Shelby County
2005 Comprehensive Plan

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Tim Macholl
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with Dr. Lewis Hopkins
Chairman Frasier:

We are pleased to present the 2005 update of the Shelby County Comprehensive Plan contained herein. This document includes a thorough review of the current conditions on the county, as well as several critical issues and strategies for action.

The plan also offers a series of revisions of the 2004 zoning ordinance, with simplified categories and clearer definitions, so as to better coordinate the Comprehensive Plan with one of the main legal instruments for implementing land use and development policy. We believe that these revisions will allow the County Zoning Administrator to more effectively carry out his or her duties in the future. The plan also has an appendix CD that contains a substantial amount of reference information for the County’s use. An electronic version of this plan is contained on the appendix CD.

We would like to express our appreciation for the opportunity to work on this project. The opportunity to apply planning principles and techniques directly is a valuable means for us to gain experience while at the same time fulfilling the service mission of the state’s flagship campus, the University of Illinois. Working with Shelby County staff and residents has been both educational and enjoyable. We look forward to the implementation of this plan.

Sincerely,

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ACKNOWLEDGEMENTS

Updating the Comprehensive Plan incorporated contributions from citizens throughout Shelby County. The project team would like to acknowledge the leadership of the following individuals:

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The Mayors and Boards of the
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Moweaqua
Cowden
Stewardson
Oconee
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PART I: EXECUTIVE SUMMARY
Agriculture

Residential

Rural

Residential

General

Business

Industrial

Flood Plain

Overlay

A is intended for agricultural cultivation and associated uses. It includes that part of the Jurisdictional Area which at present is rural in character. The minimum size of lots is greater than that of other districts.

R1 will be used primarily for single-family dwellings. Two-family and multifamily buildings may be permitted on a density of use basis. The minimum lot and building areas required in this district recognize current desirable residential construction practices for medium-density residential development. The minimum lot size will increase for each additional dwelling unit included in a multifamily building.

RR is established to provide larger acreage home sites as a buffer area between agricultural zones and higher density urban areas. The district shall be permitted in any portion of the Jurisdictional Area that is suitable for low density residential development. The minimum lot size is five (5) acres, and two-family / multifamily housing is not permitted.

GB is established to meet the specific requirements of business uses needed to give adequate service throughout the Jurisdictional Area. The district provides for all types of business and service uses including retail shopping, warehouse and storage facilities, as well as some light industrial operations.

I1 is provided for industrial operations utilizing enclosed space for storage, fabricating, and manufacturing, as well as planned industrial parks developed on tracts of twenty or more acres. Both light and general industrial uses shall be permitted in this district. Residential uses are excluded from this district. Where permitted, business uses will conform to the requirements set forth for them.

FPO is established in those parts of the Jurisdictional Area within the 100-year flood plain. It meets the need for control of lands which have excessively high water tables or which are subject to frequent and periodic floods and overflow. As an overlay, it provides for additional restrictions on land use based on the area of the flood plain, rather than lot boundary lines.
Issue 1:

Recreational Vehicles (RVs) are being placed on residential lots and are being used as primary dwelling units. **Prohibit the use of RVs as primary dwelling units outside of campgrounds by amending the zoning code to exclude this type of use.**

Issue 2:

The current zone classifications in the Shelby County zoning ordinance are overly complicated. **Revise the zoning ordinance with fewer, more definitive zone categories.**

Issue 3:

The County has an aging population that is not being replaced. **Attract more young adults from the larger, surrounding communities.**

![Population Pyramid 2000](image)

Issue 4:

The County has limited revenue from property taxes because much of the land surrounding Lake Shelbyville is under federal or state control. **Increase property tax revenue by encouraging construction of second homes and retirement homes.**

![County Map](image)

Issue 5:

Intrusive non-agricultural land uses are allowed within overwhelmingly agricultural areas. **Make zoning decisions guided by the goal of protecting agriculture. The county should encourage the Farm Bureau and Cooperative Extension to assist in the creation of agricultural conservation areas.**
Issue 6:

Tourism money is not being spent within Shelby County because people who visit Lake Shelbyville do not know about the facilities and resources in the rest of the County. **Create a survey of attraction, resources, businesses and sites for all parts of the county and distribute that survey as widely as possible.** Create and distribute a coupon book based upon businesses and attractions in the County based upon heavily trafficked destinations. Establish a forum for the various towns and villages in the County to meet with each other and the County Board to coordinate tourism development strategies.

Issue 7:

The County’s relative isolation from transportation infrastructure, small population and larger, well-connected neighboring cities have combined to limit the opportunities for job growth as well as new commercial and industrial developments in Shelby County. **Create an Economic Development Officer position.** Create business visitation teams. Create a map of development opportunity areas.
This table shows the contingent uses and special exceptions for each of the zoning categories. It is a quick reference guide.

<table>
<thead>
<tr>
<th>Use</th>
<th>A</th>
<th>R1</th>
<th>RR</th>
<th>GB</th>
<th>I1</th>
<th>FPO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture, excluding keeping of livestock or the erection and operation of stands for sale of commodities raised on premises</td>
<td>R</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>R</td>
</tr>
<tr>
<td>Airport or heliport</td>
<td>S</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Boarding or lodging house</td>
<td>S</td>
<td>C</td>
<td>S</td>
<td>C</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bulk oil or bottled gas storage above ground, petroleum tank farm, and fertilizer storage and distribution</td>
<td>S</td>
<td></td>
<td></td>
<td></td>
<td>S</td>
<td>S</td>
</tr>
<tr>
<td>Cemetery or crematory</td>
<td>S</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>S</td>
</tr>
<tr>
<td>Church or temple</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clinic or medical health center</td>
<td>S</td>
<td></td>
<td></td>
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<tr>
<td>Conversion of single-family dwelling to two-family dwelling</td>
<td>R</td>
<td>S</td>
<td></td>
<td></td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>County club</td>
<td>S</td>
<td></td>
<td></td>
<td></td>
<td>S</td>
<td>S</td>
</tr>
<tr>
<td>Fraternity, sorority and student cooperatives</td>
<td>C</td>
<td></td>
<td></td>
<td></td>
<td>C</td>
<td></td>
</tr>
<tr>
<td>Golf course</td>
<td>S</td>
<td></td>
<td></td>
<td></td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Golf driving range / practice field</td>
<td>S</td>
<td></td>
<td></td>
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<td>S</td>
</tr>
<tr>
<td>Greenhouse, commercial</td>
<td>S</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Home occupation</td>
<td>R</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Housing for tenant and seasonal workers engaged in agricultural operations</td>
<td>C</td>
<td>R</td>
<td>R</td>
<td>C</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Industrial park</td>
<td>R</td>
<td></td>
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<tr>
<td>Junk yard</td>
<td>S</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>S</td>
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<tr>
<td>Kindergarten or day nursery</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
</tr>
<tr>
<td>Lake, artificial, 3 or more acres</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
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<tr>
<td>Landing site, hospital or ambulance helicopter</td>
<td>S</td>
<td></td>
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<td>S</td>
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<tr>
<td>Mineral extraction, burrow pit, top soil removal and storage area</td>
<td>S</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>S</td>
</tr>
<tr>
<td>Mobile home park</td>
<td>S</td>
<td>R</td>
<td>S</td>
<td></td>
<td></td>
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<tr>
<td>Mortuary</td>
<td>C</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Municipal or government building</td>
<td>C</td>
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<td>C</td>
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<tr>
<td>Nursing home or homes for the aged</td>
<td>R</td>
<td></td>
<td></td>
<td></td>
<td>C</td>
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<tr>
<td>Outdoor commercial recreational enterprise</td>
<td>S</td>
<td></td>
<td></td>
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<td></td>
<td>S</td>
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<tr>
<td>Parking, public or employee</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>R</td>
<td>S</td>
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<tr>
<td>Penal or correctional institution</td>
<td>S</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Plant nursery</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
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</tr>
<tr>
<td>Produce terminal, wholesale</td>
<td>S</td>
<td></td>
<td></td>
<td></td>
<td>R</td>
<td>S</td>
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<tr>
<td>Public library or museum</td>
<td>C</td>
<td></td>
<td></td>
<td></td>
<td>C</td>
<td></td>
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<tr>
<td>Public park or public recreational facility</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Radio or television tower</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
</tr>
<tr>
<td>Railroad right of way / operational use</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
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<tr>
<td>Residential development, planned</td>
<td>R</td>
<td></td>
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<td></td>
<td></td>
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<tr>
<td>Sanitary fill or refuse dump, public or commercial</td>
<td>S</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>S</td>
</tr>
<tr>
<td>School, public or private</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
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<tr>
<td>Sewage disposal plant, public or private</td>
<td>S</td>
<td></td>
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<td>S</td>
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<tr>
<td>Shopping center</td>
<td>R</td>
<td></td>
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<td></td>
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<tr>
<td>Stadium or coliseum</td>
<td>S</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Theater, indoor</td>
<td>S</td>
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<tr>
<td>Theater, outdoor</td>
<td>S</td>
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</tbody>
</table>
PART II:
OVERVIEW
OVERVIEW

This section states the basis for updating the comprehensive plan, as well as detailing a number of trends that have impacted the County over the past several decades.
OVERVIEW

PURPOSE

The Comprehensive Plan for Shelby County, Illinois is to serve the following functions:

I. It shall be the sole guiding document for making land use, zoning, development, or other related decisions at the county level over those portions of the county that are not incorporated, federally controlled or otherwise outside county jurisdiction.

II. It shall be placed at the disposal of the members of the County Plan Commission for the purpose of providing direction for any decisions that may come before that body.

III. It shall provide direction for the discretionary granting of zoning variations, special exceptions, rezoning requests and any other changes to the land use in areas under County zoning authority.

IV. It shall be the basis for considering any future changes to the County’s zoning and subdivision ordinances.

V. It shall fulfill the County’s obligation under the State of Illinois Local Planning Technical Assistance Act.

BACKGROUND

This document is the result of an effort on the part of the Shelby County Board to update and revise the County’s Comprehensive Plan of 1964, so as to better address conditions facing local government, businesses, and citizens. The original plan was drafted around future implications to the County arising from the construction of the Lake Shelbyville Reservoir project by the U.S. Army Corps of Engineers (ACOE). The 1964 plan expected substantial residential and recreational development to occur along the shorelines of the lake, which would then result in expanded commercial and industrial growth throughout the County. This growth was expected to have substantial implications on county infrastructure, population, and facilities; the 1964 plan offered potential responses based on this scenario.

However, the plan did not anticipate the most significant decision by ACOE regarding the newly completed lake: creation of a permanent greenbelt surrounding the lake area on all sides to a distance of several acres. The greenbelt prohibited almost every type of development and dedicated hundreds of acres of County land to the federal government. As a result of this decision, developments in the County were far smaller than had been expected by the authors of the 1964 document; the existing comprehensive plan was limited as a guide to zoning and planning decisions facing county leaders.

Following a revision of the county zoning ordinance during 2003, the County Board determined that an updated Comprehensive Plan document would be useful in responding to future changes and growth in the County. It could also become a means by which local government would secure future prosperity by better responding to the concerns of local citizens and working to more fully develop local infrastructure and businesses.
**Process**

In developing this update to the 1964 Comprehensive Plan, it was considered essential to solicit information and insights whenever possible from local residents from all parts of the county. The Board and the university team believed that a relevant and appropriate plan would benefit from hearing the different perspectives that are an inevitable product of so large a geographic area. It was also intended to avoid the fate of the original document, which tended to plan for events and trends that were not actually significant in the county or were overshadowed by unanticipated events.

The team utilized a system developed by Dr. Hopkins to develop a method for the planning process based on (1) identifying important issues to the County; (2) developing options to respond to those issues; and, (3) crafting the results into measures that can be acted on by community leaders and residents. This effort has been formalized into the current structured document that offers both short- and long-term possibilities for action.

Using this framework as a base, the information-gathering process began with a series of local stakeholder meetings. The meetings were designed to provide focus on important local issues with participation from County Board members as well as county officers including the Zoning Administrator and the County Engineer. These were held concurrently with a series of public meetings around the county devoted to understanding the issues of greatest importance to residents and leaders in each of the corners (near Findlay, Moweaqua, Stewardson, Cowden, and Oconee) followed by a central gathering in Shelbyville.

While this was occurring within the county, the team also gathering quantitative data from several primary sources including the Census Bureau, the U.S. Department of Agriculture, the Bureaus of Labor Statistics and Economic Analysis, and various agencies of the State of Illinois. Additionally, work was completed on a variety of GIS-based visual representations, including current as well as updated zoning maps covering the entire land area of Shelby County, and maps of such county features as population distribution, transportation systems, and municipal boundaries. These maps are contained in this report and are also on file with the County Zoning Administrator.
Agricultural Consolidation

Over the five year period from 1997 to 2002 (the years of the last two Agriculture Censuses), the number of county farms declined ten percent, while the average county farm size simultaneously increased ten percent. This is a result of the consolidation of many smaller family based farms into a number of larger managed farms. The amount of county land in agricultural production, however, only decreased by one percent. As a result, there is not a significant threat to the agricultural economic base of the county, but the number of jobs connected to agriculture operations may decline in the future.

Population Stabilization

As the chart below, taken from the decennial census over the past century, indicates, Shelby County’s population had been in decline until the early 1970s. It has since remained stable over the last thirty years. In comparison with rural counties in other parts of the country, which have lost sizable parts of their population in recent years, the relative stability of Shelby County’s population indicates that local residents are committed to the area.

### Population by Decennial Census - 20th Century

![Graph showing population from 1900 to 2000](image)

*Source: U.S. Bureau of the Census, 1900-2000*

Concentration in Towns

Even as the county remains overwhelmingly rural, an extremely high proportion of residents live in towns or villages of at least 250 people. As compared to neighboring Moultrie County, which also has a rural character, a small central town, and Lake Shelbyville, and where 46% of people live in towns of 250 or more people, in Shelby County 83% of the residents live in towns of 250 or more people. This can contribute to resentment and divisions between rural and town residents in the county, as discussed on the following page.
Lack of Lake-Based Development

Due to the placement of a greenbelt around Lake Shelbyville in the 1970s, large amounts of anticipated recreational development around the lake did not occur. This impacted the County’s financial position as well as its expectations for job and business growth that would benefit local residents. It also undermined the County’s current zoning ordinance and comprehensive plan. A result is that despite having this significant asset, the County has not been able to reap its full benefits.

Lack of Major Infrastructure

Over the past several decades, economic growth and development throughout the country have frequently been associated with proximity to major infrastructure. This specifically includes interstate highways as well as such things as power generation facilities, maritime facilities, commercial airports, universities, and heavy industries. Shelby County’s lack of these kinds of assets has impaired growth, especially compared to its neighbors, many of which have several of them. This is a component of the DiME effect, as explained below.

Intra-County Divisions

There are a variety of dividing lines between different parts of the county. Among them are those between residents of towns and people living in rural areas, between Lake residents and non-Lake residents, between the north and the south, between Shelbyville and the rest of the county, between permanent residents and visitors, and between natives and recent arrivals. Despite these divisions, the County maintains a high-quality of life that is a credit to its people.

Fractured Political Representation and Allocation

Shelby County is part of both the 17th and 19th federal Congressional Districts. They are also represented by two State Senate Districts and three State House Districts. A map of the state districts is shown below. As a result, the County is not the central focus of any legislator’s attention in the state and federal governments. The County is thus frequently overlooked in the apportionment process, which limits public investment in infrastructure and economic development.

Source: The Center for Governmental Studies at Northern Illinois University, 2003. White circles are Senatorial districts and black circles are Representative districts.
DiME

Three of the most significant factors affecting Shelby County’s patterns of land use, economic development, and population are not actually in the county. As seen by the image on this page, the cities of Decatur, Mattoon, and Effingham form a loose circle around the edges of the county, each pulling a section towards itself. Their preexisting retail corridors, light and medium industrial job base, and white-collar offices (along with those of secondary centers such as Pana to the west and Sullivan to the northeast) significantly impair county efforts to acquire new stores or other conventional job creating and revenue-generating economic opportunities. In addition, because each of the communities in the DiME is reasonably close to one or more smaller towns within the geographically large Shelby County, they work to fracture the sense of unity that is critical to creating and executing a viable countywide planning and development strategy. The missing “i” stands for interstate highway, a valuable asset to which all three surrounding cities have ample access. That the interstate system does not permit direct access to the County is a significant factor in a variety of circumstances within the planning framework, including several of the prominent issues discussed in this plan.

Source: Shelby County Working Group, 2004
PART III:
CURRENT CONDITIONS
CURRENT CONDITIONS

This is a review of the County’s assets in several areas as directed by the Illinois Local Planning Technical Assistance Act.

The italicized statements above each section are quotes from the Act.
The purpose of this element is to state the vision of the community, identify the major trends and forces affecting the local government and its citizens, set goals and standards, and serve as a series of guiding principles and priorities to implement the vision.

Shelby County has a variety of opportunities to encourage future growth and development as well as an improved quality of life for residents and visitors. A large number of actions and concerns have been identified by local community forum participants, the members of the Plan Commission and County Board and interviewed stakeholders. This plan has consolidated the ideas received into the following seven specific issues and associated opportunities. Extensive explanations of each issue and recommendations for future action are located in section IV of this document.

Issue 1:

Recreational Vehicles (RVs) are being placed on residential lots and are being used as primary dwelling units.

Recommendation 1:

Prohibit the use of RVs as primary dwelling units outside of campgrounds by amending the zoning code to exclude this type of use.

Issue 2:

The current zone classifications in the Shelby County zoning ordinance are overly complicated.

Recommendation 2:

Revise the zoning ordinance with fewer, more definitive zone categories.

Issue 3:

The county has an aging population that is not being replaced.

Recommendation 3:

Attract more young adults from the larger, surrounding communities.

Issue 4:

The County has limited revenue from property taxes because much of the land surrounding Lake Shelbyville is under federal or state control.
Recommendation 4:

Increase property tax revenue by encouraging construction of second homes and retirement homes.

Issue 5:

Intrusive non-agricultural land uses are allowed within overwhelmingly agricultural areas.

Recommendation 5:

1. Make zoning decisions guided by the goal of protecting agriculture.

2. The County should encourage the Farm Bureau and Cooperative Extension to assist in the creation of agricultural conservation areas.

Issue 6:

Tourism money is not being spent within Shelby County because people who visit Lake Shelbyville do not know about the facilities and resources in the rest of the county.

Recommendation 6:

1. Create a survey of attraction, resources, businesses and sites for all parts of the county and distribute that survey as widely as possible.

2. Create and distribute a coupon book based upon businesses and attractions in the County based upon heavily trafficked destinations.

3. Establish a forum for the various towns and villages in the County to meet with each other and the County Board to coordinate tourism development strategies.

Issue 7:

The County’s relative isolation from transportation infrastructure, small population and larger, well-connected neighboring cities have combined to limit the opportunities for job growth as well as new commercial and industrial developments in Shelby County.

Recommendation 7:

1. Create an Economic Development Officer position.

2. Create business visitation teams.

3. Create a map of development opportunity areas.
LAND USE AND NATURAL RESOURCES

The purpose of this element is to translate the vision statement into physical terms; provide a general pattern for the location, distribution, and characteristics of future land uses over a 20-year period; and serve as the element of the comprehensive plan upon which all other elements are based. The land use element must be in text and map form. It must include supporting studies on population, the local economy, natural resources, and an inventory of existing land uses.

The current land coverage map shown on the page 20 indicates the high percentage of land in the county used for agriculture. As in many rural Illinois counties with large areas of prime cropland and population centers of limited size, the percentage of land designated agricultural by the 2004 Census of Agriculture was over 95%. The following chart shows the use distribution of land in the county that is not agricultural. The expanded portion of the chart shows the last decile (10%) of land use.

Shelby County is situated in a water rich area with many rivers, streams and lakes running through it. The presence of the Shelbyville Reservoir on the Kaskaskia River makes the acreage linked to wetlands particularly high. The map showing this water cover is shown on page 21. The natural resources are shown on page 22, and the borders and areas of local municipalities are shown on page 23.

The population in Shelby County is very low density when compared to more sizeable, urbanized counties in the state. However, within the county itself there is an intensely focused settlement pattern around the towns, particularly Shelbyville, which houses almost one in four county residents. The variation that is seen in the distribution on page 24 demonstrates the high proportion of county residents living inside municipal boundaries and sparse settlement on large tracts of open agricultural land.
**LAND COVERAGE MAP**

- **County Boundary**
- **Township Boundary**
- **Urban Area**
- **Town**

**Land Cover Type**
- Yellow: Residential
- Green: Agriculture
- Pink: Green Space
- Dark Green: Wooded Areas
- Light Blue: Water
- Red: Wetlands

**Scale:** 1:450,000

**Source:** USGS, ISGS, ESRI, DURP

**Created by:** Yijie Zheng
- Shelby County Project Working Group
- Department of Urban & Regional Planning
- University of Illinois at Urbana-Champaign

**Date:** January 2005

**Coordinate System:** GCS North American 1983
TRANSPORTATION

The purpose of this element is to consider all relevant modes of transportation, including mass transit, air, water, rail, automobile, bicycle, and pedestrian modes of transportation; accommodate special needs; establish the framework for the acquisition, preservation, and protection of existing and future rights-of-way; and incorporate transportation performance measures.

Road Network

The transportation network in Shelby County is primarily based around County and Township level roads. However, the County is large enough that major State highways play a vital role in local mobility and access to neighboring counties. According to the Illinois Department of Transportation (IDOT), there are 97 miles of State highways in Shelby County. The primary east-west state highway, IL-16, is a Class II truck route, and runs from Mattoon in Coles County to Windsor and Shelbyville, west to Tower Hill, then through to Pana in Christian County. The main north-south state highway, IL-128, is a Class III truck route that runs from Decatur in Macon County to Shelbyville (juncti2ning there with IL-16), south to Cowden, and into Effingham County. Another Class II truck route, IL-32, goes from Sullivan in Moultrie County south through Windsor, meets up with IL-16 briefly, and continues to Stewardson and into Effingham County. Additionally, two U.S. highways and one interstate are present in the County. U.S. 45 and Interstate 57 run parallel to each other through the southeasternmost portion of the County near Sigel, although only U.S. 45 provides local access as a Class II truck route. U.S. 51 connects Oconee in the southwest with Moweaqua and Decatur via Assumption and Pana. It is also a Class II truck route and was recently upgraded to a divided four-lane highway near Moweaqua in the northwest corner of the county. The portion near Oconee is planned for a similar upgrade in the future.

AVERAGE TRAFFIC AND TRUCK VOLUME

Source: Illinois Department of Transportation, 2003
Traffic volume is measured on Illinois state highways by IDOT. The measure is called Annual Average Daily Traffic, or AADT. The AADT is literally a count of the number of vehicles that travel on a given road during an average day. AADT figures are shown in the map on the bottom left of page 25. Because semi-truck traffic is the basis for road construction design standards, truck volume is very useful for transportation planning. The truck traffic in Shelby County is shown in the map on the bottom right of page 25.

The County highway department is directly responsible for the construction and maintenance of 198 miles of roads, as illustrated on the map on the preceding page. According to the County Engineer, 156 miles of these roads are oil-chip and 42 miles are asphalt. In addition, the County is also responsible for approximately 350 bridges, and 10% of them are scheduled to be repaired over the course of the present five-year bridge capital improvement plan.

The township road configuration is based on the Public Land Survey System created by the federal Land Ordinance of 1785. The size of Shelby County results in an unusually large number of 1,234 miles of township roads. While these roads are not under the County’s authority, the quality of the local roads has a direct impact on county residents. According to the County Engineer, approximately 90% of township roads are oil-chip, 9% are gravel, and 1% are asphalt.

Railroads

There is a major Union Pacific freight rail line bisecting the county that splits at Findlay going southwest toward Tower Hill and directly south to Shelbyville. The map below indicates the position of this rail line in addition to the other freight rail lines in the county. The closest passenger rail service is located on the Amtrak line running from Chicago to New Orleans, through Mattoon in Coles County.

Airports

Shelby County is served by a county managed airport facility with a recently upgraded, paved 4,000 ft runway. This airport is a general aviation facility primarily serving private aircraft. Commercial commuter flights are available at Decatur Airport in Macon County. These flights connect to St. Louis, Indianapolis, Chicago, and Cincinnati for national and international flights.
COMMUNITY FACILITIES

The purpose of this element is to provide community facilities; establish levels of service; ensure that facilities are provided as needed; and coordinate with other units of local government that provide the needed facilities.

Schools

There are 15 schools in Shelby County. Each facility is listed in the figure below showing the grades served, the district that the school is a part of, and the closest city. These schools had 3,618 students enrolled during 2004, according to the Illinois State Board of Education. There are also towns in the county that send students to other counties for school. Findlay grade school and middle school students attend Moultrie County’s Okaw Valley district, while Oconee sends students to Pana’s district.

<table>
<thead>
<tr>
<th>School Name</th>
<th>Grades</th>
<th>Students</th>
<th>School District</th>
<th>City</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bond Elementary School</td>
<td>PK - 5</td>
<td>182</td>
<td>Central A &amp; M C U District #21</td>
<td>Assumption</td>
</tr>
<tr>
<td>Central A &amp; M High School</td>
<td>9 - 12</td>
<td>310</td>
<td>Central A &amp; M C U District #21</td>
<td>Moweaqua</td>
</tr>
<tr>
<td>Central A &amp; M Middle School</td>
<td>6 - 8</td>
<td>233</td>
<td>Central A &amp; M C U District #21</td>
<td>Assumption</td>
</tr>
<tr>
<td>Gregory Elementary School</td>
<td>K - 5</td>
<td>251</td>
<td>Central A &amp; M C U District #21</td>
<td>Moweaqua</td>
</tr>
<tr>
<td>Cowden Elementary School</td>
<td>K - 6</td>
<td>143</td>
<td>Cowden-Herrick CUSD 3A</td>
<td>Cowden</td>
</tr>
<tr>
<td>Cowden-Herrick High School</td>
<td>9 - 12</td>
<td>151</td>
<td>Cowden-Herrick CUSD 3A</td>
<td>Cowden</td>
</tr>
<tr>
<td>Herrick Elementary School</td>
<td>K - 8</td>
<td>185</td>
<td>Cowden-Herrick CUSD 3A</td>
<td>Herrick</td>
</tr>
<tr>
<td>Main Street Elementary School</td>
<td>PK, 1 - 3</td>
<td>270</td>
<td>Shelbyville C U School District 4</td>
<td>Shelbyville</td>
</tr>
<tr>
<td>Moulton Elementary School</td>
<td>4 - 8</td>
<td>478</td>
<td>Shelbyville C U School District 4</td>
<td>Shelbyville</td>
</tr>
<tr>
<td>Shelbyville High School</td>
<td>9 - 12</td>
<td>383</td>
<td>Shelbyville C U School District 4</td>
<td>Shelbyville</td>
</tr>
<tr>
<td>Shelbyville Kindergarten Center</td>
<td>K</td>
<td>91</td>
<td>Shelbyville C U School District 4</td>
<td>Shelbyville</td>
</tr>
<tr>
<td>Stewardson-Strasburg Elementary School</td>
<td>PK - 8</td>
<td>336</td>
<td>Stewardson-Strasburg CU District 5A</td>
<td>Strasburg</td>
</tr>
<tr>
<td>Stewardson-Strasburg High School</td>
<td>9 - 12</td>
<td>143</td>
<td>Stewardson-Strasburg CU District 5A</td>
<td>Strasburg</td>
</tr>
<tr>
<td>Windsor Elementary School</td>
<td>PK - 6</td>
<td>267</td>
<td>Windsor Comm. Unit School District 1</td>
<td>Windsor</td>
</tr>
<tr>
<td>Windsor JR &amp; SR High School</td>
<td>7 - 12</td>
<td>195</td>
<td>Windsor Comm. Unit School District 1</td>
<td>Windsor</td>
</tr>
</tbody>
</table>

Source: Illinois State Board of Education, 2004
The Central A & M C-U District in the northwestern part of the county is an example of a recently consolidated multi-jurisdictional school district. There is the possibility of additional future consolidations occurring in the southern and eastern portions of the county. For additional school information, refer to the appendix.

Parks and Recreation

There are four state parks in Shelby County:

- Hidden Springs State Forest
- Wolf Creek State Park
- Eagle Creek State Recreation Area
- Lake Shelbyville Fish and Wildlife Management Area

These parks were designed as nature reserves, but have also become well-known recreation areas for visitors to the County. They are administered by the Illinois Department of Natural Resources (IDNR). Additionally, the U.S. Army Corps of Engineers is responsible for a greenbelt covering the 100-year flood plain of Lake Shelbyville. Information from IDNR about each of these parks is available in the appendix, and IDNR summaries follow.

- Hidden Springs State Forest offers fishing, hiking, Big Tree Trail, birding, hunting, and camping. Formerly known as Shelby State Forest, Hidden Springs consists of approximately 1,200 acres of land near Clarksburg, 10 miles southeast of Shelbyville.

- Wolf Creek State Park, near Windsor, offers visitors boating with a marina, water-skiing, windsurfing, a beach, fishing, hiking trails, snowmobiling, and camping. Like nearby Eagle Creek State Recreation Area, the 2,036-acre site offers several barrier-free facilities, including camping, picnicking, and deer hunting, and is accessible to visitors with disabilities.

- Eagle Creek State Recreation Area offers boating, water-skiing, windsurfing, fishing, hunting, hiking and backpacking trails, snowmobiling, cross-county skiing, deer herds, camping, and a resort lodge. The 1,393-acre site is north of Shelbyville, near Wolf Creek State Park.

- Lake Shelbyville Fish and Wildlife Management Area has headquarters at the northern tip of Lake Shelbyville, in Moultrie County. The Lake offers hunting, trails, trapping, boating, and fishing to visitors in both Moultrie and Shelby County. Built by the U.S. Army Corps of Engineers, this lake features nine campgrounds, three marinas, four public beaches and other facilities as noted in the Appendix. The Visitor’s Center offers live exhibits and special programs including tours of the dam.
In addition to the state parks, there are also marinas, such as Findlay and Lithia Springs, and public and private campgrounds, such as Robin Hood Woods Campground and Resort, Arrowhead Campgrounds and Bait, and Kaskaskia River Campground.

The County has also approved the development plan for the 170-mile General Dacey Trail, flanking Lake Shelbyville. The trail is intended to provide recreational opportunities for hikers, cyclists, walkers, runners, and other users. It will interconnect with other trail systems that currently exist in the county.

Libraries

Secretary of State and State Librarian Jesse White lists five public libraries in Shelby County:

- Windsor Storm Memorial Public Library
- Shelbyville Public Library
- Moweaqua Public Library
- Herrick Township Public Library
- Dry Point Township Library

All five of these libraries are members of the statewide ILLINET system, which allows their patrons to access materials and databases on a variety of subjects available throughout the state.

Police

According to the County Sheriff’s office, there are 10 full time officers plus one officer working full time on court security. One of the ten officers is busy from January through May full time with teaching the DARE program to county school students. Another of the full time officers works undercover with the Drug Task Force of East Central Illinois.

The County has an agreement with the U.S. Army Corps of Engineers (ACOE) to provide a set number of hours per day patrolling around Lake Shelbyville during camping season (from the beginning of May through Labor Day). ACOE typically contracts for three hours per day, and an additional three hour shift on holidays. In addition to the extra patrols contracted by the ACOE, there are approximately two million annual visitors to the Lake, during camping season. These additional people increase the volume of calls, for situations ranging from traffic violations to domestic disputes, to which the Sheriff’s office responds.

There are seven police departments in the municipalities throughout the county. Moweaqua, Findlay, Windsor, Cowden, Stewardson, and Strasburg all have small departments with a chief and one or two additional officers. Shelbyville has a chief and approximately five officers. Shelbyville’s officers patrol 24 hours a day, and have a weekday dispatcher. The other police departments do not patrol 24 hours a day; the Sheriff’s office does dispatching for all the towns. Although Oconee does not have a police department, it is covered by the Sheriff’s office.

Basic 911 service is available throughout the entire county. It does not automatically give the police any information about the caller. The county does not have enhanced 911 because it is such a large county that the land line telephones are provided from three different providers, and it includes two area codes.

Fire

There are ten fire districts entirely inside Shelby County, according to the Office of the State Fire Marshall. There are also five additional districts covering portions of the county, but which are primarily located in neighboring counties. Oconee is not covered by a fire protection district. That township relies on Pana’s fire protection district to respond when needed, with a per incident charge system.
Hospitals

Shelby Memorial Hospital is the only hospital in the county. It is a short term hospital with 1 staff physician, 30 beds, approximately 30 nurses, 2 physical therapists, 1 physician assistant, and 115 other personnel. For advanced medical service, Decatur or Springfield hospitals are available.

Water

The water and sewerage service for Shelby County is varied. Water for county residents is provided by several community water systems. These are defined by the U.S. Environmental Protection Agency as serving 25 people or more year-round. Shelby County’s systems are listed below. Additional non-community water systems are detailed in the appendix.

<table>
<thead>
<tr>
<th>Water in Shelby County</th>
<th>Population Served</th>
<th>Water System ID</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cowden</td>
<td>600</td>
<td>IL1730050</td>
</tr>
<tr>
<td>Findlay</td>
<td>800</td>
<td>IL1730100</td>
</tr>
<tr>
<td>Herrick</td>
<td>524</td>
<td>IL1730150</td>
</tr>
<tr>
<td>Lincoln Prairie Water Company</td>
<td>500</td>
<td>IL1730020</td>
</tr>
<tr>
<td>Moweaqua</td>
<td>1,800</td>
<td>IL1730200</td>
</tr>
<tr>
<td>Shelbyville</td>
<td>6,681</td>
<td>IL1730300</td>
</tr>
<tr>
<td>Sigel</td>
<td>350</td>
<td>IL1930350</td>
</tr>
<tr>
<td>Stewardson</td>
<td>770</td>
<td>IL1730400</td>
</tr>
<tr>
<td>Strassburg</td>
<td>603</td>
<td>IL1730450</td>
</tr>
<tr>
<td>Tower Hill</td>
<td>609</td>
<td>IL1730500</td>
</tr>
<tr>
<td>Windsor</td>
<td>1,125</td>
<td>IL1730550</td>
</tr>
<tr>
<td>Miller SBDV</td>
<td>25</td>
<td>IL1730010</td>
</tr>
</tbody>
</table>

Source: U.S. Environmental Protection Agency, 2005

Sewerage

The Illinois Department of Commerce and Economic Opportunity (DCEO) provides sewage service profiles of four municipalities in the county, as seen in the figure below. Non-municipal sewerage is typically handled with private sewage disposal systems. Future business and industrial growth may occur along a corridor running northeast from Shelbyville to Findlay, based on the potential construction of a new sanitary interceptor. The proposed sewage line would shift from a force main to a gravity main starting at a point south and west of the intersection of Country Club Road and the Union Pacific railroad tracks.

<table>
<thead>
<tr>
<th>Sewerage in Shelby County</th>
<th>Sewage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipality</td>
<td>Treatment Capacity</td>
</tr>
<tr>
<td>Cowden</td>
<td>75,000</td>
</tr>
<tr>
<td>Moweaqua</td>
<td>500,000</td>
</tr>
<tr>
<td>Shelbyville</td>
<td>2,000,000</td>
</tr>
<tr>
<td>Windsor</td>
<td>1,000,000</td>
</tr>
<tr>
<td>Total Excess Capacity</td>
<td>2,325,000</td>
</tr>
</tbody>
</table>

Source: Illinois Department of Commerce and Economic Opportunity, 2004
The purpose of this element is to coordinate telecommunications initiatives; assess short-term and long-term needs, especially regarding economic development; determine the existing telecommunications services of telecommunications providers; encourage investment in the most advanced technologies; and establish a framework for providing reasonable access to public rights-of-way.

As a thinly populated county that is also the second-largest in land area in the state, Shelby County requires a distinct approach to telecommunications services. Wireless phones, satellite television and remote Internet access are both more necessary and more likely in the county as compared to denser areas due to the prohibitive cost of constructing telecommunications infrastructure over long distances and connecting to homes and businesses that are frequently far from public rights-of-way.

Although Shelby County would benefit highly from comprehensive wireless service coverage, its low population density and lack of major cities and interstates makes investment in such equipment as transponders and service towers by major national providers unlikely in the near future. As a consequence, wireless coverage over the county is inconsistent. The northern edge, near Decatur, and the eastern areas close to Mattoon and Interstate 57 are well served, albeit inadvertently. Near the center and at the western and southwestern edges, however, coverage thins substantively and “dead zones” are common. The coverage area maps on page 33 indicate the service “holes” that limit wireless service from all the major national service providers.

Land-line phone service in the county is offered by three companies: Consolidated Communications in the eastern, central, and northern sections, Frontier in the western sections (specifically, Moweaqua, Tower Hill, and Oconee), and SBC in that portion of the county using the 618 area code (primarily Herrick). This firm also provides dial-up Internet access and high-speed DSL over its conventional phone lines serving the area. Charter Communications is the local cable television provider, and it offers a competing cable Internet service using its network. Dial-up and broadband Internet access is available from One-Eleven.net. Access from national providers, such as America Online or Earthlink, is relatively difficult due to the lack of local access numbers and proprietary networks in the county. A relatively high proportion of County residents utilize satellite networks for both television and, less commonly, Internet access.

Broadcast television is available from the following stations:

WAND 17 (ABC Decatur),
WBUI 23 (WB Decatur),
WEIU 51 (PBS Charleston),
WICS 20 (NBC Springfield),
WRSP 55 (Fox Springfield/Champaign), and
WCIA 3 (CBS Champaign).

The County does not currently have a central website. Visitors as well as residents could benefit from the services as well as information that could be provided by this type of resource. At this time there do exist websites by the City of Shelbyville (www.shelbyville-il.net), the County’s Tourism Office (www.lakeshelbyville.com), and the Greater Shelbyville Chamber of Commerce (shelbyville chamberofcommerce.com), among others.
This map shows covered areas in dark gray and non-covered areas in white. The County is partially covered by this cellular provider, along IL-16. Most of the county above IL-16 is also covered, but not the uppermost northern part. Also, south of IL-16 the County is generally out of range for this provider.

This map shows covered areas in very light gray, and non-covered areas in dark gray. The County is almost entirely within range for this provider, with only a few spots left uncovered in parts of the southern half of the county.

This map shows covered areas in dark gray, and non-covered areas in light gray. In this example, coverage is available along the central area of the county, but not in the far north nor the far south.

Source: Service area maps of major cellular phone providers, 2004
The purpose of this element is to document the present and future needs for housing within the jurisdiction of the local government, including affordable housing and special needs housing; take into account the housing needs of a larger region; identify barriers to the production of housing, including affordable housing; access the condition of the local housing stock; and develop strategies, programs, and other actions to address the needs for a range of housing options.

Although a predominantly rural area, Shelby County as a jurisdiction has a large majority of its population (83%) located in towns and villages of over 275 persons. As a result, most of the local housing stock is also within the various cities, with the balance located in lake-associated developments and farms. Of the total of 10,060 housing units in the county as recorded by the 2000 Census, 8,147 (81%) were classified as single-family homes. Almost all of them were detached structures, which is common in rural counties and smaller communities. Only 560 units were listed in buildings with 2 or more units. 1,331 mobile homes (as defined by the Census) were present, most of them located in either municipalities or mobile home parks as listed below. The proportion of housing units that are mobile homes is 13% in Shelby County, as compared to about 7% nationwide.

<table>
<thead>
<tr>
<th>Mobile Home Parks in Shelby County</th>
<th>City</th>
</tr>
</thead>
<tbody>
<tr>
<td>Angel's Mobile Home Park</td>
<td>Shelbyville</td>
</tr>
<tr>
<td>Huffman’s Campgrounds</td>
<td>Neoga</td>
</tr>
<tr>
<td>Kemper</td>
<td>Moweaqua</td>
</tr>
<tr>
<td>Robin Hood Mobile Home Park</td>
<td>Shelbyville</td>
</tr>
<tr>
<td>Sunnyside Mobile Home Estates</td>
<td>Shelbyville</td>
</tr>
<tr>
<td>Kensil Mobile Home Park</td>
<td>Shelbyville</td>
</tr>
<tr>
<td>Armstrong Courtyard</td>
<td>Windsor</td>
</tr>
</tbody>
</table>

The County’s housing stock is relatively older than many other communities, due to both a stable population and the resiliency of many original structures. Almost a third of total units (3,171) were built prior to 1940. 1,156 (11%) were constructed later than 1990. The Illinois state averages are 23% and 12%, respectively. From 1990 to 2000, the County typically saw between 100 and 150 housing starts per year.

Less than 10% of the existing housing is vacant, although this is still a sizable number (1,004 units). Of 9,056 occupied units, 5,133, or 57% is owner-occupied. The national average is approximately 61%, while Illinois’ average is 69%. 4,243, or 83%, has a valuation of less than $100,000; 890 units have values over $100,000. The median home value in the county is about $66,600, as compared to approximately $160,500 for the state. This indicates that home ownership in Shelby County is considerably more accessible in terms of cost than the average for Illinois.

The 1,556 renter-occupied units are generally quite affordable; 967 or 62% have a gross rent of less than $500/month (regardless of the number of bedrooms or square feet). 401 units have gross rents from $500 to $1,500/month. 188 units exist with no cash rent charged. The median rent overall for the county is $418/month, while the median housing cost for rental units in the state is about $700/month.
In considering the affordability of housing in the County, it is useful to determine the proportion of household income people pay toward their rent (housing costs). The federal Department of Housing and Urban Development (HUD) considers those who spend more than 30% of their net income on housing to be "cost burdened," and hence more likely to have difficulty affording such things as medical care, food and utilities. In Shelby County, 659 units, or 42% of the total, cost less than 20% of gross household income, indicating a large number of renters in the county do not pay a high proportion of their earnings for housing costs. 350 units, or 22%, cost 30% or more of income and could be considered unaffordable for their occupants. 203 units, or 13% of total rental units, were not determined by the Census.

The following developments are financed by the Illinois Housing Development Agency as affordable housing around the county:

<table>
<thead>
<tr>
<th>Affordable Housing in Shelby County</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Location</strong></td>
</tr>
<tr>
<td>Cornerstone Apartments</td>
</tr>
<tr>
<td>477 Heinlein Drive</td>
</tr>
<tr>
<td>Shelbyville, IL 62565-9596</td>
</tr>
<tr>
<td>Country Place Apartments II</td>
</tr>
<tr>
<td>105, 205 West Birch Street</td>
</tr>
<tr>
<td>Moweaqua, IL 62550-1112</td>
</tr>
<tr>
<td>Heinlein Square fka Country Grove</td>
</tr>
<tr>
<td>411 Heinlein Drive</td>
</tr>
<tr>
<td>Shelbyville, IL 62565-9519</td>
</tr>
<tr>
<td>Martin Lamplighter</td>
</tr>
<tr>
<td>1516 Main Street</td>
</tr>
<tr>
<td>Windsor, IL 61957-1440</td>
</tr>
<tr>
<td>Shelbyville Apartments</td>
</tr>
<tr>
<td>211 Meadowview Court</td>
</tr>
<tr>
<td>Shelbyville, IL 62565-9048</td>
</tr>
<tr>
<td>The Elms</td>
</tr>
<tr>
<td>405 West Division Street</td>
</tr>
<tr>
<td>Findlay, IL 62534-9706</td>
</tr>
</tbody>
</table>

*Source: Illinois Housing Finance Agency, 2004*
ECONOMIC DEVELOPMENT

The purpose of this element is to coordinate local economic development initiatives with those of the State; ensure that adequate economic development opportunities are available; identify the strategic competitive advantages of the community and the surrounding region; assess the community’s strengths and weaknesses with respect to attracting and retaining business and industry; and define the municipality’s and county’s role.

The County does not have any directly managed economic development programs as of January 2005. There are some indirectly beneficial programs available within the area, such as technical assistance from the University of Illinois extension, and there is a C.E.F.S. Economic Opportunity Corporation that provides a certain level of start-up or business expansion loans. Also, Shelbyville has a revolving loan fund to assist in business retention and attraction, although there is no evidence of this tool being used in coordination with county initiatives.

This document has identified limited economic development as an issue of concern to county leaders and residents, and recommendations are provided in Part IV.

The state of Illinois provides, through its Department of Commerce and Economic Opportunity (DCEO), a number of programs that local municipalities and jurisdictions may use to enhance local economic development. Generally, the programs are a mix of financial incentives such as bonds, job training, and local targeted grants for such things as infrastructure investment. To make the best use of these tools, a full-time development staff person, as recommended in Part IV, is very helpful. A partial list follows as a review:

<table>
<thead>
<tr>
<th>Type of Program</th>
<th>Program Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grant</td>
<td>Employer Training Investment Program</td>
</tr>
<tr>
<td>Grant</td>
<td>Community Development Assistance Programs</td>
</tr>
<tr>
<td>Grant</td>
<td>Job Training and Economic Development Demonstration Program</td>
</tr>
<tr>
<td>Grant and Loan</td>
<td>Large Business Grants</td>
</tr>
<tr>
<td>Loan</td>
<td>Affordable Financing of Public Infrastructure</td>
</tr>
<tr>
<td>Loan</td>
<td>Business Development Public Infrastructure</td>
</tr>
<tr>
<td>Loan</td>
<td>Community Services Block Grant</td>
</tr>
<tr>
<td>Loan</td>
<td>Enterprise Zone Financing Program</td>
</tr>
<tr>
<td>Loan</td>
<td>Revolving Loan Fund</td>
</tr>
<tr>
<td>Loan</td>
<td>Development Corporation Participation Loan Program</td>
</tr>
<tr>
<td>Loan</td>
<td>Illinois Capital Access Program</td>
</tr>
<tr>
<td>Loan</td>
<td>Participation Loan Program</td>
</tr>
<tr>
<td>Tax Incentive</td>
<td>High Impact Business Program</td>
</tr>
<tr>
<td>Tax Incentive</td>
<td>Illinois EDGE (Economic Development for a Growing Economy)</td>
</tr>
<tr>
<td>Tax Incentive</td>
<td>Tax Increment Financing</td>
</tr>
<tr>
<td>Education</td>
<td>Illinois Technology Enterprise Center Program</td>
</tr>
<tr>
<td>Investment Program</td>
<td>Technology Venture Investment Program</td>
</tr>
</tbody>
</table>

Source: Illinois Department of Commerce and Economic Opportunity, 2005
The competitive advantages of Shelby County, from an economic development standpoint, are similar to the competitive advantages for attracting new residents: high quality of life, low cost of living (and doing business), minimal crime, close to several larger central Illinois cities and their customer bases. There are certain, location-inelastic business types that would be ideal for these conditions (such as remote insurance claims, or other kinds of Internet information management services).

Disadvantages include limited transportation and communication infrastructure, lack of a skilled workforce, and an insufficient core customer base. These conditions limit the potential for economic development in sectors like distribution, retail, and most manufacturing. To address these weaknesses, there usually needs to be major capital invested by either the state or federal governments. Prior history does not offer much expectation that such an investment will be forthcoming. As a result, the County must consider acting on its own or in conjunction with neighboring counties and municipalities if it wishes to attract new businesses.

The County is a member of the West Central Development Council (WCDC), a state-chartered regional planning group. Participation in organizations such as this can provide benefits in terms of economic development knowledge, experience, and opportunities, but Shelby County has not been active in the group in recent years. The County should consider making a renewed effort to more fully engage with its fellow members of WCDC, which include Greene, Jersey, Montgomery, Christian, Calhoun, and Macoupin Counties.

**Number of Small Businesses**

*(500 or Fewer Employees, By County)*

![Map showing number of small businesses by county](source: Dunn & Bradstreet Marketplace, 2004)
The purpose of this element is to identify and define the natural resources in the community with respect to water, land, flora, and fauna; identify the land and water areas in relation to these resources; assess the relative importance of these areas to the needs of the resources; and identify mitigation efforts that are needed to protect these resources.

Originally the County was covered by tall-grass prairie with the exception of the Kaskaskia alluvial plain. Glaciers reached approximately half way south into the county, then receded. Settlers arrived from both the north and the south and began cultivating the former prairie land. The Kaskaskia River remained generally intact along its natural course, until the construction of Shelbyville Dam in the early 1970s. Lake Shelbyville now covers 11,100 acres in the north eastern section of the county.

**Water**

Most of the watersheds in the county are in Major Watershed Area 4, as defined by the Illinois Environmental Protection Agency (IEPA), see appendix. The far northern section, near Moweaqua, is incorporated in area 5, while very small portions in the far southwestern and eastern corners are parts of areas 6 and 7, respectively. The pollution level of the county’s bodies of water is prioritized by the IEPA on a scale of 1 to 4, 1 being the most severe. Water Branch, Mitchell Creek, and Mattoon Lake are labeled as Priority 1 for pollution control. The priority level for all prioritized bodies of water in Shelby County is available in the appendix. Based on a twenty year water-quality monitoring program conducted by the Environmental Quality Section of U.S. Army Corps of Engineers in St. Louis, Lake Shelbyville and the downstream Kaskaskia River meet acceptable quality standards. Potential quality issues stemming from phosphorus and nitrogen runoff continue to be observed for action if conditions merit it in the future.

**Air**

Shelby County benefits from the lack of an interstate and the lack of major industrial operations in terms of air quality standards. Because of these factors, air quality in the county is not deemed to be unhealthy by the standards of IEPA. IEPA places monitoring stations around the state to index levels of air pollution from various sources, including interstate highways, power plants, and heavy industry. The closest monitoring stations to Shelby County are located at Effingham’s power station to the southeast, and near Decatur’s major industrial facilities to the northwest. Shelby County is considered part of the IEPA’s East Central Illinois Intrastate Air Quality Control Region, as shown in the appendix.

**Land**

The soil in Shelby County is approximately half Loess over Wisconsinan Drift and half Loess over Illinoian Drift. There is also a small amount of Deep Loess in the far southwestern section of the county. These types of soils are determined by the US Department of Agriculture’s Natural Resources Conservation Service for Illinois, see the appendix for a soil map of the entire state. The great majority of land in the county is used for intensive production of grain corn and soybeans, according to the Illinois Agricultural Statistics Service.
Flora

The forested land area in the county is primarily made up of a variety of oak and hickory trees, as well as white ash and elm, with seedlings, saplings and few shrubs and grasses where sufficient light is available. Existing grasslands in the County are made up of a variety of species typical to the Illinois tallgrass prairie.

Fauna

Due to the presence of state parks and three lakes, Shelby County has a large population of numerous wildlife species, including small game birds and mammals, water fowl, white-tailed deer, and wild turkey. The existence of these substantial areas of protected land around Lake Shelbyville has provided numerous benefits to the wildlife in the area, such as nesting trees for birds and intact ecosystem corridors. There are four endangered or threatened species being observed by the Illinois Department of Natural Resources, as shown in the table below. These species are not necessarily present in the county; however, the County does have the habitat necessary to justify their listing.

<table>
<thead>
<tr>
<th>List Species</th>
<th>Status</th>
<th>Scientific Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bald Eagle</td>
<td>Threatened</td>
<td>Haliaeetus leucocephalus</td>
</tr>
<tr>
<td>False Hellebore</td>
<td>Threatened</td>
<td>Veratrum woodii</td>
</tr>
<tr>
<td>Indiana Bat</td>
<td>Endangered</td>
<td>Myotis sodalist</td>
</tr>
<tr>
<td>Loggerhead Shrike</td>
<td>Species of Concern</td>
<td>Lanius ludovicianus</td>
</tr>
</tbody>
</table>

While there is a shelter specifically designed to attract the butterflies of Shelby County, it has recently been left empty. This is due to the lack of butterfly species in the county. According to the U.S. Geological Survey, there are only four butterfly species known to visit Shelby County: Cabbage White Butterfly, Gray Copper, Coral Hairstreak, and Eastern Tailed-Blue.

Two young bucks at Wolf Creek State Park are indicative of local wildlife.
PUBLIC PARTICIPATION

This element must include a process for engaging the community in outreach; the development of a sense of community; a consensus building process; and a public education strategy.

Outreach

Information for this plan was gathered over a span of three months from mid June to late August of 2004. The primary direct method of collecting data was speaking to members of the zoning committee and plan commission for Shelby County. Several county officers, including the County Engineer, Zoning Administrator and the County Recorder, provided critical information. A significant amount of additional information about the County’s circumstances was gathered from a variety of state and federal agencies.

Public forums were held at five locations, in the four corners of the county as well as centrally-located Shelbyville. Specifics of each meeting can be found in the appendix. These forums constituted the primary means of interaction with county residents. They generally included local municipal, business, institutional and community leaders. Participants were invited to continue giving input in the planning process via a follow-up mailing after each meeting. Articles in local newspapers as well as these mailings were intended to keep the community engaged with the development of the plan.

Sense of Community and Consensus Building

During the community forums, residents exhibited a strong interest in the future of the County. Numerous questions were asked, and several visitors to the initial forums attended additional forums as well as plan commission meetings. During county-wide meetings, local residents listened attentively and interacted with the plan commission, County Board, and representatives from the University of Illinois team. This indicates how the comprehensive planning process has contributed to strengthening the local sense of community. The community will have an opportunity to further discuss elements of the plan during a public meeting held before the Plan Commission prior to official adoption. The final plan should be made available to as many groups (especially local municipalities) as possible in order to develop a cohesive strategy for future action, and to prioritize the use of county and other local resources.

Public Education

A major goal in the development and implementation of this document is that the plan has applicability to the daily lives of county residents. To increase the likelihood of reaching this goal, the development of a public education strategy about the nature and elements of the plan is necessary. The most economically feasible means to widely distribute the plan is through electronic format on the Internet. Although the County does not currently have a website, creation of one would have significant benefits. An immediate benefit would be the ability to more effectively communicate information such as this plan to its residents. In the absence of a website, initial distribution should be through existing facilities such as public libraries and schools, as well as cooperative agreements with local municipalities and other relevant parties. A summary of the major points could also be published in local newspapers. The University of Illinois will also hold copies of the document for future educational purposes.
PART IV: ISSUES AND RECOMMENDATIONS
ISSUES AND OPPORTUNITIES

These are seven issues identified as priorities by the county with recommendations for action.

Each recommendation includes a detailed explanation and steps for implementation.
ISSUE I: RECREATIONAL VEHICLES

ISSUE:

Recreational Vehicles (RVs) are being placed on residential lots and are being used as primary dwelling units.

RECOMMENDATION:

The county should prohibit the use of RVs as primary dwelling units outside of campgrounds by amending the zoning code to exclude this type of use.

PROCESS:

Amend the zoning code to state:

“Recreational Vehicles (RVs), boats, campers, etc. must be parked within a building or behind the nearest portion of the building to the street. They cannot be parked on an empty residential lot. Recreational equipment may not be used for living, sleeping, or house keeping, except in locations lawfully established for such use, i.e., campgrounds.”

Also, define RVs and mobile homes as different entities to reduce confusion of the terms, as follows.

Suggested Definitions

Manufactured Home / Mobile Home: Any vehicle, including the equipment sold as part of a vehicle, which is so constructed as to permit its being used as a conveyance upon public streets or highways by either self-propelled means or not self-propelled means which is designed, constructed, or added to by means of an enclosed addition or room in such manner as will permit the occupancy thereof as a dwelling or sleeping place for one or more persons, which is both used and occupied as a dwelling or sleeping place with or without a permanent foundation when connected to the required utilities in which unit shall have the official red metal label affixed to the rear of each towable unit indicating compliance with the standards of the National Manufactured Home Construction and Safety Standards.
Modular Home: A building assembly or system of building sub-assemblies, designed for habitation as a dwelling for one or more persons, including the necessary electrical, plumbing, heating, ventilation and other service systems, which is of closed or open construction and which is made or assembled by a manufacturer, on or off the building site, for installation, or assembly and installation on the building site with a permanent foundation, and which shall have a yellow seal of the State of Illinois, or a similar seal of the State of Indiana, on the electrical panel box of the home indicating compliance with Illinois Department of Public Health regulations and codes. A permanent foundation means a closed perimeter formation consisting of materials such as concrete or concrete block which extends into the ground below the frost line.

Recreational Vehicle: any camping trailer, motor home, mini motor home, travel trailer, truck camper or van camper and any towed recreational equipment such as boats, snowmobiles, and motorcycles, including the trailers for same, used privately for recreational purposes and not used commercially, which is less than eight (8) feet wide or forty (40) feet in length. Recreational vehicle more specifically includes:

Camper Trailer (Pop Up): a recreational trailer not used commercially, constructed with partial side walls which fold for towing and unfold to provide temporary living quarters for recreational camping or travel use and are of a size or weight not requiring an over-dimension permit when towed on a highway.

House Trailer: a recreational trailer or semitrailer equipped and used for living quarters for human habitation (temporarily or permanently) rather than for the transportation of freight, goods, wares and merchandise.

Motor Home, Mini Motor Home, or Van Camper: any self-contained motor vehicle not used commercially, designed or permanently converted to provide living quarters for recreational, camping or travel use, with direct walk-through access to the living quarters from the driver’s seat.

Travel Trailer: a recreational trailer not used commercially, designed to provide living quarters for recreational camping or travel use, and of a size or weight not requiring an over-dimension permit when towed on a highway.
**Truck Camper**: a recreational truck, not used commercially, when equipped with a portable unit designed to be loaded on to the bed which is construed to provide temporary living quarters for recreational, travel or camping use.

**EXPLANATION:**

Shelby County should not allow RVs to serve as permanent housing in the county because there are sanitation and taxation issues. Specifically, RVs do not meet health code standards for housing, and they cannot be taxed as real property. Additionally, a proliferation of RVs on lots designated for single family homes can have a negative impact on the property values of neighboring lots.

By giving precise definitions as to what constitutes various types of housing, the Zoning Administrator can more easily enforce community standards. For example, if the Zoning Administrator arrives at a site and finds someone permanently inhabiting an RV, based on the preceding specific definitions, the RV cannot be considered a mobile home. Therefore, the administrator can inform the owner that he or she is in violation of the zoning ordinance.

The County could then give the person in violation an opportunity to correct the offense within thirty (30) days. If the person is still in violation at that time, then the administrator can inform them that they will be subject to a punishment the county deems appropriate, which in this circumstance would likely be a fine.
ISSUE II: ZONE CLASSIFICATIONS

ISSUE:

The current zone classifications in the Shelby County zoning ordinance are overly complicated.

RECOMMENDATION:

Revise the zoning ordinance with fewer, more definitive zone categories.

PROCESS:

1. Consolidate the Local Business, General Business, and Accommodation Business into one General Business zone, and eliminate Shopping Center zone.

   Define the General Business (GB) zone as including all the definitions of Local Business (LB), General Business (GB), Accommodation Business (AB) and Shopping Center (SC) as stated in §12, sections A-D, of the current zoning ordinance. Change all existing business zones to General Business. See Part V for an example of a consolidated General Business zone definition.

2. Eliminate Industrial Reserve zone, and set up a criteria system for Industrial zones.

   Keep the Industrial (I1) zone definition as it currently stands. Remove the Industrial Reserve (IR) zone category, and only zone as Industrial land that are currently being used for industrial purposes as defined in §13 of the zoning ordinance. Instead of zoning areas as Industrial Reserve, establish the following criteria for deciding if a lot should be zoned Industrial when requested by a developer:

   1. Site shall have adequate water and sewer services.
   2. Industrial uses must be located on a county road or above, as defined by Illinois Department of Transportation and certified by the County Engineer. The service levels must be high enough to handle additional traffic created by the industrial use placed on the site. Industrial uses shall not be allowed on township roads.


   Define the Residential (R1) zone as including the definitions of both Suburban Residential (RS) and Single Family Residence (R1), as stated in §11 of the current zoning ordinance. Change all zones currently zoned as RS to R1. The existing LR zones that do not meet the minimum lot size of RR will then be changed to R1 zoning. Planned residential developments, as defined in §11 1/2, shall be permitted only in R1 zones.
Change and expand Lake Residential (LR) zones to Rural Residential (RR) zones. Change LR zones that currently have housing on them to RR; LR zoned parcels currently used as agricultural areas should be downzoned to agriculture. The Rural Residential zone will act as a buffer between agricultural uses and higher density residential areas. Lots in RR zones shall have a minimum size of five (5) acres and horses will be permitted.

4. Change the Flood Plain zone to an overlay.

Change all areas that are currently zoned as Flood Plain District (FP) to the zoning category that the lot is contiguous with. If the lot to be changed is contiguous with more than one type of zone category, then the lot shall be changed to the category with which it shares the largest border. Define the Flood Plain Overlay to include only those areas within the 100-year flood plain as defined by the Illinois State Geological Survey, and incorporate appropriate use restrictions (see page 51).

**Explanation:**

The zoning code should be revised due to its unnecessarily complicated structure. From a review of zoning changes in Shelby County over the last 40 years, it is apparent that the county has not made use of several of the current zoning categories. Under the existing code there are eleven zone categories:

- A (Agriculture)
- R1 (Single Family Residence)
- RS (Suburban Residence)
- LR (Lake Residence)
- LB (Local Business)
- GB (General Business)
- AB (Accommodation Business)
- SC (Shopping Center)
- I1 (Industry)
- IR (Industrial Reserve)
- FP (Flood Plain)

The zoning ordinance would be much more effective to the County and its residents with consolidated zone definitions, as described below.

1. Consolidate the Local Business, General Business, and Accommodation Business into one General Business zone, and eliminate Shopping Center zone.

The LB, GB, and AB business zone definitions and their associated uses are poorly defined. In the current zoning ordinance, the LB and AB zone definitions are directly or indirectly included in the GB definition. There is no need for these three zones to stand separately, because there does not appear to be any use that is excluded from one of the zones and allowed in another. By consolidating these three zones into one broadly defined zone it will make the administration of county zoning much easier. There will be no confusion as to which zone is appropriate when classifying a use.
2. Eliminate Industrial Reserve zone, and set up a criteria system for Industrial use.

The Industrial Reserve (IR) zone has never been used as intended. Although the zone was created in order to reserve land for expected future development of industrial parks and associated uses, due to a variety of factors this development has not taken place. As a result, this classification adds an unnecessary complication to zoning administration in Shelby County. It would be prudent to remove IR from the zoning code and only use a single industrial zone - I1.

Instead of zoning areas as IR, the I1 category can be applied if and when proposals are received by the county. When an industrial development is presented, this approach will allow for a straightforward rezoning process. Given the number of potential sites available for industrial use there is little to be gained by reserving specific limited locations.

Along with the elimination of the IR zone, certain requirements should be met before the Industrial zone is applied. Because of the nature of industrial operations sufficient sewerage and water infrastructure is essential for the maintenance of health and safety standards. Additionally, road access is necessary for any kind of industrial facility. Township roads are not designed to handle the volume of vehicle traffic typically generated by an industrial facility. Therefore, industrial uses should only be permitted on county roads or higher.

3. Consolidate Suburban Residence (SR) and Single Family Residence (R1) to Residential, and change Lake Residence to Rural Residential.

The only significant difference between Suburban Residence (RS) and Single Family Residence (R1) is in lot size. The nature of county residential development has not demonstrated the need for two separate classifications. Residential construction in the county virtually always meets R1 standards. Thus, RS can be consolidated into R1 to simplify the zoning ordinance. The R1 zone is suitable for the types of residential construction seen in the county.

The current Lake Residence (LR) classification is entirely based on proximity to a body of water. This does not allow for non-intensive residential development in those parts of the county that are not close to water. Unlike the LR zone, the RR zone could apply to property throughout the county, regardless of proximity to lakes. Also, RR zoned areas are less disruptive because of the large minimum lot size. The likely distances between the houses and property lines are sufficiently large that adjacent and potentially problematic uses are less noticeable to neighbors. Therefore, the RR zone is appropriate as a buffer zone.
4. Change the Flood Plain District zone to an overlay.

Using Flood Plain District (FP) as a zoning category does not refer to the primary use of the land. Instead, it refers to a characteristic of the land: it would be under water during a 100-year flood. It does not refer to the same aspect of land use as do all other categories, and is hence inconsistent with the rest of the zoning ordinance. The zone category of a lot should refer to the actual physical use permitted on that land.

In addition, the FP zone currently includes all parts of a lot, even when only a portion is within the 100-year flood plain. The entire parcel is then restricted in its permitted uses. With a flood plain overlay, only the specific area within the 100-year flood plain is restricted.

Note about Federal and State land

Federal and State land is not under the jurisdictional authority of the County. Therefore this land is not addressed by the zoning categories in the proposed ordinance and is referred to as Government Land on the proposed zoning map.

100-Year Flood Plain
ISSUE III: POPULATION

ISSUE:

The County has an aging population that is not being replaced.

RECOMMENDATION:

Shelby County should attract more young adults from the surrounding communities.

PROCESS:

Establish Shelby County as a great place for raising families and relaxing at home by marketing the county to residents of Decatur, Mattoon, and Effingham (aka the DiME). The County should acquire billboard space at four key locations near the major transportation routes that provide access to the large communities of the DiME. The billboards will illustrate to casual observers the value of living in Shelby County.

The four billboards should be placed on highly trafficked roads near the three largest communities on the border of Shelby County: Decatur, Mattoon, and Effingham, and at the entrance of Highway 51 from the south. The highest trafficked roads near these places are Highway 51, Highway 16, and Highway 32, respectively, based on the Illinois Department of Transportation data. The best location for the billboard near Decatur is just north of Moweaqua; the best location for a billboard on Highway 16 is the location where Highway 32 joins it for a short while; the best location for a billboard on Highway 32 is the farthest South in Shelby County, closest to Effingham; and the best location for a billboard at the entrance of Highway 51 from the south is the farthest south on Highway 51, closest to Fayette County.

The purpose of the billboards will be to give the following message to the audience:

- Shelby County has the traditional “hometown feeling.”
- Shelby County has lots of nature to enjoy.
- Shelby County has a strong sense of community.
- Shelby County has a lot of privacy.
- Shelby County has affordable housing.
- Shelby County has a low teacher to student ratio in the schools.
- Shelby County cares about you.
Here is an example theme for a billboard that could be placed at any of the three specified locations:

**Welcome to Shelby County!!**

We are so glad to have you visit us, and we would love it if you stay here to live. The villages are like your grandparents’ home town, and the nature preserves are like America before the settlers.

(pictures of families w/houses) Come join our community!

**EXPLANATION:**

According to the 2000 Census, there is a declining number of residents of the county between the age of 20 and 35, as well as children below the age of five. This loss, as compared to the 1990 Census, is demonstrated by the charts on the following page.

If the decline in young adult population and resulting decline in child population is not stopped, the broader county population will eventually also decline. The gap seen in 1990 with ages 20-24 will continue to expand across additional population age groups, which is already noticeable in the 2000 chart, including ages 20-34 as well as under five. Shelby County should try to bring more young adults into the county to reverse the effects of this growing population gap.

To address this situation, the County can take advantage of being surrounded by DiME cities with many young adults looking for homes. If the County targets these young adults, it can become an attractive destination for commuters working in regional employment centers. Additionally, the County currently has over 2 million visitors to Lake Shelbyville each year. The county should consider these visitors as potential future county residents. The most straightforward way to market the County to visitors and travelers is through billboards.

As travelers read the billboards while passing into the county, they will be able to observe the calm and pleasant surroundings while visiting. Then people who are looking for that type of living environment will remember it as an option for a home. Shelby County will be on their list of choices. The primary objective is to get people thinking of Shelby County as an option for a possible future residence. People living in the DiME may have visited Lake Shelbyville many times in the past and never even considered the option of moving to the county. The people who will consider Shelby County as a place to live initially are likely to have been through the county several times already. The billboards will suggest that they move in.

Shelby County has a high quality of life in many respects. The goal is to ensure that people living near the county recognize the great possibilities of living there. The absence of big box retail and urban sprawl is quite hard to find in many places across the country. Being surrounded by interstates and larger municipalities, Shelby residents can retain a small town quality of life, while at the same time benefiting from their neighbors’ retail and employment options. Shelby has a peaceful rural environment and the nature reserves, lakes and rivers, campgrounds, and many other natural amenities that their neighbors are lacking. The variety of local retailers is unique compared to the predominance of chain stores elsewhere. These factors, among others, contribute to a distinctive sense of place which could help attract new residents.
The gap at age group 20-24 deepened and spread during the 90’s, and led to a gap in age group 0-5. By the year 2000, the gap included all age groups 20-34 and pre-schoolers. Now that it is almost 2005, we can expect the gap in the young children age group to spread to grade school children. Therefore, you may choose to target families as a means to reverse this trend.
Billboards are used for subtle advertising to affect the subconscious mind. According to http://www.nfib.com/object/3050496.html “Should You Advertise on Billboards?”:

“Billboard advertising is best at conveying an image rather than a specific “call this number” command message. Print ads in newspapers and magazines can be effective for telling the entire story and motivating people to pick up the phone. Billboard ads are best at targeting the subconscious, subtly instilling an awareness of a brand or concept. That’s why most of the billboard ads you see are for major national brands, such as Coke, Pepsi, Budweiser or Marlboro. These advertisers know that billboards help develop brand awareness — and they have the budgets to support the campaign.”

If the county cannot locate a billboard marketing company to assist in the development and placement of the billboards, the Board should be prepared to acquire the billboards through direct means. If the county does choose to hire a marketing company, then it must determine how to acquire funding for the billboards will come from.

The billboards can be funded in several ways.

1) The most straightforward but expensive option would be for the County to lease the land for the billboards, and pay for their construction with county funds. If the land is purchased, then the county also has the additional cost of annual upkeep. It can be expected that on a state highway in East Central Illinois the construction costs will be lower than on an interstate, but still substantial. There is also the cost of designing, maintaining and updating the actual signs on the billboards.

2) The least expensive option, which requires persuasion, is to convince local land owners and business people to donate the money, time, and land necessary for the billboards. The County could contact various citizens and businesses asking them to participate on a Billboard Committee.

Sample Letter

Dear Concerned Citizen,

You may already be aware that our County has been working to bring more revenue into the County, so that we may all benefit from increased business, and a higher population base. One of the first steps in our process was to establish a Comprehensive Plan as required to enforce our updated zoning code.

The Plan indicates that we, as a County, need to tell our neighbors about the marvels of living here, and it states our goal to acquire “billboard space at four key locations near the major transportation access” to each of our three largest neighbors and to Fayette County in the south.

It is our intention to obtain the land for these billboards, construct the billboards, and then rent the advertising space to businesses in Shelby County for nine months of the year. The other three months will show advertising that expressly suggests that travelers move to Shelby County with their families.

We are writing to ask if you would be interested in serving on a committee assigned the task of seeing these billboards implemented. Within the next month, you will be receiving a call from the Shelby County Tourism Office asking if you are willing to serve on this committee. Please let us know.

Thank you for your consideration!
3) The third option for the County is to purchase the land and build the billboards with a loan from the county budget. Then the County would lease the billboard space to local businesses. Periodically, as described in the sample letter, the County would use the billboard to promote local quality of life. This could be the best option because although there is an initial large expenditure of funds, over time the revenue from leasing the billboards will repay the initial expense and eventually be a source of revenue.

The best locations will be on land close to the border of the county with the highest volume of traffic. In five or ten years, the county may want to pursue placing a billboard next to I-57 where it goes through Shelby for 2.5 miles. The map on the previous page displays strong locations on state highways as measured by traffic volume.
ISSUE IV: PROPERTY TAX REVENUE

ISSUE:

The County has limited revenue from property taxes because much of the land surrounding Lake Shelbyville is under federal or state control.

RECOMMENDATION:

The County should increase property tax revenue by encouraging construction of second homes and retirement homes.

PROCESS:

The County has already seen an increase in second homes being built in the Lake Residence zoned land. To encourage second homes in other parts of the county, the County should zone additional land similarly, but using an updated zone definition such as Rural Residential. The County should also market itself to people who visit local amenities, including lakes and nature reserves, as well as retirees seeking a peaceful lifestyle. To market successfully, the County should advertise, as demonstrated by the following examples.

A theme of an advertisement in, say, Midwest Living, is shown here:

With all the hustle and bustle of your current city, wouldn’t it be great to get away from it all?

Wouldn’t it be great to go somewhere that you don’t have to lock your doors just because you are in the back yard, or down at the lake? Wouldn’t it be great to sit on your back porch and hear nature instead of traffic? Well now you can have all this without quitting your job, or becoming insanely indebt! Now, you too can buy a beautiful country home away from everything! Buy your second home in Shelby County, and you will have affordable and safe peace and quite whenever you want it.

(pictures of a cozy second home)
Here is a sample advertisement for attracting retirees:

As you approach retirement, you may consider moving away from your current situation. You may want to get away from it all, but you still want to be near your grandchildren, familiar places, and friends. That is why you should move to Shelby County. In Shelby County, you can get away from it all, and still be in the center of everything. With the peace and quiet of small town living, the safety of a low crime rate, and the housing you can easily afford, Shelby County is the perfect place for you. While, the rest of the world still exists all around, you can be nestled in, within easy access to interstate travel, but far enough away that you won’t ever be reminded of the big city at all.

**Explanation:**

Shelby County should aim at people interested in retiring to a rural country setting, and the three top criteria of affordability, safety, and peace and quiet are the main draws. The County should specifically target its marketing effort to the local retiree audience. “...‘Only about 4.5 percent of retirees—a stable number in the last four U.S. censuses—move across state lines,’ says Charles Longino Jr., a gerontology professor at Wake Forest University in North Carolina and an expert in retiree migration.” (as per http://www.aarp.org/bulletin/yourlife/Articles/a2004-08-11-boomingmarket.html). Shelby County can capitalize on this trend by marketing to the retirees in neighboring counties.

According to NeighborhoodScout.com, six major criteria for second home purchases are affordability, peace and quiet, safety, educated neighbors, homeownership mix and strong public schools. To market the County to people looking for second homes, it should focus on the factors in those criteria that are highest in quality for Shelby County: affordability, peace and quiet, and safety. Although Shelby County also has educated neighbors, a homeownership mix, and strong public schools, these are not as important to retirees. To market the county to people getting ready to retire, the goals are primarily about community spirit and comfort.

Land should be zoned Rural Residential in highly agricultural areas because it is away from high traffic and commercial areas. The goal is to attract new residents that want to get away from it all, so second home development should be directed to low traffic, isolated areas. Once Shelby County zones more areas as Rural Residential and markets to retirees and second home buyers, the County will be in a prime position to attract construction of expensive homes on large parcels. Property tax revenue will then increase because of the increased value of properties, and the County’s financial condition will benefit accordingly.
ISSUE V: AGRICULTURAL PROTECTION

ISSUE:

Intrusive non-agricultural land uses are allowed within overwhelmingly agricultural areas.

RECOMMENDATION:

1. The County should make zoning decisions to protect agriculture.

2. The County should encourage the Farm Bureau and Cooperative Extension to assist in the creation of agricultural conservation areas.

PROCESS:

1. The county should make zoning decisions to protect agriculture.

   Approve residential developments only when they are within 1.5 miles of a town or village, as defined in the appendix. Limit industrial and commercial developments to areas with appropriate infrastructure connections (sewerage, water, roads). Create a zone classification (Rural Residential) for non-subdivision housing that is less disruptive to commercial agriculture.

2. The county should encourage the Farm Bureau and Cooperative Extension to assist in the creation of agricultural conservation areas.

   Shelby County relies on agricultural production for its prosperity, and the County recognizes that incompatible uses are a potential threat to farms. Therefore, the County Board should acknowledge the value of agricultural conservation areas in supporting the local economy and way of life. The Farm Bureau and Cooperative Extension offer an effective means to interact with the local farm community, and should be encouraged to discuss agricultural conservation areas with their members and participants.
EXPLANATION:

Shelby County’s economic base is founded upon agricultural production. The County needs to do everything possible to protect this valuable resource to ensure the future prosperity of the county. The County should make zoning decisions based on protection and enhancement of agricultural operations. Although other employment sectors have grown during the last 40 years, farming continues to provide the highest single percentage of jobs in the county.

1. The county should make zoning decisions to protect agriculture.

Certain zoning decisions made in the past have had a negative impact on county farmers by allowing intrusive non-agricultural land uses within overwhelmingly agricultural areas. In the future, the County should do everything possible to minimize this type of disruption. The plan commission should carefully consider the potential impact of proposed development locations on agricultural production.

Residential developments should be within 1.5 miles of towns or villages because within this radius it is reasonable to anticipate future non-farm growth and potential annexation by the municipalities. If residential development is allowed in other areas, it will tend to generate more residential growth nearby which will intensify the potential for conflict.

The infrastructure necessary to support industrial and business uses inherently creates disruption of farms with road and sewer line construction. After this infrastructure is placed, additional non-farm uses are attracted to the area, which compounds the disruption.

Rural Residential (RR) zoned areas are less disruptive to agricultural uses because of the large minimum lot size. The likely distances between the houses and property lines are sufficiently large that the adjacent and potentially problematic use is less noticeable to all users. Therefore, this zone can be used as a buffer between agricultural land and other uses.

2. The county should encourage farmers to form agricultural conservation areas.

The goal is to make clear to everyone in the county that agricultural production is a high priority, and that the county encourages agricultural conservation areas as a means to secure the future of Shelby County farming.
An agricultural conservation area is an area of land specifically set aside for only agricultural use. Owners of agricultural land petition the Board to put their land into a conservation area, as per the state Agricultural Areas Protection and Conservation Act. The Board then follows the guidelines as set forth in Illinois Statute 505 5 (see the appendix) to establish the agricultural conservation area. Once established, the land within the conservation area cannot be used for any purpose other than farming, as defined by the Act, for a period of ten years. The Act ensures that all owners give consent to be put into the conservation area and allows for withdrawal petitions. There is little expense and much benefit from this system.

Farms that are in agricultural conservation areas are automatically protected from intrusive alternate land uses. Although the County does not have the authority to implement an agricultural conservation area without first getting a petition from the farmers, it can encourage the local Farm Bureau and Cooperative Extension to work with farmers in establishing these areas of preservation.

This subdivision directly across from agricultural land demonstrates the potential for conflict between homeowners and farmers.
ISSUE VI: Tourism

ISSUE:

Tourism money is not being spent within Shelby County because people who visit Lake Shelbyville do not know about the facilities and resources in the rest of the County.

RECOMMENDATION:

1. Create a survey of attraction, resources, businesses and sites for all parts of the county and distribute that survey as widely as possible.

2. Create and distribute a coupon book based upon businesses and attractions in the county based upon heavily trafficked destinations.

3. Establish a forum for the various towns and villages in the county to meet with each other and the County Board to coordinate tourism development strategies.

PROCESS:

1. Create a survey of attractions, resources, businesses and sites for all parts of the county and distribute that survey as widely as possible.

   The County should contact all the towns and villages and ask that a simple information gathering survey be completed. The survey would have questions such as these:
   
   Please list the all businesses in your town.
   Would you consider meeting with the County and other towns to discuss joint marketing possibilities?
   What are some interesting tourist attractions that you know about?

   The County should then create a consolidated database of all this information. From the database of raw information, the County develop a marketing strategy.

2. Create and distribute a coupon book based upon businesses and attractions in the County based upon heavily trafficked destinations.

   One potential use for the collected information about County attractions and resources is to create a county wide coupon book that can be distributed to visitors. The coupon book would include a variety of types of businesses, with a clear map showing their locations. It would be distributed in places like gas stations, restaurants, and the tourism office.
3. Establish a forum for the various towns and villages in the County to meet with each other and the County Board to coordinate tourism development strategies.

   The forum should be a meeting of representatives from all the towns and villages in the county. The County should encourage participation from as many town and village representatives as possible. The meeting locations should rotate throughout the county, and everyone would have an equal say in the meetings. The discussions would be focused on an exchange of information regarding tourism opportunities and developments in all areas of Shelby County. The meetings should be held at least twice a year. The County would take responsibility for arranging the meetings and leading the discussions.

**EXPLANATION:**

Although Lake Shelbyville attracts over two millions visitors a year, Shelby County does not receive significant revenue from sales taxes from tourism money. These visitors are either from nearby locations, who are staying just for the day or weekend, or they are campers who generally bring all the needed supplies with them. The County can benefit by leading visitors to parts of the county beyond Lake Shelbyville.

1. Create a survey of attractions, resources, businesses and sites for all parts of the county and distribute that survey as widely as possible.

   The first step in bringing more visitors to other places in the county is knowing where you want them to go. To understand this, the County must start by gathering an inventory of its attractions and assets. Once it has determined what the attractions are, the County can then apply this information to marketing efforts. An example of a profile is shown on the following page.

2. Create and distribute a coupon book based upon businesses and attractions in the county based upon heavily trafficked destinations.

   It may not be enough for the County to simply tell visitors what exists. Providing an incentive to visitors to get them to go beyond their normal travel paths would be one means to encourage tourism all throughout the county. A coupon book is a cost effective incentive program because it advertises the businesses and attractions without imposing high expenses.

3. Establish a forum for the various towns and villages in the county to meet with each other and the County Board to coordinate tourism development strategies.

   There is a limited amount of resources that all the towns, villages, attractions, and the County can tap into to make visitors aware of tourism opportunities. Without communication and coordination, the resources that do exist will not be used most effectively. Conversely, a regular forum of representatives from all interested parties will be able to accomplish more than all of the individual participants working alone.
This page shows an example of a tourism information profile that could be created for various attractions to which the County wishes to direct visitors. This is one potential result of carrying out recommendation 1 in Issue VI. Profiles of all the local destinations could be written by a volunteer committee incorporating the local tourism board or chamber of commerce; alternatively, templates could be provided to the owners/operators of the attractions for completion. The template should include the following information: attraction name, location, cost, contact information, and a short description.

### Shelby County
#### Tourism Information Profile

**Attraction Name:** General Dacey Trail  
**Location:** Along boundaries of Lake Shelbyville from Shelbyville to Sullivan in Moultrie County  
**Cost:** no charge  
**Contact Information:** Jerry Yockey  
217-774-4001  
**Brief Description of Attraction:** The General Dacey Trail at completion will be a 170-mile trail network that will provide opportunities for bicycling, hiking, and other recreational trail uses, and provide off-road connectivity between local communities, public recreation areas and other interesting and scenic attractions in the region.
ISSUE VII: ECONOMIC DEVELOPMENT

ISSUE:

The County’s relative isolation from transportation infrastructure, small population and larger, well-connected neighboring cities have combined to limit the opportunities for job growth as well as new commercial and industrial developments in Shelby County.

RECOMMENDATION:

1. Create an Economic Development Officer position.
2. Create business visitation teams.
3. Create a map of development opportunity areas.

PROCESS:

1. Create an Economic Development Officer position.

Select an Economic Development Officer (EDO) in the same manner as current county positions are selected, such as Engineer or Zoning Administrator, subject to the approval of the County Board. The compensation level of the EDO would also follow the precedent of existing officers. The EDO would report their actions monthly to the entire County Board, to ensure that their efforts are directing attention to all parts of the county equally. The EDO would also sit on the Plan Commission in lieu of one of the current Countywide officers such as the sheriff, which would be permissible under recommendations in the plan commission revision report (see the appendix).

Primary responsibilities would include:

1. communicating with the incorporated towns of the County about land use, development and annexation;
2. working to standardize contacts with large neighboring cities and the businesses therein;
3. reviewing infrastructure investment proposals with the County Engineer to improve physical conditions for development;
4. consulting on zoning changes with the Zoning Administrator;
5. meeting with local business people and entrepreneurs to better understand the County’s economic environment and offer assistance;
6. working to market Shelby County to appropriate types of businesses through print, electronic and in-person means; and
7. seeking state or private grant money and expertise to encourage business growth.
2. Create business visitation teams.

Setting up visitation teams is fairly simple. They rely on interested and engaged volunteers from the community, such as bankers, lawyers, and senior farmers. These people are not necessarily experts about the county economy or every type of business, but they are respected leaders and they know how to listen. Typically, two people will make up a team, perhaps pairing a community leader with a county officer or board member. Shelby County could use two to three teams to rotate through the businesses in each region, speaking to the owners and operators. They would seek to understand how these organizations or individuals are performing and what the County might be able to do to improve conditions. The team would emphasize the strict confidentiality of any information, and it would be reported to the Board only in aggregate form.

Additionally, with multiple teams care can be taken to ensure that no business owner is speaking to a competitor or other interested party. On a monthly or bimonthly basis, the teams can present their findings to the Board, with recommendations for changes in policy or other actions. As a secondary benefit, the teams can determine “on-the-ground” community reaction to such initiatives as zoning revision, from business people perhaps too busy to attend Board meetings.

3. Create a map of development opportunity areas.

Development opportunity areas are based upon accessibility to infrastructure. When infrastructure is built it is reasonable to expect that development will follow. All development needs to have access to water and roads, for example, so developers will likely choose locations in the county where that infrastructure already exists. Development opportunity areas are also based upon proximity to county assets, such as towns, parks, tourist attractions and other businesses. A map of development opportunity areas is created by referencing locations of both infrastructure and assets in visual form.

Explanation:

The County Board’s response in this case is governed by difficult decisions in terms of expense and expertise. Successful economic development strategies are often time- and resource-intense, requiring a long-term outlook and continued optimism and initiative even in the face of setbacks. Additionally, the County must be prepared for the possibility that it will have to defend its existing assets from others as well as work to improve the existing business climate. As a result, the County may consider several types of action, depending on available resources and preferred strategy.

1. Create an Economic Development Officer position.

Currently, the County does not have any staff dedicated to identifying economic development goals and pursuing them through means such as conferences, industry-based marketing, direct contacts, grant proposals, intergovernmental links, or specialized research. Based on an understanding of the current duties of county officers, it is not operationally efficient or logistically feasible for any of the current officers to take on these additional responsibilities. Non-profit interest groups, such as the Greater Shelbyville Chamber of Commerce or the Convention and Visitor’s Bureau do very effective work, but their scope does not encompass development throughout the entire area of Shelby County, and does not deal directly with job creation and growth. An Economic Development Officer (EDO) for the whole of Shelby County is one response to fill the gap in expertise that has limited County growth over the last several decades.
2. Create business visitation teams.

This possibility, which could also work in tandem with an EDO, takes advantage of that which already exists in the county. As the federal Small Business Administration notes, approximately 80% of new jobs come from entrepreneurs and expanding small businesses. Tending to the needs of these groups is far less expensive than seeking large-scale industrial or commercial development. In other words, the County should focus on keeping the businesses it has and helping them expand, rather than trying to gain new larger businesses.

Although the County works to have a business-friendly environment, there is no system to evaluate the impact of county actions. While being friendly to businesses is essential for attracting new development, Shelby County needs a way to qualitatively measure the impact of its actions, as well as those of other groups, on local business people, to know if their actions are effective.

A response to this deficiency is to create “business visitation teams” for Shelby County, to gather intelligence. This idea, proposed some years ago by the National Association of Towns as a cost-effective means of rural development, is quite straightforward and can be extremely helpful in indirect marketing. It shows investors and entrepreneurs that the County is serious about working with businesses in a proactive way, and it gives the Board an early-warning system on matters of concern to the people who are creating jobs and investment in the county now. As a result, the Board can act before a crisis develops, when jobs will be actively in danger.

3. Create a map of development opportunity areas.

This recommendation is more logistical in nature. It would involve creating a visual representation of the County’s land area, with areas particularly well-suited to certain types of development. It would be based on infrastructure connections and proximity to county assets, such as towns and natural areas. Highlighting it in this way will direct attention from investors, developers, and entrepreneurs. A side benefit of this process is a development pattern more likely to correspond to the County’s comprehensive plan.

Potential developers will review the map of development opportunity areas. Because the map is illustrating the locations in the county that are economically optimal for development, the potential developer will be more likely to choose a location within the highlighted areas. This will be efficient for the County government as well because it will minimize the need for new and expensive infrastructure investment. An example of such a map can be seen on the facing page.
PART V: ZONING
TEXT CHANGES
Zoning Text Changes

These are the proposed revisions to the text of the Shelby County zoning ordinance.

Substantial revisions are shown in larger bold font.
DEFINITIONS

ARTICLE II. LAND USE CONTROL STANDARDS

§1. DEFINITIONS

As used in these regulations, certain words and terms are defined as follows. Words in the present tense include the future and vice versa; the word “building” includes the word “structure” and vice versa; the word “shall” is mandatory.

ACCESSORY BUILDING AND USE

A. A building or use subordinate to another structure or use located on the same lot and which does not change or after the character of the premises and which is not used for human occupancy.

B. Local public utility facilities, including electric current, sewer gas and water distribution wires, lines, and conduits, with their supports, poles, guy wires, transformers, wire, cables and other incidental equipment, and also including public telephone booths.

AGRICULTURE

Crops, livestock and livestock and aquatic products include but are not limited to the following: legume, hay, grain, fruit, and truck or vegetable crops, floriculture, horticulture, mushroom growing, nurseries, orchards, forestry, greenhouses and aquatic products as defined in the Aquaculture Development Act; the keeping, raising and feeding of livestock or poultry, including dairying, poultry, swine, sheep, beef cattle, pony and horse production, fur and wildlife farms, farm buildings used for growing, harvesting and preparing crop products for market, or for use on the farm; roadside stands, farm buildings for storing and protecting farm machinery and equipment from the elements, for housing livestock or poultry and for preparing livestock or poultry products for market; farm dwellings occupied by farm owners. Agricultural uses, as defined herein, require a minimum lot size of ten (10) acres.

ALLEY

A permanent public service way providing a secondary means of access to abutting lands.

BLOCK

Property having frontage on one side of a street and located between the two nearest intersecting or intercepting streets, or nearest intersecting or intercepting street and railroad right-of-way or other barrier.

BOARD

The Zoning Board of Appeals of Shelby County, Illinois, with membership appointed pursuant to an ordinance of the county, with the powers and duties granted thereto by the ordinance creating the Board and by ordinances amendatory thereto.

BUILDING, DETACHED

A building having no structural connection with another building.
BUILDING, FRONT LINE OF
The line of the face of the building nearest the front lot line.

BUILDING, HEIGHT OF
The vertical distance measured from the lot ground level to the highest point of the roof for a flat roof to the deck of a mansard roof; and to the mean height between eaves and ridges for gable, hip and gambrel roofs.

BUILDING, TEMPORARY
A building that is not permanently affixed to the land

BUILDING, PRINCIPAL
A building in which is conducted the main or principal use of the lot on which said building is situated. Where a substantial part of an accessory building is attached to the principal building in a substantial manner, as by a roof, such accessory building shall be counted as a part of the principal building.

BUILDING AREA
The maximum horizontal projected area of the principal and accessory building, excluding open steps or terraces, unenclosed porches not exceeding one story in height, or architectural appurtenances projecting not more than two (2) feet.

BUILDING LINE - BUILDING SET BACK LINE
The line nearest the front of and across a lot establishing the minimum open space to be provided between the front line of a building or structure and front lot line.

BUSINESS (ALSO COMMERCIAL)
The engaging in the purchase, sale, barter or exchange of goods, wares, merchandise or services, the maintenance or operation of offices, or recreational and amusement enterprises for profit.

CAMP, PUBLIC
Any area or tract of land used or designed to accommodate two (2) or more camping parties, including cabins, tents, or other camping outfits.

CEMETERY
Land used for the burial of the dead and dedicated for cemetery purposes, including columbarium, crematories, mausoleums and mortuaries when operated in conjunction with and within the boundary of such cemetery.

CERTIFICATE OF OCCUPANCY
A certificate stating that the occupancy and use of land or a building or structure referred to therein complies with the provisions of these regulations.

CLINIC OR MEDICAL HEALTH CENTER
An establishment where patients are admitted for special study and treatment by two or more licensed physicians and/or dentists and their professional associates.

COMMISSION
The Plan Commission of Shelby County, Illinois, with membership appointed pursuant to an ordinance of the county, with the powers and duties granted thereto by the ordinance creating the Commission, and ordinances amendatory thereto.
COMPREHENSIVE PLAN
The complete plan, or any of its parts, for the present and future development of the unincorporated territory of Shelby County, Illinois, prepared and recommended by the Commission and adopted in accordance with the Illinois Revised Statutes.

CONTINGENT USE
Uses which are likely or possible, but not certain, to occur, and which are not inappropriate to the principal use of the District in which located

COUNTY
The County of Shelby, Illinois.

COUNTY BOARD
The County Board of Shelby County, Illinois.

DEVELOPMENT PLAN
A drawing, including a legal or site description, of the real estate involved which shows the location and size of all buildings, structures and yards; location and dimensions of building lines and easements; widths and lengths of all entrances and exits to and from said real estate; location of all adjacent or adjoining streets; all of which presents a unified and organized arrangement of buildings and service facilities and other improvements such as planting areas, which shall have a functional relationship to the real estate comprising the planned development and to the uses of properties immediately adjacent to the proposed development.

DISTRICT
An area which is included in the territory covered by the Comprehensive Plan for Shelby County, Illinois, for which district uniforms regulations governing the use, height, area, size and intensity of use of buildings and land, and the open spaces about buildings are herein established.

DWELLING
A building or portion thereof, used primarily as a place of abode for one or more human beings, but not including hotels, motels, lodging or houses or tourist homes.

DWELLING UNIT
A dwelling or a portion of a dwelling used by one family for cooking, living and sleeping purposes.

EFFECTIVE DATE
The effective date of these regulations shall be the effective date of the ordinance adopting these regulations.

FAMILY
One or more persons living as a single housekeeping unit, as distinguished from a group occupying a hotel, club, nurses home, fraternity or sorority house.

GARAGE, PRIVATE
An accessory building with capacity for not more than three (3) motor vehicles per family, not more than one (1) of which may be a commercial vehicle of not more than one and one-half (1 1/2) tons capacity. A garage designed to house two (2) motor vehicles for each family housed in an apartment shall be classed as a private garage.
GARAGE, PUBLIC
Any building, or premises, except those defined herein as a Private Garage, used for the storage or care of motor vehicles, or where such vehicles are equipped for operation, repaired or kept, for remuneration, hire or sale.

GROUND FLOOR AREA
The square-foot area of a residential building within its largest outside dimensions, computed on a horizontal plane at the ground floor level, exclusive of open porches, breeze-ways, terraces, garages, exterior and interior stairways.

HOME OCCUPATION
An accessory use of a service character conducted entirely within a dwelling which use is incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof.

HOTEL OR MOTEL
A building or group of buildings in which lodging is provided and offered to the public for compensation and which is open to transient guests, in contradistinction to a boarding or lodging house.

IMPROVEMENT LOCATION PERMIT
A permit stating that the proposed erection, construction, enlargement or moving of a building or structure referred to therein complies with the provisions of the Comprehensive Plan.

JUNK YARD
Any place at which personal property is or may be salvaged for re-use, resale or reduction or similar disposition and is owned, possessed, collected, accumulated, dismantled or assorted, including, but not limited to used or salvaged base metal or metals, their compounds or combinations, used or salvaged rope, bags, paper, rags, glass, rubber, lumber, millwork, brick and similar property except animal matter, and used motor vehicles, machinery or equipment which are used, owned or possessed for the purpose of wrecking or salvaging parts there from.

JURISDICTIONAL AREA
That area which includes the territory of Shelby County, Illinois, outside of villages, cities and incorporated towns, all of which area is included in the territory covered by the Comprehensive Plan for Shelby County, Illinois.

KENNEL
Any lot or premises on which four (4) or more dogs, or other small animals, at least four (4) months of age, are kept.

LOADING AND UNLOADING BERTH.
The off-street area required for the receipt or distribution by vehicles of material or merchandise, which for the purpose of these regulations is held to be a twelve (12) foot by fifty (50) foot loading space with a fourteen (14) foot height clearance, paved with a suitable dust preventive or hard surface.
**LOT**
A parcel, tract or area of land accessible by means of a street or place, and for residential uses, abutting upon a street or place for at least sixty (60) per cent of the lot width prescribed for the District in which the lot is located. It may be a single parcel separately described in a deed or plat, and when in an unincorporated area with an area of not less than one (1) acre, which is recorded in the office of the County Recorder, or it, may include parts of or a combination of such parcels when adjacent to one another and used as one. In determining lot area and boundary lines no part thereof within the limits of a street shall be included.

**LOT, CORNER**
A lot at the junction of and abutting two or more intersecting streets.

**LOT, INTERIOR**
A lot other than a Corner Lot or Through Lot.

**LOT, THROUGH**
A lot having frontage on two parallel or approximately parallel streets.

**LOT COVERAGE**
The percentage of the lot area covered by the building area.

**LOT GROUND LEVEL**
For buildings having walls adjoining one street only, the elevation of the sidewalk at the center of the wall adjoining the street; for buildings having walls adjoining more than one street, the average of the elevation of the sidewalk at the center of all walls adjoining the streets; for buildings having no wall adjoining the street, the average level of the ground adjacent to the exterior walls of the building. Any wall approximately parallel to, and not more than five (5) feet from a street, is to be considered as adjoining the street.

**LOT LINE, FRONT**
In the case of an interior lot, a line separating the lot from the street or place; and in the case of a corner lot a line separating the narrowest street frontage of the lot from the street, except in cases where deed restrictions in effect specify another line as the front lot line.

**LOT LINE, REAR**
A lot line which is opposite and most distant from the front lot line and, in the case of an irregular or triangular-shaped lot, a line ten (10) feet in length within the lot, parallel to and at the maximum distance from the lot line.

**LOT LINE, SIDE**
Any lot boundary line not a front lot line or a rear lot line.

**LOT WIDTH**
The dimension of a lot, measured between side lot lines on the building line.
MANUFACTURED HOME / MOBILE HOME

Any vehicle, including the equipment sold as part of a vehicle, which is so constructed as to permit its being used as a conveyance upon public streets or highways by either self-propelled means or not self-propelled means which is designed, constructed, or added to by means of an enclosed addition or room in such manner as will permit the occupancy thereof as a dwelling or sleeping place for one or more persons, which is both used and occupied as a dwelling or sleeping place with or without a permanent foundation when connected to the required utilities in which unit shall have the official red metal label affixed to the rear of each towable unit indicating compliance with the standards of the National Manufactured Home Construction and Safety Standards.

MODULAR HOME

A building assembly or system of building sub-assemblies, designed for habitation as a dwelling for one or more persons, including the necessary electrical, plumbing, heating, ventilation and other service systems, which is of closed or open construction and which is made or assembled by a manufacturer, on or off the building site, for installation, or assembly and installation on the building site with a permanent foundation, and which shall have a yellow seal of the State of Illinois, or a similar seal of the State of Indiana, on the electrical panel box of the home indicating compliance with Illinois Department of Public Health regulations and codes. A permanent foundation means a closed perimeter formation consisting of materials such as concrete or concrete block which extends into the ground below the frost line.

MOBILE HOME PARK

An area of land upon which two or more mobile homes are harbored for the purpose of being occupied either free of charge or for revenue purposes, and shall include any building, structure, vehicle or enclosure used or intended for use as a part of the equipment of such mobile home park. For the purposes of this ordinance, manufactured homes and mobile homes as defined herein are permitted in all mobile home parks.

PARKING AREA, PUBLIC

An open area, other than a street or alley designed for use or used for the temporary parking of more than four motor vehicles when available for public use, whether free or for compensation, or as an accommodation for clients or customers, paved with a suitable dust preventive or hard surface.

PARKING SPACE

A space other than on a street or alley designed for use or used for the temporary parking of a motor vehicle, and being not less than 9 feet wide and 20 feet long exclusive of passageways.

PERSON

A corporation, firm, partnership, association, organization or any other group acting as a unit, as well as a natural person.

PLACE

An open, unoccupied, officially designated space other than a street or alley permanently reserved for use as the principal means of access to abutting property.

PLAT

A map or chart indicating the subdivision or resubdivision of land, intended to be filed for record.
PRIVATE SCHOOL
Private preprimary, primary, grade, high or preparatory school or academy.

PROFESSIONAL OFFICE
Office of members of recognized professions, such as an architect, artist, dentist, engineer, lawyer, musician, physician, surgeon, or other professional person.

RECREATIONAL VEHICLE (RV)
Any camping trailer, motor home, mini motor home, travel trailer, truck camper or van camper and any towed recreational equipment such as boats, snowmobiles and motorcycles, including the trailers for same, used privately for recreational purposes and not used commercially as defined in 625 ILCS 5/1-169. Recreational vehicle definitions are specified as follows:

Camper Trailer (Folding Tent): A recreational trailer not used commercially, constructed with partial side walls which fold for towing and unfold to provide temporary living quarters for recreational camping or travel use and are of a size or weight not requiring an over-dimension permit when towed on a highway.

House Trailer: A recreational trailer or semitrailer equipped and used for living quarters for human habitation (temporarily or permanently) rather than for the transportation of freight, goods, wares and merchandise.

Motor Home, mini motor home or van camper: Any self-contained motor vehicle, not used commercially, designed or permanently converted to provide living quarters for recreational, camping or travel use, with direct walk-through access to the living quarters from the driver’s seat.

Travel Trailer: A recreational trailer not used commercially, designed to provide living quarters for recreational camping, or travel use, and of a size or weight not requiring an over-dimension permit when towed on a highway.

Truck Camper: A recreational truck, not used commercially, when equipped with a portable unit designed to be loaded onto the bed which is construed to provide temporary living quarters for recreational, travel or camping use.

SIGN
Any board, device or structure or part thereof used for advertising, display or publicity purposes. Signs placed or erected by governmental agencies for the purposes of showing street names or traffic directions or regulations for other governmental purposes shall not be included herein.

SPECIAL EXCEPTION
A non-conforming use that is permitted only with the consent of the County Board on the recommendation of the Plan Commission.

STREET
A right-of-way, other than an alley, dedicated or otherwise legally established to the public use, usually affording the principal means of access to abutting property.
**STRUCTURE**

Anything constructed or erected which requires location on the ground or attachment to something having a location on the ground.

**STRUCTURAL ALTERATION**

Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any substantial change in the exterior walls or the roof.

**TOURIST HOME / BED & BREAKFAST**

A building in which one but not more than five guest rooms are used to provide or offer overnight accommodations to transient guests for compensation.

**TRADE OR BUSINESS SCHOOL**

Secretarial or Business School or College when not publicly owned or not owned or conducted by or under the sponsorship of a religious, charitable or nonprofit organization; or a school conducted as a commercial enterprise for teaching instrumental music, dancing, barbering or hair dressing, drafting or for teaching industrial or technical arts.

**USE**

The employment or occupation of a building, structure or land for a person’s service, benefit or enjoyment.

**USE, NONCONFORMING**

An existing use of land or building which fails to comply with the requirements set forth in these regulations applicable to the District in which such use is located.

**USE, OPEN**

The use of a lot without a building or including a building incidental to the open use with a ground floor area equal to five (5) per cent or less of the area of the lot.

**VARIANCE**

A modification of the specific requirements of these regulations granted by the Board in accordance with the terms of these regulations for the purpose of assuring that no property, because of special circumstances applicable to it, shall be deprived of privileges commonly enjoyed by other properties in the same vicinity and District.

**VISION CLEARANCE ON CORNER LOTS**

A triangular space at the street corner of a corner lot, free from any kind of obstruction to vision between the heights of 3 and 12 feet above established grade, determined by a diagonal line connecting two points measured 15 feet equidistant from the street corner along each property line.

**YARD**

A space on the same lot with a principal building, open, unoccupied and unobstructed by structures, except as otherwise provided in these regulations.

**YARD, FRONT**

A yard extending across the full width of the lot, unoccupied other than by steps, walks, terraces, driveways, lamp posts and similar structures, the depth of which is the least distance between the street right-of-way line and building line.
YARD, REAR
A yard extending across the full width of the lot between the rear of the main building and the rear lot line unoccupied other than by accessory buildings which do not occupy more than 30 per cent of the required space, the depth of which is the least distance between the rear lot line and the rear of such main building.

YARD, SIDE
A yard between the main building and the side lot line, extending from the front yard or front lot line where no front yard is required; to the rear yard. The width of the required side yard is measured horizontally, at 90 degrees with the side lot line, from the nearest part of the main building.

ZONING ADMINISTRATOR
The employee of Shelby County, Illinois, designated and authorized by ordinance of the county to enforce these regulations.

ZONE MAP
Maps dated January 2005 and entitled: Zoning Map of Shelby County, IL, Township Zoning Maps, accessory maps, and any amendments thereto.
§2. DETERMINATION AND INTERPRETATION OF DISTRICT BOUNDARIES

In determining the boundaries of districts, and establishing the regulations applicable to each district, due and careful consideration has been given to existing conditions, the character of buildings erected in each district, the most desirable use for which the land in each district may be adapted, and the conservation of property values throughout the Jurisdictional Area. Where uncertainty exists as the exact boundaries of any district as shown on Zone Map, the Zoning Administrator shall interpret the intent of the Zone Map as to the location of the boundary in question.
§9. ESTABLISHMENT AND DEFINITION OF DISTRICTS

The following definitions are consolidated from the original eleven Districts as defined in the 1964 Comprehensive Plan and zoning ordinance.

A. The Jurisdictional Area is hereby classified and divided into new zoning Districts as follows:

<table>
<thead>
<tr>
<th>District Designation</th>
<th>Primary Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Agriculture</td>
</tr>
<tr>
<td>R1</td>
<td>Residential</td>
</tr>
<tr>
<td>RR</td>
<td>Rural Residential</td>
</tr>
<tr>
<td>GB</td>
<td>General Business</td>
</tr>
<tr>
<td>II</td>
<td>Industrial</td>
</tr>
<tr>
<td>FPO</td>
<td>Flood Plain Overlay</td>
</tr>
</tbody>
</table>

B. The Zone Map that accompanies this ordinance is hereby declared to a part of these regulations. The map shows the boundaries of and the area covered by each district. Notations, references, indications and other matters shown on the Zone Map are as much a part hereof as if they were fully described herein.

C. The Districts identified above are described as follows:

1. **A** This District is intended for agricultural cultivation and associated uses as defined in §1. It includes that part of the Jurisdictional Area which at present is rural in character. The minimum size of lots is greater than that of other Districts.

2. **R1** This District will be used primarily for single-family dwellings. Two-family and multifamily buildings may be permitted on a density of use basis. The minimum lot and building areas required in this district recognize current desirable residential construction practices for medium-density residential development. The minimum lot size will increase for each additional dwelling unit included in a multifamily building. Specific requirements for residential use are shown in §11 Figure 1. Certain non-residential contingent uses and special exceptions may be permitted in the District with the approval of the Board as seen in §15 Figure 5.

3. **RR** This District is established to provide larger acreage home sites as a buffer area between agricultural zones and higher density urban areas. The District shall be permitted in any portion of the Jurisdictional Area that is suitable for low density residential development. The minimum lot size is five (5) acres, and two-family / multifamily housing is not permitted.
4. **GB** This District is established to meet the specific requirements of business uses, as defined in §12, needed to give adequate service throughout the Jurisdictional Area as related to present and future development. The District provides for all types of business and service uses including retail shopping, warehouse and storage facilities, as well as some light industrial operations as defined in §13. The specific requirements for business uses are given in §12 Figure 2; contingent uses and special exceptions are shown in §15 Figure 5.

5. **I1** The District is provided for industrial operations utilizing enclosed space for storage, fabricating, and manufacturing, as well as planned industrial parks developed on tracts of twenty (20) or more acres. Both light and general industrial uses as defined in §13 shall be permitted in the I1 District. Residential uses are excluded from the I1 District. Where permitted, business uses will conform to the requirements set forth for them in §13 Figure 3. The specific requirements for industrial uses are given in §13 Figure 3; contingent uses and special exceptions are shown in §15 Figure 5.

6. **FPO** The Overlay is established in those parts of the Jurisdictional Area within the 100-year flood plain as defined by the Shelby County floodzone data from the Illinois Natural Resources Geospatial Data Clearinghouse, as maintained by the Illinois State Geological Survey. It meets the need for control of lands which have excessively high water tables or which are subject to frequent and periodic floods and overflow. As an overlay, it provides for additional restrictions on land use based on the area of the flood plain, rather than lot boundary lines as stated in §14.
§10. AGRICULTURAL USES AND REQUIREMENTS

A. The uses defined below are permitted in the Agricultural District, subject to the provisions of Subsection B, herein.

1. Agricultural Use - The art or science of cultivating the ground, the production of crops and the production of livestock, and for the purpose of these regulations shall include such operations as forestry; the growing of crops; pasturage; the production of livestock and poultry; the growing of trees, shrubs and plants; and other recognized agricultural pursuits.

2. Farm - A tract of land comprising an area of at least ten (10) acres, which is devoted to agricultural operations including accessory structures essential to the operation of the farm.

3. Manufactured and Modular Homes - Homes of these types, as defined in §1, shall be permitted in Agricultural Districts subject to the use requirements hereinafter designated in paragraph B5. Notwithstanding any other regulations regarding placement of mobile homes, all existing manufactured and modular homes in the Jurisdictional Area as of July 9, 1997, may not be replaced with units of less than a minimum ground floor area of 900 square feet.

B. Other provisions for Agricultural Use and Farms are as follows:

1. Accessory Structures may include farm residences for the owner, operator or farm assistants; fences; barns; structures for the storage of equipment and sheltering of animals; roadside structures for the sale of products produced on the farm.

2. Signs displaying subject matter related directly to the name and products of the farm are permitted uses.

3. Building setbacks shall be maintained for all structures along the public rights-of-way as follows:
   Abutting: Major Street ........... 40 feet
   Collector Street.....................30 feet
   Local Street.......................25 feet

4. A side-yard shall be maintained as follows: minimum measurement of ten (10) feet.

5. Manufactured/modular home use requirements:
   A. Minimum Lot Size: One (1) acre
   B. Minimum Lot Width: Eighty (80) feet
   C. Maximum Building Height: Twenty-five (25) feet
   D. Minimum Front Yard: Major Street..........40 feet
      Collector Street...............30 feet
      Local Street...............25 feet
   E. Minimum Side Yard: Fifteen (15) feet
   F. Minimum Rear Yard: Twenty (20) feet
   G. Minimum Square Feet: Nine Hundred (900) feet

6. Outdoor advertising shall be permitted as specified in §12 Subsection C.
§11. RESIDENTIAL USES AND REQUIREMENTS

The following table, Figure 1, shows requirements for residential uses in various zoning categories. For example, if a request is made for residential use in the General Business zone, then the minimum lot size would be 6,000 square feet.

<table>
<thead>
<tr>
<th>Requirements</th>
<th>in A</th>
<th>in R1</th>
<th>in RR</th>
<th>in GB</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum front yard when lot abuts (feet):</td>
<td>40</td>
<td>40</td>
<td>40</td>
<td>40</td>
</tr>
<tr>
<td>Major street</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Collector street</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>30</td>
</tr>
<tr>
<td>Local street</td>
<td>25</td>
<td>25</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>Minimum side yard (one) (feet)</td>
<td>15</td>
<td>6</td>
<td>20</td>
<td>5</td>
</tr>
<tr>
<td>Minimum side yard (both or two) (feet)</td>
<td>30</td>
<td>12</td>
<td>40</td>
<td>10</td>
</tr>
<tr>
<td>Minimum rear yard (feet)</td>
<td>20</td>
<td>20</td>
<td>40</td>
<td>20</td>
</tr>
<tr>
<td>Maximum building height (feet)</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>75</td>
</tr>
<tr>
<td>Maximum height for accessory building at the top of the side walls (feet)</td>
<td>35</td>
<td>25</td>
<td>25</td>
<td>35</td>
</tr>
<tr>
<td>Minimum lot width (feet)</td>
<td>100</td>
<td>60</td>
<td>300</td>
<td>50</td>
</tr>
<tr>
<td>Minimum ground floor building size (square feet)</td>
<td>900</td>
<td>900</td>
<td>900</td>
<td>900</td>
</tr>
<tr>
<td>Minimum lot size per dwelling unit with community sewage disposal system (square feet)</td>
<td>2,178,000 (10 acres)</td>
<td>7,200</td>
<td>217,800 (5 acres)</td>
<td>6,000</td>
</tr>
<tr>
<td>Additional lot area per dwelling unit required with individual sewage disposal system (square feet)</td>
<td>not required</td>
<td>5,000</td>
<td>not required</td>
<td>5,000</td>
</tr>
<tr>
<td>Minimum number of vehicle parking spaces</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Maximum lot coverage as percentage of lot</td>
<td>n/a</td>
<td>25</td>
<td>n/a</td>
<td>25</td>
</tr>
</tbody>
</table>

A. The residential uses defined below, including accessory buildings and uses, are permitted as indicated in Figure 1, when complying with the requirements listed therein, subject to the provisions of paragraph B herein.

1. A single-family dwelling is a detached building designed for or occupied by one family exclusively.

2. A two-family dwelling is a detached building designed for or occupied by two families. A duplex dwelling has one family unit above the other and a double dwelling has one family unit beside the other.

3. A multifamily dwelling is a building designed for or occupied by three or more families, exclusively for dwelling purposes.

4. Manufactured/modular homes, as defined in §1, with a minimum ground floor area of 900
square feet shall be permitted in agricultural and residential districts subject to the use requirements designated in §10 Subsection B5.

5. A two-family dwelling, or duplex, may be constructed with a zero lot line setback as to that side yard boundary line separating the two-family dwelling or duplex into two living units. A separate variance request shall not be required. However, if the two-family dwelling, or duplex, is to be constructed on a single lot, the lot shall be subdivided pursuant to this ordinance, as amended from time to time, and the Illinois Plat Act.

6. Recreational Vehicles (RVs), as defined in §1, shall not be used as dwelling units. They shall be parked within a building or behind the nearest portion of the building to the street. They may not be parked on empty residential lots. They may not be used for living, sleeping, or housekeeping, except in locations lawfully established for such use.

B. Other Provisions for Residential Uses are as follows:

1. Area and Width - A single-family dwelling may be located on any lot in any District in which single family dwellings are permitted if the lot was in single ownership or included in a subdivision which was of record in the office of the County Recorder prior to the original effective date of these regulations (September 8, 1964) even though the lot does not have the minimum lot width or the minimum lot area specified for the District; provided, however, that no dwelling structure may be located on any lot having a width of less than fifty (50) feet, or is within the 100-year flood plain, as defined in the Comprehensive Plan.

2. Rear Yard - One-half of an alley abutting the rear lot may be included in the required rear yard.

3. Accessory Buildings are not permitted prior to the erection of principal building. No accessory building shall be located closer to a side lot line than 3 feet nor exceed 18 feet in height and, if detached from the principal building, shall be set back of the front line of the principal building on the lot.

4. Accessory Uses such as public utility local distribution facilities, walks, driveways, curbs, retaining walls, mail boxes, name plates, lamp posts, bird baths and structures of a like nature are permitted in any required front, side or rear yard. Fences, latticework screens, hedges or walls, not more than 7 feet in height, may be located in the required side or rear yard, and a hedge, maintained so as not to exceed 3 feet in height may be located in any front yard. Trees, shrubs, flowers, or plants are permitted in any required front, side or rear yard.

5. Front Yard - Where 25% or more of the lots in the block are occupied by buildings on the effective date of these regulations, the average setback of such buildings determines the dimensions of the front yard in the block; however, front yard lines or building setback lines established in a recorded subdivision shall establish the dimension of front yards in such subdivisions, except when such building setback lines may be less restrictive than as provided in these regulations. On through lots a front yard is required on each street.
6. Projections into Yards
   a. Architectural features (cornice, eave, sill, canopy or similar feature) may extend or project into a required side yard not more than two (2) inches for each one (1) foot width of such side yard, and may extend or project into a required front or rear yard not more than thirty-six (36) inches. Chimneys may project into any required yard not more than two (2) feet, provided that the width of any side yard is not reduced to less than three (3) feet thereby.

   b. An open platform or landing which does not extend above the level of the first floor of the building may extend or project into any required front or side yard not more than four (4) feet or into any required rear yard not more than twenty-five (25) per cent of the required rear yard depth.

7. Tapered Yard on Corner Lot - Where the rear lot line of a corner lot abuts the side lot line of an interior lot, or abuts an alley separating the corner lot from the interior lot, an accessory building to be located on the rear lot line of the corner lot shall set back from the street upon which the interior lot fronts as far as the building line on the interior lot. For each foot that such accessory building is to be placed from the rear lot line toward the front lot line of the corner lot, the accessory building may be placed four (4) inches closer to the side street line, but in no case closer than ten (10) feet.

8. Height - In the Districts limiting height to 35 feet, a multifamily dwelling may be increased in height not to exceed 35 feet; provided, the required side yards are increased an additional 2 feet for each foot such structure exceeds 25 feet in height.

9. Vision Clearance is required to be provided on all corner lots. The distance from the corner to a straight line base of a triangle shall be a minimum of 25 feet, where the sides of the triangle are equal lengths along the two streets or road right of way lines.

C. The Rural Residential (RR) zone is established for the following purposes:

   (A) To provide larger acreage home sites which will be a buffer area between farmland and higher density urban areas, reducing the conflicts between residential use and usual and normal farming practices.

   (B) To meet the needs of a segment of the population for non-urban, non-farm home sites.

   (C) To provide for the above, yet not adversely affect fish and wildlife resources and habitat areas, natural areas, and scenic areas.

To provide for the effectiveness of the RR zone, all lots shall have a minimum size of five (5) acres.

Within any Rural Residential zone no building or structure shall be used or arranged, designed, erected, or maintained to be used except for the following purposes:

   (A) Single-family dwelling excluding manufactured/mobile homes, as defined in §1;

   (B) Agricultural Use;

   (C) Public parks, playgrounds;
(D) Accessory uses and structures:
(1) Customary residential accessory building for private use, such as pergola, greenhouse, hothouse, hobby house, summer house, patios, enclosed or covered patios, woodshed, quarters for domestic animals maintained as pets;

(2) Fences;

(3) Garages and parking areas for the storage and protection of the automobiles of the residents of the dwelling, including a private garage for each single-family dwelling on the same lot with or within the dwelling to which it is an accessory and in which no business or industry is conducted;

(4) Storage for a commercial vehicle, maximum of one per dwelling;

(5) Sleeping quarters in a garage for domestic employees of the main building to which the garage is attached;

(6) Guest houses and guest quarters not in the main building are permitted if such quarters are, and remain, dependent upon the main building for either or both kitchen and bathroom facilities and the guest facilities are not used for residential purposes;

(7) Swimming pools for private use (requires building permit); and

(8) Outbuildings for stock animals, including but not limited to horses, cows, goats and sheep.

(E) Home occupation as defined in Article I, §5 B;

(F) The taking of boarders or leasing of rooms by a resident family providing the total number of boarders and roomers does not exceed two in a single-family dwelling nor more than four (4) in any legally established two-family dwelling;

(G) The use of a manufactured home during construction, excluding residential use;

(H) Privately operated kindergartens or day nurseries, providing the residential character of the building is maintained.

D. SPECIAL EXCEPTIONS - RURAL RESIDENTIAL

When authorized under the procedure provided for special exceptions in §15 of this ordinance, the following uses will be permitted in an RR Zone:

(A) The following allied farm commercial processing and similar activities may be permitted as a separate business or enterprise, not operated in conjunction with a farm.

(1) feed mixing and storage facilities;

(2) agricultural produce storage, i.e., grain elevators and similar facilities;
(3) feed lots;

(4) any other similar processing and allied farm commercial activities (includes roadside stand for selling of produce).

(B) Kennels;

(C) Community or neighborhood club buildings, including swimming pools, and other allied facilities, when erected by a non-profit community club for the improvements of the community or social recreation of the members;

(D) Boat, camper and trailer storage area or lot (see §6)

(E) Use of an accessory building for conducting a home occupation;
§12. BUSINESS USES AND REQUIREMENTS

The following table, Figure 2, shows requirements for business uses in the General Business Zone and in the Industrial Zone. For example, if a request is made for a business use in the Industrial Zone, the maximum building height would be 75 feet. A table showing parking requirements, Figure 3, is located at the end of this section.

<table>
<thead>
<tr>
<th>Requirements</th>
<th>in GB</th>
<th>in I1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum front yard when lot abuts (feet):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Major street</td>
<td>40</td>
<td>40</td>
</tr>
<tr>
<td>Collector street</td>
<td>30</td>
<td>30</td>
</tr>
<tr>
<td>Local street</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>Minimum side yard in blocks not including a residential district (feet)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Minimum side yard along the side street line of a corner lot where block is adjoined by a residential district (feet)</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>Minimum side yard where a commercial district adjoins a residential district within a block (feet)</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>Minimum rear yard (feet)</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>Maximum building height (feet)</td>
<td>75</td>
<td>75</td>
</tr>
<tr>
<td>Vision clearance on corner lots required</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>Number of loading berths with gross floor area of business use of (square feet):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retail Stores with 3,000 to 15,000</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Department Stores or Wholesale with 15,001 to 40,000</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Office Buildings with 100,000 or less</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>with 100,001 to 336,000</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>each 200,000 additional</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>All other establishments and storage uses</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>each 25,000 additional</td>
<td>1</td>
<td>1</td>
</tr>
</tbody>
</table>

A. Business use is defined as engaging in the purchase, sale, barter, or exchange of goods, wares, merchandise or services, as well as the maintenance or operations of offices or recreational and amusement enterprises for profit. The following uses and categories are appropriate within a General Business district:

1. Retail Uses: facilities for the sale of durable goods, including but not limited to the following:
   a. Automobile/Vehicle Sales
   b. Department Store / Shopping Center
   c. Discount Retail Store
   d. Electronic/Computer Store
   e. Hardware/Home Improvement Store
   f. Drug Store
   g. Office Supply Store
h. Bookstore
i. Boutique
j. Specialty Shop, such as toy store, flower shop, sporting goods store, etc.

2. Business and Personal Service uses: facilities for the provision of services, including but not limited to the following:
   a. Gas Station
   b. Automotive Repair Facility
   c. Bank / Financial Services Office
   d. Office Building
   e. Post Office / Shipping Service Facility
   f. Trade / Business Education Facility
   g. Telecommunications Facility, not including towers
   h. Newspaper Publishing Office
   i. Healthcare Facility, including veterinarians
   j. Laundry and Tailor Services
   k. Dry cleaning establishments using cleaning fluid which is non-explosive and non-inflammable, and using not more than two (2) clothes cleaning units of not more than forty (40) pounds capacity
   l. Specialty Repair Service, including shoes, computers, luggage, etc.
   m. Electronic Equipment Service and Repair
   n. Barbershop and Beauty Salon
   o. Personal Fitness Facility
   p. Photography Studio
   q. Convenience Store

3. Food Service: facilities for the provision or sale of perishable goods, including but not limited to the following:
   a. Grocery Store
   b. Meat Market / Butcher Shop
   c. Supermarket
   d. Restaurant
   e. Delicatessen
   f. Cold Storage Locker, for individual use
   g. Bakery

4. Recreational Services: facilities principally for entertainment uses, including but not limited to the following:
   a. Indoor Theater
   b. Bowling Alley
   c. Billiard Hall
   d. Dancing Academy
   e. Bar, Tavern, or Nightclub - only in conformity with requirements of laws or ordinances governing such use.

   These uses are permitted only when conducted within buildings so constructed that no noise of any kind produced therein shall be audible beyond the confines of the building.
4. Accommodation Services: facilities primarily for short term visitors to the County, including but not limited to the following:
   a. Hotel or Motel
   b. Tourist Home / Bed & Breakfast
   c. Campground
   d. Resort
   e. Conference Center

5. Operations Facilities: facilities functioning as logistical centers, including but not limited to the following:
   a. Office Building
   b. Storage Warehouse
   c. Storage Area
   d. Bus or Railroad Terminal
   e. Parking facility, including garages

6. Infrastructure: facilities incidental to business uses, including but not limited to the following:
   a. Cellular or Radio Transmission Tower
   b. Communications / Satellite Dish
   c. Water Tower
   d. Fire Tower
   e. Power Transmission Tower
   f. Wind Turbine

7. Private Club or Lodge

8. Accessory Building or Use - customarily incidental to the above uses. Any building used primarily for accessory purposes may not have more than forty (40) per cent of its floor area devoted to storage purposes incidental to such primary use, and provided that no more than five (5) persons are employed at one time or on any one shift in connection with such incidental use.

9. Advertising Sign or Billboard, including Accessory Signs on the same premises as the use advertised, Non-accessory Signs not on the same premises as the use advertised and Outdoor Advertising Structures.

10. Any Business Use not specifically stated or implied elsewhere in these regulations and complying with the above definition.

11. Light industrial Use complying with definition and requirements of §13.

B. Other Provisions and Requirements for Business Uses are as follows:

1. Plans for the erection or structural alteration of a Gasoline Service Station and Public Parking Area shall be approved by the Commission. The Commission may require such changes therein with respect to yards, location of driveways, pumps and buildings as it may deem best suited to insure safety, minimize traffic hazards and safeguard adjacent properties.
2. Parking spaces shall be provided on the lot, or within 300 feet thereof in the District and on a site approved by the Board, as indicated in Figure 3.

3. Parking Space Requirements shall not apply in a block where 50% or more of the area was occupied by business or industrial structures prior to the effective date of these regulations unless the area is to be cleared and new structures erected.

4. Groups of uses requiring Parking Space may join in establishing group Public Parking Area, together with parking spaces for employees, with capacity aggregating that required for each participating use.

5. Gasoline Service Station driveways and similar use areas subject to vehicular traffic shall be paved with a dustproof or hard surface.

6. One-half of an alley abutting the rear of a lot may be included in the rear yard, but such alley space shall not be included for loading and unloading berths.

7. Loading and unloading berths shall not be required for Business Uses which demonstrably do not receive or transmit goods or wares in quantity by truck delivery.

8. Where 25% or more of the lots in a block are occupied by buildings, the setback of such buildings shall determine the dimension of the front yard in the block.

9. The maximum building height requirement in Figure 2 may be increased if buildings are set back, from front and rear property lines, one foot for each two feet of additional height above the maximum building height requirement.

10. Chimneys, cooling towers, elevator bulkheads, fire towers, penthouses, stacks, tanks, water towers, transmission towers, or essential mechanical appurtenances may be erected to any height not prohibited by state laws or city ordinances.

11. No business operation or activity shall discharge, or cause to be discharged, liquid or solid wastes into public waters unless in conformance with the provisions of the regulations promulgated by the Department of Public Health. Plans and specifications for proposed sewage and other waste treatment and disposal facilities shall be submitted to and approval obtained from the Department of Public Health.

12. Any exterior Accessory Sign displayed shall pertain only to a use conducted on the premises, shall not include flashing light or animated fixtures, advertising banners, pennants, spangles or similar devices, may not extend over any street line, and shall be located 50 feet or more from an R District boundary line. In no case shall a sign project above the roof line, or exceed 3 square feet in area for each front foot of the building displaying such sign, or exceed 360 square feet in overall size.
C. In the Jurisdictional Area only one Non-accessory Sign or Outdoor Advertising Structure as defined herein shall be permitted on a lot or tract of land having a minimum frontage of one thousand (1000) feet. One additional Outdoor Advertising Structure shall be permitted for each additional one thousand (1000) feet of frontage. A permit shall be issued by the Zoning Administrator for Non-accessory Signs and Outdoor Advertising Structures in such District, such sign to be built up to the established building line or existing building line whichever is closer to the right-of-way. Such permit shall require the relocation or removal of the structure within sixty (60) days notice by the Zoning Administrator that an Improvement Location Permit for residential use has been issued for the land upon which structure is located; or a plot of such land is recorded as a residential subdivision; and provided further that no sign may be located closer than one hundred (100) feet to an adjacent residential structure; and provided further that no such sign shall be erected opposite a residential structure closer than one hundred (100) feet from a line drawn at right angles to the center line of such residential structure.

All categories in the following table refer to those shown in Subsection A of this section.

<table>
<thead>
<tr>
<th>Type of General Business Use</th>
<th>Parking Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business Service</td>
<td>one for each 500 square feet of floor area</td>
</tr>
<tr>
<td>Clothing Service, Equipment Service, Food Service, Personal Service, Retail Service, excepting:</td>
<td>one for each 125 square feet of floor area</td>
</tr>
<tr>
<td>Department Store</td>
<td>one for each 200 square feet of floor area</td>
</tr>
<tr>
<td>Indoor Theater</td>
<td>one for each 6 seats</td>
</tr>
<tr>
<td>Bowling Alley</td>
<td>three for each lane, plus one for each 6 spectator seats</td>
</tr>
<tr>
<td>Private Club or Lounge</td>
<td>space to accommodate 50% of the active membership at one space per each 3 members</td>
</tr>
<tr>
<td>Automobile or Trailer Sales Area</td>
<td>one for each 1000 square feet of the premises used for retail purposes</td>
</tr>
<tr>
<td>Automobile and Truck Repair</td>
<td>one for each 200 square feet of floor area</td>
</tr>
<tr>
<td>Hotel or Motel</td>
<td>one for each 2 employees, plus one for each two sleeping rooms</td>
</tr>
<tr>
<td>Storage Warehouse, Wholesale Establishment, and Newspaper Publishing</td>
<td>one for each 3 employees or occupants, based on the maximum number of employees or occupants</td>
</tr>
<tr>
<td>Motor Bus or Railroad passenger station</td>
<td>one for each 3 employees, plus one for each 10 seats in the waiting room. Other associated retail uses shall provide one space for each 2 employees</td>
</tr>
<tr>
<td>Veterinary Hospital or Kennel</td>
<td>one space for each 3 animals to be confined in pens or cages</td>
</tr>
<tr>
<td>Accessory Buildings</td>
<td>as determined by the Board</td>
</tr>
<tr>
<td>Advertising Sign</td>
<td>As per Section 13</td>
</tr>
</tbody>
</table>
§13. INDUSTRIAL USES AND REQUIREMENTS

The following table, Figure 4, shows requirements for industrial uses in the General Business Zone and in the Industrial Zone. For example, if a request is made for an industrial use in the Industrial Zone, the maximum building height would be 75 feet.

<table>
<thead>
<tr>
<th>Requirements</th>
<th>in GB</th>
<th>in I1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum front yard when lot abuts (feet):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Major street</td>
<td>40</td>
<td>40</td>
</tr>
<tr>
<td>Collector street</td>
<td>30</td>
<td>30</td>
</tr>
<tr>
<td>Local street</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>Minimum side yard, if provided (feet)</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>Minimum side yard required when adjoining a residential district (feet)</td>
<td>30</td>
<td>30</td>
</tr>
<tr>
<td>Minimum rear yard (feet)</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>Maximum building height (feet)</td>
<td>75</td>
<td>75</td>
</tr>
<tr>
<td>Vision clearance on corner lots required</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>Number of loading berths required for buildings with gross floor area of industrial use of (square feet):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15,000 or less</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>15,001 to 40,000</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>40,001 to 100,000</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>each 40,000 additional</td>
<td>1</td>
<td>1</td>
</tr>
</tbody>
</table>

The Industrial zone shall be applied to current industrial facilities and new industrial development in the county. The industrial uses defined below, including accessory buildings and uses, are permitted in the Districts indicated in Figure 4 in accordance with the requirements of this section.

A. Requirements for establishing an Industrial Zone:

1. The site shall have adequate water and sewer services, as defined by the Comprehensive Plan;

2. The site shall be located on a county road or above, with service levels high enough to handle additional traffic created by the industrial use placed on the site. Industrial uses shall not be allowed on township roads;

3. Each industrial use shall provide a minimum of one Parking Space for each 3 employees thereof located on the same lot as the use or within 300 feet in the District and on a site approved by the Board. The number of spaces to be provided shall be calculated for the largest working shift; and

4. Each industrial use shall provide loading and unloading berths located on the same lot as the use, as specified in Figure 4.
B. Exceptions and Procedures:

(A) Vehicle parking requirements may be waived by the Board where 50 per cent or more of the area in a block was occupied by business or industrial structures prior to the effective date of these regulations.

(B) Groups of uses requiring Parking Space may join in establishing group parking areas with capacity aggregating that required for each participating use.

(C) Open parking area and loading and unloading berths shall be paved with a dustproof or hard surface.

(D) One-half of an alley abutting the rear of a lot may be included in the rear yard, but such alley space shall not be included for loading and unloading berths.

(E) The maximum height requirement in Figure 4 may be increased if the buildings are set back, from front and rear property lines, one foot for each two feet of additional height above the maximum height requirements.

(F) Chimneys, cooling towers, elevator bulkheads, fire towers, penthouses, tanks, water towers, transmission towers, or essential mechanical appurtenances may be erected to any height not prohibited by other laws or ordinances.

(G) The restrictions of this section shall not apply in the following circumstances:

A. The activities of site preparation or construction, maintenance, repair, alteration, modification or improvement of buildings, equipment or other improvements on or within the lot line; the operation of motor vehicles or other facilities for the transportation of personnel, materials or products.

B. Conditions beyond the control of the user such as fire, explosion, accidents, failure or breakdown of equipment or facilities or emergencies; safety or emergency warning signals or alarms necessary for the protection of life, limb or property.

(H) Fertilizer storage areas and facilities must be surrounded by a fence of not less than five (5) feet. The fence must be a distance of at least four (4) feet from the fertilizer storage area or facility. The entire area within the fence must be externally lit at all times.

C. For the purpose of this section, certain terms and words shall be interpreted and defined as follows:

DECIBEL

A unit of measurement of the intensity or loudness of sound. Sound level meters are used to measure such intensities and are calibrated in decibels.
RINGELMANN NUMBER

The number of the area on the Ringelmann chart that most nearly matches the light-obscuring capacity of smoke. The Ringelmann chart is described in the U.S. Bureau of Mines Information Circular 6888, on which are illustrated graduated shades of gray for use in estimating smoke density. Smoke below the density of Ringelmann No. I shall be considered no smoke or Ringelmann No. 0.

SMOKE

Small gas borne particles resulting from incomplete combustion, consisting predominantly of carbon and other incombustible material, excluding metallurgical fumes and dust, and present in sufficient quantity to be observable independently of the presence of other solids.

SMOKE UNIT

The number obtained when the smoke density in Ringelmann number is multiplied by the time of emission in minutes. For the purpose of this calculation, a Ringelmann density reading shall be made at least once a minute during the period of observation; each reading is then multiplied by the time in minutes during which it is observed. The various products are then added together to give the total number of smoke units observed during the entire observation period.

VIBRATION

Oscillatory motion transmitted through the ground.

D. A Light Industrial use is one which can operate within the performance standards enumerated below, is conducted entirely within enclosed, substantially constructed buildings, does not use the open area around such buildings for storage of raw materials or manufactured products or for any other industrial purpose, other than employee parking and loading and unloading operations, and provided the use conforms to the following performance standards.

(1) Smoke. No smoke is emitted of a density greater than No. I according to the Ringelmann’s Scale, except that smoke of a density not in excess of No. 2 of Ringelmann’s Scale shall be permitted for a period not in excess of six minutes in any hour.

(2) Fly Ash. No particles from any flue or smokestack shall exceed 0.2 grains per cubic foot of flue gas at a stock temperature of 500° Fahrenheit.

(3) Dust. No dust of any kind produced by the industrial operations shall be permitted to escape beyond the confines of the building in which it is produced.

(4) Odor. No noxious odor of any kind shall be permitted to extend beyond the lot lines.

(5) Gases and Fumes. No gases or fumes, toxic to persons or injurious to property shall be permitted to escape beyond the building in which they occur.

(6) Glare. No glare shall be seen from any street or any residential area.

(7) Vibration. No intense earth shaking vibration shall be created or maintained by any industry beyond the boundary lines of the tract on which it is located.

(8) Noise and Sound. A maximum of 70 decibels at the property line is permitted. Noise is required
to be muffled so as not to become objectionable due to intermittence, beat frequency or shrillness. Sound may equal but not exceed street traffic noise in the vicinity during a normal day shift work period.

E. A **General Industrial** use is one which can operate within the performance standards enumerated below, and which requires both buildings and open area for manufacturing, fabricating, processing, extraction, repairing, dismantling, storage or disposal of equipment, raw materials, manufactured products or wastes, and provided the use conforms to the following performance standards:

(1) Smoke. No smoke is emitted of a density greater than No. 2 according to the Ringelmann’s Scale, except that smoke of a greater density shall be permitted for a period of not in excess of six minutes in any one hour.

(2) Fly Ash. No particles from any flue or smokestack shall exceed 0.3 grains per cubic foot of flue gas at a stack temperature of 500°F Fahrenheit.

(3) Dust. No dust of any kind produced by the industrial operations shall be permitted to escape beyond the limits of the property being used.

(4) Odor. No noxious odor of any kind shall be permitted to extend beyond the lot lines.

(5) Gases and Fumes. No gases or Fumes toxic to persons or injurious to property shall be permitted to escape beyond the building in which it occurs.

(6) Glare. No glare shall be seen from any street or any residential area.

(7) Vibration. No intense earth shaking vibration shall be created or maintained by any industry beyond the boundary line of the tract on which it is located.

(8) Noise and Sound. A maximum of 70 decibels at the property line is permitted. Noise is required to be muffled so as not to become objectionable due to intermittence, beat frequency or shrillness. Sound may equal but not exceed street traffic noise in the vicinity during a normal day shift work period.

F. **Hazardous Materials**

No activity involving the storage, utilization or manufacture of materials or products which decompose by detonation shall be permitted. Such materials shall include, but are not limited to, all primary explosives such as lead azide, lead styphnate, fulminates, and tetracene; all high explosives such as TNT, RDX, HMX, PETN, and picric acid; propellants and components thereof, such as nitrocellulose, black powder, boron hydrides, hydrazine and its derivatives; pyrotechnics and fireworks such as magnesium powder, potassium chlorate, and potassium nitrate; blasting explosives such as dynamite and nitroglycerine; unstable organic compounds such as acetylides, tetryzoles, and ozonides; strong oxidizing agents such as liquid oxygen, perchloric acid, perchlorates, chlorates, and hydrogen peroxide in concentrations greater than thirty-five per cent (35%); and nuclear fuels, fissionable materials and products, and reactor elements such as Uranium 235 and Plutonium 239.
§14. FLOOD PLAIN OVERLAY

The Overlay is intended to protect the public health and to reduce the financial burdens imposed on the community, its governmental units and its individuals which may result from improper use of lands having excessively high water tables or which are subject to frequent and periodic floods and overflow. The boundaries of the Overlay have been drawn according to information provided by the Shelby County floodzone data from the Illinois Natural Resources Geospatial Data Clearinghouse, as maintained by the Illinois State Geological Survey. The following regulations shall apply in the Flood Plain Overlay.

A. Permitted uses include all the following, so long as the use does not require the erection of a structure intended for year-round occupancy. All uses other than those permitted herein are prohibited.

   (1) General Agricultural Operations, including crop or tree farming and truck gardening;
   (2) Forestry;
   (3) Public Parks, Playgrounds, Recreational Areas, and Private Recreational Developments, subject to requirements of Figure 5 - So long as a structure intended for regular occupancy is not erected.
   (4) Public Utilities, subject to requirements of Figure 5.
   (5) Other Uses: In the event that the owner of land which is located in the Flood Plain District, shall demonstrate to the Board that such land is, or may be, adequately drained and that the water table elevation will permit successful utilization of the land, the Board may grant a permit for a use other than the uses enumerated above in this Section, and only under all of the following conditions:

      (A) The use shall be compatible with the District adjoining the Flood Plain District and nearest to the location for which a permit is sought;
      (B) Adequate drainage and structures, when needed, shall be installed prior to occupancy of the land;
      (C) The use and structures related thereto shall be installed in accordance with the regulations of the District adjoining the Flood Plain District; and nearest to the location for which a permit is sought;
      (D) If needed, adequate, safe and year round access can be had through the Flood Plain to the land;
      (E) There shall be no present or probable danger to the health and safety of persons and property occupying the land or to the public by reason of intermittent, periodic or frequent high water levels; and
      (F) Any changes to land within the flood plain should have an insignificant effect on the flood storage volume of the flood plain.
## CONTINGENT USES AND SPECIAL EXCEPTIONS

§15. CONTINGENT USES, SPECIAL EXCEPTIONS AND REQUIREMENTS

The following table, Figure 5, shows various uses that may be permitted under the procedure for a contingent use or special exception as reviewed by the Plan Commission or the Zoning Board of Appeals as described in this section. The figure provides guidance as to the appropriate category for a variety of possible uses: C refers to contingent use, S to special exception, and R to matter of right (allowed at all times).

<table>
<thead>
<tr>
<th>Use in A</th>
<th>in R1</th>
<th>in RR</th>
<th>in GB</th>
<th>in I1</th>
<th>in FPO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture, excluding keeping of livestock or the erection and operation of stands for sale of commodities raised on premises</td>
<td>R</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Airport or heliport</td>
<td>S</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Boarding or lodging house</td>
<td>S</td>
<td>C</td>
<td>S</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td>Bulk oil or bottled gas storage above ground, petroleum tank farm, and fertilizer storage and distribution</td>
<td>S</td>
<td></td>
<td>S</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Cemetary or crematory</td>
<td>S</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Church or temple</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td>Clinic or medical health center</td>
<td>S</td>
<td>S</td>
<td>C</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Conversion of single-family dwelling to two-family dwelling</td>
<td>R</td>
<td>S</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>County club</td>
<td>S</td>
<td></td>
<td>S</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fraternity, sorority and student cooperatives</td>
<td></td>
<td></td>
<td>C</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td>Golf course</td>
<td>S</td>
<td></td>
<td>S</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Golf driving range / practice field</td>
<td>S</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Greenhouse, commercial</td>
<td>S</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Home occupation</td>
<td>R</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Housing for tenant and seasonal workers engaged in agricultural operations</td>
<td>C</td>
<td>R</td>
<td></td>
<td>R</td>
<td>C</td>
</tr>
<tr>
<td>Industrial park</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Industry, general</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Industry, light</td>
<td></td>
<td></td>
<td></td>
<td>R</td>
<td>R</td>
</tr>
<tr>
<td>Junk yard</td>
<td>S</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kindergarten or day nursery</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>R</td>
<td></td>
</tr>
<tr>
<td>Lake, artificial, 3 or more acres</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
</tr>
<tr>
<td>Landing site, hospital or ambulance helicopter</td>
<td>S</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Figure 5. Contingent Uses and Special Exceptions (continued)

<table>
<thead>
<tr>
<th>Use</th>
<th>in A</th>
<th>in R1</th>
<th>in RR</th>
<th>in GB</th>
<th>in I1</th>
<th>in FPO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mineral extraction, burrow pit, top soil removal and storage area</td>
<td>S</td>
<td></td>
<td></td>
<td></td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Mobile home park</td>
<td>S</td>
<td>R</td>
<td>S</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mortuary</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Municipal or government building</td>
<td>C</td>
<td>C</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nursing home or homes for the aged</td>
<td>R</td>
<td>C</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Outdoor commercial recreational enterprise</td>
<td>S</td>
<td></td>
<td></td>
<td></td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Parking, public or employee</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>R</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Penal or correctional institution</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Produce terminal, wholesale</td>
<td></td>
<td></td>
<td>R</td>
<td>S</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public library or museum</td>
<td>C</td>
<td>C</td>
<td></td>
<td></td>
<td></td>
<td>C</td>
</tr>
<tr>
<td>Public park or public recreational facility</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Radio or television tower</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>R</td>
<td>S</td>
<td>S</td>
</tr>
<tr>
<td>Railroad right of way / operational use</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
</tr>
<tr>
<td>Residential development, planned</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>R</td>
</tr>
<tr>
<td>Sanitary fill or refuse dump, public or commercial</td>
<td>S</td>
<td></td>
<td></td>
<td></td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>School, public or private</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sewage disposal plant, public or private</td>
<td>S</td>
<td></td>
<td></td>
<td></td>
<td>S</td>
<td>S</td>
</tr>
<tr>
<td>Shopping center</td>
<td></td>
<td></td>
<td>R</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stadium or coliseum</td>
<td></td>
<td></td>
<td>S</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Theater, indoor</td>
<td></td>
<td></td>
<td>R</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Theater, outdoor</td>
<td>S</td>
<td></td>
<td>S</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Truck or freight terminal</td>
<td></td>
<td></td>
<td></td>
<td>R</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Utility substation or exchange, not including distribution facilities</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
</tr>
</tbody>
</table>

**KEY to FIGURE 5**

C = Contingent use as defined below

R = Matter of right (always permitted)

S = Special Exception as defined below

Blank = Never permitted

Figure 6 on the following two pages references the requirements as detailed on pages 46-47 of the 2004 zoning ordinance. Uses with no requirements listed are considered contingent.
<table>
<thead>
<tr>
<th>Use</th>
<th>Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture, excluding keeping of livestock or the erection and operation of stands for sale of commodities raised on premises</td>
<td>b6 (airport), b12 (heliport), g, h2, i1 (airport), i2 (heliport), ji, ki, l2, n2, p, r1, s, t, u, v, w, y</td>
</tr>
<tr>
<td>Airport or heliport</td>
<td>c12*, e, h1</td>
</tr>
<tr>
<td>*a set back of not less than 400 feet from any schools hospitals or other existing places of public or private assembly</td>
<td></td>
</tr>
<tr>
<td>Boarding or lodging house</td>
<td>b6, c2, i1, p, r1, v, w, y</td>
</tr>
<tr>
<td>Bulk oil or bottled gas storage above ground, petroleum tank farm, and fertilizer storage and distribution</td>
<td>c12*, e, h1</td>
</tr>
<tr>
<td>*a set back of not less than 400 feet from any schools hospitals or other existing places of public or private assembly</td>
<td></td>
</tr>
<tr>
<td>Cemetery or crematory</td>
<td>b6, c2, i1, p, r1, v, w, y</td>
</tr>
<tr>
<td>Church or temple</td>
<td>b11, c3, h4, j1, k3, l1, r1, v, w, y</td>
</tr>
<tr>
<td>Clinic or medical health center</td>
<td>b11, c3, h4, j1, k3, l1, r1, v, w, y</td>
</tr>
<tr>
<td>Conversion of single-family dwelling to two-family dwelling</td>
<td>b14, c1, f5, h1, k27, p, y</td>
</tr>
<tr>
<td>Country club</td>
<td>c1, d3, j1, k5, l1, p, r1, v, w, y</td>
</tr>
<tr>
<td>Fraternity, sorority and student cooperatives</td>
<td>b1, c1, f1, h1, k8, v, y</td>
</tr>
<tr>
<td>Golf course</td>
<td>c6, i7, j3, k16, l2, r1, v, y</td>
</tr>
<tr>
<td>Golf driving range / practice field</td>
<td>c6, i7, j3, k16, l2, r1, v, y</td>
</tr>
<tr>
<td>Greenhouse, commercial</td>
<td>b4, c6, f2, h1, k7, m4, n1, r1, v, w, y</td>
</tr>
<tr>
<td>Home occupation</td>
<td>b1, c1, f1, h1, k8, v, y</td>
</tr>
<tr>
<td>Housing for tenant and seasonal workers engaged in agricultural operations</td>
<td>a1, b10, c7, d3, g, h3, j2, k10, l2, m6, n2, a, p, q, r1, s, t, v, w, y</td>
</tr>
<tr>
<td>Industrial park</td>
<td>a1, b10, c7, d3, g, h3, j2, k10, l2, m6, n2, a, p, q, r1, s, t, v, w, y</td>
</tr>
<tr>
<td>Industry, general</td>
<td>b1, c1, h1, j1, k6, l1, s, y</td>
</tr>
<tr>
<td>Industry, light</td>
<td>b13, c10, e, g, k15, l5, n3, p, r1, y</td>
</tr>
<tr>
<td>Junk yard</td>
<td>b6, c2, i1, p, r1, v, w, y</td>
</tr>
<tr>
<td>Kindergarten or day nursery</td>
<td>b3, c8, f3, h1, i3, j1, k12, p, r1, v, y</td>
</tr>
<tr>
<td>Lake, artificial, 3 or more acres</td>
<td>c1, i1, j1, k2, p, r1</td>
</tr>
<tr>
<td>Landing site, hospital or ambulance helicopter</td>
<td>b7, c6, g, h5, j1, k9, l2, m5, n1, p, s, t, v, y</td>
</tr>
<tr>
<td>Mineral extraction, burrow pit, top soil removal and storage area</td>
<td>c9, e, h1, i5, j1, n3, r1, s, t, u3, v, w, y</td>
</tr>
<tr>
<td>Mobile home park</td>
<td>b8, c6, d2, g, h1, j1, k13, l2, o, p, q, r1, s, u1, v, w, y</td>
</tr>
<tr>
<td>Mortuary</td>
<td>b1, c1, h1, j1, k6, l1, s, y</td>
</tr>
<tr>
<td>Municipal or government building</td>
<td>b1, c1, h1, j1, k6, l1, s, y</td>
</tr>
<tr>
<td>Nursing home or homes for the aged</td>
<td>b1, c1, h1, j1, k6, l1, s, y</td>
</tr>
<tr>
<td>Outdoor commercial recreational enterprise</td>
<td>c4, d1, h1, i1, j3, k14, l2, n1, p, r2, s, t, w, y</td>
</tr>
<tr>
<td>Parking, public or employee</td>
<td>b2, p, r1, s, t, v, x, y, z</td>
</tr>
<tr>
<td>Penal or correctional institution</td>
<td>b13, c10, e, g, k15, l5, n3, p, r1, y</td>
</tr>
<tr>
<td>Plant nursery</td>
<td>b10, c7, d3, e, h1, i8, j1, k11, l4, m3, n2, p, r1, s, t, w, y</td>
</tr>
<tr>
<td>Produce terminal, wholesale</td>
<td>b10, c7, d3, e, h1, i8, j1, k11, l4, m3, n2, p, r1, s, t, w, y</td>
</tr>
<tr>
<td>Public library or museum</td>
<td>b10, c7, d3, e, h1, i8, j1, k11, l4, m3, n2, p, r1, s, t, w, y</td>
</tr>
<tr>
<td>Public park or public recreational facility</td>
<td>b10, c7, d3, e, h1, i8, j1, k11, l4, m3, n2, p, r1, s, t, w, y</td>
</tr>
</tbody>
</table>
1. Contingent Uses, Requirements and Procedure

A. The Contingent Uses, as defined in §1, listed in Figure 5 and their accessory buildings and uses may be permitted by the Zoning Board of Appeals (ZBA), in accordance with the requirements listed in Figure 6.

B. Upon receipt of an application for an Improvement Location Permit for a Contingent Use by the Zoning Administrator, it shall be referred to the ZBA for approval.

C. A Contingent Use is one which is likely or liable, but not certain, to occur, and which is not inappropriate to the principal use of the district in which it may be located. When so permitted it shall conform to the requirements of the District in which the contingent use is permitted, except that the number of parking spaces shall be provided on the same lot with the use, or within 300 feet thereof on a site approved by the ZBA.

D. The maximum building height for Contingent Uses shall be 35 feet in agricultural, residential, and rural residential zones, and 75 feet in business and industrial zones.

E. Whenever a Contingent Use is expanded or enlarged, parking spaces shall be provided for the expanded or enlarged portion thereof in accordance with the requirements of this section.

F. Other provisions and Requirements for Contingent Uses are as follows:

1. The maximum building height requirement in subsection D above may be increased if buildings are set back, from front and rear property lines, one foot for each two feet of additional height above the maximum building height requirement.

2. In all Districts, spires, church steeples, chimneys, cooling towers, elevator bulkheads, fire towers, sceneral lofts, and essential mechanical appurtenances may be erected to any height not prohibited by other laws or ordinances.

---

**Figure 6. Special Exception Requirements (continued)**

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Radio or television tower</td>
<td>k19, r1, v</td>
</tr>
<tr>
<td>Railroad right of way / operational use</td>
<td>h1, k20, r1, v</td>
</tr>
<tr>
<td>Residential development, planned</td>
<td></td>
</tr>
<tr>
<td>Sanitary fill or refuse dump, public or commercial</td>
<td>b11, c11, e, i9, j5, r1, u1, v, w</td>
</tr>
<tr>
<td>School, public or private</td>
<td>c11, e, k19, r1, u1, v, w</td>
</tr>
<tr>
<td>Sewage disposal plant, public or private</td>
<td>a2, b9, g, j1, k23, l2, m3, n1, o, p, s, t, u1, v, y</td>
</tr>
<tr>
<td>Shopping center</td>
<td></td>
</tr>
<tr>
<td>Stadium or coliseum</td>
<td>b7, c2, j1, k24, l2, m2, n1, p, r2, s, t, v, y</td>
</tr>
<tr>
<td>Theater, indoor</td>
<td></td>
</tr>
<tr>
<td>Theater, outdoor</td>
<td>c6, i6, k11, p, r1, s, t, v, w, y</td>
</tr>
<tr>
<td>Truck or freight terminal</td>
<td>c1, e, j1, k25, l4, n2, p, r1, s, t, v, w, y</td>
</tr>
<tr>
<td>Utility substation or exchange, not including distribution facilities</td>
<td>c1, g, j4, k18, r1, v, y</td>
</tr>
</tbody>
</table>
3. A church or temple requiring public parking areas at times when nearby uses do not need their parking facilities may, by agreement approved by the ZBA, utilize such facilities in lieu of providing their own parking facilities.

2. Special Exceptions, Requirements and Procedure

A. The Special Exceptions, as defined in §1, listed in Figure 5 and their accessory buildings and uses may be permitted by the County Board on the recommendation of the Plan Commission, in accordance with the requirements listed in Figure 6.

When a proposed non-conforming use is not listed in Figure 5, it shall be referred to the Plan Commission for consideration. With the consent of the Plan Commission, the County Board may determine the non-conforming use to be a special exception, at which point it shall be amended to Figure 5, with modifications to Figure 6 as needed. Denial of an application for an Improvement Location Permit for a Special Exception by the Plan Commission may be appealed to the County Board for review.

B. Upon receipt of an application for an Improvement Location Permit for a Special Exception by the Zoning Administrator, it shall be referred to the Plan Commission for investigation as to the manner in which the proposed location and character of the Special Exception will affect the Comprehensive Plan. The Commission shall then approve or deny the permit within forty-five days following receipt of the application. Approved applications shall be referred to the County Board for action. Denied applications may be appealed to the County Board for review. The rules of procedure provided above in Article I §4B shall apply in all Special Exception hearings.

The Plan Commission shall fix a time for the public hearing on the Special Exception, and shall give at least fifteen (15) days due notice thereof by publication in a newspaper published in the township or road district where the real estate is located, notice shall be given in a newspaper of general circulation published in the county and having circulation where such property is located. The notice shall give the time, place and date of the hearing, and shall be published at least once not more than thirty (30) and not less than fifteen (15) days before the hearing.

The notice shall contain:

1) the particular location of the real estate for which the Special Exception is requested by legal description and street address, and if no street address then by locating such real estate with reference to any well-known landmark, highway, road, thoroughfare or intersection;

(2) whether or not the petitioner or applicant is acting for himself or herself or in the capacity of agent, alter ego, or representative of a principal, and stating the name and address of the actual or true principal;

(3) whether petitioner or applicant is a corporation, and if a corporation, the correct names and addresses of all officers and directors, and of all stockholders or shareholders owning any interest in excess of 20% of all outstanding stock of such corporation;
(4) whether the petition of applicant, or his principal is other than applicant, is a business or entity doing business under an assumed name, and if so, the name and residence of all true and actual owners of such business or entity;

(5) whether the petitioner or applicant is a partnership, joint venture, syndicate or an unincorporated voluntary association, and if so, the names and addresses of all partners, joint venturers, syndicate members, or members of the unincorporated voluntary association; and

(6) a brief statement of the proposed Special Exception.

In addition to any other notice required by this section, notice must be given at least fifteen (15) days before the hearing to (i) any municipality whose boundaries are within 1-1/2 miles of any part of the property proposed as a Special Exception and (ii) the owner or owners of any land adjacent to or immediately across any street, alley, or public right-of-way and to all land owners of record within 250 feet of the property line of the area where the special exception is sought certified mail, return receipt requests, with proof of mailing or waiver of receipt of notice by such land owner(s) to be provided to the Board prior to the hearing.

The costs or charges of the publication notice required shall be paid by the petitioner or applicant.

The County Board shall order the Zoning Administrator to issue an Improvement Location Permit for the Special Exception following a hearing of the circumstances of the Special Exception by the Plan Commission, and upon an affirmative finding by the County Board that:

1. The proposed Special Exception is to be located in a District wherein such use may be permitted;

2. The requirements set forth in Figure 6 for such Special Exception will be met; and

3. The Special Exception is consistent with the spirit, purpose and intent of these regulations, will not substantially and permanently injure the appropriate use of neighboring property, and will serve the public convenience and welfare.

C. An Existing Use which is listed herein as a Special Exception, and which is located in a District in which such Special Exception may be permitted, is a conforming use. Any expansion of such Special Exception involving the enlargement of the buildings, structures and land area devoted to such use shall be subject to the procedure described in this section.
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- 2004 Zoning Ordinance.pdf
- Agricultural Census Data.pdf
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- Fire District Report.pdf
- Historic Places.doc
- Neighbor Populations.xls
- Pollution Data.p65
- Rural Life Cycles.doc
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- Shelby County demographics.pdf
- Shelby Employment Data.xlsx
- Shelbyemployment.html

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