner in which the subject property may be used. Subsequent final plans will illustrate greater detail. The AOD is a phased process allowing the applicant and the Village to develop plans on a unified basis and an incremental basis.
2. The Sketch Plan should contain the following information:
  - A. A Plat of Survey.
  - B. A general expression of proposed land uses, indication of major vehicular access points.
  - C. A brief narrative text describing the general design and planning concepts of the sketch plan, a time frame for a phased development, and any other information the owner believes may be useful to the Village.
  - D. The Village shall meet with the applicant and discuss the nature of the project and, where practical, provide information pertaining to the Village's planning objectives for the subject property.
  - E. The Village may request that the applicant provide additional material as it deems reasonably necessary.

## Step Two - AOD Application and Final AOD Plan (REQUIRED)

1. Final AOD information shall be submitted to and reviewed by the Zoning Enforcement Officer and Village staff and consultants before the required public hearing conducted by the Planning and Zoning Commission.
2. The Planning and Zoning Commission shall conduct a public hearing on the Final Plan. Notice requirements shall comply with Section 1517.6.B. Following the public hearing, the Planning and Zoning Commission's recommendations shall be forwarded to the Village Board for action.
3. **The Final Plan.** The Final Plan is an indication of the proposed land uses and the general or schematic locations of parking, picnic areas, mazes and other anticipated uses. The Final Plan may be submitted for approval either in phases or as a whole.
4. The Final Plan submittals shall contain the following:
  - A. Project title and a description of the nature of the development including the nature of the proposed land uses.
  - B. Legal description and plat of survey.
  - C. A phased development schedule is considered desirable but is not required.
  - D. General sketch or concept of proposed uses and access points.
  - E. Aerial photographs of existing improvements.
  - F. Engineering plans and specifications shall not be required for the Plan.
  - G. Background information listing owner's name, address and telephone numbers, and information as to the professional team, if any.
5. The required information for Final AOD review shall be submitted to the Village Clerk a minimum of 30 days prior to the meeting with the Planning and Zoning Commission.

## Modifications to the Final Plans in the AOD District

Once the AOD zoning is in place, changes to the Plan consistent with the AOD zoning shall be filed with the Village.

## Permitted Uses

All uses listed in Table 1, Uses Permitted in Zoning Districts under the designation A-1 except for Earth minerals: earth extractions and processing as well as those uses set forth in the Overlay District Section below. Earth minerals: earth extractions and processing is a special use in the AOD District.

## Off-Street Parking

Off-street parking may be of pervious surface and designated on the Concept Plan. Parking shall not be as required by the Off-street parking provision of the Zoning Ordinance.

## Overlay District

The Overlay Agritourism District (AOD) is an "Overlay" District.

1. In addition to the underlying zoning classifications, any AOD zoning designation shall supplement other zoning districts ("Underlying Zoning District"). The uses allowed in the Underlying Zoning District as well as the uses allowed in the AOD District are permitted uses within these areas. Once a final plat of subdivision (final plat) has been approved and recorded relative to property located in any Underlying Zoning District, only the uses permitted in said Underling Zoning District as to the property for which the final plat was approved shall be allowed.
2. In addition to the permitted uses set forth in the Permitted Uses Section above, the following are permitted uses in the AOD District: corn maze, picnic areas, lookout towers, cabins, or similar small structures for rental by the public or for personal use, camping, campgrounds, campfires, vineyards, winery, restaurants, concessions, butterfly house, hummingbird houses, house, storage in existing buildings, wedding chapel, gift shop, indoor and outdoor sales of gift and farm items, pumpkin sales and festivals, hayrides, Christmas tree sales and festivals, sales of farm grown or produced products, farming or agricultural demonstration activities.
3. If a use is not permitted in the AOD, then it shall be prohibited. However, a petitioner may apply for a permit through the Zoning Enforcement Officer for a use which is similar to other agritourism uses or which is consistent with the village's desire to encourage agritourism. If the Zoning Enforcement Officer determines the proposed use is similar to those permitted or that it encourages agritourism, then the Zoning Enforcement Officer may approve and issue the permit. If the Zoning Enforcement Officer determines the use is not similar to a permitted use or consistent with the village's desire to encourage agritourism, then the petitioner shall have the right to seek a text amendment to allow such a use.