

CHAPTER 15

ZONING

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ARTICLE 1 - PURPOSE AND INTENT

15.1.01. PURPOSE

This Ordinance is adopted for the purpose of:

- A. Promoting the public health, safety, morals, convenience, and general welfare.
- B. Securing adequate light, pure air and safety from fire and other dangers.
- C. Conserving the taxable value of land and buildings throughout the City of Country Club Hills.

15.1.02. STANDARD AND OBJECTIVES

To these ends the Ordinance is designed to establish standards and accomplish objectives by:

- A. Dividing the entire City of Country Club Hills, into districts, and restricting the regulating therein the location, construction, reconstruction, alteration, and use of buildings, structures, and land whether for residence, business, manufacturing or other specified uses.
- B. Avoiding or lessening congestion in the public street.
- C. Preventing the overcrowding of land by regulating and limiting the height and bulk of buildings hereafter erected as related to land area.
- D. Establishing, regulating, and limiting the building or setback lines on or along streets, alleys, or property lines.
- E. Regulating and limiting the intensity of the use of lot areas, and determining the area of open spaces within and surrounding such buildings.
- F. Establishing standards to which buildings or structures therein shall conform.
- G. Prohibiting uses, buildings or structures incompatible with the character of the residence, business or manufacturing districts.
- H. Preventing additions to, and alterations or remodeling to, existing buildings or structures in such a way as to avoid the restrictions and limitations imposed hereunder.
- I. Providing for the gradual elimination of those uses, buildings and structures which are incompatible with the character of the districts in which they are made or located; including, without being limited thereto:

- 1) Elimination of such uses of unimproved lands or lot areas when existing rights of the persons in possession thereof are terminated, or when the uses to which they are devoted are discontinued;
 - 2) Elimination of uses to which such buildings and structures are devoted if they are adaptable for permitted uses; and
 - 3) Elimination of such buildings and structures when they are destroyed or damaged in major part, or when they have reached the age fixed by the corporate authorities of the municipality as the normal useful life of such buildings or structures.
- J. Providing for the acquisition by purchase, condemnation, or otherwise, of any buildings or structure which do not conform to the standards fixed by the City of Country Club Hills.
- K. Defining and limiting the powers and duties of the administrative officers and bodies as provided hereinafter.
- L. Prescribing penalties for the violation of the provisions of this Ordinance, or of any amendment thereto.

ARTICLE 2 - RULES AND DEFINITIONS

15.2.01.

DEFINITIONS TO INCLUDE

WIRELESS COMMUNICATION SERVICE FACILITIES: A wireless communication facility includes all facilities that consist of a combination of improvements and equipment that is operated pursuant to applicable federal cellular radio licenses and that includes (i) one or more antenna devices by which cellular radio signals are transmitted or received, or both, (ii) a combination of a supporting structures (which may be an antenna tower or some other type of structure) and one or more devices by which antenna devices are held, mounted and attached, (iii) an equipment building or room or one or more equipment enclosures that house equipment which operates in conjunction with the antenna device, and (iv) one or more items of ancillary equipment such as, without limitation, attachment appliances and hardware and signal transmission cable, related to the use of the radio frequency spectrum for the purposes of transmitting or receiving radio signals and may include, but is not limited to radio towers.

The language set forth in the text of this Ordinance shall be interpreted in accordance with the following rules of construction:

- A. The singular number includes the plural and plural, the singular.
- B. The present tense includes the past and future tenses and the future, the present.
- C. The word “shall” is mandatory while the word “may” is permissive.
- D. The masculine gender includes the feminine and neuter.
- E. Whenever a word or term defined hereinafter appears in the text of this Ordinance, its meaning shall be constructed as set forth in the definition thereof; and, any word appearing in parenthesis, between a word and its definition herein, shall be construed in the same sense as that word. Words herein not defined shall be interpreted in accordance with definitions contained in Webster’s Third New International Dictionary of the English Language. Unabridged; second Edition; published by Merriam-Webster Inc., Springfield.
- F. All measure distances expressed in feet shall be to the nearest integral foot; if a fraction is one-half (1/2) foot; or more, the integral foot next above shall be taken.
- G. The following words and terms, wherever they occur in this Ordinance, shall be construed as here defined:

ALLEY:

A minor public right-of-way used primarily for vehicular services access to the rear or side of properties.

AMORTIZATION:

The process by which non-conforming uses and structures must be discontinued or made to conform to requirements of the Ordinance at the end of a specific period of time.

ANIMAL HOSPITAL:

Any building or portion hereof, designed or used for the care, observation, or treatment of animals or pets.

AUTOMOBILE LAUNDRY(CAR WASH):

Any building, or portion thereof, where automobiles are washed, using a conveyor, blower, steam-cleaning equipment or other mechanical device of productive-line nature.

AUTOMOBILE SERVICE STATIONS (GAS STATION OR FILLING STATION):

Any building, or portion thereof, or premises used for dispensing or offering for sale at retail any automotive fuels or oils having pumps and storage tanks thereon; or where battery, tire and other similar services are rendered. Automobile service stations do not include open sales lots as defined herein.

AUTOMOBILE WRECKING YARD:

Any area of land where two or more vehicles, not in running condition, or the parts thereof, are stored in the open and are not being restored to operation; or any land, building, or structures used for the wrecking or storing of such automobiles, or the parts thereof.

AWNING:

A roof-like cover, temporary in nature, which projects from the wall of a building.

BASEMENT:

A portion of a building located partly underground, but having less than half its clear floor to ceiling height below the average grade of the adjoining ground and having a floor to ceiling height of not less than six and one-half feet (basement).

BEDROOM:

Any room (other than a living room, dining room, kitchen, bath, utility room or any storage area) which can be utilized as a sleeping area under the provisions of this

Chapter and the Building Code.

BLOCK:

A tract of land bounded by streets or by a combination of one or more streets and public parks, cemeteries, railroad right-of-way, corporate boundary lines, or other topographical features.

BUILDING:

Any structure having a roof supported by columns or walls.

BUILDING, ACCESSORY:

A subordinate building, or portion of principal building, the use of which is incidental to that of the principal building and customary in connection with that use.

BUILDING HEIGHT:

The vertical distance measured from the established finished grade of the lot to the highest point of the underside of the ceiling beams, in the case of a flat roof; and, to the mean level of the underside of rafters between the eaves and the ridge of a gable, hip, mansard, or gambrel roof. Chimneys, spires, towers, elevator penthouses, tanks, and similar projections other than signs shall not be included in calculating the height.

BUILDING, PRINCIPAL:

A building which houses the principal use of the lot on which it is located.

BUILDING, TEMPORARY:

A building with no foundation or footing and which is intended to be removed when the designated time period, activity, or use for which the temporary building was erected has ceased.

BULK:

A composite characteristic of a given building as located upon a given lot not definable as a single quantity but involving all of the following characteristics: (1) size and height of building; (2) location of exterior walls at all levels in relation to lot lines, streets, or to other buildings; (3) gross floor area of the building in relation to lot area (floor area ratio); (4) all open spaces allocated to the building; and (5) amount of lot area provided per dwelling unit.

CELLAR:

A space with less than one-half of its floor to ceiling height above the average

finished grade of the adjoining ground and with a floor to ceiling height of less than six and one-half feet.

CLUB OR LODGE, PRIVATE:

A non-profit association of persons who are bona-fide members paying dues which owns, hires, or leases a building or portion thereof, the use of such premises being restricted to members and their guest.

COMMUNITY RESIDENCES:

A single dwelling unit occupied on a relatively permanent basis in a family-like environment by a group of unrelated persons with disabilities, plus paid professional support staff provided by a sponsoring agency, either living with the residents on a twenty-four (24) hour basis, or present whenever residents with disabilities are present at the dwelling unit; and complies with the zoning regulations for the district in which the site is located.

CULVERT:

A drain, as under a road or sidewalk, for the passage of water.

CURB LEVEL:

The level of the top of the established curb in front of a building or structure measured at the center of such front. Where no curb has been established it shall be deemed to be the established level of the center line of the street surface in front of a building or structure, measured at the center line of such front.

DAY CARE CENTER:

Any child care facility receiving more than eight (8) children for daytime care during part of a day where tuition, fees or other forms of compensation for the care of children is charged. The term "Day Care Center", "Centers", "Day Nurseries", "Nursery Schools", "Kindergartens", "Play Groups" and "Centers or Workshops for Mentally or Physically Handicapped" are included with or without stated educational purposes.

DAY CARE HOME:

A family home which receives more than three or the maximum of twelve children for less than 18 hours per day. However, children may not be in the home after 12:00 midnight. The maximum of twelve children includes the family's natural, foster or adopted children and all other persons under the age of twelve.

DAY CARE HOME PERMIT:

A permit issued by the City evidencing that a Day Care Home has been found to be in compliance with all applicable health and safety regulations of the City.

DCFS:

The Illinois Department of Children and Family Services.

DISABILITY:

A physical or mental impairment which substantially limits one or more of a person's major life activities, impairs their ability to live independently, or a record of having such an impairment, or being regarded as having such an impairment, but such term does not include current use of, nor addiction to, a controlled substance.

DOG KENNEL:

An establishment other than a pound or animal shelter where dogs or cats and cats are maintained for boarding, training or similar purposes for a fee or compensation.

DWELLING UNIT

A group of rooms constituting all or part of a dwelling which are arranged, designed, used, or intended for use exclusively as living quarters for one family and an aggregate of not more than two roomers or boards, and which include cooking, sleeping and sanitary facilities.

DWELLING, DETACHED:

A dwelling which is not attached to any other dwelling by any means.

EASEMENT:

A right given by the owner of land to another party for specific limited use of that land, especially to allow utility facilities or to allow access to another property.

FAMILY:

One or more persons related by blood, adoption or marriage, living and cooking together as a single housekeeping unit, exclusive of household servants. A number of persons but not exceeding four (4) living and cooking together as a single housekeeping unit though not related by blood, adoption, or marriage shall be deemed to constitute a family.

FENCE:

An artificially-constructed barrier of any material or combination of materials erected to enclose or screen areas of land.

FENCE, SOLID:

A fence, including solid entrance and exit gates, which effectively conceals from viewers, in or on adjoining properties and streets, materials stored and operations conducted behind it.

FIRE DEPARTMENT:

The Country Club Hills Fire Protection District.

FLOOR AREA:

For the purpose of determining the floor area ratio, conversions or existing structures, and maximum size of business establishments:

The sum of the gross horizontal areas of the several floors measured in square feet, including the basement floor, but not including the cellar floor, of the building; measured from the exterior faces of the exterior walls or from the center line of walls separating two buildings. The floor area of a building shall also include elevator shafts and stairwells at each floor; floor space used for mechanical equipment except equipment, open or enclosed, located on the roof; penthouse; attic space having headroom of seven feet six inches (7'6") or more; interior balconies and mezzanines; enclosed porches; and floor area devoted to accessory uses; provided that any space devoted to off-street parking or loading shall not be included in floor area.

FLOOR AREA:

For the purpose of determining off-street parking and off-street loading requirements:

The sum of the gross horizontal areas of the several floors of the building, or portion thereof, devoted to a use requiring off-street parking or loading. This area shall include accessory storage areas located within a selling or working space, such as counters, racks, or closets, and any basement floor area devoted to retailing activities, to the production or processing of goods, or to business or professional offices. However; floor area for the purpose of determining off-street parking spaces shall not include floor area devoted primarily to storage purposes (except as otherwise noted herein); nor floor area devoted to off-street parking or loading facilities, including ramps, aisles, and maneuvering space; nor basement floor area other than area devoted to merchandising activities, to the production or processing of goods, or to business or professional offices.

FLOOR AREA RATIO (FAR):

The numerical value obtained through dividing the gross floor area of a building or

buildings by the lot area on which such building or buildings are located.

GARAGE, PRIVATE (RESIDENTIAL):

An accessory building or an accessory portion of the principal building, including a carport which is intended for and used for storing the private passenger vehicles of the family or families resident upon the premises, and in which no business, service, or industry connected directly or indirectly with the automotive vehicles is carried on; provided that not more than one-half of the space may be rented for the private vehicles of persons not resident on the premises, except that all the space in a garage of one or two car capacity may be so rented.

GARAGE, PUBLIC:

A building, or portion thereof, other than a private customer and employee garage or private residential garage, used primarily for the parking and storage of vehicles and available to the general public.

GARAGE, REPAIR:

Any building where automotive vehicles are painted, repaired, rebuilt, reconstructed, or stored, or otherwise serviced for compensation.

GARAGE, STORAGE:

A building or premises used for the housing only of motor vehicles pursuant to previous arrangements and not by transients; where no equipment or parts are sold and vehicles are not rebuilt, serviced, repaired, hired, or sold, except that fuel, grease, or oil may be dispensed, or car washing may be done, within the building to vehicles stored therein.

GROSS FOUNDATION AREA OR GROUND FLOOR AREA:

The lot area covered by a building measured from the exterior faces of exterior walls but excluding open terraces, porches, and carports.

HALFWAY HOUSE:

A temporary residential living arrangement for persons who are receiving therapy and counseling, from support staff who are present at all times residents are present, to help them recuperate from the effects of drugs or alcohol addiction.

HOME OCCUPATION:

A gainful occupation or profession conducted by a resident, as an accessory use in the resident's dwelling unit.

HOSPICE:

A temporary residential living arrangement for persons with a disease that requires full-time support, therapy and/or treatment.

HOTEL:

A building containing lodging rooms, a general kitchen and dining room, a common entrance lobby, halls and stairway; and where lodging rooms do not have a doorway opening directly to the outdoors, except for emergencies; and where more than fifty percent (50%) of the lodging rooms are for rent, with or without meals, to transient guests for a continuous period of less than thirty (30) days.

HOTEL, APARTMENT:

A hotel in which at least fifty percent (50%) of the hotel accommodations are occupied by permanent guests for thirty (30) days or more.

JUNK YARD:

An open area where waste, or used or second-hand materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled, including, but not limited to, scrap iron and other metals, paper, rags, rubber tires, and bottles. A junk yard includes an auto-wrecking yard, but does not include uses carried on entirely within enclosed buildings.

LIVABLE AREA:

All areas of at least seven feet, six inches (7'6") of unobstructed height with completely finished walls, ceilings and floors that are heated and insulated, that are provided with electrical and plumbing facilities as required by Ordinance and that meet the lighting and ventilation requirements of the Ordinances. Livable area shall be measured from the exterior face of each dwelling unit's exterior walls, and from the center-line of common walls between dwelling units or between dwelling units and common areas. Common areas or areas that are used jointly by occupants of more than one dwelling unit, such as hallways, stairways, furnace rooms, heater rooms, air conditioning rooms, utility rooms, equipment rooms and storage rooms, shall not be considered liveable areas.

Areas with unfinished walls, ceilings, or floors that could be insulated and that have provisions for heating, electrical wiring, and plumbing and could meet the light and ventilation requirements of our Ordinances may receive credit for fifty percent (50%) of the area. Attached garages may receive credit for twenty-five percent (25%) of the area.

LOADING BERTH:

That area used by trucks or other vehicles for receipt or distribution of materials or merchandise.

LODGING ROOM:

A room rented as sleeping living quarters, but without cooking facilities and with or without an individual bathroom. In a suite of rooms, each room shall be counted as one lodging room.

LOT:

A parcel or tract of land (where the boundaries and dimensions of such parcel or tract of land are entered on the current maps of record of the County of Cook) located within a single block, occupied by or intended for occupancy by one principal building or principal use, and having its principal frontage upon a street.

LOT AREA:

The total area within the lot lines of a lot, excluding any street or alley rights-of-way.

LOT, CORNER:

A lot situated at the junction of and abutting on two or more intersecting streets; or a lot at the point of deflection in alignment of a single street, the interior angle of which does not exceed one hundred thirty-five (135) degrees.

LOT DEPTH:

The mean horizontal distance between the front lot line and the rear lot line of a lot measured within the lot boundaries.

LOT, INTERIOR:

A lot situated with the front lot line along a dedicated street and the side and rear lot lines abutting adjoining lots, or unsubdivided property.

LOT LINE:

A line of record bounding a lot which divides one lot from another lot or from a public or private street or any other public space.

LOT LINE, FRONT:

That boundary of any lot which is along an existing or dedicated street lot line. On corner lots the front lot line shall be the boundary line along such street lot line that is established at the time of application for a building permit as the front lot line.

LOT LINE, REAR:

That boundary of a lot which is most distant from, and is, or is approximately parallel to the front lot line. If the rear lot line is less than ten (10) feet in length, or if the lot

forms a point at the rear, the rear lot line shall be deemed to be a line ten (10) feet in length within the lot, parallel to and at the maximum distance from front lot line.

LOT LINE, SIDE:

Any boundary of a lot which is not a front or rear lot line.

LOT, REVERSED CORNER:

A corner lot where the street-side lot line is substantially a continuation of the front lot line of the first lot to its rear.

LOT, THROUGH:

A lot which has a pair of opposite lot lines along two substantially parallel streets and which is not a corner lot. On a through lot, both street lines shall be deemed front lot lines, but in the case of two or more contiguous through lots, there shall be a common front lot line.

MARQUEE (CANOPY):

A roof-like structure of permanent nature which projects from the wall of a building and may overhang the public way.

MOTEL:

A building containing lodging rooms having adjoining individual bathrooms, and where each lodging room has a doorway opening directly to the outdoors, and more than fifty percent (50%) of the lodging rooms are for rent to transient automobile tourists for a continuous period of less than thirty (30) days.

MOTOR FREIGHT TERMINAL:

A building or premises in which freight is received or dispatched by motor vehicle. A terminal may include facilities for the temporary storage of loads prior to trans-shipment.

MOTOR VEHICLE:

Any self-propelled wheeled vehicle designed primarily for transportation of persons or goods along public streets, alleys, or other public ways.

MULTIPLE-FAMILY DWELLING:

A building containing two or more dwelling units, primarily used for one or more permitted residential uses or occupied by more than one family.

NOXIOUS MATTER:

Material which is capable of causing injury or malice to living organisms or is capable of causing detrimental effects upon the health or the psychological, social, or economic well-being of human beings.

NURSING HOME (REST HOME):

An extended or intermediate care facility licensed or approved to provide full-time convalescent or chronic care to individuals who, by reason of advance age, chronic illness or infirmity, are unable to care for themselves.

ODOROUS MATTER:

Any matter that produces an olfactory response in a human being.

OPEN SALES LOTS:

Any land used or occupied for the purpose of buying and selling merchandise, including, but not limited to passenger cars, trucks, motor scooters, motorcycles, boats, and monuments, or for the storing of same prior to sale.

OPERATOR:

An individual or individuals operating a Day Care Home from the residence.

PARTICULATE MATTER:

Material which is suspended in or discharged into the atmosphere in finely divided form as liquid or solid at atmospheric temperature and pressure, including, but not limited to dust, smoke, fumes, mist, spray and fog.

PARTY WALL:

A commonly shared wall between two separate structures, buildings or dwelling units; such a wall contains no openings and extends from its footing below finished ground grade to the height of the exterior surface of the roof.

PLANNED DEVELOPMENT:

A unified development in single ownership or control and which includes two or more principal buildings where the specific requirements of a given district may be modified.

PREMISES:

A lot, parcel, tract or plot of land together with the buildings and structures thereon.

RESEARCH LABORATORY:

A building or group of buildings in which are located facilities for scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

RESIDENTIAL BUILDING:

A building arranged, designed, used or intended to be used for residential occupancy.

ROOMING HOUSE (BOARDING HOUSE OR TOURIST HOME):

A building, or portion thereof, containing lodging rooms which accommodate three or more persons who are not members of the keepers family; and where lodging rooms, or meals, or both, are provided for compensation.

SCREENING:

A structure erected or vegetation planted for concealing from viewers the area behind it.

SETBACK (BUILDING SETBACK):

The line indicating minimum horizontal distance between the property line and building, at the front, side and rear of the lot.

SHOPPING CENTER:

A group of commercial establishments planned, constructed and managed as a total entity with customer and employee parking provided on site, provision for good delivery separated from customer access, aesthetic considerations and protection from the elements.

SIGN:

Any structure, vehicle, device, or any part thereof, which shall be used to identify, advertise, or attract attention to any product, place, activity, person, institution, organization, firm, group, commodity, profession, enterprise, industry, or business and which shall display or include any letter, word, model, number, banner, flag, pennant, insignia, device or representation used as an announcement, direction, or advertisement, and which is intended to be seen by persons in the public right-of-way.

- A. ADVERTISING SIGN: A sign which directs attention to a business, commodity, service, activity, idea, slogan, or entertainment, conducted, sold, offered or available elsewhere than upon the premises where such sign is located or to which it is affixed.
- B. BUSINESS SIGN: A sign which directs attention to a business, commodity,

service or activity, idea, slogan, or entertainment conducted, sold, offered or available upon the premises where such sign is located or to which it is affixed.

- C. GROUND SIGN: A sign which is supported by upright or braces or some object on the ground, with not more than two (2) feet of clear space between the bottom of the face of the sign and the grade beneath the sign face.
- D. IDENTIFICATION SIGN: A wall sign used to display identify the name, nature, logo, trademark or other identifying symbol of the individual, business, profession, organization, or institution occupying the premises upon which such sign is located
- E. POLE SIGN: A sign that is supported by one or more structurally engineered pole(s).
- F. RESIDENTIAL DEVELOPMENT SIGN: A sign placed at the major entrances to a subdivision or a Planned Unit Development identifying that subdivision or Planned Unit Development.
- G. REAL ESTATE SIGN: A business sign placed upon a property advertising that particular property for sale or for rent or for lease.
- H. WALL SIGN: A business sign attached directly to a building wall.
- I. WINDOW SIGN: A temporary or permanent sign which is visible to persons in the public right-of-way and which is placed within or on the outside of a window or on the inside of a glass window, or on the inside of a building and within one (1) foot of a window or one that can be seen from the outside of a building.

SIGN AREA:

The entire face of a sign, including the advertising surface and any framing, trim or molding, but not including the supporting structure.

SIGN FACE:

The surface of a sign or sign board upon, against, or through which a message is displayed.

STORY:

That portion of a building included between the surface of any floor and the surface of the floor next above; of if there is no floor and the ceiling next above. A basement shall be counted as a story, and a cellar shall not be counted as a story.

STORY, HALF:

A space under a sloping roof which has the line of intersection of roof decking and wall not more than three (3) feet above the top floor level, and in which space not more than sixty percent (60%) of the floor area is completed for principal or accessory use.

STREET (AVENUE, PLACE, ROAD, TERRACE, PARKWAY, ETC.):

A right-of-way not less than twenty (20) feet wide which affords a primary means of access to abutting property.

STRIP DEVELOPMENT:

A commercial or retail development, usually one store deep, that fronts a major street.

STRUCTURAL ALTERATIONS:

Any changes, other than incidental repairs, in the supporting members of a building or structure such as bearing walls or partitions, columns, beams, or girders; or any substantial change in the roof or exterior walls.

STRUCTURE:

Anything erected, the use of which requires more or less permanent location on the ground, or attached to something having permanent location on the ground. An advertising or business sign or other advertising device, if detached or projecting, shall be construed to be a separate structure.

SUBSTANTIAL ALTERATION:

Work involving the removal or replacement of twenty-five percent (25%) or more of the structural members of any building as part of a single remodeling, or repair; or involving expansion of the total floor area.

TATTOO ESTABLISHMENTS:

An establishment, the principal purpose of which is to offer the insertion of pigment under the surface of the skin of a human being by puncturing with a needle or otherwise, so as to produce an indelible mark, symbol or figure visible through the skin.

TAVERNS (COCKTAIL LOUNGE):

An establishment where liquors are sold to be drunk on the premises.

TOXIC MATERIAL:

A substance (liquid, solid, or gaseous) which by reason of an inherent deleterious property, when emitted in any amount, is injurious to living organisms of plants, animals, and human beings.

TRAILER:

Any vehicle, house car, camp car, or any portable or mobile vehicle on wheels, skids, or rollers or blocks, either self-propelled or propelled by any other means, which is used for living, sleeping, or commercial purposes.

TRAILER PARK:

Any premises on which are parked two or more trailers, or any premises used or held out for the purpose of supplying to the public a parking space for two or more such trailers. Does not include sales lots on which automobiles or unoccupied trailers - new or used - are parked for the purpose of inspection or sale.

USE:

The purpose of activity for which the land, or building thereon, is designed, arranged, or intended, or for which it is occupied or maintained.

USE, ACCESSORY:

A subordinate use, such as a private garage, which is clearly and customarily incidental to the principal use of a building or premise, and which is located on the same lot as the principal building or use except for such accessory parking facilities as are specifically authorized to be located Ordinance's enactment.

USE, PERMITTED:

Any building, structure, and use which, on the effective date of this Ordinance, complies with the applicable regulations governing permitted uses of the zoning district in which such buildings, structure, and use is located.

USE, PRINCIPAL:

The main use of land or building as distinguished from a subordinate or accessory use.

USE, SPECIAL:

A use permitted in a particular zoning district only upon showing that such use in a specified location will comply with all the conditions and standards for the location or operation of such use as specified in this Zoning Ordinance and authorized by the Zoning Board of Appeals.

VARIANCE:

A grant of relief to a property owner from compliance with certain provisions of a Zoning Ordinance. (See Article 15.10.03)

YARD:

An open space on the same lot with a building or building group lying between the front, rear, or side wall of a building and the nearest lot line, unoccupied except for projections and other specific minor uses or structures allowed in such open space under the provisions of this Ordinance.

YARD, FRONT:

A yard extending back from the front line between side lot lines to the front of the principal building. On corner lots, either street lot line may be established as the front lot line, without regard to location of the main entrance of the principal building.

YARD, REAR:

The portion of the yard on the same lot with the principal building, located between the rear of the building and the rear lot line, and extending for the full width of the lot, provided that in those locations where an alley is platted, but not constructed, in the rear of the lots, one-half (1/2) of the width of the platted alley may be included in the rear yard requirements.

YARD, SIDE:

A yard extending along a sideline between the front and rear yards, except a side yard adjoining a street shall extend from the rear line of the building to the rear lot line.

ARTICLE 3 - GENERAL PROVISIONS

15.3.01. INTERPRETATIONS

- A. In their interpretation and application the provisions of this Ordinance shall be held to be the minimum requirements for the promotion of public health, safety, morals and welfare.
- B. Where the conditions imposed by any provision of this Ordinance, upon the (a) use of land or building; (b) the bulk of the buildings; (c) floor area requirements; (d) lot area requirements; and (e) yard requirements, are either more restrictive or less restrictive than comparable conditions imposed by any other provision of this Ordinance, or of any other law, Ordinance, resolution, rule, or regulation of any kind, the regulations which are more restrictive or which impose higher standards or requirements shall govern.
- C. This Ordinance is not intended to abrogate any easement, covenant, or other private agreement provided that where the regulations of this Ordinance are more restrictive or impose higher standards or requirements than such easements, covenants, or other private agreements, the requirements of this Ordinance shall govern.
- D. No building, structure, or use not lawfully existing at the time of the adoption of this Ordinance shall become, or be made lawful solely by reason of the adoption of this Ordinance, and to the extent that, and in any manner that said unlawful building, structure, or use is in conflict with the requirements of this Ordinance, said building, structure, or use remains unlawful hereunder.

15.3.02. SEPARABILITY

It is, hereby, declared to be the intention of the City Council of the City of Country Club Hills that the several provisions of this Ordinance are separable in accordance with the following:

- A. If any court of competent jurisdiction shall adjudge any provision of this Ordinance to be invalid, such judgement shall not affect any other provision of this Ordinance not specifically included in said judgment.
- B. If any court of competent jurisdiction shall adjudge invalid the application of any provision of this Ordinance to a particular property, building, or other structure, such judgment shall not affect the application of said provision to any other property, building, or structure not specifically included in said judgement.

15.3.03. BUILDING ON LOT

In Single-Family Residence Districts, every single-family dwelling hereafter erected

or structurally altered shall be located on a lot and there shall not be more than one principal building on one lot.

15.3.04. ALLOWABLE USE OF LAND OR BUILDINGS

The following uses of land or buildings are allowed in the districts indicated hereinafter in Article 6, 7, 8 under the conditions specified in this Ordinance.

- A. Uses lawfully established on the effective of this Ordinance.
- B. Permitted uses as designated in Article 6, 7 & 8.
- C. Special Uses.

15.3.05. PROHIBITED USE OF LAND OR BUILDING

No building or tract of land shall be devoted to any use other than one which is specified as a permitted or special use in Article 6, 7 and 8 in the zoning district in which such building or land is located. However, where a building permit for a building or structure has been issued in accordance with the law prior to the effective date of this Ordinance, and where construction has been begun within six (6) months of such effective date and diligently prosecuted to completion, said building or structure may be completed in accordance with approved plans on the basis of which the building permit was issued; and, further, may upon completion be occupied under a Certificate of Occupancy by use originally designated, subject to the provisions of Article 4 of this Ordinance.

15.3.06. CONTROL OVER USE

No building or premises shall hereafter be used or occupied and no building or structure, or part thereof, shall be erected, raised, moved, reconstructed, extended, enlarged or altered, except in conformity with the regulations herein specified for the District in which it is located, except that in Residential Districts, a subdivided lot which was of record at the time of the adoption of this Ordinance or an Ordinance reclassifying the property to the R-O Single Family Residence District even though not meeting the requirements of this Ordinance as amended by the addition of the R-O District as to area or width, may be used for single-family residence purposes, provided it qualifies under all other provisions of the District in which it is located.

15.3.07. CONTROL OVER BULK

All buildings shall conform to the bulk regulations established herein for the District in which each building is located. Further, no existing building shall be enlarged, reconstructed, structurally altered, converted, or relocated in such a manner as to conflict, or to further conflict with the bulk regulations of this Ordinance for the district in which such building shall be located.

15.3.08.

ACCESSORY BUILDINGS AND USES

- A. Accessory uses shall be compatible with the principal use and shall not be established prior to the establishment of the principal use, and shall not include the keeping or propagation of poultry or livestock, whether or not for profit. Private swimming pools shall be permitted use in any Residence District, provided they conform with regulations of this Ordinance and other applicable Ordinances of the City of Country Club Hills.

- B. No accessory building or structure, unless it is structurally a part of the principal building, and unless it conforms with the requirements of accessory buildings or structures for special uses, shall be erected or altered at, nor moved to a location;
 - 1) Within eight feet (8') of the nearest wall of a principal building, except where an accessory building or structures and a principal building are of fire-resistive type construction, and approved by the Building commissioner, an accessory building or structure may be located nearer than eight feet (8');
 - 2) Within a required front yard, or side yard adjoining a street;
 - 3) Within three feet (3') of a side lot line when located in rear yards; nor
 - 4) Within ten feet (10') of the rear lot.
 - 5) Within an easement.

- C. No accessory building shall have building heights of more than one (1) story, or seventeen feet (17') whichever is the lesser, unless otherwise permitted as accessory to commercial or manufacturing uses, or to authorized special uses.

15.3.09.

SPECIAL USES

- A. To provide for the location of certain uses hereinafter specified which are deemed desirable for the public welfare within a given district or districts, but which might have an adverse effect upon nearby properties or upon the character and future development of the District in which they are located, a classification of special uses is, hereby, established. Procedure for special uses are set forth in Article 10.

- B. Where a use exists on the effective date of this ordinance, and it is classified as a special use by said Ordinance, it shall be considered to be a lawful special use. Additions or alterations to existing buildings or land improvements for expansion of such lawful special uses may be made within the area of the lot included in the ownership existing at the time of adoption of this Ordinance; provided that application is made by the owner to the City Council and approved by the Council.

15.3.10. PERMITTED OBSTRUCTIONS - YARDS

For the purpose of this Chapter, the following shall not be considered as obstructions when located in the yard as indicated.

A. Structures:

In Any Yards: Chimneys, overhanging roof eaves, open terraces, marquees, and awnings adjoining the principal building and ornamental light standards and flagpoles. The above shall not encroach side lot lines by a distance less than 90 centimeters (36"). On corner lots, obstructions not higher than 70 centimeters (24") above curb level, if located in that portion of a required front or side yard situated within 12 meters (40') of the lot corner formed by the intersection of any two street lines.

Open accessory off-street parking spaces or areas, in conformance with Section 15.9.02 of this Municipal Code.

In Rear Yards: Private garages attached or structurally a part of the principal building, private garages, detached; accessory sheds, tool rooms, or other similar accessory buildings; private swimming pools, in accordance with the City Ordinances; recreational and laundry drying equipment; basketball hoops; non-motorized vehicles and boats; arbors and trellises. Accessory buildings or structures, not including swimming pools, may occupy not more than 93 square meters (1,000 sq. ft.) of a rear yard; and, no more than two accessory buildings may be erected in any one yard.

B. Fences:

1) Front Yard Fence:

No fence shall be permitted in any front yard.

2) Rear Yard Fence:

No fence shall exceed six (6) ft. in height.

3) Side Yard Fence:

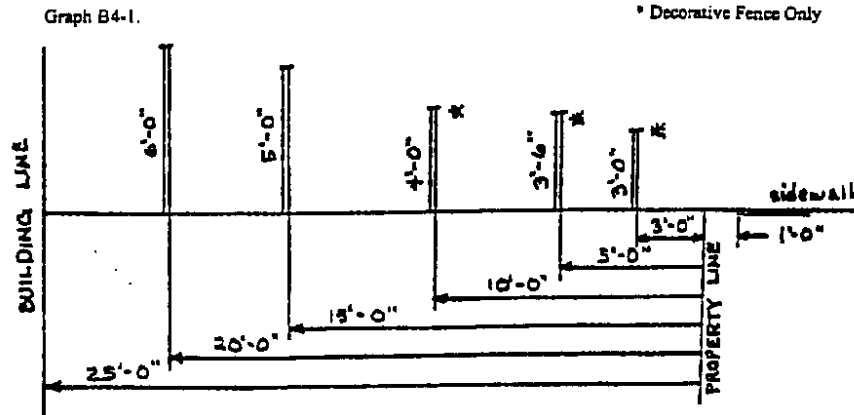
No fence shall exceed six (6) ft. in height. No side yard fence shall extend beyond the front of the principle building, except on corner lots where no fence shall be permitted in the side yard which abuts a street, past the rear of the principle building.

4) Corner Lot Fence:

On a corner lot only, a fence shall be permitted in the side yard, not past the rear of the principle building, based upon the proportional

relationship of the fence height and the location from the side yard property line. See graph B4-1. A side yard fence within ten (10') of any side yard property line must be a decorative fence, defined as a fence of 50% air or more.

PERMITTED CORNER LOT SIDE YARD FENCE HEIGHTS



C. Basketball Hoops:

In Front Yards: Basketball hoops may be erected on poles, if said poles are located at least twenty (20) feet from the public right-of-way. Notwithstanding the provisions of Article 4, all structures which are nonconforming to this provision shall be discontinued on the earlier of the following: (a) September 1, 1994; or (b) when the ownership of the nonconforming property is transferred.

15.3.11. YARDS, GENERAL

- A. The minimum yard spaces required for one structure shall not again be considered as yard space for another adjoining structure.
- B. No lot shall be reduced in area so that the yards or other open spaces become less than required by this Ordinance.
- C. On streets where a front-yard setback has been maintained for buildings existing on lots of tracts having a frontage of fifty percent (50%) or more of the total frontage on one side of that portion of any street lying between two (2) intersecting streets, there shall be maintained a front-yard setback of not less than the average setback of the aforementioned existing buildings, or twenty-five feet (25') whichever is greater. On a vacant through or corner lot, either of the lot lines abutting a street right-of-way line may be established as its front lot line, except that where two (2) or more through lots are

contiguous and a front lot line has been duly established, the same street lot line shall thereafter be deemed to be the front lot line of all such contiguous lots. On a through lot, a front yard shall be provided along any lot line abutting a street.

ARTICLE 4 - NON-CONFORMING BUILDINGS, STRUCTURES AND USES

15.4.01. STATEMENT OF PURPOSE

The purpose of this Section is to provide for the regulations of non-conforming uses, buildings, and structures, and to specify those circumstances and conditions under which those non-conforming buildings, structures, and uses shall be gradually eliminated upon reaching the end of their respective normal useful life, in accordance with the authority granted by Section 73-1 of Chapter 24 of the Revised Statutes of the State of Illinois.

15.4.02. AUTHORITY TO CONTINUE NON-CONFORMING BUILDINGS, STRUCTURES AND USES

Any non-conforming building, structure, or use which existed lawfully at the time of the adoption of this Ordinance, and which remains non-conforming, and any such building, structure, or use which shall become non-conforming upon the adoption of this Ordinance or of any subsequent amendment thereto, may be continued in accordance with regulations which follows:

15.4.03. EXEMPTED BUILDINGS, STRUCTURES AND USES

No building, structure or use lawfully established on the effective date of this Ordinance, shall be subject to the amortization provisions of this Section solely by reason of being non-conforming with respect to the standards prescribed in this Ordinance for any of the following:

- A. Floor Area Ratio
- B. Yards - front, side, rear or transitional
- C. Lot area per dwelling unit
- D. Lot width
- E. Ground floor area per dwelling
- F. Gross floor area
- G. Performance standards
- H. Off-street parking or loading spaces

No building, structure, or use, lawfully established on the effective date of this Ordinance and located in any Manufacturing District, shall be subject to the amortization provisions of this Section and no building, structure, or use, located in a Commercial District, shall be subject to the amortization provisions of this Ordinance if it is a permitted building, structure, or use in any Commercial District,

except as provided for elsewhere in this Ordinance.

For the purpose of this Section, a building or structure lawfully constructed or established on the effective date of this Ordinance shall be deemed to include any building or structure for which a building permit has been lawfully issued prior to such date, and on which construction is begun within the required period of time as set forth in this Ordinance.

15.4.04. RESTRICTIONS ON NON-CONFORMING BUILDINGS, STRUCTURES AND USE THEREOF

Any building or structure all or substantially of which is designed or intended for a use which is prohibited under the terms of the Zoning Ordinance but which was lawful at the date of the Ordinance's enactment.

- A. Repairs and Alterations: Ordinary repairs and minor alterations may be made to a non-conforming building or structure, provided that no structural alterations shall be made in or to such building or structure, except those required by law, or except to make the building or structures and minor uses thereof conform to the regulations of the District in which it is located. Ordinary repairs and alterations shall be determined by the Building Commissioner and shall include, among other things, the replacement of storage tanks where the safety of operation of the installation requires such replacement.
- B. Additions and Enlargements: A non-conforming building or structure shall not be added to or enlarged in any manner unless such non-conforming building or structure, and use thereof, including all additions and enlargement thereto, is made to conform to all the regulations of the District in which it is located.
- C. Moving: No non-conforming building or structure shall be moved in whole or in part to any other location unless every portion of such building or structure is moved, and the use thereof is made to conform to all regulations of the District into which it is moved.
- D. Restoration of Damaged Non-Conforming Building: A non-conforming building or structure, which is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration to the condition in which it was before the occurrence will exceed twenty-five percent (25%) of the cost of replacing the entire building or structure new, shall not be restored unless said building or structure, and the use thereof, shall conform to all regulations of the District in which it is located. In the event that such damage or destruction is less than twenty-five percent (25%) of the cost of restoration of the entire building or structure new, no repairs or construction shall be made unless such restoration is started within six (6) months from

the partial destruction and is diligently prosecuted to completion.

- E. Discontinuance of Use of Non-Conforming Building or Structure: A non-conforming building, structure, or portion thereof, which is vacant on the effective date of this Ordinance or thereafter becomes vacant and remains unoccupied, or is not used for a continuous period of one hundred eighty (180) days, shall not thereafter be occupied or used, except by a use which conforms to the use regulations of the District in which it is located.
- F. Expansion of Use in Non-Conforming Building or Structure: The non-conforming use of a part of a building or structure may be expanded within the building or structure in which said use is presently located, but no changes or structural alterations, and the use thereof, conform to all the regulations of the District in which the building or structure is located.
- G. Change of Use in Non-Conforming Building or Structure: The non-conforming use of a building or structure may be changed to a use permitted in the District in which the building or structure is located, but no change shall extend or otherwise modify any provisions made in this Ordinance for elimination of such non-conforming building or structure, and the use thereof.
- H. Elimination of Non-Conforming Buildings and Structure: Any building or structure, all or substantially all of which is designed or intended for a use not permitted in the District in which it is located, shall be removed and its use thereafter cease, or shall be converted to a building or structure designed or intended for a use permitted in the district in which it is located, in accordance with the following amortization schedules.

In all Residential Districts any building or structure, all or substantially all of which is designed or intended for a use permitted only in Commercial or Manufacturing Districts, shall be removed or it shall be altered and converted to a building or structure designed for a use permitted in the district in which it is located within six months after the termination of the respective period of time as set forth in the following:

- 1) Assessed Valuation More than \$5,000.*

In accordance with the types of construction classification set forth in the current BOCA (Building Officials and Code Administrators International, Inc.) Code Books.

- a. Fire Resistive Construction: Forty (40) years from date of building permit, or twenty-five (25) years from effective date of this Ordinance, whichever last occurs.
- b. Ordinary Construction: Thirty (30) years from date of

building permit, or twenty (20) years from effective date of this Ordinance, whichever last occurs.

c. Wood Frame Construction: Twenty (20) years from date of building permit, or ten (10) years from effective date of this Ordinance, whichever last occurs.

2) Assessed Valuation at least \$2,000,* but not more than \$5,000.*

Eight (8) years from date of building permit, or four (4) years from the effective date of this Ordinance, whichever last occurs.

3) Assessed Valuation under \$2,000.*

Four (4) years from date of building permit, or two (2) years from effective date of this Ordinance, whichever last occurs.

Any building or structure which is located in the C District, and which is designed or intended for a use permitted only in M Districts, shall be removed or shall be altered, remodeled, or converted for a permitted use within six (6) months after the termination of the life of such building or structure, which is, hereby, established in accordance with the respective amortization period set forth in this Paragraph H.

The non-conforming use of a building or structure shall be terminated at the end of the amortization period for said building or structure as set forth in this Paragraph H, and shall not thereafter be operated on the premises.

* On the effective date of this Ordinance.

15.4.05.

CONDEMNATION OF NON-CONFORMING BUILDINGS AND STRUCTURES

A. The City of Country Club Hills at any time, and from time to time, by Ordinance duly enacted and in accordance with the authority vested in it by Section 11-13-17 of Chapter 24, of 1989 Revised Statutes of the State of Illinois;

- 1) May acquire by purchase, condemnation, or otherwise, any buildings or structures which do not conform to the standards fixed by the City of Country Club Hills pursuant to Section 11-13-17, Chapter 24, of the 1989 Revised Statutes of the State of Illinois, and all land which is necessary or appropriate for the rehabilitation or redevelopment of any area blighted by substandard buildings or structures;
- 2) May remove or demolish all such nonconforming buildings and structures so acquired.

- 3) May hold and use any remaining property for public purposes, and
 - 4) After acquisition and demolition of non-conforming property, the City may sell, lease or exchange such property as is not required for public purposes, subject to the provisions of this ordinance or any amendment thereto.
- B. No such acquisition by condemnation shall be made until such time as the Plan Commission, at the request of the City Council, or upon its own initiative, shall have made a study of the area within which such non-conforming building or structure is located and shall have filed a written report on such study with the City Council.

15.4.06. NON-CONFORMING USE OF CONFORMING BUILDINGS OR STRUCTURES

The lawfully existing non-conforming use of part or all of a building or structure, all or substantially all of which building or structure is designed or intended for a use permitted in the district in which it is located, may be continued subject to the following provisions:

- A. Expansion of Non-Conforming Use: The non-conforming use of a part of a building or structure, all or substantially all of which building or structure is designed or intended for a use permitted in the district in which it is located, shall not be expanded or extended into any other portion of such building or structure, nor changed to any other non-conforming use.
- B. Discontinuance: If a non-conforming use of a building or structure, all or substantially all of which building or structure is designed or intended for a use permitted in the district in which it is located, is discontinued for a period of ninety (90) days, it shall not be renewed; and any subsequent use of the building or structure shall conform to the use regulations of the District in which the premises are located.
- C. Change of a Non-Conforming Use: No non-conforming use shall be changed to another non-conforming use.
- D. Elimination of Non-Conforming Uses: In all Residence Districts any use which lawfully exists at the adoption of this ordinance, but is permitted only in a commercial or Manufacturing District, and which is located in a building, all or substantially all of which is designed or intended for a residential purpose, shall be entirely discontinued and shall thereafter cease operation within five (5) years from the date of adoption of this Ordinance.

15.4.07. NON-CONFORMING USE OF LAND

The non-conforming use of land not involving a building or structure, or in

connection with which any building or structure thereon is incidental or accessory to the principal use of land, may be continued subject to the following provisions:

- A. Expansion: A non-conforming use of land shall not be expanded or extended beyond the area it occupies.
- B. Discontinuance: If a non-conforming use of land is discontinued for a period of six (6) consecutive months, it shall not thereafter be renewed, and any subsequent use of land shall conform to the regulations of the District in which the land is located.
- C. Change of Use: A non-conforming use of land shall not be changed to any other use except to a use permitted in the District in which the land is located.
- D. Elimination of Non-Conforming Use of Land: The non-conforming use of land shall be discontinued and cease in accordance with the following:
 - 1) Where no buildings or structures are employed in connection with such use, discontinued within one (1) year.
 - 2) Where the only buildings or structures or other physical improvements employed are accessory or incidental to such use, and have an assessed valuation not more than \$2,000, discontinued within two (2) years.
 - 3) Where the improvements, underground or substantially at ground level, which comprise all or substantially all of the improvements employed in a non-conforming use of land which have an assessed value of more than \$2,000, discontinued within five (5) years.
 - 4) Where such use is maintained in connection with a conforming building or structure, except that inadequate off-street parking facilities are used in connection with a building the use of which complies with the requirements of the District in which it is located, may be continued for so long as the premises are so used.
 - 5) Where a non-conforming use of land is accessory to the non-conforming use of a building or structure, disconnected on the same date on which the non-conforming use of the building or structure is discontinued.

ARTICLE 5 - ZONING DISTRICTS

15.5.01. ESTABLISHMENT OF DISTRICTS

In order to carry out the purposes and provisions of this Ordinance, the City of Country Club Hills is, hereby, divided into the following Districts:

A. Residence Districts:

R-0 Single-Family Residence

R-1 Single-Family Residence

R-2 Single-Family Residence

R-3 Single-Family Residence

R-4 Single-Family Residence

R-5 Multi-Family Residence

B. Commercial Districts:

C-1 Commercial

C-2 Commercial

C-3 Commercial

C-4 Commercial

All above shall conform to permitted uses as described in Section 15.7.03 of this Ordinance.

C. Manufacturing District M Limited Manufacturing:

All above shall conform to permitted uses as described in Section 15.8.02 of this Ordinance.

15.5.02. MAP

The location and boundaries of the Districts established by this Ordinance shall be set forth on the "Zoning District Map," revised annually, which shall automatically be incorporated herein and hereby made a part of this Ordinance. The said map, together with everything shown thereon and all amendments thereto, shall be as much a part of this Ordinance as though fully set forth and described herein. The said map shall be filed with the office of the City Clerk and certified copies thereof in the Office of the Zoning Administrator, and shall be open to public reference at all times

during which those offices are open.

15.5.03. BOUNDARIES OF DISTRICT

When uncertainty exists with respect to the boundaries of the various districts, as shown on the Zoning District Map, the following rules shall apply:

- A. District boundary lines are either the center lines of highways, streets, alleys or easements, unless otherwise indicated.

- B. In areas not subdivided into lots and blocks, wherever a District is indicated as a strip adjacent to and paralleling a street or highway, the depth of such strips shall be in accordance with dimensions shown on the maps measured at right angles from the center line of a street or highway, and the length of the front line of a street or highway, and the length of frontage shall be in accordance with dimensions shown on the map from center lines of streets or highway right-of-way unless otherwise indicated.

- C. Where a district boundary line divides a lot in single ownership, the regulations governing the greater area of the lot shall govern the entire lot.

15.5.04. ANNEXED TERRITORY

Any additions to the incorporated area of the City shall be automatically classified among the R-1 Single-Family Residential Districts until otherwise classified by amendment.

15.5.05. EXEMPTIONS

The following public utility uses are permitted in any district: poles, towers, wires, cables, conduits, vaults, laterals, pipes, mains, valves, or any other similar distributing equipment, provided that installation shall conform with rules and regulations of the applicable administrative authorities.

ARTICLE 6 - RESIDENTIAL ZONING DISTRICTS

15.6.01. STATEMENT OF PURPOSES

The purpose of Article 6 is to promote the public health, safety, comfort, morals, convenience and general welfare and to continue to develop the facilities and amenities that make the City of Country Club Hills a safe, healthful, convenient and attractive city in which to live and in which social interactions are generated.

15.6.02. APPLICABLE TO ALL SINGLE-FAMILY ZONING DISTRICTS

The following provisions shall apply to all Single Family Residence Districts and to special uses in Residential Zoning Districts:

	Metric	English Equivalent
Maximum Building Height	7.6 m.	25 ft.
Minimum Foundation Area	83.6 sq. m.	900 sq. ft.
Minimum Livable Area	139.35 sq. m.	1500 sq. ft.
Minimum Setback Depths		
Front Yard	7.6 m.	25 ft.
Side Yard *	3.7 m. on one side	12 ft. on one side and 10% of the lot width on the other side

* In the event a single-family dwelling is constructed with an attached garage, the minimum side yard setback shall be 10% of the lot width for both side yards. In the event a single family dwelling is constructed on a corner lot, the minimum side yard setback facing the street shall be 7.6 meters (25 feet).

Permitted uses in Single-Family Residence Districts shall be limited to the following:

Community Residences, where the sponsoring agency obtains an Administrative Occupancy Permit prior to establishing a community residence.

Detached single-family dwellings, excluding trailer parks

Home occupations permitted by this Chapter.

Temporary buildings approved for construction under the Building Code.

The Floor Area Ratio in Residential Single Family Districts shall not exceed the following:

R-0 District	Not to exceed 0.33
R-1 District	Not to exceed 0.33
R-2 District	Not to exceed 0.33

Medical, Dental, or optical offices and clinics; Rehabilitation Centers for handicapped persons; Hospitals or Sanitariums, but not including Animal Hospitals;

For off-street parking and off-street loading requirements see 15.9.02.

Parks and Playgrounds - Publicly owned and operated

Places of Public Worship, Convents, Monasteries, Rectories, Parish Houses, Public Libraries Theological Schools, Parsonages

Recreation Buildings and Community Centers - Publicly owned and operated

Schools, Non-boarding - Elementary, Junior High, High and Junior College

The floor area ratio for any special uses shall not exceed 0.33.

15.6.05. MULTIPLE-FAMILY RESIDENCE DISTRICT (R-5)

The following provisions shall apply in the Multiple-Family Residence District:

Permitted uses shall be limited to:

Multiple family dwellings only

Home occupations permitted in this Chapter

Temporary buildings approved for construction purposes under the Building Code.

The following minimums shall apply in the Multiple-Family Residence District:

<u>Area</u> <u>Metric (Square Meters)</u>	<u>Minimum per dwelling unit</u>	
	<u>Lot Area</u>	<u>Livable</u>
Studio/Efficiency	230	50
One Bedroom	275	65
Two Bedroom	370	80
Three Bedroom	510	93
Four Bedroom	650	105
<u>English Equivalent (Square Feet)</u>		
Studio/Efficiency	2500	550
One Bedroom	3000	700
Two Bedroom	4000	850
Three Bedroom	5500	1000
Four Bedroom	7000	1150
<u>Minimum Setback</u>		
	<u>Metric</u>	<u>English</u>

		<u>Equivalent</u>
Front Yard	7.6 m.	25.0 ft.
Side Yard *	3.8 m.	12.5 ft.
Rear Yard *	3.8 m.	12.5 ft.
Between Buildings **	7.6 m.	25.0 ft.

* The side yard and rear yard minimum setbacks are a function of the height of the building nearest the side and rear yard line. For every meter (or foot) of building height, there must be one-half meter (or one-half foot) of setback provided. In no instance shall the minimum setback be less than the values shown in the table above.

** The minimum distance between each multiple-family building is a function of the height of the tallest of the adjacent buildings. For every meter (or foot) of building height, there shall be one meter (or one foot) of separation distance provided. In no instance shall the minimum distance be less than the value shown in the table above.

No building (or total of buildings) shall cover more than 20 percent of the lot (or total lot) area. The maximum building height permitted is 12.2 meters (40 feet).

15.6.06. PERMITTED HOME OCCUPATIONS IN RESIDENTIAL ZONING DISTRICTS

A. General Home Occupation Permit:

Home occupations are permitted under this Chapter, in order to allow residents of the community a broad choice in the use of their homes as a place of livelihood, as well as a means to supplement personal and family income. In order to protect residential areas from adverse impacts of activities associated with home occupations, the following criteria and performance standards for home occupations located in all residential zoning districts are set forth.

Home occupations permitted in residential zoning districts must be carried out by a member of the immediate family, who is a permanent resident on the premise. To qualify under this Chapter, the home occupation must also meet all of the following conditions:

- 1) The building or structure in which the home occupation is located shall be subject to the regulations of the Zoning District in which it is located;
- 2) No commodity or merchandise shall be displayed or offered for sale either within or outside of the residence. In addition, no dog kennel, as defined by the Ordinance, shall be allowed as a home occupation;

- 3) No equipment can be used nor occupation conducted so that there is the creation or emission of noxious odors, gases, excessive dust, smoke, cinders, noise, electrical interference, vibration, refuse matter or water carried waste, whatsoever;
- 4) The home occupation must be an incidental use of the residence;
- 5) The area of the business must not take up more than 150 square feet, or 10% of the total liveable floor area, within the residence, whichever is lesser;
- 6) The occupation must be conducted entirely within the residence or an allowable accessory building;
- 7) No equipment shall be stored, exterior to the residence;
- 8) No signs that are not expressly permitted by this Chapter are displayed;
- 9) No more than one additional person, in addition to the permanent occupant of the home can be employed; and
- 10) No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood.

All home occupations are required to obtain a home occupation permit from the Office of the City Clerk. In order to obtain a permit, interested parties must submit an application to the Director of Planning, stipulating that the home occupation complies with all of the above stated standards.

If the Planning Director determines that the occupation is in compliance, the resident may obtain the required permit from the City Clerk, after paying the appropriate permitting fee. If the Planning Director determines that the occupation does not comply with the required standards, the applicant may appeal the decision to the City Council. All home occupation permits shall be renewed annually.

B. Day Care Home Occupation Permit:

1) Minimum Standards; Requirements:

No person shall operate a Day Care Home within the City unless the operator obtains an annual Business Permit from the City. Day Care Home facilities shall not be subject to the provisions of 15.6.06 (A). No Business Permit shall be issued to a Day Care Home unless the

operator complies with the following regulations, restrictions and conditions:

- d. No Day Care Home may be operated from an apartment or condominium units.
- e. Each Day Care Home shall comply with all building, zoning, fire and other health and safety regulations of the City as they may be amended from time to time.
- f. No Day Care Home may operate unless the operator possesses a valid Day Care Home permit issued by the Department of Children and Family Services (DCFS).
- g. Each Day Care Home shall comply with all DCFS regulations, including those governing numbers and ages of children, which include:
 - i. That a caregiver alone may care for a mixed age group consisting of up to eight children under the age of twelve, of which up to five children may be under the age of five, of which up to three children may be under 24 months of age, or;
 - ii. That a caregiver alone may care for a pre-school group consisting of up to eight children under the age of twelve, of which up to six children may be under the age of five, of which no child may be under age three, or;
 - iii. That a caregiver alone may care for a school age group consisting of eight school age children, from six to twelve years of age.
 - iv. In addition to the children who may receive day care in accordance with this subsection, a Day Care Home may accept four additional children who are attending school full-time if a before and/or after school assistant is employed and a fire clearance is obtained. Care provided for children who attend school full-time is limited to before and/or after school, holidays, weekends, during unforeseen school closings and during the summer. The assistant shall be present at all times when school children are present.
 - v. Each Day Care Home shall be subject to periodic,

unannounced inspections by the City to determine compliance with the provisions of this Ordinance and the operator shall cooperate with authorized inspecting agents of the City.

- vi. Each Day Care Home operator shall make available at all times to the City Fire and Building Departments, a list showing the names and addresses of all children being cared for in the facility.
- vii. Each operator shall annually furnish the City with evidence that the operator and all employees have submitted to at least fifteen (15) hours of training in child care, development and education, in addition to first aid and cardio-pulmonary resuscitation (CPR) administration, with said training to be conducted by agencies such as a community college, YMCA or other agency regularly engaged in such training.
- viii. The operator of each Day Care Home shall provide a safe means of ingress and egress for children being transported to or from a Day Care Home. An off-street drop-off/pickup area must be provided if a Day Care Home is located on an arterial street.
- ix. The residence or portion of the residence to which children from the Day Care Home have access shall be a Smoke Free Zone; all smoking materials, including ash trays, shall be kept out of reach of children from the Day Care Home.
- x. All walls, floors and ceilings, equipment, toys, furnishings and cribs shall be maintained in good repair and free from characteristics which may be hazardous or injurious to children including open containers, lead-based paint and sharp and rough edges.
- xi. An operable telephone shall be on the premises, easily accessible for use in an emergency and all emergency numbers shall be posted in an obvious location immediately accessible to the phone. Emergency numbers are to include, as a minimum, police, fire, ambulance and parents or guardians.

- xii. Extension cords shall not be used. Electrical outlets not being used shall be covered or be otherwise shock resistant.
- xiii. Any thermal hazards (radiators, hot water pipes, steam pipes, heaters), shall be out of reach of the children by the use of partitions, screens or other means.
- xiv. All facilities shall have hard-wired, battery back-up smoke detectors and carbon monoxide detectors on each full level of the home.

2) Application for Day Care Home Permit; Requirements:

Each applicant for a Day Care Home Permit to operate a Day Care Home in the City shall complete an application form provided and furnished by the City, which form shall require the operator to furnish the following:

- a. Name and address of the operator
- b. Name and address of any employees of any individual over the age of sixteen involved in the operation of the Day Care Home
- c. A copy of the operator's current and valid Day Care Home permit issued by DCFS.
- d. Whether the operator or any employee has been, or is currently subject to, any proceeding involving the suspension or revocation of the permit issued by DCFS.
- e. The operator and employees shall be fingerprinted by the Police Department, and shall pay the City an additional amount as may be required by the State of Illinois or Federal Bureau of Investigation to process such fingerprints. By making application for a permit, the operator and employees authorize the City to forward the results of the fingerprint identification to DCFS. The processing of fingerprinting shall not be cause for delay in the issuance of a Permit.
- f. Such other information relating to the terms and provisions of this Article.

Upon receipt of a completed application and the fee, the Fire Department and City Health and Building Departments shall inspect the premises of the Day Care Home for purposes of determining compliance with this Article. Upon such determination, a Permit shall be issued. Upon the issuance of such Permit the operator shall be authorized to operate a Day Care Home within the City.

3) Day Care Home Permit Fee; Permit Year:

Each applicant for a Day Care Home Permit to operate a Day Care Home shall pay an annual fee of one hundred dollars (\$100.00) to the City at the time of making application for such Day Care Home Permit. The permit shall be issued on a May 1 fiscal year basis and there shall be no prorations of such fee in the event a Day Care Home discontinues operation during the course of any permit.

4) Existing Day Care Home:

Any Day Care Home permitted by the Department which is operating as of the effective date of this Ordinance shall have an additional thirty (30) days thereafter to make application to the City for a Day Care Home Permit. No punitive action will be taken by the city against such facility during the pendency of the City's review in the event of a timely application.

5) Penalties; Reporting to the Department:

Any person who shall violate a provision of this Article shall be guilty of an offense against the City punishable by a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00). All violations must be corrected within seven (7) days of notification of the violation. Each day that a violation continues shall be deemed a separate offense. In addition, any violation of this Ordinance may be grounds for revocation of the Day Care Home Permit. All violations of this Ordinance shall be reported to DCFS.

15.6.07. LIMITATIONS OF OFF-STREET PARKING IN RESIDENTIAL ZONING DISTRICTS

Notwithstanding the provisions of any other Ordinance, the following vehicles and equipment are prohibited from being parked in any accessory off-street parking space or facility in any residential zoning district of the City of Country Club Hills, except when housed in a fully enclosed garage:

- A. Tow trucks
- B. School buses

- C. Tractors
- D. Construction equipment, such as cement mixers, air compressors and pumps
- E. Bulldozers
- F. Scrapers or other large earth-moving equipment
- G. Any vehicle with a gross vehicle weight of more than 8,000 pounds except recreational vehicles so licensed by the State of Illinois

Construction vehicles and construction equipment working under a valid building permit, vehicles for making a delivery or rendering a service at any premises within a residential zoning district, and school buses when parked on school property, are exempt from the above prohibition of parking in residential zoning districts.

ARTICLE 7 - COMMERCIAL DISTRICTS

15.7.01. **PURPOSE**

The purpose of Article 7 is to promote the public health, safety, comfort, morals, convenience and general welfare and to provide a level of commercial development which provides residents with needed goods and services, complements and serves residential development and enhances the City tax base.

15.7.02. **REQUIREMENTS APPLICABLE TO ALL COMMERCIAL ZONING DISTRICTS**

All business, service, storage, merchandise, display and where permitted, repair and processing, shall be conducted wholly within an enclosed building, except for off-street automobile parking, off-street loading and open-sales lots, in Districts where they are permitted.

Unless otherwise permitted for specified uses, goods sold shall consist primarily of new merchandise and any goods produced on the premises shall primarily be sold to the ultimate consumer and not to be a broker for resale.

Process and equipment employed and goods processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, noise, vibration, refuse matter, or water-carried waste.

Dual residential-commercial use of any structure within a commercial area is prohibited, except for hotels and motels.

The floor area ratio in commercial zoning districts shall not exceed 2.2.

Wireless Communication Service Facilities may be located on the same zoning lot as one or more other structures and uses without violating, or causing a violation of, any provision of this Ordinance which prohibits or limits multiple structures, buildings or uses on a zoning lot; provided that in no event shall more than one tower be located on a zoning lot.

Provided that the floor area of the Wireless Communication Service Facility's equipment building, equipment room or equipment enclosures does not exceed 400 square feet, no minimum lot area is required for the facility and no minimum lot width is required for the facility.

The minimum lot area per unit, in commercial zoning districts shall be as follows:

	<u>Sq. Meters</u>	<u>Sq. Feet</u>
Lodging Rooms	115	1250
All other Permitted Uses	280	3000

Shopping center must be located on five (5) acres (or 2.024 square hectometers) of land improved with a structure of at least fifty thousand (50,000) square feet (or 4645.113 square meters) and containing five (5) or more distinct and separate retail businesses.

All setbacks, including yards adjacent to residential districts and across the street from residential districts, shall have the following minimum depths and widths:

	<u>Meters</u>	<u>Feet</u>
Front	7.6	25
Rear	12.2	40
Side	7.6	25

A green belt buffer zone shall be provided between all residential and commercial areas. This green belt buffer zone shall contain adequate screening such as trees, shrubs, hedges, walls, fences, etc., and shall be approved by the City Council. The green belt buffer zone may fall within the rear yard and side yard set back areas.

Building height in commercial zoning districts shall not exceed 12.2 meters (40 feet).

15.7.02.1. SPECIAL PROPERTY MAINTENANCE REQUIREMENTS FOR KEY COMMERCIAL AREAS

A. For purposes of this Section, “Key Commercial Areas” shall refer to the all retail facilities consisting of more than 2,000 square feet, including but not limited to the following retail areas located in the City of Country Club Hills:

- 1) Southwest corner of 175th and Pulaski
- 2) Northwest corner of 183rd and Pulaski
- 3) Southwest corner of 183rd and Pulaski
- 4) Northwest corner of Flossmoor Road and Pulaski
- 5) Southwest corner of 183rd and Cicero
- 6) Northwest corner of 183rd and Cicero
- 7) Southwest corner of 167th and Pulaski
- 8) Southwest corner of 167th & Cicero
- 9) Northeast corner of 183rd & Pulaski

B. The owners and managers of all Key Commercial Areas shall provide the

following periodic and daily maintenance activities:

- 1) The owner and manager shall provide current landscape maintenance to all landscaped portions of the Key Commercial Area.
 - 2) On a daily basis, the owner and manager shall pick up all debris, including, but not limited to, garbage, broken glass, paper products and wrappers. This daily debris pick up shall be completed on or before 8:00 A.M. daily, weather permitting.
- C. Owners and property managers for Key Commercial Areas shall be jointly and individually responsible for the maintenance obligations set forth hereinabove.
- D. Violations of the provisions of this Ordinance shall be subject to the following penalties:
- 1) First violation - written warning
 - 2) Second violation - \$150.00
 - 3) Third violation - \$250.00
 - 4) Fourth violation - \$500.00
 - 5) Fifth and subsequent violations - \$750.00

15.7.03.

DISTRICT CLASSIFICATIONS

C-1 Commercial Districts: Permitted uses shall include only the following:

Bakeries - Retail sales and processing of baker goods for retail sale only on the premises

Barber Shop

Beauty Parlor

Bicycle Stores - Sales, Rental, Repair

Camera & Photographic Supply Stores - Including developing and printing when conducted on the premises as part of the retail business

Confectionery Stores - Candy & Ice Cream Parlors

Currency Exchanges

Delicatessens

Drug Store

Dry Cleaning & Laundry Receiving Stations - processing to be done elsewhere

Electric Sub-station buildings

Florist Shops

Gift Shops - including greeting cards

Grocery Stores

Hardware Stores

Hobby Shops - Retail sales only; to be assembled or used away from the premises

Laundries - Automatic Self Service Type or Hand - Employing not more than two persons in addition to one owner or manager, provided that the laundry machines shall not exceed 16 lbs. capacity each

Liquor Stores - Retail only

Meat Markets - Including the sale of meat and meat products to restaurants, hotels, clubs and other similar establishments, when conducted as a part of the retail business on the premises

News Stands

Offices - Business, Professional, Public

Real Estate Office

Redemption Center - Premium and stamp

Restaurants - Not including serving of alcoholic beverages, dancing or other live entertainment

School Supply Stores

Shoe Stores

Shoe and Hat Repair Stores

Signs - Business when conducted in a totally enclosed building

Telegraph Office

Telephone Booth

Temporary Offices for construction purposes

Tobacco Shops

Variety Stores

C-2 Commercial District: Permitted uses shall include those uses in the C-1 District and only the following:

Ambulance Supplies and Service Stores

Antique Shops

Art Galleries and Museums

Art Supply Stores

Automobile

Accessory Stores - Retail only

Banks and Financial Institutions

Blue Printing and Photo Copying Shops

Book and Stationary Stores

Carpet and Rug Stores

China & Glassware Stores

Clothes Pressing Establishments

Clothing and Costume Rental Shops

Clubs and Lodges - Private, Fraternal, Religious

Cold Storage Locks - no slaughtering on premises

Coin and Philatelic Stores

Dental and Medical Clinics and Offices

Department Stores

Dress Sales Stores

Dressmaking Shops

Dry Cleaning Stores - Employing not more than four persons in addition to one owner or manager

Dry Goods Stores

Electrical and Household Appliance Stores

Equipment Appliance, Household Service and Repair Stores

Floral Supplies and Conservatories

Fuel and Ice Sales - retail only - not including outside storage

Furniture Stores - Including upholstery when conducted as part of the retail business

Furrier Stores - Including storage and conditioning of furs

Garages, Public - Serving automobiles under 2 tons no body repairs or painting shall be performed on the premises

Garden Supply Stores

Glass, Glass Products and Glazing Stores

Haberdashery Stores

Hotels and Motels - Including dining and meeting rooms provided that business uses other than those which are commonly incidental to a hotel business shall not occupy street frontage, but may, if of a nature permitted in these Districts, occupy space fronting on a hotel hall or lobby

Interior Decorating Shops - Including upholstery, and making of draperies, slipcovers, and other similar articles when conducted as part of the retail operations and secondary to the principal use

Jewelry Stores - Including watch repair

Job Printing Shops - Press bed not more than 14" x 20"

Laboratories - Medical & Dental - not including research & development

Leather Goods and Luggage Stores

Libraries - Public and Private

Loan Offices

Locksmith Shops

Mail Order Service Stores

Medical and Dental Clinics and Offices

Meeting Halls

Millinery Shops

Music Stores

Musical Instruments - Sales and repair; sale of sheet music and records

Newspaper Offices - Not including printing

Office Supply Stores

Opticians and Optometrists Office

Orthopedic and Medical Appliance Stores - But not including the assembly or manufacture of such articles on the premises

Paint and Wallpaper Stores

Parking Lots and Storage Garage - Vehicles under 1 and 1/2 ton capacity

Pet Supply Stores

Phonograph and Music Supply Stores

Photographic Materials Shops and Photographic Studios including developing and printing of photographs when conducted on the premises as part of the retail business

Physical Culture and Health Services, Gymnasiums, Reducing Salons, masseurs and Public Baths Picture Framing - Retail only

Printing Shops - Press bed not more than 14" x 20"

Public Service Building - Including governmental buildings, public utility service office

Radio & Television Broadcasting & Recording Studios

Radio & Television Sales, Service and Repair Stores

Restaurants - Including serving of alcoholic beverages incidental to the serving of food; but not including dancing or other live entertainment

Restricted Production & Repair of the following: art and needlework, clothing, custom manufacturing and alterations of jewelry from precious metals and watches for retail only.

Schools - Commercial, Business, Trade - Including dancing and music

Schools - Public and Parochial

Second-hand Stores and Rummage Shops

Sewing Machine Sales and Service Stores (Household. Machines only)

Sporting Goods Stores

Tailor Shops

Taverns and Cocktail Lounges - Not including dancing or live entertainment

Taxidermists Shops

Telephone Exchanges, Micro-Wave Relay Towers and Transmission Equipment Buildings

Theaters - Not including drive-in theaters

Toy Shops

Transit & Transportation Facilities - Including shelters, terminals, service buildings and parking areas

Travel Bureau and Transportation Ticket offices

Undertaking Establishments and Funeral Parlors

Upholstery Shops

Water Filtration Plants, Pumping Stations and Reservoirs

Wearing Apparel Shops

Wholesale Establishments with storage of merchandise limited to only samples

C-3 Commercial District: Permitted uses shall include uses permitted in the C-1 and C-2 Districts and only the following:

Amusement Establishment - Bowling Alleys, Pool Halls, Dance Halls, Gymnasiums, Swimming Pools and Skating Rinks

Animal Hospitals

Auction Rooms

Automobile Sales Showrooms and Service Centers

Boat and Marine Sales Showroom and repair within

Building Material Sales - Not including outside storage

Cartage and Express Office - All vehicles and supplies contained in an enclosed structures

Casket and Funeral Supplies

Catering Establishments

Contractors and Construction Offices

Discount Merchandise Centers

Employment Offices

Exterminating Shops

Feed Stores - Including seed supplies

Greenhouses

Machinery Sales Showrooms

Monument Sales

Music Conservatories

Radio and Television Towers

Restaurant - Including the serving of alcoholic beverages, dancing and other live entertainment

Sheet Metal, Electrical, Plumbing and like trades, showrooms and sales

Typewriter and Business Machine Sales and Service Stores

Veterinarian - Wholly within an enclosed building

C-4 Commercial District: Requirements applicable to C-4 Commercial District:

- A. No property shall be classified as C-4 Commercial District unless at the time of such rezoning;
- 1) The parcel proposed to be so classified shall consist of not less than 150 acres under common ownership or control; or
 - 2) Is contiguous to property which lies within the City and is either already zoned C-4 or is being zoned C-4 simultaneously therewith.
- B. Permitted Uses shall include uses permitted in the C-1, C-2 and C-3 Districts and only the following:

Data processing facilities

Day Care Centers with a minimum livable area of 203 square meters (2500 square feet) and sufficient setback area to shield children from commercial hazard, i.e., pollution from parking lots; noise, air and water pollution.

Drive-in Bank

Employee Cafeteria

Exhibition Halls

Golf Courses - Including clubhouses and accessory uses, but not including commercially-operated driving ranges or miniature golf (courses)

Heliports (including helicopter receiving and maintenance facilities)

Plant Propagation Nursery

Private Athletic Facilities (indoor and outdoor)

Private Conference Centers, including appurtenant lodging, dining and recreational facilities (including, without limitation, swimming pool and tennis courts)

Private Parks and Playgrounds

Public and Private Utility Uses, including: Water filtration, private water pumping and wells; Gas regulator station; Telecommunication transmission equipment facility; Sewer, storm-water lift station; Auxiliary electrical generators (including windmills); Solar

collectors; Passive energy conservation devices; and other similar uses

Research and Testing Labs

Storage/Maintenance (including vehicle and helicopter) Facilities

- C. Special uses allowed in the C-4 Zone shall include those special uses allowed in any commercial zoning district (as enumerated in Section 15.7.03 hereof) plus only the following:

Planned Developments (including residential uses)

- D. The maximum permissible building height in a C-4 Commercial District shall be 22.86 meters (75 feet)
- E. One (1) private single-family dwelling for security purposes and only as an accessory use shall be a Permitted Use in C-4 Commercial District
- F. Off-street parking in a C-4 Commercial District shall meet the following requirements as to size rather than the requirements presently set forth in Paragraph 15.9.02 (C) hereof:

- 1) A required off-street parking space shall be at least 2.75 meters (9 feet) in width and at least 5.5 meters (18 feet) in length, exclusive of access drives, aisles, ramps, columns and office or work area. Such space shall have vertical clearance of at least 2.3 meters (7 feet, 6 inches).
- 2) If parking is provided for compact cars, the required off-street parking space shall be at least 2.3 meters (7 feet, 6 inches) in width and at least 4.6 meters (15 feet) in length, exclusive of access drives, aisles, ramps, columns and office or work area. Such space shall have vertical clearance of at least 2.3 meters (7 feet, 6 inches).
- 3) The minimum width of the driving lane between parking stall shall be:

<u>Angle Parking</u>	<u>Driving Lane Width</u>
90 degree	24 feet
60 degree	18 feet
45 degree	14 feet

If 90 degree parking stalls are provided for compact cars, the minimum width of the driving lane between such parking stalls shall be 18 feet.

4) The off-street parking requirements set forth hereinabove shall not apply to any C-4 special uses which include residential uses.

G. In the C-4 Commercial District, more than one (1) building or structure may be constructed on a parcel or tract of land, or on a Lot (as defined in Section 15.2.01 hereof) and/or "Subdivision" Lots (as defined in section 17.2.01) of Chapter 17 of the City Code.

15.7.04. SPECIAL USES IN COMMERCIAL DISTRICTS (C*)

Only the following special uses may be authorized in any commercial zoning districts in accordance with the provisions of Section 15.10.06 of this Code:

Automobile Service Centers and Stations for the retail sale and dispensing of fuel, lubricants, tires, batteries, accessories of supplies, including installation and minor services customarily incidental thereto, facilities for chassis gear lubrication and washing of vehicles

Automobile Laundries

Day Care Centers with minimum liveable area of 2,500 square feet

Farming - Excluding the raising of any animals, and excluding commercially operated greenhouses and nurseries. No such special use shall be granted for a period in excess of three (3) years

Nursing Homes, Rest Homes, Convalescent Homes, Institutions for the care of the aged on a lot not less than 100 feet in width and 12,500 square feet in area

Planned Developments

Tattoo Establishment

Wireless Communication Service Facilities

Places of Public Worship, Convents, Monasteries, Rectories, Parish Houses, Parsonages, Theological Schools and accessory uses

ARTICLE 8 - LIMITED MANUFACTURING DISTRICT

15.8.01. STATEMENT OF PURPOSE

The purpose of Article 8 is to promote the public health, safety, comfort, morals, convenience and general welfare and provide a level of industrial development which provides residents with needed goods and services, complements and serves residential development and enhances the City tax base.

15.8.02. GENERAL REQUIREMENTS IN THE MANUFACTURING DISTRICT

No lot, parcel, or tract of land shall be used and no building or structure shall be erected, altered, or remodeled for any of the following uses: acid manufacture; arsenals; crematories; creosote treatment or manufacture; fat rendering; fertilizer manufacture; fireworks or explosive manufacture or storage; dumping or reduction of garbage, dead animals, offal or refuse; ore reduction; petroleum processing or refining; pyroxylin manufacture; gutta-percha manufacture of treatment; salt works; sauerkraut manufacture; soap manufacture; molters; stock yard or slaughter of animals or fowls; tallow, grease or land manufacture or treatment; tanning, curing, or storage of rawhides or skins; tar distillation or manufacture; glue manufacture.

No activities involving the storage, utilization, or manufacture of materials or products which decompose by detonation shall be permitted, except such as are specifically licensed by the City of Country Club Hills. Such materials shall include, but not be confined to, all primary explosives such as lead oxide, lead styphnate, and tetracaine; all high explosives such as TNT, RDX, HM, PETN, and picric acid; propellants and components thereof such as nitrocellulose, black powder, boron hydrides, hydrazide and its derivatives; pyrotechnics and fireworks such as magnesium powder, potassium chlorate and potassium nitrate; blasting explosives such as dynamite and nitro-glycerine; unstable compounds such as acidulates, tetrazoles, perchloric acid, perchlorates, chlorates, hydrogen peroxide in concentrations greater than thirty-five percent; and nuclear fuels, fissionable materials and products and reactor elements such as Uranium 235 and Plutonium 239.

All activities involving the manufacturing, fabricating, assembly, repairing, storing, cleaning, servicing, and testing materials, products and goods shall be within completely enclosed buildings, or may be out of doors if completely screened by a solid wall or uniformly painted solid fence at least 2.5 meters (8') in height, if there is no open storage at a greater height than that of the enclosing fence.

No buildings, structures, or parcel of land shall be used for the manufacturing, fabricating, assembly, repairing, storing, cleaning or servicing of materials, products, or goods, within one hundred feet of any lot line of a lot located in a residence district.

Any use established in a manufacturing district which involves the manufacturing,

fabricating, assembly, repairing, storing, cleaning, servicing, or testing of materials, goods, or products, shall be operated in such manner as to comply with applicable performance standards governing noise, smoke, particular matter, toxic or noxious matter, odors, glare or heat. Compliance with the applicable performance standards shall be based upon a certification from a testing laboratory selected from a panel approved by the City Council. Site plans detailing use should be presented to the City Council for review.

The floor area ratio shall not exceed 1.5.

Building height shall not exceed 12.2 meters (40 feet).

A green belt buffer zone shall be provided between all residential and manufacturing areas. This green belt buffer zone shall contain adequate screening such as trees, shrubs, hedges, walls, fences, etc. and shall be approved by the City Council. The green belt buffer zone may fall within the rear yard and side yard set back area.

All yards adjacent to residential districts and across the street from residential districts shall have minimum depths and widths of 12.2 meters (40 feet).

15.8.03.

PERMITTED USES IN THE LIMITED MANUFACTURING DISTRICT

Only the following uses are permitted and certification of operations conforming with performance standards required by this Article shall be furnished upon request of the Zoning Administrator.

Animal Hospitals

Automobile Service Stations

Boat Showrooms

Building Material Sales

Cartage and Express Facilities

Contractors' Shops and Outdoor Storage

Currency Exchanges

Dry Cleaning, Dyeing and Rug Cleaning Establishment

Frozen Food Lockers

Fuel and Ice Sales

Garages - Public

Greenhouses - Without restriction as to gross floor area

Heliports

Laundries - With no limitation on the number of employees

Linen, Towels, Diaper and other similar supply services

Machinery Sales Establishments

Mail Order Sales and Warehousing

Monument Sales Establishments

Motor Vehicle Sales

Open-sales Lots

Packaging and Crating

Parking Lots - Commercial

Printing and Publishing Establishments

Public Utility and Public Services Uses including - Electric Substations, Railroad Rights-of-Way, Telephone Exchanges, microwave relay towers, telephone transmission equipment buildings, Transit and Public Transportation facilities including shelters, terminals, parking areas and other similar uses

Research and Testing Laboratories

Storage, Warehousing and Wholesale Establishments

Accessory Uses to the above permitted uses

Any use concerned with the operation of an establishment for the manufacturing, assembly, fabricating, repairing, storing, cleaning, servicing, or testing of materials, goods, or products, provided operation standards of such use conform with applicable regulations and performance standards set forth in this Article.

15.8.04. SPECIAL USES (M*)

Wireless Communication Service Facilities

Places of Public Worship, Convents, Monasteries, Rectories, Parish Houses, Parsonages

Planned developments, manufacturing.
 Theological Schools and accessory uses

15.8.05. PERFORMANCE STANDARDS

Noise:

Sound levels shall be measured with a sound level meter and associated octave band filter manufactured according to standards prescribed by the American Standards Association. Measurements shall be made using the flat network of the sound level meter. Impulsive type noise shall be subject to the performance standards hereinafter prescribed, provided that such noises shall be capable of being accurately measured with such equipment. Noises capable of being so measured, for the purposes of this Ordinance, shall be those noises which cause rapid fluctuations of the needle of the sound level meter with a variation of no more than plus or minus two decibels. Noises incapable of being so measured, such as those of an irregular and intermittent nature, shall be controlled so as not to become a nuisance to adjacent uses. At no point on the boundary of a residence or commercial district shall the sound intensity level of any individual operation or plant (other than the operation of motor vehicles or other transportation facilities) exceed the decibel levels in the designated octave bands shown on the following table:

<u>OCTAVE BAND</u> <u>(Frequency cycles per</u> <u>second)</u>	<u>MAXIMUM PERMITTED SOUND LEVEL</u>	
	<u>(Along Residence District</u> <u>Boundaries)</u>	<u>(Along Commercial</u> <u>District Boundaries)</u>
0 to 75	72	75
75 to 150	67	70
150 to 300	59	63
300 to 600	52	57
600 to 1200	46	52
1200 to 2400	40	45
2400 to 4800	34	40
Over 4800	32	38

Smoke and Particular Matter:

The emission of smoke or particulate matter in such manner or quantity as to endanger or be detrimental to the public health, safety, comfort or welfare, is, hereby, declared to be a public nuisance and shall henceforth be unlawful. For the purpose of grading the density of smoke, the Ringelmann Chart, published and used by the United States Bureau of Mines shall be employed.

The emission of smoke or particulate matter of a density greater than No. 2 on the Ringlemann Chart is prohibited at all times, except as otherwise provided hereinafter.

The emission from all sources within any lot area of particulate matter containing more than ten percent by weight of particles having a particle diameter larger than forty-four microns is prohibited. Dust and other types of air pollution, borne by the wind from such sources as storage areas, yards, roads, and the like within lot boundaries, shall be kept to a minimum by appropriate landscaping, paving, oiling, fencing, or other acceptable means. Emission of particulate matter from such sources, in excess of the weight limitation hereinafter specified, is prohibited.

The emission of more than eight smoke units per hour per stack is prohibited, including smoke of a density in excess of Ringelmann No. 2. However, during one one-hour period in each 24 hour day, each stack may emit up to sixteen smoke units when blowing soot or cleaning fires. Only during fire-cleaning periods, however, shall smoke of Ringelmann No. 3 be permitted, and then for not more than three minutes.

Toxic or Noxious Matter:

No use shall for any period of time discharge across the boundaries of the lot wherein it is located toxic or noxious matter in such concentrations as to be detrimental to or endanger the public health, safety, comfort, or welfare, or cause injury or damage to property or business.

Odors:

The emission of odorous matter in such a quantity as to be readily detectable at any point along lot lines, or as to produce a public nuisance or hazard beyond lot lines is prohibited.

Glare or Heat:

Any operation producing intense glare or heat shall be performed within a completely enclosed building in such a manner as not to create a public nuisance or hazard along lot lines.

ARTICLE 9 - OFF-STREET LOADING AND OFF-STREET PARKING

15.9.01. OFF-STREET LOADING

In connection with any building or structure which is to be erected or substantially altered and which requires the receipt or distribution of materials or merchandise by trucks or other similar vehicles, there shall be provided off-street loading berths not less than the minimum requirements specified in this section.

Off-Street Loading in all Zoning Districts except C-4 Commercial shall meet the requirements as presently set forth in section 15.9.01 - Off Street Loading.

A. Location:

All required loading berths shall be located on the same lot as they use to be served and no portion of the vehicle shall project into a street or alley. In Commercial Districts and Manufacturing Districts, loading berths shall be located not less than forty (40) feet from any Residential District. No permitted or required loading berth shall be located within twenty-five (25) feet of the nearest point of intersection of any two (2) streets, nor shall it be located in a required front yard adjoining a street.

B. Size:

A required off-street loading berth shall be at least ten (10) feet in width by at least fifty (50) feet in length, exclusive of aisle and maneuvering space, and shall have vertical clearance of at least fourteen (14) feet.

C. Access:

Each required off-street loading berth shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movements and shall be subject to approval of the City Engineer of the City of Country Club Hills.

D. Surfacing:

All open off-street loading berths shall be improved with a compacted aggregate base course, type B, not less than ten (10) inches thick, or equal, surfaced with not less than three (3) inches of asphaltic-concrete or some comparable all-weather dustless material. Surface with a minimum structural number of 2.5.

E. Repair and Service:

No storage of any kind, nor motor vehicle repair work or service of any kind, shall be permitted within any required loading berth.

F. Space Allowed:

Space allowed to any off-street loading berth shall not, while so allocated, be used to satisfy the space requirements for any off-street parking facilities or portions thereof.

G. Required Loading Berths:

For the uses here listed, loading berths shall be provided as specified:

- 1) Auditoriums: For such a building containing up to one hundred thousand (100,000) square feet of floor area, one (1) loading berth. For each additional one hundred thousand (100,000) square feet of floor area, or fraction thereof in such a building, one (1) additional loading berth.
- 2) Banks, Business and Professional Offices, or Public Administration Building: For such a building containing up to one hundred thousand (100,000) square feet of floor area, one (1) loading berth. For each additional one hundred thousand (100,000) square feet of floor area, or fraction thereof in such a building, one (1) additional loading berth.
- 3) Bowling Alleys: For such a building containing up to one hundred thousand (100,000) square feet of floor area, one (1) loading berth. For each additional one hundred thousand (100,000) square feet of floor area, or fraction thereof in such a building, one (1) additional loading berth.
- 4) Hospitals, Schools, Colleges, Sanitariums, and Other Similar Institutional Uses: For such a building up to one hundred thousand (100,000) square feet of floor area, one (1) off-street loading berth. For each additional one hundred thousand square feet of floor area or fraction thereof in such a building, one (1) additional loading berth.
- 5) Hotels or Private Clubs and Lodges: For such a building containing up to one hundred thousand (100,000) square feet of floor area, one (1) loading berth. For each additional one hundred fifty thousand (150,000) square feet of floor area or fraction thereof in such a building, one (1) additional loading berth.
- 6) Manufacturing Fabricating, Assembly, Disassembly, Warehousing, Storing, Cleaning, Servicing, Testing and Repairing Establishments: For such a building containing up to forty thousand (40,000) square feet of floor area, one (1) loading berth, plus one (1) additional loading berth for each additional forty thousand (40,000) square feet of floor area or fraction hereof.

- 7) Retail Stores, Furniture and Appliance Stores, Household Equipment and Furniture Stores, Repair Shops, Wholesale Stores and Establishments Handling the Sale and Consumption of Food on the Premises: Loading berths in accordance with the following schedule.

<u>Square Feet of Floor Area</u>	<u>Minimum Number</u>
Up to 10,000	1
10,000 to 25,000	2
25,000 to 40,000	3
40,000 to 100,000	3

For each additional one hundred thousand (100,000) square feet of floor area or fraction thereof in such a building, one (1) additional loading berth.

- 8) Theaters: For such a building containing up to twenty-five thousand (25,000) square feet of floor area, one (1) loading berth. For each additional fifty thousand (50,000) square feet of floor area or fraction thereof, one (1) additional loading berth.
- 9) Undertaking Establishments and Funeral Parlors: For such a building containing up to twenty-five thousand (25,000) square feet of floor area, one (1) loading berth. In such a building containing more than twenty five thousand (25,000) square feet, additional loading berth or berths as recommended by the Zoning Administrator and approved by the City Council.
- 10) Other Uses: Off-street loading berths shall be provided in accordance with requirements recommended by the Zoning Administrator and approved by the City Council, based upon requirements heretofore set forth for the most similar use.

15.9.02. OFF-STREET PARKING

Any off-street parking space in connection with existing buildings or structures shall not be removed, enlarged or altered, except in conformance with the requirements of this Article, or any amendment thereto. Any building or structure which is to be erected or substantially altered; and, requires off-street parking spaces shall be provided with off-street parking spaces in accordance with the provisions below.

Off-street parking in all Zoning Districts except C-4 Commercial shall meet the requirements as presently set forth I in Section 15.9.02 – Off-Street Parking.

A. Required Spaces:

Wireless Communication Service Facilities - If the facility is to be unmanned except for periodic visits by maintenance personnel, no off-street parking

spaces shall be required for the facility.

Relationship to the Entire Community - The proposed change would not affect the Comprehensive Plan land use map or the Comprehensive Plan. The proposed change would be compatible with established land use patterns. Finally, the proposed change will not increase the demand on police activities, out of scale with desired or planned levels.

Changed Conditions - The basic land use conditions have not changed since the original zoning. And, development of the surrounding area has conformed to existing regulations.

Public Welfare - The change will not adversely affect living conditions in the neighborhood as the amendments will allow for special use applications in the commercial and manufacturing districts. The change would not create or excessively increase traffic congestion. Nor, would it adversely affect property values in adjacent areas. The change would not be a deterrent to the improvement or development of adjacent property in accordance with existing regulations or development plans.

Location - Parking spaces required for single-family zoning districts shall be located on the same lot as the dwelling served and limited to driveways, carports, garages and accessory parking areas constructed in accordance with the requirements of this Article. No open accessory off-street parking area located in front yards or side yards abutting a street, shall cover more than forty percent (40%) of the front yard or side yard area.

No person, firm or corporation shall park, or permit the open parking or permit the open storage of any automobile, truck or other motor vehicle on any lot, except in off-street parking spaces located and constructed in accordance with the provisions of this Article.

No person, firm or corporation shall park, or permit the open parking or permit the open storage of any of non-off-street parking spaces located and constructed in accordance with the provisions of this Article.

Off-street parking facilities for separate uses other than single-family residential may be provided collectively if the total number of spaces so provided is not less than the sum of the separate requirements of each such use and if all regulations governing the location of accessory parking space in relation to the use served are observed. No parking space, or portion thereof, shall serve as the required space for more than one use unless otherwise authorized in accordance with this Article. Off-lot collective parking may be provided only under a parking plan approved by the Zoning Administrator before issuance of any building permit.

All Commercial and Manufacturing Districts Parking of trucks in the open

within 150 feet of a Residence District Boundary line, shall be limited to vehicles of not over 8,000 lbs. empty weight. Trucks in excess of 8,000 lbs. empty weight used in conjunction with the operation of any licensed business in this district shall not be parked in the open within 150 feet of a Residential District, except during normal business hours.

- B. Computation: When determination of the number of off-street parking spaces required by this Ordinance, results in a requirement of a fractional space, any fraction of one-half or less may be disregarded, while a fraction in excess of one-half shall be counted as one parking space.
- C. Size: A required off-street parking space shall be at least 2.75 meters (9') in width and at least 6.7 meters (20') in length, exclusive of access drives, aisles, ramps, columns, and office work area. Such space shall have vertical clearance of at least 2.1 meters (7'). The minimum width of the driving lane between parking stalls shall be 8.5 meters (28') for right angle parking and 5.7 meters (22') where diagonal parking is used. Not more than one set of lines designating parking spaces shall be painted clearly on the pavement.
- D. Access: Each required off-street parking space shall open directly upon an angle or a driveway of such width and design as to provide safe and efficient means of vehicular access to such parking space. All off-street parking facilities shall be provided with appropriate means of vehicular access to a street, alley or driveway in a manner which will least interfere with traffic movements.

Off-street parking spaces constructed in accordance with the requirements of this Article may be located in yards, except as provided in Article 3 of this Chapter.

- E. Repair and Service: No motor vehicle repair work of any kind shall be permitted in parking lots. No gasoline or motor oil sold in conjunction with any accessory parking facilities unless such facilities are located within a completely enclosed building, in which case gasoline and motor oil may be sold within such building to uses of such facilities, provided that no advertising sign is visible from outside the building; and, provided further that all gasoline pumps shall be effectively screened from the street.
- F. Design and Maintenance:
 - 1) Open and Enclosed Parking Spaces: Accessory parking spaces located on the same lot as occupied by the use served may be open to the sky or enclosed in a building. Accessory parking spaces, located elsewhere than on the same lot occupied by the use, shall be open to the sky.
 - 2) Surfacing: All open off-street parking spaces shall be constructed in

accordance with the Subdivision control requirements of Section 17.3.05 of the Municipal Code.

- 3) **Appearance:** All parking areas shall be maintained properly so as to be kept free from potholes, weeds, broken glass and other obstructions in accordance with the appearance code.

G. **Screening and Landscaping:** All open automobile parking areas containing more than four parking spaces in commercial and manufacturing zoning district shall be effectively screened on each side adjoining or fronting on any residential or institutional property by a wall or fence not less than 1.5 meters (5') high or more than 1.8 meters (6') high, or a densely-planted compact hedge not less than 1.5 meters (5') in height. Wheel-stops of masonry, steel or heavy timber, shall be provided.

H. **Lighting:**

- 1) Mounting height and spacing of luminaries shall be sufficient to distribute the desired lighting intensity to the entire facility. A lighting level shall be 1.0 to 2.0 f.c. with a uniformity ratio (average illumination divided by the lowest level) not more than six to one.
- 2) The luminarie units shall be placed so that vehicle movement and parking are not obstructed. Also there shall be no excessive light spill-over into adjacent residential areas.
- 3) The poles shall be placed between adjacent stalls and at the ends of the parking rows. If raised islands are used to separate adjacent parking stalls, the poles shall be logically placed on the island so maximize lighting efficiency.
- 4) The lighting shall conform to the lighting requirements in the building, electrical and appearance code.

I. **Required Spaces:** Off-street parking spaces accessory to designated uses shall be provided as follows:

- 1) **Hotels and Apartment Hotels:** Between one and one and one-half spaces for each three separate rooms and for each three suites of more than one room.
- 2) **Private Clubs and Lodges:** At least two parking spaces, and one parking space for each four seats in accordance with design capacity of the main meeting room.
- 3) **Motel or Tourist Courts:** At least one parking space for each dwelling unit or lodging room.

- 4) Schools, Elementary or Junior High - Private or Public: At least one parking space for each three faculty members and other full-time employees.
- 5) Schools, High - Private or Public: At least one parking space for each five students.
- 6) Churches: At least one parking space for each four seats or 3.2 meters (10.5') of seating space in the main auditorium.
- 7) School and Institutional Auditoriums: At least one parking space for each two persons employed on the premises, and one additional parking space for each four seats, or for each 2.3 meters (7.5') of seating space in the main auditorium or assembly hall.
- 8) Theaters: At least one parking space for each four seats in the theater.
- 9) Hospitals: At least one parking space for each three beds, plus one parking space for each four employees other than doctors, plus one parking space for each two doctors assigned to the staff.
- 10) Libraries and Museums: At least one parking space for each 93 square meters (1,000 sq. ft) of floor area.
- 11) Recreational Buildings or Community Center: At least one parking space shall be provided for each three employees, plus spaces in adequate number as determined by the City Council to serve the visiting public.
- 12) Medical and Dental Clinics: At least one and one-half parking spaces for each examining or treatment room, plus one parking space for each doctor and employee in the building.
- 13) Public Utility and Public Service Uses: At least one parking space for each three employees, plus spaces in adequate number as determined by the City Council to serve the visiting public.
- 14) Establishments Handling the Sale and Consumption of Food and Refreshment on the Premises: At least one parking space shall be provided for each two employees on the premises, and one additional parking space for each four seats, or for each 2.3 meters (7.5') of seating space in the eating area.
- 15) Bowling Alleys: At least seven parking spaces for each alley, plus additional spaces as may be required herein for affiliated uses such as restaurants and the like.

- 16) Banks: At least one parking space for each 28 square meters (300 square ft.) of floor area.
- 17) Business and Professional offices or Public Administration Buildings: At least one parking space for each 46.5 square meters (500 sq. ft) of floor area.
- 18) Automobile Service Stations: At least one parking space for each employee, plus one for each service stall.
- 19) Day Care Centers: There shall be a minimum of one parking space for each full-time employee, and one parking space for each ten (10) children.
- 20) Furniture and Appliance Stores, Motor Vehicle Sales, Wholesale Stores, Stores for Repair of Household Equipment or Furniture: At least one parking space for each 56 square meters (600 sq. ft.) of floor area.
- 21) Undertaking Establishments and Funeral Parlors: At least 10 parking spaces for each chapel or parlor, plus one parking space for each funeral vehicle maintained on the premises.
- 22) Retail Stores: At least one parking space for each 23 square meters (250 sq. ft) of floor area, plus one parking space for each employee.
- 23) Manufacturing, Fabricating and Processing Plants Not Engaged in Retail Trade: At least one parking space for each three employees.
- 24) Warehouse and Storage Establishments and Freight Terminals: At least one off-street parking space for each 186 square meters (2,000 sq. ft.) of floor area.
- 25) Residential Zoning Districts:

Single-Family: There shall be at least two paved, off-street parking spaces per dwelling unit. Each stall shall be at least 2.75 meters (9 ft.) by 6.7 meters (20 ft.). The public walkway shall not be part of the area of the stall.

Multiple-Family: There shall be a minimum number of paved off-street parking spaces per dwelling unit in accordance with the following schedule:

<u>Gross Density Units</u> <u>Per Acre</u>	<u>Minimum Parking</u> <u>Spaces Required</u>
Less than 10	2

10 – 14.9	2.33
15 – 19.0	2.67
20 – 24.9	3
25 or greater	4

- 26) Other Uses: Parking spaces on the same basis as required herein for the most similar use as determined by the City Council.
- 27) Handicapped: Off-street parking shall conform to Sections 11-208, 11-301, 11-301.1, 11-1301.1, 11-1301.2 and 11-1301.3 of Chapter 99.5 to the 1987 Revised Statutes of the State of Illinois.

ARTICLE 10 - ADMINISTRATION

15.10.01. ZONING BOARD OF APPEALS

Creation: The Board of Appeals for the City shall consist of seven members to serve for a term of five years. Not more than one term shall expire each year except for years ending with 0, 1, 5 and 6 when two terms shall expire.

At the request of the Board of Appeals, the Mayor may appoint a Secretary to the Board of Appeals. At the request of the Board of Appeals, the Mayor, with the advice and consent of the City Council may also retain the services of a person or firm for special studies, reports or consultation.

All appointments to the Board of Appeals, shall be made by the Mayor with the advice and consent of the City Council. One of the members so appointed shall be named as Chairman at the time of his appointment. Any position on the Board of Appeals may be declared vacant by the Mayor in the event that the Chairman of the Board of Appeals notifies the Mayor that the appointee has been absent without approval of the Chairman for either 1) three consecutive regular meetings; or 2) five regular meetings within any calendar year. The Mayor has the power to remove any member for cause after a public hearing before the City Council.

Vacancies shall be filled as soon as possible for the unexpired term of any member whose place has become vacant in the manner herein provided for the appointment of such members. In the event that the office of Chairman is vacated for any reason, the Mayor with the advice and consent of the City Council shall within 30-days, appoint, at his option, either one of the remaining members of the Board, or any member who is appointed to fill such vacancy on the Board as the new Chairman.

All meetings of the Board of Appeals shall be held at the call of the Chairman and at such other times as the Board may determine. All testimony by witnesses at any hearing provided for in this Zoning Chapter shall be given under oath. The Chairman, or in his absence, the Acting Chairman, who shall be selected by the members present from among their number, may administer oaths and compel the attendance of witnesses. The Board may adopt such rules as it may deem necessary for the proper conduct of its meetings and hearings, provided they are consistent with the provisions of this Chapter and the Illinois Statutes. All meetings of the Board shall be open to the public.

The Board shall keep minutes of its proceedings, showing the vote of each member upon every question, or if absent, or failing to vote, indicating that fact, and shall also keep records of its examinations and other official actions. Every rule, regulation, every amendment or repeal thereof, and every order, requirement, decision or determination of the Board shall immediately be filed in the office of the City Clerk and shall be a matter of public record.

Duties:

The Board of Appeals shall:

- A. Hear and decide appeals from any order requirement, decision, or determination made by the Zoning Administrator enforcing this Chapter.
- B. Hear and recommend variations from the term provided in this Chapter subject to the standards set forth in this Chapter; and
- C. Hear and decide all matters referred to it, or upon which it is required to pass under the provision of this Chapter.

The Board of Appeals shall also hold public hearings as required by the Statute pertaining to proposed amendments to the regulations imposed and the Districts created by this Chapter, and to proposed special uses; and, to make a written report and recommendation to the City Council on any such proposed amendments or special uses.

Decisions:

All final administrative decisions arrived at by the Board of Appeals, following a public formulation of a findings of fact, shall require a concurring vote of four or more members.

All decisions of the Board of Appeals on appeals from decisions of the Zoning Administrator shall, in all instances, be final administrative decisions.

The City Council, in accordance with procedures set forth by the statutes of the State of Illinois and this Chapter, may adopt an ordinance amending regulations imposed and Districts created by this Ordinance.

15.10.02. PROCEDURES FOR ADMINISTRATIVE FUNCTIONS
General Requirements:

All persons interested in requesting a zoning change, variation, amendment, and or special use must contact a City Zoning Administrator. Zoning Administrator will conduct a preliminary review, with the applicant, which is intended to inform the prospective applicant about the requirements of the City Zoning Ordinance and administrative processes. At any time, a City Zoning Administrator may request the submission of preliminary plats and site specifications, which clearly describe the intended use. Specification shall include, but not be limited to: the size, height, type and general location of existing buildings; a locational inset map; the means of ingress and egress; the proposed circulation pattern within the area; the location and description of public and private improvements, existing and proposed; parking and service area design; and current zoning.

If a City Zoning Administrator deems it necessary, the Director of Zoning will then

conduct a formal staff review. The staff review may include all department personnel, as well as City Engineer, Fire District, and other applicable traffic safety or environmental specialists. Said review shall examine plans and specifications submitted, to ensure conformance and compliance with applicable requirements and standards. A report of the staff review shall be submitted to the Zoning Board of Appeals, the Plan Commission and the City Council. Applicants may request copies of the staff review report.

Zoning Certificates:

No permit pertaining to the use of land or buildings shall be issued unless a City Zoning Administrator has certified after examination that it complies with all provisions of this Chapter.

Occupancy Permits:

No land shall be occupied or used, and no building hereafter erected or substantially altered shall be occupied or used, in whole or in part, for any purpose whatsoever, until a certificated of occupancy shall have been issued by the Building Commissioner stating that the building complies with all the building and health laws and Ordinances, and with the provisions of these regulations. No change of a principal use, as set forth in this Chapter, shall be made in any building, or part thereof, now or hereafter erected or altered, without a permit having been issued by the Building Commissioner; and no permit shall be issued to make such change unless it is in conformity with the provisions of this Chapter and amendments thereto. Nothing in this Article shall prevent the continuance of the present occupancy or use of any existing building except as may be necessary for safety of life and property.

Procedure to apply for Occupancy Certificates are outlined in Section 14.13.01 of the City Code.

A record of all certificates shall be kept on file in the office of the Building Commissioner and copies shall be furnished, on request, to any person having a proprietary or tenancy interest in the building affected. A reasonable fee may be charged for each additional copy of a certificate.

Appeals:

An appeal may be taken to the Board of Appeals by any person, firm or corporation, or by any office, department, board, bureau, or commission aggrieved by a decision of the Zoning Administrator, or other authorized officials. A petition for an appeal before the Board of Appeals shall be filed initially in the office of the Zoning Administrator.

15.10.03. VARIATIONS

Purpose:

The Board of Appeals may recommend, and the City Council may grant, variations of the provisions of this Chapter in harmony with its general purpose and intent, except in the specific instances hereinafter set forth in accordance with the procedures set forth by the Statutes of the State of Illinois and this Chapter. The Board of Appeals shall recommend a proposed variation only after having made a written finding of fact based upon the standards hereinafter prescribed that there are practical difficulties or particular hardships in the way of carrying out the strict letter of the regulations of this Chapter, and only after conducting a public hearing thereon with prior notice as provided elsewhere in this Chapter.

The City Council, upon recommendation of the Board of Appeals, may grant or deny any variation or may refer it back to the Board of Appeals for further consideration. If the Council determines to grant the variation, it shall do so by adopting an ordinance to that effect.

Standards:

The Board of Appeals shall not vary the provisions of this Chapter as authorized in this Section, unless it shall have made findings based upon the evidence presented to it in each specific case:

That the property in questions cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located; or

That the plight of the owner is due to unique circumstances; or that the variation, if granted, will not alter the essential character of the locality.

For the purpose of supplementing the above standards, the Board of Appeals shall also, in making this determination as to whether there are practical difficulties or particular hardship, take into consideration the extent to which the following facts, favorable to the applicant, have been established by the evidence:

That the particular physical surroundings, shape or topographical conditions of the specific property involved would bring a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulation were to be carried out; that the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classification; that the purpose of the variation is not based exclusively upon a desire to make more money out of the property; that the alleged difficulty or hardship has not been created by any person presently having an interest in the property;

That the granting of the variation will not be detrimental to the public welfare

or injurious to other property or improvements in the neighborhood in which the property is located; or

That the proposed variation will not impair and adequate supply of light and air to adjacent property, or increase the danger of fire or otherwise endanger the public safety, or diminish or impair property values within the neighborhood.

The Board of Appeals may require such conditions and restriction upon the premises benefited by a variation as may be necessary to comply with the standards set forth in this section to reduce or minimize the injurious effect of such variation upon other property in the neighborhood, and to implement the general purpose and intent of this Chapter.

15.10.04. PROCEDURES

A petition for a proposed amendment, special use, or Planned Unit Development, hereafter referred to as a proposal shall be filed initially in the office of the City Clerk.

A proposal from a source other than the Plan Commission, shall be forwarded from the City Council to the Plan Commission. The Plan Commission shall make a written report and recommendation to the City Council and the Zoning Board of Appeals within a period of 45 days after it receives the proposal, except when the petitioner requests a delay.

The Zoning Board of Appeals shall hold a Public Hearing on the proposal as soon as practicable, but no later than 45 days after its receipt of the Plan Commission recommendation. Notice of the time and place of the Public Hearing shall be published as required by the Zoning Division of the Illinois Municipal Code. A written report of its findings and recommendations shall be submitted to the City Council within 14 days of the Public Hearing.

15.10.05. AMENDMENTS

The regulations imposed and the Districts created under the provisions of this Chapter may be amended, from time to time, by Ordinance, as provided in the Zoning Division of the Illinois Municipal Code; but no such amendment shall be made without a public hearing before the Board of Appeals which shall report its findings and recommendations to the City Council. Amendments may be proposed by the City Council, by the Plan commission, or by any resident or owner of property in the City.

15.10.06. SPECIAL USES

The development and execution of the zoning provisions of this Chapter is based upon the division of the City into Districts, within any one of which the use of land

and buildings, and the bulk and location of buildings or structures as related to the land, are essentially uniform. It is recognized, however, that there are special uses which, because of their unique character, cannot be properly classified in any particular Districts without consideration, in each case, of the impact of those uses upon neighboring lands and upon the public need for the particular use or the particular location. Such special uses are categorized as follows:

Uses operated by a public agency or publicly regulated utilities or uses traditionally affected with a public interest.

Uses entirely private in character, but of such a nature that the operation may give rise to unique problems with respect to their impact upon neighboring property or public facilities.

Authorization:

Special uses shall be acted upon by the City Council only after written reports are prepared and forwarded to the City Council by the Plan Commission and the Zoning Board of Appeals.

Standards:

No special use shall be granted by the City Council unless:

- A. The establishment or maintenance of the special use shall not be detrimental to public health, safety or general welfare.
- B. The special use shall be located, designed, maintained and operated to be compatible with the existing or intended character of that zoning district.
- C. The special use shall not depreciate property values.
- D. The special use shall not be hazardous, detrimental or disturbing to present surrounding land uses due to noise, glare, smoke, dust, odor, fumes, water pollution, vibration, general unsightliness, electrical interference, or other nuisance.
- E. The special use shall generate only minimal vehicular traffic on local streets and shall not create traffic congestion, unsafe access, or parking needs that will cause inconvenience to the adjoining properties.
- F. The special use shall be served adequately by essential public services such as streets, police, fire protection, utilities, schools and parks.
- G. The special use shall not create excessive additional equipment at public cost for public facilities and services; and shall not be detrimental to the economic welfare of the City.

- H. The special use shall cause no adverse environmental effects and
- I. The special use shall conform to the comprehensive plan.

Conditions:

The Plan Commission and the Board of Appeals may recommend, and the City Council may provide, such conditions and restrictions upon the construction, location, and operation of a special use, including, but not limited to, provisions for off-street parking and loading, as may be deemed necessary to promote the general objectives of this Chapter, and to minimize the injury to the value of the property in the neighborhood.

15.10.07. PLANNED UNIT DEVELOPMENT

Purpose:

The purpose of the Planned Unit Development is to permit:

A maximum choice in the types of environment available to the public by allowing a development that would not be possible under the strict application of the other Sections of this Chapter.

Permanent preservation of common open space and recreation areas and facilities.

A pattern of development to preserve natural vegetation, topographic and geologic features.

A creative approach to the use of land and related physical facilities that results in better development and design and the construction of aesthetic amenities.

An efficient use of the land resulting in more economic networks of utilities, street and other facilities.

A land use which promotes the public health, safety, comfort, morals and welfare.

The Planned Unit Development is intended to provide for developments incorporating a single type or a variety of related uses which are planned and developed as a unit. The Planned Unit Development should provide amenities not otherwise required by law and should establish facilities and open space greater than the minimums required by law.

Such development may consist of conventionally subdivided lots or provide for development by a land use and zoning plat which establishes the location

and extent of the features of the Planned Unit Development in keeping with the purpose of the plan.

Authority and Procedure:

The corporate authorities of the City of Country Club Hills shall have authority to permit a Planned Unit Development as a special use in each of the zoning districts.

Prior to the filing of an application for approval of a Planned Unit Development, the developer may request of the corporate authorities an informal meeting to discuss the development of their land in conjunction with the Comprehensive Plan. Said meeting shall be a part of a regularly scheduled meeting, shall be open to the public, and included on the agenda in advance of the meeting. The Pre-application Conference is not mandatory and does not require formal application, fee, or filing of a Planned Unit Development plat.

Every application for a Planned Unit Development shall be verified by the owner or authorized agent of the owner of the property involved, and filed with the City Clerk.

Preliminary Plat:

Every such application shall be accompanied by a preliminary plat of the Planned Unit Development and a fee which shall be established by the corporate authorities. Such preliminary plat shall be drawn to scale, and with supporting documents shall set forth the following information:

The size, height, type and general location of buildings proposed for the development;

The means of ingress and egress;

The proposed circulation pattern within the area of the Planned Unit Development;

The location and description of public and private improvements proposed to be installed; parking and service area design;

The proposed recreation facilities and the parcels of land intended to be dedicated for public use or reserved for the use of all property owners within the development;

The gross density of residential uses;

A proposed schedule of stages of development; preliminary architectural plans and drawings for all primary buildings in sufficient detail to permit an understanding of the style and character of the development;

All items required by the City's Subdivision Code requirements for a preliminary plat.

The corporate authorities shall have the power to require the submission of additional feasibility reports or impact studies or other additional documents as they may deem necessary and the corporate authorities may impose such additional restrictions or conditions particularly applicable to such development and may grant or authorize the Planned Unit Development as a special use subject to such additional restrictions or conditions. The corporate authorities may further require, by appropriate covenants or other restrictions running with the land, the provisions of open space within the area of the Planned Unit Development which shall never be used for the construction of any building or structure and may otherwise require adequate arrangements to be made for the care and maintenance of such open space.

If the City Council approves the requested Planned Unit Development, it shall adopt an Ordinance specifying the special conditions and restrictions imposed upon the Planned Unit Development and shall include within said Ordinance the preliminary plat and supporting documents, if any, approved as part of the Planned Unit Development. The Planned Unit Development Ordinance shall further contain a legal description of the property subject to such Planned Unit Development and said ordinance without exhibits or supporting documents shall be recorded in the office of the Recorder of Deeds of Cook County.

Approval of a preliminary Planned Unit Development plat shall not constitute approval of the final plat. Rather it shall be deemed an expression of approval to the layout submitted on the preliminary plat as a guide to the preparation of the final plat which will be submitted for approval of the corporate authorities and subsequent recording upon the fulfillment of the requirements of those regulations and conditions of the preliminary approval, if any. The final plat shall be approved if it conforms substantially with the preliminary plat.

The preliminary and final plat may be filed and approved without a preliminary plat if all of the land is to be developed at one time, and if all requirements hereof are met.

No building permit shall be issued for any structure until the approval of the final plat.

Approval of Final Plat:

The final Planned Unit Development plat shall conform substantially to the preliminary plat as approved, and, if desired by the developer, it may be submitted in stages, with each stage reflecting the approved preliminary plat which is proposed to be recorded and developed; provided, however, that such portion conforms to all requirements of these regulations. The required procedure for approval of a final plat shall be:

A final Planned Unit Development plat and other supporting data required for approval shall be submitted to the corporate authorities.

Final plats and supporting data shall show in detail the design, location, and use of all buildings and overall land development as well as such additional information as the corporate authorities may require.

The corporate authorities, after receipt of the final plat and required supporting data, without further public hearing, shall approve or disapprove the final plat and, if approved, shall pass an ordinance allowing the issuance of all necessary permits to permit construction.

The Ordinance authorizing construction of the Planned Unit Development shall be effective only upon recording of the final Planned Unit Development plat with the County Recorder of Deeds. No permits, allowing construction of a building or other development, shall be granted until the required recording of the final plat, except for models, public improvements or recreational facilities which may be permitted by the City Council under such conditions as it may impose.

The Planned Unit Development project shall be developed only according to the approved and recorded Planned Unit Development Ordinance and final plat and any amendments thereto, and said Ordinance shall be binding on the applicants, their successors, grantees and assigns, and shall limit and control the use of premises (including the internal use of buildings and structures) and location of the structure in the Planned Unit Development project as set forth therein, notwithstanding the use, area, setback, height, yard and bulk requirements set forth in other Sections of this Chapter.

The final plat shall conform to the requirements of the Specifications for a Final Plat contained in the City's Subdivision Code.

Applicability of Subdivision Standards:

The corporate authorities in the Planned Development Ordinance may approve deviations from the standards and requirements of the Subdivision Control Ordinance, in harmony with the spirit and intent of the Planned Unit Development section. Except as modified in said Ordinance, each Planned Unit Development shall comply with all of the standards and requirements contained in the subdivision Ordinance for the City, and no building permits shall be issued by any governing official for the construction of any building, structure, or improvements to land or any lot within the Planned Unit Development, until all of the requirements of said Subdivision Control Ordinance have been met.

Amendments:

The corporate authorities may approve minor changes in the Planned Unit

Development which do not change the concept or intent of the development. Major changes which alter the concept or intent of the Planned Unit Development may be approved by the corporate authorities only by the submission of a new application and by following the procedure for zoning amendments. All major changes to the Planned Unit Development Ordinance shall be recorded with the Recorder of Deeds as amendments to the Planned Unit Development, or reflected in the recording of a new corrected final plat.

Costs:

The cost incurred by the City for the review of plans and specifications by the City Engineer, the City Attorney or the City Planner shall be paid by the applicant or owner promptly upon demand. The City may require the developer to escrow the funds to pay such estimated costs or to enter into a contract guaranteeing such payment.

Standards for Planned Unit Developments:

The Planned Unit Development must meet the following standards:

Ownership and Size: The site of the Planned Unit Development must be under single ownership or unified control and be not less than 10 acres.

For purposes of this sub-paragraph, unified control shall exist where an individual, partnership, corporation, syndicate or trust comprised of owners of separate and contiguous tracts of land join together in a written agreement for purposes of developing their respective properties according to one integrated plan. A copy of any such agreement shall be furnished to the City. In the event ownership or unified control of any PUD is changed during the term of the PUD Agreement, the City shall be notified of such change by the original owner. Upon notification, the City shall request the Plan Commission to review the agreement pursuant to Section 3.13.07 (F) of the Municipal Code.

This notification is not required if a change in ownership is the result of the sale of any fully developed parcel to an individual owner, firm, partnership or corporation.

Compatibility:

The uses permitted in a Planned Unit Development must be of a type and so located as to exercise no undue detrimental influence upon surrounding properties, and shall be compatible each with the other within said site.

Parking Requirements:

The individual uses permitted within the Planned Unit Development shall provide off-street parking in accordance with the provisions of this Chapter.

Setbacks on Boundaries:

The setbacks at the lot lines adjoining other properties shall not be less than the minimums specified for the adjacent properties, as provided under setback provisions of this Chapter. In the event that more than one zoning district adjoins the proposed development, the more restrictive setback provision shall prevail.

Traffic:

Adequate provisions shall be made to provide ingress and egress and shall be so designed as to minimize traffic congestion in the public streets.

General Design:

The Planned Unit Development shall not be so designed as to be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

15.10.08.

FEES

Any application for an amendment, special use, or Planned Unit Development, filed by or on behalf of the owner or owners of the property affected shall be accompanied by a fee of \$100.00. An application for an appeal or variation shall be accompanied by a fee of \$20.00.

ARTICLE 11 - SIGN STANDARDS

15.11.01. GENERAL PROVISIONS

A. Statement of Purpose: The purpose of these sign regulations are:

To encourage the effective use of signs as a means of communication in the City;

To maintain and enhance the aesthetic environment and the City's ability to attract sources of economic development and growth;

To improve pedestrian and traffic safety;

To minimize the possible adverse effect of signs on nearby public and private property; and

To enable the fair and consistent enforcement of these sign restrictions.

This sign Ordinance is adopted under the zoning authority of the City in furtherance of the more general purposes set forth in the Zoning Ordinance.

B. Scope: The use of all signs and portions of signs erected, altered with respect to height and area, added to, or relocated in the city shall be in conformity with these provisions. Any existing sign not in conformity with the regulations herein prescribed shall be regarded as non-conforming.

C. Interpretation:

- 1) In interpretation and application, these provisions shall be held to be an expression of the maximum allowable number and size of signs which bring about the least potential conflict with surrounding uses and which promote and improve physical appearance within the City.
- 2) When there is a conflict of provisions the regulations which are more restrictive or which impose higher standards or requirements shall govern.
- 3) These provisions are not intended to abrogate any easement, covenant, or any other private agreement, provided that where the regulations are more restrictive or impose higher standards or requirements than such easements, covenants, or other private agreements, the requirements of this Chapter shall govern.
- 4) When a sign type is not specifically listed in the sections devoted to permitted signs, it shall be assumed that such uses are, hereby, expressly prohibited.

15.11.02. LIMIT ON NUMBER OF SIGNS PER PREMISES

Notwithstanding any other provisions of this Chapter, no more than one (1) sign may be erected or maintained on any premises at any one time; except that when a premises is located on a corner lot and has public entrances on two or more public ways, or where a building has both a front and rear public entrance, one (1) additional sign may be erected.

A double-faced sign shall count as a single sign. A double-faced sign shall be so constructed that the perimeter of both faces coincide and are parallel and connected to the same support structure. Signs enumerated in Section 15.11.08 shall not be counted in calculating the total number of signs.

15.11.03. LIMIT ON SIGN AREA

Each premise shall be allowed three (3) square feet of signage per foot of frontage for the first sixty-seven (67) linear feet of building frontage on a dedicated street. An additional one and one-half (1 1/2) square feet of signage will be allowed per foot of frontage on a dedicated street in excess of sixty-seven (67) linear feet.

Sign dimensions shall be reasonably and appropriately proportioned to the street frontage, as well as to the size of the principle building.

Premises having frontage on more than one dedicated street will be allowed signage for frontage on each street in accordance with above formula, however, the frontage will be considered continuous and the signs facing each street must be in proportion to the frontage on the street. Seven hundred-fifty (750) square feet of total sign area will be the maximum allowed on any premise, in any case. (See Table A)

TABLE A

<u>FRONTAGE</u>	<u>SIGN AREA</u>	<u>EXAMPLE</u>
0 to 67 feet	3 ft ² per foot frontage	Frontage = 67 ft. Total sign area equals 201 ft ²
67.1 to Maximum	1.5 ft ² per foot frontage over the first 67 feet	Frontage – 267 ft. Total sign area equals 501 ft ² MAXIMUM = 750 square feet

15.11.04. SAFETY AND MAINTENANCE

Every sign and all parts thereof, including framework, supports, background, anchors, and wiring systems shall be constructed and maintained in compliance with the building, electrical and fire protection codes of the City. Signs may not be painted directly on the surfaces of the walls or roof of a building. All signs, flags, pennants and banners and all parts thereof shall be kept in a good state of repair and maintenance.

15.11.05. OBSCENITY PROHIBITED

It shall be unlawful for any person to display upon any sign or other advertising structure any matter in writing or in picture which, considered as a whole, predominantly appeals to prurient interest, that is, a shameful or morbid interest in nudity, sex, or excretion, and goes substantially beyond customary limits of candor in description or representation of such matters.

15.11.06. ILLUMINATION OF SIGNS

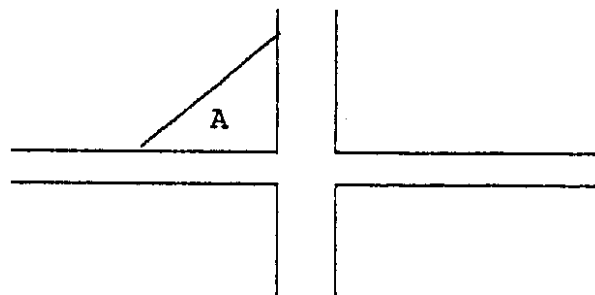
The illumination of all signs shall be diffused, internal or indirect and shall be so arranged that there will be no direct rays reflecting into the public way or any lot on the perimeter of the premises on which the signs are located. Signs with flashing lights shall not be permitted unless they reflect only the time and/or temperature.

15.11.07. PLACEMENT OF SIGNS ON LOTS

- A. Signs shall be placed no closer than five (5) feet to any lot line, except for shopping and/or manufacturing center pole signs which shall be set back forty (40) feet from any street right-of-way line. Signs erected by a governmental body bearing no commercial advertising may be located in the right-of-way, where it does not obstruct the view of traffic.

- B. Within the part of the yard or open area of a corner lot included within a triangular area of forty (40) feet from the point of intersection of two (2) street right-of-way lines forming such corner lot, no sign shall be constructed having a height of more than twenty-four (24) inches above the ground grade. (See Figure A)

FIGURE A



A (area) = 40 square feet

15.11.08. SIGNS PERMITTED IN ALL DISTRICTS

Unless otherwise stated, signs listed in this Section are permitted in all zones and

shall not require a sign permit, and they shall not be counted when calculating the number of signs or square footage on a premise. However, such signs shall conform with the general regulations for signs enumerated in the remainder of this Section.

- A. Name and address plates permanently affixed to a building which give only the name and address of the resident of the building and which are not more than one (1) square foot in sign area.
- B. No trespassing signs or other such signs regulating the use of a property, of no more than one (1) square foot in sign area in the general residential zone and three (3) square feet in all commercial, office and industrial zones.
- C. Bulletin boards for public, charitable, or religious institutions, when it has a sign area of no more than twenty (20) square feet, if used exclusively for noncommercial announcements. The maximum height will be six (6) feet from grade adjacent to the sign.
- D. Signs regulating on-premises traffic and parking, and signs denoting sections of a building such as lavatory facilities and public telephone areas, when less than six (6) square feet in area and bearing no commercial advertising. The maximum height will be six (6) feet from grade adjacent to the sign.
- E. Signs erected by a governmental body, or under the direction of such a body, and bearing no commercial advertising, such as traffic signs, railroad crossing signs, safety signs, and signs identifying public schools and playgrounds. The signs must be in keeping with Manual on Uniform Traffic Control Devices printed by Illinois Department of Transportation.
- F. Memorial signs, flags, or tablets and signs denoting the date of erection of buildings no larger than five (5) square feet.
- G. The flag, pennant, or insignia of any government, or of any religious, charitable, or fraternal organization, so long as such flag, pennant or insignia is at least three (3) feet by five (5) feet in size.
- H. One (1) logo flag of a company shall be allowed in business and industrial zones provided that it shall be flown with and not larger than the American Flag. The American Flag shall not exceed forty square feet (40) in total area.
- I. Temporary signs no larger than thirty-two (32) square feet of sign area presenting information of a political nature concerning State, County, Municipal or other governmental body election, or advertising special events of charitable or public groups. Such signs must be removed within forty-eight (48) hours of the close of the event or election.
- J. Permanent residential development signs shall be located at major entrances and designed to identify a residential subdivision or Planned Unit

Development and shall contain no commercial advertising. Such sign shall not exceed a height six (6) feet from grade. The sign shall be constructed of material which is the same or of a more permanent nature than the material used in the development.

- K. Signs identifying places of worship when located on the premises thereof.
- L. Residential developments containing two or more principal buildings shall be allowed not more than two (2) off-site residential development signs within the City to call attention and give directions to the development.

Each such sign shall not exceed thirty-two (32) square feet in area and shall not have a total height of more than six (6) feet. Such sign shall be considered a temporary sign and a permit for each sign may be issued for a period of six (6) months, renewable upon a written request to the Building Department until the completion of the project and issuance of the final Certificate of Occupancy. Such signs may be located in any zoning district, provided that no such sign shall be closer to an existing residence than one hundred (100) feet. Location and construction shall be approved at the time of the application and approval for each such sign.

- M. Garage Sale Signs - A permit is required. It will be issued by the City Clerk. A garage sale sign can be no larger than three (3) square feet. It may remain in place for three (3) days and can be placed only on the private property at which the sale is held.

15.11.09. SIGNS PERMITTED IN RESIDENTIAL ZONES ONLY (R CLASSIFICATIONS)

- A. Name and address plates for buildings containing more than two (2) dwelling units, provided that such signs shall not be more than three (3) square feet in area.
- B. Identification signs for special uses provided that such signs are limited to one (1) sign per building entrance, and provided that each such sign be limited to twelve (12) square feet of area.
- C. Within residential Planned Unit Developments for which the approved site plan allows non-residential land uses, the signs allowed within such non-residential uses shall comply with other provisions of this Sign Code relating to the type of use allowed (e.g., residential zone, commercial zone, manufacturing zone).

15.11.10. SIGNS PERMITTED IN THE COMMERCIAL AND MANUFACTURING ZONES (C & M CLASSIFICATIONS)

- A. All signs permitted in the residential zones.

- B. Only signs which advertise the activity, services or merchandise offered or conducted on the premises thereof are permitted.
- C. Wall signs which do not extend more than twelve (12) inches from the building wall and do not extend above the roof line or building edge. Such sign shall not be painted directly on the surface of the wall or roof of a building.
- D. Ground signs are permitted at one (1) per street frontage, provided that no individual business or other enterprise within a shopping or manufacturing center may erect or maintain a ground sign, and provided that such signs in nonshopping center areas shall be no larger than three (3) square feet per linear foot of building frontage, and not to exceed sixty-four (64) square feet. The highest point on such signs shall be no more than six (6) feet above the grade adjacent to the sign.
- E. Poles signs are permitted, provided that no individual business or other enterprise within a shopping or manufacturing center may erect or maintain a pole sign, and provided when only one (1) sign is erected per dedicated street frontage, the area of the sign shall be no larger than three (3) square feet per linear foot of the building frontage, not to exceed sixty-four (64) square feet and no part of the sign, shall exceed a height of twenty-five (25) feet from grade. However, pole signs in shopping and manufacturing centers are permitted if they meet the following six requirements:
 - 1) No more than one (1) sign per dedicated street frontage.
 - 2) That the sign is not less than forty (40) feet from any street right-of-way line.
 - 3) The area of the sign shall be limited to one hundred sixty (160) square feet on each side.
 - 4) The advertising displayed on the sign shall be limited to business, merchandise and services found within the respective shopping and manufacturing centers.
 - 5) No part of the sign, including braces, supports or lights, shall exceed a height of twenty-five (25) feet or five (5) feet above the roof line whichever is greater.
 - 6) The height of the sign shall be measured from grade level directly below the face of the sign to the highest part of the sign.
- F. Identification signs, provided that such signs are limited to one (1) sign per building entrance.

- G. Not more than (1) gasoline price sign per street abutted by a gasoline filling station, with a maximum sign size of four (4) feet by six (6) feet.
- H. Window signs of paper or similar materials shall be allowed in commercial zones, provided that such signs are to be used to notify the public of special sales or current prices and do not take up more than fifty percent (50%) of the total window area.
- I. Portable or temporary sale signs shall be permitted under the following conditions:
 - 1) The sign must be on private property, in a safe location so as not to obstruct the public right-of-way.
 - 2) A portable or temporary sign permit shall be issued for a time period not to exceed a total of sixty (60) days per year, which may be divided into increments of no less than fifteen (15) days.
 - 3) Portable signs, mounted on wheels or which are capable of being moved from one location to another, shall not exceed thirty-two (32) square feet in sign face and shall not exceed a height greater than eight (8) feet from grade level.
 - 4) Banners and pennants may be used as temporary signs, provided that banners shall be limited to one (1) square foot per linear foot of building frontage, not to exceed 100 square feet, and pennants shall be limited to two (2) times the length of the linear building frontage. Pennants and banners shall be counted separately as two distinct and unique signs.
 - 5) Permit application must be approved by the zoning administrator. The fee for said permit is \$25.00.
 - 6) In shopping centers, the number of stores which may erect portable or temporary signs, at one time, shall not exceed 20% of the total number of stores.
- J. Grand Opening or Anniversary signs shall be permitted, once per year, for fourteen (14) consecutive days, inclusive of the grand opening or anniversary date. The date of a Grand Opening shall be designated by the business owner within the first six months of operation. Anniversaries shall be considered the annual observance of the date of the Grand Opening. Grand Opening/Anniversary signage may include a combination of banners, pennants and temporary or portable sale signs, as defined, elsewhere in this Ordinance. The fee for said Grand Opening/Anniversary permit shall be \$25.00.

15.11.11. REAL ESTATE SIGNS

Signs that have for their purpose or intent the selling or renting of real estate located in any zoning district, such as, but not limited to signs that contain the words “for sale”, “for rent”, or any similar language shall conform with the following provisions:

- A. No more than one real estate sign shall be erected on any premises.
- B. In areas zoned residential no real estate sign shall exceed four (4) square feet in area. The top surface of the real estate sign shall not exceed four (4) feet existing grade at the point of erection.
- C. In areas zoned commercial and manufacturing no real estate sign shall exceed thirty-two (32) square feet in area. The top surface of the real estate sign shall not exceed six (6) feet existing grade at the point of erection.
- D. Real estate signs, located on developed property in a residential zone, shall be erected outside the structure and parallel to the front side of the structure and shall be placed no more than three (3) feet from the front foundation wall.
- E. Real estate signs, on vacant property in areas zoned Residential, Commercial and Manufacturing, and in developed areas zoned commercial and Manufacturing, shall conform, in size, to the appropriate zoning district in which they are located, and shall be erected parallel to the public right-of-way and shall be placed no less than five (5) feet from the property line.
- F. Prior to erection of any real estate sign, the owner of any property within the City or his agent shall file an application in accordance with the provisions of Chapter 14 of this Code.
- G. No real estate sign shall contain the words “sold,” “leased,” or any similar language.
- H. No real estate sign shall be an illuminated sign.

15.11.12. VARIANCES

Variations to this Sign Ordinance may be granted by the Zoning Board of Appeals following a public hearing. Notice of the time and place of the public hearing shall be published as required by the Zoning Division of the Illinois Municipal Code.

The applicant shall submit sketches, drawings or photographs showing the entire property and the proposed sign or signs and shall explain briefly in his written request where the proposed sign or signs vary from the provisions of this Chapter and the reason that an exception is needed.

A variance shall be granted only after the applicant proves unusual hardship. The full burden of proof in determining hardship rests with the applicant. The criteria for the variance is explained in the Administration article (Article 10) of the Zoning Ordinance.

15.11.13. NON-CONFORMING SIGNS

- A. All permanent signs which are in existence at the time of passage of this Section, but which do not conform to one or more provisions of this Code shall be deemed to be a legal non-conforming use and may be continued only as provided in this Code.
- B. Any non-conforming sign which was made non-conforming by the provisions of any current or subsequent amendment to this Code may be continued in use for a period of two (2) years after the effective date of that amendment provided there is no physical change other than the necessary maintenance and repair, except as otherwise permitted herein. Any non-conforming sign which has not been removed or rendered conforming on or before the date of its required abatement shall be deemed a nuisance and may be abated.
- C. Any sign for which a permit has been lawfully granted prior to the effective date of this or any subsequent amendment to this Code and which does not comply with the provisions of such amendment may nonetheless be completed in accordance with the approved plans, provided construction of the sign is started within ninety (90) days after the passage of the Ordinance amendment and is diligently prosecuted to completion.
- D. Whenever a non-conforming use of a sign has been discontinued for a period of three (3) consecutive months, or whenever there is evident a clear intent on the part of the owner to abandon a non-conforming use, such use shall not, after being discontinued or abandoned, be re-established, and the use of the sign hereafter shall be in conformity with the regulations of this Code.
- E. Normal maintenance of a non-conforming sign is permitted, including necessary non-structural repairs and incidental alterations which do not extend or intensify the non-conforming use.
- F. No structural alteration, enlargement or extension shall be made in a non-conforming sign, except in the following situations:
 - 1) When the alteration is required by law.
 - 2) When the alteration will actually result in eliminating the non-conforming use.
- G. If a non-conforming sign is damaged or destroyed by any means to the extent

of twenty-five percent (25%) or more of its replacement value at that time, the sign can be rebuilt or used thereafter only for a conforming use and in compliance with the provisions of this Code. In the event the damage or destruction is less than twenty-five percent (25%) of its replacement value, based upon prevailing costs, the sign may then be restored to its original condition and the use may be continued which existed at the time of such partial destruction until the non-conforming sign is otherwise abated by the provisions of this Code. In either event, restoration or repair of the sign must be started within a period of thirty (30) days from the date of damage or destruction and diligently prosecuted to completion.

ARTICLE 12 - FLOOD CONTROL

15.12.01. BUILDING ON AND USE OF FLOOD FRINGE

Except as regulated by this or other Ordinances and State Statutes, any building structure may be placed or erected on and storage or other use may be made of the flood fringe that is permitted by the regulations of the zoning district in which such flood fringe located.

15.12.02. PRESERVATION OF FLOODWAYS AND DETENTION BASINS

All buildings, other structures, inoperable motor vehicles and similar machinery, and fills of any kind of materials hereafter made, placed or erected on the flood fringe shall be set back at least the distances required to preserve and maintain open and unobstructed: (a) the widths of floodways established for streams and other flood water runoff channels, and (b) the boundaries or limits of floodwater detention or retention ponds and basins as established in Section 17.3.0, Subsection 1, and as otherwise regulated in this Ordinance.

15.12.03. OPEN STORAGE OF FLOATABLE MATERIALS

Logs, tree stumps and branches, lumber, lumber products and other floatable material may be placed, displayed, or stored in the open on flood fringe land, where permitted by the zoning district regulations applicable to such land, and by State Statutes, provided the area so used is enclosed by an open wire fence properly anchored to restrain such materials from floating downstream during times of high water. No storage of materials, fencing (except playing field or trail system fencing parallel to the direction of the flood flows), construction of sheds, building additions, garages, or any activity not deemed an appropriate use of the regulatory floodway will be permitted in the floodway.

15.12.04. OPEN STORAGE OF OTHER MATERIALS

The open storage or display on flood plain land of inoperable motor vehicles and similar machinery and other non-floatable materials and products, where permitted by the regulations of the zoning district applicable to such land, and by State Statutes shall be considered the same as the placement of fill on the flood plain and shall be subject to the regulations of this Ordinance relating to compensatory storage.

ARTICLE 13 - PENALTY

15.13.01. PENALTY

Any person, firm, or corporation who violates, disobeys, commits, neglects, refuses to comply with, or resists the enforcement of any provision of this Chapter shall be subject to a penalty as prescribed in Chapter to of this Code. Each day a violation is permitted to exist or continue shall constitute a separate offense.