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ARTICLE III Div I SUPPLEMENTARY USE AND BULK REGULATIONS

Section 3.01 FENCES, WALLS AND HEDGES

Fences, walls or hedges used for any purpose shall in all districts conform to the following:

- (a) For the purpose of minimizing traffic hazards at street intersections by improving visibility for converging vehicles, obstructions higher than two feet above the adjacent top of the curb elevation shall not be permitted to be planted, placed or erected on any corner lot within the triangular portion of land designated as "restricted area" in Figure 1.
- (b) No barbed wire or other such sharp pointed fence and no electrically charged fence shall be erected or maintained except in agricultural districts.
- (c) No permanent fence or retaining wall shall be constructed or erected within any public street or alley right-of-way unless authorized by the City Council. Fences erected on public easement or across ditches shall be so constructed that drainage shall not be obstructed and, in event of necessity for removal of such fence for maintenance or other purpose, removal and/or replacement of such fence or other improvement shall be the responsibility of the property owner.
- (d) Fences, walls and hedges in any district may be located on lot lines, provided such fences, walls and hedges exceeding six feet in height shall be subject to the minimum yard requirements of the district in which such fences are located.
- (e) Gates or other means of access through fences, walls and hedges shall be provided from utility easement to the rear yards. (Ord 3488; passed 11-20-06)

Section 3.02 HOME OCCUPATIONS

Home occupations are required to obtain a Home Occupation Permit, subject to compliance with all requirements herein and with such additional conditions, where applicable, as established by the Planning & Zoning Department. The Permit shall be applied for on such form as established by the Director, and shall be approved, denied, or conditioned by the Director as necessary to conform to the requirements herein. In any district where home occupations are permitted, the establishment and continuance of a home occupation shall be subject to the following requirements:

- (a) Such use shall be conducted entirely within a dwelling and carried on by the inhabitants there and no others. Home occupations may not serve as a headquarters or dispatch center where employees come to the home and are dispatched to other locations.
- (b) Such use shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes and shall not change

the residential character thereof. Client visitations to the home shall no more than the range of typical visitations for other residential uses in the area.

- (c) No vehicular or pedestrian traffic generated by a home occupation shall be allowed to cause a nuisance to neighboring properties or block or interfere with the regular flow of traffic within the neighborhood.
- (d) The total area used for such purposes shall not exceed the equivalent of one-half the floor area, in square feet, of the largest floor of the dwelling unit.
- (e) There shall be no advertising, display or other indications of home occupation on the premises, except one unanimated, non-illuminated flat nameplate having an area of not more than one square foot may be permitted, as part of an otherwise authorized "address and Residential Occupant Sign, subject to other requirements of the Sign Code. Such nameplate must be on the building.
- (f) No in-person sales transactions, such as selling stocks of merchandise, supplies, or products may be filled on the premises, provided that orders previously made by telephone or at a sales party may be delivered or received on site subject to limits on the level of activity set forth above.
- (g) There shall be no exterior storage on the premises or public right-of-way of material or equipment used in the home occupation, nor of any highly explosive or combustible material.
- (h) Not more than one (1) trailer associated with the home occupation may be allowed on the premises, subject to the following requirements:
 - (1) Such trailer may not exceed 8 feet wide or 25 feet long.
 - (2) If the trailer has no visible equipment, whether it is an enclosed trailer or an empty flat bed trailer, it may be parked in the driveway. If equipment is visible, the trailer must be parked inside a garage.
 - (3) Such trailer must be able to enter and exit the premises by way of an improved, dust-free surface.
- (i) The home occupation shall allow no more than one (1) commercial vehicle parking on the premises, subject to the following additional requirements:
 - (1) The commercial vehicle is limited to a passenger car, van, pickup truck or service vehicle with a License Category of B, C, or D and vehicle weight of up to 12,000 pounds.

- (2) Parking or storage of any vehicles used as a tool in the business (tow trucks, tree removers, etc.) in connection with the home occupation is prohibited on premises, unless fully concealed in the dwelling or accessory residential building. Exception: parcels in the Agricultural zoning district will be permitted to store equipment and vehicles consistent with agricultural operations as outlined in the Zoning Code.
- (j) Parking or storage of, or delivery by, heavy equipment including, but not limited to, back hoes, skid loaders, dump trucks, and other similar items on the premises, is prohibited. This shall include businesses where the home is the base of operations where heavy equipment would be dispatched from the home and would create noticeable traffic to and from the home. Exception: parcels in the Agricultural zoning district will be permitted to store equipment and vehicles consistent with agricultural operations as outlined in the Zoning Code.
- (k) There shall be no noise, vibration, smoke, dust, odors, heat, or glare noticeable at or beyond the property line from any business activity and all activity shall comply with applicable building and fire codes.
- (l) In addition to other restrictions, the following types of uses are also prohibited: service, repair, or painting of any motorized vehicle, including, but not limited to, motor vehicles, trailers, boats, personal watercraft, recreation vehicles, and snowmobiles where the work is done on the premises where the home occupation is located; headquarters or dispatch centers where employees or contractors arrive or depart; contracting, excavating, welding, or machine shops where the work is done on the premises where the home occupation is located; tow truck services where the tow truck is stored on site; the sale, lease, trade, or other transfer of firearms or ammunition; sale or use of hazardous materials in excess of consumer quantities packaged for consumption by individual households for personal care or household use; and any other use of residential property that is detrimental or inconsistent with the residential character of the neighborhood.
- (m) Exemptions: The following home occupations shall be exempt from obtaining a Home Occupation Permit, provided that all other criteria and conditions established in this Section are complied with at all times of such accessory use:
- (1) Mere home offices used for telecommuting to a primary off-site business location;

- (2) Home-based direct sale of products and distribution in which any corporate activity is registered at another address and provided that (1) any sales parties or demonstrations are conducted off-site, and (2) the home-based business activity is not registered or required to be registered under the provisions of the Retailers' Occupation Tax Act (35 ILCS 120/) or Chapter 805 of the Illinois Compiled Statutes
(Ord 3643; passed 11-02-09)

Section 3.03 LIGHTING CONTROLS
Section 3.03 repealed by Ord. #3462 07-03-06

Section 3.04 PARKING, OFF-STREET -- ACCESS TO LOTS
Section 3.04 repealed by Ord. #3462 07-03-06

Section 3.05 SWIMMING POOLS
No public or private swimming pool in any district shall be located in any required front yard; however, if not more than six feet in height, such use may be located in any required side or rear yard, but not closer than 10 feet to a side lot line adjacent to a street, and subject to the provisions of Section 3.01.

Section 3.06 SIGNS
Section 3.06 repealed by Ord. #3569 04-21-08;
See new Article 12 "Sign Regulations"

Section 3.07 CHURCHES AND PLACES OF FORMAL WORSHIP
In any district where churches are permitted, the following additional requirements shall be met:

- (a) For each 75 seats (where benches are provided each twenty-four (24) inches of said bench shall constitute a seat) or fraction thereof (not including Sunday School accommodations), the site shall contain at least one-half acre of land.
(b) Each principal building shall be located at least 25 feet from all property lines.

Section 3.08 GARAGES, REPAIR
In repair garages, all repair work, servicing, storage of parts and equipment and the dismantling of vehicles shall be done completely within an enclosed building, or shall be enclosed by a solid fence at least 6 feet in height.

Section 3.09 GASOLINE SERVICE STATIONS
In districts where gasoline service stations are permitted, the establishment of such uses shall be subject to the following requirements:

- (a) All gasoline pumps, lubrication or similar devices and other service facilities shall be located at least 20 feet from any street right-of-way line.

(b) All fuel and oil storage, pumps or other such fuel or lubricant dispensing devices shall be located at least 20 feet from any side or rear lot line.

(c) No access drive shall be within 200 feet of a fire station, school, public library, church, park, playground, or other public assembly place.

(d) No access or drive shall be within 20 feet of any corner formed by the intersection of the rights-of-way of two streets. On a corner where a traffic signal or stop sign exists, such entrance or exit shall be located at such distance and such manner so as not to cause or increase traffic hazard or undue congestion.

(e) A permanent curb of at least 4 inches in height, shall be provided between the public sidewalk and the gasoline pump island, parallel to and extending the complete length of the pump island.

(f) All devices for dispensing or selling of milk, ice, cold drinks, and the like shall be located within, or immediately adjacent to the principal building.

Section 3.10 JUNK YARDS

In any district where junk yards are permitted, the establishment and/or maintenance of such uses shall be subject to the following requirements:

(a) All storage of parts, equipment, and the dismantling of vehicles, shall be done within a completely enclosed building, or within an enclosure of a solid fence not less than 6 feet in height.

(b) Any junk yard shall not be located less than 500 feet from any residential district boundary.

Section 3.11 MOBILE HOMES

3.11-1 Mobile Home Parks In any district where mobile home parks are permitted, the establishment of such accommodations shall be subject to the requirements, standards, and restrictions of the City's mobile home park ordinance(s), as amended from time to time and are in effect at the time of application for a planned development as required by Article V, Section 5.09 of this Ordinance and shall be subject to the following requirements:

(a) A mobile home park shall be located on a tract of land not less than 5 acres in area, with a minimum width and depth dimension of 200 feet.

(b) No building or structure within the mobile home park shall exceed the height of 25 feet.

3.11-2 Temporary Parking - Mobile Homes The temporary parking of an individual mobile home is permitted subject to the following regulations:

(a) An individual mobile home may be parked outside the public right-of-way, as not otherwise prohibited, for a period of 72 hours provided that no such mobile home is parked nearer than 25 feet to any right-of-way line abutting a public street.

(b) An individual mobile home may be parked on a zoning lot for a period of two weeks provided that:

(1) Such individual mobile home is parked in compliance with all setback requirements from any lot line or right-of-way line.

(2) A permit is secured by the property owner within 72 hours from the City Clerk, showing the date of issuance, name and address of property owner, address for which the permit is issued and the date of termination.

(3) All such permits shall be returned to the Building Official on or before the date of termination.

(4) Not more than three permits shall be issued to any property owner during any calendar year, except on approval of the Board of Zoning Appeals.

3.11-3 Parking for Inspection and Sales - Mobile Home

A mobile home may be parked for inspection and sale on any lawful automobile or trailer sales lot.

3.11-4 Except as otherwise provided in Section 3.11-2 and Section 3.11-3, no person shall be permitted to park and/or occupy any mobile home on any premises within the corporate area of the City except as permitted in a licensed mobile home park or a MH-1 or MH-2 Dwelling District.

Nowhere in the City shall any person permanently remove or cause to be permanently removed the wheels, tongue and hitch or any other transportation device from any mobile home nor shall any person rest or cause to rest any mobile home on a permanent foundation, except as permitted when within a MH Dwelling District. (#949;12-17-79)

Section 3.12 TRAVEL TRAILERS

The parking of not more than one unoccupied camp trailer and/or utility trailer (not exceeding 8 feet wide and 25 feet long) in the rear yard, side yard or improved driveway only is hereby permitted; provided that no living quarters or business shall be maintained in any such camp trailer and/or utility trailer, and provided further that the parking of a camp trailer and/or utility trailer, if parked in the side or rear yard, shall comply with the yard requirements for accessory buildings of the district in which it is located. If camp trailers and/or

utility trailers are parked in an improved driveway, they must only meet the rear yard and side yard setback requirements for accessory buildings of the district in which it is located. Parking of any of the above listed trailers must be on private property and not overhang or otherwise obstruct any public right-of-way, including sidewalks. (Ord 3643; passed 11-02-09)

Section 3.13 PUBLIC BUILDINGS

In any district where municipally owned or other publicly owned buildings are permitted the following additional requirements shall be met:

(a) In any SR, MR or MH Dwelling District, or in an A Agricultural District, all municipal or other publicly owned buildings shall be located at least twenty-five (25) feet from all property lines. (#949;12-17-79)

(b) In any SR, MR or MH Dwelling District, in an A Agricultural, or in any B Business District, there shall be no permanent storage of heavy construction or maintenance equipment (such as excavating, road building, or hauling equipment), unless in an enclosed building or enclosed within a solid wall or fence at least six (6) feet in height. Such storage areas, maintenance yards, or storage warehouse shall be located at least twenty-five (25) feet from any front and/or side property line. (#949;12-17-79)

Section 3.14 PUBLIC UTILITY STATIONS; EXCHANGES; ESSENTIAL SERVICES

Electrical substations, gas regulator stations or telephone exchange facilities in any SR, MR or MH Dwelling District, or in an A Agricultural District, shall be subject to the following regulations:

(a) No public office, repair or storage facilities shall be maintained in connection with such substations or exchanges.

(b) The building housing any such facility shall be designed and constructed to conform to the general character of the neighborhood.

(c) The area on which the facility is located shall be landscaped and maintained in conformance with the general character of the surrounding area.

(d) Where all facilities and equipment are entirely within a completely enclosed building, the minimum lot may be as follows: lot width shall not be less than the total width of the building plus the total of the minimum required side yards; lot depth shall not be less than the depth of the building plus the minimum required front yard, plus the 2 foot minimum rear yard.

(e) Where facilities or equipment are located outside the completely enclosed building, no such facilities or equipment

shall be located closer than 15 feet to any side or rear lot line.

(f) If transformers are exposed, there shall be provided, an enclosing fence or wall, at least 6 feet in height, and adequate to shield view and noise of the same and to screen from the outside view the handling of materials on the premises.

(g) Off-street parking facilities, if necessary, shall be as required by Section 3.04 of this Article. (#949;12-17-79)

Section 3.15 SCHOOLS, PRIVATE AND PAROCHIAL

In any district where private or parochial schools are permitted, the following additional requirements shall be met:

(a) For each 100 students or fraction thereof, the site shall contain 1.25 acres of land.

(b) Each principal building shall be located at least 25 feet from all property lines.

Section 3.16 SOIL MINING AND MINERAL EXTRACTION

In any district where soil mining or mineral extraction is permitted, the soil mining or mineral extraction operation shall be subject to all applicable state regulations with inspection made as necessary by the City to determine compliance.

Section 3.17 SANITARY LANDFILL

In any district where sanitary landfill is proposed, the following additional requirements shall apply:

(a) A permit for any sanitary landfill operation shall be issued by the building official only after the receipt of all required maps and documents and after review and favorable action by the City Council, instructing the building official to issue the permit.

(b) The following documents and maps of the site, at a scale not less than 1" equals 200', shall be filed with the building official showing:

(1) Existing topography of the site at two foot contour intervals.

(2) Present use of the land and all natural features such as natural water courses and drainage areas, forested areas, historic sites and the like.

(3) Ownership of the subject property and the abutting properties.

(4) A plan for the proposed use of the land indicating the type and location of transportation facilities available and the intended use of loading of these facilities; the type and location of utilities and power facilities to be

used; and such other data as is necessary to explain and define the intended operation.

(5) A plan shall be made for reshaping and final grading of the land after the operation has ceased which shall show final contours (at an interval of two feet) and drainage plan.

(c) The plan for the final grading and contouring of the site shall provide the land can be readily used for urban and/or agricultural purposes after the landfill operation has ceased.

(d) All topsoil shall be stored and retained on the site and respread during final grading of the site.

(e) A performance bond, equal to the amount of the assessed valuation of the property for tax purposes shall be posted prior to development of landfill with the City to insure reshaping of the topography in conformance with the plan after the operation has ceased or has been abandoned. Failure to continue active operation for a consecutive 12 month period during any five years shall be deemed to constitute abandonment.

(1) If the sanitary landfill is to be conducted on only a portion of the total parcel at any one time, the portion to be used may be so designated on the plan and the performance bond posted for the part or parts to be so used.

(2) However, when the operation is completed or abandoned for any such part or parts, the plan for grading and reshaping the topography of that section shall be carried out.

(f) No sanitary landfill shall be carried out within 1,000 feet of any residential zoning district or any existing residential subdivision.

(g) No sanitary landfill operation shall be permitted on a site of less than 50 acres.

(h) No sanitary landfill operation shall be permitted in the Industrial District without a Special Use Permit.
(#1794; 10-30-95)

Section 3.18 DRIVE-IN THEATERS

In any district where drive-in theaters are permitted, the establishment of such theaters shall be subject to the following requirements:

(a) Projection screens and parking areas shall not be closer than 50 feet from any street right-of-way line and not closer than 100 feet from any residential district boundary.

(b) The projection surface of motion picture screens shall not be visible from any major traffic street.

(c) Loudspeakers shall be limited to the individual type which are designated to be heard by the occupants of one car only.

(d) Entrances and exits shall connect only to major arterial or collector streets and shall be designed so as not unduly to interfere with or unnecessarily impede traffic flow.

(e) Entrance waiting space for cars shall be provided to accommodate not less than 5% of the theater's parking capacity.

Section 3.19 NURSING HOMES

In any district where nursing homes are permitted, the following additional requirements shall be met:

The minimum site for any nursing home shall be two acres; provided that for a nursing home containing more than 40 beds, the minimum site shall be the greater of: two acres; or the number of acres determined by the following formula:

$$\frac{\text{Number of Beds} \times \text{\% of Total Floor Area at Ground Level}}{2000} = \text{Site Size in Acres}$$

Section 3.20 NURSERY SCHOOLS

In any district where nursery schools are permitted, the following additional requirements shall be met:

(a) For each child, at least 50 square feet of floor space shall be provided in addition to that provided for sleeping purposes.

(b) For each child, at least 100 square feet of outdoor, enclosed (fenced) play area shall be provided.

(c) Adequate facilities shall be provided for delivering and receiving of children in a manner not to cause traffic congestion and shall be subject to approval by the City Council.

Section 3.21 PLANT NURSERIES AND GREENHOUSES

In any district where tree and plant nurseries and greenhouses are permitted, the establishment of such uses shall be subject to the following requirements:

(a) No fertilizer, compost, manure or other odor or dust producing substance shall be stored within 50 feet of any property line.

(b) Greenhouse heating plants shall be in an enclosed building and shall not be less than 50 feet from any property line.

Section 3.22 FIRE WALLS

Within B-1, B-2 and I Districts, for the purpose to restrict the spread of fire, any wall of a building constructed along and adjoining an interior side lot line shall be a continuous wall, having no openings, of fire resistant noncombustible material of

a type approved by the City Fire Chief. Further, such wall shall be constructed meeting or exceeding specifications issued by the Fire Chief; such wall shall start at the foundation and extend continuously through all stories to above the roof.
(#759;8-4-75)

Section 3.23 CORNER LOTS, OBSTRUCTION OF VISION PROHIBITED
Within B-1, B-2 and I Districts, for the purpose of minimizing traffic hazard for converging motor vehicles, on a corner lot, no fence, wall, hedge, or other planting or structure that will obstruct the vision between a height of two (2) feet and ten (10) feet above the center line grades of the intersecting streets shall be erected, placed or maintained within the triangular portion of land designated as "Restricted Area" in Figure 1 and referenced as "Note: 2", Section 1.07.
(#759;8-4-75)

Section 3.24 COMBINED DWELLING AND BUSINESS USE STRUCTURES
Buildings intended to be occupied by both apartment residence dwelling and business usage (a building containing both an apartment dwelling use and a business use), shall have a yard area of at least 120 square feet minimum per each residence dwelling, the yard area shall be provided and maintained in addition to any off-street parking area required for the dwelling and in addition to the lot area required for the non-dwelling use. More than fifty percent (50%) of the total square feet area of such a building must be devoted to the business use. Such yard area must be accessible to and usable exclusively for active and/or inactive recreation by the dwelling's occupants and must be contiguous to the building and not separated by parking areas or driveways. The yard area may be provided at the ground level, or at the roof level, or at levels there between. The edges of any roof area and the edges of any elevated deck or patio area used for a yard must be adequately protected by a wall or fence at least four (4) feet in height. (#949;12-17-79)

Section 3.25 HOME CHILD CARE

Home child care shall be a permitted accessory use to a residential dwelling and subject to all home occupation requirements within an SR-1, SR-1B, SR-2, SR-3, MR-1, MR-2, MH-1, or MH-2 District, provided that for any home child care use for four or more children, the following site and use requirements shall be satisfied at all times:

(a) Any residence, which is renter-occupied, shall provide written permission from the property owner approving the use of the residence for home health care.

(b) Proof of licensure from the State of Illinois Department of Children & Family Services for the specified address.

(c) Construction of a permanent, four foot (4') fence around all designated outdoor play areas located on the subject property. All play equipment shall be kept in good repair.

(d) Minimum of two (2) off-street parking spaces located on-site per facility. Adequate street access, turn-around capacity, and safe and efficient ingress and egress design so as to not interfere with neighboring properties or area traffic.

(e) Inspection by City staff when approved for use by state license to ensure adherence to current building codes and fire codes prior to issuance of permit.

(f) Number of children is limited to eight (8), including the caregiver's own natural, adopted, or foster children, related children, and unrelated children under age 12 living in the home. This does not include facilities which receive only children from a single household.

(g) Hours of operation shall not exceed amounts permitted by the state license, however children received by a home child care facility must be for less than 24 hours per day.

(h) When a home child care is in violation of certain covenants and restrictions adopted through a Homeowner's Association, Board of Trustees, or other subdivision governing body, the City does not enforce or take into account private covenants when granting home child care permits.

(i) Employees are limited to only inhabitants of the residence in accordance with Section 3.02 Home Occupation provisions of this ordinance.

(k) The use and site fully complies with all applicable federal, state and local laws.

(l) An approved site plan reflecting compliance with all applicable site requirements.

No Site plan shall be approved until at least ten days after the applicant has provided written notice of the application to adjoining property owners within 100 feet of the site. Proof of such written notice and the date such notice was provided to adjoining property owners shall be provided to the City prior to approval. The zoning authorization and site plan approval may be revoked by the Director if any of the requirements herein are at any time not satisfied during Home child care use.

Where the facility does not fully qualify as a permitted accessory use but satisfies the general requirements for a

Special Use Permit established by this Code and otherwise meets the purposes of this Section, and granting such permit is necessary to satisfy the public interest, then a home child care may be approved as an accessory use to a residential dwelling by Special Use Permit in any SR-1, SR-1B, SR-2, SR-3, MR-1, MR-2, MH-1, or MH-2 District.

Any person aggrieved by a decision of the Planning Director in approving or denying zoning authorization for a Home Day Care and site plan as meeting the requirements set forth herein as a permitted use may be appealed to the City Council by filing a written appeal with the Director within 10 days after the decision, which shall stay such decision until Council action. Council decision on the appeal shall occur at its next regular meeting after filing of such appeal, unless the Council extends such time for good cause. (*Ord 3379; passed 10-3-05*)

Section 3.26 DRIVE-THROUGH REGULATIONS

Drive-through service when a patron is served through a window or other device while remaining in a motor vehicle may be provided except where alcoholic beverages are served or sold through the drive-through window. All property for which drive-through service is provided shall conform to the following standards:

(a) No order box or order window shall be located within 100 feet of any residentially zoned property; provided, however, that the 100 foot distance may be decreased by 25 percent if the residentially zoned property is classified as any non-residential category in the City of O'Fallon current Comprehensive Plan.

(b) A solid screening fence or wall will be required, along with appropriate landscaping, to be placed between any property used for a drive-through facility and any adjoining residentially zoned property in order to screen passenger car headlight glare from adjacent residential property. The extent and height of such fence or wall is to be determined at the time of final development plan approval.

(c) Adequate passenger car stacking space shall be provided from the order box or order window to ensure that public right-of-way or common driveway areas will not be blocked due to the drive-through facility. An escape lane shall also be provided for each order box and drive-through window. The amount of stacking space is to be determined as part of the preliminary site plan and after consultation with and approval by the City Engineer. (*Ord 1995; passed 6-15-98*)

Section 3.27 GARAGE CONVERSION FOR DWELLING USE

No garage shall be converted for dwelling use except within compliance of this Section

(a) Inspection by City staff to ensure adherence to current building codes and fire codes prior to issuance of permit.

(b) Not less than one (1) off-street parking space per dwelling unit shall be provided and maintained. (Ord 3379; passed 10-03-05)

Section 3.28 TEMPORARY STORAGE CONTAINERS

DEFINITIONS

(a) Semi Trailer. A trailer designed to be used with and pulled by a road tractor, whose intended purpose is to be an on-road transport vehicle.

(b) Cargo Container: A standardized, reusable vessel, designed without an axle or wheels, which was:

- o Originally, specifically, or formerly designed for or used in the storage, packing, shipping, movement or transportation of freight, articles, goods or commodities; and/or,
- o Designed for or capable of being mounted or moved on a rail car; and/or
- o Designed for or capable of being mounted on a chassis for movement by a truck trailer or loaded on a ship.

(c) Job Trailer: A structure used for temporary storage or office space located at an active job site where a valid building permit has been issued.

REGULATIONS

(a) Semi Trailers

- o Use
 - Must be used in the operation of the business
 - Must be licensed and operational
- o Location
 - Semi Trailers must be located on the business property only in the B-1, B-2 or I District
 - Semi Trailers must meet accessory structure setback requirements
 - Semi Trailers must be parked on an improved, dust-free surface
- o Quantity
 - There is no limit to the number of Semi Trailers permitted.

(b) Cargo Containers

- o Use

- Cargo Containers may be used for temporary storage of goods and belongings.
 - Cargo Containers may not be used for occupancy or sleeping, housing of animals, housing or storage of firearms, housing or storage of hazardous or flammable materials, or storage of materials which are otherwise unlawful to possess (e.g. fireworks or other unlawful materials or substances).
 - Cargo Containers must be closed and secured from unauthorized access at all times when not under the direct supervision of the permit applicant.
 - Cargo Containers may not be used to display signage or otherwise advertise a commercial activity.
 - The area around the Cargo Container shall be kept free of litter, debris, weeds and similar unsightly materials.
- o Location
- Cargo Containers must be located entirely on private property.
 - Cargo Containers must meet accessory structure setback requirements, and be located no closer to the street frontage than the building face unless otherwise authorized by the Planning Director. Exception: Cargo Containers in single-family residential zoning districts may be located on a paved driveway.
 - It shall be unlawful for any person to park or place a Cargo Container or similar device in or upon any street, highway, roadway, right-of-way, designated fire lane, required parking space, drive aisle, or sidewalk in the City of O'Fallon without prior City approval.
 - It may not be placed in such a fashion as to impede or obstruct the flow of drainage waters, nor to impede or obstruct emergency access to the property.
- o Quantity
- Single-Family Residential zoning districts: Two (2) Cargo Containers per zoning lot may be placed for a maximum of 30 days per 12-month period without a permit.
 - All other zoning districts: A permit is required. One Cargo Container per zoning lot is permitted for a maximum of 90 days per 12-month period.
 - The City Council may approve a Special Event Permit for more than one (1) Cargo Container for temporary storage of seasonal items.

Existing Semi Trailers not in compliance at the time of the adoption of this ordinance must comply with this ordinance within six (6) months after the adoption of this ordinance.

Existing Cargo Containers located in zoning districts other than Single-Family Residential zoning districts not in compliance at the time of the adoption of this ordinance, as listed on the attached inventory sheet, shall be grandfathered, provided that the storage containers meet the Use and Location requirements listed in this ordinance.

Exception: This section shall not apply to job trailers or Cargo Containers located at the primary business property used in association with ongoing construction activities carried out pursuant to a valid building permit. (*Ord 3697; passed 12-20-10*)