Zoning Code Ordinance

of the Village of Tremont, Illinois

Ordinance Number 18-108

Adopted: May 7, 2018
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ARTICLE I: CONSTRUCTION OF LANGUAGE AND DEFINITIONS

§ 100 LANGUAGE CONSTRUCTION

The following rules of construction apply to the text of this ordinance:

1. The particular shall control the general.

2. In the case of any difference of meaning or implication between the text of this ordinance and any caption or illustration, the text shall control.

3. The word “shall” is always mandatory and not discretionary. The word “may” is permissive.

4. Words used in the present tense shall include the future; and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.

5. A “building” or “structure” includes any part thereof.

6. The phrase “used for” includes “arranged for,” “designed for,” “intended for,” “maintained for,” or “occupied for.”

7. The word “person” includes an individual, corporation, a partnership, an incorporated association, or any other similar entity.

8. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction “and,” “or,” “either...or,” the conjunction shall be interpreted as follows:
   a. “And” indicates that all the connected items, conditions, provisions, or events shall apply.
   b. “Or” indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.
   c. “Either...or” indicates that the connected items, conditions, provisions, or events shall apply singly but not in combination.

9. Terms not herein defined shall have the meaning customarily assigned to them.

§ 101 DEFINITIONS

For the purpose of this ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ACCESSORY USE, OR ACCESSORY. A use which is clearly incidental to, or customarily found in connection with, and (except in the case of accessory off-street parking spaces or loading) located on the same Lot of Record as, the principal use to which it is related.

When ACCESSORY is used in this text, it shall have the same meaning as accessory use.
An accessory use includes, but is not limited to:

1. Residential accommodations for servants and/or caretakers.
2. Swimming pools for the use of the occupants of a residence, or their guests.
3. Domestic or agricultural storage in a barn, shed, tool room, or similar accessory building or other structure.
4. A newsstand primarily for the convenience of the occupants of a building, which is located wholly within such building and has no exterior signs or displays.
5. Storage of merchandise normally carried in stock in connection with a business or industrial use, unless such storage is excluded in the applicable district regulations.
6. Storage of goods used in or produced by industrial uses or related activities, unless such storage is excluded in the applicable district regulations.
7. Accessory off-street parking spaces, open or enclosed, subject to the accessory off-street parking regulations for the district in which the Lot of Record is located. Uses clearly incidental to a main use such as, but not limited to, offices of an industrial or commercial complex located on the site of the commercial or industrial complex.
8. Accessory off-street loading, subject to the off-street loading regulations for the district in which the Lot of Record is located.
9. Accessory signs, subject to the sign regulations for the district in which the Lot of Record is located.

ALLEY. Any dedicated public way affording a secondary means of access to abutting property, and not intended for general traffic circulation.

ALTERATIONS. Any change, addition, or modification in construction or type of occupancy, or in the structural members of a building, such as walls or partitions, columns, beams or girders, the consummated act of which may be referred to herein as “altered” or “reconstructed.”

APARTMENTS. A suite of rooms or a room in a multiple-family building arranged and intended for a place of residence of a single-family or a group of individuals living together as a single housekeeping unit.

AUTOMOBILE REPAIR. The general repair, engine rebuilding, rebuilding or reconditioning of motor vehicles; collision service, such as body, frame, or fender straightening and repair; overall painting and undercoating of automobiles.

BASEMENT. That portion of a building which is partly or wholly below grade, but so located that the vertical distance from the average grade to the floor is greater than the vertical distance from the average grade to the ceiling. A basement shall not be a story. (See Appendix A, Illustrations 1 and 2)

BLOCK. The property abutting one side of a street and lying between the two nearest intersecting streets (crossing or terminating), or between the nearest such street and un-subdivided acreage,
lake, or live stream; or between any of the foregoing and any other barrier to the continuity of development, or corporate boundary lines of the municipality.

BUILDING. Any structure, either temporary or permanent, having a roof supported by columns or walls, and intended for the shelter, or enclosure of persons, animals, chattels, or property of any kind.

BUILDING HEIGHT. The vertical distance measured from the established grade to the highest point of the roof surface for flat roofs; to the deck line of mansard roofs, and to the average height between eaves and ridge for gable, hip and gambrel roofs. (See Appendix A, Illustration 3)

BUILDING LINE. A line formed by the face of the building, and for the purposes of this ordinance, a minimum building line is the same as a front setback line. (See Appendix A, Illustration 4)

CLUB. An organization of persons for special purposes or for the promulgation of sports, arts, sciences, literature, politics, or the like, but not operated for profit.

CLUSTER BOX. A group of three (3) or more mailboxes at a single location.

CONVALESCENT or NURSING HOME. A structure with sleeping rooms, where persons are housed or lodged and are furnished with meals, nursing and medical care.

DAY CARE CENTER. A daytime group facility for more than eight children which gives care to children away from their home.

DAY CARE HOME. A one-family dwelling which receives not more than eight children for care during the day. The maximum of eight children includes the family's natural or adopted children under age 16 who are in the home under full time care.

DENSITY CONTROL FACTOR (DCF). The factor relating to family population utilized in this ordinance to control the number of dwellings allowed per acre of land in Planned Residential Developments.

DEVELOPMENT. The construction of a new building or other structure on a Lot of Record, the relocation of an existing building on another Lot of Record, or the use of open land for a new use.

DISTRICT. A portion of the incorporated area of the village within which certain regulations and requirements or various combinations thereof apply under the provisions of this ordinance.

DRIVE-IN. An establishment where food, frozen desserts, or beverages are sold to the customers in a ready-to-consume state and where the customer consumes food, frozen desserts, or beverages in an automobile parked upon the premises or at other facilities provided for customers which are located outside the building.

DRIVE-THROUGH. An establishment so developed that some portion of its retail or service character is dependent upon providing a driveway approach and staging area specifically designed for motor vehicles to serve patrons while in their motor vehicles, rather than within a building or structure, for carry-out and consumption or use after the vehicle is removed from the premises.

DWELLING UNIT. A building, or portion thereof, designed for occupancy by one family for residential purposes and having cooking facilities.

DWELLING, ONE-FAMILY. A building designed exclusively for and occupied exclusively by one family.
**Dwelling, Two-Family.** A building designed exclusively for occupancy by two families living independently of each other.

**Dwelling, Multiple-Family.** A building, or portion thereof, designed exclusively for occupancy by three or more families living independently of each other.

**Erected.** Built, constructed, altered, reconstructed, moved upon, or any physical operations on the premises which are required for construction, excavation, fill, drainage, and the like, shall be considered a part of erection.

**Essential Services.** The erection, construction, alteration or maintenance by public utilities or municipal departments of underground, surface, or overhead; gas, electrical, steam, fuel or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm and police call boxes, traffic signals and hydrants in connection herewith, but not including buildings which are necessary for the furnishing of adequate service by such utilities or municipal departments for the general health, safety or welfare.

**Excavation.** Any breaking of ground, except common household gardening and ground care.

**Exception.** A use permitted only after review of an application by the Zoning Board and the Village Board or a modification in the standards of this ordinance specifically permitted after review by the Zoning Board and the Village Board; such review being necessary because the provisions of this ordinance covering conditions precedent or subsequent are not precise enough to all applications without interpretation and such review and exception is provided for by this ordinance. An exception is not a variance.

**Family.** One or two persons or parents, with their direct lineal descendants and adopted or foster children (and including the domestic employees thereof) together with not more than three persons not so related living together in the whole or part of a dwelling comprising a single housekeeping unit. Every additional group of two or less persons living in such housekeeping unit shall be considered a separate family for the purpose of this ordinance.

**Fence.** A man-made structure constructed for the purpose of or, to have the effect of, enclosing the area it is constructed on.

**Fence; Ornamental.** A man-made structure the surface area of which is more than 75% open. Ornamental fences do not include chain link fences or fences of wire construction.

**Floor Area Ratio.** The ratio of the floor area of a building to its lot area. For example: when a floor area ratio of 0.4 is specified, the floor area of a building constructed on a lot of 10,000 square feet in area is limited to a maximum of 4,000 square feet. The number of stories being optional. The building area may be 4,000 square feet for one story; 2,000 square feet for each of two stories, and so forth. The purpose of this ratio is to control the bulk of buildings.

**Floor Area; Residential.** For the purpose of computing the minimum allowable floor area in a residential dwelling unit, the sum of the horizontal areas of each story of the building shall be measured from the exterior faces of the exterior walls or from the centerline of walls separating two dwellings. The floor area measurement is exclusive of areas of basement, unfinished attics, attached garages, breezeways, and the enclosed and unenclosed porches.

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**FLOOR AREAL USABLE.** (For the purpose of computing parking) That area used for or intended to be used for the sale of merchandise or services, or for use to serve patrons, clients, or customers. Such floor area which is used or intended to be used principally for the storage or processing of merchandise, hallways, or for utilities or sanitary facilities, shall be excluded from this computation of USABLE FLOOR AREA. Measurement of usable floor area shall be the sum of the horizontal area of the several floors of the building, measured from the interior faces of the exterior walls. (See Appendix A, Illustration 5)

**GARAGE; PRIVATE.** An accessory building or portion of a main building designed or used solely for the storage of motor driven vehicles, boats, and similar vehicles owned and used by occupants of the building to which it is accessory.

**GARAGE; SERVICE.** Any premises used for the storage or care of motorized driven vehicles, or where any such vehicles are equipped for operation, repaired, or kept for remuneration, hire or sale.

**GASOLINE SERVICE STATION.** A place for the dispensing, sale or offering for sale motor fuels directly to users of motor vehicles, together with the sale of minor accessories and services for motor vehicles, but not including automobile repair.

**GRADE.** The ground elevation established for the purpose of regulating the number of stories and the height of buildings. The building grade shall be the level of the ground adjacent to the walls of the building if the finished grade is level. If the ground is not entirely level, the grade shall be determined by averaging the elevation of the ground for each face of the building.

**GROUP CARE HOME FOR CHILDREN.** A child care facility which provides care for no more than eight children in a residential dwelling under 24-hour supervision or care placed by and under the supervision of a licensed child welfare agency with the residential dwelling being owned or rented and staffed and maintained or otherwise operated by the agency and licensed by the state for the developmentally disabled under the Child Care Act of 1969, as amended from time to time.

**HOME OCCUPATION.** An occupation or profession customarily carried on by an occupant of a dwelling unit as a secondary use which is clearly subservient to the use for residential purposes.

**HOTEL.** A building or part of a building, with a common entrance or entrances, in which the dwelling units or rooming units are used primarily for transient occupancy, and in which one or more of the following services are offered: maid service, furnishing of linen, telephone, secretarial, or desk service, and bellboy service. A hotel may include a restaurant or cocktail lounge, public halls, ballrooms, or meeting rooms.

**JUNK YARD.** An area where waste, used or secondhand materials are bought and sold, exchanged, stored, bailed, packed, disassembled, or handled including but not limited to: scrap iron and other metals, paper, rags, rubber tires, and bottles. A JUNK YARD includes automobile wrecking yards and includes any open area of more than 200 square feet for storage, keeping or abandonment of junk.

**KENNEL.** Any lot or premise on which three or more dogs, cats, or other household pets are either permanently or temporarily boarded for remuneration.

**LOADING SPACE.** An off-street space on the same lot with a building, or group of buildings, for the temporary parking of a commercial vehicle while loading and unloading merchandise or materials.
LOT. A general term used to describe a parcel of land. The context in which the term is used dictates the precise meaning. More precise definitions follow.

SUBDIVISION LOT. A parcel of land designated on a Subdivision Plat and defined by distance and bearings tied to Section and Township monument records.

CORNER LOT. A Subdivision Lot where the interior angle of two adjacent sides at the intersection of two streets is less than 135 degrees. A lot abutting upon a curved street or streets shall be considered a corner lot for the purposes of the ordinance if the arc is of less radius than 150 feet and the tangents to the curve, at the two points where the lot lines meet the curve, or the straight line extended, form an interior angle of less than 135 degrees. (See Appendix A, Illustration 6)

INTERIOR LOT. Any Subdivision Lot other than a Corner Lot. (See Appendix A, Illustration 6)

THROUGH LOT. Any Interior Lot having frontage on two, more or less, parallel streets as distinguished from a Corner Lot. In the case of a row of double frontage lots, all yards of said lots adjacent to streets shall be considered frontage, and front yard setback shall be provided as required. (See Appendix A, Illustration 6)

LOT OF RECORD. A portion of land legally considered to be a distinct parcel owned by a public body or private entity, as evidenced by the issuance of a parcel identification number (“PIN”) by the Tazewell County Supervisor of Assessments. A Lot of Record may consist of a portion of a Subdivision Lot or multiple Subdivision Lots as shown on a subdivision plat. For purposes of this Zoning Code, the parcel identified by the PIN shall be considered a “Lot”. Notwithstanding the foregoing, in the event a parcel is bisected by a Township Line, two (2) separate PINs are issued for taxation purposes even though the parcel is owned by a single entity. In this unique situation, the Lot of Record shall have two (2) separate PINs but, shall still be considered one “Lot”.

LOT AREA. The total horizontal area within the lot lines of the lot.

LOT COVERAGE. The part or percent of the lot occupied by buildings and/or structures including accessory buildings and structures excluding driveways, walks, and paved patios.

LOT DEPTH. The horizontal distance between the front and rear lines, measured along the median between the side lot lines.

LOT LINES. The lines bounding a lot as defined herein:

FRONT LOT LINE. In the case of an interior lot, is that line separating said lot from the street. In the case of a through lot, is that line separating said lot from either street.

REAR LOT LINE. That lot line opposite the front lot line. In the case of a lot pointed at the rear, the rear lot line shall be an imaginary line parallel to the front lot line, not less than ten feet long lying farthest from the front lot line and wholly within the lot.

SIDE LOT LINE. Any lot line other than the front lot line or rear lot line. A side lot line separating a lot from a street is a side street lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.
LOT WIDTH. The horizontal distance between the side lot lines, measured between the two points where the front setback line intersects the side lot lines.

MAILBOX. A receptacle installed for the purpose of receiving mail delivered by the U.S. Postal Service.

MAIN BUILDING. A building in which is conducted the principal use of the lot upon which it is situated.

MAJOR THOROUGHFARE. An arterial street which is intended to serve as a large volume traffic-way for both the immediate municipal area and the region beyond.

MASTER PLAN. The comprehensive community plan including graphic and written proposals indicating the general location for streets, parks, schools, public buildings, and all physical development of the village, and includes any unit or part of such plan, and any amendment to such plan or parts thereof. Such plan may or may not be adopted by the Village Board.

MEZZANINE. An intermediate floor in any story occupying not more than one third of the floor area of such story. (See Appendix A, Illustration 1)

MOBILE HOME. Any vehicle designed, or constructed, to permit its being used as a conveyance upon the public streets or highways and constructed in such a manner as will permit occupancy thereof as a dwelling or sleeping place for one or more persons.

MOBILE HOME PARK. Any plot of ground upon which two or more mobile homes, occupied for dwelling or sleeping purposes, are located.

MODEL HOME. A new, single-family residence, not occupied as such, built by a person, firm or corporation engaged in the business of building new homes, and used or intended for use, for display purposes to be shown to prospective customers.

MOTEL. A series of attached, semi-detached or detached rental units containing a bedroom, bathroom and closet space. Units shall provide overnight lodging and are offered to the public for compensation and shall cater primarily to the public traveling by motor vehicle.

MUNICIPALITY. The village of Tremont, Illinois.

NONCONFORMING BUILDING. A building or portion thereof lawfully existing at the effective date of this ordinance, or amendments thereto, and that does not conform to the provisions of the ordinance in the district in which it is located.

NONCONFORMING USE. A use which lawfully occupied a building or land at the effective date of this ordinance, or amendments thereto, and that does not conform to the use regulations of the district in which it is located.

NURSERY; PLANT MATERIALS. A space, building or structure, or combination thereof, for the storage of live trees, shrubs or plants offered for retail sale on the premises including products used for gardening or landscaping. The definition of nursery within the meaning of this ordinance does not include any space, building or structure used for the sale of fruits, vegetables or Christmas trees.

NURSERY SCHOOL. A daytime facility which has as its main objective a development program for preschool children and whose staff meets the educational requirements established by state of Illinois.
**OFF-STREET PARKING LOT.** A facility providing vehicular parking spaces along with adequate drives and aisles, for maneuvering, to provide access for entrance and exit for the parking of more than three vehicles.

**OPEN FRONT STORE.** A business establishment so developed that a service to the patron may be extended beyond the walls of the structure, not requiring the patron to enter the structure. The term OPEN FRONT STORE shall not include automobile repair service stations.

**PARKING SPACE.** An area of definite length and width, said area shall be exclusive of drives, aisles or entrances giving access thereto, and shall be fully accessible for the parking of permitted vehicles.

**PLANNED RESIDENTIAL DEVELOPMENT (PRD).** A plan for a specific parcel of land or several contiguous parcels of land, located to permit development of a planned residential unit and supporting recreational and open space amenities. A planned residential development may include both attached and detached dwelling units (single-family, multiple-family, townhouses, etc.) as well as all typical accessory uses associated with residential uses, planned and designed in such a manner as to preserve and protect the character of abutting land, as well as protecting uses within the PRD by preserving as much natural vegetation and terrain as possible.

**PORTABLE SIGN.** A sign and sign structure which is designed to facilitate the movement of the sign from one Lot of Record to another. The sign may or may not have wheels, changeable lettering and/or hitches for towing.

**PRINCIPAL USE.** The main use to which the premises are devoted and the principal purpose for which the premises exist.

**PUBLIC UTILITY.** A person, firm, corporation, village department, board or commission duly authorized to furnish and furnishing under federal, state or village regulations to the public: gas, steam, electricity, sewage conveyance and treatment, stormwater conveyance, communication, transportation, or water conveyance and treatment.

**ROOM.** For the purpose of determining lot area requirements and density in a multiple-family district, a room is a living room, dining room, or bedroom, equal to at least 80 square feet in area. A room shall not include the area in kitchen, sanitary facilities, utility provisions, corridors, hallways, and storage. Plans presented showing one, two or three-bedroom units and including a “den,” “library,” or other extra rooms count such extra rooms as a bedroom for the purpose of computing density.

**SATELLITE RECEPTION AREA.** A dish type antenna for the reception of communication or other signals from orbiting satellites.

**SETBACK.** The distance required to obtain minimum front, side or rear yard open space provisions of this ordinance.

**SIGN.** The use of any words, numerals, figures, devices, designs, or trademarks by which anything is made known such as are used to show an individual, firm, profession, or business, and are visible to the public.

**ACCESSORY SIGN.** A sign which is accessory to the principal use of the premises.

**NONACCESSORY SIGN.** A sign which is not accessory to the principal use of the premises.
**STORY.** The part of a building, except a mezzanine as defined herein, included between the surface of one floor and the surface of the next floor, or if there is no floor above, then the ceiling next above. A basement shall not be counted as a story. (See Appendix A, Illustration 2)

**STORY; HALF.** An uppermost story lying under a sloping roof having an area of at least 200 square feet with a clear height of seven feet six inches. For the purposes of this ordinance, the usable floor area is only that area having at least four feet clear height between floor and ceiling.

**STREET.** A publicly dedicated right-of-way, other than an alley, which affords the principal means of access to abutting property.

**STRUCTURE.** Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.

**TELEVISION RECEPTION TOWER.** A free-standing structure on which a television reception device, other than a satellite reception antenna, is mounted. This shall not include house top television antenna.

**TEMPORARY USE OF BUILDINGS.** A use permitted by the Zoning Board to exist during a specified period of time.

**USE.** The principal purpose for which land or a building is arranged, designed or intended, or for which land or a building is or may be occupied.

**VARIANCE.** A modification of the literal provisions of the zoning ordinance granted when strict enforcement of the zoning ordinance would cause undue hardship owing to circumstances unique to the individual property on which the variance is granted. The crucial points of variance are: (a) undue hardship, (b) unique circumstances, and (c) applying to property. A variance is not an exception.

**WALL; OBSCURING.** A structure of definite height and location to serve as an obscuring screen in carrying out the requirement of this ordinance.

**YARDS.** The open spaces on the same lot with a main building unoccupied and unobstructed from the ground upward except as otherwise provided in this ordinance and as defined herein:

**FRONT YARD.** An open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest point of the main building.

**REAR YARD.** An open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and the nearest point of the main building. In the case of a corner lot, the rear yard may be opposite either street frontage.

**SIDE YARD.** An open space between a main building and the side lot line, extending from the front yard to the rear yard, the width of which is the horizontal distance from the nearest point on the side lot line to the nearest point of the main building. (See Appendix A, Illustration 7)
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ARTICLE II: ZONING DISTRICTS AND MAP

§ 200 DISTRICTS ESTABLISHED

The village has established the following districts:

1. Residential districts.
   R-1 and R-1a: Single Family Residential District
   R-2 and R-2a: Two Family Residential District
   R-3: Multiple Family Residential District

2. Non-residential districts.
   OS: Office District
   B-1: Central Business District
   B-2: General Business District
   I-1: Light Industrial District
   I-2: General Industrial District

§ 201 DISTRICT BOUNDARIES

The boundaries of these districts are hereby established as shown on the Official Zoning Map of the Village of Tremont, which accompanies this ordinance, and which map with all notations, references, and other information shown thereon shall be as much a part of this ordinance as if fully described herein.

§ 202 DISTRICT BOUNDARIES INTERPRETED

Where uncertainty exists with respect to the boundaries of the various districts as shown on the zoning map, the following rules shall apply:

1. Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such center lines.

2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lines.

3. Boundaries indicated as approximately following village limits shall be construed as following village limits.

4. Boundaries indicated as parallel to or extensions of features indicated in subsections 1 through 3 above shall be so construed. Distances not specifically indicated on the official zoning map shall be determined by the scale of the map.

5. Where physical or natural features existing on the ground are at variance with those shown on the official zoning map, or in other circumstances not covered by subsections 1 through 4 above, the Zoning Board shall interpret the district boundaries.

6. Insofar as some or all the various districts may be indicated on the zoning map by patterns which, for the sake of map clarity, do not cover public rights-of-ways, it is intended that such district boundaries do extend to the center of any public right-of-way.

§ 203 ZONING OF ANNEXED AREAS

Whenever any area is annexed to the village the following conditions will apply:

Land that is zoned previous to annexation shall be classified as being in whichever district of this Ordinance 18-xxxx
ordinance most closely conforms with the zoning that existed prior to annexation, such classification to be recommended by the Zoning Board to the Village Board and the Board shall approve same by resolution.

§ 204 ZONING OF VACATED AREAS
Whenever any street, alley or other public way, within the village shall be vacated, such street, alley, or other public way or portion thereof, shall automatically be classified in the same zoning district as the property to which it attaches. In those instances where a street, alley or other public way serves as a zoning district boundary and is vacated, the center line of such vacated street, alley or public way shall be considered the zoning district boundary.

§ 205 MAIN STRUCTURES AND USES
In no case other than in planned developments shall there be more than one main or principal structure, or main or principal use in one lot or other tract of land.

§ 206 DISTRICT REQUIREMENTS
All buildings and uses in any district shall be subject to the provisions of Article III: General Limitations, Article XII: General Provisions, and Article XIII, General Exceptions.
ARTICLE III: GENERAL LIMITATIONS

§ 300 INTENT

The following are general limitations and requirements that apply to all zoning districts of the Village of Tremont.

1. All buildings must include a main (front) entrance facing a village street whose address is on that village street.

2. Wood foundations built below grade are not allowed.

3. Mobile homes or trailers are not allowed to occupy property or driveways in any zoning district other than a designated storage facility in a B-2 District. Such vehicles may be temporarily parked on driveways for loading and unloading.

4. All buildings to be used as a dwelling shall be constructed on a permanent foundation. Manufactured homes built on a permanent chassis for transportation purposes are not allowed in any zoning district.

5. Kennels for boarding or breeding animals are not allowed in residential districts.
ARTICLE IV: R-1, R-1a SINGLE FAMILY RESIDENTIAL DISTRICT

§ 400 INTENT

The R-1 and R-1a District are single family residential districts designed to be the most restrictive of the residential districts. The R-1 District is intended to provide predominately low density, one-family detached dwellings. The R-1a District is intended to provide one-family detached dwellings in the older subdivisions of the village that were platted before minimum lot size and building setbacks were established. The older subdivisions contain smaller lots creating a denser residential environment. The distinction between R-1 and R-1a is established by the subdivision plat date. Subdivisions platted after 1988, in general, comply with the requirements of the R-1 District.

§ 401 PRINCIPAL USES PERMITTED

In a single family residential district, no building or land shall be used, and no building shall be erected except for one or more of the following specified uses unless otherwise provided in this ordinance:

1. One family detached dwellings with a main (front) entrance facing a village street whose address is on that village street.

2. Municipal buildings and uses necessary to service adjacent areas, publicly owned and operated libraries, parks, parkways and recreational facilities.

3. Cemeteries.

4. Public, parochial and other private elementary schools offering general education courses.

5. Accessory buildings and uses, customarily incident to any of the above uses.

§ 402 SPECIAL USES

The following uses may be permitted, subject to the conditions hereinafter imposed for each use and subject to the review and approval of the site plan and the use by the Village Board after a hearing and recommendation is received from the Zoning Board for each use:

1. Churches and other facilities normally incidental thereto subject to the following conditions:

   a. Buildings of greater than the maximum height allowed in Article XI, “Schedule of Regulations,” may be allowed provided front, side and rear yards are increased above the minimum required yards by one foot for each foot of building height that exceeds the maximum height allowed.

   b. All access to the site shall be in accordance with § 1218.

2. Public, parochial and private intermediate and/or secondary schools offering courses in general education, not operated for profit. Access to the site shall be in accordance with § 1218.

3. Utility and public service buildings and uses (without storage yards) when operating requirements necessitate the locating of said buildings within the district to serve the immediate vicinity.

Ordinance 18-xxxx
4. Day care homes subject to the following conditions:
   a. Such facility shall have received a state license to operate prior to seeking a special use permit under this ordinance.
   b. Not less than 2,500 square feet of outdoor play area shall be provided on the site.
   c. Parking shall be provided on the property to allow for direct drop-off and pick-up of children without requiring children to cross public streets.
   d. Such day care home shall also comply with any other conditions for operation that may be recommended by the Zoning Board and approved by the Village Board.

5. Nursery schools (Preschool) and day care centers: (not including dormitories) providing the following conditions are met:
   a. Such facility shall have received a state license to operate prior to seeking a special use permit under this ordinance.
   b. Each child so cared for shall be provided and maintained a minimum of 150 square feet of outdoor play area. Such play space shall have a total minimum area of not less than 5,000 square feet and shall be enclosed with fencing.

6. Nursery schools (Preschools) may be conducted in a residence subject to the following conditions:
   a. Not more than eight children may be in the home for the nursery school. The maximum of eight children includes the family's natural or adopted children under age 16 who are in the home under full time care.
   b. Such facility shall have received a state license to operate prior to seeking a special use permit under this ordinance or the special use permit shall be approved subject to the receipt of a state license.
   c. Not less than 2,500 square feet of outdoor play area shall be provided on the site.
   d. Parking shall be provided on the property to allow for direct drop-off and pick-up of children without requiring children to cross public streets.
   e. Such nursery school shall also comply with any other conditions for operation that may be recommended by the Zoning Board and approved by the Village Board.
   f. The operation of nursery school shall be not before 7:30 a.m. and not after 5:30 p.m.

7. Private noncommercial recreational areas, institutional community recreation centers; nonprofit swimming pool clubs, all subject to the following conditions:
   a. The proposed site for any of the uses permitted herein which would attract persons from or, are intended to serve areas beyond the immediate neighborhood, shall have at least one property line abutting a major thoroughfare or secondary thorough-fare, and the site shall be so planned as to provide all access in accordance with § 1218.
   b. Front, side and rear yards shall be at least 80 feet wide, and shall be landscaped in trees, shrubs, and grass. All such landscaping shall be maintained in a healthy condition.

Ordinance 18-xxxx
There shall be no parking or structures permitted in these yards, except required entrance drives and those walls used to obscure the use from abutting residential districts.

c. Off-street parking shall be provided to accommodate not less than 1/2 of the member families and/or individual members. The Zoning Board may modify the off-street parking requirements in those instances wherein it is specifically determined that the users will originate from the immediately adjacent areas, and will, therefore, be pedestrian. Prior to the issuance of a building permit or zoning compliance certificate, by-laws of the organization shall be provided to establish the membership involved for computing the off-street parking requirements. In those cases, wherein the proposed use or organization does not have by-laws or formal membership, the off-street parking requirement shall be determined by the Zoning Board based on usage.

d. Whenever, a swimming pool in constructed under this ordinance, said pool area shall be provided with a protective fence, six feet in height, and entry shall be provided by means of a controlled gate.

8. Private pools shall be permitted as an accessory use provided they meet the requirements of Chapter 151 of these ordinances.

9. Funeral Homes subject to the following conditions:

   a. Signs when lighted shall be shielded from abutting residences.

   b. Freestanding signs shall not exceed 20 square feet in area.

   c. All yard setback requirements for residences in the district in which such use is located shall be complied with.

   d. Off-street parking as required in § 1204 shall be provided.

   e. Service areas shall be screened from abutting residences by means of wall, fences or plantings.

10. Boarding and renting of rooms shall be permitted, all subject to the following conditions:

   a. This use shall be considered as an accessory use; board or lodging shall not be furnished to more than five persons in addition to the family.

   b. In the case of renting rooms, such convenience shall not be furnished unless there shall be provided at least 70 square feet of floor area per guest in that part of the building directly occupied by such guest for rooming purposes.

   c. Boarding and the renting of rooms shall not include the operating of what is normally termed a restaurant or similar use where meals are served to transient guests. Board shall not be provided to other than those rooming in the residence.

11. Model Homes subject to the following conditions:

   a. Signs. No more than one advertising sign may be placed on the premises upon which a model home is located; and, such sign may not exceed nine square feet in surface size and may not be illuminated.

Ordinance 18-xxxx
b. *Lights.* There shall be no exterior lighting on any premises occupied by a model home, other than yard lights and lights around exterior doors, of the type normally found on a single-family residence. The use of spot lights is prohibited.

c. In considering the issuance of a special use for a model home, the following factors may be considered:

   i. The general character of the area in which the model home will be located.

   ii. The proximity of the model home to non-single-family zones.

   iii. The proximity of the model home to major thoroughfares.

   iv. The volume of vehicular traffic reasonably anticipated to be generated by such special use which would be more than the normal volume of vehicular traffic generated by a single-family use.

d. A special use for a model home may:

   i. Restrict the duration of the special use; and in no event, shall the duration exceed twelve months.

   ii. Restrict the days of the week on which the model home may be kept open for display purposes. Such a restriction shall not preclude the owner from showing the home at any time by appointment.

   iii. Restrict the hours of the day during which the model home may be kept open for display purposes. Different hours may be prescribed for different days of the week.

   iv. Place such additional restrictions on the special use as are appropriate under the circumstances.

e. No special use for a model home may be allowed within 1/4 of a mile of any other model home special use; however, this provision (e) shall not apply to any special use granted for a model home which was in existence prior to the effective date of this ordinance.

f. The existence of a model home in a new subdivision shall not be subject to the provisions of this subsection for a period of two years after the subdivision wherein it is located has been approved and accepted by the village. A model home in a new subdivision may qualify as a special use after the expiration of the initial two-year period upon compliance with the terms and provisions hereof.

12. Home occupations shall only be permitted in R-1 and R-2 districts subject to the following conditions:

   a. Such special use shall only be secondary to the principal use of the lot and buildings.

   b. No tangible articles shall be sold or offered for sale on the premises except such as is produced on the premises or is provided incidental to the service or profession conducted on the premises.
c. There shall be no exterior storage of materials or equipment, and no materials or equipment shall be used in connection with the home occupation except such materials or equipment as may reasonably be used within the living area of a dwelling with due regard to the public health, safety, and welfare.

d. No heat, glare, noise, vibration, noxious or toxic fumes, odors, vapors, gases, or matter shall be produced at any time by any home occupation which are readily detectable without the use of instruments at any point on the boundaries of the premises.

e. There shall be no exterior indications of the home occupation.

f. Except for members of the family residing on the premises, there shall be no more than one employee.

g. Off-street parking spaces shall be provided as follows: In addition to the off-street parking spaces required by the ordinance, two additional parking spaces for customers and one additional parking space for any non-family employee employed on the premises shall be required.

13. Any special use granted under the provisions of § 402 may, upon hearing before the Zoning Board, be revoked, if the Board finds that any conditions of such special use have been violated.

§ 403 SIZE AND DISTANCE REQUIREMENTS

The following table provides minimum criteria for the issuance of building permits within the single family residential zoning districts of Tremont.

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Residential Zoning District</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>R-1a (Pre-1988)</td>
</tr>
<tr>
<td>Lot Size (Square Feet)</td>
<td>4,500</td>
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<tr>
<td>Minimum Width (Feet)</td>
<td>85</td>
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<tr>
<td>Maximum Height of Structure</td>
<td></td>
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<tr>
<td>Stories above Grade</td>
<td>2</td>
</tr>
<tr>
<td>Height above Grade (Feet)</td>
<td>25</td>
</tr>
<tr>
<td>Minimum Yard Setback (Feet)</td>
<td></td>
</tr>
<tr>
<td>Front Yard</td>
<td>15</td>
</tr>
<tr>
<td>Side Yard – Least One</td>
<td>5</td>
</tr>
<tr>
<td>Side Yard – Total of Both</td>
<td>10</td>
</tr>
<tr>
<td>Rear</td>
<td>25</td>
</tr>
<tr>
<td>Maximum Floor Area Ratio</td>
<td>45%</td>
</tr>
<tr>
<td>Maximum Percent of Lot Coverage</td>
<td></td>
</tr>
</tbody>
</table>

a. Lots abutting more than one public street, shall maintain the minimum Front and Side Yard Setback for yards abutting a public street as shown on Illustration 8 in Appendix A.

b. Buildings with doors facing side yards shall provide a Side Yard Setback not less than double the minimum value.

c. One-half the width of Alleys at the rear of the lot may be considered in computing rear yard setbacks.
§ 404 BUILDING LIMITATIONS AND REQUIREMENTS

1. The following limitations shall govern the size of detached buildings on a residential property:
   
a. If a residence does not include an attached garage, a detached garage may be constructed, if the footprint of the structure does not exceed 720 square feet and the overall height of the structure does not exceed 16 feet. Alternatively, the height may exceed 16 feet if the side walls of the structure are not more than 9 feet in height and the pitch of the garage roof matches the pitch of the residence structure. The detached garage shall not be considered an accessory structure in this case.

b. Any garage or accessory structure built upon a residential property must have exterior finishing similar to the exterior finishing of the residence or other homes in the neighborhood. Vertical ribbed metal siding and corrugated metal siding are not allowed.

2. Should a single-family residential district be established bordering an existing R-3, business, or office district, the developers of the single-family property shall provide:
   
a. An obscuring wall constructed along property lines. The wall shall be not less than 54 inches tall.

b. In lieu of a wall, a 54-inch tall chain link fence and 10-foot-wide greenbelt in accordance with Section 1209 may be provided along residential district borders.

3. Should a single family residential district be established bordering an existing industrial district, the developers of the residential district shall provide:
   
a. An obscuring wall constructed along property lines. Such a wall shall not be less than 72 inches in height and shall be in accordance with Section 1214.

b. In lieu of a wall, a 72-inch tall chain link fence and a 20-foot wide greenbelt may be provided along industrial district borders. The heavily planted greenbelt shall be in accordance with Section 1209.
ARTICLE V: R-2, R-2a TWO FAMILY RESIDENTIAL DISTRICT

§ 500 INTENT

The R-2 and R-2a District is intended to allow for higher density residential housing than allowed in the R-1 and R-1a District. One-family and two-family residential buildings are allowed. The districts are intended to transition between residential and commercial, office, thoroughfares or other uses which would affect residential character. In general, the distinction between R-2 and R-2a is established by the subdivision plat date. Subdivisions platted before the 1988 Zoning Ordinance was adopted consist of smaller lots and more dense development. Subdivisions platted after 1988, in general, comply with the requirements of the R-2 District.

The R-2a district is intended to apply to the oldest two-family residential portions of the village. The R-2 district applies to the two-family portions of those subdivisions platted after the 1988 Zoning Ordinance was adopted.

§ 501 PRINCIPAL USES PERMITTED

No building shall be erected or modified, and no land shall be used except for one of the following specified uses unless otherwise provided in this ordinance:

1. All principal uses permitted in the R-1 and R-1a Districts.
2. Two-family dwelling constructed as a single building with no common interior spaces serving two independent living spaces and separate utility service connections.

§ 502 SPECIAL USES

Special Uses, as listed for R-1 and R-1a Districts, will be considered subject to the conditions imposed for each use and subject to the review and approval of the site plan and the use by the Village Board after a hearing and recommendation is received from the Zoning Board for each use.

§ 503 SIZE AND DISTANCE REQUIREMENTS

The following table provides minimum criteria for the issuance of building permits within the two family residential zoning districts of Tremont.

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Residential Zoning District</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>R-2a (Pre-1988)</td>
</tr>
<tr>
<td></td>
<td>Criteria</td>
</tr>
<tr>
<td>1. Lot Size (Square Feet)</td>
<td>5,000</td>
</tr>
<tr>
<td>2. Minimum Width (Feet)</td>
<td>e, f</td>
</tr>
<tr>
<td>3. Maximum Height of Structure</td>
<td></td>
</tr>
<tr>
<td>Stories above Grade</td>
<td>2</td>
</tr>
<tr>
<td>Height above Grade (Feet)</td>
<td>25</td>
</tr>
<tr>
<td>4. Minimum Yard Setback (Feet)</td>
<td></td>
</tr>
<tr>
<td>Front Yard</td>
<td>15</td>
</tr>
<tr>
<td>Side Yard – Least One</td>
<td>5</td>
</tr>
<tr>
<td>Side Yard – Total of Both</td>
<td>10</td>
</tr>
</tbody>
</table>
Criteria | Residential Zoning District
---|---
| R-2a (Pre-1988) | R-2 (Post-1988)
Rear | 25 | 35 | c, d | c, d
5. Maximum Floor Area Ratio | 0.65 | | |
6. Maximum Percent of Lot Coverage | 45% | 35% |

a. Lots abutting more than one public street, shall maintain the minimum Front and Side Yard Setback for yards abutting a public street as shown on Illustration 8 in Appendix A.

b. Buildings with doors facing side yards shall provide a Side Yard Setback not less than double the minimum value.

c. One-half the width of Alleys at the rear of the lot may be considered in computing rear yard setbacks.

d. For all Permitted Uses and approved Special Uses, other than single-family residential, the Setback shall be the greater of the Building Height or the Minimum Yard Setback.

e. Two-family dwellings that provide living space for both units on the ground floor shall have a minimum property width of 100 feet along a village street whose address is on that street in both R-2a and R-2 Districts. Exceptions to property width will be considered as a Variance for Corner Lots and Through Lots. Setback requirements shall be satisfied for R-2a and R-2 Districts.

f. Two-family dwellings that provide living space for one unit on the ground floor and the second unit on a second floor may be constructed on properties with property width less than 100 feet. No restrictions are imposed on property width in the R-2a District for separate dwelling units on separate floors. The minimum property width in the R-2 District is 85 feet for separate dwelling units on separate floors. Setback requirements shall be satisfied for R-2a and R-2 Districts.

§ 504 BUILDING LIMITATIONS AND REQUIREMENTS

1. Primary entrances facing side yards and rear yards are not permitted. Through lots and corner lots with frontage on two village streets can accommodate two-family dwellings with an entrance facing either street or both streets. An Alley is not a Street.

2. The following limitations shall govern the size of detached buildings on a residential property:

   a. If a dwelling unit does not include an attached garage, a detached garage may be constructed, if the footprint of the structure does not exceed 720 square feet and the overall height of the structure does not exceed 16 feet. Alternatively, the height may exceed 16 feet if the side walls of the structure are not more than 9 feet in height and the pitch of the garage roof matches the pitch of the residence structure. The detached garage shall not be considered an accessory structure in this case.

   b. Any garage or accessory structure built upon a residential property must have exterior finishing similar to the exterior finishing of the residence or other homes in the neighborhood. Vertical ribbed metal siding and corrugated metal siding are not allowed.

Ordinance 18-xxxx
3. Should a two-family residential district be established bordering an existing R-3, business or office district, the developers of the two-family residential property shall provide:

   a. An obscuring wall constructed along property lines. The wall shall be not less than 54 inches tall.

   b. In lieu of a wall, a 54-inch tall chain link fence and 10-foot-wide greenbelt in accordance with Section 1209 may be provided along residential district borders.

4. Should a two-family residential district be established bordering an existing industrial district, the developers of the residential district shall provide:

   a. An obscuring wall constructed along property lines. Such a wall shall not be less than 72 inches in height and shall be in accordance with Section 1214.

   b. In lieu of a wall, a 72-inch tall chain link fence and a 20-foot wide greenbelt may be provided along industrial district borders. The heavily planted greenbelt shall be in accordance with Section 1209.
ARTICLE VI: R-3 MULTIPLE FAMILY RESIDENTIAL DISTRICT

§ 600 INTENT

The R-3 District is intended to allow for multiple family dwelling structures, and related uses, which will generally serve as zones of transition between the non-residential districts and lower density residential districts. The multiple family district serves the needs for the apartment type of unit. The R-3 District is intended to provide sites in and near the central business district for housing which will provide convenient living accommodations for those residents of the village desiring a location near employment, shopping and civic activities.

§ 601 PRINCIPAL USES PERMITTED

No building shall be erected or modified, and no land shall be used except for one of the following specified uses unless otherwise provided in this ordinance:

1. All principal uses permitted in the R-1 and R-2 Districts.
2. Multiple family dwellings.
3. Accessory buildings and uses customarily incident to any of the residential uses.

§ 602 REQUIRED CONDITIONS

In the case of multiple dwelling developments, all site plans shall be submitted to the Zoning Board for review and approval before issuance of a building permit. Approval shall be contingent upon a finding that:

1. The site plan shows that a proper relationship exists between local streets and any proposed service roads, driveways, and parking areas to encourage pedestrian and vehicular traffic safety.
2. All the development features including the principal building or buildings and any accessory buildings, or uses, open spaces, and any service roads, driveways and parking areas are so located and related to minimize the possibility of adverse effects upon adjacent property, such as, but not limited to, channeling excessive traffic onto local residential streets, lack of adequate screening or buffering of parking or service areas, that would interfere with police or fire equipment access.

§ 603 SPECIAL USES

The following uses may be permitted, subject to the conditions hereinafter imposed for each use and subject to the review and approval of the site plan and the use by the Village Board after a hearing and recommendation is received from the Zoning Board for each use:

1. General Hospitals, with no maximum height restrictions, when the following conditions are met:
   a. All such hospitals shall be developed only on sites consisting of at least two acres in area;
   b. All access to the site shall be in accordance with Section 1218;
c. The minimum distance of any main or accessory building from bounding lot lines shall be at least 50 feet or, the building height if the height exceeds 50 feet, for front, rear and side yards.

2. Housing for elderly when the following conditions are met:
   a. All dwellings shall be at least 225 square feet per unit, not including a kitchen and sanitary facilities.
   b. Total coverage of all buildings shall not exceed 25% of the total site exclusive of any dedicated public right of way.
   c. Service uses such as a dry-cleaning pickup station, hair care, or similar use for the exclusive service to residents of the property may be allowed within a building housing fifty (50) or more residents. The service facility shall not serve the public and signs advertising the service to the public shall not be allowed.

3. Nursery schools and day care centers: (not including dormitories) providing the following conditions are met:
   a. Such facility shall have received a state license to operate prior to seeking a special use permit under this ordinance.
   b. Each child so cared for shall be provided and maintained a minimum of 150 square feet of outdoor play area. Such play space shall have a total minimum area of not less than 5,000 square feet and shall be screened and fenced from any adjoining lot in any residential district.

4. Convalescent homes and residential care homes when the following conditions are met:
   a. Not less than 1,500 square feet of outdoor open space for each bed shall be provided on the site. The outdoor open space shall provide landscape settings, off-street parking, service drives, loading space, yard requirements, and accessory uses but, shall not include the area covered by buildings.
   b. No building shall be closer than 40 feet to boundary lines.

5. Accessory buildings and uses customarily incident to any of the above permitted uses.

§ 604 SIZE AND DISTANCE REQUIREMENTS

The following table provides minimum criteria for the issuance of building permits within the multiple family zoning district of Tremont.

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Residential Zoning District</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>R-3</td>
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<tr>
<td>1. Lot Size (Square Feet)</td>
<td>Value</td>
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<tr>
<td>2. Minimum Width (Feet)</td>
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</tr>
<tr>
<td>3. Maximum Height of Structure</td>
<td></td>
</tr>
<tr>
<td>Stories above Grade</td>
<td>3</td>
</tr>
<tr>
<td>Height above Grade (Feet)</td>
<td>35</td>
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</tbody>
</table>

Ordinance 18-xxxx
<table>
<thead>
<tr>
<th>Criteria</th>
<th>Residential Zoning District</th>
<th>R-3</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Value</td>
<td>Notes</td>
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<tr>
<td>4. Minimum Yard Setback (Feet)</td>
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<td>a, c</td>
</tr>
<tr>
<td>Front Yard</td>
<td>25</td>
<td></td>
</tr>
<tr>
<td>Side Yard – Least One</td>
<td>15</td>
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<tr>
<td>Side Yard – Total of Both</td>
<td>30</td>
<td></td>
</tr>
<tr>
<td>Rear</td>
<td>35</td>
<td>b</td>
</tr>
<tr>
<td>5. Maximum Floor Area Ratio</td>
<td>0.5</td>
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</tr>
<tr>
<td>6. Maximum Percent of Lot Coverage</td>
<td>35%</td>
<td></td>
</tr>
</tbody>
</table>

a. Lots abutting more than one public street, shall maintain the minimum Front and Side Yard Setback for yards abutting a public street as shown on Illustration 8 in Appendix A.

b. One-half the width of Alleys at the rear of the lot may be considered in computing rear yard setbacks.

c. All Setbacks shall be the greater of the Building Height or the Minimum Yard Setback for all Permitted Uses and approved Special Uses, other than single-family residential.

§ 605 BUILDING LIMITATIONS AND REQUIREMENTS

1. The total number of rooms shall not be more than the area of the parcel, in square feet, divided by 1,400. The room count shall not include kitchen, dining, and sanitary facilities. A den, library, or any other rooms shall be including in the room density count. The following room assignments shall be used to determine the permitted number of dwelling units per acre:

   a. Efficiency – 1 room
   b. One Bedroom – 2 rooms
   c. Two Bedroom – 3 rooms
   d. Three Bedroom – 4 rooms
   e. Four Bedroom – 5 rooms

2. A property with multiple buildings shall provide the following minimum spacing between buildings:

   a. One-Story building – 30 feet minimum distance between buildings
   b. Two-Story building – 40 feet minimum distance between buildings
   c. Three-Story building – 55 feet minimum distance between buildings

3. Should property be developed or re-developed within a R-3 district bordering an existing single-family residential, two-family residential, business or office district, the developers of the R-3 district shall provide:

   a. An obscuring wall constructed along property lines. The wall shall be not less than 54 inches tall.
b. In lieu of a wall, a 54-inch tall chain link fence and 10-foot-wide greenbelt in accordance with Section 1209 may be provided along residential district borders.

4. Should property be developed or re-developed within a R-3 district bordering an existing industrial district, the developers of the R-3 district shall provide:

   a. An obscuring wall constructed along property lines. Such a wall shall not be less than 72 inches in height and shall be in accordance with Section 1214.

   b. In lieu of a wall, a 72-inch tall chain link fence and a 20-foot wide greenbelt may be provided along industrial district borders. The heavily planted greenbelt shall be in accordance with Section 1209.
ARTICLE VII: OF OFFICE DISTRICT

§ 700 INTENT

The OS-1 Office District is designed to accommodate uses such as offices, banks and personal services which can serve as transitional areas between residential and business districts and to provide a transition between major thoroughfares and residential districts.

§ 701 PRINCIPAL USES PERMITTED

In an office district, no building or land shall be used, and no building shall be erected for one or more of the following specified uses unless otherwise provided in this article.

1. Office buildings for any of the following occupations: executive, administrative, professional, accounting, writing, clerical, stenographic and drafting, subject to the limitations contain in § 613.

2. Medical offices, including clinics.

3. Banks, credit unions, savings and loan associations and similar uses; drive-in facilities as an accessory use only,

4. Personal service establishments including barber shops, beauty shops and health salons.

5. Churches and private clubs.

6. Municipal office buildings and uses.

7. Other uses like the above uses.

8. Accessory structures and uses customarily incident to the above permitted uses.

§ 702 SPECIAL USES

The following uses may be permitted, subject to the conditions hereinafter imposed for each use and subject further to the review and approval of the site plan and the uses by the Village Board after a hearing and recommendation is received from the Zoning Board for each use:

1. An accessory use customarily related to a principal use authorized by this section, such as, but not limited to, a pharmacy or apothecary shop, stores limited to corrective garments or bandages or optical service may be permitted.

2. Mortuary establishments, when adequate assembly area is provided off-street for vehicles to be used in funeral processions, provided further that the assembly area shall be provided in addition to any required off-street parking area. A caretaker's residence may be provided within the main building of mortuary establishments.

3. Publicly-owned buildings, telephone exchange buildings, and public utility offices, but not including storage yards, transformer stations, substations, or gas regulator stations.

4. Accessory structures and uses customarily incident to the above uses.
§ 703 REQUIRED CONDITIONS

1. No interior display shall be visible from the exterior of the building.

2. The outdoor storage of goods or material shall be prohibited.

3. Warehousing or indoor storage of goods or material, beyond that normally incident to the above permitted uses, shall be prohibited.

§ 704 SIZE AND DISTANCE REQUIREMENTS

The following table provides minimum criteria for the issuance of building permits within the Office zoning districts of Tremont.

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Office Zoning District</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>OS</td>
</tr>
<tr>
<td></td>
<td>Value</td>
</tr>
<tr>
<td>Lot Size (Square Feet)</td>
<td>10,500</td>
</tr>
<tr>
<td>Minimum Width (Feet)</td>
<td>65</td>
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<tr>
<td>Maximum Height of Structure</td>
<td></td>
</tr>
<tr>
<td>Stories above Grade</td>
<td>2</td>
</tr>
<tr>
<td>Height above Grade (Feet)</td>
<td>35</td>
</tr>
<tr>
<td>Minimum Yard Setback (Feet)</td>
<td>a, c</td>
</tr>
<tr>
<td>Front Yard</td>
<td>25</td>
</tr>
<tr>
<td>Side Yard – Least One</td>
<td>15</td>
</tr>
<tr>
<td>Side Yard – Total of Both</td>
<td>30</td>
</tr>
<tr>
<td>Rear</td>
<td>25</td>
</tr>
<tr>
<td>Maximum Floor Area Ratio</td>
<td></td>
</tr>
<tr>
<td>Maximum Percent of Lot Coverage</td>
<td>35%</td>
</tr>
<tr>
<td>Parking Spaces per 250 sq. ft. of floor space</td>
<td>1</td>
</tr>
</tbody>
</table>

a. Lots abutting more than one public street, shall maintain the minimum Front and Side Yard Setback for yards abutting a public street as shown on Illustration 8 in Appendix A.

b. One-half the width of Alleys at the rear of the lot may be considered in computing rear yard setbacks.

c. All Setbacks shall be the greater of the Building Height or the Minimum Yard Setback for all Permitted Uses and approved Special Uses, other than single-family residential.

§ 705 BUILDING LIMITATIONS AND REQUIREMENTS

1. Should property be developed or re-developed within an Office District bordering a residential district or Park District property, developers of the office district shall construct an obscuring wall along property lines bordering residential districts and Park District property. The wall shall be not less than 54 inches tall.

2. In lieu of a wall, a 54-inch tall chain link fence and 10-foot-wide greenbelt in accordance with Section 1209 may be provided along residential district borders.

Ordinance 18-xxxx
3. Should property be developed or re-developed within an Office district bordering an existing industrial district, the developers of the office district property shall provide an obscuring wall constructed along property lines. Such a wall shall not be less than 72 inches in height and shall be in accordance with Section 1214.

4. In lieu of a wall, a 6-foot tall chain link fence and a 20-foot wide greenbelt may be provided along industrial district borders. The heavily planted greenbelt shall be in accordance with Section 1209.
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ARTICLE VIII: B-1 CENTRAL BUSINESS DISTRICT

§ 800 INTENT

The B-1 Central Business District is designed to provide for office buildings and the great variety of retail stores and related activities which occupy the prime retail frontage by serving the commerce, convenience, and service needs of the entire village and developments beyond the village limits. The district regulations are designed to promote convenient pedestrian shopping and the stability of retail development by encouraging a continuous retail frontage and by limiting automotive related services and non-retail uses which tend to break up such continuity.

§ 801 PRINCIPAL USES PERMITTED

In a central business district, no building or land shall be used, and no building shall be erected except for one or more of the following specified uses, unless otherwise provided in this ordinance:

1. Any generally recognized retail business which supplies commodities on the premises within a completely enclosed building, such as, but not limited to foods, drugs, liquor, furniture, clothing, dry goods, or hardware.

2. Office buildings for any of the following occupations: Executive, administrative, professional, accounting, writing, clerical, stenographic, drafting, and sales subject to the limitations contained in "Required Conditions."

3. Any personal service establishment which performs services on the premises within a completely enclosed building, such as, but not limited to repair shops (watches, radios, televisions, shoes, etc.), tailor shops, beauty parlors, barber shops, interior decorators, photographers, and dry cleaners.

4. Banks, credit unions, and similar uses; drive-in facilities as an accessory use only,

5. Medical offices, including clinics.

6. Professional services including the following: offices of doctors, lawyers, dentists, insurance, stock brokerage, and similar or allied professions.

7. Post office and similar government office buildings, serving persons living in the community.

8. Churches and private clubs.

9. Municipal office buildings and uses.

10. Theaters when completely enclosed.

11. Restaurants and taverns where the patrons are served while seated within the building occupied by such establishment, and wherein the establishment does not extend as an integral part of, or accessory thereto, any service of a drive-in or open-front store.

12. Offices and showrooms of plumbers, electricians, decorators or similar trades. The ground floor premises facing upon, and visible from any abutting street shall be used only for entrances, offices, or display. All storage of materials on any land shall be within the confines of the building or part thereof occupied by said establishment and shall be adequately screened from
abutting streets.

13. Business schools or private schools operated for profit. Examples of private schools permitted herein include but are not limited to, the following: dance studios, music and voice schools, and art studios.

14. Newspaper offices and printing plants.

15. Warehouse and storage facilities when incident to and physically connected with any principal use permitted, provided that such facility be within the confines of the building or part thereof occupied by the establishment.

16. Public utility buildings, telephone exchange buildings, electric transformer stations, substations and similar uses only when enclosed within a building or completely enclosed by an obscuring wall.

17. Other uses which are like the above and subject to the following restrictions:
   a. All business establishments shall be retail or service establishments dealing directly with consumers.
   b. All business, servicing, or processing except for off-street parking or loading, shall be conducted within completely enclosed buildings.
   c. Storage of commodities shall be within buildings or shall be so enclosed as not to be visible to the public from a street or thoroughfare.

18. Accessory structures customarily incident to the above permitted uses.

§ 802 SPECIAL USES

The following uses may be permitted, subject to the conditions hereinafter imposed for each use and subject further to the review and approval of the site plan and the uses by the Village Board after a hearing and recommendation is received from the Zoning Board for each use:

1. An accessory use customarily related to a principal use authorized by this section, such as, but not limited to, a pharmacy or apothecary shop, stores limited to corrective garments or bandages, or optical service, may be permitted.

2. Mortuary establishments, when adequate assembly area is provided off-street for vehicles to be used in funeral processions, provided further that such assembly area shall be provided in addition to any required off-street parking area. A caretaker’s residence may be provided within the main building of the mortuary establishment.

3. The uses allowed and as controlled in R-3 districts may be permitted on those floors above the first story in accord with the dwelling unit density requirements of the R-3 district. All height, setback, floor area ratio, and percentage of lot coverage requirements shall comply with the requirements of the B-1 district.

4. Accessory structures and uses customarily incident to the above uses.
§ 803 REQUIRED CONDITIONS

1. Continuous outdoor storage of goods or materials is prohibited. Seasonal outdoor sales are allowed.

2. Warehousing or indoor storage of goods or material, beyond that normally incident to the above permitted uses, shall be prohibited.

3. All business establishments shall be retail or service establishments dealing directly with customers. All goods produced on the premises shall be sold at retail on the premises where they are produced.

4. All business, servicing, or processing, except for off-street parking or loading, shall be conducted within a completely enclosed building.

§ 804 SIZE AND DISTANCE REQUIREMENTS

The following table provides minimum criteria for the issuance of building permits within the Central Business zoning districts of Tremont.

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Central Business District</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>B-1</td>
</tr>
<tr>
<td></td>
<td>Value</td>
</tr>
<tr>
<td>8. Lot Size (Square Feet)</td>
<td></td>
</tr>
<tr>
<td>9. Minimum Width (Feet)</td>
<td></td>
</tr>
<tr>
<td>10. Maximum Height of Structure</td>
<td></td>
</tr>
<tr>
<td>Stories above Grade</td>
<td>3</td>
</tr>
<tr>
<td>Height above Grade (Feet)</td>
<td>70</td>
</tr>
<tr>
<td>11. Minimum Yard Setback (Feet)</td>
<td></td>
</tr>
<tr>
<td>Front Yard</td>
<td>10</td>
</tr>
<tr>
<td>Side Yard – Least One</td>
<td>0, 10 or 15</td>
</tr>
<tr>
<td>Side Yard – Total of Both</td>
<td>0 to 30</td>
</tr>
<tr>
<td>Rear</td>
<td>10</td>
</tr>
<tr>
<td>12. Maximum Floor Area Ratio</td>
<td></td>
</tr>
<tr>
<td>13. Maximum Percent of Lot Coverage</td>
<td></td>
</tr>
<tr>
<td>14. Parking Spaces per 250 sq. ft. of floor space</td>
<td></td>
</tr>
</tbody>
</table>

a. Buildings with doors facing side yards shall provide a Side Yard Setback not less than 15 feet.

b. Side yards are not required along the interior lot lines of Central Business and General Business subdivisions. The exterior side bordering a residential district or public street shall maintain a side yard not less than 10 feet.

c. One-half the width of Alleys at the rear of the lot may be considered in computing rear yard setbacks.

d. Parking is permitted in the front yard pending approval by the Zoning Board of the parking plan layout and points of access. The Zoning Board may request recommendations from the Village Engineer pertaining to parking and access prior to approval.
§ 805 BUILDING LIMITATIONS AND REQUIREMENTS

1. Should property be developed or re-developed within a B-1 district bordering residential districts or Park District property, developers of the business district shall construct an obscuring wall along property lines bordering residential districts and Park District property. The wall shall be not less than 54 inches tall.

2. In lieu of a wall, a 54-inch tall chain link fence and 10-foot-wide greenbelt in accordance with Section 1209 may be provided along residential district borders.

3. Should a property be developed or re-developed within a B-1 district bordering an existing industrial district, the developers of the business district property shall provide an obscuring wall constructed along property lines. Such a wall shall not be less than 72 inches in height and shall be in accordance with Section 1214.

4. In lieu of a wall, a 72-inch tall chain link fence and a 20-foot wide greenbelt may be provided along industrial district borders. The heavily planted greenbelt shall be in accordance with Section 1209.
ARTICLE IX: B-2 GENERAL BUSINESS DISTRICT

§ 900 INTENT

The B-2 General Business District is designed to provide sites for more diversified business types which would often be incompatible with the pedestrian movement in the general business district.

§ 901 PRINCIPAL USES PERMITTED

1. Any retail business or service establishment permitted in the B-1 District as principal uses permitted and uses permitted as special uses.
2. New and used automobile sales or show-room.
3. Private clubs or lodge halls.
4. Government offices or other governmental uses; public utility offices, exchanges, transformer stations, pump stations, and service yards, but not including outdoor storage.
5. Clinics.
6. Retail cold storage establishments.
7. Self-service laundry and dry-cleaning establishments.
9. Pool or billiard parlors or clubs.
10. Warehousing and storage of materials or goods to be sold at retail or wholesale provided such storage is within a building or is enclosed as not to be visible to the public from a street or thoroughfare.
11. Hotels and motels.
12. Other uses which are like the above uses.

§ 902 SPECIAL USES

The following uses may be permitted subject to the conditions hereinafter imposed for each use and subject further to the review and approval of the site plan and the use by the Village Board after a hearing and recommendation is received from the Zoning Board for each use;

1. Outdoor sales space for exclusive sale of new or used automobiles, house trailers, or rental of trailers and/or automobiles, all subject to the following;
   a. The lot or area shall be provided with a permanent, durable, and dustless surface, and shall be graded and drained as to dispose of all surface water accumulated within the area.
   b. Access to the outdoor sales area shall be at least 60 feet from the intersection of any two streets.
   c. No major repair or major refinishing shall be done on the open lot.
d. All lighting shall be shielded from adjacent residential districts.

2. Business in the character of a drive-in or open-front store, subject to the following conditions:
   a. A setback of at least 60 feet from the right-of-way line of any existing or proposed street must be maintained.
   b. Access points shall be located at least 60 feet from the intersection of any two streets.
   c. All lighting shall be shielded from adjacent residential districts.
   d. A five-foot high completely obscuring wall shall be provided when abutting a residential district. The height of the wall shall be measured from the surface of the ground. The wall shall further meet the requirements of Article XII, “General Provisions.”

3. Veterinary hospitals or clinics, provided all activities are conducted within a totally enclosed main building and provided further that all buildings are set back at least 200 feet from abutting residential districts on the same side of the street.

4. Landscape business and/or tree and plant nursery for sale at retail or wholesale.

5. The uses allowed and as controlled in the R-3 district may be permitted on those floors above the first story in accord with the dwelling unit density requirements of the R-3 district. All height, setback, floor area ratio and percent of lot coverage requirements shall comply with the requirements of the B 1 districts. In determining dwelling unit density, the parcel area, including that area to be occupied by the principal use, may be computed.

6. Automotive repair business such as muffler shops, shock absorber replacement shops, tire stores, undercoating shops and minor engine repair shops, subject to the following conditions:
   a. Access to such use shall be directly to a major or collector street or shall be to a minor street which has direct access to an abutting major or collector street.
   b. Access to and from such use shall not be cause for traffic to utilize residential streets.
   c. Outdoor storage of parts or materials shall be prohibited.
   d. Vehicles awaiting repair shall not be allowed to be stored outside the building for more than 14 days for each such vehicle awaiting repair.
   e. Areas for off-street parking required for customer use shall not be utilized for the storage of vehicles awaiting repairs.
   f. All vehicle servicing or repair shall be conducted within a building.
   g. Suitable containers shall be provided and utilized for the disposal of used parts and such containers shall be screened from public view.
   h. A four-foot six-inch obscuring wall shall be provided and maintained along property lines adjacent to or abutting a residential district.
   i. A site plan shall be submitted to the Zoning Board for its review and approval prior to issuance of a building permit.
7. Gasoline service stations for the sale of gasoline, oil, and minor accessories only, and where no repair work is done, other than incidental service, but not including steam cleaning or undercoating, vehicle body repair, painting, tire recapping, engine rebuilding, auto dismantling, upholstering, auto glass work, and such other activities whose external effect could adversely extend beyond the property line.

   a. The curb cuts for access to a service station shall not be permitted at such locations that will tend to create traffic hazards in the streets immediately adjacent thereto. Entrances shall be no less than 25 feet from a street intersection (measured from the road right-of-way) or from adjacent residential districts.

   b. The minimum lot area shall be 15,000 square feet, and so arranged that ample space is available for motor vehicles which are required to wait. Gasoline service stations which are intended solely, for the sale of gasoline, oil and minor accessories and having no facilities for repair or servicing of automobiles may be permitted on lots of 10,000 square feet, subject to all other provisions herein required.

8. Inside public storage and/or self-storage facility.

9. Accessory structures and uses customarily incident to the above uses.

§ 903 SIZE AND DISTANCE REQUIREMENTS

The following table provides minimum criteria for the issuance of building permits within the General Business zoning districts of Tremont.

<table>
<thead>
<tr>
<th>Criteria</th>
<th>General Business District</th>
<th>B-2</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Value</td>
<td>Notes</td>
</tr>
<tr>
<td>1. Lot Size (Square Feet)</td>
<td></td>
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<tr>
<td>2. Minimum Width (Feet)</td>
<td></td>
<td></td>
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<tr>
<td>3. Maximum Height of Structure</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stories above Grade</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>Height above Grade (Feet)</td>
<td>120</td>
<td></td>
</tr>
<tr>
<td>4. Minimum Yard Setback (Feet)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front Yard</td>
<td>25</td>
<td></td>
</tr>
<tr>
<td>Side Yard – Least One</td>
<td>0, 10 or 15</td>
<td>a, b</td>
</tr>
<tr>
<td>Side Yard – Total of Both</td>
<td>0 to 30</td>
<td>a, b</td>
</tr>
<tr>
<td>Rear</td>
<td>10</td>
<td>c</td>
</tr>
<tr>
<td>5. Maximum Floor Area Ratio</td>
<td>4.0</td>
<td></td>
</tr>
<tr>
<td>6. Maximum Percent of Lot Coverage</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. Parking Spaces per 250 sq. ft. of floor space</td>
<td>d</td>
<td></td>
</tr>
</tbody>
</table>

   a. Buildings with doors facing side yards shall provide a Side Yard Setback not less than 15 feet.

   b. Side yards are not required along the interior lot lines of Central Business and General Business subdivisions. The exterior side bordering a residential district or public street shall maintain a side yard not less than 10 feet.
c. One-half the width of Alleys at the rear of the lot may be considered in computing rear yard setbacks.

d. Parking is permitted in the front yard pending approval by the Zoning Board of the parking plan layout and points of access. The Zoning Board may request recommendations from the Village Engineer pertaining to parking and access prior to approval.

§ 904 BUILDING LIMITATIONS AND REQUIREMENTS

1. A property with multiple buildings shall provide the following minimum spacing between buildings:
   a. One-Story building – 30 feet minimum distance between buildings
   b. Two-Story building – 40 feet minimum distance between buildings
   c. Three-Story building – 55 feet minimum distance between buildings

2. Should property be developed or re-developed within a B-2 district bordering residential districts or Park District property, developers of the business district shall construct an obscuring wall along property lines bordering residential districts and Park District property. The wall shall be not less than 54 inches tall.

3. In lieu of a wall, a 54-inch tall chain link fence and 10-foot-wide greenbelt in accordance with Section 1209 may be provided along residential district borders.

4. Should property be developed or re-developed within a B-2 district bordering an existing industrial district, the developers of the business district property shall provide an obscuring wall constructed along property lines. Such a wall shall not be less than 72 inches in height and shall be in accordance with Section 1214.

5. In lieu of a wall, a 72-inch tall chain link fence and a 20-foot wide greenbelt may be provided along industrial district borders. The heavily planted greenbelt shall be in accordance with Section 1209.
ARTICLE X: I-1 LIGHT INDUSTRIAL DISTRICT

§ 1000 INTENT

The I-1 Light Industrial District is designed to primarily accommodate wholesale activities, warehouses, and industrial operations whose external, physical effects are restricted to the area of the district and in no manner, affect in a detrimental way, any of the surrounding districts. The I-1 District is so structured as to permit, along with any specified uses, the manufacturing, compounding, processing, packaging, assembly, and/or treatment of finished or semi-finished products from previously prepared material.

The general goals of this use district include, among other, the following specific purposes:

1. To provide sufficient space, in appropriate locations, to meet the needs of the village’s expected future economy for all types of manufacturing and related uses.

2. To protect abutting residential districts by separating them from manufacturing activities, and by prohibiting the use of such industrial areas for new residential development.

3. To promote manufacturing development which is free from danger of fire, explosions, toxic and noxious matter, radiations, and other hazards, and from offensive noise, vibration, smoke, odor and other objectionable influences.

4. To protect the most desirable use of land in accordance with a well-considered plan, to protect the character and established pattern of adjacent development, and in each area to conserve the value of land and buildings and other structures, and to protect the village’s tax revenue.

§ 1001 PRINCIPAL USES PERMITTED

In a light industrial district, no building or land shall be used, and no building shall be erected except for one or more of the following specified uses unless otherwise provided in this ordinance:

1. Any use charged with the principal function of basic research, design, and pilot or experimental product development when conducted within a completely enclosed building.

2. Any of the following uses when the manufacturing, compounding, processing, or packaging is conducted wholly within a completely enclosed building.
   a. Warehousing and wholesale establishments, and trucking facilities.
   b. The manufacture, compounding, processing, packaging, or treatment of such products as, but not limited to, bakery goods, candy, cosmetics, pharmaceuticals, toiletries, food products, hardware and cutlery, tool, die, gauge, and machine shops.
   c. The manufacture, compounding, assembling, or treatment of articles of merchandise from previously prepared materials: bone, canvas, cellophane, cloth, cork, elastomers, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, rubber, precious or semiprecious metals or stones, sheet metal, shell, textiles, tobacco, wax, wire, wood and yarns.
   d. The manufacture of pottery and figurines or other similar ceramic products using only previously pulverized clay, and kilns fired only by electricity or gas.

Ordinance 18-xxxx
e. The manufacture of musical instruments, toys, novelties and metal or rubber stamps, or other molded rubber products.

f. The manufacture or assembly of electrical appliances, electronic instruments and devices, radios and phonographs.

g. Laboratories – experimental, film, or testing.

h. Manufacturing and repair of electric or neon signs, light sheet metal products, including heating and ventilating equipment, cornices, eaves and the like.

i. Central dry-cleaning plants or laundries provided that such plants shall not deal directly with consumers at retail.

j. All public utilities, including buildings, accessory structures, storage yards and other related uses.


4. Manufacture of building products, storage facilities for building materials, sand, gravel, stone, lumber, storage of contractor’s equipment and supplies, provided such is enclosed within a building or within an obscuring wall or fence on those sides abutting all residential or business districts, and on any yard abutting a public thoroughfare. In any I-1 district, the extent of such fence or wall may be determined by the Zoning Board based on usage. Such fence or wall shall not be less than five feet in height, and may, depending on land usage, be required to be 8 feet in height. A chain link type fence, with heavy evergreen shrubbery inside of said fence, is considered to be an obscuring fence.

5. Municipal uses such as water treatment plants, and reservoirs, sewage treatment plants, and all other municipal buildings and uses, including outdoor storage.

6. Commercial kennels.

7. Greenhouses.

8. Trade or industrial schools.


10. Other uses of a similar and no more objectionable character to the above uses.

§ 1002 SPECIAL USES

The following uses may be permitted, subject to the conditions hereinafter imposed for each use and subject further to the review and approval of the site plan and the use by the Village Board after a hearing and recommendation is received from the Zoning Board for each use.

1. Auto, engine and body repair, and under-coating shops when completely enclosed.

2. Lumber and planing mills when completely enclosed and when located in the interior of the Ordinance 18-xxxx
district so that no property line shall form the exterior boundary of the I-1 district.

3. Metal plating, buffing and polishing, subject to appropriate measures to control the type of process to prevent noxious results and/or nuisances.

4. Retail, uses which have an industrial character in terms of either their outdoor storage requirements or activities (such as, but not limited to: lumber yards, building materials outlets, or agricultural implements) or serve convenience needs of the industrial district (such as, but not limited to: eating and drinking establishments, banks, savings and loan associations, credit unions, automobile service stations, motels or bowling alleys, trade or industrial schools or industrial clinics.)

5. Short-term car storage for wrecked automobiles where such storage is for periods not to exceed six months and when no such storage is undertaken for the wrecking or salvaging of automobiles or parts thereof, all such storage shall be completely fenced and shall be obscured from public view by a completely obscuring wall or fence.

6. Other uses of a similar character to the above uses.

7. Accessory buildings and uses customarily incident or any of the above uses.

§ 1003 SIZE AND DISTANCE REQUIREMENTS

The following table provides minimum criteria for the issuance of building permits within the Light Industrial zoning districts of Tremont.

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Light Industrial District</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Lot Size (Square Feet)</td>
<td>I-1</td>
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<tr>
<td>2. Minimum Width (Feet)</td>
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<tr>
<td>3. Maximum Height of Structure</td>
<td></td>
</tr>
<tr>
<td>Stories above Grade</td>
<td></td>
</tr>
<tr>
<td>Height above Grade (Feet)</td>
<td></td>
</tr>
<tr>
<td>4. Minimum Yard Setback (Feet)</td>
<td>25</td>
</tr>
<tr>
<td>Front Yard</td>
<td></td>
</tr>
<tr>
<td>Side Yard – Least One</td>
<td>0, 10 or 15 a, b</td>
</tr>
<tr>
<td>Side Yard – Total of Both</td>
<td>0 to 30                   a, b</td>
</tr>
<tr>
<td>Rear</td>
<td>10                        c</td>
</tr>
<tr>
<td>5. Maximum Floor Area Ratio</td>
<td></td>
</tr>
<tr>
<td>6. Maximum Percent of Lot Coverage</td>
<td></td>
</tr>
<tr>
<td>7. Parking Spaces per 250 sq. ft. of floor space</td>
<td>d</td>
</tr>
</tbody>
</table>

a. Buildings with doors facing side yards shall provide a Side Yard Setback not less than 15 feet.

b. Side yards are not required along the interior lot lines of Central Business and General Business subdivisions. The exterior side bordering a residential district or public street shall maintain a side yard not less than 10 feet.

Ordinance 18-xxxx
c. One-half the width of Alleys at the rear of the lot may be considered in computing rear yard setbacks.

d. Parking is permitted in the front yard pending approval by the Zoning Board of the parking plan layout and points of access. The Zoning Board may request recommendations from the Village Engineer pertaining to parking and access prior to approval.

§ 1004 BUILDING LIMITATIONS AND REQUIREMENTS

1. Development and re-development of industrial properties bordering any non-industrial zoned properties, Park District property, and on any front yard abutting a public thoroughfare shall provide an obscuring wall constructed along property lines. Such a wall shall not be less than 72 inches in height and may, depending upon land usage, be required to be 96 inches in height, and shall be in accordance with Section 1214.

2. In lieu of a 72-inch high wall, a 72-inch tall chain link fence and a 20-foot wide greenbelt may be provided. In lieu of a 96-inch high wall, a 72-inch tall chain link fence and a 40-foot wide greenbelt may be provided. The heavily planted greenbelt shall be in accordance with Section 1209.
ARTICLE XI: I-2 GENERAL INDUSTRIAL DISTRICT

§ 1100 INTENT

The I-2 General Industrial district is designed primarily for manufacturing, assembly, and fabrication activities including large scale or specialized industrial operations, whose external physical effects will be felt to some degree by surrounding districts. The I-2 district is so structured as to permit the manufacturing, processing, and compounding of semi-finished or finished products from raw materials as well as from previously prepared material.

§ 1101 PRINCIPAL USES PERMITTED

In a general industrial district, no building or land shall be used, and no building shall be erected except for one or more of the following specified uses unless otherwise provided in this ordinance:

1. Any principal use first permitted in an 1-1 district.
2. Heating and electric power generating plants.
3. Any of the following production or manufacturing uses (not including storage of finished products) if they are located not less than 800 feet distant from any residential district and not less than 300 feet distant from any other district.
   a. Junk yards, provided such are entirely enclosed within a building or within an eight-foot obscuring wall.
   b. Incineration of garbage or refuse when conducted within an approved and enclosed incinerator plant.
   c. Blast furnace, steel furnace, blooming or rolling mill.
   d. Manufacture of corrosive acid or alkali, cement, lime, gypsum, or Plaster of Paris.
   e. Petroleum or other inflammable liquids, production, refining or storage.
   f. Smelting of copper, iron or zinc ore.
4. Any other use which shall be determined by the Village Board, after recommendation from the Zoning Board, to be of the same general character as the above permitted uses in § 1001. The Village Board may impose any required setback and/or performance standards to insure public health, safety, and general welfare.
5. Accessory buildings and uses customarily incident to any of the above permitted uses.

§ 1102 SIZE AND DISTANCE REQUIREMENTS

The following table provides minimum criteria for the issuance of building permits within the General Industrial zoning districts of Tremont.

<table>
<thead>
<tr>
<th>Criteria</th>
<th>General Industrial District</th>
</tr>
</thead>
<tbody>
<tr>
<td>I-2</td>
<td></td>
</tr>
</tbody>
</table>

Ordinance 18-xxxx
<table>
<thead>
<tr>
<th></th>
<th>Value</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Lot Size (Square Feet)</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Minimum Width (Feet)</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Maximum Height of Structure</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Stories above Grade</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Height above Grade (Feet)</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Minimum Yard Setback (Feet)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Front Yard</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>Side Yard – Least One</td>
<td>0, 10 or 15</td>
</tr>
<tr>
<td></td>
<td>Side Yard – Total of Both</td>
<td>0 to 30</td>
</tr>
<tr>
<td></td>
<td>Rear</td>
<td>10</td>
</tr>
<tr>
<td>5.</td>
<td>Maximum Floor Area Ratio</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Maximum Percent of Lot Coverage</td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>Parking Spaces per 250 sq. ft. of floor space</td>
<td>d</td>
</tr>
</tbody>
</table>

a. Buildings with doors facing side yards shall provide a Side Yard Setback not less than 15 feet.

b. Side yards are not required along the interior lot lines of Central Business and General Business subdivisions. The exterior side bordering a residential district or public street shall maintain a side yard not less than 10 feet.

c. One-half the width of Alleys at the rear of the lot may be considered in computing rear yard setbacks.

d. Parking is permitted in the front yard pending approval by the Zoning Board of the parking plan layout and points of access. The Zoning Board may request recommendations from the Village Engineer pertaining to parking and access prior to approval.

§ 1103 BUILDING LIMITATIONS AND REQUIREMENTS

1. Development and re-development of industrial properties bordering any non-industrial zoned properties, Park District property, and on any front yard abutting a public thoroughfare shall provide an obscuring wall constructed along property lines. Such a wall shall not be less than 72 inches in height and may, depending upon land usage, be required to be 96 inches in height, and shall be in accordance with Section 1214.

2. In lieu of a 72-inch high wall, a 72-inch tall chain link fence and a 20-foot wide greenbelt may be provided. In lieu of a 96-inch high wall, a 72-inch tall chain link fence and a 40-foot wide greenbelt may be provided. The heavily planted greenbelt shall be in accordance with Section 1209.
ARTICLE XII: GENERAL PROVISIONS

§ 1200 CONFLICTING REGULATIONS

Whenever any provision of this ordinance imposes more stringent requirements, regulations, restrictions or limitations than are imposed or required by the provisions of any other law or ordinance, then the provisions of this ordinance shall govern. Whenever the provisions of any other law or ordinance imposes more stringent requirements than are imposed or required by this ordinance, the provisions of such ordinance shall govern.

§ 1201 SCOPE

No building or structure, or part thereof, shall hereafter be erected, constructed or altered and maintained, and no new use or change shall be made or maintained of any building, structure, or land, or part thereof, except in conformity with the provisions of this ordinance.

§ 1202 NONCONFORMING LOTS, STRUCTURES, AND USES OF LAND

1. Intent.

It is the intent of this ordinance to permit legal nonconforming lots, structures, or uses to continue until they are removed but not to encourage their survival.

It is recognized that there exists within the districts established by this ordinance and subsequent amendments, lots, structures, and uses of land and structures which were lawful before this ordinance was passed or amended which would be prohibited, regulated, or restricted under the terms of this ordinance or future amendments.

Such uses are declared by this ordinance to be incompatible with permitted uses in the district involved. It is further the intent of this ordinance that non-conformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

A nonconforming use of a structure, a non-conforming use of land, or a nonconforming use of a structure and land shall not be extended or enlarged after passage of this ordinance by attachment on a building or premises of additional signs intended to be seen from off the premises, or by addition of other uses of a nature which would not be permitted generally in the district involved.

To avoid undue hardship, nothing in this ordinance shall be deemed to require a change in the plans, construction or designated use of any building on which actual construction or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this ordinance and upon which actual building construction has been diligently carried on. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner; except that where demolition or removal of an existing building has been substantially begun in preparation for another building effort, such demolition or removal shall be deemed to be actual construction, provided that work shall be diligently carried on until completion of the building involved.

2. Nonconforming lots. In any district in which single family dwellings are permitted, notwithstanding limitations imposed by other provisions of this ordinance, a single-family
dwelling and customary accessory buildings may be erected on any single lot of record at the
effective date of adoption or amendment of this ordinance. This provision shall apply even
though such lot fails to meet the requirements for area or width, or both, that are generally
applicable in the district; provided that yard dimensions and other requirements not involving
area or width, or both, of the lot shall conform to the regulations for the district in which such
lot is located. Yard requirement variances may be obtained through the approval of the Zoning
Board and the Village Board.

3. Nonconforming uses of land. Where, at the effective date of adoption or amendment of this
ordinance, lawful use of land exists than is made no longer permissible under the terms of this
ordinance, as enacted or amended such use may be continued, so long as it remains otherwise
lawful, subject to the following provisions:

a. No such nonconforming use shall be enlarged or increased, nor extended to occupy a
greater area of land than was occupied at the effective date of adoption or amendment of
this ordinance.

b. No such nonconforming use shall be moved in whole or in part to any other portion of the
lot or parcel occupied by such use at the effective date of adoption or amendment of this
ordinance.

c. If such nonconforming use of land ceases for any reason for a period of more than 180 days,
any subsequent use of such land shall conform to the regulations specified by this ordinance
for the district in which such land is located.

4. Nonconforming structures. Where a lawful structure exists at the effective date of adoption or
amendment of this ordinance that could not be built under the terms of this ordinance due to
restrictions on area, lot coverage, height, yards, or other characteristics of the structure or its
location on the lot, such structure may be continued so long as it remains otherwise lawful,
subject to the following provisions:

a. No such structure may be enlarged or altered in a way which increases its nonconformity.

b. Should such structure be destroyed by any means to an extent of more than 50% of its
replacement cost, exclusive of the foundation, it shall be reconstructed only in conformity
with the provisions of this ordinance.

c. Should such structure be moved for any reason for any distance whatever, it shall thereafter
conform to the regulations for the district in which it is located after it is moved.

5. Nonconforming uses of structure and land. If a lawful use of a structure, or of structure and land
in combination, exists at the effective date of adoption or amendment of this ordinance, that
would not be permitted in the district under the terms of this ordinance, the lawful use may be
continued so long as it remains otherwise lawful, subject to the following provisions:

a. No existing structure devoted to a use not permitted by this ordinance in the district in
which it is located shall be enlarged, extended, constructed, reconstructed, moved or
structurally altered except in changing the use of the structure to a use permitted in the
district in which it is located.
b. Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use and which existed at the time of adoption or amendment of this ordinance, but no such use shall be extended to occupy any land outside such building.

c. If no structural alterations are made, any nonconforming use of a structure, or structure and land in combination, may be changed to another nonconforming use of the same or a more restricted classification provided that the Zoning Board, either by general rule or by making findings in the specific case, shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In permitting such change, the Zoning Board may require conditions and safeguards in accord with the purpose and intent of this ordinance. Where land in combination is hereafter changed to a more conforming use, it shall not thereafter be changed to a less conforming use.

d. Any structure, or structure and land in combination, in or on which a nonconforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district in which such structure is located, and the nonconforming use may not thereafter be resumed.

e. When a nonconforming use of a structure or structure and land in combination discontinues operation as constituted upon adoption of this ordinance or as allowed as a change in nonconforming use as provided for in § 1202, paragraph 3 herein for a period of six months the structure or structure and land in combination, shall not thereafter be used except in conformance with the regulations of the district in which it is located. The Zoning Board may, however, allow a new nonconforming use of the premises provided a more appropriate use than the use last made of the property is proposed and provided appropriate improvements are made, as specified by the Zoning Board to assure the protection of property values in the district.

f. Where nonconforming use status applies to a structure and land in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land.

6. Repairs and maintenance. On any building devoted in whole or in part to any nonconforming use, work may be done in any period of 12 months on ordinary repairs, or on repair or replacement of non-bearing walls, fixtures, wiring or plumbing to an extent not exceeding 10% of the assessed value of the building, provided that the cubic content of the building as it existed at the time of passage or amendment of this ordinance shall not be increased.

Nothing in this ordinance shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

7. Uses under exception provisions not non-conforming uses. Any use for such a special exception is permitted as provided in this ordinance shall not be deemed a nonconforming use, but shall, without further action, be deemed a conforming use in such district.

8. Change of tenancy or ownership. There may be a change of tenancy, ownership, or management of any existing nonconforming use of land, structure, or land and structure in combination.
§ 1203 ACCESSORY USES AND BUILDINGS

Accessory use shall be established as otherwise permitted in this ordinance, shall be subject to the following regulations:

1. No accessory use shall be established prior to the establishment of the main or principal use, and no accessory structure shall be constructed, erected, altered, remodeled, extended, or moved prior to the establishment or construction of the main or principal structure except those accessory uses and structures of a temporary nature required for the establishment of the main or principal use, or for the construction of the main or principal structure.

2. Where the accessory building is structurally attached to a main building, it shall be subject to, and must conform to, all regulations of this ordinance applicable to the main building.

3. Accessory buildings shall not be erected in any minimum side yard setback nor in any front yard.

4. Only one accessory structure shall be allowed on a residential property in Districts R-1a, R-1, R-2a, and R-2. The size of the structure shall not exceed two percent (2%) of the property size or 400 square feet, whichever is less. One additional gazebo or pergola will be allowed with the same size constraints as the accessory structure. The gazebo or pergola may have a knee wall not to exceed 36 inches in height measured from the floor. The gazebo or pergola shall not be enclosed and shall not be used for storage.

5. No detached accessory building shall be located closer than ten feet to any main building nor shall it be located closer than three feet to any side or rear lot line. In those instances where the rear lot line is coterminous with an alley right-of-way the accessory building shall not be closer than one foot to such rear lot line. In no instance shall an accessory building be located within a dedicated easement right-of-way.

6. No detached accessory building in R-1 through R-3, B-1, B-2 districts shall exceed one story or 14 feet in height.

Accessory buildings in all other districts may be constructed to equal the permitted maximum height of structures in said district, subject to Zoning Board review and approval if the building exceeds one story or 14 feet in height.

7. When an accessory building is located on a corner lot, the side lot line of which is substantially a continuation of the front lot line of the lot to its rear, said building shall not project beyond the front yard setback required on the lot to the rear of such corner lot.

8. When an accessory building in any residential or business district is intended for other than the storage of personal items of the property owner, the accessory use shall be subject to the approval of the Zoning Board.

9. Accessory uses such as detached heating or cooling units, home television towers, and similar accessory uses, shall be located only in the rear yard and shall meet all setback requirements of an accessory building.
§ 1204 OFF-STREET PARKING REQUIREMENTS

There shall be provided in all districts at the time of erection or enlargement of any main building or structure, automobile off-street parking space with adequate access to all spaces.

The number of off-street parking spaces, in conjunction with all land or building uses shall be provided, prior to the issuance of a certificate of compliance, as hereinafter prescribed.

1. Off-street parking spaces may be located within a rear yard or within a side yard which is more than the minimum side yard setback unless otherwise provided in this ordinance. Off-street parking shall not be permitted within a front yard nor within a minimum side yard setback unless otherwise provided in this ordinance.

2. Off-street parking for other than residential use shall be either on the same lot or within 300 feet of the building it is intended to serve, measured from the nearest point of the building to the nearest point of the off-street parking lot. Ownership shall be shown on all lots or parcels intended for use as parking by the applicant.

3. Required residential off-street parking spaces shall consist of a parking strip, parking bay, driveway, garage, or combination thereof and shall be located on the premises they are intended to serve, and subject to the provisions of § 1203, “Accessory Uses and Buildings,” of this ordinance.

4. Any area once designated as required off-street parking shall never be changed to any other use unless and until equal facilities are provided elsewhere.

5. Off-street parking existing at the effective date of this ordinance in connection with the operation of an existing building or use shall not be reduced to an amount less than hereinafter required for a similar new building or use.

6. Two or more buildings or uses may collectively provide the required off-street parking in which case the required number of parking spaces shall not be less than the sum of the requirements for the several individual uses computed separately.

7. In the instance of dual function of off-street parking spaces where operating hours of buildings do not overlap, the Zoning Board may grant an exception.

8. The storage of merchandise, motor vehicles for sale, trucks, or the repair of vehicles is prohibited.

9. For those uses not specifically mentioned, the requirements for off-street parking facilities shall be in accord with a use which the Zoning Board considers is similar in type.

10. For the purpose of computing the number of parking spaces required, the definition of “usable floor area” in Article II, shall govern.

11. For those buildings existing within the B-1 and B-2 District no additional parking space need be provided when remodeling or rebuilding of structures is proposed, provided the floor area of existing structures on such site is not increased in the remodeling or rebuilding undertaken. Where floor area is increased, parking spaces shall be provided for such increased floor area in accord with the provisions of this ordinance.
12. The minimum number of off-street parking spaces by type of use shall be determined in accordance with the following schedule:

<table>
<thead>
<tr>
<th>Use</th>
<th>Number of Minimum Parking Spaces per Unit of Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Residential</strong></td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td>Two per dwelling unit</td>
</tr>
<tr>
<td><strong>Institutional</strong></td>
<td></td>
</tr>
<tr>
<td>Churches</td>
<td>One for four seats or six feet of pews in the main unit of worship</td>
</tr>
<tr>
<td>Hospitals</td>
<td>One for each two beds and one for each two employees and/or staff members</td>
</tr>
<tr>
<td>Convalescent &amp; Assisted Living</td>
<td>One for each five beds and one for each two employees and/or staff members</td>
</tr>
<tr>
<td>Schools</td>
<td>One for each teacher, employee or administrator in addition to the requirements of auditoriums and one for each ten students</td>
</tr>
<tr>
<td>Private Clubs or Lodge Halls</td>
<td>One for each four persons allowed within the maximum occupancy load as established by the local, county, or state fire, building, or health codes</td>
</tr>
<tr>
<td>Private Athletic or Recreation Clubs</td>
<td>One for each family and individual member or individuals plus spaces required for each accessory use, such as a restaurant or bar</td>
</tr>
<tr>
<td>Theaters &amp; Auditoriums</td>
<td>One for each four seats plus one for each two employees</td>
</tr>
<tr>
<td><strong>Business &amp; Commercial</strong></td>
<td></td>
</tr>
<tr>
<td>Planned Commercial or Shopping Center</td>
<td>Five for each 1,000 feet of gross floor area</td>
</tr>
<tr>
<td>Hair, Nails, Tanning Salons</td>
<td>Two for each customer chair and one for each tanning bed plus one</td>
</tr>
<tr>
<td>Bowling Alleys</td>
<td>Five for each one bowling lane plus accessory uses</td>
</tr>
<tr>
<td>Dance Halls, Pool or Billiard Parlors, Roller or Skating Rinks, Exhibition Halls, and Assembly Halls Without Fixed Seats</td>
<td>One for each two persons allowed within the maximum occupancy load as established by local, country, or state fire, building, or health codes</td>
</tr>
<tr>
<td>Establishment for sale and consumption on the premises of beverages, food or refreshments</td>
<td>One for each 100 sq. ft. of usable floor space or one for each two persons allowed within the maximum occupancy load as established by local, county, or state fire, building, or health codes</td>
</tr>
<tr>
<td>Furniture and Appliance, Household Equipment, Repair Shops, Showrooms of Plumber, Decorator, Electrician, or Similar Trade, Shoe Repair, and Other Similar Uses</td>
<td>One for each 800 sq. ft. of usable floor area. (For that floor area used in processing, one additional space shall be provided for each two persons employed therein</td>
</tr>
<tr>
<td>Gasoline Service Station</td>
<td>One for each lubrication stall, rack, or pit and one for each gasoline pump</td>
</tr>
<tr>
<td>Laundromats and Coin Operated Dry Cleaners</td>
<td>One for each two washing and/or dry-cleaning machines</td>
</tr>
</tbody>
</table>
### Minimum Parking Spaces by Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Number of Minimum Parking Spaces per Unit of Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mortuary Establishments</td>
<td>One for each 75 sq. ft. of usable floor space</td>
</tr>
<tr>
<td>Motel, Hotel, or Other Commercial Lodging Establishments</td>
<td>One for each one occupancy unit plus one for each one employee</td>
</tr>
<tr>
<td>Motor Vehicle Sales and Service Establishments</td>
<td>One for each 300 sq. ft. of usable floor space of sales room and one auto service stall in the service room</td>
</tr>
<tr>
<td>Retail Stores Except as Otherwise Specified Herein</td>
<td>One for each 150 sq. ft. of usable floor space</td>
</tr>
</tbody>
</table>

**Offices**

<table>
<thead>
<tr>
<th>Use</th>
<th>Number of Minimum Parking Spaces per Unit of Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Banks</td>
<td>One for each 200 sq. ft. of usable floor space</td>
</tr>
<tr>
<td>Business Offices or Professional Offices (except as indicated in the item below)</td>
<td>One for each 250 sq. ft. of usable floor space</td>
</tr>
<tr>
<td>Professional Offices of Doctors, Dentists, or Similar Professions</td>
<td>One for each 75 sq. ft. of usable floor area in waiting rooms, and one for each examining room, dental chair, or similar use area.</td>
</tr>
</tbody>
</table>

**Industrial**

<table>
<thead>
<tr>
<th>Use</th>
<th>Number of Minimum Parking Spaces per Unit of Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Industrial or Research Establishments and Related Accessory Offices</td>
<td>Five plus one for every employee in the largest working shift. Space on site shall also be provided for all construction workers during periods of plant construction</td>
</tr>
<tr>
<td>Warehouse and Wholesale Establishments and Related Accessory Offices</td>
<td>Five plus one for each one employee in the largest working shift, or one for every 1700 sq. ft. of usable floor space, whichever is greater</td>
</tr>
</tbody>
</table>

13. Accessible Parking Spaces shall be provided in accordance with the current federal and state standards. At the time this ordinance is adopted, the 2010 ADA Standards for Accessible Design provide this information.

§ 1205 OFF-STREET PARKING LAYOUT, STANDARDS, CONSTRUCTION AND MAINTENANCE

Whenever the off-street parking requirements in Section 1204 above require the building of an off-street parking facility, such off-street parking lot shall be laid out, constructed and maintained in accordance with the following standards and regulations:

1. No parking lot shall be constructed unless and until a permit therefor is issued by the Code Enforcement Officer. Applications for a permit shall be submitted to the Village in such form as may be determined by the Code Enforcement Officer and shall be accompanied with two sets of site plans for the development and construction of the parking lot showing in compliance with section. Before issuing a construction permit, Code Enforcement Officer may request Village Engineer to review the site plan for compliance with Village ordinances.

2. Plans for the layout of off-street parking facilities shall be in accord with the following minimum requirements:

---

Minimum Requirements for Off-Street Parking Facilities
Minimum Requirements for Off-Street Parking Facilities

<table>
<thead>
<tr>
<th>Maneuvering Lane Width</th>
<th>12’</th>
<th>12’</th>
<th>15’</th>
<th>20’</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking Space Width</td>
<td>8’</td>
<td>8’ 6”</td>
<td>8’ 6”</td>
<td>9’</td>
</tr>
<tr>
<td>Parking Space Length</td>
<td>23’</td>
<td>20’</td>
<td>20’</td>
<td>20’</td>
</tr>
<tr>
<td>Total Width of One Tier of Spaces plus Maneuvering Lane</td>
<td>20’</td>
<td>32’</td>
<td>32’ 6”</td>
<td>40’</td>
</tr>
<tr>
<td>Total Width of Two Tiers of Spaces plus Maneuvering Lane</td>
<td>28’</td>
<td>52’</td>
<td>58’</td>
<td>60’</td>
</tr>
</tbody>
</table>

Refer to Appendix A, Illustration 9 for diagrams of these requirements

3. All spaces shall provide adequate access by means of maneuvering lanes. Backing directly onto a street shall be prohibited.

4. Adequate ingress and egress to the parking lot by means of clearly limited and defined drives shall be provided for all vehicles.

Ingress and egress to a parking lot lying in areas zoned for other than single family residential use shall not be across land zoned for single family residential use.

5. All maneuvering lane widths shall permit one-way traffic movement, except that the ‘pattern may permit two-way movement.

6. Each entrance and exit to and from any off-street parking lot located in an area zoned for other than single family residential use shall be at least 25 feet distant from adjacent property located in any single family residential district.

7. That portion of any off-street parking area which is contiguous to or faces a residential district shall be provided with a continuous and obscuring wall not less than four feet six inches in height measured from the surface of the parking area.

When a front yard setback is required, all land between said wall and the front property line or street right-of-way line shall be kept free from refuse and debris and shall be landscaped with deciduous shrubs, evergreen material and ornamental trees. The ground area shall be planted and kept in lawn. All such landscaping and planting shall be maintained in a healthy, growing condition, neat and orderly in appearance.

8. The entire parking area, including parking spaces and maneuvering lanes, required under this section shall be provided with asphaltic or concrete surfacing in accordance with specifications approved by the Village Engineer. The parking area shall be surfaced within six months of the date the certificate of compliance is issued.

Off-street parking areas shall be drained to dispose of all surface water accumulated in the parking area in such a way as to preclude drainage of water onto adjacent property or toward buildings.

9. All lighting used to illuminate any off-street parking area shall be so installed as to be confined within and directed onto the parking area only.

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10. In all cases where a wall extends to an alley which is a means of ingress and egress to an off-
street parking area, it shall be permissible to end the wall not more than ten feet from such alley
line to permit a wider means of access to the parking area.

11. The Zoning Board, upon application by the property owner of the off-street parking area may
modify the yard or wall requirements where, in unusual circumstances, no good purpose would
be served by compliance with the requirements of this Section.

§ 1206 OFF-STREET LOADING AND UNLOADING

On the same premises with every building, structure, or part thereof, involving the receipt or
distribution of vehicles or materials or merchandise, there shall be provided and maintained on the lot,
adequate space for standing, loading, and unloading to avoid undue interference with public use of
dedicated rights-of-way. Such space shall be provided as follows:

1. All spaces shall be provided as required in Article XI, “Schedule of Regulations,” under minimum
rear yards except as hereinafter provided for “I” districts.

2. Within an “I” district all spaces shall be laid out in the dimension of at least 10 x 50 feet, or 500
square feet in area, with a clearance of at least 14 feet in height. Loading dock approaches shall
be provided with a pavement having a permanent, durable and dustless surface. All spaces in I-1
and I-2 districts shall be provided in the ratio of spaces to floor area as provided in the as
follows:

<table>
<thead>
<tr>
<th>Gross Floor Area (sq. ft.)</th>
<th>Loading and Unloading Space Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 – 1,400</td>
<td>None</td>
</tr>
<tr>
<td>1,401 – 20,000</td>
<td>One space</td>
</tr>
<tr>
<td>20,001 – 100,000</td>
<td>One space plus one space for each 20,000 sq. ft.</td>
</tr>
<tr>
<td>More than 100,000</td>
<td>Five spaces</td>
</tr>
</tbody>
</table>

3. All loading and unloading in an “I” district shall be provided off-street in the rear yard or interior
side yard and shall in no instance be permitted in a front yard. In those instances where exterior
side yards have a common relationship with an industrial district across a public thoroughfare,
loading and unloading may take place in said exterior side yard when the setback is equal to at
least 50 feet.

§ 1207 USES NOT OTHERWISE INCLUDED WITHIN A SPECIFIC USE DISTRICT

Because the uses hereinafter referred possess unique characteristics, these uses may be permitted
by the Village Board under the conditions specified, after a Public Hearing before the Zoning Board, and
after a recommendation has been received from the Zoning Board. In every case, the uses hereinafter
referred to shall be specifically prohibited from any residential districts, unless otherwise specified.

1. Outdoor theaters. Because outdoor theaters possess the unique characteristics of being used
only after darkness and since they develop a concentration of vehicular traffic in terms of
ingress and egress from their parking area, they shall be permitted in I-2 districts only. Outdoor
theaters shall further be subject to the following conditions:

a. The proposed internal design shall receive approval from the Code Enforcement Officer and
the Village Engineer as to adequacy of drainage, lighting and other technical aspects.
b. Outdoor theaters shall abut a major thoroughfare and points of ingress and egress shall be available only from such major thoroughfare.

c. All vehicles, waiting or standing to enter the facility, shall be provided off-street waiting space. No vehicle shall be permitted to wait or stand within a dedicated right-of-way.

d. The area shall be so laid out as to prevent the movie screen from being viewed from residential areas of adjacent thoroughfares. All lighting used to illuminate the area shall be so installed as to be confined within, and directed onto, the premises of the outdoor theater site.

2. Commercial television and radio towers, public utility microwaves, and public utility T.V. transmitting towers, cellular phone towers, and electric generating windmills. Such facilities may be permitted in I-1 and I-2 districts provided said use shall be located centrally on a continuous parcel of not less than one time the height of the tower measured from the base of said tower to all points on each property line.

§ 1208 PERFORMANCE STANDARDS

No use otherwise allowed shall be permitted within any use district which does not conform to the following standards of use, occupancy, and operation, which standards are hereby established as the minimum requirements to be maintained within the area:

1. Open storage. The open storage of any equipment, and all materials including wastes, shall be screened from abutting residential property by an enclosure consisting of an obscuring wall or fence not less than six feet high or by a ten-foot-wide greenbelt planting not less than six feet high. The obscuring fence may be eliminated where such fence will interfere with traffic movement on public streets or thoroughfares.

2. Glare and radioactive materials. Glare from any process (such as or similar to arc welding or acetylene torch cutting) which emits harmful rays shall be performed in such a manner as not to extend beyond the property line, and as not to create a public nuisance or hazard along lot lines. Radioactive materials and wastes, and including electromagnetic radiation such as x-ray machining operation, shall not be permitted to exceed quantities established as safe by the U.S. Bureau of Standards, when measured at the property line.

3. Noise. Objectionable sounds of an intermittent nature shall be controlled so as not to become a nuisance to adjacent uses.

4. Fire and explosive hazards.

   a. The storage, utilization of manufacture of materials or products ranging from incombustible to moderate burning as determined by the Fire Chief of Tremont Fire District, is permitted, subject to compliance with all other performance standards above mentioned.

   b. The storage utilization, or manufacture of materials, goods, or products ranging from free or active burning to intense burning, as determined by the Fire Chief, is permitted subject to compliance with all other yard requirements and performance standards previously mentioned, and providing that the following conditions are met:
i. The materials or products shall be stored, utilized or produced within completely enclosed buildings or structures having incombustible exterior walls, which meet the requirements of the building code of the village.

ii. All such buildings or structures shall be set back at least 40 feet from lot lines and all such buildings or structures shall be protected throughout by an automatic sprinkler system complying with installation standards prescribed by the National Fire Association.

5. Grading. Grading, as it relates to residential structures, shall be so developed as to drain surface water away from residential dwellings. A minimum slope of $\frac{1}{4}$ inch in one foot shall be provided.

§ 1209 GREENBELTS AND PLANT MATERIALS

1. Whenever a greenbelt or planting screen is required under the provisions of this ordinance, such greenbelt or planting screen shall be subject to the following conditions:

   a. The required greenbelt or planting screen shall be planted with permanent living plant materials within six months from the date of occupancy and shall thereafter be maintained in presentable condition and shall be kept free from refuse and debris; provided further that plant materials shall be continuously maintained in a sound, healthy, and vigorous growing condition, and shall be kept free of plant diseases and insect pests.

   b. The selection, spacing and size of plant material shall be such as to create, within a five-year period from the date of planting, a horizontal obscuring effect for the entire length of the required greenbelt area, and a vertical obscuring effect of such height as is determined adequate by the Zoning Board for proper screening between land uses.

   c. The minimum horizontal dimensions of required greenbelt shall be as set forth under the provisions of this ordinance for the respective land uses and districts indicated.

   d. In no instance shall the minimum dimensions of plant materials at initial planting be less than the following:

      i. Deciduous shrubs — 2 feet in height.
      ii. Deciduous trees — 1½ inches in caliper.
      iii. Evergreen shrubs — 2 feet in height.
      iv. Evergreen trees — 4 feet in height.
      v. Where under the provisions of the ordinance, an option is provided to the developer relative to the substitution of a greenbelt for a required wall or berm, the minimum starting height of plant materials in the greenbelt shall be equivalent to the required wall or berm height.

2. Whenever a greenbelt or planting screen is required under the provisions of this ordinance, a site plan of the parcel to be developed, together with a detailed planting plan of the greenbelt, shall be submitted to the Zoning Board for approval prior to the issuance of a building permit.

   The site plan shall indicate, to scale, the proposed location and height of buildings and other structures, the location of public walks, roadways and utilities, and the proposed location of off-street parking, loading, service, and outside storage areas and points of ingress-egress to the site. The planting plan shall indicate, to scale, the locations, spacing, starting size, and
description for each unit of plant material proposed for use within the required greenbelt area, together with the finished grade elevations proposed therein.

The Zoning Board shall review said planting plan relative to:

a. The proper spacing, placement, and location of plant materials relative to the length and width of greenbelt so to ensure that the required horizontal and vertical obscuring effect of proposed land uses will be achieved.

b. The choice and selection of plant materials to ensure that root systems will not interfere with public utilities and that fruit and other debris (other than leaves) will not constitute a nuisance within public rights-of-way, or to abutting property owners.

c. The proposed relationship between deciduous and evergreen plant materials to ensure that a maximum obscuring effect will be maintained throughout the various seasonal periods.

d. The size of plant material (both starting and ultimate) to insure adequate maturity and optimum screening effect of proposed plant materials.

**SUGGESTED PLANT MATERIALS**

<table>
<thead>
<tr>
<th>Evergreen Trees (5-foot minimum height)</th>
<th>Narrow Evergreens (3-foot minimum height)</th>
<th>Tree-Like Shrubs (4-foot minimum height)</th>
<th>Large Deciduous Shrubs (6-foot minimum height)</th>
<th>Large Deciduous Trees (8-foot minimum height)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Douglas-Fir</td>
<td>Blue Columnar Chinese Juniper</td>
<td>Dogwood</td>
<td>Buckthorn</td>
<td>Beech</td>
</tr>
<tr>
<td>Fir</td>
<td>Column Hinoki Cypress</td>
<td>Flowering Crab</td>
<td>Cotoneaster</td>
<td>Birch</td>
</tr>
<tr>
<td>Hemlock</td>
<td>Columnar Giant Arbor-Vitae</td>
<td>Hawthorn</td>
<td>Euonymus</td>
<td>Ginkgo</td>
</tr>
<tr>
<td>Juniper</td>
<td>Douglas Arbor-Vitae</td>
<td>Hornbeam</td>
<td>Forsythia</td>
<td>Hackberry</td>
</tr>
<tr>
<td>Pine</td>
<td>Irish Yew</td>
<td>Magnolia</td>
<td>Hazelnut</td>
<td>Hard Maple</td>
</tr>
<tr>
<td>Spruce</td>
<td>Pyramidal Red-Cedar</td>
<td>Mountain Ash</td>
<td>Honeysuckle</td>
<td>Honey locust</td>
</tr>
<tr>
<td></td>
<td>Pyramidal White Pine</td>
<td>Redbud</td>
<td>Lilac</td>
<td>Hop Hornbeam</td>
</tr>
<tr>
<td></td>
<td>Swiss Stone Pine</td>
<td>Rose of Sharon</td>
<td>Mock-Orange</td>
<td>Linden</td>
</tr>
<tr>
<td></td>
<td>Russian Olive</td>
<td>Privet</td>
<td>Planetree (Sycamore)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Sumac</td>
<td>Oak</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Viburnum</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Sweet-Gum</td>
</tr>
</tbody>
</table>

**CROSS-REFERENCE:**

GREENBELTS PLANTING SCREEN ILLUSTRATIONS; TRANSITION DETAILS, SEE APPENDIX A, ILLUSTRATION 10

§ 1210 SIGNS

1. Purpose. The following regulations are provided to maintain the attractiveness and orderliness of the appearance of the village and to protect the public safety.

Ordinance 18-xxxx
2. Definitions. For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ADVERTISING SIGN.** Any sign, including the supporting structure, which directs attention to a business, service, or activity not conducted upon the premises, or a product not offered or sold upon the premises where such a sign is located.

**ATTACHED SIGN.** A sign permanently affixed to the exterior surface of a building. No attached sign shall project further than 12 inches from the building.

**BACK-TO-BACK SIGN.** A structure with two parallel and directly opposite signs with their faces oriented to opposite directions. Back-to-back signs may be separated by not more than one foot. A back-to-back sign shall constitute one sign.

**BUSINESS SIGN.** A sign, including any supporting or framing structure, which directs attention to a business or profession conducted upon the premises or to a commodity, service, or entertainment sold or offered upon the premises on which the sign is located.

**CONSTRUCTION SIGN.** A temporary sign used in connection with a definite construction site.

**DIRECTIONAL SIGN.** An on-premises sign giving directions, which may contain the name or logo of an establishment, but not contain any advertising copy.

**FREE-STANDING SIGN.** Any sign permanently erected on a free-standing framework supported and affixed by one or more uprights or braces in or upon the ground.

**ILLUMINATED SIGN.** Any sign which has characters, letters, figures, designs, or outline illuminated by electric lights or luminous tubes.

**PERPENDICULAR SIGN.** Any sign that is mounted perpendicular to the face of the structure it is mounted on.

**PERSON.** Any person, firm, partnership, association, corporation, company, or organization of any kind.

**POLITICAL SIGN.** A temporary sign used in connection with a local, state or national election or referendum.

**PORTABLE SIGN.** Any sign not classified as an attached or free-standing sign.

**SIGN AREA.** The area encompassed within the shortest line drawn around the perimeter of the display and message including all letters and designs which are part of the sign; including border and trim, but excluding bases, aprons, supports, and other structural members; whichever is greater. The total allowable sign area for a property includes the total of both business and advertising signs. The terms SIGN AREA and GROSS SIGN AREA are used interchangeably.

**SPECIAL OCCASION SIGN.** A temporary sign used in connection with a one-time uncommon, extraordinary event for purposes of honor or celebration, e.g., birthday, anniversary, or sporting achievement.

3. General application of sign regulations; building permit required. No sign, outdoor advertising structure, or display of any character shall be permitted, except in conformity with the following regulations. A building permit is required for erection, construction, placement, or replacement of any sign to be permanently attached to a building, to be permanently erected as a free-standing sign, for any portable sign or for any temporary sign.

**General regulations for signs.**

a. No sign shall be of such brightness or shall flash, scintillate, or move as to create hazardous or annoying glare. Time and temperature or message signs not otherwise prohibited under this regulation will be allowed, provided they do not create hazardous or annoying glare.

Ordinance 18-xxxx
b. No sign shall be so located as to materially impede or so illuminated as to interfere with the effectiveness of any traffic control device or obstruct a motorist's view at any street or highway intersection.

c. Signs used exclusively for the posting or displaying of official notices by a public agency or official or by a person giving legal notice, and signs erected or maintained by a public agency or official or required by law to be displayed by a public utility for directional warning or informational purposes are not subject to the regulations of this chapter. Informational and directional signs (which may include a corporate identity symbol) are exempt from this regulation.

d. No sign shall be pasted or painted directly on the surface of any wall or roof.

e. No sign shall be permitted to be placed on a fence in any residential district (R-1, R-2, R-3).

f. No sign shall be permitted to be placed on a fence in any commercial or industrial district unless the fence meets the setback requirements for a sign in that zoning district.

g. Permits are not required for temporary signs that announce a campaign drive or civic event. However, persons posting such signs are responsible for their removal within seven (7) days after the termination of the event. Permits are also not required for temporary real estate signs, but such signs comply with the size requirements as prescribed in Paragraphs 4c, 6, 7 and 7c.

h. Signs indicating the time and place of meetings of civic organizations are permitted on the main entry roads into town, provided only one sign structure is utilized to accommodate all the notices on each major entry road.

i. Portable signs are allowable only under the following conditions:
   i. The sign area shall not exceed 32 square feet, and any one face shall not exceed 16 square feet.
   ii. A portable sign shall not be illuminated.
   iii. A portable sign may be located only in districts zoned B-1, B-2, I-1 and I-2.
   iv. Only one portable sign per business location shall be allowed. The location where the portable sign is displayed must be on the same lot where the business is located.
   v. The height of a portable sign shall not exceed five feet.

j. All signs shall be maintained in good and safe structural condition. The painted portions of signs shall be periodically repainted and kept in good condition. Illuminated signs shall be kept in proper working order.

k. The general area near any sign on undeveloped property must be kept free and clear of sign materials, weeds, debris, trash, and other refuse.

l. Advertising signs shall not be established at any location having principal frontage on any street within 300 feet of any property which is used for public park, public school, church, city hall, or public museum having principal frontage on the same street or within 300 feet
of any residential zone abutting the business or industrial zone when such sign face would face into the residential zone.

m. No outdoor advertising sign or part thereof shall be located on any property without the consent of the owner, holder, lessee, agent, or trustee.

n. Removal of signs. Any sign which for 14 consecutive days has directed attention to a product, place, activity, person, institution, or business which is no longer in operation or existence shall be deemed to be abandoned and shall be removed within 45 days of the expiration of said 14-day period. The person who erected the sign on the premises and the owner of said premises, if different, shall be jointly and severally responsible for the removal of said sign, including all structural supports, braces, poles, and framework.

o. Except where otherwise specifically stated herein, any sign in existence on the effective date of this chapter which does not comply with the provisions of this chapter may continue in existence as a matter of right and may be maintained and repaired pursuant to the provisions of this section. Replacement of the existing signs are permitted only if the sign remains the same in terms of size, height, placement, location, and character.

p. Directional signs are allowable subject to the following conditions:
   i. No setback is required.
   ii. They shall not exceed a height of four feet.
   iii. Six square feet per sign is allowed. The square footage is not to be included in computing the total general allowable sign area for the property.

q. Political signs are allowed, subject to the following provisions:
   i. They may not be displayed prior to 6 months before the election which they refer to.
   ii. They must be removed within seven days of the election they refer to.
   iii. The maximum allowable size is four square feet in residential districts, and 32 square feet in commercial and industrial districts.
   iv. No sign permit is required, but permission of the property owner must be obtained before placing the signs.
   v. They shall not be placed on any right-of-way, street, alley, sidewalk, driveway, or other public way or property.
   vi. Signs may not be attached to any utility pole.

r. Garage/yard sale signs are allowed, subject to the following provisions:
   i. They shall not be displayed more 24 hours before the beginning of the posted sale time and must be removed within eight hours of the completion of the posted sale time.
   ii. The maximum allowable size of the sign is four square feet.
iii. The sign shall not be attached to any utility pole.

iv. No sign permit is required, but permission of the property owner must be obtained before placing the sign.

s. Special occasion signs are allowed in residential districts (R-1, R-2 and R-3) only.

i. The sign shall not exceed a total of 32 square feet.

ii. The sign shall not be illuminated.

iii. No permit is required.

iv. The sign shall not be in place for more than five days.

t. Construction signs are allowed in all zoning districts.

i. Temporary construction signs are not required to obtain a permit from the Zoning Enforcement Officer.

ii. The general contractor may display only one sign per construction site unless an additional sign is deemed necessary by contractor to clarify delivery entrances.

1) The maximum allowable size of the sign is twelve (12 sq. ft.) square feet in area and may not exceed four and one half (4 ½) feet in height.

2) The sign must be removed within four (4) weeks of the completion of construction.

iii. Sub-contractors may display additional signs as follows:

1) Only one (1) sign per construction site is allowed.

2) Sign must be removed within one (1) week after the completion of sub-contractor’s portion of the construction.

4. Sign regulations within residential districts. The following sign regulations shall pertain to all residential districts:

a. Residential signs within residential districts.

i. Single-family or two-family dwellings. For each dwelling, nameplates and identification signs indicating the name and address of the occupant are permitted, providing the sign area does not exceed two square feet.

ii. Multi-family dwellings. For each residential building, one identification sign indicating only the name and address of the building and the name of the management is permitted, providing the sign area does not exceed 16 square feet. The signs shall not be closer than eight feet to any other Lot of Record.

iii. Project identification. A residential project having several buildings shall be permitted in addition to one additional sign with the name of the project only on each street. The sign area shall be no greater than 32 square feet and shall not exceed 16 square feet on one side. The signs may not be closer than 16 feet to any other Lot of Record.
iv. Height. No attached sign shall exceed one story in height or 14 feet above the curb level, whichever is lower. No free-standing sign shall exceed seven feet in height.

b. Non-residential signs within residential districts

i. Church bulletins, cemeteries, educational institutions, recreation and social facilities, and other similar uses. One identification sign with sign area not to exceed 60 square feet is permitted. No one face shall be greater than 30 square feet. The signs may not be closer than 8 feet to any other Lot of Record.

ii. Illuminated signs in all R-1, R-2 and R-3 residential districts are prohibited except for church bulletins and educational institutions. Illuminated time and temperature or automated language signs are prohibited in all residential districts.

iii. Nonconforming business uses may have exterior signs with sign area not to exceed 16 square feet with no more than eight square feet per side.

iv. Parking areas. Signs designating parking area entrances or exits are limited to one sign for each entrance or exit, with sign area not exceeding two square feet each. One sign shall be permitted per parking area designating the conditions of use or identity of the parking area and limited to a sign area of nine square feet.

v. Agricultural products. Temporary signs advertising the sale of agricultural products grown or produced on the property with sign area not exceeding eight square feet are permitted.

vi. Height. No attached sign shall exceed one story in height or 14 feet above the curb level, whichever is lower. No free-standing sign shall exceed seven feet in height.

c. Residential real estate signage.

i. Temporary real estate signs are not required to obtain a permit from the Zoning Enforcement Officer.

ii. Temporary on-site real estate signs are to be displayed for the purpose of informing the public of the proposed sale or rental of real estate property.

iii. No more than one (1) on-site sign shall be posted on each property for sale or rent unless said property is a corner lot in which case two (2) signs are allowed.

iv. One (1) additional temporary off-site residential real estate sign may be posted within village limits and may be placed only with prior permission from the owner of property on which sign is placed. Off-site signs are allowed for real estate property sale only, with the sole intent to provide direction to the property that is for sale. Such signs are not to be placed within the Illinois State Route 9 right-of-way corridor.

v. Special signage for a real estate open house showing is limited to two (2) signs in addition to those listed in Subparagraphs 3 and 4 above. No open house sign can be placed more than two (2) days prior to the open house and must be removed within twenty-four (24) hours after the completion thereof.
vi. No sign allowed under Subparagraphs 1 and 2 above shall exceed four and one-half (4 ½) feet in height nor be placed within eight (8) feet of another lot. Sign area shall not exceed seven (7 sq. ft.) square feet in area.

vii. No sign allowed under Subparagraphs 4 and 5 above shall exceed four and one-half (4 ½) feet in height nor be placed within eight (8) feet of another lot. Sign area shall not exceed three (3 sq. ft.) square feet.

d. Advertising signs or structures are prohibited in any residential district except as outlined in this section.

5. Sign regulations within office space districts. The following sign regulations shall pertain to office space districts:

Sign uses permitted in the residential districts are permitted in the office space district. The regulations covering permitted signs within residential districts shall also apply to the office space district. No advertising signs are permitted in the OS-1 district.

6. Sign regulations within business districts. The following sign regulations shall pertain to business districts:

a. The regulations covering permitted signs within residential districts shall also apply in business districts.

b. Business signs in B-1 districts. In B-1 districts, business signs are permitted subject to the following conditions:

i. Area of attached and free-standing business signs. The gross area in square feet of all signs attached to the wall of a building shall not exceed 15% of the wall area to which they are attached or of which they are a part. The gross area of all freestanding signs shall not exceed one square foot of area per each lineal foot of frontage on the Lot of Record.

ii. Height. No sign shall exceed 20 feet in height and shall in no case extend above the roof line.

iii. Integrated retail and office buildings or complexes. For integrated retail and office building complexes with more than one building in single ownership or under unified control, one additional free-standing business sign other than those provided for in the B-1 district above shall be permitted subject to the following:

a. Content. The signs shall indicate only the name and location of such center and the name and type of business of each occupant of the center.

b. Area: The gross area of the additional sign shall not exceed one square foot per each lineal foot of frontage and in no case more than 150 square feet.

c. Height. Such additional free-standing sign shall not exceed 20 feet in height above the curb level.

iv. Perpendicular signs are permitted in the B-1 district subject to the following conditions:
a. Perpendicular signs are permitted only for business that do not meet the setback requirements for free-standing signs.

b. The sign must conform to the size requirements as listed for free-standing signs in this section.

c. The bottom of the sign shall be no lower than ten feet above curb height.

c. Business signs in B-2 district are permitted subject to the following conditions:

i. Sign area for attached business signs. The gross area in square feet of all attached signs shall not exceed 15% of the wall area to which they are attached or of which they are a part.

ii. Sign area for free-standing business signs. The gross area in square feet of all free-standing business signs shall no exceed one square foot per each linear foot of frontage of the Lot of Record.

iii. Height. No attached business sign shall exceed 20 feet in height nor extend above the roof line. No free-standing business sign shall exceed 30 feet in height above the curb line.

iv. Integrated retail and office buildings or complexes (OS-1) or integrated retail and office buildings or complexes with more than one building in single ownership or under unified control, one additional free-standing business sign, other than those provided for in B-2 district above, shall be permitted subject to the following:

a. Content. Such signs shall advertise only the name and location of such center and the name and type of business of each occupant of the center.

b. Area. The gross area of all signs shall not exceed one square foot per linear foot of frontage and in no case more than 300 square feet.

b. Height. Such additional free-standing sign shall not exceed 20 feet in height above the curb level.

c. Advertising signs in B-1 and B-2 districts are prohibited (see advertising sign definition).

d. "For Sale" or "For Rent" within business districts. There shall be no more than one sign per Lot of Record, except that on a corner lot one sign shall be permitted on each street side. The sign area shall not exceed 32 square feet, nor shall the sign exceed seven feet in height.

7. Sign regulations within industrial districts. The following sign regulations shall pertain to business and advertising signs within industrial districts:

a. Business signs in I-1 and I-2 districts are permitted subject to the following conditions:

i. Sign area for attached business signs. The gross area in square feet of all attached business signs shall not exceed 25% of the wall area to which they are attached or of which they are a part.

ii. Sign area for free-standing business signs. The gross area in square feet for a free-standing business sign shall not exceed 150 square feet per sign face.
iii. Height. No attached business sign shall extend above the roof line. No free-standing business sign shall project higher than 35 feet above the curb level.

b. Advertising signs in the I-1 and I-2 industrial districts are prohibited.

c. "For Sale" or "For Rent" signs within I-1 district. There shall be no more than one sign per Lot of Record, except that on a corner lot one sign shall be permitted on each street side. No sign area shall exceed 64 square feet, nor shall any sign exceed seven feet in height.

8. Application of other law. The provisions of the Highway Advertising Control Act of 1971 as now in force or as may be amended from time to time shall apply where applicable notwithstanding any of the provisions of this chapter.

9. Severability clause. If any section, division, sentence, clause, or phrase of this chapter or any part thereof, or application thereof to any person, firm, corporation, public agency, or circumstance, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, that decision shall not affect the validity or effectiveness of the remaining portions of this chapter or any part thereof. It is hereby declared to be the legislative intent of the Board of Trustees that this chapter would have been adopted had the unconstitutional or invalid provision, clause, sentence, paragraph, section or part thereof not then been included.

§ 1211 EXTERIOR LIGHTING

1. All outdoor lighting in all use districts used to light the general area of a specific site shall be shielded to reduce glare and shall be so arranged as to reflect lights away from all adjacent residential districts or adjacent residences.

2. All outdoor lighting in all use districts shall be directed toward and confined to the ground areas of lawns or parking lots.

3. All lighting in nonresidential districts used for the external illumination of buildings, to feature the buildings, shall be spaced and shielded so as not to interfere with the vision of persons on adjacent highways or adjacent property.

4. All illumination of signs and any other outdoor feature shall not be of a flashing, moving or intermittent type. Artificial light shall be maintained stationary and constant in intensity and color at all times when in use.

§ 1212 RESIDENTIAL ENTRANCEWAY

In all residential districts, so called entranceway structures including but not limited to walls, columns, and gates marking entrances to single family subdivisions or multiple housing projects may be permitted and may be located in a required yard, except as provided in § 1213 “Corner Clearance,” provided that such entrance way structures shall comply to all codes of the village and shall be approved by the Zoning Board and a permit issued.
§ 1213 CORNER CLEARANCE

No fence, wall, shrubbery, sign, or other obstruction to vision above a height of two feet from the established street grades shall be permitted within the triangular area formed at the intersection of any street right-of-way lines by a straight line drawn between the right-of-way lines at a distance along each line of 25 feet from their point of intersection.

CROSS-REFERENCE:
CORNER CLEARANCE ILLUSTRATION, SEE APPENDIX A, ILLUSTRATION 11

§ 1214 WALLS

1. Required walls shall be located on the lot line except where underground utilities interfere and except in instances where this ordinance requires conformance with front yard setback lines in abutting residential districts. Upon review of the site plan, the Zoning Board may approve an alternate location for the wall or may waive the wall requirement if in specific cases it would not serve the purposes of screening the parking area effectively. Required walls may, upon approval of the Zoning Board, be located on the opposite side of an alley right-of-way from a nonresidential zone that abuts a residential zone when mutually agreeable to affected property owners. The continuity of the required wall on a given block will be a major consideration of the Zoning Board in reviewing such request.

2. Such walls and screening barrier shall have no openings for vehicular traffic or other purposes, except as otherwise provided in this ordinance and except such openings as may be approved by the Chief of Police and the Code Enforcement Officer. All walls herein required shall be constructed of materials approved by the Zoning Enforcement Officer to be durable, weather resistant, rust proof and easily maintained. Wood or wood products shall be specifically excluded.

3. For property maintenance purposes, masonry walls may be constructed with gaps which do not in any section (height and width) exceed 20% of the wall surface. Where walls are so pierced, the openings shall be so spaced as to maintain the obscuring character required and shall not reduce the minimum height requirement. The arrangement of the openings shall be reviewed and approved by the Code Enforcement Officer.

4. In consideration of requests to waive wall requirements between nonresidential and residential districts, the Village Board shall refer the request to the Zoning Board for a determination as to whether or not the residential district is considered to be an area in transition and will become nonresidential in the future.
   a. In such cases as the Zoning Board determines the residential district to be a future nonresidential area, the board may temporarily waive wall requirements for an initial period not to exceed 12 months.
   b. Granting of subsequent waivers shall be permitted, provided that the Zoning Board, shall decide as hereinabove described, for each subsequent waiver prior to the granting of such waiver by the Board.

5. Required berms shall be constructed as landscaped earth mounds with a crest area at least four feet in width. The exterior face of the berm shall be constructed as an earthen slope.
interior face of the berm may be constructed as an earthen slope, or retained by means of a wall, terrace, or other means acceptable to the Code Enforcement Officer. Whenever an earthen slope is provided it shall be constructed with an incline not to exceed one foot of vertical rise to three feet of horizontal distance.

a. Berm slopes shall be protected from erosion by sodding or seeding. If slopes are seeded, they shall be protected with a straw mulch held in place by Jute netting until the seed germinates and a permanent lawn is established. The straw mulch is not required if the seeded slope is protected by a net that is specifically designed to control erosion. The berm area shall be kept free from refuse and debris and shall be planted with shrubs, trees or lawn and shall be maintained in a healthy, growing condition.

b. A planting and grading plan shall be prepared for the berm and shall be reviewed by the Zoning Board. Plant materials within the berm area shall be installed in accordance with the requirements for greenbelts and plant materials contained herein.

CROSS-REFERENCE:
Walls; illustration of transition details, see Appendix A, Illustration 12
Berms; illustration of transition details, see Appendix A, Illustration 13

§ 1215 FENCES

Fences are permitted, or required, subject to the following:

1. Fences on all lots of record in all residential districts which enclose property and/or are within a required side or rear yard, shall not exceed six feet in height, measured from the surface of the ground and shall not extend forward beyond the front of the house or the required minimum front yard setback, whichever is greater. Fences are to follow the slope of the ground to prevent burrowing under the fence by small children or animals. On corner lots fences shall not extend beyond the minimum front yard setback on both the front and side yard facing the street.

2. Recorded lots having lot area more than two acres and a frontage of at least 200 feet, and acreage or parcels not included within the boundaries of a recorded plat, in all residential districts, are excluded from these regulations.

3. Fences on all lots of record shall not contain electric current or charge of electricity and may not be any type of wire fence, including but not limited to, barbed wire, livestock fence, and chicken wire. Fences shall be properly installed with posts embedded in concrete foundations, and fence material stretched tight between posts.

4. Temporary seasonal fences limited to snow control and garden pest control are permitted without requiring a building permit. Temporary fencing intended to restrict access to and protect construction sites are allowed if a building permit is issued for the construction project.

5. Fence framing and braces shall be on the inside of the fence enclosure so that the decorative, smooth, or face side of the fence faces the outside of the enclosure.

6. Fences which enclose public or institutional parks, playground, or public landscaped areas, situated within an area developed with recorded lots shall not exceed eight feet in height,
measured from the surface of the ground, and shall not obstruct vision to an extent greater than 25% of their total area.

7. Fences shall further comply with all applicable codes and ordinances of the Village.

8. No fence, wall, shrubbery or other obstruction to vision above a height of 30 inches from the established street grades shall be permitted within the triangular area formed at the intersection of any street right-of-way lines at a distance along each line of 25 feet from their point of intersection.

9. Construction or installation of a new fence, or replacement of an existing fence, requires a building permit.

CROSS-REFERENCE:
RESIDENTIAL FENCE SETBACKS, SEE APPENDIX A, ILLUSTRATION 14

§ 1216 SITE PLAN REVIEW (ALL DISTRICTS)

Building additions or accessory buildings shall not require Zoning Board review unless off-street parking in addition to that already provided on the site is required.

1. A site plan shall be submitted to the Zoning Board, for approval of:
   a. Any use or development for which the submission of a site plan is required by any provision of this ordinance.
   b. Any development, except single family and two family residential, for which off-street parking areas are provided as required in § 1204 “Off-Street Parking Requirements.”
   c. Any use in R-2, R-2a, R-3, B-1, B-2 I-1, or I-2 districts lying contiguous to or across a street from a single family residential district.
   d. Any use except single or two family residential which lies contiguous to a major thoroughfare or collector street.
   e. All residentially related uses permitted in single family districts such as, but not limited to: churches, schools, and public facilities.
   f. Building additions or accessory buildings shall not require Zoning Board review unless off-street parking in addition to that already provided on the site is required.

2. The following information shall be included on the site plan:
   a. A scale of not less than 1 inch = 50 feet if the subject property is less than three acres and 1 inch = 100 feet if above three acres or more.
   b. Date, north point and scale.
   c. The dimensions of all lot and property lines, showing the relationship of the subject property to abutting properties.
   d. The location of all existing and proposed structures on the subject property and all existing structures within 100 feet of the subject property.

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e. The location of all existing and proposed drives and parking areas.

f. The location and right-of-way widths of all abutting streets and alleys.

g. The names and addresses of the architect, planner, designer, engineer, or person responsible for the preparation of the site plan.

3. In the process of reviewing the site plan the Zoning Board shall consider:

a. The location and design of driveways providing vehicular ingress to and egress from the site, in relation to streets giving access to the site, and in relation to pedestrian traffic.

b. The traffic circulation features within the site and location of automobile parking areas; and may make such requirements with respect to any matters as will assure:

   i. Safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets.

   ii. Satisfactory and harmonious relationships between the development on the site and the existing and prospective development of contiguous land and adjacent neighborhoods.

c. The Zoning Board may further require landscaping, fences, and walls in pursuance of these objectives and same shall be provided and maintained as a condition of the establishment and the continued maintenance of any use to which they are appurtenant.

d. In those instances, wherein the Zoning Board finds that as excessive number of ingress and/or egress points may occur with relation to major or secondary thoroughfares, thereby diminishing the carrying capacity of the thoroughfare, the Zoning Board may recommend marginal access drives. For a narrow frontage, which will require a single outlet, the Zoning Board may recommend that money or suitable bond be placed in escrow with the village to provide for a marginal service drive equal in length to the frontage of the property involved. A certificate of compliance shall not be issued until the improvement is physically provided, or monies or suitable bond have been deposited with the Clerk for such improvement.

§ 1217 FRONTAGE ON A PUBLIC STREET

No lot shall be used for any purpose permitted by this ordinance unless the lot abuts a public street, unless otherwise provided for in this ordinance. (Ord. 88-104, passed 4-4-88)

§ 1218 ACCESS TO MAJOR THOROUGHFARE/COLLECTOR STREET

For uses referring to this section, vehicular access shall be provided only to an existing or planned major thoroughfare, freeway service drive, or collector street. Provided, however, that access driveways may be permitted to other than major thoroughfares, freeway service drives, or collector streets where such access is provided to a street where the property directly across the street from such driveway and all property abutting such street between the driveway and the major thoroughfare, freeway service drive, or collector street is zoned for multiple family use of any nonresidential uses, is developed with permanent uses other than single family residence or is an area which, in the opinion of the Zoning Board, will be used for other than single family purposes in the future. This exception shall apply only if
the Zoning Board finds that there are special circumstances which indicate that there will be a substantial improvement in traffic safety by reducing the number of driveways to a thoroughfare.

§ 1219 MAILBOXES

Whereas a majority of the voters at the Consolidated General Election on November 4, 1997 voted to allow curbside delivery of mail by the U.S. Postal Service, on January 5, 1998, the Village Board repealed prior ordinances prohibiting installation of mailboxes. Installation and maintenance of mailboxes are permitted in accordance with the following requirements.

1. Single Mailbox. Single mailboxes may be installed by the owner of the owner’s property or on the contiguous Village street right of way. No person may install a mailbox on private property owned by another person or Village street right of way that is not contiguous to the owner’s property.

2. Multiple Mailboxes. Two mailboxes can be installed on a property with two dwelling units in a two-family residential district.

3. Cluster Boxes. Cluster box installations are not allowed on Village street right of way. Cluster box installations are not allowed in R-1, R-1a, R-2, and R-2a zoning districts. Cluster box installations may be requested in other zoning districts through as a Special Use. The Special Use application and hearing process is further described in Section 1502.

4. All mailbox installations must be installed such that they do not extend into the street and do not extend over a sidewalk. Post installations must be vertical, mailboxes must be horizontal, and must remain stable. Any unstable installations must be promptly repaired, replaced or removed.
ARTICLE XIII: GENERAL EXCEPTIONS

§ 1300 AREA, HEIGHT AND USE EXCEPTIONS

The regulations in this ordinance shall be subject to the following interpretations and exceptions.

§ 1301 ESSENTIAL SERVICES

Essential services shall be permitted as authorized and regulated by law and other ordinances of the village, it being the intention hereof to exempt such essential services from the application of this ordinance.

§ 1302 VOTING PLACE

The provisions of this ordinance shall not be so construed as to interfere with the temporary use of any property as a voting place in connection with a municipal or other public election.

§ 1303 HEIGHT LIMIT

The height limitations of this ordinance shall not apply to chimneys, church spires, flag poles, public monuments, or wireless transmission towers; however, the Zoning Board may specify a height limit for any such structure when such structure requires authorization as a conditional use.

§ 1304 LOTS ADJOINING ALLEYS

In calculating the area of a lot that adjoins an alley for the purpose of applying lot area requirements of this ordinance, ½ the width of such alley abutting the lot shall be considered as part of such lot.

§ 1305 YARD REGULATIONS

When yard regulations cannot reasonably be complied with or where their application cannot be determined on lots of peculiar shape, topography or due to architectural or site arrangement, such regulations may be modified or determined by the Zoning Board.

§ 1306 PORCHES

An open, unenclosed, and uncovered porch or paved terrace may project into a front yard for a distance not exceeding ten feet, but this shall not be interpreted to include or permit fixed canopies.

§ 1307 PROJECTIONS INTO YARDS

Architectural features, not including vertical projections, may extend or project into a required side yard not more than four inches for each one foot of width of such side yard; and may extend or project into a required front yard or rear yard not more than three feet.
§ 1308 ACCESS THROUGH YARDS

For the purpose of this ordinance, access drives may be placed in the required front or side yards to provide access to rear yards or accessory or attached structures. These drives shall not be considered as a structural violation in front and side yards. Further, any walk, terrace or other pavement servicing a like function, and not more than nine inches above the grade upon which place, shall for the purpose of this ordinance not be considered a structure, and shall be permitted in any required yard.

§ 1309 EXISTING USES IN “R”, “B” AND “I” DISTRICTS

1. Two-family dwellings existing in R-1a districts shall not be considered as nonconforming uses for the purposes of remodeling or rebuilding such residences.

2. One and two-family dwellings existing in B-1, B-2, I-1 and I-2 districts shall not be considered as nonconforming uses for the purposes of remodeling or rebuilding such residences.

3. Business or offices existing in I-1 and I-2 districts shall not be considered as non-conforming uses for the purposes of remodeling or rebuilding such office or business buildings.

§ 1310 TELEVISION AND SATELLITE RECEPTION DEVICES

A satellite antenna dish, which is defined as a device used for the reception of communications or other signals from orbiting satellites, is permitted in all districts subject to the following conditions:

1. Dishes mounted on the ground level shall not exceed a height of 12 feet.

2. Dishes mounted on the rooftop or chimney of a structure shall not be greater than two feet in diameter, and the highest point of the dish shall not exceed 35 feet measured from the top to the curb level.

3. The dish shall not contain any lettering other than that placed on same identifying the manufacturer and shall, not otherwise be used for the display of messages.

4. Ground-mounted dishes shall be located only in the rear yard and shall be subject to a ten-foot setback on the side yard lot line. If an easement requires a greater setback than the foregoing, then the easement setback shall apply.

5. Ground-mounted dishes shall be reasonably concealed from view at ground level of adjacent properties on all sides, except the side to which the dish is directed to receive the signal. On that side, the view shall be obscured to the extent possible without interfering with the reception of the signal. Fencing or landscape screening shall be used for such purpose subject to the general requirements for same as provided in other sections of this ordinance. Any landscape screening that is used must be planted within six months of the date of installation of the dish and must be continuously maintained. Any landscape screening that is used must be non-deciduous and must be of a minimum height of four feet when planted.

6. A satellite antenna dish may be used only if it is permanently affixed to the ground or rooftop or chimney of a structure. Satellite antenna dishes may not be located or affixed to any mobile object, including but not limited to motor vehicles, trailers, or other movable objects. The use of a satellite antenna dish on a temporary basis is expressly prohibited.

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ARTICLE XIV: ADMINISTRATION AND ENFORCEMENT

§ 1400 ENFORCEMENT

The provisions of this ordinance shall be administered and enforced by the Code Enforcement Officer or by such deputies as may be appointed to enforce the provisions of this ordinance and they shall have general police power for the purpose of enforcing this zoning ordinance.

§ 1401 DUTIES OF CODE ENFORCEMENT OFFICER

The Code Enforcement Officer shall have the power to grant zoning compliance certificates and make inspections of buildings or premises necessary to carry out those duties in the enforcement of this ordinance. It shall be unlawful for the Code Enforcement Officer to approve any plans or issue any permits or certificates of compliance for any excavation or construction until he has inspected such plans in detail and found them to conform with this ordinance.

The Code Enforcement Officer shall record all nonconforming uses existing at the effective date of this ordinance for the purpose of carrying out the provisions of § 1202.

Under no circumstance is the Code Enforcement Officer permitted to make changes to this ordinance nor to vary the terms of this ordinance in carrying out his duties as Code Enforcement Officer.

The Code Enforcement Officer shall not refuse to issue a permit when conditions imposed by this ordinance are complied with by the applicant despite violation of contracts, such as covenants or private agreements which may occur upon the granting of said permit.

§ 1402 SITE PLAN

The Code Enforcement Officer shall require that all applications for building permits be accompanied by plans and specifications including a site plan, drawn to scale, showing the following:

1. The actual shape, location, and dimensions of the lot.
2. The shape, size and location of all buildings or other structures to be erected, altered, or moved and of any building or other structures already on the lot.
3. The Site Plan shall identify storm drainage patterns on the site and the applicant shall be responsible for controlling soil erosion throughout the building process. Soil and construction debris shall not be allowed to leave the construction site and cause damage to adjacent property, drainage channels, or storm drainage conveyance systems.
4. The existing and intended use of the lot and of all such structures upon it, including in residential areas, the number of dwelling units the building is intended to accommodate.
5. Such other information concerning the lot or adjoining lots as may be essential for determining whether the provisions of this ordinance are being observed.

§ 1403 PERMITS

The following shall apply in the issuance of any permit:
1. Permits not to be issued. No building permit shall be issued for the erection, alteration or use of any building or structure or part thereof, or for the use of any land, which is not in accordance with all provisions of this ordinance.

2. Permit for new use of land. No land heretofore vacant shall hereafter be used, or an existing use of land be hereafter changed to a use of a different class or type unless a building permit is first obtained for the new or different use and a certificate of compliance is issued upon completion.

3. Permits for new use of buildings. No building or structure, or part thereof, shall be changed to or occupied by a use of a different class or type unless a certificate of compliance is first obtained for the new or different use.

4. Permits required. No building or structure, or part thereof, shall be hereafter erected, altered, moved, or repaired unless a building permit has been first issued for such work. The terms “altered” and “repaired” shall include any changes in structural parts; stairways; type of construction; type, class or kind of occupancy; means of egress and ingress; or other changes affecting or regulated by this ordinance, except for minor repairs or changes not involving any of the aforesaid features.

5. Building Setback Inspection. Holders of building permits issued for the construction of a new structure or expansion of an existing structure that requires a foundation shall contact the Code Enforcement Officer before the foundation is constructed and request a foundation inspection. The purpose of the inspection is to verify the building is built in accordance with the construction plan location and that all setbacks are satisfied. The Code Enforcement Officer shall be notified 72 hours before construction of permanent footings. A Certificate of Compliance may be withheld if the structure does not comply with setback requirements and the building permit holder did not request the building setback inspection.

§ 1404 CERTIFICATES

No land, building, or part thereof, shall be occupied by or for any use unless and until a Certificate of Compliance shall have been issued for such use. The following shall apply in the issuance of any certificate.

1. Certificates not to be issued. No certificate of compliance shall be issued for any building, structure or part thereof, or for the use of any land, which is not in accordance with all the provisions of this ordinance.

2. Certificate required. No building or structure, or parts thereof, which is hereafter erected, or altered, shall be occupied or used or the same caused to be done, unless and until a certificate of compliance shall have been issued for such building or structure. A certificate of compliance shall be required for any change in use of a building structure or land.

3. Certificates including zoning. Certificates of compliance as required by the village building code for new buildings or structures, or parts thereof, or for alterations to or changes of use of existing buildings or structures, shall also constitute certificates of compliance as required by this ordinance.

4. Certificates for existing buildings. Certificates of compliance shall be issued for existing buildings, structures, or parts thereof, or existing uses of land if, after inspection, it is found that such
buildings structures, or parts thereof, or such use of land, are in conformity with the provisions of this ordinance.

5. Record of certificates. A record of all certificates issued shall be kept on file in the Village Hall, and copies shall be furnished upon request to any person having a proprietary or tenancy interest in the property involved.

6. Certificates for accessory buildings. Buildings or structures accessory to dwellings shall not require separate certificates of compliance if the structure was on the plot plan and is completed at the same time as such dwellings. A certificate of compliance is required if the building permit was issued for the accessory building construction.

7. Application for certificates. Application for certificates of compliance shall be made in writing to the Code Enforcement Officer on forms furnished by that department, and such certificates shall be issued within five days after receipt of such application if it is found that the building or structure, or part thereof, or the use of land is in accordance with the provisions of this ordinance. If such certificate is refused for cause, the applicant therefor shall be notified of such refusal and cause thereof, within the aforesaid five-day period.

§ 1405 FINAL INSPECTION

The holder of every building permit for the construction, erection, alteration, repair, or moving of any building, structure or part thereof, shall notify the Code Enforcement Officer immediately upon completion of the work authorized by such permit, for a final inspection. Once the Code Enforcement Officer is satisfied the building complies with the terms of the building permit, a Certificate of Compliance shall be issued by the Code Enforcement Officer.

§ 1406 FEES

Fees for inspection and the issuance of permits or certificates or copies thereof required or issued under the provisions of this ordinance shall be collected by the Code Enforcement Officer in advance of issuance. The amount of such fees shall be established by resolution of the Village Board and shall cover the cost of inspection and supervision resulting from enforcement of this ordinance.
ARTICLE XV: ZONING BOARD

§ 1500 ORGANIZATION

1. A Zoning Board is hereby established in accordance with the provisions of the statute applicable thereto.

2. Regular meetings of the Board shall be held at such time and place within the village as the Board may determine. Special meetings may be held at the call of the chairperson, or as determined by the Board. Such Chairperson, or, in his absence, the Acting Chairperson, may administer oaths and compel attendance of witnesses.

3. All meetings of the Board shall be open to the public. Such Board shall keep minutes of its proceedings showing the vote of each member on every question. If any member is absent or fails to vote, the minutes shall indicate such fact. The Board shall adopt its own rules of procedure not in conflict with the statute of this ordinance.

§ 1501 APPEALS; HOW TAKEN

1. Appeals to the Board may be taken by any person aggrieved or by an officer, department, or board of the village.

2. Such appeal shall be taken within 20 days from the date of the action appealed from, by filing with the Code Enforcement Officer and with the Zoning Board a notice of appeal, specifying the grounds thereof. The Code Enforcement Officer shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken.

3. An appeal stays all proceedings in furtherance of the action appealed from unless the Code Enforcement Officer certifies to the Board, after the notice of appeal has been filed with him, that because of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property.

4. The Zoning Board shall fix a reasonable time for hearing of the appeal and give due notice thereof to the parties and decide the same within a reasonable time. The Board may reverse or affirm, wholly or partly, or may modify the use, requirement, decision or determination as, in its opinion, ought to be made on the premises.

§ 1502 JURISDICTION

The Zoning Board shall not have the power to alter or change the zoning district classification of any property, nor to make any change in the terms of this ordinance but, does have power to act on those matters where this ordinance provides for an administrative review, interpretation, and to authorize a variance as defined in this section and laws of the state. Said powers include:

1. Administrative review. To hear and decide appeals where it is alleged that there is an error in any order, requirement, permit, decision or refusal made by the Code Enforcement Officer or any other administrative official in carrying out or enforcing any provisions of this ordinance.

2. Exceptions and special approvals. To hear and decide in accordance with the provisions of this ordinance, requests for exceptions for interpretations of the zoning map, and for decisions on
special approval situations on which this ordinance specifically authorizes the Board to pass. Any exception or special use permit shall be subject to such conditions as the Board may require to preserve and promote the character of the zoning district in question and otherwise promote the purpose of this ordinance.

3. Variance. To authorize, upon an appeal, a variance from the strict applications of the provisions of this ordinance whereby reason of exceptional narrowness, shallowness, shape or area of a specific piece of property at the time of enactment of this ordinance or by reason of exceptional topographic conditions or other extraordinary or exceptional conditions of such property, the strict application of the regulations enacted would result in peculiar or exceptional practical difficulties to, or exceptional undue hardship upon the owner of such property, provided such relief may be granted without substantially impairing the intent and purpose of this ordinance. In granting a variance, the Board may attach thereto such conditions regarding the location, character, and other features of the proposed uses as it may deem reasonable in furtherance of the purpose of this ordinance. In granting a variance, the Board shall state the grounds upon which it justifies the granting of a variance.

In hearing and deciding appeals, the Zoning Board shall have the authority to grant such variances thereof as may be in harmony with their general purpose and intent so that the function of this ordinance be observed, public safety and welfare secured, and substantial justice done, including the following:

a. Interpret the provisions of the ordinance in such a way as to carry out the intent and purpose of the plan, as shown upon the zoning map fixing the use districts, accompanying and made part of this ordinance, where street layout on the ground varies from the street layout as shown on the map aforesaid unless such action constitutes a change in a district boundary. This shall be reserved to the Village Board.

b. Permit the erection and use of a building or use of premises for public utility purposes and make exceptions therefore to the height and bulk district requirements herein established, which the Board considers necessary for the public convenience or welfare.

c. Permit the modification of automobile parking space or loading requirements where, in the particular instance, such modification will not be inconsistent with the purpose and intent of such requirements.

d. Permit such modification of the height and area regulations as may be necessary to secure an appropriate improvement of a lot which is of such shape, or so located with relation to surrounding development or physical characteristics, that it cannot otherwise be appropriately improved without such modification.

e. After any application for a variance has been denied by the Zoning Board no new application or petition for a variance touching upon the same subject matter may be presented to or considered by the Zoning Board within 18 months after the denial.

4. Application for variance and/or special use. An application for a variance and/or special use may be made by filing a written application with the Code Enforcement Officer in duplicate in the office of the Village Clerk. Such application shall:
a. State the name and address of the applicant (and the name and address of the owner of record, if applicant is not such owner).

b. State the location and legal description of the lot for which the variance and/or special use is sought.

c. Request the variance and/or special use desired.

5. Hearing date and notice of public hearing.

a. If the application for a variance and/or special use is in proper form, and the proper fee paid, the Zoning Board shall set a hearing date for the application and shall cause a notice of the time and place of such public hearing to be published at least once in one or more local newspapers published in Tazewell County, no less than 15 days nor more than 30 days prior to the date of the hearing. Such notice shall contain the location for which the variance and/or special use is requested as well as a brief statement describing the variance and/or special use requested.

b. Not less than ten days before the hearing, the Code Enforcement Officer shall mail a copy of such published notice to the applicant at the address given in such application, The Zoning Board shall maintain in its records a publisher's certificate with an attached copy of the notice as published, and the Zoning Board shall file such notice with the Village Clerk for inclusion in the records of the Village.

c. If the application is not in proper form, the Code Enforcement Officer shall notify the applicant in writing, and no hearing shall be set nor notice published until a proper application is filed and the proper fee paid.

6. Hearing by the Zoning Board.

a. A public hearing on the application for the variance and/or special use shall be conducted by the Zoning Board. The hearing shall be held in accordance with the general rules for meeting of the Zoning Board provided for in this ordinance, and such hearing may be continued from time to time as required.

b. After the hearing, the Zoning Board shall make a report of their findings to the Village Board, and in said report shall indicate their approval or disapproval of such proposed variance and/or special use. Every report shall contain findings of fact specifying the reason for the Zoning Board’s recommendation of approval or disapproval.

7. Vote of the Village Board.

a. Within 30 days after receipt of the report of the Zoning Board, the Village Board may, by vote, without further public hearing, grant or deny the variance and/or special use or they may refer it back to the Zoning Board for further consideration.

b. No proposed variance and/or special use which fails to receive the approval of the Zoning Board may be adopted by the Village Board except by a favorable vote of 2/3 of the Board.
§ 1503 STANDARDS

Each case before the Zoning Board shall be considered as an individual case and shall conform to the detailed application of the following standards in a manner appropriate to the circumstances of such case. All uses as listed in any district requiring board approval for a permit shall be of such location, size and character that, in general, it will be in harmony with the appropriate and orderly development of the district in which it is situated and will not be detrimental to the orderly development of adjacent districts. The Board shall consider the following:

1. The location and size of the use.
2. The nature and intensity of the operations involved in or conducted.
3. Its size, layout and its relation to pedestrian and vehicular traffic to and from the use.
4. The assembly of persons in connection with it will not be hazardous to the neighborhood or be incongruous therewith or conflict with normal traffic of the neighborhood.
5. Considering among other things, convenient routes of pedestrian traffic, particularly of children.
6. Vehicular turning movements in relation to routes of traffic flow, relation to street intersections, sight distance and the general character and intensity of development of the neighborhood.
7. The location and height of buildings, the location, nature and height of walls, fences and the nature and extent of landscaping of the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof.
8. The nature, location, size and site layout of the uses shall be such that it will be a harmonious part of the district in which it is situated considering among other things, prevailing shopping habits, convenience of access by prospective patrons, the physical and economic relationship of one type of use to another.
9. The location, size, intensity and site layout of the use shall be such that its operations will not be objectionable to nearby dwellings, because of noise, fumes or flash of lights to a greater degree than in normal with respect to the proximity of commercial to residential uses, nor interfere with and adequate supply of light and air, nor increase the danger of fire or otherwise endanger the public safety.

§ 1504 REQUEST FOR LEGAL OPINION

Where a legal opinion is requested of the Village Attorney on a matter of interpretation of the ordinance regarding a matter being heard by the Board, such opinion shall be binding upon said board.

§ 1505 MISCELLANEOUS

No order of the Zoning Board permitting the erection or alteration of buildings shall be valid for a period longer than one year, unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is commenced and proceeds to completion in accordance with the terms of such permit.

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No order of the Zoning Board permitting a use of a building or premises shall be valid for a period longer than one year unless such use in established within such period; however, that the use of such permit is dependent upon the erection or alteration of a building, such order shall continue in full force and effect if a building permit for such use, erection or alteration is obtained within such period and such erections or alterations are commenced and proceed to completion in accordance with the terms of such permit.

§ 1506 APPEALS TO COURT

All final administrative decisions of the Zoning Board rendered under the terms of this ordinance shall be subject to judicial review pursuant to the provisions of the "Administrative Review Act" approved May 8, 1945 and all amendments thereof, and the rules adopted pursuant thereto.
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ARTICLE XVI: AMENDMENTS

The Village Board may from time to time amend, supplement or change by ordinance the boundaries of districts or regulations herein established. Any amendment, supplement or change shall first be submitted to the Zoning Board for its recommendation and report.

No such ordinance shall be adopted until after a duly advertised public hearing is held by the Zoning Board, as prescribed by statute. Within a reasonable time after the hearing, the Zoning Board shall make a report to the Village Board.

The Village Board shall not be required to take action for the conduct of a hearing on a petition by property owners to amend, supplement or change the boundaries of districts or regulations herein established or to reclassify any property, but whenever the owners of 50% or more of the street frontage in any block shall present to the Village Board a petition duly signed and acknowledged requesting an amendment, supplement, change, modification, or repeal of the regulations prescribed for the zoning maps, including the district or specified part thereof, it shall be the duty of the Village Board to refer the petition to the Zoning Board, to hold a hearing thereon as provided by statute.

Before any action shall be taken as provided in this Article, the party or parties petitioning for a change shall deposit with the Village Treasurer the Zoning District Amendment Fee. Under no condition shall the sum, or any part thereof, be refunded for failure of the amendment to be enacted into law. The amount of said fee is established by resolution of the Village Board and shall cover the cost of the amendment procedure.

That after any application for rezoning of any parcel or tract of land within the village has been denied by the Zoning Board, and/or the Village Board no new application or petition for a rezoning of the same parcel or tract, seeking the same use as that denied in the previous application, shall be considered within 18 months after the denial unless the new application or petition clearly indicates a change in circumstance, condition or ownership.
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ARTICLE XVII: REPEAL OF PRIOR ORDINANCE

The zoning ordinance heretofore adopted by the village on May 3, 2004, being known as Ordinance Number 04-109, together with all amendments thereto, are hereby repealed. The repeal of the above ordinance and its amendments does not affect or impair any act done, offense committed or right accruing, accrued or acquired or liability, penalty, forfeiture or punishment incurred prior to the time enforced, prosecuted or inflicted.
ARTICLE XVIII: INTERPRETATION

In the interpretation and application, the provisions of this ordinance shall be held to be minimum requirements adopted for the promotion of the public health, morals, safety, comfort, convenience or general welfare. It is not intended by this ordinance to repeal, abrogate, annul or in any way to impair or interfere with any existing provision or law or ordinance other than the above described zoning ordinance, or with any rules, regulations or permits previously adopted or issued or which shall be adopted or issued pursuant to the law relating to the use of buildings or premises; provided, however, that where this ordinance imposes a greater restriction than is required by existing ordinances or by rules, regulations or permits, the provisions of this ordinance shall control.
ARTICLE XIX: VALIDITY

Should any article, section, subsection or provision of this ordinance be decided by the courts to be unconstitutional, or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so decided to be unconstitutional or invalid.

This ordinance is enacted pursuant to Section 6a of Article VII of the constitution of the state, and all applicable provisions of the Illinois Municipal Code and any limitation in the Illinois Municipal Code in conflict with this ordinance shall not apply to this ordinance, pursuant to Section 6a of Article VII of the constitution of the state.
ARTICLE XX: VIOLATIONS AND PENALTIES

Failure to comply with the provisions of this ordinance shall constitute a nuisance and such failure to comply shall be enforceable as set forth in Section 97.01 et seq., Chapter 97 of the Village of Tremont Code of Ordinances, 1995.

Any person, firm, or corporation, or anyone acting on behalf of that person, firm, or corporation who violates, disobeys, omits, neglects or refuses to comply with, or who resists the enforcement of any of the provisions of this zoning code shall be fined not less than $100 nor more than $500 for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.
APPENDIX A: ILLUSTRATIONS

1. Basic structural terms
2. Basement and story
3. Building height
4. Building line
5. Floor area
6. Interior, through, and corner lots
7. Yards
8. Side yards abutting a street
9. Parking layouts
10. Greenbelt planting screen illustrations; transition details
11. Corner clearance
12. Walls; transition details
13. Berm illustrations; transition details
14. Residential fence setbacks

[Illustrations begin on the following page]
ILLUSTRATION 1 - BASIC STRUCTURAL TERMS
ILLUSTRATION 3 - BUILDING HEIGHT.
ILLUSTRATION 4 - BUILDING LINE
ILLUSTRATION 6 - INTERIOR, THROUGH, AND CORNER LOTS.

INTERIOR, THROUGH & CORNER LOTS
ILLUSTRATION 7 - YARDS.
ILLUSTRATION 8 - SIDE YARDS ABUTTING A STREET

SIDE YARDS ABUTTING A STREET

REQUIRED SETBACKS - CORNER LOT
FRONT YARD
R REAR YARD
S SIDE YARD
ILLUSTRATION 9 - PARKING LAYOUTS

90 DEGREE

60 DEGREE

*OVERLAPPING DIMENSION

45 DEGREE

*OVERLAPPING DIMENSION (INCLUDING HERRINGBONE PATTERN)

PARALLEL

PARCLING LAYOUTS
ILLUSTRATION 10 - GREENBELT PLANTING SCREEN ILLUSTRATIONS; TRANSITION DETAILS
ILLUSTRATION 12 - WALLS; TRANSITION DETAILS

TRANSMISSION DETAILS

WALLS

STONE

PRECAST

MASONRY

SIOX SWICH BASEMENT UNITS

TYPES OF CONSTRUCTION PERMITTED

ORDINANCE 18-xxxx
ILLUSTRATION 13 - BERM ILLUSTRATIONS; TRANSITION DETAILS
ILLUSTRATION 14 - RESIDENTIAL FENCE SETBACKS

- Fence setback equal to front of house or required minimum front yard, whichever is greater.
- Fence setback equal to required front setback.
- Fence setback equal to required front yard of district.

STREET

- Front yard
- Rear yard
- Side yard
- Fence line

RESIDENTIAL FENCE SETBACKS
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