

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.

Section 3.02 HOME OCCUPATIONS

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.

(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.

(c) The total area used for such purposes shall not exceed the equivalent of one-half the floor area, in square feet, of the first floor of the user's dwelling unit, if any; otherwise, the main floor of such dwelling unit.

(d) There shall be no advertising, display or other indications of home occupation on the premises, except the customary sign or nameplate for identification purposes only.

(e) There shall not be conducted on the premises the business of selling stocks of merchandise, supplies, or products, provided that incidental retail sales may be made in connection with other permitted home occupations.

(f) There shall be no exterior storage on the premises of material used in the home occupation, nor of any highly explosive or combustible material.

(g) There shall be no offensive noise, vibration, smoke, dust, odors, heat or glare noticeable at or beyond the property line.

(h) A home occupation, including studios or rooms for instruction, shall provide additional off-street parking area reasonably adequate to accommodate needs created by the home occupation of not less than one parking space for each 300 square feet of floor area devoted to the home occupation. Such parking shall be provided on the same lot as the home occupation.

(i) For the purposes of this Section, provided all requirements contained herein are met, the following shall be considered home occupations:

- (1) Professional office, except as otherwise provided
 - (2) Art Studio
 - (3) Dressmaking or millinery
 - (4) Teaching, with musical instruction limited to two pupils at a time
- (#1426;4-2-90)

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 camp trailer and/or utility trailer shall comply with the yard requirements for accessory buildings of the district in which it is located.

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:

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

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

In any SR Residential zone district, Home Child Care shall be permitted only by a Special Use permit (Article V) and shall meet the following requirements:

- (a) Home Child care as defined as a family home that has received a license from the State of Illinois under the Child Care Act of 1969 (225 ILCS 10/1).
- (b) Under this section, a Day Care Home shall consist of a family house which receives more than four children up to a maximum of eight children for less than 24 hours per day. The number counted includes the family's natural or adopted children and all other persons under the age of twelve. The term does not include facilities which receive only children from a single household.
- (c) Exterior storage and use of playground equipment in good repair shall be allowed.
- (d) The level of noise from Home Child Care shall not be greater than what is considered reasonable for the activity allowed.
- (e) When deemed necessary for the health and safety of children or to provide protection to surrounding property owners, fencing or screening of outdoor play area may be required.
- (f) All Home Child Care facilities shall have a minimum of two (2) off-street parking spaces per facility.

Section 3.26 DRIVE-THROUGH REGULATIONS
See Ord #1995, Section 3; 06-15-98

Section 3.26 GARAGE CONVERSIONS FOR DWELLING USE
See Ord #3379, Section 5; 10-03-05