

## ARTICLE 4

### REGULATIONS FOR SPECIFIC DISTRICTS

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#### **Section 4-1 GENERAL REGULATIONS AND RESTRICTIONS**

This is a listing of general regulations and restrictions that apply to all zoning districts within this municipality. Any district having restrictions more stringent than the ones listed below will state those restrictions in the Section for that district. The more stringent restrictions shall take precedent over the regulations listed here.

A) No Nuisances: No production, processing, cleaning, servicing, testing, repair, sale, or storage of goods, materials, or equipment shall unreasonably interfere with the use, occupancy, or enjoyment of neighboring properties or the community as a whole. Unreasonable interference's include, but are not limited to visual distress, odor, dust, smoke, noise, vibration, gases, excessive glare, or other similar disturbances.

B) Refuse Containers:

1) Residential: All refuse shall be stored in tightly-covered containers to prevent access to the refuse by animals. All residents are responsible for the timely and proper disposal of any and all refuse generated by the residence.

2) Non-residential: All refuse shall be stored in tightly-covered containers and kept in a visually screened area. Screening shall be placed on all sides of the dumpsters with only one side accessible for the collection crews. All establishments are responsible for the timely and proper disposal of any and all refuse generated by that particular use.

C) Signs: All uses shall comply with the regulations of the sign ordinance as given in Article 5.

D) Outdoor Commercial Activities: All commercial businesses, services, and storage activities should be conducted within enclosed structures. Unenclosed services and activities may be allowed for a limited time under restricted conditions as established by the Administrator. Commercial establishments having permanent outdoor storage or activities shall enclose all such activities by walls, solid fences, or other means of visual screening approved by the Administrator.

E) Screening between business and residential districts: Any commercial establishment that abuts a residential district shall provide a wall, solid fence, or other type of screening along the side and rear lot lines. The screening shall be of sufficient density to block the neighbors' view of the establishment and must be approved by the Administrator. The screening shall be maintained and kept in good condition to ensure continued screening.

F) Calculation of Floor Areas: To calculate the minimum floor area for multi-family residential uses, the total floor area of all living space shall be used. Utility rooms shall not be counted as part of a dwelling unit's livable area. For non-residential uses, the floor area is calculated by figuring the gross floor area as determined by the exterior dimensions of the building.

G) Determination of Permitted Uses: Any use classified as one of the categories listed under the Permitted Uses section shall be allowed to establish itself within the district. Any use that is not listed under the Permitted Uses section but is compatible or comparable to the uses listed there may request an Initial Certificate of Zoning Compliance from the Administrator. The Administrator shall either issue the requested certificate or a letter explaining why the proposed use is not compatible with the intentions of the Zoning Ordinance. Any person disagreeing with the Administrator's decision may appeal it to the Board of Appeals by following the process given in this ordinance. All non-residential uses, whether permitted or a special use, must receive a Final Certificate of Zoning Compliance from the Administrator prior to opening to the general public. Failure to do so shall constitute a violation of this ordinance, with the person in violation being subject to fines and penalties.

H) In all Business districts, only the manufacturing, processing, and/or treatment of products which are clearly incidental and essential to the business conducted on the premises is permitted. Only businesses that make their goods and services available directly to the general public shall be permitted.

I) Calculation of Lot Coverage & Setbacks: In calculating the amount of lot coverage, the floor area of the principal structure and any accessory structures shall be totaled and divided by the total area of the lot. Overhangs greater than four feet in width shall be included when calculating the amount of lot coverage.

Setbacks will be measured from the property line to the nearest wall of a structure, provided that the roof overhang does not exceed two feet in width. For structures containing an overhang of more than two feet in width, the setback will be measured to the edge of the overhang. For uses involving no structure or building, setbacks will be measured from the property line to the edge of the area of operation. (Ord. 97-14)

## **Section 4-2 AGRICULTURAL DISTRICTS - A**

### **4-2.1 INTENT**

The Agricultural District is intended to maintain and enhance areas that are best suited for agricultural pursuits. This zoning is also intended to serve as a holding zone for lands where future urban expansion is possible, but not yet appropriate due to the lack of urban facilities and services. The preservation of agricultural land is intended to prevent urban sprawl, control the public costs of providing urban services and reduce urban/rural conflicts which arise as a result of premature development of rural areas. This district is further intended to preserve open space and natural resource areas.

### **4-2.2 PERMITTED USES**

**AGRICULTURE:** Includes any one or any combination of the following: the growing of farm or truck garden crops, dairying, pasturing, horticulture, floriculture, viticulture, or animal/poultry husbandry.

**COMMERCIAL ESTABLISHMENTS** which generate a low volume of customers and traffic and require a secluded setting. Such establishments would include: Blacksmith shop; Landscape Contractors; Lawn Maintenance Contractors; Nursery; Greenhouse; Temporary Produce Stand

**DETACHED, SINGLE-FAMILY DWELLINGS**

### **4-2.3 SPECIAL USES**

**ALTERNATE ENERGY SOURCE**

**CEMETERY/MAUSOLEUM**

**CHURCHES** and other places of formal worship

**CLUB/LODGE**, private; but not those which have as their chief activity a service customarily carried on as a business

**COMMERCIAL ESTABLISHMENTS** which generate a higher volume or more consistent flow of customers. Such establishments would include: Agricultural Implement Sales; Miniature Golf Course; Animal Hospital; Animal Shelter; Auction House; Bed and Breakfast Inn; Go Cart Track; Golf Practice Range; Kennel; Sanitary Landfill; Stables, Commercial;

**GOVERNMENT USES** such as agricultural research plots or testing sites. Other permitted uses would be maintenance or storage buildings.

**HEALTH CARE/SERVICE ESTABLISHMENTS:** Mental Health Clinic; Nursing Home/Convalescence Home; Sanitarium; Treatment Center

**INSTITUTIONS:** Convent, Retreat House, Seminary

**RECREATIONAL VEHICLE PARK**

#### **4-2.4 LOT & STRUCTURE REQUIREMENTS**

In districts zoned Agriculture, only one dwelling unit shall be erected on any lot. Every principal building erected in the district shall conform to the requirements given below. The term “principal building” shall encompass the farmhouse and any accessory uses and structures customarily incidental to agricultural activities.

A) Minimum Lot Area	5 acres
B) Minimum Lot Width:	
1) At the established building line	250 Feet
C) Minimum Lot Depth	250 Feet
D) Minimum Set Backs:	
1) From Front Lot Line	50 Feet
2) From Any Side Lot Line	10 Feet
3) From Rear Lot Line	50 Feet
4) From Principal Structure on Adjacent Lot	
a) Lot within the same district	20 Feet
b) Lot in a different district - Determined by the district with the most stringent requirement	
5) From Corner Lot Lines on Both Street Frontages	50 Feet
6) Accessory Buildings	
a) From principal building	10 Feet
b) From rear lot line	8 Feet
c) From side lot line	5 Feet
d) Maximum structure height	None
E) Maximum Structure Height	35 Feet
F) Maximum Floor Area Ratio	0.5

**Section 4-3 SINGLE FAMILY RESIDENTIAL DISTRICT - R-1**

**4-3.1 INTENT**

The R-1 Single Family Residential District is intended to preserve and stabilize single-family dwellings and neighborhoods that were developed at a low density and for persons having different social needs and incomes. The regulations are also intended to promote the development of new single-family dwellings and to protect such neighborhoods from uses and developments which are incompatible or disruptive to the nature of this district.

**4-3.2 PERMITTED USES**

DETACHED, SINGLE-FAMILY DWELLINGS

LIBRARY

**4-3.3 SPECIAL USES**

CHURCHES and other places of formal worship

DAY CARE CENTERS: Day Family Care Home

GROUP HOMES: Family Group Home

SCHOOLS: Pre-school, Kindergarten, Elementary, Junior and Senior High

**4-3.4 LOT & STRUCTURE REQUIREMENTS**

In districts zoned R-1, only one principal building shall be erected on any lot. Every principal building erected in the R-1 District shall conform to the requirements given below.

A) Minimum Lot Area	10,000 Sq. Ft.
B) Minimum Lot Width	
1) At the established building line	75 Feet
C) Minimum Lot Depth	None
D) Minimum Set Backs:	
1) From front lot line	30 Feet
2) From any side lot line	10 Feet
3) From rear lot line	30 Feet
4) From principal structure on adjacent lot	20 Feet
5) From corner lot line on both street frontages	30 Feet
6) Accessory buildings	
a) From principal building	10 Feet
b) From rear lot line	8 Feet
c) From side lot line	5 Feet
d) Maximum structure height	15 Feet
e) Maximum percentage of rear yard coverage	30%
f) Limit two (2) per lot	
g) Distance between structures	5 Feet (Ord. 14-06)
E) Maximum Structure Height	35 Feet
F) Maximum Floor Area Ratio	0.5

G) Maximum Percentage of Lot Coverage	
- Including accessory buildings	30%
- No accessory structure shall exceed 70% of the Gross Floor Area of the dwelling structure. (Ord. 01-8)	
H) Minimum Floor Area per Dwelling Unit - Total	1,250 Sq. Ft.
	Ground Level(Ord. 01-8)

**4-3.5 OFF-STREET PARKING & LOADING SPACE REQUIREMENTS**

**4-3.5(A) Location:**

A) Parking spaces accessory to dwellings located in this district shall be located on the same lot as the dwelling. Such parking spaces shall not be located in any required front yard except in a driveway, but may be located in the side or rear yards.

B) All parking spaces accessory to permitted non-dwelling uses located in this district generally shall be located on the same lot as the use serviced. However, such parking facilities may be located on another parcel within two-hundred feet of the use served if the “same lot” requirement is not feasible.

C) No commercial vehicle exceeding one ton cargo capacity shall be parked anywhere in this district except for normal loading, unloading, and service calls.

**4-3.5(B) Minimum Required Number of Spaces:**

All dwellings located within this district shall have a minimum of two parking spaces per dwelling unit. No loading space is required.

Any uses developed within this district are required to provide parking spaces and loading space as outlined in Article 6.

## **Section 4-4 SINGLE-FAMILY RESIDENTIAL DISTRICT - R-2**

### **4-4.1 INTENT**

The R-2 Single Family Residential zoning is intended to preserve and stabilize single-family dwellings and neighborhoods that were developed at a slightly higher density than the R-1 district. This allows the provision of housing for persons with different social needs and incomes. These regulations are also intended to promote the development of new single-family dwellings and to protect such neighborhoods from uses and developments which are incompatible or disruptive to the nature of this district.

### **4-4.2 PERMITTED USES**

DETACHED, SINGLE-FAMILY DWELLINGS

LIBRARY

### **4-4.3 SPECIAL USES**

CHURCHES and other places of formal worship

DAY CARE CENTERS: Day Family Care Home

GROUP HOMES: Family Group Home

SCHOOLS: Pre-school, Kindergarten, Elementary, Junior and Senior High

### **4-4.4 LOT & STRUCTURE REQUIREMENTS**

In districts zoned R-2, only one principal building shall be erected on any lot. Every principal building erected in the R-2 district shall conform to the following requirements:

A) Minimum Lot Area	6,000 Sq. Ft.
B) Minimum Lot Width	
1) At the established building line	50 Feet
C) Minimum Lot Depth	None
D) Minimum Set Backs	
1) From front lot line	25 Feet
2) From any side lot line	5 Feet
3) From rear lot line	20 Feet
4) From principal structure on adjacent lot	10 Feet
5) From corner lot line on both street frontages	25 Feet
6) Accessory Buildings	
a) From principal building	10 Feet
b) From rear lot line	3 Feet
c) From side lot line	5 Feet
d) Maximum structure height	15 Feet
e) Maximum percentage of rear yard coverage	30%
f) Limit two (2) per lot	
g) Distance between structures	5 feet (Ord. 14-06)
E) Maximum Structure Height	35 Feet



F) Maximum Floor Area Ratio	0.5
G) Maximum Percentage of Lot Coverage	
- Including accessory buildings	30%
- No accessory structure shall exceed 70% of the Gross Floor Area of the dwelling structure. (Ord 01-8)	
H) Minimum Floor Area per Dwelling Unit - First Level	950 Sq. Ft. (Ord. 07-07)

#### **4-4.5 OFF STREET PARKING & LOADING SPACE REQUIREMENTS**

##### **4-4.5(A) Location:**

A) Parking spaces accessory to dwellings located in this district shall be located on the same lot as the dwelling. Such parking spaces shall not be located in any required front yard except in a driveway, but may be located in the side or rear yards.

B) All parking spaces accessory to permitted non-dwelling uses located in this district generally shall be located on the same lot as the use serviced. However, such parking facilities may be located on another parcel within two-hundred feet of the use served if the “same lot” requirement is not feasible.

C) No commercial vehicle exceeding one ton cargo capacity shall be parked anywhere in this district except for normal loading, unloading, and service calls.

##### **4-4.5(B) Minimum Required Number of Spaces:**

All dwellings located within this district shall have a minimum of two parking spaces per dwelling unit. No loading space is required.

Any uses developed within this district are required to provide parking spaces and loading space as outlined in Article 6.

**Section 4-5 TWO FAMILY RESIDENTIAL DISTRICT - MR-3**

**4-5.1 INTENT**

The Two-Family Residential District is intended to establish and preserve residential neighborhoods with single and two-family residences. These regulations are intended to encourage the development of two-family dwellings (duplexes) and the various uses that are compatible with such developments.

**4-5.2 PERMITTED USES**

DETACHED, SINGLE-FAMILY DWELLINGS

LIBRARY

TWO-FAMILY DWELLINGS - DUPLEXES

**4-5.3 SPECIAL USES**

CHURCHES and other places of formal worship

COMMERCIAL ESTABLISHMENT: Bed and Breakfast Inn

DAY CARE CENTERS: Day Family Care Home; Day Group Care Center, Class A

GROUP HOMES: Family Group Home; Group Home Center, Class A

SCHOOLS: Pre-school, Kindergarten, Elementary, Junior and Senior High

**4-5.4 LOT & STRUCTURE REQUIREMENTS**

In districts zoned MR-3, only one principal building shall be erected on any lot. Every principal building erected in the MR-3 district shall conform to the following requirements:

- |  |               |
|--|---------------|
| A) Minimum Lot Area                              | 7,000 Sq. Ft. |
| 1) Minimum Lot Area per Dwelling Unit            | 3,500 Sq. Ft. |
| B) Minimum Lot Width                             |               |
| 1) At the established building line              | 50 Feet       |
| C) Minimum Lot Depth                             | None          |
| D) Minimum Set Backs                             |               |
| 1) From front lot line                           | 25 Feet       |
| 2) From any side lot line                        | 5 Feet        |
| 3) From rear lot line                            | 25 Feet       |
| 4) From principal structure on adjacent lot      | 10 Feet       |
| 5) From corner lot line on both street frontages | 25 Feet       |
| 6) Accessory Buildings                           |               |
| a) From principal building                       | 10 Feet       |
| b) From rear lot line                            | 8 Feet        |
| c) From side lot line                            | 5 Feet        |
| d) Maximum structure height                      | 15 Feet       |

e) Maximum percentage of rear yard coverage	30%
f) Limit two (2) per lot	
g) Distance between structures	5 Feet (14-06)
E) Maximum Structure Height	35 Feet
F) Maximum Floor Area Ratio	0.6
G) Maximum Percentage of Lot Coverage	
- Including accessory buildings	30%
H) Minimum Floor Area per Dwelling Unit - First Level	600 Sq. Ft.

**4-5.5 OFF-STREET PARKING & LOADING SPACE REQUIREMENTS**

**4-5.5(A) Location:**

A) Parking spaces accessory to dwellings located in this district shall be located on the same lot as the dwelling. Such parking spaces shall not be located in any required front yard except in a driveway, but may be located in the side or rear yards. Each parking space shall be unobstructed so that no vehicle need be moved in order to allow another vehicle to enter/exit the parking area.

B) All parking spaces accessory to permitted non-dwelling uses located in this district generally shall be located on the same lot as the use serviced. However, such parking facilities may be located on another parcel within two-hundred feet of the use served if the “same lot” requirement is not feasible.

C) No commercial vehicle exceeding one ton cargo capacity shall be parked anywhere in this district except for normal loading, unloading, and service calls.

**4-5.5(B) Minimum Required Number of Spaces:**

All dwellings located within this district shall have a minimum of two parking spaces per dwelling unit. No loading space is required.

Any uses developed within this district are required to provide parking spaces and loading space as outlined in Article 6.

**Section 4-6 MULTIPLE-FAMILY RESIDENTIAL DISTRICTS - MR-4**

**4-6.1 INTENT**

The MR-4 Multiple-Family Residential District is intended to establish and preserve neighborhoods containing predominantly multiple-family dwellings which provide a wide range of housing while maintaining a moderate density level. This district is also intended to promote the development of new multi-family areas and the uses compatible with such developments in order to accommodate all persons desiring this type of residential environment.

**4-6.2 PERMITTED USES**

APARTMENTS

CONDOMINIUMS

DAY CARE CENTERS: Day Family Care Home; Day Group Care Center, Class A & Class B

GROUP HOMES: Family Group Home; Group Home Center, Class A & Class B

LIBRARY

MULTIPLE-FAMILY DWELLINGS

SINGLE-FAMILY & TWO-FAMILY DETACHED DWELLINGS

TOWN HOUSES

**4-6.3 SPECIAL USES**

BOARDING HOUSE, ROOMING HOUSE

CHURCHES and other places of formal worship

COMMERCIAL ESTABLISHMENTS serving primarily the inhabitants of the District

HEALTH CARE/SERVICE ESTABLISHMENTS serving the inhabitants of the district or requiring a residential type setting, such as a nursing/convalescence home

**4-6.4 LOT & STRUCTURE REQUIREMENTS**

In districts zoned MR-4, detached, single-family and two-family dwellings shall have one principal structure on one lot and must meet the lot and structure requirements given in Section 4-3. All other principal structures erected may have more than one structure per lot; however, every principal structure shall conform to the following requirements:

- A) Minimum Lot Area 10,500 Sq. Ft.
  - 1) Minimum Lot Area per Dwelling Unit 3,500 Sq. Ft.
- B) Minimum Lot Width
  - 1) At the established building line 75 Feet

C) Minimum Lot Depth	None
D) Minimum Set Backs	
1) From front lot line	25 Feet
2) From any side lot line	10 Feet
3) From rear lot line	25 Feet
4) From principal structure on adjacent lot	20 Feet
5) From corner lot line on both street frontages	25 Feet
6) Accessory Buildings	
a) From principal building	10 Feet
b) From rear lot line	8 Feet
c) From side lot line	5 Feet
d) Maximum structure height	15 Feet
e) Maximum percentage of rear yard coverage	30%
f) Limit two (2) per lot	
g) Distance between structures	5 Feet (14-06)
E) Maximum Structure Height	45 Feet
F) Maximum Floor Area Ratio	1.0
H) Maximum Percentage of Lot Coverage	
- Including accessory buildings	40%
I) Minimum Floor Area per Dwelling Unit - First Level	600 Sq. Ft.

#### **4-6.5 OFF-STREET PARKING & LOADING SPACE REQUIREMENTS**

##### **4-6.5(A) Location:**

A) Parking spaces accessory to dwellings located in this district shall be located on the same lot as the dwelling. Such parking spaces shall not be located in any required front yard except in a driveway, but may be located in the side or rear yards. Each parking space shall be unobstructed so that no vehicle need be moved in order to allow another vehicle to enter/exit the parking area.

B) All parking spaces accessory to permitted non-dwelling uses located in this district generally shall be located on the same lot as the use serviced. However, such parking facilities may be located on another parcel within two-hundred feet of the use served if the “same lot” requirement is not feasible.

C) No commercial vehicle exceeding one ton cargo capacity shall be parked anywhere in this district except for normal loading, unloading, and service calls.

##### **4-6.5(B) Minimum Required Number of Spaces:**

All dwellings located within this district shall have a minimum of two parking spaces per dwelling unit. No loading space is required.

Any uses developed within this district are required to provide parking spaces and loading space as outlined in Article 6.

**Section 4-7 MULTIPLE-FAMILY RESIDENTIAL DISTRICTS - MR-5**

**4-7.1 INTENT**

The MR-5 Multiple-Family Residential District is intended to establish and preserve neighborhoods containing predominately multiple family dwellings. These dwellings will be built at a density equal to or greater than that permitted in the MR-4 districts. This district is also intended to promote the development of comparable new areas and the uses compatible with such developments.

**4-7.2 PERMITTED USES**

APARTMENTS

CONDOMINIUMS

DAY CARE CENTERS: Day Family Care Home; Day Group Care Center, Class A & Class B

GROUP HOMES: Family Group Home; Group Home Center, Class A & Class B

LIBRARY

MULTIPLE-FAMILY DWELLINGS

TOWN HOUSES

**4-7.3 SPECIAL USES**

BOARDING HOUSE, ROOMING HOUSE

CHURCHES and other places of formal worship

COMMERCIAL ESTABLISHMENTS serving primarily the inhabitants of the District

HEALTH CARE/SERVICE ESTABLISHMENTS serving the inhabitants of the district or requiring a residential type setting, such as a nursing/convalescence home

**4-7.4 LOT & STRUCTURAL REQUIREMENTS**

In districts zoned MR-5, unless approved as a Planned Unit Development, every principal building shall conform to the following requirements:

- |                                       |               |
|---------------------------------------|---------------|
| A) Minimum Lot Area                   | 7,500 Sq. Ft. |
| 1) Minimum Lot Area per Dwelling Unit | 2,500 Sq. Ft. |
| B) Minimum Lot Width                  |               |
| 1) At the established building line   | 75 Feet       |
| D) Minimum Lot Depth                  | None          |

E) Minimum Set Backs	
1) From front lot line	25 Feet
2) From any side lot line	10 Feet
3) From rear lot line	25 Feet
4) From principal structure on adjacent lot	20 Feet
5) From corner lot line on both street frontages	25 Feet
6) Accessory Buildings	
a) From principal building	10 Feet
b) From rear lot line	8 Feet
c) From side lot line	5 Feet
d) Maximum structure height	15 Feet
e) Maximum percentage of rear yard coverage	30%
f) Limit two (2) per lot	
g) Distance between structures	5 Feet (14-06)
F) Maximum Structure Height	50 Feet
G) Maximum Floor Area Ratio	1.5
H) Maximum Percentage of Lot Coverage	
- Including accessory buildings	50%
I) Minimum Floor Area per Dwelling Unit - First Level	400 Sq. Ft.

#### **4-7.5 OFF-STREET PARKING & LOADING REQUIREMENTS**

##### **4-7.5(A) Location:**

A) Parking spaces accessory to dwellings located in this district shall be located on the same lot as the dwelling. Such parking spaces shall not be located in any required front yard except in a driveway, but may be located in the side or rear yards. Each parking space shall be unobstructed so that no vehicle need be moved in order to allow another vehicle to enter/exit the parking area.

B) All parking spaces accessory to permitted non-dwelling uses located in this district generally shall be located on the same lot as the use serviced. However, such parking facilities may be located on another parcel within two-hundred feet of the use served if the “same lot” requirement is not feasible.

C) No commercial vehicle exceeding one ton cargo capacity shall be parked anywhere in this district except for normal loading, unloading, and service calls.

##### **4-7.5(B) Minimum Required Number of Spaces:**

All dwellings located within this district shall have a minimum of two parking spaces per dwelling unit. No loading space is required.

Any uses developed within this district are required to provide parking spaces and loading space as outlined in Article 6.

**Section 4-8 MANUFACTURED HOME PARK DISTRICTS - MH**

**4-8.1 INTENT**

The MH Manufactured Home Park Residential District is intended to accommodate manufactured home parks in those areas of the community where such a use will be compatible with existing and projected development. This district should be adequately served by sewers, water service, streets, police and fire protection, and should be developed in a manner to provide safe and ample living areas.

**4-8.2 PERMITTED USES**  
MANUFACTURED HOMES

RECREATIONAL AREA

**4-8.3 SPECIAL USES**

COMMERCIAL ESTABLISHMENTS: Convenience Shop

**4-8.4 LOT & STRUCTURAL REQUIREMENTS**

All newly zoned Manufactured Home Parks or any addition to the City’s existing Manufactured Home Park shall conform to the regulations given below. All MH Parks shall have a controlled/planned recreational area of a minimum of twenty-five percent of the total area. It shall be unlawful to immobilize any manufactured home in the City of Wood River except in the MH District. All manufactured homes to be located in areas zoned MH must comply with the following codes:

- A) Illinois Mobile Home Park Act & Code dated 1987 or thereafter amended;
- B) Mobile Home Landlord & Tenant Rights Act;
- C) The Illinois Mobile Home Tie-Down Act;
- D) Manufactured homes shall not be allowed to come into any Mobile Home Park that are 15 years old or older; (Am. Ord. 08-07, passed 3-3-08)

In addition to complying with the above codes, every manufactured home site erected in any MH District shall conform to the following regulations:

- A) Minimum Lot Area 5,000 Sq. Ft.
  - 1) Minimum Lot Area per Dwelling Unit 5,000 Sq. Ft.
- B) Minimum Lot Width
  - 1) At the established building line 50 Feet
- C) Minimum Lot Depth 100 Feet
- D) Minimum Set Backs
  - 1) From front lot line 25 Feet
  - 2) From any side lot line 10 Feet
  - 3) From rear lot line 25 Feet
  - 4) From principal structure on adjacent lot 20 - 50 feet
  - 5) From corner lot line on both street frontages 25 Feet
  - 6) Accessory Buildings
    - a) From principal building 10 Feet



b) From rear lot line	8 Feet
c) From side lot line	5 Feet
d) Maximum structure height	15 Feet
e) Maximum percentage of rear yard coverage	30%
f) Limit two (2) per lot	
g) Distance between structures	5 Feet (14-06)
E) Maximum Structure Height	22 Feet
F) Maximum Floor Area Ratio	0.3
G) Maximum Percentage of Lot Coverage	20%

All manufactured homes which are located in a MH Park shall be installed according to the following guidelines:

- A) All manufactured homes shall be located on and permanently attached to a cement slab which is a minimum length of the trailer itself, and of a width two feet greater than the actual width of the trailer or placed on a permanent foundation;
- B) Each manufactured home shall be permanently connected to the sanitary sewer and City water service in accordance with the ordinances of this municipality;
- C) Each manufactured home shall have separate and permanent connection to the electric service facilities in accordance with the City ordinances.

**4-8.5 OFF-STREET PARKING & LOADING SPACE REQUIREMENTS**

**4-8.5(A) Location:**

- A) Parking spaces accessory to dwellings located in this district shall be located on the same lot as the dwelling. Such parking spaces shall not be located in any required front yard except in a driveway, but may be located in the side or rear yards.
- B) All parking spaces accessory to permitted non-dwelling uses located in this district generally shall be located on the same lot as the use serviced. However, such parking facilities may be located on another parcel within two-hundred feet of the use served if the “same lot” requirement is not feasible.
- C) No commercial vehicle exceeding one ton cargo capacity shall be parked anywhere in this district except for normal loading, unloading, and service calls.

**4-8.5(B) Minimum Required Number of Spaces:**

All dwellings located within this district shall have a minimum of two parking spaces per dwelling unit. No loading space is required.

Any uses developed within this district are required to provide parking spaces and loading space as outlined in Article 6.

## **Section 4-9 DOWNTOWN BUSINESS DISTRICT - BD**

### **4-9.1 INTENT**

The BD Downtown Business District is intended to establish and preserve the downtown business area that was developed in the earlier years of the City's history. This district is intended to promote a pedestrian-oriented space that is convenient and attractive for a wide range of retail uses and business, including governmental and professional offices which provide a variety of services to the general public. The intent of this district is to preserve the existing downtown area in the manner in which it was developed; therefore this district will not be expanded nor will any additional districts of this zoning be formed.

### **4-9.2 PERMITTED USES**

Any use covered by the following classifications is a permissible use in the BD district. These uses shall include but is not limited to:

BANKS/FINANCIAL INSTITUTIONS

BUSINESS/PROFESSIONAL SERVICES OFFICES

CANNABIS DISPENSARY

CLUBS, lodges, public meeting halls, theaters and similar places of assembly or recreation

COMMERCIAL ESTABLISHMENTS that specialize in the provision of goods and services. Establishments that would be permitted are those with a low volume of customers whose visit lasts a lengthy period of time or those establishments with a high volume of customers who make short, quick visits.

GOVERNMENT OFFICES

POST OFFICE or postal substations

LIBRARIES, MUSEUMS

### **4-9.3 SPECIAL USES**

OUTDOOR SEATING FOR EATING ESTABLISHMENTS

OUTSIDE ACTIVITY: Any use that involves commercial, service and storage activities conducted outside of the principal building.

COMMERCIAL establishments or organizations having temporary or occasional exterior activities, such as food sales, wholesale distributions, craft sales, etc.

HEALTH CARE/SERVICE ESTABLISHMENTS

TAVERN/LOUNGE

UPSTAIRS DWELLING UNITS

#### **4-9.4 RESTRICTIONS**

The uses listed above and those special uses that have received a permit will be allowed to locate in the BD district provided that the following restrictions are complied with:

- A) Signs: Signs located in the Downtown Business District shall conform to regulations given in Article 5.
- B) Upstairs Dwelling Units: Upstairs Dwelling Units may be allowed, provided they comply with all applicable sections of these Zoning Ordinance Regulations and all Local, State, and Federal codes and regulations. The owner of said Upstairs Dwelling Unit must receive a SPECIAL USE PERMIT pursuant to Article 12, Section 12-8, as authorized by the Planning and Zoning Administrator as well as the Zoning Board of Appeals.
- (C) The maximum amount of cannabis dispensaries allowed within the Downtown Business District is one (1) provided, however, that a cannabis dispensary is not already operating in Wood River Business Park.

#### **4-9.5 LOT & STRUCTURE REQUIREMENTS**

Every principal building erected in the BD District shall conform to the following requirements:

- A) Minimum Lot Area 1,250 Sq. Ft.
- B) Minimum Lot Width
  - 1) At the established building line 25 Feet
- C) Minimum Lot Depth 50 Feet
- D) Minimum Set Backs
  - 1) From front lot line 0 Feet
  - 2) From any side lot line 0 Feet
  - 3) From rear lot line 0 Feet
  - 4) From principal structure on adjacent lot 0 Feet
  - 5) From corner lot line on both street frontages 0 Feet
  - 6) Accessory Buildings
    - a) From principal building 10 Feet
    - b) From rear lot line 8 Feet
    - c) From side lot line 5 Feet
    - d) Maximum structure height 25 Feet
- E) Maximum Structure Height 35 Feet
- F) Maximum Floor Area Ratio 3.2
- G) Maximum Percentage of Lot Coverage 100%

#### **4-9.6 OFF-STREET PARKING & LOADING SPACE REQUIREMENTS**

##### **4-9.6(A) Location:**

A) Parking spaces accessory to any dwellings located in any Business district shall either be located on the same lot as the dwelling or on another parcel within two-hundred feet of the residential premises. Parking lots accessory to any commercial uses located in any Business district shall be located within five-hundred feet of the use serviced; provided that no portion of any such parking lot shall extend into any residential district.

B) In any Business district, off-street parking facilities for different buildings or uses may be provided collectively. The total number of spaces located together must equal or exceed the total sum of the spaces required for each individual use. All regulations governing the location of parking spaces in relation to the uses served must be observed.

C) Commercial uses in this district are exempt from the parking requirements of this ordinance if they are located within three-hundred feet of a municipal parking lot.

D) No commercial vehicle exceeding five ton cargo capacity shall be parked, stored, or staged anywhere in this district except for normal loading, unloading, and service calls upon businesses.

**4-9.6(B) Minimum Required Number of Spaces:**

All uses located within this district shall provide the minimum number of parking spaces and loading spaces as required for the individual use. The minimum number of spaces required can be found in Article 6.

## **Section 4-10 NEIGHBORHOOD BUSINESS DISTRICT - B-1**

### **4-10.1 INTENT**

The B-1 Neighborhood Business District is intended to preserve and promote the small commercial enclaves that are located within or on the fringe of residential areas. These small scale businesses will not generate a significant amount of traffic and serve as a convenience to the residents of the immediate neighborhood. It is the intent of this district to establish an area where businesses that are complimentary to residential districts may locate.

### **4-10.2 PERMITTED USES**

**BANKS/FINANCIAL INSTITUTIONS**

**BUSINESS/ PROFESSIONAL SERVICES OFFICES**

**COMMERCIAL ESTABLISHMENTS** that specialize in the provision of goods and services. Establishments that would be permitted are those with a low volume of customers whose visit lasts a lengthy period of time or those establishments with a moderate volume of customers who make short, quick visits. No establishment shall generate a substantial number of customers at one time.

**GOVERNMENT OFFICES**

**POST OFFICE** or postal substations

### **4-10.3 SPECIAL USES**

**OUTSIDE ACTIVITY:** Any use that involves commercial, service and storage activities conducted outside of the principal building.

**COMMERCIAL** establishments or organizations having temporary or occasional exterior activities, such as food sales, wholesale distributions, craft sales, etc.

**CLUBS**, lodges, public meeting halls, theaters and similar places of assembly or recreation

**COMMERCIAL ESTABLISHMENTS** that generate a high volume of customers, such as a convenience store, or have characteristics that could substantially disrupt the surrounding area

**HEALTH CARE/SERVICE ESTABLISHMENTS**

**TAVERN/LOUNGE**

### **4-10.4 RESTRICTIONS**

Any use listed above and any special uses that have received a permit may locate in the B-1 district provided that the following restrictions are complied with:

A) Limited Size: The gross floor area of any commercial or service establishment located in this district shall not exceed three-thousand square feet.

B) Dwelling units and lodging rooms are only permitted in upstairs apartments. The apartments must be secondary to the use of the building as a commercial establishment.

**4-10.5 LOT & STRUCTURE REQUIREMENTS**

Every principal building erected in the B-1 District shall conform to the following requirements:

A) Minimum Lot Area	10,000 Sq. Ft.
B) Minimum Lot Width	
1) At the established building line	75 Feet
C) Minimum Lot Depth	100 Feet
D) Minimum Set Backs	
1) From front lot line	30 Feet
2) From any side lot line	10 Feet
3) From rear lot line	25 Feet
4) From principal structure on adjacent lot	20 Feet
5) From corner lot line on both street frontages	30 Feet
6) Accessory Buildings	
a) From principal building	10 Feet
b) From rear lot line	8 Feet
c) From side lot line	5 Feet
d) Maximum structure height	25 Feet
E) Maximum Structure Height	35 Feet
F) Maximum Floor Area Ratio	1.2
G) Maximum Percentage of Lot Coverage	30%

**4-10.6 OFF-STREET PARKING & LOADING SPACE REQUIREMENTS**

**4-10.6(A) Location:**

A) Parking spaces accessory to any dwellings located in any Business district shall either be located on the same lot as the dwelling or on another parcel within two-hundred feet of the residential premises. Parking lots accessory to any commercial uses located in any Business district shall be located within five-hundred feet of the use serviced; provided that no portion of any such parking lot shall extend into any residential district.

B) In any Business district, off-street parking facilities for different buildings or uses may be provided collectively. The total number of spaces located together must equal or exceed the total sum of the spaces required for each individual use. All regulations governing the location of parking spaces in relation to the uses served must be observed.

C) No commercial vehicle exceeding five ton cargo capacity shall be parked, stored, or staged anywhere in this district except for normal loading, unloading, and service calls upon businesses.

D) Any access way (driveway) to any off-street parking lot or loading berth shall be located at least ten feet from any side lot line.

**4-10.6(B) Minimum Required Number of Spaces:**

All uses located within this district shall provide the minimum number of parking spaces and loading space as required in Article 6.

**Section 4-11 COMMUNITY BUSINESS DISTRICTS - B-2**

**4-11.1 INTENT**

The B-2 Community Business District is intended to establish and develop locations for commercial and retail businesses that are frequented by a small, consistent number of customers who reach the individual business establishments primarily by automobile. The customers are generally not at the business for an extended period of time.

**4-11.2 PERMITTED USES**

Any use covered by the following classification is a permissible use in the B-2 District. These uses shall include but is not limited to:

AUDITORIUMS, Clubs/Lodges, public meeting halls and similar places of assembly

AUTOMOTIVE SERVICE STATIONS

BANKS/FINANCIAL INSTITUTIONS and the components associated with such uses.

COMMERCIAL ESTABLISHMENTS which generate a moderate number of customers. The visits to these establishments can vary in the length of time.

GOVERNMENTAL OFFICES

HEALTH CARE/SERVICE ESTABLISHMENTS

PROFESSIONAL SERVICE OFFICES

SCHOOLS: Business training; Community college; Professional/Trade school

**4-11.3 SPECIAL USES**

CHURCHES and other places of formal worship

COMMERCIAL establishments or organizations having temporary or occasional exterior activities, such as food sales, wholesale distributions, craft sales, etc.

**4.11.4 LOT & STRUCTURE REQUIREMENTS**

Every principal building erected in the B-2 district shall conform to the following requirements:

- |                                     |                |
|-------------------------------------|----------------|
| A) Minimum Lot Area                 | 15,000 Sq. Ft. |
| B) Minimum Lot Width                |                |
| 1) At the established building line | 100 Feet       |
| C) Minimum Lot Depth                | None           |
| D) Minimum Set Backs                |                |
| 1) From front lot line              | 40 Feet        |
| 2) From any side lot line           | 15 Feet        |



3) From rear lot line	25 Feet
4) From principal structure on adjacent lot	30 Feet
5) From corner lot line on both street frontages	40 Feet
6) Accessory Buildings	
a) From principal building	10 Feet
b) From rear lot line	8 Feet
c) From side lot line	5 Feet
d) Maximum structure height	25 Feet
E) Maximum Structure Height	35 Feet
F) Maximum Floor Area Ratio	1.3
G) Maximum Percentage of Lot Coverage	40%

#### **4-11.5 OFF-STREET PARKING & LOADING SPACE REQUIREMENTS**

##### **4-10.5(A) Location:**

A) Parking lots accessory to any commercial uses located in any Business district shall be located within five-hundred feet of the use serviced; provided that no portion of any such parking lot shall extend into any residential district.

B) In any Business district, off-street parking facilities for different buildings or uses may be provided collectively. The total number of spaces located together must equal or exceed the total sum of the spaces required for each individual use. All regulations governing the location of parking spaces in relation to the uses served must be observed.

C) No commercial vehicle exceeding five ton cargo capacity shall be parked, stored, or staged anywhere in this district except for normal loading, unloading, and service calls upon businesses.

D) Any access way (driveway) to any off-street parking lot or loading berth shall be located at least ten feet from any side lot line.

##### **4-10.5(A) Minimum Required Number of Spaces:**

All uses located within this district shall provide the minimum number of parking spaces and loading space as required in Article 6.

**Section 4-12 HIGHWAY BUSINESS DISTRICTS - B-3**

**4-12.1 INTENT**

The B-3 Highway Business District is intended to accommodate and promote strip commercial developments and other compatible uses. Because these businesses generally draw their patrons from the motoring public, they require direct access to major streets and large lots for off-street parking and loading. These businesses are usually frequented by many people who often stay for extended periods of time.

**4-12.2 PERMITTED USES**

Any use listed under the PERMITTED USES section for the B-2 district would be permitted in the B-3 zone.

AUTOMOTIVE SALES - Used and new

COMMERCIAL ESTABLISHMENTS such as those which generate a substantial number of customers whose visits last for a varying length of time. Warehousing and wholesaling of any goods except explosives, flammable gases and/or liquids, and live animals.

HEALTH CARE/SERVICE ESTABLISHMENTS

TAVERNS/LOUNGES/NIGHT CLUBS

**4-12.3 SPECIAL USES**

CHURCHES and other places of formal worship

COMMERCIAL establishments or organizations having temporary or occasional exterior activities, such as food sales, wholesale distributions, craft sales, etc.

PAYDAY LOAN STORES (Ord 07-07)

**4-12.4 LOT & STRUCTURE REQUIREMENTS**

Every principal building erected in the B-3 district shall conform to the following requirements:

- A) Minimum Lot Area 20,000 Sq. Ft.
- B) Minimum Lot Width
  - 1) At the established building line 125 Feet
- C) Minimum Lot Depth None
- D) Minimum Set Backs
  - 1) From front lot line 50 Feet
  - 2) From any side lot line 25 Feet
  - 3) From rear lot line 25 Feet
  - 4) From principal structure on adjacent lot 50 Feet
  - 5) From corner lot line on both street frontages 50 Feet
  - 6) Accessory Buildings
    - a) From principal building 10 Feet
    - b) From rear lot line 8 Feet

c) From side lot line	5 Feet
d) Maximum structure height	25 Feet
E) Maximum Structure Height	35 Feet
F) Maximum Floor Area Ratio	1.5
G) Maximum Percentage of Lot Coverage	50%

**4-12.5 OFF-STREET PARKING & LOADING SPACE REQUIREMENTS**

**4-12.5(A) Location:**

A) Parking lots accessory to any commercial uses located in any Business district shall be located within five-hundred feet of the use serviced; provided that no portion of any such parking lot shall extend into any residential district.

B) In any Business district, off-street parking facilities for different buildings or uses may be provided collectively. The total number of spaces located together must equal or exceed the total sum of the spaces required for each individual use. All regulations governing the location of parking spaces in relation to the uses served must be observed.

C) No commercial vehicle exceeding five ton cargo capacity shall be parked, stored, or staged anywhere in this district except for normal loading, unloading, and service calls upon businesses.

D) Any access way (driveway) to any off-street parking lot or loading berth shall be located at least ten feet from any side lot line.

**4-12.5(B) Minimum Required Number of Spaces:**

All uses located within this district shall provide the minimum number of parking spaces and loading space as required in Article 6.

## **Section 4-13 WOOD RIVER BUSINESS PARK - WRBP**

### **4-13.1 INTENT**

The Wood River Business Park is intended as a Business Unit Development with varied enterprises normally segregated under specific use districts. Although facilities located in this district are varied, they will exist in harmony and compliment the environmental atmosphere of the Business Park. The Wood River Business Park (WRBP) is to be bounded by Illinois Route 3 on the East, Illinois Route 143 on the South, and the corporate limits of the City on the West and North. There shall be no additional WRBP districts established in this municipality.

### **4-13.2 PERMITTED USES**

#### **INDUSTRIAL ESTABLISHMENTS**

CANNABIS BUSINESS ESTABLISHMENTS: CULTIVATION CENTER; CRAFT GROWER; DISPENSARY; PROCESSOR; INFUSER; TESTING FACILITY (Ord 20-04)

#### **COMMERCIAL ESTABLISHMENTS**

GOVERNMENT - Library, Park, Picnic Facility

#### **MANUFACTURING**

#### **FINANCIAL INSTITUTIONS**

#### **HEALTH CARE/SERVICE ESTABLISHMENTS**

#### **PROFESSIONAL SERVICE OFFICE**

### **4-13.3 SPECIAL USES**

HEAVY INDUSTRIAL ESTABLISHMENTS - Businesses that use the process of anodizing and plating, Asbestos removal and abatement services

COMMERCIAL ESTABLISHMENTS which generate high volumes of traffic and are seasonal, such as an amusement park.

### **4-13.4 RESTRICTIONS**

The uses listed above and those special uses that have received a permit will be allowed to locate in the WRBP district provided that the following restrictions are complied with:

#### **A) Compliance with the Wood River Business Park Design Guidelines:**

All items listed below must comply with the design guidelines established for this district. A copy of the design guidelines can be obtained from the Planning & Zoning Administrator.

- 1) Activities enclosed
- 2) Fences, walls, and hedges
- 3) Buffer strips
- 4) Refuse containers

- 5) Parking
- 6) Signs
- 7) Streets
- 8) Storage of goods, stocks, and equipment
- 9) Landscaping

B) The maximum amount of cannabis dispensaries allowed within the Wood River Business Park is one (1) provided, however, that a cannabis dispensary is not already operating in Downtown Business District.

Any uncertainties regarding permitted uses or the applicability of requirements to the development in question can be addressed to the Administrator.

#### **4-13.5 LOT & STRUCTURE REQUIREMENTS**

All lots and structures which are developed in the WRBP district shall comply with the design guidelines that have been established for this district. This guideline specifies acceptable building designs, colors, setbacks and other essential information.

#### **4-13.6 OFF-STREET PARKING & LOADING SPACE REQUIREMENTS**

The requirements for parking and loading spaces can be found in the design guidelines for this district. The guidelines are available at City Hall.

## **Section 4-14 INDUSTRIAL DISTRICTS - I**

### **4-14.1 INTENT**

The I Industrial District is intended to provide areas where light industry, research facilities, warehouses and wholesale businesses may locate without detriment to the remainder of the community.

These areas readily provide the factors needed by the businesses classified as industrial and will enable these businesses to provide their required services without disrupting the surrounding uses.

### **4-14.2 PERMITTED USES**

**AUTOMOTIVE REPAIR - MAJOR - Body Shops**

**COMMERCIAL ESTABLISHMENTS:** This category shall include but is not limited to those businesses which produce noise, odors, or create a visual image that would be disruptive to the community if located in another district. These businesses shall not be detrimental to the public health, safety or general welfare and shall provide adequate safeguards to protect the general public.

**MANUFACTURING**

**WAREHOUSING** or wholesaling of goods except explosives, flammable gases and/or liquids, and live animals

**4-14.3 PLANNED USES** The following uses shall be authorized within this District only pursuant to an approved Planned Development Overlay District pursuant to Article 8 of this Code specifically authorizing such use:

**HEAVY INDUSTRIAL USES** - Any establishment that involves significant use of hazardous materials or would otherwise be considered a heavy industrial use, including but not limited to, any operation that creates any extensive amount of noise or pollutants (airborne, ground-water contamination, vapor, particulate, solids or otherwise), or potential thereto, or involves the processing of substantial amounts of hazardous material or substantial outdoor storage of raw materials of any kind. In addition to all other applicable standards, heavy industrial uses shall not be approved if the use is more inclined to deter economic development of neighboring or remaining property or cause other harms to the community or public interest.

**HEALTH/ CARE SERVICE ESTABLISHMENTS**

**WAREHOUSING** or wholesaling of explosives, flammable gases or liquids or live animals.

**ANY CHANGE OF USE** new construction, or excavation of property containing or reasonably believed to contain any hazardous or toxic material in excess of any local, state or federal environmental standard. This provision shall not apply to activity solely relating to remediation of such harms that has been approved by the applicable local, state or federal agency having authority.

**MIXED USES** - Any use authorized by one or more other zoning district classifications approved alone or in conjunction with uses otherwise authorized in this district. (Am. Ord. 09-01, passed 04/06/09)

**4-14.4 RESTRICTIONS**

Those uses listed above and those special uses that have received a permit will be allowed to locate in the I district provided that a buffer strip is established where required. Any industrial use that abuts any other district must install a twenty foot wide view and noise control buffer strip. Such buffer strip shall consist of densely planted shrubbery that is at least eight feet high when planted and that can be expected to reach a height of ten feet when full-grown.

**4-14.5 LOT & STRUCTURE REQUIREMENTS**

Every principal building erected in the I district shall conform to the following requirements:

A) Minimum Lot Area	20,000 Sq. Ft.
B) Minimum Lot Width	
1) At the established building line	125 Feet
C) Minimum Lot Depth	None
D) Minimum Set Backs	
1) From front lot line	25 Feet
2) From any side lot line	25 Feet
3) From rear lot line	25 Feet
4) From principal structure on adjacent lot	50 Feet
5) From corner lot line on both street frontages	25 Feet
6) Accessory Buildings	
a) From principal building	10 Feet
b) From rear lot line	8 Feet
c) From side lot line	5 Feet
d) Maximum structure height	25 Feet
E) Maximum Structure Height	50 Feet
F) Maximum Floor Area Ratio	2.0
G) Maximum Percentage of Lot Coverage	75%

**4-14.6 OFF-STREET PARKING & LOADING SPACE REQUIREMENTS**

**4-14.6(A) Location:** (Ord. 97-14)

A) Parking lots accessory to any commercial uses located in any Industrial district shall be located within five-hundred feet of the use serviced; provided that no portion of any such parking lot shall extend into any residential district.

B) In any Industrial district, off-street parking facilities for different buildings or uses may be provided collectively. The total number of spaces located together must equal or exceed the total sum of the spaces required for each individual use. All regulations governing the location of parking spaces in relation to the uses served must be observed.

C) Any access way (driveway) to any off-street parking lot or loading berth shall be located at least ten feet from any side lot line.

**4-14.6(B) Minimum Required Number of Spaces:**

All uses located within this district shall provide the minimum number of parking spaces and loading space as required in Article 6.

**Section 4-15 CONSERVATION/RECREATION DISTRICTS - CR**

**4-15.1 INTENT**

The CR Conservation/Recreation district is intended to designate and develop places of recreation and leisure for the residents and visitors of this municipality. It is the intention of this district to preserve and enhance the natural conditions of these areas so that they may provide a recreational value to all residents.

**4-15.2 PERMITTED USES**

AUDITORIUM, meeting rooms and other places of assembly

GOVERNMENT USES such as offices, informational centers

MUNICIPAL FACILITIES: Park, Picnic Facility, Playground

SPORT FACILITIES: Field, Court, Course and Arena

**4-15.3 SPECIAL USES**

BOATING FACILITY

CAMPGROUND

COMMERCIAL ESTABLISHMENTS specializing in temporary food service

SWIMMING AREA

**4-15.4 LOT & STRUCTURE REQUIREMENTS**

Every building and structure in the CR district shall conform to the following requirements:

- |  |              |
|--|--------------|
| A) Minimum Lot Area  | None         |
| B) Minimum Lot Width   |              |
| 1) At the established building line  | None         |
| C) Minimum Lot Depth   | None         |
| D) Minimum Set Backs - The minimum setback for lots adjacent to another district will be determined by the most stringent setback requirement of the neighboring district. |              |
| 1) From front lot line   | 25 - 50 Feet |
| 2) From any side lot line  | 20 - 25 Feet |
| 3) From rear lot line  | 20 - 50 Feet |
| 4) From principal structure on adjacent lot  | 20 - 50 Feet |
| 5) From corner lot line on both street frontages   | 20 - 50 Feet |
| 6) Accessory Buildings   |              |
| a) From principal building   | 10 Feet      |
| b) From rear lot line  | 8 Feet       |
| c) From side lot line  | 5 Feet       |
| d) Maximum structure height  | 25 Feet      |



E) Maximum Structure Height	35 Feet
F) Maximum Floor Area Ratio	None
G) Maximum Percentage of Lot Coverage	30%

**4-15.5 OFF-STREET PARKING & LOADING SPACE REQUIREMENTS**

Each use permitted in this district shall provide one parking space for each two employees plus spaces adequate in number to serve the general public. The Administrator shall determine the number of parking spaces required, as well as any required loading space.

## **Section 4-16 FLOOD PLAIN OVERLAY DISTRICT - FP**

### **4-16.1 INTENT**

The FP Flood Plain Overlay District that is super-imposed over the other zoning districts and is intended to fulfill the following goals:

- A) To prevent unwise developments from increasing flood or drainage hazards to others;
- B) To protect new buildings and major improvements to buildings from flood damage;
- C) To protect human life and health from the hazards of flooding;
- D) To lessen the burden on the taxpayer for flood control projects, repairs to flood-damaged public facilities and utilities, and flood rescue and relief operations;
- E) To maintain property values and a stable tax base by minimizing the potential for creating flood blighted areas;
- F) To make federally subsidized flood insurance available for property in the City by fulfilling the requirements of the National Flood Insurance Program.

### **4-16.2 SELECTED DEFINITIONS**

**Base Flood:** The flood having a one-percent probability of being equaled or exceeded in any given year. The base flood is also known as the one-hundred year flood.

**Base Flood Elevation (BFE):** The elevation in relation to mean sea level of the crest of the base flood. The base flood elevation at any location is defined in Section 4-16.3 of this Article.

**Building:** A structure that is principally above ground and is enclosed by walls and a roof, including manufactured homes or prefabricated buildings. The term also includes recreational vehicles and travel trailers to be installed on a site for more than one-hundred eighty days.

**Development** means any man-made change to real estate, including:

- A) Construction, reconstruction, or placement of a building or any addition to a building valued at more than one-thousand dollars (\$1,000);
- B) Substantial improvement of an existing building;
- C) Installing a manufactured home on a site, preparing a site for a manufactured home or installing a travel trailer on a site for more than one-hundred eighty days;
- D) Installing utilities, construction of roads, or similar projects;

- E) Construction or erection of levees, walls, fences, bridges or culverts;
- F) Drilling, mining, filling, dredging, grading, excavating, or other nonagricultural alterations of the ground surface;
- G) Storage of materials, including the placement of gas and liquid storage tanks;
- H) Any other activity that might change the direction, height, or velocity of flood or surface waters.

“Development” does not include the maintenance of existing buildings and facilities such as re-roofing; re-surfacing roads; or gardening, plowing, and similar agricultural practices that do not involve filling, grading, or construction of levees.

Flood: A general and temporary condition of inundation of normally dry land areas from the overflow, the unusual and rapid accumulation, or the runoff of surface waters from any source.

Flood Fringe: That portion of the floodplain outside of the regulatory floodway.

Flood Insurance Rate Map: A map prepared by FEMA that depicts the floodplain or SFHA within a community. This map includes insurance rate zones and may or may not depict floodways and show base flood elevation.

Floodplain: Synonymous with Special Flood Hazard Area (SFHA). Those lands within the jurisdiction of the City that are subject to inundation by the base flood. The floodplains of the City are generally identified as such on the Flood Insurance Rate Map of the City prepared by the Federal Emergency Management Agency and dated May 1, 1979. The floodplains of those parts of un-incorporated Madison County that are within the extraterritorial jurisdiction of the City or that may be annexed into the City are generally identified as such on the Flood Insurance Rate Map prepared for Madison County by FEMA and dated April 15, 1982. A copy of these maps, showing the affected areas within and around the City is provided in Attachment 1.

Floodproofing: Any combination of structural or nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate, property, and their contents.

Floodproofing Certificate: A form published by FEMA that is used to certify that a building has been designed and constructed to be structurally dry floodproofed to the flood protection elevation.

Flood Protection Elevation (FPE): The elevation of the base flood plus two feet of freeboard at any given location in the floodplain. (Ord. 03-13, passed 11/3/03)

Floodway: That portion of the floodplain required to store and convey the base flood. The floodways for the floodplains of the City shall be as delineated on the Flood Boundary and

Floodway Map prepared by FEMA and dated May 1, 1979 or according to the best data available.

Freeboard: A margin of safety added to the base flood elevation to account for waves, debris, miscalculations, or lack of data. (Ord. 03-13, passed 11/3/03)

Special Flood Hazard Area (SFHA): See definition of “Floodplain.”

Substantial Damage: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damage condition would equal or exceed 50% of the market value of the structure before the damage occurred regardless of actual repair work performed. Volunteer labor and materials must be included in this determination. (Ord. 03-13, passed 11/3/03)

Substantial Improvement: Any reconstruction, rehabilitation, addition, or improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure of 20% or more of the square footage of the structure either (a) before the improvements or repair is started, or (b) if the structure has been damaged, and is being restored, before the damage occurred. “Substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimension of the structure. The term does not, however, include either (1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or (2) any alteration of a structure listed on the National Register of Historic Places or the Illinois Register of Historic Places. (Ord. 03-13, passed 11/3/03)

#### **4-16.3 BASE FLOOD ELEVATION**

The best available base flood data are listed below. Whenever a party disagrees with the best available data, the party may finance the detailed engineering study needed to replace existing data with better data and submit to the Federal Emergency Management Agency.

- A) The base flood elevation for the floodplains of Mississippi River shall be as delineated on the one-hundred year flood profiles in the Flood Insurance Study of the City prepared by FEMA and dated May 1, 1979.
- B) The base elevation for each floodplain delineated as an “AH Zone” or “AO Zone” shall be that elevation (or depth) delineated on the Flood Insurance Rate Map of the City.
- C) The base flood elevation for the floodplains of those parts of unincorporated Madison County that are within the extraterritorial jurisdiction of the City or that may be annexed into the City shall be as delineated on the one-hundred year flood profiles in the Flood Insurance Study of Madison County prepared by FEMA and dated April 15, 1982.

#### **4-16.4 ENFORCEMENT & RETENTION OF RECORDS**

The Administrator shall be responsible for the general administration and enforcement of this article. The duties required by this position shall include but are not limited to the following:

- A) Process development permits in accordance with this Article and ordinance;

- B) Ensure that all development in a floodway (or a floodplain with no delineated floodway) meets the damage prevention requirements of this Article;
- C) Ensure that the building protection requirements for all buildings subject to Section 4-16.6(B) are met and maintain a record of the “as-built” elevation of the lowest floor (including basement) or floodproof certificates;
- D) Assure that all subdivisions and annexations meet the requirements of Section 4-16.7;
- E) If a variance is requested, ensure that the requirements of Section 4-16.8 of this Article are met and maintain documentation of any variance granted;
- F) Inspect all development projects and take any and all actions necessary to ensure they comply with the provisions of this Article;
- G) Assure that applicants are aware of and obtain any and all other required local, state, and federal permits;
- H) Provide information and assistance to citizens upon request about permit procedures and floodplain construction techniques;
- I) Cooperate with State and Federal floodplain management agencies to improve base flood and floodway data and to improve the administration of this Article;
- J) Maintain for public inspection and furnish upon request base flood data, floodplain maps, copies of federal or state permit documents, and documentation of compliance for development activities subject to this Article.

**4-16.5 DEVELOPMENT PERMIT REQUIREMENTS**

No person, firm, corporation, or governmental body not exempted by state law shall commence any development in the floodplain without first obtaining a development permit from the Administrator. The Administrator shall not issue a development permit if the proposed development does not meet the requirements of this Article.

- A) The application for a development permit shall be accompanied by the following:
  - 1) Drawings of the site, drawn to scale showing property line dimensions;
  - 2) Existing grade elevations and all proposed changes in grade resulting from excavation or filling;
  - 3) The location and dimensions of all buildings and additions to buildings;
  - 4) The elevation of the lowest floor (including basement) of all proposed buildings subject to the requirements of Section 4-16.6(B) of this Article.

B) Upon receipt of an application for a development permit, the Administrator shall compare the elevation of the site to the base flood elevation. Any development located on land that can be shown to have been higher than the base flood elevation as of the date of the site's first Flood Insurance Rate Map identifications is not located in the floodplain and therefore not subject to the requirements of this Article. The Administrator shall maintain documentation of the existing ground elevation at the development site and certification that this ground elevation existed prior to the date of the site's first Flood Insurance Rate Map identification.

#### **4-16.6 DEVELOPMENT GUIDELINES**

##### **4-16.6(A) Preventing Increased Flood Heights and Resulting Damages**

Within the floodway identified on the Flood Boundary and Floodway Map, and within all other floodplains where a floodway has not been delineated, the following standards shall apply:

A) Except as provided in Item B of this section, no development shall be allowed which, acting in combination with existing and anticipated development, will cause any increase in flood heights or velocities or threat to public health and safety. The following specific development activities shall be considered as meeting this requirement:

- 1) Barge fleeting facilities meeting the conditions of IDOT/DWR Statewide Permit No. 3;
- 2) Aerial utility crossings meeting the conditions of IDOT/DWR Statewide permit No. 4;
- 3) Minor boat docks meeting the conditions of IDOT/DWR Statewide Permit No. 5;
- 4) Minor, non-obstructive activities meeting the conditions of IDOT/DWR Statewide Permit No. 6;
- 5) Outfall structures and drainage ditch outlets meeting the conditions of IDOT/DWR Statewide Permit No. 7;
- 6) Underground pipeline and utility crossings meeting the conditions of IDOT/DWR Statewide Permit No. 8;
- 7) Bank stabilization projects meeting the conditions of IDOT/DWR Statewide Permit No. 9;
- 8) Accessory structures and additions to existing residential buildings meeting the conditions of IDOT/DWR Statewide permit No. 10;
- 9) Minor maintenance dredging activities meeting the conditions of IDOT/DWR Statewide permit No. 11;

10) Any development determined by IDOT/DWR to be located entirely in a flood fringe area.

Applications for the permits listed above can be obtained from the Planning & Zoning Administrator.

B) Other development activities not listed in (A) may be permitted only if:

- 1) A permit has been issued for the work by IDOT/DWR or written documentation is provided that an IDOT/DWR permit is not required;
- 2) Sufficient data has been provided to FEMA when necessary to approve a revision of the regulatory map and base flood elevation.

**4-16.6(B) Protecting Buildings**

In addition to the damage prevention requirements of Section 4-16.6(A), all buildings to be located in the floodplain shall be protected from flood damage below the FPE. This building protection requirements applies to the following situations:

- A) Construction or placement of a new building valued at more than one-thousand dollars (\$1,000);
- B) Substantial improvements made to an existing building;
- C) Structural alterations made to an existing building that increase the floor area by more than 20%;
- D) Installing a manufactured home on a new site or a new manufactured home on an existing site. The building protection requirements do not apply to returning a manufactured home to the same site it lawfully occupied before it was removed to avoid flood damage;
- E) Installing a travel trailer on a site for more than one-hundred eighty days.

Residential or non-residential buildings can meet the building protection requirements by one of the following methods:

- A) The building may be constructed on permanent land fill in accordance with the following:
  - 1) The lowest floor (including the basement) shall be at or above the FPE;
  - 2) The fill shall be placed in layers no greater than one foot before compaction and should extend at least ten feet beyond the foundation before sloping below the FPE;

- 3) The fill shall be protected against erosion and scour during flooding by vegetative cover, riprap, or other structural measure;
- 4) The fill shall be composed of rock or soil and not incorporate debris or refuse materials;
- 5) The fill shall not adversely affect the flow of surface drainage from or onto neighboring properties.

B) The building may be elevated in accordance with the following:

- 1) The building or improvements shall be elevated on stilts, piles, walls, or other foundation that is permanently open to flood waters;
- 2) The lowest floor and all electrical, heating, ventilating, plumbing, and air conditioning equipment and utility meters shall be located at or above the flood protection elevation;
- 3) If walls are used, all fully enclosed areas below the lowest floor must be used solely for parking or building access and shall be designed to allow entry and exit of flood waters. Designs must either be certified by a registered professional engineer or architect or have a minimum of two permanent openings no more than one foot above grade and providing a total net area of not less than one square inch for every one square foot of enclosed area subject to flooding;
- 4) The foundation and supporting members shall be anchored and aligned in relation to flood flows and adjoining structures so as to minimize exposure to hydrodynamic forces such as current, waves, ice and floating debris;
- 5) All structural components below the FPE shall be constructed of materials resistant to flood damage;
- 6) Water and sewer pipes, electrical and telephone lines, submersible pumps, and other service facilities may be located below the FPE provided they are waterproofed;
- 7) No area below the FPE shall be used for storage of items or materials.

Manufactured homes and travel trailers to be installed on a site for more than one-hundred eighty days shall be:

- A) Elevated to or above the FPE;
- B) Anchored to resist flotation, collapse, or lateral movement by being tied down in accordance with the Rules and Regulations for the Illinois Mobile Home Tie-Down Act issued pursuant to 77 IL Adm. Code 870.



Non-residential buildings may be structurally floodproofed (in lieu of elevation) provided a registered professional engineer certifies that:

- A) Below the FPE, the structure and attendant utility facilities are watertight and capable of resisting the affects of the base flood;
- B) The building design accounts for flood velocities, duration, rate of rise, hydrostatic and hydrodynamic forces, the effects of buoyancy, and impacts from debris or ice;
- C) Floodproofing measures shall be operable without human intervention and without an outside source of electricity.

Levees, berms, floodwalls, and similar works are not considered floodproofing for the purpose of this subsection.

#### **4-16.7 SUBDIVISION AND OTHER DEVELOPMENT REQUIREMENTS**

The City Council shall take into account flood hazards, to the extent that they are known, in all official actions related to land management, use and development.

New subdivisions, manufactured home parks, recreational vehicle parks, annexation agreements, planned unit developments and additions to manufactured home parks and subdivisions shall meet the requirements of this Article. Any proposal for such development shall include the following data:

- A) The BFE and the boundary of the floodplain (where the BFE is not available from an existing study, the applicant shall be responsible for calculating the BFE);
- B) The boundary of the floodway when available;
- C) A signed statement by a registered professional engineer that the plat or plan accounts for changes in the drainage of surface waters in accordance with the Plat Act (765 Illinois Compiled Statutes 205/2).

Public health standards must be met for all floodplain development. In addition to the requirements of Section 4-16.6, the following standards apply:

- A) Critical facilities are prohibited from both the 100 year floodplain and the 500 year floodplain. Critical facilities include:
  - Structures or facilities that produce, use, or store highly volatile, flammable, explosive, toxic, and/or water-reactive materials;
  - Hospitals, nursing homes, and housing likely to contain occupants who may not be sufficiently mobile to avoid death or injury during a flood;
  - Police stations, fire stations, vehicle and equipment storage facilities, and emergency operations centers that are needed for flood response activities before, during, and after a flood; and
  - Public and private utility facilities that are vital to maintaining or restoring normal services to flooded areas before, during, and after a flood.

(Ord. 03-13, passed 11/3/03)

B) New and replacement sanitary sewer lines and on-site waste disposal systems may be permitted providing all manholes or other above ground openings located below the FPE are watertight.

All other activities defined as development shall be designed so as not to alter flood flows or increase potential flood damages.

#### **4-16.8 VARIANCES**

Whenever the standards of this Article place undue hardship on a specific development proposal, the applicant may apply to the Board of Zoning Appeals for a variance. The Board of Zoning Appeals shall review the applicant's request for a variance and may attach such conditions to granting of a variance as it deems necessary to further the intent of this Article.

No variance shall be granted unless the applicant demonstrates that:

- A) The development activity cannot be located outside the floodplain;
- B) The relief requested is the minimum necessary;
- C) There will be no additional threat to public health or safety or creation of a nuisance;
- D) There will be no additional public expense for flood protection, rescue, or relief operations, policing, or repairs to roads, utilities, or other public facilities;
- F) The applicant's circumstances are unique and do not establish a pattern inconsistent with the intent of the NFIP;
- G) The requirements for requesting a variance as listed in Article 12 have been met.

The Administrator shall notify an applicant in writing that a variance from the requirements of the building protection standards of Section 4-16.6(B) that would lessen the degree of protection to a building will:

- A) Result in increased premium rates for flood insurance up to amounts that may be as high as Twenty-five dollars (\$25.00) for One-hundred dollars (\$100.00) of insurance coverage;
- B) Increase the risks to life and property;
- C) Require that the applicant proceed with knowledge of these risks and that the applicant acknowledge in writing the assumption of the risk and liability.

Variations to the building protection requirements of Section 4-16.6(B) of this Article requested in connection with the reconstruction, repair or alteration of a site or building included on the

National Register of Historic Places or the Illinois Register of Historic Places may be granted using criteria more permissive than the requirements of Subsection 4-16.8 A-D.

#### **4-16.9 DISCLAIMER OF LIABILITY**

The degree of flood protection required by this Article is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods may occur or flood heights may be increased by man-made or natural causes. This Article does not imply that development either inside or outside of the floodplain will be free from flooding or damage. This Article does not create liability on the part of the City or any officer or employee thereof for any flood damage that results from reliance on this Article or any administrative decision made lawfully thereunder.

#### **4-16.10 PENALTY**

Failure to obtain a permit for development in the floodplain or failure to comply with the requirements of a permit or conditions of a variance shall be deemed to be a violation of this ordinance. Upon due investigation, the Administrator may determine that a violation of the minimum standards of this ordinance exists. The Administrator shall notify the owner in writing of such violation.

If such owner fails after ten days notice to correct the violation, the City may take action as outlined in Article 1.

The Administrator shall inform the owner that any such violation is considered a willful act to increase flood damages and therefore may cause coverage by a Standard Flood Insurance Policy to be suspended.